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DOMINION OF CANADA

FOURTH SESSION—SEVENTH PARLIAMENT

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COMPRISING THE PERIOD FROM THE TWENTY-EIGHTH DAY OF MAY TO THE
TWENTY-THIRD DAY OF JULY, INCLUSIVE



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1894

House of Commons Debates

FOURTH SESSION—SEVENTH PARLIAMENT

HOUSE OF COMMONS.

MONDAY, 28th May, 1894.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

MEMBER INTRODUCED.

THÉOTIME BLANCHARD, Esquire, member for the Electoral District of Gloucester, N.B., introduced by Sir John Thompson and Hon. Mr. Costigan.

THIRD READING.

Bill (No. 77) to incorporate the Dominion Gas and Electric Company.—(Mr. Boyd.)

IN COMMITTEE—THIRD READING.

Bill (No. 66) to empower the Niagara Falls Suspension Bridge Company to issue debentures, and for other purposes.—(Mr. Lowell.)

SECOND READINGS.

Bill (No. 109) for the relief of Joshua Nicholas Filman.—(Mr. McKay.)

Bill (No. 114) to incorporate the Colonial Mutual Life Association.—(Mr. McKay.)

GOVERNMENT COAL AT SOREL.

Mr. **BRUNEAU** asked, Who is authorized, under the Department of Public Works, at Sorel, to lend or sell coal belonging to the

Government? Have the Government been informed, and if so, in what manner, that coal has been so lent or sold to a merchant of Sorel? Has the coal been paid for or returned? What is the quantity so lent or sold?

Mr. **HAGGART**. In the absence of the Minister of Public Works, I have to say that no coal has ever been loaned or sold to coal merchants at Sorel by any officer in charge there or any other person.

FISHERY OVERSEER FOR VERCHERES.

Mr. **BRUNEAU** asked, Whether a petition, signed by many inhabitants of the parish of Contrecoeur, was not forwarded to the Government recommending the appointment of Mr. Cléophas Giguère, of the said parish, as fishery overseer for the county of Verchères? If so, when was the said petition transmitted to the Government? Who has been appointed to fill that position? What is the date of the appointment? Does the person so appointed reside within the limits of the territory placed under his supervision?

Sir **CHARLES HIBBERT TUPPER**. A petition purporting to be signed by residents of Contrecoeur, recommending the appointment of Mr. Cléophas Giguère as fishery overseer for the county of Verchères, was received at the Department of Marine and Fisheries on the 3rd December, 1892. Mr. Gédéon Magnan was appointed to fill the position on the 16th of February, 1893. He resides within the limits of his division. I may add that a second petition urging the appointment of Mr. Giguère was transmitted on the 2nd March, 1893.

COLLECTOR OF CUSTOMS AT LOUISBURG.

Mr. SUTHERLAND (for Mr. Forbes) asked. Is the Government aware that P. O'Toole, the collector of customs at Louisburg, N.S., is conducting a general store and supply business at that place and transacts the duties of collector in the same store where he has but one office? Does the Government propose that this state of affairs shall continue?

Sir JOHN THOMPSON. The Government is not aware the the sub-collector of customs at Louisburg is conducting a general store and supply business, or as to the situation of his office. The question is one that cannot be answered until information is obtained as to the alleged business of the sub-collector. Inquiry is being made through the inspector of customs with a view to ascertaining the facts.

FINANCES OF KINGSTON PENITENTIARY.

Mr. MULOCK asked, Has the warden of the Kingston Penitentiary recently paid over to the Government any moneys in respect of any shortage on his part? If so, how much? When, and on what account?

Sir JOHN THOMPSON. The question is founded on a mistake. Mr. Speaker. There is no shortage in the accounts of the warden; there has not been any that I have ever been aware of.

Mr. MULOCK. The return of the gate money received, which was laid on the Table does not show that the money was paid to the Government at the different dates. It shows several thousands of dollars of gate-money collected by the warden, but it does not show that this was paid over in the order of its receipt.

Sir JOHN THOMPSON. There is no shortage in the gate-money, so far as the warden is concerned. The practice has been, and the rule of the department has been, that the money should be deposited in the bank, not to the order of the Receiver General, but to the credit of a special fund. But under a recent arrangement it is deposited to the credit, not of the warden alone, but of the warden and the accountant.

Mr. MULOCK. The return shows that the money was deposited to the warden's own credit.

Sir JOHN THOMPSON. That was the rule until a few months ago.

Mr. MULOCK. Then the return ought to be corrected to show when the money was paid over.

Sir CHARLES HIBBERT TUPPER.

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Sir JOHN THOMPSON. The money is not paid over at all, but is kept there and used for a specific purpose. The only change made is that a second officer is included with the warden, and the money deposited to the credit of both. The account has always been checked and has always been found correct.

HER MAJESTY'S SOVEREIGNTY OVER HUDSON'S BAY.

Mr. MILLS (Bothwell) moved for:

Copies of all correspondence since 1867, between the Government of Canada and the Imperial Government in reference to Her Majesty's exclusive sovereignty over Hudson's Bay.

He said: This, Mr. Speaker, is a matter of very considerable importance. The Government, of course, know right well that Hudson's Bay has always been claimed by Great Britain as part of the sovereignty of the Crown ever since the discovery of that bay. It was a matter of dispute for some time, during a former century, between Great Britain and France as to whom this bay, of right, belonged; but that question was settled in favour of the British contention by the Treaty of Utrecht in 1713, and since then I believe, it has been recognized as between Great Britain and France and acquiesced generally by Christendom that this is a portion of the British possessions in North America. I understand, Mr. Speaker, that lately American vessels have been going in there, engaged in whale, porpoise, and other fishing operations, and I do not understand that any steps have been taken by the Government to assert the jurisdiction of Canada over these waters. Now, the whole coast of Hudson's Bay lies within British territory. The bay is a land-locked bay, only connected with the high seas by the narrow passage of water called the Hudson's Straits. But, Sir, if the ships of foreign countries are allowed to go into these waters without question, and without taking out any license, to engage in fishing operations there, it might very well be, at no distant day, according to the rules of acquiescence, that the parties whose ships so engaged might claim to go there, as a matter of right, regarding these waters as part of the high seas. I think it is important to know how far there has been any departure from the long and continuous contention that these are British waters. Under the modern doctrine there has been a disposition to limit the rights of states to waters within their own territory and upon their own coasts, and it is important to know whether any correspondence has taken place between the Government of Canada and the Government of the United Kingdom

with reference to our sovereignty over these waters as part of the territory of Canada. I am not going to detain the House with any statement of the elementary principles of international law applicable to the case. These are generally well known. What it is important to know is what steps the Government have taken to assert their authority and to prevent any rights or pretensions of rights being acquired by any other people or community on the ground of acquiescence and because of our indifference with regard to these matters. There is no difference in point of law, between the rule of acquiescence as applicable between private individuals and between states. It is therefore of consequence that we should not, by our indifference, permit any loss to be sustained by the Canadian people, and for this reason I move for this correspondence. I assume that the Government have not been indifferent to the rights of the people of Canada; I assume that the Government have not, by negligence, or by sleeping upon their rights, permitted rights of other parties to spring up. It is true that it may involve some expense to this country to exercise proper police supervision over the waters of Hudson's Bay. It seems to me, however, that on account of the narrowness of the straits which connect this bay with the Atlantic, that right should be very easily exercised, and at no great expense to the country. But whether that expense be more or less, I think it is important that it should be incurred for the purpose of maintaining our rights; and I am sure that the House and the public would not be indifferent to the maintenance of the sovereignty of Canada over these waters. I am told that they are valuable at the present time, that the whale fisheries and porpoise fisheries are both extensive, and that the hair seal fisheries in the vicinity are also extensive, and have of late years greatly increased. This being so, and it being probable that at no distant date the bay will be connected with the settled portions of Canada by railway communication, it is highly important that our exclusive jurisdiction over those waters should not be lost, and for these reasons I move the motion now in your hands.

Sir CHARLES HIBBERT TUPPER. The importance of this question is fully recognized by the Government. The hon. gentleman has referred to the fisheries of the Hudson's Bay and the Canadian interests in those waters, and it is perhaps only right that I should say in advance of the return being brought down, that the question has received due attention, and its importance is fully recognized. The hon. gentleman has referred to the invasion of our territorial rights by the fishing and hunting that are carried on in Canadian waters in Hudson's Bay by foreign fishing vessels. I may say that from time to time rumours of that character have reached me. The remote-

ness of the region, however, has made it extremely difficult to ascertain with any degree of accuracy the correctness of these rumours. Some steps have been taken, through the agency of the Department of Marine and Fisheries, to publish notices that the laws of Canada apply in those waters; but it is only fair to say that since we are not as yet familiar with either the time that those vessels are likely to arrive or the portions of the bay where they may be found at any time, these notices have been to a great extent formal. Nevertheless, so far as the records of my department show, there has been no inaction in that connection that would in the slightest degree prejudice the rights of Canada over this region. On one or two occasions we have, through the agency of the Hudson's Bay Company and through the Indian Department, endeavoured to obtain full information in regard to the illicit trading which is said to have been carried on by small foreign vessels going there possibly to hunt, or engage in the whale or porpoise fishery, but the result of those efforts so far has not been such as to give us much definite information. Even the Hudson's Bay Company officials themselves, though they believe and assert that a good deal of smuggling is carried on in violation of our revenue laws, have not been able, up to date, to furnish such information as would enable us to take definite action. However, the whole subject and the important interests that are there involved, have been under consideration for some time with the object of ascertaining what definite course should now be taken in regard to the various propositions for protecting such rights as we think should be conserved, for instance, the very question of jurisdiction to which the hon. gentleman has referred, and propositions relating to the establishment of a revenue ship for the purpose of maintaining those rights. There would be ample opportunity to assert exclusive sovereignty over those waters because of the narrow approaches to the great waters of the bay. Most of the channels are under six miles in width, and all, I think, are outside the main entrance of the Hudson's Bay itself. So that when it becomes necessary actively to assert such rights as we possess, there would be, as the hon. gentleman says, no great difficulty; and I am inclined to agree with him in the view that no great expense would be entailed. The papers, so far as they relate to the various departments, will, no doubt, be soon collected and brought down, in answer to the hon. gentleman's motion.

Motion agreed to.

THE FUR SEAL.

Mr. MILLS (Bothwell) moved :

That it is highly desirable that steps should be taken by the Canadian Government to introduce

the fur seal into Hudson's Bay and other waters upon the eastern coast of Canada.

He said: I think whoever has looked into the question will have seen that there is practically no great difference between the habits of the various species of seal. They are all animals that resort to pretty high latitudes, and species of the common seal are found in the waters of Hudson's Bay and on the Atlantic coast, and the habits and means of subsistence of the common seal and the fur-bearing seal are much the same. It seems to me it would be an experiment well worth trying to see how far these animals may be propagated in Hudson's Bay and in the waters of the Atlantic coast. I am of the opinion that if proper care were taken for their protection, it would be found that they could subsist as well off the Atlantic coast as in the Pacific Ocean. There is no great difference in the climate between the Pribyloff Islands and the climates on the eastern coast of Newfoundland or Sable Island, or for that matter of Labrador or Hudson's Bay. It seems the extent of sea area over which these animals wander depends largely upon the migratory habits of the fish upon which they subsist, and the same food may be found on the Atlantic coast that is required for the subsistence of the seals of the South Seas or the Northern Pacific. This being so, I think it is highly desirable that the experiment should be made by the Government of propagating the fur-bearing seal in the waters mentioned in the resolution. I need not further occupy the attention of the House with discussing the subject. It appears to me to be a matter of interest in which is very obvious, and the cost of the experiment would not be very great.

Sir CHARLES HIBBERT TUPPER. I take it for granted that the hon. gentleman who has moved this resolution does not propose to do more than elicit an expression of opinion in an informal way of the hon. members of this House, and does not propose to ask that the resolution be pressed to a vote, which would involve either its adoption or final rejection. At all events, I may be permitted to say that I do not think the time has come when it would be advisable even to make the attempt to which the hon. gentleman refers. Independently altogether of the expense that might be involved, I should like to point out that there are very great difficulties in the way. The greatest difficulty is this: notwithstanding the investigation that the Russian Government has been conducting for a century into the interesting question of the habits of the fur seal, notwithstanding the enormous expense that the United States Government in recent years has incurred in studying the habits of that animal, and notwithstanding the very thorough examination, for the time the examination occupied, that the British Commissioners made into the habits of the fur seal, the most important facts connected with the habits of that ani-

mal are in bitter controversy to-day. The Russian authorities differ among themselves, the Russian and the United States authorities conflict—I refer to the scientific men in both countries—and the British Commissioners were at issue, and are at issue, with those eminent authorities in relation to the chief points connected with that extraordinary animal, the fur seal of the Pacific Ocean. In the second place, there is no analogy between the hair seal of the Atlantic or the hair seal of the Pacific, because that animal is found in the waters of both, and the fur seal. The habits of those animals are as widely distinguished as possible. The fur seal is known to frequent only a few particular spots as habitats, and to come back with unerring regularity to those places, or points near to them, and always resort to the land, or nearly always resort to the land, for purposes of procreation, whereas the hair seal is known to reproduce its species at sea, and on our side of the continent is found on the ice and not on the land. The size of the animals is altogether different, one running only a few pounds comparatively, and the fur seal running up to 700 or even 1,000 pounds in weight. I will not weary the House by going over the enormous differences that exist between those two species of animals, separate and entirely distinct as they are, not only as regards habits and form, but particularly as regards value. Then, again, the question of climate or temperature to which the hon. gentleman has referred cannot help us much, because with an enormous area of water and the mainland on the Pacific Ocean and on the Asiatic coast, at or near the Commander Islands, and the surrounding territory in the sea of Othosk, notwithstanding a similar climate prevailing so far as we now know, we look in vain all over that great area for a sign of the fur seal outside of a few spots. For 100 years, so far as the Pacific is concerned, the fur seal has been found in certain particular spots. It is true that cases have been found in which animals seen on one of the Pribyloff's, say at St. George, have been found the next year on St. Paul; but it was found impossible for the British case to establish, what was supposed to be the case at one time, that those animals were found indiscriminately in the various rookeries at great distances apart, like the Commander and Pribyloff Islands and vice versa. There is another very serious question to be considered before we should proceed to anything like a decision on this question, a decision in which the fishermen of the Atlantic coast are very directly interested, and that is this: nature has placed these extraordinary animals, the fur seals, in the southern and northern Pacific waters, and nature has also placed an enormous quantity of fish in these waters, so far as information now goes, far in excess of the fisheries of the Atlantic coast, and it is calculated that each fur seal consumes tons upon tons of fish every season. I would not

Mr. MILLS (Bothwell).

like to be the Minister who would take the responsibility of introducing a new enemy to the valuable fish that we now have on the Atlantic coast, and the success of such a scheme as this would amount to that. Supposing the experiment were successful and we established seal rookeries in the Hudson's Bay, the inroads upon the fisheries that we are now doing all in our power to protect would be far greater than any they have had hitherto to resist, and the so-called balance of nature would be, if I might suggest it, very seriously interfered with. The House will remember that in the discussion which took place before the tribunal at Paris, it was significant that the great men of science of the world knew nothing whatever upon the subject of seal life. Many of them gave their opinions generally in favour of United States contentions on these points, but they practically had to admit their ignorance on the subject, and indeed that want of knowledge was to a very large extent shown by the statements they made. Then, again, before encountering all these difficulties, the expense of the experiment would be far greater than I think the hon. gentleman has considered. There would not only be the sea journey for these animals with which to experiment, but there would have to be transport both by land and by sea, and there would be the selection of the breeding places without the slightest reason to suppose that after you had put these animals in the water they would return. In the case of the known habits of the seal, they return to their rookeries, and to their rookeries, only for the purpose of reproduction and they are found nowhere else near them although the conditions of the surroundings are exactly similar to the places which they have chosen for their land home. If we put a limited number of these seals into the Hudson's Bay, we have not the slightest reason for supposing they would ever see them again there. Their course would be uncertain and their return to any particular spot most unlikely, because if there is anything peculiar in connection with the islands which they now frequent, there is the instinct in the seals, from long habit, to return to particular places. We know that the seals on the Pacific coast take a course as far south as California and then come back; but no one can say that the conditions on that annual migration on the Atlantic side would be the same as regards either temperature or water currents, which are supposed to affect them materially, or the question of the abundance of the food supply. I think I would be safe in saying that there can be no comparison between the food supply for seals in the waters of the Atlantic and the waters of the Pacific. While the seals of the Pribyloff herd, so-called, are found year after year in the Pribyloff Islands, nevertheless the fact that they are sometimes found on one island and sometimes on another, is a serious obstacle to any confidence in the success of the proposition before the House, because the hon. mem-

ber for Bothwell (Mr. Mills) will see: that with such a range of islands, and such a range of shore, and such an unknown region for their roaming, it would be very difficult to discover their whereabouts on their return. In my humble judgment the expense of even watching the movements of these particular animals would be enormous, and therefore, while the subject is one of very great interest, it would require a very great deal of time and money to deal with it thoroughly. I am at the outset compelled to confess to the hon. gentleman that from my examination into the habits of these animals, it is too soon, even to begin with the experiment which he has suggested. There are other subjects, coming under my department, on which we have gathered far more definite information over a long series of years, and in which our citizens are greatly interested. Take, for instance, the question of transporting lobsters from the Atlantic to the Pacific and introducing them into these waters. That is a very much simpler problem to attack, and yet in connection with that we have been watching in Canada the very costly experiments which have been made in the United States, and which up to the present time have been a complete failure. They have gone to a great deal of expense with these experiments and yet they have found it impossible to show any practical result or success in that direction. I could mention many other subjects that are under the consideration of the Department of Marine and Fisheries, and if we were prepared to take them up and supply the necessary funds, I could exhaust all the available money very speedily in a direction in which our fishermen and our people are much more immediately and vitally concerned. I hope that after a general expression of opinion by hon. gentlemen touching the resolution, that the House will consent that this debate should be adjourned. I shall, therefore, Mr. Speaker, move that the debate be adjourned.

Mr. MILLS (Bothwell). With regard to the statement of the hon. gentleman that we have not sufficient information as to the nature and habits of the fur seal to enable us to undertake this experiment, I would say that that observation of his, is much like the advice the old lady gave to her children: that they should not go into the water until they had learned to swim. In my opinion, the only way of ascertaining how far the experiment can be made successfully, is by actual trial of the experiment. Now, the hon. gentleman has referred to the ordinary seal, the hair seal, and these fur-bearing seals of the northern Pacific. These are part of a very large family. The spotted seal on the coast of Greenland is quite as large as the largest fur-bearing seal on the Pacific coast, and the leopard seal is a very large seal, acquiring often, a weight of several hundred pounds. The statements by Mr. Wood, I think,

is that the large spotted seal on the coast of Greenland often acquires a weight of nearly a thousand pounds. Now, so far as the size is concerned, I do not think it at all affects the question.

Sir CHARLES HIBBERT TUPPER. I referred to the size in connection with the capacity of the seals for consuming fish.

Mr. MILLS (Bothwell). I fancy that the ordinary hair seal is quite as destructive as the other seals.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is certainly misinformed.

Mr. MILLS (Bothwell). I do not find any different opinion expressed in that respect. The seal, when it catches a fish, I believe, only devours a very small portion of it, and passes on to others. The fur seal, whether large or small, is equally destructive of the fish upon which it subsists. I do not suppose that if you were to introduce the fur seal on the Atlantic coast, there would be any appreciable diminution of the quantity of fish caught in the Atlantic. Then, with regard to the fur seal of the Pacific coast, the Pribyloff and the Commander Islands are not the only places in which this animal is found; fur seals are also found about the Falkland Islands. I have not suggested that those on the Pacific coast should be introduced, because that is a matter for consideration. It seems to me that the seals from the very high latitudes in the south might be better adapted to our Atlantic waters than the seals taken from the Pacific coast.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman was referring to the temperature of the Hudson's Bay and the Pribyloff Islands being the same, and for that reason, I supposed he addressed himself to the northern seals.

Mr. MILLS (Bothwell). Not exclusively. Then, with regard to the area of water over which these seals wander. Now, the statement with regard to the seals of the Falkland Islands is that they go but a very short distance from the shore, and it is supposed that the explanation for doing so is that the fish upon which they subsist do not migrate very far from the coast of the Falkland Islands. Then, again, with regard to the seals further south, of South Georgia, and in the neighbourhood of the Antarctic Continent, I believe that those seals breed upon the ice just as they do off the coast of Greenland, and off the coast of Labrador; so that the fur seal—and when I say fur seal I mean the whole family—do not, in this particular, differ from the hair seal of Baffin's Bay and of the Labrador coast. They seem to prefer high latitudes, a very cold climate, and will live upon the ice as a place of resort quite as well as upon land. Now, I do not think the experiment would at all be as costly as the hon. Minister of

Mr. MILLS (Bothwell).

Marine and Fisheries suggests. I have, however, done what I think was my duty in bringing the subject under the attention of the House, and I think that the experiment might be made without any very serious cost to the public treasury. The hon. Minister thinks these animals, upon being brought from the south Atlantic coast, might not return to the land from the place where they were first deposited. I do not know about that matter. I think that the reasoning in reference to the habits of these animals would lead to a different conclusion from that which the Minister suggests; but, of course, nothing can be known definitely, until the experiment is actually made. Whether they would return to precisely the same place or to the neighbourhood of that place, would largely depend, I think, upon the habits of the fish upon which they subsist. These fur-bearing seals in the northern Pacific, I believe, largely subsist upon salmon; the hair-bearing seals of the Atlantic subsist upon the cod. Their habits are such that they occasionally cause great inconvenience to fishermen, and sometimes rob their nets of the fish that are caught in them. I am speaking now of the hair seals, and the fur seals could not be a greater enemy than the one that already exists, and unless they were to appreciably diminish the catch, there would be an advantage in their introduction. I do not think the hon. gentleman would suggest that their destructive powers are likely to be so great that they would seriously interfere with the protection of our fisheries. If that were so, if that was the conclusion at which the hon. gentleman arrived from his reading and investigation of the subject, when it was practically before him, then it seems to me that he ought to have taken a different position from the one he did take in discussing this question with our neighbours, because that would be a reason for the extermination of the fur-bearing seals altogether, instead of undertaking to extend special protection for their preservation. Now, the arbitration, which we must assume acted fairly upon the evidence which was before them, did not come to that conclusion; they did not come to the conclusion that the fur-bearing seals in the northern Pacific waters were a nuisance that ought to be abated.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will allow me to correct him, because he is falling into an error in his argument now. The arbitrators had no jurisdiction to do anything else than to consider how best to preserve the hair seals. The treaty provided in express terms that that was the point upon which they were to base their regulations; therefore, it was entirely out of order for them to propose that they should be exterminated.

Mr. MILLS (Bothwell). The hon. gentleman will see that he has only moved his difficulty one stage further back.

Sir CHARLES HIBBERT TUPPER. I was not trying to remove my difficulty, I was trying to give the hon. gentleman information.

Mr. MILLS (Bothwell). He has only removed the difficulty in which he is placed one step further back, for the hon. gentleman had before him a question that should be referred to the arbitration.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will understand that the British Government, and not the Canadian Government, made the treaty, and drew the terms of the reference.

Mr. MILLS (Bothwell). I think we all understand that the British Government sought to give effect to the views of the Canadian Government in the matter.

Sir CHARLES HIBBERT TUPPER. That was not the statement, and is not correct.

Mr. MILLS (Bothwell). Then the hon. gentleman would lead the House to suppose that in this matter of the Behring Sea, the Government of Canada were unwilling parties to the arbitration.

Sir CHARLES HIBBERT TUPPER. I have no hesitation in saying that I believe that if the Canadian Government had been in a position to draw that treaty, that treaty would not have been drawn as it was. It was a treaty made of necessity by Great Britain.

Mr. MILLS (Bothwell). The contention of the hon. gentleman is that the British Government blundered, and that by their blunder the Canadian Government suffered loss, that an animal that is a nuisance in the northern Pacific waters has been enjoying care and protection instead of being exterminated, and that the treaty and the regulations by which that special care and attention have been extended to the fur seals in the northern Pacific waters, is an arrangement to which the Canadian Government were unwilling parties. Well, Sir, I have read with a good deal of care and with a good deal of interest the discussion on that subject; I have read with a great deal of interest the legal and historical information collected with regard to that subject. I think that it indicated a good deal of industry and judgment in the collection of the evidence and in the arrangement of the material, but I do not find that the Canadian Government contended that these animals were a nuisance and that there ought to have been no care for their protection.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman allow me, because he is entering upon a branch of the matter to which he certainly did not refer in his remarks on his motion, and to which I therefore did not pay any attention? The hon. gentleman must not distort my argument. I did not argue that the fur seal was a

nuisance in Pacific waters. I said that there, under the laws of nature, there was an extraordinary abundance of fish, and that for a great number of years the fish and the seals had existed there together and increased. But I said there was great doubt, and perhaps more than doubt, that if you introduced into the Atlantic waters, which are not supplied, in my opinion, with such an amount of fish, such a predaceous animal as the fur seal, the condition of things there being entirely different, you might bring about the extinction of a most valuable fishery, and the fur seal might in those waters become a nuisance, and I said that would be a policy I would not take the responsibility of adopting. I did not argue that the fur seals, under present conditions, were a nuisance in the Pacific waters.

Mr. MILLS (Bothwell). I am not saying that the hon. gentleman did argue that the fur seal was a nuisance. But he stated, in speaking of the habits of the seal, that they were destructive, and that those predaceous habits made it an animal, the preservation of which was scarcely consistent with the due protection of the fisheries. The hon. gentleman will remember, in the discussion upon the fur-bearing seals of the Pacific Ocean before the arbitrators, that the possibility of their extinction was pressed very strongly by the American representatives upon the Board. The hon. gentleman will himself admit that there would be no great difficulty in exterminating the whole fur-bearing seals of the Pacific. If to-morrow there was a possibility of the fur-bearing seal, in consequence of its destructive habits, exterminating or seriously injuring the fisheries upon the Pacific coast, there would be no difficulty within five years, with the consent of the American Government, in completely exterminating them. Their numbers are very greatly diminished already. And what I wish to point out to the hon. gentleman is this: that if there was a prospect of the fur seal seriously injuring any of our fisheries in the Atlantic, there would be no difficulty in getting rid of them, looking at what was said before the Board of Arbitrators, and what the hon. gentleman and his friends, with all their industry and care, were unable successfully to combat.

Sir CHARLES HIBBERT TUPPER. Is the hon. gentleman aware that some countries are trying to exterminate and slaughter the seal, and have not succeeded, by giving bounty for every seal taken? Norway is doing that.

Mr. MILLS (Bothwell). They were very numerous on the coast of Scotland at one time, and they are not to-day.

Sir CHARLES HIBBERT TUPPER. Norway is trying to exterminate them.

Mr. MILLS (Bothwell). Norway has very numerous islands on its coasts which are not always accessible, owing to the tides

and the nature of the coast, and so there may be physical difficulties in the way there which do not exist anywhere else. It is certainly not in consequence of the great abundance of seal on the coast of Norway.

Sir CHARLES HIBBERT TUPPER. How does the hon. gentleman know that?

Mr. MILLS (Bothwell). Because I find from writers in natural history the statement that they are not.

Sir CHARLES HIBBERT TUPPER. The recent legislation in Norway is surely on account of the abundance and destructiveness of the seals. They are paying money for their extinction in order to assist their fisheries, and they are not doing this because the seal are not abundant.

Mr. MILLS (Bothwell). The hon. gentleman knows that public money has been offered for the extinction of wolves in this country, not because they are very numerous, but because of their bad habits. The hon. gentleman will see, from the statement I have made, that if there is any danger to be apprehended, that danger is one which could be easily surmounted.

Sir CHARLES HIBBERT TUPPER. After we had spent money in introducing the enemy.

Mr. MILLS (Bothwell). The hon. gentleman has agreed to spend a great deal of money for the purpose of its preservation. He is a party to regulations which have made a preserve of a band of over 60 miles in width all around those islands, so that at all seasons in the year the life of the animals should be protected, and which, over an immense area of the Pacific Ocean, forbids the killing of a seal with the gun or the hunting of it in a particular way for a large portion of the year. The hon. gentleman will have a great deal of difficulty in reconciling what he did at Paris with the contention he has put forward to-day.

Mr. STAIRS. I have not had time to study up the question, I am sorry to say, and therefore do not profess to be able to reply to the hon. member for Bothwell (Mr. Mills), but there are one or two considerations which have come to my mind while listening to this discussion. As regards the position of seal life in the Pacific Ocean, the hon. member for Bothwell forgets the balance which always exists in nature. I think that it is a mistake to assume that the extermination of the fur seal in the Pacific Ocean would be desirable. To my mind, it would be as great a mistake to exterminate the fur seal in the Pacific Ocean as it might be to introduce that seal into Hudson's Bay. The fur seal and the fish have existed in the Pacific Ocean for any number of years, and the numbers of both had not decreased. As has been pointed out by the Minister of Marine and Fisheries, the quantity of fish in

Mr. MILLS (Bothwell).

the Pacific Ocean is enormous, and has kept so in spite of the destructive efforts of the seal. Therefore I think we may naturally assume that there has been in nature in the Pacific Ocean a productiveness on the part of the fish which counterbalances the destructive efforts of the seal. If the seals in the Pacific were exterminated, some injurious effects of which we have no conception now, might ensue, and which naturalists have not perceived, so that it would be a mistake to exterminate them. I think, therefore, that the hon. member for Bothwell, in his reference to the old saying about the woman telling her son not to go into the water until he learned how to swim, overlooked the fact that the boy, in learning how to swim, was doing a very desirable thing. But it may be possible that in the introduction of the fur seal into Hudson's Bay an undesirable thing would be done, therefore his reference does not apply. Now, if the effort to introduce the fur seal into the Hudson's Bay were successful, I believe it might, as pointed out by the hon. Minister, have a very injurious effect upon the fish-life of the Atlantic coast. There is on the Atlantic coast, as there has been on the Pacific coast, a certain balance of the destructive elements on one side and the productive elements on the other, which maintains the proper supply of fish in the sea. But I wish to point out to the hon. gentleman that if he were successful in introducing the fur seal into Hudson's Bay, that balance would be destroyed; and for this reason the House ought to hesitate to approve of the proposition made by the hon. gentleman. I may refer to well known cases showing the harmful effects of the introduction of animals into countries in which they are not indigenous. The hon. gentleman will remember the experience of Australia. The Australian colonies would to-day, no doubt, give untold millions if they could destroy the rabbits in those colonies. They are already paying large sums for the destruction of these animals, but without much success, and it seems as though they never could exterminate the rabbits which have now become such a pest. Then there is the case of the mongoose in Jamaica. This animal was introduced into Jamaica some years ago. I have forgotten exactly for what purpose, but no doubt the hon. member for Bothwell (Mr. Mills) will remember.

Mr. MULOCK. To destroy the rats.

Mr. STAIRS. I have heard from friends who have lately been in Jamaica that the mongoose has become itself a great pest.

Mr. MULOCK. And the rats changed their habits and took to the trees.

Mr. STAIRS. The mongoose, I believe, has begun to prey upon something which the people do not want to exterminate. I am reminded by my hon. friend beside me of the case of the English sparrow in America.

I do not know that the English sparrow has done a very great deal of harm, but I imagine he has not done very much good. These examples should warn us that the introduction of any animal or fish into any waters in which it is not indigenous, ought not to be hastily attempted. I think the House ought not to commit itself to the proposition of the hon. gentleman, and that the suggestion of the hon. Minister should be accepted.

Motion agreed to, and debate adjourned.

SCHOOL AWARDS—CHICAGO FAIR.

Mr. LACHAPELLE (Translation) moved for :

Copy of the detailed report showing the prizes awarded by the judges or jury at the Chicago Columbian Exposition for the work of pupils of primary and special schools of every kind and degree, and also to pupils of secondary educational institutions of each of the provinces of Canada.

He said: Mr. Speaker, I may say in support of this motion that it is, I think, in the interest of the hon. members of this House, as well as in the interest of all earnest men in this country, that they should do all in their power to do away with a prejudice which seems deep-rooted among the people with respect to the education given in the various provinces, but especially in the province of Quebec. They are under the impression that the education given in the province of Quebec is inferior to that given in the other provinces; such an impression is, to my mind, erroneous. The education in that province is mostly given by the Brothers of the Christian Schools, whose worth is unquestionable. The society of the Brothers of the Christian Schools was founded, a little more than a century ago, by Jean Baptiste de la Salle. The teaching method of primary education introduced by de la Salle has always been held equal, if not superior, to the other systems of primary instruction. It was, however, opposed on several occasions, and the teaching Brothers, after some vicissitudes as to their treatment in some countries, were finally favourably received by them. Thus, to quote but a single instance, the Brothers of the Christian Schools, driven from France during the reign of terror, were recalled a few years later. I hold the primary instruction given in their schools to be, to say the least, equal to any other. In support of that contention, I may say that in 1885, at the great Educational Exhibition held in London, the schools of the Brothers carried a first prize in the general competition. In 1876, at the Philadelphia World's Fair, the same institution again carried a first prize. I may add that I have reason to believe that at the great Chicago Fair, held last year, the Brothers of the Christian Schools carried the greatest number of prizes in the great educational competition held there. In

the face of such facts, which appear to me to be indisputable, I wonder how it is that they should persevere in the belief that the schools of the province of Quebec, where that method of instruction prevails, should be considered as inferior to those of the other provinces. I am dealing with that question without any animosity or partiality; but I think it is in the interest, I will even say I think it is the duty of all of us, to cause this prejudice to disappear, as it keeps fanaticism alive and is injurious to the whole community. I see no reason why such an error or such a prejudice should be extant, unless it be that it is allowed to be stated again and again without being opposed. I now assert again that such a deplorable prejudice exists, and in support of my statement, will quote from a correspondence published in the Toronto 'Globe' under date 28th September, 1893, under the head :

THE WORLD'S FAIR.

SIR RICHARD WEBSTER ON THE ONTARIO EDUCATIONAL EXHIBIT.

Sir Richard Webster, chairman of the Royal British Commission to the World's Columbian Exposition, has been thoroughly exploring during the past week. The distinguished British statesman having completed the rounds of the exhibit courts of the different provinces of the Dominion, was asked what he thought of their display. Sir Richard unhesitatingly declared that he was astonished both as to the magnitude and perfection of most of the exhibits, but said what struck him most forcibly was the Ontario Educational Exhibit in the gallery of the liberal arts building. Further, he expressed the opinion that it was one of the most beautiful and instructive of the whole exhibition. He thought Ontario the only exhibit that at all approached his ideal of what an educational exhibit should be, for he considered it the most perfect in arrangement and explanatory in a simple and satisfactory way of the finest practical system of public education from the Kindergarten to the University that the world affords to-day.

Well, there is the testimony of a most distinguished man. That correspondence, about the same time, finds its way to the 'Mail' and many other papers in the Dominion. It states most positively that the primary educational system of Ontario must be considered as superior, since it is the opinion of a most distinguished attorney from England. I may be allowed to ask on what that hon. gentleman relied to make such a gratuitous statement? Did he take a true practical point of view to form a rational opinion as to the facts? If I am not mistaken, the prizes had then been apportioned, or, at all events, the number of awards decided on. It is plain the distinguished man I have just quoted did not rely on that to make the statement I have just read to the House. He therefore gave his opinion very thoughtlessly, he spoke merely from a slight consideration of the question.

It is not from such a point of view that one can earnestly pronounce on such a question, as just shown by me. No doubt the educational exhibit of the province of Ontario was apparently superior to that of the province of Quebec. But we know that the amount put at the disposal of the exhibitors of the province of Quebec did not exceed some few hundred dollars. Now, that amount was vastly inferior to what it should, and would, have been had the provincial resources allowed of it. The smallness of the amount available to the exhibitors of that province had this result: that, among other things, the space allotted to the exhibitors of the province of Quebec was very limited. On the other hand, it must be remembered that an appropriation of \$10,000 had been voted by the province of Ontario in order to give its educational exhibit the full importance it deserved. As a result, the space allotted to that province on the exhibition grounds was also proportionally much larger than the one allotted to the exhibitors of the province of Quebec. I have reason to believe, Mr. Speaker, that the distinguished man whose opinion I have quoted did not take that point of view to appreciate such an important competition as the educational competition which took place between the various provinces of the Dominion at the Chicago World's Fair. There is also another way of ascertaining the respective worth of such a competition, and it is by going into details in order to ascertain the nature of the works of the exhibitors and their degree of perfection. From this point of view, Mr. Speaker, I may say that the works of the exhibitors, I mean the pupils of the province of Quebec, were much larger, both in quantity and quality, than the works exhibited by the pupils of most of the other provinces, without excepting the province of Ontario, itself. I may also say that those works were considered as more practical and likely to convey a better idea of the education, of the instruction given in the province of Quebec. I may say, moreover, that the exhibitors of that province carried a much greater number of prizes than the exhibitors of the other provinces. If I am well informed, the awards granted to the educational exhibit of the province of Quebec were more numerous than those given to the other exhibits of the same kind. I have been ever waiting, Mr. Speaker, for the bringing down of the papers relating to this question, but as it seems likely that the Government will not hand them over to the House unless being asked for them, I thought it was in the public interest to take measures so that these facts should be made known to the public. On what can I rely to make the statement that the educational exhibit of the province of Quebec was equal, if not superior, to the educational exhibits of the other provinces of

Mr. LACHAPPELLE.

the Dominion, on what can I rely, beyond the facts I have just communicated to the House, to assert that the educational exhibit of the province of Quebec must be considered as having been equal, to say the least, to those of the other provinces? I will give you some facts which will show that I am right in making such a statement. We have the opinions of many professional men, of scholars who took a very particular interest in that section of the Chicago World's Fair. Allow me to quote, in support of my contention, the statements in that respect of some of these gentlemen. Mr. Laurier, one of the representatives of the Department of Public Instruction in France, wrote, among other things, the following:—

Your books are the only ones, I think, headed by informations, showing, in a full, definite and clear way, the school, the class, the number of pupils, their age, &c.

I also observe with much pleasure that the daily exercises of your pupils, at every degree, are characterized by an earnestness which is seldom to be found at the Fair, and that they are carefully and methodically corrected.

Your methods are so much like our own that I thought for a moment I was in France. Perhaps were I not mistaken in believing that there are in Canada, besides the hands which skillfully traced the French characters, hearts which beat for that France which your fathers loved so much and which, I feel sure, your little Canadians still love.

Such, Mr. Speaker, is the opinion of a man enjoying a universal repute in point of education. Here is a testimony stating clearly and definitely the kind and value of the works exhibited by the pupils of the province of Quebec at Chicago. I notice the report made, under date 29th August, 1893, by the correspondent of the St. John (N.B.) 'Daily Sun,' who says:

As I promised last week, I will now give you some particulars of the Liberal Arts Gallery, Canadian exhibit.

The province of Ontario, Quebec, Nova Scotia and the North-west Territories are represented in those exhibits. British Columbia, New Brunswick, Manitoba and Prince Edward Island have no exhibit in this section. Quebec, Canada's oldest province, makes an exhibit of her educational system which, judging by the quality and quantity, will help to dispel many erroneous ideas and fallacies as to her civilization.

I may be allowed to quote the opinion expressed by one of our colleagues, a member of this House, I refer to the hon. member for Gaspé:

One educational exhibit, he says, is especially practical, the most practical of all those I have seen here, and they are very many. You can see in it the work of the pupils day after day, the tasks as bonded over to the teachers, with the corrections made by the latter, the teaching methods, the classical books in use, the writing-books, &c.

You can follow the pupil from the time of his entering the institution to the time when he goes out of it, after completing his commercial, academic or classical studies.

I am proud to say it, the Canadian educational exhibit is one of the best, if not the best there is in the Liberal Arts Gallery. The verdict of the judges, which will now be known soon, will say whether I am mistaken.

So the hon. member for Gaspé highly expressed his admiration for that exhibit and prophesied that the educational exhibits of the province of Quebec would bear away the palm in that educational competition. I might also quote the opinion of a prominent professor of the St. Louis University, in the United States. So there is the acknowledged fact, Mr. Speaker, that the province of Quebec in that educational competition at the Chicago Fair carried a sufficient number of awards, of medals, of prizes, to warrant my saying in this House that there is no reason nor motive for keeping up such a prejudice by trying to have it believed that the educational system of the province of Quebec is not calculated to improve noble minds, and that there are in that province no schools that are inferior to those of the other provinces. That sentiment, or rather that prejudice is calculated to keep up an uneasiness very easily understood, and I think it the duty of every good citizen to oppose that prejudice, in order that by minimizing it, we might thereby minimize the fanaticism which it naturally promotes, fanaticism likely to injure every one. I might add that a teacher's position in the province of Quebec is far from being advantageous. By referring to the report of the Minister of Education for Ontario, we find that the average salary of teachers, for the year 1892, was \$421. In 1887, it was \$425, and in 1892, \$415. While the average salary of teachers in the province of Quebec is under \$200. This material difference in the salaries of teachers in the two provinces would be such as to justify the alleged inferiority of the teachers of the province of Quebec; but the facts I have just mentioned rather show the contrary, and they therefore evidence the worth and superiority of the primary instruction in the province of Quebec. It is also easy to ascertain that the number of teachers in the province of Quebec, considering her total population, is larger than in the province of Ontario. Well, to suggest that the primary instructions are neglected in the province of Quebec, is, in my opinion, to make a gratuitous and erroneous statement. I will conclude here my observations on this question. I only wish to be well understood; what I wish to say is that such a prejudice as exists in some provinces against our educational system is very obnoxious, and calculated to have it believed that our schools are inferior to those of the other provinces. That prejudice has led some people to oppose our educational system, and I cannot believe for a moment that, had they felt satisfied that

our schools are, to say the least equal, if not superior to those of the other provinces, they would have held such a course as they have followed till now.

Mr. LANGELIER. I am not au fait with the facts presented by the hon. member for Hochelaga (Mr. Lachapelle), but I think we have another complaint to make about the Chicago Exposition. I think the services of all in connection with that exposition should have been fully recognized. We had two commissioners representing us at that exhibition, one is a member of this House, and the other a member of another House. It seems that the commissioners of other colonies, those of Australia, and I do not know but that the same is also true of one commissioner from South Africa, have been knighted. I think it is a gross injustice not to have knighted our commissioners also, especially when knighthood seems to have been rather cheap. But our commissioners have been completely ignored. It was the only way to recognize the great services it was intended they should render this country, though according to what the hon. member for Hochelaga says, they do not seem to have succeeded. But I think it is a piece of great ingratitude on the part of the Government not to see that our commissioners were knighted as those of other colonies were.

Sir JOHN THOMPSON. We shall discuss that question more fully when we come to the hon. gentleman's motion dealing with it. In the meantime I have to thank the hon. member for Hochelaga for his observations on the subject, and to assure him that in the estimation of those who were made acquainted with the subject the position of his province in relation to its educational exhibit is a very illustrious one, and, therefore, we will be glad to have the return brought down.

Motion agreed to.

SOULANGES CANAL.

Mr. CHOQUETTE (for Mr. Tarte) moved for :

Copies of all the reports of the engineers recommending that certain changes be made in the original contract, both in the materials and the nature of the works entering into the construction of the locks and other masonry on sections 1 and 2 of the Soulanges Canal, giving the reasons why such changes should be made and the names of the engineers who recommended such changes. 2. Copies of all the correspondence exchanged between the engineers, the Department of Railways and Canals, the contractor and other persons in connection with those changes, and copies of all Orders in Council in relation thereto.

Mr. HAGGART. There are no changes, or any reports of engineers recommending changes that I have ever heard of.

Motion agreed to.

WAGES ON PUBLIC WORKS UNDER CONTRACT.

Mr. TAYLOR (for Mr. Coatsworth) moved :

That it is expedient to insert in every contract for any public work made and entered into hereafter, a clause requiring the contractor to pay the workmen engaged upon such work a rate of wages at least equal to the current rate of wages paid in the locality where such work is being done, at and during the time such contract is being carried on.

He said : I would like to add this addition to the motion :

Unless the Minister with whose department the contract has been made shall for special reason relieve the contractor from the observance of this clause.

Mr. Coatsworth wrote to ask me, if those motions came up before 6 o'clock, to move it with this amendment.

Mr. SPEAKER. I desire to point out to the House, that, as this is a motion that is likely to elicit discussion or to be opposed, of course it cannot be moved by any other than the hon. gentleman in whose name it stands.

Sir JOHN THOMPSON. It had better be dropped for the present.

Motion dropped.

TARIFF COMMISSION.

Mr. MILLS (Bothwell) moved for :

Copy of the evidence taken by Mr. Payne as secretary to one or more of the Ministers acting as a Tariff Commission.

Sir JOHN THOMPSON. I hope the hon. member will not ask the House to adopt a motion ordering a Minister's private secretary to send in a copy of his evidence, or a Minister to produce a copy of any document taken by his private secretary which is not for public use. There are two or three objections to the motion which I will state, and I hope the hon. gentleman will then see the propriety of withdrawing it. The first is that Mr. Payne took no evidence.

Mr. LAURIER. That reason may dispense with all the others.

Sir JOHN THOMPSON. But there are still stronger reasons. The second is that there was no Tariff Commission; the third is that the notes taken by Mr. Payne for the information of the Minister, have been stolen; they are not accessible even to the Minister himself.

Mr. MILLS (Bothwell). When I used the words, "Tariff Commission," I think I used a phrase that was used by the Ministers themselves, if I remember rightly by the

Mr. HAGGART.

Minister of Finance. Perhaps it was a clerical error.

Sir JOHN THOMPSON. It was borrowed from this resolution.

Mr. MILLS (Bothwell). No, it was not borrowed from the resolution, because it preceded the resolution, and, being prior in point of time, it could not be a consequence of that resolution. Now, the Ministers told us that they proposed making an inquiry, they purposed taking evidence, and after the inquiry was made and the evidence was collected, they purposed submitting to the House the result of those inquiries. After submitting to the House the result of those inquiries early in the session, they have seen proper since, for some reason or other—in consequence of new light, it may be, that hon. gentlemen have had—to depart very widely from what was proposed as a consequence of those inquiries; and so the House have had, up to this time, no opportunity of judging, either as to the propriety of the conclusions at which the Ministers first arrived, or at the propriety of the important modifications which have since taken place; and the right hon. First Minister will see that my motion was, under these circumstances, a very proper one. The right hon. gentleman says that there was no commission. Well, Mr. Speaker, I am not going to stand on words and phrases; there was an inquiry, and so I am quite ready, if the Minister will consent, to alter the motion in that particular. The right hon. gentleman, however, has made a further statement, and that is that the information so collected is no longer in possession of any Minister of the Crown, that some ardent friend of the Administration has got possession of it, and has forgotten to return it again. Well, under these circumstances, of course, I could not think of pressing my motion. I do not look for impossibilities from the Government; I made what I think was a reasonable request, that the House were entitled to have the information that was collected in order to enable it to arrive at a conclusion, which might not, perhaps, be the same conclusion at which the Government have arrived, or if they did come to that conclusion, they might not be disposed to follow the Government in the very wide departure that has since taken place. However, after the Minister's declaration, and the assignment of his reasons for thinking that my motion ought not to pass, I have no disposition to press it further. The three reasons assigned by the hon. gentleman remind me very much of an ancient specimen of pleading, where the article was never in the possession of the party, where it was returned, and where it was damaged when it was received, and whole when it was returned. I sympathize with the Government in the misfortunes that have overtaken them.

Motion withdrawn.

DISTILLED AND FERMENTED LIQUORS.

Mr. FLINT moved for :

1. A statement showing the quantities of distilled and fermented liquors, under the different names as given in the Trade Returns, imported into and taken for consumption in Canada, from 1883 to 1893, both years included, computed in imperial gallons; the value of the same, and the duty paid thereon.

2. The quantity of distilled and fermented liquors, under the different names given in the Inland Revenue Returns, manufactured in Canada and taken for consumption therein; the value of the same, and the duty paid thereon for the same years.

3. The amount of materials used in brewing and distilling alcoholic liquors in the several provinces of Canada during the same years.

He said: This is a motion couched in exactly the same language as one which previously passed the House, and which brought the statistics asked for up to 1883. That return has been published. It is a very valuable return, and I desire that a return of a similar nature, bringing those statements from 1883 to 1893 may be furnished for the information of the House.

Motion agreed to.

BRIBERY AND DISFRANCHISEMENT.

House again resolved itself into committee on Bill (No. 6) to disfranchise voters who have taken bribes.—(Mr. Weldon.)

(In the Committee.)

On section 14,

Mr. MILLS (Bothwell). This is not sufficient, because under our system a real estate proprietor can vote in different places, and if you disfranchise a party in one constituency there should be some public record to that effect, so that he could not go and vote in another constituency, otherwise the clause would be wholly ineffective with regard to that large class who vote in different constituencies.

Sir JOHN THOMPSON. The promoter of the Bill is not here, but I presume there will be a clause added later on to provide for publication.

On section 15,

Mr. FRASER. I think that this clause should not be adopted. They have affirmed in England recently by one of the largest majorities ever given in the British House of Commons, that a matter such as this, being in the public interest, the public should pay for it. If our elections are to be purified here, they ought to be purified at the public expense. This Bill is, I believe, a good Bill in some respects, and this clause should be so amended that the public should pay the expenses of purifying constituencies.

It is unfair that twenty-five electors who honestly believe that wrong has been committed, should be bound to pay \$500 to do that which is no more in their interest than in the interest of any other elector in the county. I think it is time we should apply the British principle here.

Mr. MILLS (Bothwell). I would again ask the Minister of Justice whether he does not think that we ought to return to the provision of a previous Act which was repealed some time ago; that is: that instead of this petition being presented to the judge it should be presented to Parliament, and then the expense would be charged against the public treasury, and not against the private individuals who petition. There ought to be no charge against these petitioners unless it could be shown that their petition was perverse, and that it was done rather with the intention to worry persons than to secure purity in elections. It does seem to me that undertaking to treat a great public duty as a mere private enterprise is not in the public interest, and not the way to make the law efficient. If we are to have efficient legislation, then the prosecution should be on the public behalf, and at the public expense. It is quasi criminal in its character, and as such ought to be conducted as are other proceedings in which the public are specially interested.

Sir JOHN THOMPSON. I would not take that view of it, nor will I be able to agree with the contention of the hon. member for Guysboro' (Mr. Fraser) that this should be done at the public expense. There are methods by which investigations shall be made at the expense of the public, and we might consider the propriety of improving them; but this is a public inquiry, made at the expense of twenty-five individuals who make a general charge of corruption against the county. I would not think it suitable in this Bill, that the twenty-five persons who make the petition should be able to put their hands on the public chest and make it a means of carrying out any investigation promoted by them. If they make such a general charge it is only fair in the public interest that they should pay part of the expense. The question will arise as to whether the sum mentioned here is sufficient, and I happen to know that the intention of the mover of the Bill was, when the Bill was in committee last, to draft another clause under which the petitioners should be required under the order of the judge from time to time as the investigation proceeds, to put up further amounts which he might order if he sees fit. In the meantime I think it would be well to pass this clause.

Mr. MILLS (Bothwell). If this petition were presented to the Speaker of the House, and the prosecution took place at the instance of the House as was the provision of the former statute, the investigation would be at the public expense and these parties would be simply petitioners.

Sir JOHN THOMPSON. It may be that the promoter of the Bill should be here to explain his views fully on that subject, and, therefore, I move that the committee rise and report progress, and ask leave to sit again.

Committee rose and reported progress.

RAILWAY ACT—SHELTER FOR MOTOR-MEN.

Mr. MULOCK moved second reading of Bill (No. 14) to amend the Railway Act. He said: The object of this Bill is to enable the Governor in Council to require electric railways to supply shelter for the motormen. Those who happen to be familiar with the plan adopted in Ottawa know well that there is no practical difficulty in providing shelter for the men engaged in operating electric railway cars, but in some parts of Canada no such provision whatever is made, so that the motormen are exposed to the inclemency of the weather, which causes them considerable suffering and must interfere with their efficiency. Under the Railway Act, all railways crossing certain lines of railway are works for the general advantage of Canada, and under the jurisdiction of this Parliament. That that law applies to electric railways is beyond all question. The section of the Railway Act containing this provision, says that all railways which cross or intersect certain Dominion railways shall be deemed works for the general advantage of Canada, and that electric railways crossing Dominion lines are subject to our legislation is made clear by an Act passed only a year ago. The House will remember that the Niagara Railway and railway extension from Lake Erie along the Niagara River crosses certain Dominion lines, and for that reason came under the jurisdiction of this Parliament. For certain reasons, Parliament saw fit to exempt that line from the general provisions of the law, and passed an Act declaring that, notwithstanding it crossed one of the Dominion railways, it should remain under the jurisdiction of the Local Legislature. That being the case, it is clear the House construed the Railway Act itself as applicable to electric as well as other railways. I am of opinion that a great many electric lines in Canada are under our jurisdiction, and of course this Bill will only apply to them. There are many ways in which you could amend the law. The first question would be: is it in the interests of humanity that a regulation such as I propose should be enacted? It is only necessary to see the operation of the open cars, in other cities than Ottawa, during the winter season, to be satisfied that shelter is necessary, as a matter of humanity, so that I do not think I need discuss that point. I find, under the general Railway Act, considerable powers given the Governor General in Council, and it seemed to me in harmony with that policy to vest this power

Mr. MILLS (Bothwell).

in that body as well. I have therefore simply provided that the Governor General in Council may require electric railway companies to provide proper shelter for their motormen.

Mr. HAGGART. There can be no great objection to the Bill, as no doubt a great many electric railways are under the jurisdiction of this Parliament. In Ottawa and some cities there is ample protection for the motormen, but in others there is not, and it is in the interests not only of the motormen and the railways themselves, but also of the general public, that proper protection should be afforded, because anything which tends to enervate or weaken the men adds to the danger run by the public. I have no objection to the introduction of the Bill, and will order that inquiries be made to see what regulations can be devised.

Motion agreed to; Bill read the second time, considered in committee, reported, and read the third time and passed.

RETURNS ORDERED.

Copies of all correspondence between D. J. Hughes, Esq., County Judge of Elgin, Ont., and the officials of the Government Printing Office, in regard to the printing of the last revised voters' list for Elgin.—(Mr. Casey.)

List of all articles, with the value of each and the total value of all, imported from the United States during the last fiscal year for the use of the Government in the public service.—(Mr. Landarkin.)

Copies of all reports from Messrs. Charles Taché & Son, on surveys and soundings made during the past five years, in the County of Rimouski.—(Mr. Tarte.)

Return of the names of the official assignees who, acting under the Insolvent Act of 1875 and its amendments, have obtained legal discharges from all the insolvent estates placed in their hands during the period they held such office.—(Mr. Fauvel.)

Copies of all contracts for the construction of the steamers "Curlew," "Constance," "Petrel," and also a statement of all moneys paid for extras thereon or for the full completion and equipment of such steamers, together with all vouchers for such expenditure; and also of all contracts made since then for any repairs or alterations to any of such steamers, and of all moneys paid for such repairs or alterations whether by contract or otherwise, together with the vouchers for all such expenditures. Also a general statement of the nature and character of the changes or alterations made in such steamboats or their machinery since they were taken over by the department, with the cost in the case of each steamer.—(Mr. Davies, P.E.I.)

Return showing a description of each of the industries established in the county of Guysboro' as reported in the census of 1891, showing the names of the several manufacturers engaged in the said industries respectively, also showing the number of employees in each of said industries.—(Mr. Fraser.)

Correspondence in relation to tenders, and of all tenders received by the Government since 1st January, 1890, relating to the purchase of timber limits on Indian Reserves.—(Mr. Devlin.)

Statement showing the number of breweries, distilleries and maltsters' establishments in Canada in the year 1891; the amount of capital invested therein; the value of the output; the amount of wages paid; number of employees, and the revenue derived therefrom.—(Mr. Flint.)

Copies of all letters, documents, orders and correspondence relating to improvements of Spanish River, District of Algoma; also, instructions to engineers in regard to the survey of said river and the reports of the engineer.—(Mr. Devlin.)

Return giving the names of the Junior Judges in the province of Ontario and dates when appointed, the name and population of the county to which appointed, also the salary and allowance of each of such Judges.—(Mr. Lister.)

Return showing the date on which the steamer "Stanley" commenced running between Charlottetown, P.E.I., and Pictou, N.S.; the date said steamer commenced running between Georgetown, P.E.I., and Pictou; how many trips were made; the date of each trip; how many mail bags were carried each trip; the date at which said steamer stopped carrying mails; the number of passengers and the amount of freight carried to and from Prince Edward Island; the amount of expenses and revenue for the winter 1893-94, in connection with said service.—(Mr. Perry.)

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 5.40 p.m.

HOUSE OF COMMONS.

TUESDAY, 29th May, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DOMINION ELECTIONS ACT.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 128) to amend the Dominion Elections Act. He said: The object of the Bill is to shorten the time in certain constituencies between nomination day and polling day.

Motion agreed to, and Bill read the first time.

INTEREST ON JUDGMENTS.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 129) to amend the Act respecting interest. He said: The provi-

sions of the statutes relating to interest on judgments in British Columbia have been repealed. Confusion has arisen in consequence, and some doubts exist as to whether judgments may be made to bear interest in the province of British Columbia, especially as respects County Court judgments. The object of this Bill is to remove that defect by providing that such judgments shall, in future, bear interest at the rate of 6 per cent.

Mr. DAVIES (P.E.I.) Does the Bill provide that these judgments shall bear interest irrespective of whether the original debt was an interest-bearing debt or not?

Sir JOHN THOMPSON. Yes.

Mr. DAVIES (P.E.I.) The hon. gentleman will see that that is a very serious inroad upon the general principle which applies, I think, in all the other provinces.

Sir JOHN THOMPSON. So far as I know, in the other provinces, these debts bear interest irrespective of the original contract.

Motion agreed to, and Bill read the first time.

DOMINION ELECTIONS ACT.

Mr. LANDERKIN. If the First Minister would allow me to say a word in reference to the Dominion Elections Act amendment, I would like to ask him if he intends to introduce an amendment so as to make the declaration take place at an earlier date than under the present Act? I think it would be very desirable if the hon. Minister would introduce such an amendment, because the difficulties and the dangers hitherto have arisen in the period between election and declaration. I think it would be well if the First Minister would so amend the law as to have the declaration made as speedily as it is now made in the local elections in the different provinces.

Sir JOHN THOMPSON. That subject is not touched in the Bill, and my attention has not been called to it.

Mr. LANDERKIN. I think if the hon. gentleman—

Mr. SPEAKER. Order, order.

Mr. LANDERKIN. I know it is informal, Mr. Speaker, but I am in the habit of getting out of order sometimes. I may say, however, that when the Speaker so rules, I am generally right.

FRANCHISE ACT AMENDMENT.

Mr. LAURIER. I do not want to press the hon. gentleman, but I notice that he has not introduced to-day the Bill, which stands in his name, to amend the Franchise Act. The hon. gentleman is aware that the revision of the lists is to begin now in a few days.

I suppose he will agree with me that it is important that the nature of the Bill should be known, in order to guide the revising officers in their work.

Sir JOHN THOMPSON. I hope to make a statement about it to-morrow, and to be able to communicate with the revising officers immediately.

INQUIRY FOR RETURN.

Mr. PERRY. I would like to ask the hon. Minister of Railways and Canals when the House may expect the return to an Order of the House, moved for by myself on the 14th inst., with reference to the removal of the flag station on the Prince Edward Island Railway from Mill River to Howlan Road. This may not be of much consequence to the hon. Minister himself, but it is of very great consequence to me and to my constituents, who are sorely affected by the change. There is no use in bringing these papers down at the eleventh hour. They were moved for a fortnight ago. All that is asked for is a copy of the petition with the names. I want to find out who the parties are who asked for this change.

Mr. HAGGART. I think I informed the hon. gentleman that the station was moved at the request of the Rev. Mr. Burke, and because of the petition signed by those in the neighbourhood. I think these were the only parties who requested that the change should be made.

Mr. PERRY. I moved for all the papers in connection with the subject. In the first place, I asked at whose recommendation, and the answer was at the recommendation of the Rev. Mr. Burke. I want now to get those papers, and the House has ordered those papers. I made a motion and spoke, and the Minister never thought proper to answer my remarks. He never can hear complaints made by that priest.

PUBLIC ACCOUNTS COMMITTEE.

Sir RICHARD CARTWRIGHT. Before the Orders of the Day are called, I want to call the attention of the Finance Minister to a misconception of some sort which occurred in the Public Accounts Committee. On the last occasion when that committee met, it was arranged between a number of gentlemen who had business with it, and the acting chairman, the hon. member for Toronto East (Mr. Coatsworth), that it would meet this morning at half-past ten o'clock. At half-past ten a number of gentlemen were in attendance. I believe with witnesses, and they discovered that the committee had met at ten o'clock, contrary to the understanding made with the acting chairman, and had adjourned, either for want of a quorum or for want of business. Now, there can be no doubt whatever that that arrangement was made—my hon. friend beside me was not present on that occasion

Mr. LAURIER.

and I suppose was not cognizant of the arrangement—but I think, in all conscience, that as the error has clearly not been on the part of the gentlemen who had their witnesses in hand, the committee ought to meet either to-morrow or Thursday, whichever will be most convenient to the Government, as well as on Friday. Two days in the week are little enough.

Mr. FOSTER. I have no doubt the difficulty all arose because neither my hon. friend nor myself happened to be there; if we had been there no doubt we would have had it arranged all right. However, as a misunderstanding did take place in one way or another, probably we can arrange to have two meetings held this week. If Thursday is free, we can meet on Thursday. But I have no doubt the chairman will take that in hand.

Mr. BAKER. The notices were sent out for ten o'clock this morning, of course owing to some misunderstanding. The committee met, but the parties were not in attendance, and as there was a meeting of the Committee on Privileges and Elections at 10:15, the committee adjourned to meet at the call of the chairman. I have since been in communication with the hon. gentlemen who had business before the committee, and if it meets with the approval of both sides of the House, I propose to call a meeting on Thursday, so that we may have meetings both on Thursday and Friday, and a full week's work will be put in.

Mr. DAVIES (P.E.I.) Although no blame can be attached to the chairman of the committee, still the fact that the committee adjourned at its previous meeting to half-past ten, was perfectly well understood, and was so announced by the acting chairman at the time. I myself was in attendance this morning at a few minutes after ten, because I received a notice last night saying ten o'clock, and I saw that it was called for ten instead of half-past, and I thought at any rate I would be present, and was in the hall at the time when the committee very suddenly adjourned at four or five minutes past ten. It was clearly understood by everybody that the committee was to meet at half-past ten, and as these witnesses have travelled from Montreal to be present here, there is some expense and a great deal of inconvenience arising out of the misunderstanding. But myself and a number of other gentlemen who were interested in the inquiries before this committee, were all in attendance, and I went into the committee room and at twenty minutes before the hour when it was arranged that the committee should meet, and found it already adjourned.

Mr. COATSWORTH. I wish to say a word to clear the clerk of the committee of any blame, as I was acting chairman. The previous meeting was called for ten o'clock,

and was held at ten o'clock, and when an adjournment took place there was some little discussion as to the time when the committee would meet again. The clerk recorded that it was to meet at ten o'clock, and I have no doubt that was so stated, but apparently after the clerk had left his chair, and without his hearing it, an arrangement was made, as the hon. gentleman says, that the committee should meet at half-past ten. But apparently that decision was never communicated to the clerk, and he sent out notices for ten o'clock. There is no doubt the notices that came to us yesterday for the meeting this morning were for the meeting at ten o'clock, so I would not like it to be thought that the clerk was to blame.

Mr. SPROULE. We met at ten o'clock and remained there until twelve minutes past ten, and as there was no person to go on with the business, we adjourned.

WAYS AND MEANS—THE TARIFF.

Mr. FOSTER moved that the House again resolve itself into Committee on Ways and Means.

Motion agreed to, and House again resolved itself into Committee on Ways and Means.

(In the Committee.)

Mr. FOSTER. I suppose each member has in his possession a corrected copy, or a revised copy of the tariff—at least, they should have; and we will take that up and make the emendations that are necessary. They will be largely verbal. I may say that the Dominion Board of Appraisers have been sitting here for a number of days, and I gave them the tariff to look into, and they have given me their suggestions as regards the wording, and the like of that. A number of their suggestions I am going to ask the committee to adopt as we pass through.

Mr. MULOCK. Are there any clerical errors among these?

Mr. FOSTER. There may be.

Mr. LANDERKIN. Can the Minister tell us how many changes have been made in the tariff since the Budget was delivered, how many changes there have been from specific to ad valorem duties, and how many back again from ad valorem to specific? It would be very interesting if we could find that out.

Mr. FOSTER. I should be very sorry just now to curtail my hon. friend's imagination to so great an extent as to give him all the changes. After we are through with the tariff, it will be easy for him to count them up. I desire to add to the reciprocal proviso these words: "If the above products are imported from a country that imposes no duty on the like product or products."

Mr. MULOCK. Does the Minister understand that the proviso is to be construed in this way: that if the country from which any of the articles mentioned agrees to admit the articles free, thereupon it becomes free in this country?

Mr. FOSTER. Yes.

Mr. MULOCK. So a foreign country has practically the power to declare what our tariff shall be, and the United States, for example, will be able by making an article free to bring this proviso into effect. In other words, it is to be brought into effect by the action of a foreign country.

Mr. FOSTER. So far as that particular article is concerned, we frame our tariff on certain conditions, which may be availed of by foreign countries.

Mr. MULOCK. We impose a duty on a certain article by this tariff, but at the same time declare that if a foreign country, say the United States, shall place the article on the free list, that at once places it on the free list in this country, and this is done by the action of a foreign country.

Mr. FOSTER. Yes.

Mr. MULOCK. It is a good deal like handing over the framing of our tariff to a foreign country.

Mr. LANDERKIN. It appears by this clause that our tariff is to be framed at Washington.

Mr. FOSTER. I think we are framing it here.

Mr. LANDERKIN. This state of things was very much regretted some time ago, and very much alarm was shown that our tariff might be framed at Washington. Now, by the terms of this clause it appears that the Government at Washington will make the tariff for this very loyal Government.

Item agreed to.

Marble in slabs or blocks, sawn on more than two sides, 20 per cent.

Mr. McMULLEN. The duty on marble in the rough is reduced to 10 per cent, while the duty on the manufactured article is kept at 30 per cent, so that the manufacturers of marble monuments have a clear 20 per cent protection.

Mr. FOSTER. The whole of it is labour.

Sir RICHARD CARTWRIGHT. There is a reason. These are largely required for funeral purposes, and it is well that even in the next world there should be some reminiscences of the tariff.

Mr. FOSTER. And considering that according to the view of the Liberal party they are every day getting poorer, we ought to give them their headstones at 5 per cent less.

Sir RICHARD CARTWRIGHT. It may come handy for some of you after a while.

Item agreed to.

Slates, slate mantels, and other manufactures of slate, n.e.s., school or writing slates, and roofing

slates, 30 per cent ad valorem, providing the duty on roofing slate shall not exceed 75 cents per square for black or blue, or 90 cents per square for coloured slates.

Mr. FOSTER. I am here putting into one item the two bearing 30 per cent, leaving slate pencils at 25 per cent.

Mr. MULOCK. The duty, as mentioned in your Budget speech, was 20 per cent, and now you are making it 30 per cent. Why this increase?

Mr. FOSTER. Twenty per cent was too low. That was explained when we went back to 30 per cent, with the unanimous consent of the committee.

Sir RICHARD CARTWRIGHT. There was no consent on this side of the House to any increase of duty.

Mr. MILLS (Bothwell). We had better make it English. The hon. gentleman has in the tariff the statement that black and blue slates are not to exceed 75 cents a square, and coloured slates not to exceed 90 cents a square. Black and blue slates are coloured. You had better make it slates of other colours.

Mr. GIBSON. According to the sliding scale, when coloured slates are worth \$6 a square, the duty will be 15 per cent, and when worth \$9 a square, it will only be 10 per cent. It will be pretty hard to tell what the duty on slates will be. It is not to exceed 90 cents a square, but it may be 15 per cent or 30 per cent, according to the value.

Mr. FOSTER. You could only collect one or the other when the two are equal.

Mr. GIBSON. There are no coloured slate quarries in this country, and why impose a sliding duty? There should be a fixed duty per square, because no man can tender with any degree of intelligence upon a coloured roof, if the duty is to be altered to suit the price per square.

Mr. FOSTER. He will never make a tender until he knows what he can buy his slate for.

Mr. GIBSON. How can he tell? Supposing I tender on coloured slate to-day, and it is \$9 a square, you can only charge me 10 per cent. Perhaps a month from now, the work is not far advanced, and somebody else has the same kind of buildings to put up, and the price of slate is down to \$4.50, and he has to pay 20 per cent.

Mr. FOSTER. A contractor has always to look out for the rise and fall in price, and there is no more difficulty in this than in any other matter.

Mr. McMULLEN. Will slates with the frames on come in at 30 per cent, the same as without frames?

Sir RICHARD CARTWRIGHT.

Mr. FOSTER. Yes; writing or school slates.

Mr. MULOCK. Where are slates from which slate pencils and school slates are produced, found? Is that quality of slate now being developed in Canada?

Mr. FOSTER. Yes; school slates are being made down in Quebec, in Richmond.

Mr. MULOCK. Is that the only place in Canada where slates for that purpose is quarried?

Mr. FOSTER. I am not sure.

Mr. MULOCK. Then we are taxing every parent 30 per cent ad valorem for the benefit of the slate quarry in the county of Richmond. I see that we imported, last year, 485,000 squares of slate. I was going to ask the hon. Minister of Finance whether it would be possible, in preparing the Trade and Navigation Returns, to subdivide the subjects better, so that we could understand the different kinds of goods. For example, under the subject of "slate," we have one group called "school and writing slates, porcelain, &c." It seems to me that these ought to be subdivided, and slate porcelain ought not to be included with school slates. Now, I ask the Minister in all fairness, whether he thinks it reasonable to impose a duty of 30 per cent on school slates just for the enrichment of the owners of one slate quarry in the Dominion? I presume the question is not yet out of committee, and that it is quite in order to discuss it, and if a mistake has been made, to correct it. For my part, I think this duty very unreasonable. The people in the country find themselves taxed a good deal for the education of their children; and the Minister, who at one time took an interest in education, is proposing, practically, to impose a fine upon education. It may be true that 30 per cent upon one slate does not amount to much in the eyes of the hon. Minister, but the extra cost upon this necessary implement in education and upon others altogether amount to a considerable tax upon parents. We ought to encourage education by making it as cheap as possible.

Mr. MACLEAN (York). It is too cheap now.

Mr. GIBSON. Now that the hon. gentleman has his own education he thinks that the cost of education should be increased.

Mr. MULOCK. I will allow the hon. gentleman to elaborate his views whenever he pleases. I do not think he would dare to commit himself to any such idea. We are speaking of a tax imposed upon a necessary of the most rudimentary education.

Mr. SPROULE. The hon. gentleman might have a stronger position if he was correct in his figures; but the duty is not 30 per cent but 25 per cent.

Item agreed to.

Emery wheels, 25 per cent.

Mr. FOSTER. I desire to add some words so as to make it read :

Emery wheels and manufactures of emery, 25 per cent.

Mr. LANDERKIN. That is not in this list at all.

Mr. McMULLEN. I would like to know whether it is expected that the copies of the amended tariff which were supposed to be printed and furnished the members of this House are to be furnished? It is most unfair and discourteous to members of this House to ask them to consider items of this kind without having these copies before them. We have but one single copy on this side of the House, and I think it is a gross insult—nothing short of it—to ask the committee of this House to consider serious changes in the tariff without giving members the opportunity of seeing what is proposed to be done. I protest against such treatment. The Minister goes up and down the record, taking an item here and an item there asking us to agree to changes, while we have not anything to guide us in discussing any question however important.

Mr. FOSTER. The hon. gentleman ought not to get into an excited state over this item above all others. I quite acknowledge that it would be much better if the revised copies were here. But, through some error, they are not here. However, we expect them every moment. But even if the revised copies were here, I would still have to ask the hon. gentleman to exercise his memory and his patience in reference to any changes that are made. The words added to this item are simply for amplification and explanation, and not to change the duty. Even if the hon. gentleman had the revised copy before him, he would still have to depend upon the chairman's reading of the item for the additional words. It is not absolutely necessary to add "manufactures of emery" to this clause, because such goods would be held to be under that clause by the similitude clause of the Customs Act. But it is better, in order to avoid different ruling in different ports that the item should be amplified, and that is why the words are added.

Mr. McMULLEN. The hon. Minister, when he asked the House to go into committee, said that copies of the amended tariff would be placed in the hands of hon. members in a few minutes.

Mr. FOSTER. That was what I expected.

Mr. McMULLEN. And here we have passed about a dozen items without having these copies before us. He would give us to understand that no alterations have been made. He must admit that the duty on marble has been reduced one-half—from 20 per cent to 10 per cent.

Mr. FOSTER. No; before we went into committee the duty was 10 per cent, and that is exactly what it is now.

Mr. McMULLEN. If I have made a mistake it is because we have so many printed alterations not now authentic. Here is a copy in which the duty on marble is given at 20 per cent.

Mr. LANDERKIN. My copy says the same.

Mr. McMULLEN. But it appears that it was afterwards reduced to 10 per cent, for it is so stated in the corrected copy just this moment placed in my hands. But how are members to be guided in coming to a just decision on these matters if they have not the means of understanding the changes that are made?

Mr. FOSTER. I should have expected that a prudent, business-like, painstaking man, like my hon. friend, would have had his copy of the tariff resolutions before him, and, as they were amended, would have marked changes in each item. That is the way we do on this side of the House. But if the hon. member dispenses with business methods, he must not get into a pet and blame others.

Mr. LANDERKIN. I do not agree with my hon. friend (Mr. McMullen) about printing this tariff. We have had it printed three times already.

An hon. MEMBER. Four times.

Mr. LANDERKIN. Four times is it? Well, it may be more for all I know. But I know we can scarcely get two copies alike. I object to my hon. friend urging the Minister to print any more, because the outlay is going to be so enormous that we can scarcely afford it. I would suggest to the Minister that he should call in all the old copies, the five or six changes that have been made; and as there may be five or six more, not to print it until we know what we ought to print.

Sir RICHARD CARTWRIGHT. Before this item is adopted, the hon. gentleman ought to state what the effect of the change will be.

Mr. FOSTER. It will have no effect on the revenue, as in any case, even without the addition of these words, manufactures of emery would be dutiable at this rate under the ruling of the department. Such things as hones and the like of that, made out of emery, would come under it. It is not a very large item, but the appraisers thought it better that it should be named, in order that at every port they might have a guide without inquiring at Ottawa.

Mr. LANDERKIN. Who are the appraisers?

Mr. FOSTER. I do not know their names.

Mr. LANDERKIN. How many have you?

Mr. FOSTER. I do not know ; there are enough.

Item agreed to.

Upper leather, including dongola, cordovan, kid, lamb, sheep and calf.

Mr. FOSTER. I want to add to that "kangaroo, alligator and chamois skins."

Sir RICHARD CARTWRIGHT. Is that to promote Australian trade ?

Mr. FOSTER. Yes ; otherwise these marsupial coverings would be 20 per cent.

Item agreed to.

Iron in pigs, iron kentledge and scrap iron, ferro-silicon and spiegeleisen, \$4 per ton ; ferro-manganese, 10 per cent ad valorem.

Mr. FOSTER. I want ferro-silicon and spiegeleisen to go in with ferro-manganese at 5 per cent. That reduces the duty on these two.

Sir RICHARD CARTWRIGHT. These are special names. What do they mean ?

Mr. FOSTER. They are a species of iron or iron ore, which are used in the process of the manufacture of steel and of some kinds of iron. They are not produced in this country. They act rather as elements with the others in producing steel and iron.

Mr. MULOCK. Who has the classifying of the articles as set forth in the Trade and Navigation Returns ?

Mr. FOSTER. They are classified under instructions from the central office, classified in the office, in fact ; but the headings, as I understand it, are also made at different ports, and divided off by instruction, so as to make it easy to collect them here.

Mr. MULOCK. Would it not be possible to have further subdivisions in the Trade and Navigations Returns ?

Mr. FOSTER. It would ; but it would make it very intricate to take every item. They are extending it from year to year.

Sir RICHARD CARTWRIGHT. What is the present value of these two compounds that you propose to reduce to the 5 per cent list ?

Mr. FOSTER. They run about \$40 to \$50 a ton.

Sir RICHARD CARTWRIGHT. If I remember aright, that is beyond the price of the best charcoal iron.

Mr. FOSTER. Ferro-manganese runs up to \$50 and \$60 a ton.

Item agreed to.

Universal milled or rolled edge steel plate, not exceeding 30 inches wide, and plates or sheets of steel over 30 inches wide, and one-quarter of an inch and over in thickness, 12½ per cent ad valorem.

Mr. FOSTER. Instead of the words "not exceeding," put "less than." And in the next line drop out the word "over," and say "30 inches wide and over."

Mr. FOSTER.

Mr. MILLS (Bothwell). What becomes of those that are 30 inches now ?

Mr. FOSTER. By these changes we make the two exactly coterminous.

Mr. FOSTER. I desire to change the wording of the item respecting shoe tacks to the following : shoe tacks, ½ ounce to 4 ounces to the 1,000, 1 cent per 1,000.

Mr. MULOCK. Where are these tacks made ?

Mr. FOSTER. They are manufactured in different places in Hamilton, Montreal, St. John, N.B., so that the industry is quite widely distributed.

Mr. MULOCK. This change permits the entry of tacks of different weights, from ½ an ounce to 4 ounces per 1,000. Is the tax upon the weight or the number ? In my opinion, the Finance Minister is leaving open the door to fraud.

Mr. FOSTER. I am making the item clear.

Mr. MULOCK. Although in one case the tacks may be eight times as heavy as in another, the same duty is imposed. In my opinion, this is a very extraordinary system of taxation.

Mr. GIBSON. The duty is in reality \$640 a ton on ½ ounce tacks, while on the 4 ounce tacks the duty is equivalent to \$80 a ton. Not bad protection at all for the Hamilton Rolling Mills. I think that the Minister of Finance is altogether wrong when he says that the matter is infinitesimal. It is when you count it by the tacks, but it is not when you count it on a duty of \$640 a ton on iron.

Mr. FOSTER. It takes quite a time to get a ton of iron into a ton of tacks. The average value of the imports last year was 5¾ cents a pound.

Item agreed to.

Wrought iron or steel nuts and washers, iron or steel rivets, bolts with or without threads, nut and bolt and hinge blanks, less than ¾ of an inch in diameter, 1 cent per pound and 25 per cent ad valorem.

Mr. TAYLOR. I may say that under the old tariff there was the same classification of these articles, and nuts and bolts less than three-eighths of an inch in diameter had a duty of 1½ cents per pound and 30 per cent ad valorem, while the other larger articles had a duty of 1 cent a pound and 25 per cent ad valorem. Now, you reduce the smaller bolt from the 1½ cents per pound and 30 per cent, to 1 cent a pound and 25 per cent ad valorem, while the larger bolts you only reduce from 1 cent a pound and 25 per cent ad valorem to 1 cent a pound and 20 per cent. That is not a sufficient protection for the smaller bolts, and, compared with the larger goods, it is very unfair. We have at Gananoque an industry carried on by Mr. Gillies, employing from

70 to 100 men, making these bolts. There are opposition concerns at Hamilton, Toronto, and Montreal. Now, while the 1 cent per pound and 20 per cent ad valorem may be ample protection on the larger iron bolts or the strap and T hinges, 1 cent per pound and 25 per cent ad valorem is not a protection at all on the small bolt. I have here a sample of the smaller-sized bolt, and there are 50 of them to the pound. The waste on the nut and thread on the small bolt is such that if the item is allowed to pass as it is now, we will have none of them made in this country. One hundred of these bolts which are now made in Canada are sold for 29½ cents, and it costs 28½ cents to produce them. So that there is but 1 cent per hundred profit on them, as Mr. Gillies assures me—and I have the figures here—and even under the old tariff of 1½ cents per pound and 30 per cent, there was quite a number of them imported. If this reduction is now made, it simply means wiping out of this industry in Canada, and I hope that the Minister will reconsider this item, and change it into 1½ cents per pound and 20 per cent ad valorem, which will even then be a reduction on the old tariff. I think it was the intention to have it printed that way, as I understood, but I see it is left remain at 1 cent per pound and 25 per cent ad valorem.

Mr. MILLS (Bothwell). Is there not the same waste no matter where these bolts are made?

Mr. TAYLOR. No doubt there is, but in Canada each of our concerns are manufacturing a full line, whereas, in the United States, and other places, they manufacture nothing but one size, and so they can produce them with much less labour than we can, because they are not put to the expense of changing the dies. At the same time, we have to pay ½ cent per pound duty on the raw material.

Mr. MULOCK. But it is produced in this country.

Mr. GIBSON. Does the hon. gentleman (Mr. Taylor) pretend to say that one manufacturer in the United States makes nothing but that sized bolt?

Mr. TAYLOR. I do not know; they run into lines more than we do in this country.

Mr. GIBSON. They make all sizes, though.

Mr. TAYLOR. That may be, but I know that to-day, owing to the depressed state of the market of the United States, they are willing to sell them at any price to get money. I think that the manufacturers of this country who employ a large number of men, should receive ample protection, not only on this line of goods, but on every other line, so as to enable them to employ our people at home. I do hope that the

Minister will consider this industry, as it is a large one. The consumer has nothing to complain of when he can buy one hundred bolts like this, made in the country, for 29½ cents.

Mr. MILLS (Bothwell). The hon. gentleman's statement is that if the Minister puts down the tariff he will get some revenue from the importation of these bolts, while if he puts up the tariff, as the hon. member wants him to do, he will get no revenue at all.

Mr. TAYLOR. If he puts it down he will get revenue, because the bolts will be made abroad.

Mr. MULOCK. The hon. gentleman is now getting his raw material cheap from which these bolts are made, because we are paying a bonus of \$4 a ton upon it. Is not that more than equivalent to the half cent a pound taken off?

Mr. TAYLOR. I want this industry treated fairly. Seventy-five per cent of the output of bolts in the country consists of small bolts under three-eighths of an inch diameter.

Mr. MULOCK. What did the duty under the old tariff amount to ad valorem?

Mr. TAYLOR. I do not know. For the larger bolt industry I think 1 cent a pound and 25 per cent ample protection, but it is not enough to protect the smaller bolt industry.

Mr. MULOCK. What is the hon. gentleman going to allow for the reduction in his raw material under the new policy? The Minister has explained that the new tariff is going to give him cheaper iron. Will that make up for the reduced protection on the bolts?

Mr. TAYLOR. The smaller bolts suffer more than the larger. The bolts above three-eighths of an inch in diameter, which had 1 cent a pound and 25 per cent, have now 1 cent a pound and 20 per cent, while the bolts under that size, which had 1½ cents a pound and 30 per cent, now have 1 cent and 25 per cent; so that the smaller bolt is less able to bear the reduction than the larger.

Mr. MILLS (Bothwell). If the hon. gentleman will explain what labour is expended in making a ton of these bolts, he might throw some light on the subject. This 1 cent a pound must certainly amount to more than the whole amount of wages paid, and yet the hon. gentleman would lead the committee to suppose that the protection is not enough to enable the manufacturers to pay the wages out of the public treasury, or out of the pockets of the consumers, which is the same thing.

Mr. TAYLOR. I can only give the cost paid by Mr. Gillies, of Gananoque, for mak-

ing 100 bolts three-sixteenths of an inch diameter by $1\frac{1}{4}$ inch long. The labour costs 21 cents, and the material $7\frac{1}{2}$ cents, making a total of $28\frac{1}{2}$ cents, and the wholesale price is $29\frac{1}{2}$ cents.

Sir RICHARD CARTWRIGHT. What is the weight of the bolts?

Mr. TAYLOR. These bolts are 100 to the pound.

Mr. GIBSON. The hon. gentleman is asking for a protection to the extent of \$36.70 a ton, while he is now receiving, according to his own showing, \$31.80 a ton, which I think is not a bad protection at all.

Mr. McMULLEN. And he pays nothing on his raw material.

Mr. FOSTER. I would like very much to go as far as I could to meet the views of the hon. gentleman who has spoken with respect to this item. There was some regard had to the difference in the sizes of the bolts, and the protection on the smaller size is larger than that on the other. There have been, of course, reductions in the raw material, and if the hon. gentleman will make the calculation of the cost of his raw material, the value of the output, and the ad valorem duty on that, he will see that after all he has a pretty large protection—one which, I think, is as much as could reasonably be given to the industry. We all see that difficulties are now felt owing to the present abnormal state of the trade. Markets are congested on the other side, people there want money, and under these circumstances they are apt to sell at prices down to cost, and sometimes below cost, and we in Canada have at this moment to compete with that abnormal state of things. But it is not to be supposed that that will last, and I feel pretty certain that when things are again in their normal condition the protection given here will keep this industry in this country. I hope it will. If I thought it would not I would be inclined to give a little more, but it seems to me that this is a pretty stiff protection.

Mr. MILLS (Bothwell). The hon. Minister of Finance has made an extraordinary statement. He says that markets are congested and prices abnormally low, and that is the reason why the taxes should be high here.

Mr. FOSTER. I did not say any such thing. If the hon. gentleman will allow me, and does not wish to misrepresent me, I will say what I did say. I said that owing to trade in the United States being in an abnormal state, the markets were congested and people had to realize, so that there was a disposition to sell at cost, or below cost, and our industries had at this time to compete with that state of things, and I hoped that when the markets would resume their normal condition this would be found a reasonable protection.

Mr. TAYLOR.

Mr. MILLS (Bothwell). When prices went up. He said personally he would like to give the hon. gentleman more protection if prices remained as they are. What is the object? Why, to make the consumers of this country pay a little more. They have the misfortune sometimes of buying articles, the hon. gentleman thinks, for less than they are worth. Well, that might ruin the man who undertakes to sell to them from abroad, but I do not understand, if a man pays 50 cents for one dollar's worth, how that does him any harm. The hon. gentleman has led the House to suppose that if he had his way—and he will, if things remain as they are—he would give these parties a little more protection, or otherwise the people of this country may be ruined with cheap goods.

Mr. GIROUARD (Jacques Cartier). I wish to say a word upon this question, because it affects, not only the industry to which the hon. member for Leeds (Mr. Taylor) has referred, but some other industries in the country as well. I do not agree with the Minister of Finance that we ought not to be protected against an abnormal market. I think, on the contrary, if there is protection needed, it is to protect our manufacturers against bankrupt markets. Suppose you would have bankrupt markets for two or three years in the United States, and no protection, what would be the consequence? Our manufacturers would have to shut down, and our workingmen would not be able to earn enough to pay for the necessities of life. Give our workingmen something to do and something to earn, so as to pay for the necessities of life, and then they will buy. But if they have no money, they cannot buy. I believe that after our manufacturers have had a protective system which has enabled them to commence operations and to prosper to a certain extent, that protective system should not be discontinued so soon—in some cases, a few years after the industries have been created. I think that the manufacturers have some rights in this country. The farmers have certainly a great deal of right, and their protection has not been reduced by the present tariff, but continued and even extended. But by what right manufacturing industries are to be destroyed, I do not know. It is all very well for speakers opposite to say that it is not in the policy of foreign manufacturers to kill competing industries in this country. I have here a little book which has been issued by the 'Press,' a leading newspaper of New York. Under the head of "Method of crushing rivals," the method is thus described:

The manner in which English capital is used to maintain her manufacturing supremacy is well understood abroad. In any quarter of the globe where a competition shows itself as likely to interfere with her monopoly, immediately the capital of her manufacturers is massed in that particular

quarter, and goods are exported in large quantities and sold at such prices that outside competition is effectually counted out. English manufacturers have been known to export goods to a distant market and sell them under cost for years, with the view of getting the market into their own hands.

Take away the protection which our industries enjoy, and our markets will be slaughtered; in two or three years our industries will be killed, and then prices will be raised and the consumers of Canada will be, as they were from 1875 to 1878, entirely at the mercy of the American and English and foreign manufacturers. It is all very well for hon. gentlemen opposite to laugh, but they ought to have learned by their experience. They ought to have learned by the election of 1878. In 1874 I ran for the second time for a seat in this Parliament, and I declared myself, in my address to the electors, as a protectionist, at a time when the party to which I belonged had not yet declared in favour of protection. The hon. Mr. Laurier, the leader of the Opposition to-day, was then in favour of protection. The hon. member for Berthier (Mr. Beausoleil) was also in favour of protection. So was the hon. member for Chambly (Mr. Préfontaine), and Mr. Devlin, and Mr. Jétté, who formed the so-called National party on the principles of protection, and the hon. Mr. Joly. But Mr. Mackenzie was not in its favour, and therefore these protectionists became free traders. I have remained ever since a protectionist, and when, in 1878 I saw protection introduced, not only to foster, but to create national industries, I was certainly in favour of it. To-day, we have a very serious difficulty to meet with—the difficulty of re-adjusting the tariff. In 1879, the tariff was a relief to everybody. All the existing industries—and there were very few—were then closed up. Even the sugar industry was closed up. The tariff we brought forward in 1879 was a relief to every one. There is no necessity to disturb it to-day; and if you touch one corner of that tariff which has been in existence for years, you disturb a great many interests. The hon. Minister of Finance ought, therefore, to be very careful not to disturb the very industries he and his predecessors have created. Destroy those industries, and what will be the consequence? In consequence of the bankrupt markets of the United States, and the eagerness of the Americans to sell at any price, even below cost, there will be no chance to compete against these prices here, and in three or four years we will find ourselves at the mercy of the American manufacturers. Hon. gentlemen opposite should have learned by the experience of 1878 and 1882 and 1887 and 1891. They should know that the people are in favour of protection. Take the farmers in my county, whom I see every week. They are in favour of protection for the produce of the farm, but, at the same time, they would

be very sorry indeed to see any of our manufactures destroyed, because they know that these furnish them with a market for their products. I hope the Minister of Finance will consider seriously before he decides to close up any manufacturing establishments in this country.

Mr. MACLEAN (York). This is an industry which was called into existence by a National Policy Government. We are now revising the tariff, in the light of the National Policy, and if it is shown, as the manufacturers of these bolts are prepared to show, that the proposed change will damage their business and cause them to close up, it is our duty as a National Policy party and Government to give them sufficient protection—to give them the protection they had under the former tariff. I would ask the hon. Minister to hold this over until the manufacturers can make their representations known to him.

Mr. McKAY. I would also ask the hon. Minister to let this item stand over, and see if he cannot restore the protection which these manufacturers enjoyed before. I am in a position to say, from the knowledge I have acquired, that the protection they have hitherto had was not more than they actually needed. It was higher than at present, but still not high enough to keep American goods out of the market. I do not agree in the opinion that the people of this country should take advantage of the abnormal state of the market on the other side. That is the time our workingmen should be protected. I hope the hon. gentleman does not want to see our workingmen driven out of this country and placed in the position in which the American workingmen of the United States are at present. We should keep them employed and give them sufficient protection to insure their being kept employed. Two of the hon. gentlemen who preceded me in the representation of the city of Hamilton were elected in 1874 as protectionists, on their appeal to the city as protectionists. They came to Ottawa as ardent protectionists to represent that city; but when they found that Mr. Mackenzie and his party were not in favour of protection, they abandoned their principles. Consequently, in 1878, the country, and the city of Hamilton in particular, had become reduced to such a condition that the people saw the necessity for a protectionist Government, and drove those representatives out, and elected protectionists in their place. I think the National Policy should be maintained, and trust the Finance Minister will take heed of the representations made to him.

Mr. MILLS (Bothwell). This is a very interesting discussion which the hon. gentleman and his friends are carrying on. We have been here two and one-half months and the hon. gentleman has not progressed sufficiently to satisfy those on the other side.

They ask him to allow the tariff to stand for further consideration, believing that the hon. Minister may receive so much light that he will be enabled to allow the tariff to remain as it was before. Well, Sir, when the Minister proposed the changes in the tariff, these hon. gentlemen approved those changes. They sought to assure the House, and they sought to assure the country through the press, that these changes were very considerable, almost revolutionary, and they seemed surprised to find the Minister going so far in the direction of tariff reform. Now the hon. gentlemen say they do not want any tariff reform. The hon. member for East York (Mr. Maclean) says the tariff was better as it was before—

Mr. MACLEAN (York). Hear, hear.

Mr. MILLS (Bothwell). That is a sentiment which the hon. gentleman sanctions. The hon. member for Hamilton (Mr. McKay) has given expression to the same view. That hon. gentleman asks us if we want the labouring men of Canada thrown out of employment as they are thrown out of employment in the United States. Why, Sir, bad as our tariff is, the tariff of the United States is far worse. That tariff which was to have made a very paradise of that country, the hon. gentleman now admits has produced—at all events it has not prevented—such a state of things that the majority of those engaged in industrial pursuits are at this hour out of employment. Does the hon. gentleman think that that system is going to produce any better effects in this country? What is there in the position of Canada that is to make the condition of the industrial labourer here any better than that of the industrial labourer of the United States? There is nothing whatever, Sir. But this is perfectly clear—that if the people of Canada want to retain the industrial classes in this country they must give them cheaper means of subsistence and better opportunities in the race of life. That the Minister of Finance was half disposed to give them. He took a few steps in that direction in proposing his new tariff, but he has been resiling from that position ever since and recalling everything he has ever done to relieve the masses of the people from taxation.

Mr. FOSTER. Oh! how exaggerated.

Mr. MILLS (Bothwell). The hon. gentleman says this is exaggerated. Why, Sir, I was shown on Saturday a bill of woollen goods the tax on which under the old tariff would have been 25 per cent, while under this tariff it is 42½ per cent.

Mr. FOSTER. Produce the goods.

Mr. MILLS (Bothwell). Woollen shawls are goods of the class I have mentioned. And I think, before this discussion is over I will be able to convince the hon. gentleman that he has increased the taxation on

Mr. MILLS (Bothwell).

a great number of articles beyond what it was under the old tariff. Of course those gentlemen who think that this country exists for the benefit of men who choose to invest their capital in speculative enterprises will approve of this. But the vast majority of the people of this country who have an idea that the masses have some rights that ought to be respected will come to a very different conclusion.

Mr. TAYLOR. Mr. Chairman, the hon. gentleman who has just taken his seat makes the statement that hon. gentlemen on this side of the House cheered the Finance Minister when he made his Budget speech and brought down his tariff. We did so, and we will do so again. We cheered because of the fact that he made the statement that in the revision of the tariff the Government would not wipe out any industry in Canada that could be maintained by a reasonable duty. And if, by the changes made, an industry was to be seriously affected, it was no doubt his intention, after the tariff was laid on the Table, to have such points thoroughly investigated.

Mr. MULOCK. You did not think he was sincere.

Mr. TAYLOR. Yes, we did; and we think he is sincere to-day. I do not think it is the intention of the Finance Minister or the Government, or of hon. gentlemen on this side of the House, to cause any Canadian industry to suffer by the changes in the tariff. Such a thing would be contrary to the policy of the Government and to the policy of gentlemen on this side of the House supporting that Government. Now, I just make this statement: The gentleman in whose interest I am speaking is not a political supporter of mine, but he has some \$70,000 invested in a manufacturing industry in my town. He writes me to the following effect:—

Unless the duty is increased on the smaller size of bolts, there is nothing left for us to do but to quit making them, as we are now selling at a loss.

Now, I am confident the National Policy has brought about competition in this country in these articles. When it came into effect you could not buy one hundred bolts of this size made in Great Britain and the United States for 29½ cents. You can to-day buy them at that figure in half a dozen places. bolts made in Canada, the production of which employed Canadian labour. I consider the statement of the Finance Minister that if by this tariff we were going to wipe out a Canadian industry he would call a halt, is one which applies here. I think it must be plain to anybody on looking at the tariff that if 1½ cents and 30 per cent on the small size and 1 cent and 25 per cent on the larger was right before, then 1 cent and 20 per cent on the larger size and 1 cent and 25 per cent on the smaller size is not a due maintenance of the proportion

of duty. I am satisfied if the hon. Minister gives this matter his attention—because it is a serious matter, as this is an industry employing many men—he will alter the proportion so as to make it 1½ cents and 25 per cent and 1 cent and 20 per cent on the larger, which would be making a corresponding rate of duty. I have already referred to strap and T hinges, and these other heavy goods. They are made in many places in Canada and sold at much lower prices than before, owing to home competition and the employment of Canadian labour. The protection is sufficient. The manufacturer at Gananoque, of whom I speak, as I have already said, is not a political supporter or friend of mine, but this is a Canadian industry, and when such an industry is in question, I do not care whether it is in my own town or any other, I do not care whether the proprietor be Conservative or Reformer, so long as it is employing Canadian labour and supplying Canadian goods to the Canadian people at as cheap or cheaper rates than we could import them, I stand up for protection of that industry.

Mr. EDGAR. I do not know whether it is safe for me to occupy the time of the committee for a moment in telling a story. I know it is a risky thing to do, but I am so strongly impressed with the direct applicability of this story to the present attitude of the hon. gentlemen on the other side that I am going to risk my reputation as a member of the House by trying to relate it. I only heard it the other day, and it is pertinent to this item. I heard the other day that a party of young men went out on a hunting expedition, and undertook to do their own cooking by turns. The one who was chosen first to do the cooking undertook it on the condition that the first man who grumbled at the food would be obliged afterwards to do the cooking himself. Well, Sir, it is wonderful how they enjoyed the food for a long time. At last, the cook determined to be relieved from his position, and he filled up a baking of bread full of salt. It was placed upon the table, and one of the party began to eat it, and was almost choked. "Oh, thunder, that salt!" he said, "I am choking, but I like it, I like it, I like it." Although these items choke hon. gentlemen opposite, although half a dozen of them have just been bitterly protesting against the items, still they will swallow them at the request of the Finance Minister. After this tariff Bill is passed, even if the hon. gentleman leaves it in this way, they will go before the people and say: We like it, we like it, we like it; it is perfect.

Mr. FRASER. I really think the Finance Minister should let this item stand. There are important questions for consideration. The hon. member for York (Mr. Maclean) advises him to consult with the manufacturers. It would be exceedingly interesting to continue a discussion upon this question, only I am afraid that there would be a good

deal of bolting on the other side. But really nothing shows the character of the whole tariff more than this discussion. Here are several hon. gentlemen who have some interest or other to conserve, getting up and disapproving of this item. The hon. member for Leeds (Mr. Taylor) distinctly tells us that he wants this duty changed in the interest of the man who is opposed to him. I suppose he wants to make a protectionist of him.

Mr. IVES. Is that the motive that actuated hon. gentlemen opposite when they were asking for more protection for agricultural implements?

Mr. FRASER. No. We said it was unfair that one article should be taxed 200 per cent and another article only taxed 20 per cent. But the hon. gentleman from Leeds can see that in helping this unfortunate opponent of his he is at the same time helping all his own friends, because if he can plead to have the duty fixed in favour of an opponent, he can plead with twice as much eloquence to have it fixed to help his own friends. That is the character of the whole business. Whenever hon. gentlemen opposite can forward their own interests by pleading in behalf of an opponent, they will stand up and do so, but there is no question whether the matter is in the interest of the whole community. The only thought is about a particular town, or a particular constituency, as if this great country was run by parish politics of that kind, and you were going to make it great and wealthy by simply protecting some particular interest in some particular town. That is the whole policy of hon. gentlemen opposite. At the same time, lest there should be any trouble among the Finance Minister's friends, I do not wish that he would let this item stand. It would show us two things. In the first place, it would show us how far these hon. gentlemen, if they did not get what they wanted, would still feel inclined to follow the Finance Minister, and in the second place, it would show us whether the men who are coming here to show him that he is wrong—although he has taken over a year to consider this question of bolts, nuts and screws—whether they are able to bring sufficient influence to bear upon him to cause him to change his mind in the direction desired by hon. gentlemen opposite.

Mr. McMULLEN. I hardly think the Finance Minister can stand the appeal of the chief whip of his party on behalf of this man who makes bolts. We know that some time ago when the Finance Minister was considering the question of protection on democrat wagons, which he had reduced to 25 per cent, at the mandate of the whip, he increased it to 35 per cent.

Mr. TAYLOR. That was a clerical error.

Mr. McMULLEN. Well, I think the Finance Minister had better, in response to the appeal of the whip, pronounce this a clerical

error also. Now, the hon. gentleman intimates that the manufacturer of these bolts is a Grit. I wonder if the manufacturer of democrat wagons is a Tory. If he is, then a clerical error was brought into play to help a Tory, but a clerical error will not do duty in order to help a Grit.

Mr. SPROULE. The mistake the hon. gentleman makes is in supposing that this is all done with a selfish motive, for the purpose either of converting a man to Conservative principles, as they seem to think, or to strengthen themselves in the coming election. Hon. gentlemen would have done well to make an inquiry themselves into this case before coming to any conclusion. I think there is honesty in human nature yet. Here is a man engaged in a business that furnishes employment to a number of girls and boys who are earning their daily bread by these means, and from a close calculation made by the men engaged in this business they come to the conclusion that in the event of the protection being insufficient on the articles they manufacture, they will be obliged to stop work and to throw all these hands out of employment. This question, therefore, becomes a very serious matter to all those who are earning their bread and butter by this work. I was in that shop myself, and that man laid before me a calculation which I believe was correct. I have reason to believe that he is an honest and honourable man, notwithstanding that he is a Reformer, and that he is a truthful man. He said to me: I am to-day obliged, if I continue this business, to put in another machine that will cost me \$500, but I will not do it until I know what the condition of the market will be; until this tariff question is settled. It is a great question with me whether I will be able in future to continue this business on account of the reduction in the protection, and if I find I am losing money, of course I must close up. Now, if he does close it up the result will be that he will throw numbers of these young people out of employment. There are little girls handling these bolts, and it requires just the same labour to handle a bolt that weighs one-fiftieth of an ounce as it does to handle one that weighs an ounce, and when it takes four of them to weigh an ounce there is four times the amount of labour required. Therefore, I think in all justice there ought to be a larger protection. I do not say that the protection is too small, but if it is only sufficient on the large bolt it is certainly not sufficient on the smaller one, because in handling the smaller bolts there is much more labour, and they have to be much more attentive to their duty, and finer machinery is required for their manufacture. If it is a fact, as I believe it is, that in the event of this duty being put so low that this factory will have to stop work, it becomes a very serious question for large numbers of

Mr. McMULLEN.

people who earn their bread and butter in the business.

Item agreed to.

Knife blades, or knife blanks, in the rough, unhandled, for use by electro-platers, 10 per cent ad valorem.

Mr. FOSTER. Strike out the word "unhandled."

Sir RICHARD CARTWRIGHT. What is your object in striking out the word "unhandled"?

Mr. FOSTER. The articles come in not with handles on them, but there are blades with irons which are to make the basis of the handles. In some of the ports they are considered to be handled, but really they are in the rough.

Sir RICHARD CARTWRIGHT. I desire to draw attention to the item of surgical instruments, on which a duty is proposed to be imposed of 15 per cent ad valorem. On all possible grounds, surgical instruments should be admitted perfectly free. The hon. Finance Minister knows it is of very great importance to the medical profession, and also to those who have occasion to call in the services of surgeons, that surgical instruments should be of the best possible quality, and it seems to me if there is any article which should be placed on the free list it is that of surgical instruments required to be used for the relief of persons suffering either from complicated diseases or from severe accident. Wholly and entirely apart from the question of protection or from policy, we should not place any duty on such articles.

Mr. FOSTER. I recognize that there is something in what the hon. gentleman has said, and that we should proceed in the direction of making the duty as low as possible. But these are not surgical appliances, but the tools of professional men, and these professional men have no more right to get in their tools duty free than have labouring men or artisans. They are professional men, well educated, who have their profession, and who obtain good pay for the practice of their profession, and when the Government admit surgical instruments at a low rate of duty they are doing all that is necessary. Surgical instruments were formerly 20 per cent, and we have made them 15 per cent, and I cannot agree to the plea that they should be made free. Why should we charge 20 per cent or 30 per cent on the tools of an artisan and allow a professional man who may charge \$50 or \$100 or even \$500 in the case of the hon. gentleman for taking off a leg, to obtain his instruments duty free.

Sir RICHARD CARTWRIGHT. If it became necessary that I should have my leg taken off, I should desire it to be done with as well-tempered an instrument as could be

obtained. The hon. gentleman knows perfectly well that this appeal, based on the idea of placing surgical instruments on a par with mattocks, axes and similar tools, constitutes a very obvious fallacy. It is in the interest of the patient that the surgeon should employ the very best surgical instrument he could obtain, and it is known that there are members of the medical profession, especially those in the country districts, who are not very well paid, who, in fact, are very poorly paid indeed, and it is of very considerable importance to them that they should obtain instruments of this kind in the cheapest possible market and of the best possible character. The hon. gentleman may not be aware that first-class surgical instruments are very expensive, and if 15 per cent or 20 per cent is added, there is danger of some practitioners employing inferior instruments with very disastrous results.

Mr. MILLS (Bothwell). The Minister of Finance would not like to have his leg amputated with a buck-saw.

Sir RICHARD CARTWRIGHT. If the Finance Minister had to submit to even a minor surgical operation with some of the instruments which country practitioners are obliged to use because they are not able to buy instruments of better quality, he would be quite willing to have surgical instruments admitted free.

Mr. FOSTER. I desire to add to the item stamped tinware, japanned ware and galvanized iron ware, the words, "including signs made from those materials."

Mr. MULOCK. What are the classes of goods supposed to be included under those terms?

Mr. FOSTER. All japanned ware. It is for the sake of making the item more plain to the customs officers that I propose the addition.

Mr. MULOCK. I think the Minister is making a very serious mistake, for he is creating a doubt as to the true mode of construing the clause. It is unwise in a clause like this containing generic terms to introduce a specific definition of particular items. By adding this specific definition you are limiting the general scope of the words, and you are opening the door to a doubtful construction of these general words. I am satisfied that no lawyer has recommended the introduction of these words there. If the officers make a mistake they can be instructed as to their duty by the head of the department. That is the proper way to keep them right, and not to put into an Act of Parliament words that ought not to be in it.

Mr. FOSTER. What we have to aim at is the practical application of these items and to make them as nearly as possible a guide not only to the appraiser who under-

stands exactly what they are, but to every person who has to enter goods in the customs-house. It is all very well to say that you can find out an error and send instructions from headquarters, but what we want to do is to have it so that the whole trade of the country from one end to the other shall get the same kind of goods in at exactly the same duties. It is for that purpose we introduced these words.

Item agreed to.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again in Committee on Ways and Means.

Molasses, testing by polariscope 40 degrees or over, 1½ cents per gallon.

Mr. FOSTER. I omit the words "and not over 60 degrees." Probably very little would test over 60 degrees, but it might do so and yet not be higher than No. 16 Dutch standard of sugar, which would come in free.

Sir RICHARD CARTWRIGHT. I do not know how high it could test, but suppose it tested up to 80 degrees on the gallon.

Mr. FOSTER. It does not go above from 56 to 59. Very seldom it would go above 60. It would have to go considerably above 60 to be equal to sugar 16 Dutch standard.

Sir RICHARD CARTWRIGHT. Why tax this so very much higher than syrups and molasses of all kinds, n.o.p.?

Mr. FOSTER. I do not tax them so high.

Sir RICHARD CARTWRIGHT. You tax the one five-tenths of a cent per pound, about ten pounds in a gallon.

Mr. FOSTER. Fourteen.

Sir RICHARD CARTWRIGHT. That is 7 cents per gallon, and here you are taxing molasses which tests 60 degrees, 1½ cents per gallon, which is just about one-fifth.

Mr. FOSTER. This is being taxed much less.

Sir RICHARD CARTWRIGHT. Why?

Mr. FOSTER. This is real molasses as nearly as we can get it, which we propose to let come in at a lesser rate of taxation. When it gets below 35, it becomes really unfit for consumption, and this five-tenths of a cent practically prohibits it.

Sir RICHARD CARTWRIGHT. You have quite another taxation for this when it comes less than 35 degrees.

Mr. FOSTER. Yes; much higher.

Sir RICHARD CARTWRIGHT. I do not clearly see why one class should be taxed 7 cents, and the other 1½ cents.

Mr. FOSTER. When molasses gets below 40 degrees, it is not very good stuff. Below 35, it is positively vile.

Sir RICHARD CARTWRIGHT. That refers to your item B, but I am referring to the item which comes here, "after all sugars above No. 16."

Mr. FOSTER. That would make the taxation upon syrup considerably higher than on molasses.

Sir RICHARD CARTWRIGHT. Is there any sufficient reason for such an enormous difference?

Mr. McMULLEN. Is this class of syrup manufactured in this country?

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT. What is the reason of the enormous difference?

Mr. FOSTER. Because of the difficulties that occurred in St. John and Halifax, owing to syrups coming in which were really doctored, mixed up in New York, and which, according to the contention of the Halifax and St. John Boards of Trade, possessed very little sugar qualities at all. They are made largely of glucose, and it is impossible, on looking at them, to say they are not good molasses. We are all interested in keeping that kind out, and the high duty tends to keeping them out.

Sir RICHARD CARTWRIGHT. That would apply to your inferior molasses, but would hardly apply, in the same way, to the syrups of high grade.

Mr. FOSTER. A medium grade, from 26 to 40 cents.

Mr. McMULLEN. It is clearly on that medium grade, which enters the largest into consumption, that the heaviest duty is put, and it is upon the higher grade, used only by people who can afford to pay a higher price for their syrups, that the lower duty is put.

Mr. FOSTER. An ad valorem duty on doctored syrups would be of very little use. It would allow all that class I have spoken of to come in practically unhindered.

Sir RICHARD CARTWRIGHT. You are establishing three distinct taxes. On the 40 to 60 degrees, you charge 1½ cents per gallon. On those which come below 35 degrees, you have a tax which may amount to 5, 6, 7, or 8 cents per gallon. And then you have a third tax on syrups and molasses of all kinds, n.e.s., the product of the sugar cane, beet root, and all imitations thereof, a duty equal to 7 cents per gallon. I was not present when these matters were discussed, and I do not think they were discussed at any great length, judging from the report in 'Hansard'; and there does not appear to have been any very clear explanation given of the reason. I do not suppose that syrups

Sir RICHARD CARTWRIGHT.

and molasses of all kinds are a deleterious article.

Mr. FOSTER. Really the lightest taxation is placed upon molasses 40 and over, which is the best article. Then when it gets below 40, and as it goes down to 35, the tax increases, and the article becomes one of less utility.

Sir RICHARD CARTWRIGHT. So far I follow the argument, though not quite clear as to its soundness.

Mr. FOSTER. Then when you get below 35, what you call a high tax, five-tenths of a cent per pound about bars that cheap stuff out. It also has the effect of keeping out doctored and made-up syrups and the like, and is a protection to the refiners in the production of syrups in our country.

Sir RICHARD CARTWRIGHT. There I suspect the real reason of the change comes in. It is a protection for the refiner, and it is not for the benefit of the consumer in any degree that the tax of 7 cents per gallon on syrups and molasses of all kinds, n.e.s., is put on. If you carry these two items A and B, syrups and molasses ought to be struck out.

Mr. FOSTER. Where would syrups come then?

Sir RICHARD CARTWRIGHT. This rate should be modified so as to include syrups if you like.

Mr. FOSTER. What would you do with what went below 35?

Sir RICHARD CARTWRIGHT. You propose to tax that 1 cent per gallon for each degree, or fraction of a degree less.

Mr. FOSTER. That is between 40 and 35.

Sir RICHARD CARTWRIGHT. You can easily extend that. I must say I do not like having these three distinct classes.

Mr. McMULLEN. I cannot understand the justice of charging a duty of 7 cents a gallon on the class of syrup which enters most largely into general consumption, and then, when you come to the class used by those who can better afford to pay for a higher grade of syrup—golden syrups—you admit them at a cent and a half. The duty on molasses is equal to 7 cents per gallon, while on these syrups it is 1½ cents. I cannot understand on what principle the hon. gentleman asks the committee to agree to such a low duty upon the higher grades that are used only by the well-to-do, and such a high duty when you come down to the class most largely used in the country. Mr. Chairman, to use a common phrase, there must be a nigger in the fence somewhere. There must be some parties whose interest is to be protected or such an arrangement would not be proposed.

Sir RICHARD CARTWRIGHT. What is the difference between syrups and molasses according to the customs definition?

Mr. FOSTER. Molasses is defined as nearly as it can be defined. It is produced in the process of making cane sugar from the juice of the cane. Syrup is more of a by-product of sugar refining.

Sir RICHARD CARTWRIGHT. I must say that these definitions are elastic in the highest degree. Wholly apart from the benevolent motive of protecting the community from an indifferent article it does appear to me one of the queerest regulations I have ever read, that you can import molasses which, tested by polariscope, shows 60 degrees—that is to say, contains something like two-thirds of its weight in sugar—at a duty of 1½ cents per gallon; but if you import molasses at 30 degrees—

Mr. FOSTER. No; that is not molasses.

Sir RICHARD CARTWRIGHT. Well, syrup, if you like the word better—

Mr. FOSTER. “Stuff” would be a better word.

Sir RICHARD CARTWRIGHT. If you import this inferior quality containing only one-third of its weight of sugar, the charge, as nearly as I can make out, is 11½ cents per gallon. Molasses that tests 35 degrees is dutiable at about 6½ cents per gallon. That is to say, the less valuable the article the higher the duty.

Mr. FOSTER. It would be a good thing if we could keep it out of the country, and this will have a tendency to do it.

Sir RICHARD CARTWRIGHT. Had you not better at once and for all just legislate that nobody in Canada is to consume any syrups or molasses which are not manufactured in some refinery satisfactory to the Government. That would simplify the position, and we should understand where we are.

Mr. FOSTER. We have always been governed by the principle—

Sir RICHARD CARTWRIGHT. By the principle of looking after the sugar refiners—I know; both the hon. gentleman and his predecessors have done that.

Mr. FOSTER. The people who know what good molasses is, such as the people who live in the Maritime Provinces, all think it would be better to keep this inferior stuff out.

Sir RICHARD CARTWRIGHT. My hon. friend here (Mr. Davies) is from the Maritime Provinces—

Mr. FOSTER. He will subscribe to that doctrine.

Sir RICHARD CARTWRIGHT. I warrant he does not subscribe to the idea of paying 11½ cents per gallon. I cannot understand on what principle these duties are arranged, unless you are prepared to prohibit them as injurious to health.

Mr. FOSTER. Molasses below 35 degrees is about that.

Item agreed to.

Window shades 35 per cent ad valorem, but not less than 5 cents per square yard.

Mr. FOSTER. I want to make it read “Window shade rollers,” and drop out the rest.

Sir RICHARD CARTWRIGHT. What do you mean by a window shade roller?

Mr. FOSTER. It is the roller on which the shade is mounted, composed of wood, the spring and the brass fittings.

Mr. McMULLEN. Does it include the curtain?

Mr. FOSTER. No.

Mr. MULOCK. What is the cost of the ordinary window shade per square yard?

Mr. FOSTER. I suppose they run from 75 cents each up.

Mr. GIBSON. 20 cents a running foot. There are 3 square yards in an ordinary window shade.

Mr. MULOCK. I would like if the hon. gentleman could give me the figures.

Mr. FOSTER. I have not got them with me now. I had them here when we discussed the item in committee.

Mr. MULOCK. I am told this 5 cents a square yard is a very excessive rate on some classes of window shades.

Mr. FOSTER. I desire to add to the item of window shades these words: “or mounted on rollers.”

Mr. GIBSON. How does the hon. gentleman propose to apply the tax of 5 cents per square yard to rollers?

Mr. FOSTER. I leave that to the Customs officers to do.

Item agreed to.

Antiseptic surgical dressings, such as absorbent cotton, cotton wool, lint, lambs wool, tow, jute, gauzes, and oakum prepared for use as surgical dressing, plain or medicated, 20 per cent.

Mr. FOSTER. This is a new item. At the present time these are generally placed in the unenumerated list.

Mr. MULOCK. On what principle are you taxing these articles?

Mr. FOSTER. On the principle that we want some revenue.

Sir RICHARD CARTWRIGHT. If this tax is for revenue purposes, let us understand how much the Finance Minister expects to obtain from it.

Mr. FOSTER. I cannot tell, because these articles have been unenumerated.

Sir RICHARD CARTWRIGHT. It strikes me that this is the meanest possible way in which to raise the revenue.

Mr. MULOCK. What about surgical appliances, trusses and artificial limbs?

Sir RICHARD CARTWRIGHT. They are taxed 35 per cent ad valorem. Artificial limbs of very excellent quality are now manufactured in the United States. If an unfortunate individual should import an artificial limb, what duty would he have to pay on it? I am aware that it is a heavy tax, but I should like to know exactly how much.

Mr. FOSTER. I do not think artificial limbs form a separate item. I do not know exactly how the Customs have ruled on those articles, so as to be able to state off hand.

Sir RICHARD CARTWRIGHT. The hon. gentleman's aide-de-camp is absent, or at least one of them. Where is he? We should have him here. He is paid to give us information on matters connected with the Customs, and the Minister of Finance is evidently not au fait in his absence.

Mr. FOSTER. The hon. gentleman is often absent, and he is paid for attending. He takes his \$1,000 like a man every year.

Sir RICHARD CARTWRIGHT. I certainly do, but I am not expressly paid to give information about the Customs, and the Controller of Customs is, and he should be here on these occasions. He has no business to be absent when the tariff is being put through, because it is as much his duty as it is the duty of the Minister of Finance to be here to give information to the committee, and there are several matters on which questions have been put to-night on which the Minister of Finance was not quite au fait, and, to do justice to the Controller of Customs, he had accumulated some information, be it correct or incorrect, on some of these matters. I do not know but that perhaps he is organizing another expedition to Ulster. If that be the case, it may be that he and some other members of the Government have been deputed to look after volunteers who may be called on to assist their friends in Ireland. We should know where the Controller has gone.

Mr. FOSTER. The Controller will return by and by.

Mr. LANDERKIN. As the Controller of Customs is not here, perhaps we could call on the Minister of Trade and Commerce.

Mr. FOSTER. That would have to come in under the unenumerated.

Mr. LANDERKIN. This proposed tax on bandages and similar articles is most objectionable, and should be struck off. Revenue should not be derived in that way. Unfortunately this tax will bear very heavily on the sick poor, and it should be wiped out of the tariff.

Mr. FOSTER.

Mr. McMULLEN. Before leaving the point in regard to the absence of the Controller of Customs, I certainly think the Finance Minister was not warranted in answering the hon. member for South Oxford (Sir Richard Cartwright) by stating that he took his \$1,000 like a little man.

Mr. FOSTER. I did not say "like a little man," I said "like a man."

Mr. McMULLEN. If the Minister of Finance will look over the record he will find the hon. member for South Oxford (Sir Richard Cartwright) does not take his indemnity when he is not here, but the Controller of Customs takes his money whether he is here or not. The Controller of Customs is the hired servant of this country, and he should be in his place when the House is in session. He is paid \$6,000 a year, which is a very high salary for a man of the ability he is possessed of, and he should be here to render what services he can to the service of his country. The Controller is hired and paid by the country to perform a certain duty, and he should be here to perform that duty unless he has had the written permission of the First Minister. If that is the case we ought to know it.

Mr. LANDERKIN. I think a case has been made out that should be referred to the Solicitor General.

Item agreed to.

Cloths, not rubber or made water proof, whether of wool, cotton, union, silk, or rami, 60 inches or over in width and weighing not more than 7 ounces to the square yard when imported exclusively for the manufacture of mackintosh clothing, under regulations to be adopted by the Governor in Council, 12½ per cent.

Sir RICHARD CARTWRIGHT. What is the tax on the finished article?

Mr. FOSTER. Twenty-seven and a half per cent.

Sir RICHARD CARTWRIGHT. What is the loss of revenue that will accrue from this?

Mr. FOSTER. That would be according to the amount consumed in the business. It is not large at present.

Sir RICHARD CARTWRIGHT. The hon. gentleman should have made some estimate of that, because, as I understand, this proposition is not going to be of the slightest benefit to the consumer. It is merely going to be a benefit to one or two manufacturers and may involve a considerable loss of revenue.

Mr. FOSTER. It is a benefit to the consumer too, because we reduce the duty upon the rubber goods and upon the mackintosh clothing. In the latter case it was considerably over 35 per cent, and in the other case considerably over 30 per cent, and it is now 27½ per cent.

Mr. LANDERKIN. Where is this manufactured ?

Mr. FOSTER. In Montreal and Toronto.

Mr. MULOCK. Will the hon. gentleman say why that lower duty is only for the benefit of the manufacturer of rubber goods ?

Mr. FOSTER. It is not for the benefit of him alone. It is for the benefit of the consumer as well, because his goods are made cheaper.

Mr. MULOCK. The first person who imports is the manufacturer of rubber goods. He may ultimately sell to the consumer; but he alone can take advantage of this clause, and I want to know why ?

Mr. FOSTER. Because he wants the material for the purpose of his manufacture.

Mr. MULOCK. Why limit it to him ?

Mr. FOSTER. It is not limited to him. It is open to any one who chooses to make the goods.

Mr. MULOCK. What was the duty on raw material before ?

Mr. FOSTER. It would be 25 per cent for uncoloured, 30 per cent for coloured. It is now reduced to 12½ per cent.

Mr. MULOCK. That is a compensation to the manufacturer of rubber goods for the reduction of his duty ?

Mr. FOSTER. Yes. The manufacture of rubber goods in Canada has made wonderful progress in the last five or six years. The larger proportion of what may be called common rubber goods are now made in the Dominion, and the quality is constantly improving. The manufacture of the finer grades of light rubber goods, such as mackintoshes, which are made of either two light pieces of cloth with rubber filling between, or else simply of rubbered cloth, has been started, and has met with some success, and bids fair to become an established industry in the country; but when we reduce the duty on the manufactured article, we gave the manufacturer so small a margin that it was impossible for him to go on. These goods that we are allowing to come in at 12½ per cent are not made in this country, and so the duty does not interfere with any manufacturing industry in the country.

Mr. MULOCK. Why do you not encourage them by giving them a high duty ?

Mr. FOSTER. They will come up to that by and by.

Sir RICHARD CARTWRIGHT. As the infant grows he will want more pap.

Mr. FOSTER. Yes, an increase of food is the rule.

Mr. DAVIES (P.E.I.) And as it contributes more, it will get more in proportion to its contributions.

Mr. McMULLEN. What prevents the manufacturer from bringing this material in for other purposes ?

Mr. FOSTER. Regulations will be framed by the Governor in Council to prevent any being imported surreptitiously to be used for purposes not contemplated. That can be easily arranged.

Mr. McMULLEN. I can understand that it can be arranged, but if a man who uses it for manufacturing waterproofs, chose to import it at 12½ per cent and sell it for other purposes, while others had to pay a higher duty, he might make a good thing out of it.

Mr. FOSTER. The strictest regulations will be made to prevent that.

Mr. MULOCK. I suppose all these Orders in Council will be of a general character, and not made for particular persons ?

Mr. FOSTER. They will be for manufacturers of rubber goods as a class.

Item agreed to.

Bullion, gold and silver, in bars, blocks or lingots, and bullion fringe, free.

Sir RICHARD CARTWRIGHT. What particular reason is there for admitting bullion fringe free ? That is an article that might very properly pay duty.

Mr. FOSTER. Just at present I cannot give the reason, except that it is in the old tariff.

Sir RICHARD CARTWRIGHT. You had better strike it out. It is simply an article of luxury, and, without good reason to the contrary, should contribute most assuredly, as well as surgical dressing, for example.

Mr. FOSTER. I shall take a note of the objection.

Coffee, green, except as hereinbefore provided.

Mr. FOSTER. I move to strike that out, because it has been dealt with already.

Mr. MULOCK. I have received a communication from a dealer in tea, calling attention to a regulation of the department requiring importers to produce certificates from the customs authorities in England. Those certificates cost five shillings apiece to the importer, and this gentleman says it is likely to be a very serious tax, because they do not import in very large quantities at a time. Is it necessary there should be a certificate ?

Mr. FOSTER. There must be some satisfactory proof of the fulfilment of the conditions mentioned in the item dealing with this matter, in order that the importer may get the benefit of the clause.

Mr. MULOCK. That tax will apply to the coffee as well as to the tea. A certificate will be required from the country from which it was imported at first, and

it cannot be said that green coffee comes in free when there is a five-shilling tax.

Item agreed to.

Copper, old and scrap, and copper in pigs, bars, rods, and bolts, in lengths not less than six feet, lingots, sheets, plates and sheathing, not planished or coated.

Mr. GIBSON. Will this apply to the scrap?

Mr. FOSTER. No, to the bars, rods and bolts.

Mr. STAIRS. I would like to point out that that word should be "sheathing," not "sheatings." While I am on my feet, I would like to ask the Minister of Finance if he has put in an item relating to yellow metal as given in item 858 of the old tariff. I have looked in the amended tariff and I cannot find this item. Yellow metal is used for sheathing for ships and boats.

Mr. FOSTER. Yes; yellow metal is in the amended tariff.

Item agreed to.

Cyanide of potassium and nitrate of silver, free.

Mr. FOSTER. Leave out "nitrate of silver."

Sir RICHARD CARTWRIGHT. Are you going to tax it?

Mr. FOSTER. Yes; it has always been dutiable at 20 per cent.

Item agreed to.

Degras.

Mr. FOSTER. Drop out this item; it is covered by another item later.

Sir RICHARD CARTWRIGHT. What is degras?

Mr. FOSTER. It is used by tanners, a sort of French grease.

Mr. HENDERSON. It is made from wool washings.

Domestic fowls, pure bred, for the improvement of stock, and pheasants and quails, free.

Mr. FOSTER. After "stock" insert "homing or messenger pigeons."

Sir RICHARD CARTWRIGHT. Is this for the encouragement of war?

Mr. FOSTER. A very peaceful sort of war. There are a number of gentlemen in the country who are interesting themselves in homing pigeons.

Item agreed to.

Fire bricks, not to include stove linings, free.

Mr. FOSTER. Add to that item the words, "for manufacturing purposes."

Mr. STAIRS. Would the hon. Minister allow that to stand and not introduce these words? They tend to confusion. Duty will

Mr. MULOCK.

be collected on small lots of fire-brick for general purposes, whereas the great mass of these imports will come in free.

Mr. FOSTER. Fire brick are manufactured in this country.

Mr. McMULLEN. Where?

Mr. FOSTER. In British Columbia and in Hamilton.

Mr. DAVIES (P.E.I.) For what manufacturing purpose is fire brick admitted?

Mr. FOSTER. For building retorts, furnaces and so on.

Mr. DAVIES (P.E.I.) That is not a manufacturing purpose; that is erecting a building.

Mr. FOSTER. Yes, that would be a manufacturing purpose.

Item agreed to.

Communion plate, when imported by and for the use of churches, free.

Mr. FOSTER. Strike out the words "by and."

Mr. LANDERKIN. Is this clear now? Is it so clear that there will be no further difficulties in regard to this item by the Department of Customs? I think it is very important we should make this very clear.

Hoofs, horn strips and horn tips, free.

Mr. FOSTER. Add "in the rough, not polished or otherwise manufactured."

Sir RICHARD CARTWRIGHT. How does the hon. gentleman allow ice to be admitted free? That competes with the native manufacture.

Mr. FOSTER. It must have been overlooked.

Mr. LANDERKIN. I see gannister is admitted free, why is that?

Mr. FOSTER. So that it shall not pay duty.

Mr. LANDERKIN. What is gannister used for?

Mr. FOSTER. It is used for manufacturing purposes.

Mr. LANDERKIN. What is gannister, anyway?

Mr. FOSTER. I am sure the hon. gentleman does not wish me to be too minute about these matters.

Mr. LANDERKIN. It seems to me that gannister ought to be dutiable.

Mr. FOSTER. I think not.

Mr. MILLS (Bothwell). Will the hon. gentleman state his reasons for putting it on the free list?

Mr. FOSTER. It is not produced in this country.

Mr. LANDERKIN. How much was imported last year?

Mr. FOSTER. We do not get these figures in the Trade and Navigation Returns.

Mr. MILLS (Bothwell). It came in of its own accord.

Item agreed to.

Cane, rattans and reeds, not manufactured, free.

Mr. FOSTER. Drop out the words "and reeds." Reeds are manufactured from the cane. They bear a duty of 17½ per cent.

Mr. MILLS (Bothwell). The cane is split.

Mr. FOSTER. But this is cane not manufactured.

Mr. MILLS (Bothwell). What becomes of the reeds?

Mr. FOSTER. They are manufactured, and come in under the dutiable list at 17½ per cent.

Item agreed to.

Wrought iron or steel pipe fittings and chilled iron or steel rolls, 35 per cent ad valorem.

Sir RICHARD CARTWRIGHT. What was the previous duty?

Mr. FOSTER. It was 35 per cent. It was not provided for in the proposition already submitted, and unless specified as 35 per cent it would come under the 27½ per cent list.

Item agreed to.

Switches, frogs, crossings and intersections for railways, 30 per cent ad valorem.

Mr. FOSTER. These are placed at the same duties as are levied on steel rails.

Item agreed to.

Yarns, composed wholly or in part of wool, worsted, the hair of the alpaca goat, or other like animal, costing 20 cents per pound and under, 5 cents per pound and 20 per cent ad valorem.

Sir RICHARD CARTWRIGHT. What is the minimum value of these yarns?

Mr. FOSTER. They run down to 12 or 13 cents.

Sir RICHARD CARTWRIGHT. So the duty will be equivalent to 60 per cent?

Mr. FOSTER. Yes; the tax is high on the lowest grade. I suppose the yarn coming in is worth about half that which is paid for wool from which a fair yarn could be made.

Sir RICHARD CARTWRIGHT. What is the object of levying such an outrageous tax as 60 per cent?

Mr. FOSTER. The object is to keep the mills which are spinning these yarns at work. They are used almost wholly for the manufacture of carpets. The duty on these yarns previously was 10 cents per pound and 20 per cent; we now place them at 5 cents per pound and 20 per cent. The duty

affects only carpets manufactured, and they have a protection afforded them.

Item agreed to.

Mosaic flooring of any material, 30 per cent ad valorem.

Sir RICHARD CARTWRIGHT. What is the purpose of levying this duty?

Mr. FOSTER. Finished marble is 30 per cent, and this mosaic flooring may be of marble or some other material used for the floors of hallways.

Sir RICHARD CARTWRIGHT. It may also be of wood.

Mr. FOSTER. Under the old tariff we had an item providing that hemp and flax twine when used for boat and ship sails should be taxed 5 per cent ad valorem. There is only a small importation, so small that we thought the item might be dropped. But it appears that this article is imported both on the Atlantic and Pacific coast, and is used for making sails, and it is therefore proposed to restore the item at the old rate. I move that the committee rise and report certain resolutions as adopted, and ask to sit again.

Mr. MULOCK. Before you leave the Chair, Sir, I would like to ask the Minister of Finance if he is willing to reconsider the duty on rice. I hardly can think the Minister fully understands the nature of the tax he is imposing upon this article of consumption. It amounts to almost 100 per cent, and it makes it a very expensive commodity to the great numbers who use it. I do not think that he can justify that enormous tax.

Mr. FOSTER. I think the House had a pretty full discussion on the question of rice. So far as I am concerned, the matter might be taken as settled.

Mr. MULOCK. Perhaps the Minister would like to hear the view of it which is taken in the press. As it might influence his opinion, I will read the following letter from the Montreal 'Star' of Saturday last:—

To the Editor of the Star:

SIR,—On March 28th last, the Finance Minister announced that the duty on cleaned rice would be reduced from 1½c. per pound to 1c., and that the duty on unhulled rice would be ½c. per pound. Presuming that Mr. Foster intended to stand by this duty on rice, we ordered several thousand bags of cleaned rice from Europe, and the first importation of 1,500 bags has now arrived.

It appears, however, on April 21, three weeks after the tariff had been brought down, Mr. Foster decided to go back to the old duty, and he then announced the duty would be 1½ cents on cleaned, and 3-10ths of a cent per pound on uncleaned, and we now have to pay 1½ cent per pound on rice bought at the time Mr. Foster stated that the duty would be 1 cent per pound.

The following figures will give your readers an idea of the amount of protection enjoyed by the two rice mills in the Dominion of Canada, namely :
Invoice cost of 1,500 bags imported rice—

360,452 lbs.—costing 1½c. per lb.....	\$3,856 34
Duty at Montreal, 1½c. per lb... ..	\$5,505 65
Duty on the bags at 20 per cent.	60 00
Freight to Montreal	544 62
Marine insurance, etc., 2 per cent.....	117 14
	5,227 41
	11,084 75

This makes the cost of rice a fraction over 3c. per pound laid down in Montreal and gives the rice mills a protection of 80 per cent on first cost, and nearly 100 per cent if the freight and other charges are added to the duty.

According to the Blue-book Canada imported last year of

Cleaned rice, 3,543,568 lbs., duty 1½c. per pound.....	\$44,295 00
Uncleaned rice, 24,318,460 lbs., duty 17½ p.c. ad valorem	53,604 00

It will be noticed that the duty collected on three and a half million pounds of cleaned rice was nearly equal to that collected on twenty-four million pounds of uncleaned, and that the Rice Milling Company, who employ from 50 to 75 men (some people assert that they do not employ more than 20 hands), enjoy a protection of 1c. per pound, or equal to \$243,184 per annum. This is a nice little sum to make every year and they could well afford to spend some of it in lobbying at Ottawa in order to convince Mr. Foster that his Reform tariff of the 28th March, so far as the rice duty was concerned, was a very great clerical error.

When the rice mill found we were offering a better rice at 3½c. than what they were selling at the same price, they decided to squelch us and reduced their price to 3c. This ½c. per pound will reduce their profits this year by \$60,000, but they have a margin of \$180,000 left.

No one pretends that we can grow rice in this country, and the present duty is simply downright robbery ; the Government gets scarcely any revenue from what is milled here and the consumer is obliged to buy the lowest grade produced in order that the rice mill may make a fortune every year.

JOHN PINDER & CO.

MONTREAL, 14th May, 1894.

Now, Mr. Chairman, if the statements in that letter are correct, a very strong case is made out, indeed, for the revision of the proposed tax upon rice. I cannot add anything to what is said in this letter. It means that rice, a necessary of life, an article not grown in Canada, which costs, in the finished state, in England, something like \$1.58 per hundred pounds, has a duty imposed upon it here for the benefit of the manufacturer amounting to nearly \$1.25 per hundred pounds. That is a direct tax upon the rice-consuming public of Canada, and it is clear that rice is used in large quantities here, as we imported 24,000,000 pounds last year. Under the circumstances, it seems to me that this high tax upon it is indefensible.

Mr. MULOCK.

Motion agreed to ; and committee rose and reported progress.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Travelling expenses of judges in the North-west Territories... .. \$3,000

Mr. McMULLEN. There is a reduction of \$1,000. I presume that is owing to the improved facilities of getting from place to place now, as compared with former years ?

Sir JOHN THOMPSON. Yes.

Circuit allowances, British Columbia.. \$7,000

Mr. MULOCK. Is the scale of allowances the same in British Columbia as in the other provinces ?

Sir JOHN THOMPSON. Yes ; Of course, the difference is made up in consequence of the expense of travel. The judges in British Columbia have to adopt very expensive means of conveyance sometimes.

Mr. MULOCK. I am speaking more particularly of the allowance of which the judges do not make a return.

Sir JOHN THOMPSON. There is a per diem allowance in British Columbia.

Mr. MULOCK. You have not the same system there as in Ontario, of allowing a judge \$100 for expenses ?

Sir JOHN THOMPSON. No ; nor in Quebec.

Mr. MULOCK. Has there been any comparison made of these two systems ?

Sir JOHN THOMPSON. Yes. The system of per diem allowance is a more just and equable one. In the case of a brief term of a court, the circuit allowance of \$100 leaves a considerable emolument for the judge, while the per diem allowance would, perhaps, be given for only three days—the day going, a day coming, and a day for the sitting of the court. It is a much more fair and reasonable system ; but we have been unable to reduce the \$100 allowance where it is made, on account of the scanty allowance the judge receives.

Mr. MULOCK. There is a way of remedying that.

Sir JOHN THOMPSON. It seems not.

To pay two official arbitrators.... \$2,000

Mr. FLINT. What are the duties of these official arbitrators ?

Sir JOHN THOMPSON. The two arbitrators who now hold office are what is left of the official board of arbitrators, to whom claims used to be referred against the Crown. The survivors of this board were appointed official referees of the Ex-

chequer Court, which makes reference to them, from time to time, for the purpose of taking evidence as to quantities and values in relation to claims before that court. Their services are likewise used by the various departments in order to obtain reports upon claims.

Mr. DAVIES (P.E.I.) Did they do any work last year?

Sir JOHN THOMPSON. Yes; a good deal.

Mr. DAVIES (P.E.I.) Is there any means of ascertaining what they did? We do not see their reports, or any evidence of their labours. Does the hon. gentleman know?

Sir JOHN THOMPSON. I do not remember any reference from the Exchequer Court to them, and cannot say how far their services were used by any department. It is very common in the Lower Provinces for the Railway Department, in connection with claims, in respect of which values have to be ascertained, to send Mr. Compton to report.

Mr. DAVIES (P.E.I.) I do not remember last year of their going to the Maritime Provinces. Will the Minister of Railways say whether he made any references to them or not?

Sir JOHN THOMPSON. Mr. Compton lives at Halifax.

Mr. DAVIES (P.E.I.) I understand from the Minister of Railways that he made no reference.

Mr. HAGGART. I am not sure about any reference.

Mr. DAVIES (P.E.I.) Are you bound to pay them?

Sir JOHN THOMPSON. As members of the Board, they had a permanent position, and instead of paying them a superannuation allowance, as we did in the case of one or two who were very advanced in years, we thought it more economical to make use of their services. Mr. Cowan was superannuated and Mr. Simard. The two others were continued in office for the reason I have given.

Mr. McMULLEN. Are any of the present men eligible for superannuation?

Sir JOHN THOMPSON. Yes, Mr. Compton would certainly be, because he is nearly 70 years of age, although very capable as regards intelligence.

Mr. McMULLEN. If there is really nothing for them to do, and it appears they have done nothing in the past, it is a great pity that they should go on drawing \$2,000 a year. The best evidence that they are not required is that they have done no work.

Mr. LANDERKIN. The First Minister must be something in error about Mr. Cowan. I think he is still living.

Sir JOHN THOMPSON. I am very glad to hear it.

Mr. LANDERKIN. Those who are superannuated draw their allowance and do nothing, and those who are continued in the office draw their pay and do nothing. They ought to be transferred to the Solicitor General's office, where they would not be overworked.

Sir JOHN THOMPSON. They do work, and are available now.

Mr. MULOCK. I understand that the Minister of Justice is not able to say whether these men did anything in the past year or not, and that the Minister of Railways says they did nothing for his department.

Mr. HAGGART. I am not sure about that. I think one of them did some valuation at Halifax of some property expropriated. I do not know whether it was Mr. Compton or not.

Mr. DAVIES (P.E.I.) It would not be left for one man to value property expropriated.

Sir JOHN THOMPSON. He makes a valuation of the property preparatory to a tender being made.

Mr. MULOCK. Has he power to swear witnesses and sit as a court?

Sir JOHN THOMPSON. He swears witnesses and hears evidence.

Mr. MULOCK. Have these gentlemen been long in this position?

Sir JOHN THOMPSON. Over 20 years.

Mr. MULOCK. Appointed at this salary?

Sir JOHN THOMPSON. Yes.

Mr. MULOCK. How long is it since they have done anything? I cannot see the object of retaining men in the service long after there is no necessity for them. There must be some implied understanding that the office must cease with the necessity for it.

Sir JOHN THOMPSON. We could not dispense with the services of these gentlemen without pensioning them, and their pension would amount to three-fourths of their salary. We generally do get a good deal of service out of them in the way of references.

Mr. McMULLEN. Would it not be better to put them in the Senate?

Supreme Court of Canada—three
messengers \$1,500

Mr. McMULLEN. Is there a necessity for three messengers in the Supreme Court?

Sir JOHN THOMPSON. There are six judges holding offices there, and the department of the registrar is a regular department. Three messengers are fully employed.

Mr. DAVIES (P.E.I.) It seems to me there used to be only one messenger there. I do not say that I think three messengers are too many. But I think there used to be only one, Mr. Curran.

Sir JOHN THOMPSON. He was the only one seen, perhaps. He ranks as the crier of the court. But the other two were in attendance.

Contingencies and disbursements,
Judge's travelling expenses; also salaries of officers (sheriff, registrar as editor and publisher of reports, usher, etc.), and \$300 for books for Judges..... \$3,500

Mr. DAVIES (P.E.I.) Is there any statement published showing the returns from the sales of reports? I looked very carefully, but I could not find any. It seems to me, from the number of members of the profession who take these reports, that these returns should be pretty large.

Sir JOHN THOMPSON. I think these figures must appear in the Auditor's Report. The receipts are large. The sales depend a good deal upon subscription, and there is a considerable sale also through Carswell & Co. In the province of Ontario the Law Society subscribed for, I think, several hundred copies—at any rate a very large number—and they get them at a reduced rate and distribute them amongst the members of the profession in return for their annual subscriptions.

Mr. DAVIES (P.E.I.) The Law Society, then, obtains these reports at a reduced figure?

Sir JOHN THOMPSON. All dealers get them at a reduced figure, and the Law Society get them at still lower rates on account of the large quantity they take.

Mr. DAVIES (P.E.I.) Is the same open to the law societies of the Maritime Provinces?

Sir JOHN THOMPSON. They do not subscribe. Individual members take these reports.

Mr. DAVIES (P.E.I.) I am personally aware of that fact.

Mr. DALY. In the Auditor General's Report, at page 212, the hon. gentleman will find the statement of receipts:

Stationers at 20 per cent discount—Carswell & Co., 989 vols., 30 parts.....	\$ 2,211 60
Less accounted for 1893-94.....	1,126 31
	<hr/>
	\$1,085 29

Mr. McMULLEN.

Then follows a number of details of sales amounting to \$1,794.34.

Mr. LISTER. I think that in the province of Ontario the way of distributing these reports is this—every lawyer has to pay a certain annual fee, \$17 or \$19, to the law society, and for this he gets all the provincial reports and also the Supreme Court reports.

Printing, binding and distributing the Supreme Court reports..... \$2,750

Mr. FORBES. Where are these distributed?

Sir JOHN THOMPSON. They are for sale. A certain proportion are distributed. A certain number of these reports are bound, so that those desiring to get them in that form can get them. Generally speaking, they are issued in parts. For the regular subscribers the reports are issued in parts, but anybody who is desirous of buying bound copies can get them.

Mr. FORBES. Then there is a credit against this expenditure?

Sir JOHN THOMPSON. There is a stock on hand worth, I should say, over \$10,000.

Mr. FORBES. But there is also an annual receipt?

Sir JOHN THOMPSON. Yes.

Mr. McMULLEN. Where is the printing and binding done?

Sir JOHN THOMPSON. The printing is done in the Bureau and the binding by the contractor.

For the purchase of law books and works of reference for the Supreme Court Library..... \$4,000

Sir RICHARD CARTWRIGHT. This may or may not be required, but I notice that the hon. gentleman is asking for \$1,500 more than last year. We have been paying hitherto \$2,500 for this purpose. It appears to me that that ought to have supplied that library tolerably well with the law books required.

Mr. DAVIES (P.E.I.) I call the hon. gentleman's attention to the fact that for printing and distributing the reports we pay \$2,750, and that our receipts were \$1,000 less, or \$1,750. I should think, from the prices charged for these reports, that this service should be nearly self-sustaining. That it is not would seem to me to indicate that there is something wrong. I have forgotten exactly the figure members of the profession have to pay for those reports.

Mr. FORBES. Five dollars for the bound copy and four dollars for the unbound.

Mr. DAVIES (P.E.I.) One would think that that would pay the cost.

Mr. MULOCK. I imagine there would be a good many free copies.

Sir JOHN THOMPSON. In the first place, we give a copy free to each of the judges of the Superior Courts throughout the Dominion. Then every law society gets one for its library and other copies go to the legislative and other important libraries. Besides, there is a surplus carried in stock. There is a large stock of the old reports, not so many of the earlier numbers, as they have been called for from time to time, but there is a very valuable stock on hand, much more than enough to repay the balance of expenditure over receipts from year to year. It is true we are asking for \$1,500 more. We have a very fine library there, but incomplete in many lines, especially as regards United States' reports. The desire of those connected with the court is that we should give a vote of \$5,000 to bring up the arrears of the American reports alone this year, but \$1,500 is all we venture to ask for. The Supreme Court Library, of course, inasmuch as it is a resort for barristers from all the provinces of Canada, ought to be a first rate library. It is very far from being so, good as it is, and it will take a grant of \$30,000 or \$40,000 to make it anything like as good as the best state libraries in the United States. As it is now, it ranks less than a third among the libraries of Canada. The library at Osgoode Hall is far better; even the library of the New York Life Association, in the city of Montreal, is better equipped.

Mr. LISTER. The Library of Osgoode Hall is one of the best on the continent, if not the best.

Mr. McMULLEN. Where are those books supposed to be got ?

Sir JOHN THOMPSON. From large dealers in the United States who make a point of keeping considerable stocks.

The Exchequer Court of Canada—
Third class clerk \$950

Mr. McMULLEN. Why is there no statutory increase in this case ?

Sir JOHN THOMPSON. I think the reason for that is that he was appointed at a higher salary than ordinary.

Mr. FORBES. Can the hon. member tell us who the clerk is ?

Sir JOHN THOMPSON. Mr. Macdonald, I think.

Contingencies—Judges and Registrar's travelling expenses, salary of Sheriffs, printing, stationery, &c., and \$50 for Judge's books \$40,000

Mr. McMULLEN. By what rule are the travelling expenses of the judge of the Exchequer Court regulated ?

Sir JOHN THOMPSON. By statute and Order in Council, an allowance of \$5 a day is made to him for living expenses and his actual moving expenses.

To pay increase of salary to Mr. L. A. Audette, from 1st July, 1894, to 30th June, 1895 \$175

Sir JOHN THOMPSON. That is simply to put him on a footing of a chief clerk until he gets to the maximum, by what would have been statutory increases. He was appointed at a salary of \$2,000, and by statutory increases he might go up to \$2,800. We undertook, as regards one official, to put him on the same footing as a chief clerk, and give him a statutory increase from year to year, for that was the position of the Registrar of the Supreme Court.

Mr. DAVIES (P.E.I.) Does he occupy the same position as the Registrar ?

Sir JOHN THOMPSON. Yes; but not at the same salary, he has not got up to that yet.

Mr. DAVIES (P.E.I.) You divide into three votes, I see. One is a thousand dollars.

Sir JOHN THOMPSON. His salary is \$2,000. It is a statutory salary.

Mr. DAVIES (P.E.I.) Then you give him \$475 besides.

Sir JOHN THOMPSON. We give him \$300 as editor of the reports, and that is the sum which the Registrar of the Supreme Court gets for editing the Supreme Court reports.

Salary of Registrar in Admiralty,
Quebec \$666 66
Salary of Marshal in Admiralty,
Quebec 333 34

Mr. DAVIES (P.E.I.) I never understood why that was voted. It never could be explained or defended.

Sir JOHN THOMPSON. There is no excuse for it except custom.

Mr. DAVIES (P.E.I.) Well, it is a very bad custom. It has been going on year after year, and is utterly unjustifiable.

Mr. FORBES. We have to pay it under the British North America Act.

Sir JOHN THOMPSON. Before Confederation the salaries were thus established, a special salary for the judge, a salary for the registrar, and a salary for the marshal; whereas in the other provinces, where they do quite as much work, they depend upon fees. But when officials are appointed at those salaries, it is difficult to change them.

Mr. LANGELIER. It is only temporary, because the law has been altered. But the present incumbents, who were appointed before the law was altered, were to receive

the same salaries as they had before, and when they die or go into some other position, the salary will be abolished. That court is a part of the Superior Court of the province, that is to say, a judge of the province of Quebec, will, after the present incumbent leaves the office, discharge the duty of a judge of the Vice-Admiralty.

Mr. FORBES. Will the Minister tell me why the Registrar of the Admiralty Court in Nova Scotia is not on the same footing?

Sir JOHN THOMPSON. These salaries were fixed before Confederation, a special salary for the judge of \$2,000, and a salary for the registrar and the marshal. While the incumbents remain, as the hon. member for Quebec Centre (Mr. Langelier) has explained, these salaries cannot be interfered with. But the law provides that they shall sink to the condition of other salaries when vacancies occur.

To provide accommodation when necessary for the Exchequer Court in Admiralty..... \$300

Mr. MULOCK. Does that court ever sit?

Sir JOHN THOMPSON. Oh, yes. The Exchequer Judge is the Judge in Admiralty, and it sometimes happens that he has to hold court in other places than Ottawa, and this is to provide accommodation for him in case he should need it. We paid nothing last year.

Dominion Police..... \$22,000

Mr. McMULLEN. How many of those are now employed, and what is their pay?

Sir JOHN THOMPSON. I laid on the Table at the beginning of the session a return which showed the number and pay. I think the number is thirty-five altogether.

Mr. McMULLEN. Are they principally employed in Ottawa?

Sir JOHN THOMPSON. Yes; we do not pay any police outside. These officers are employed in connection with the public buildings and grounds and services of a similar class.

St. Vincent de Paul penitentiary. \$98,875 86

Mr. MULOCK. I observe in the press that a day or two ago an incident occurred in connection with this penitentiary. The warden having taken a convict out of bounds, to make use of his services on board of a pleasure yacht, the prisoner at the termination of the pleasure trip attempted to drown the engineer. Is it customary for wardens—I believe this convict had several months to serve—to take prisoners out of the confines of the penitentiary?

Sir JOHN THOMPSON. It is when they are prisoners of good character, who have but little more time to serve.

Mr. McMULLEN. In looking over the items of expenditure by the inspector in

Mr. LANGELIER.

connection with this penitentiary, I observe in the Auditor General's Report that he has charged twenty days' cab hire at Ottawa, \$10, and cab hire to church at Montreal, \$1. The Auditor General has drawn attention to these items and has pointed out that they should not be charged. It seems singular that an officer having such long experience should attempt to make such charges.

Sir JOHN THOMPSON. I am sorry to say that Mr. Moylan is a victim of very severe rheumatism, and it is absolutely necessary that he should have a conveyance to and from his house. I do not know how this matter was disposed of in the department, as I was away at the time.

Mr. McMULLEN. The entire amount spent on this penitentiary last year, I observe, was \$87,940. What is the number of inmates and what was the per capita cost last year as compared with the previous year? In view of the low price of meat and other food products there should be a decrease in the expense.

Mr. MULOCK. According to the report of the Minister of Justice the average number of inmates in Manitoba Penitentiary in 1893 was 72, who were maintained at a cost of \$48,000, or nearly \$700 each. At St. Vincent de Paul the total number of inmates was 374, who were maintained at a cost of \$98,000, or about \$300 each, or less than half.

Sir JOHN THOMPSON. The hon. gentleman will remember that there are two or three circumstances connected with these expenditures, namely, that the sum includes all the officers' salaries, maintenance of prisoners and improvements made in the penitentiary during the year. For example, at St. Vincent de Paul we have made considerable improvements in furnishing machinery and heating apparatus, and \$15,000 was spent for working expenses.

Mr. MULOCK. It is so much the worse for Manitoba Penitentiary.

Sir JOHN THOMPSON. I am showing that the sum per capita is not to be judged by the total cost of the penitentiary, but the per capita cost in the penitentiary will always be greater the smaller the number of convicts, other things being equal. In Manitoba we had last year 71 prisoners, the normal number being about 80, whereas at St. Vincent de Paul the number is about 300. That disparity in number makes a very great difference in cost, for you can maintain double the number of prisoners without materially increasing the cost per capita.

Sir RICHARD CARTWRIGHT. What was the total which was obtained from the labour of the prisoners in St. Vincent de Paul?

Sir JOHN THOMPSON. The sum received from St. Vincent de Paul is very slight, because the prisoners have been engaged in the work of construction, building a boundary wall, and so on. It is credited last year in the Auditor General's Report with \$1,168.16. That would include everything except small balances unpaid at the end of the year.

Dorchester Penitentiary.....	\$46,537 00
Manitoba Penitentiary.....	48,957 65

Mr. DAVIES (P.E.I.) The hon. gentleman has not explained, to my satisfaction, the extraordinary cost per capita of maintaining the convicts in the Manitoba penitentiary. Some years ago that matter was discussed, and I think satisfactory proof given of the gross extravagance in that penitentiary; so much so that an investigation was made by the Minister of Justice which I had hoped would have resulted in marked economy being shown in the expenditure for the future. In Dorchester penitentiary, where the daily average is 175 prisoners, the per capita is \$254, and in Manitoba penitentiary, where the daily average is 73, the per capita cost is \$620. It may be fairly urged that a small number of convicts may be allowed a larger per capita expenditure, inasmuch as it would cost more per capita to maintain an establishment of 73 prisoners than it would to maintain one of 175. But that cannot account even approximately for the enormous discrepancy between the per capita cost in the Manitoba penitentiary and the other penitentiaries. The rations in Dorchester cost \$33 per head, and in Manitoba, \$87.56. There seems to be no just reason for any such extraordinary expenditure as that.

Sir JOHN THOMPSON. The hon. gentleman will find, if he pursues the parallel and applies the expenditure of former years to the expenditure of the Manitoba penitentiary to-day, there has been a very marked improvement. At the time of which he speaks of the expenditure had been very large, and the attention of the House was called to it. The warden was eventually relieved from duty, and an acting warden was sent from the department here, in order that he might be under the close supervision of the department, and knowing the grievances which we felt in regard to the management, that he should put things on a basis that would be something like a standard for the future. He certainly succeeded very well in that, and the hon. gentleman will find that the expenditure has been satisfactorily reduced from what it was three or four years ago. As regards the cost of the Manitoba prison, irrespective of the difficulty as regards the number of prisoners, the hon. gentleman must make allowance for the fact that we pay very much more for our supplies in Manitoba. I may mention one circumstance alone, the heating of Dorchester will cost \$2,280, and

the heating of Manitoba penitentiary cost \$5,127, which is more than double.

Mr. DAVIES (P.E.I.) That is one of the items which I should imagine would require explanation.

Sir JOHN THOMPSON. Coal, of course, is very high in Manitoba, and in Dorchester penitentiary, nearly all the heating is done from the wood which we gather on the place. This will come to an end soon, and we must take a larger allowance for heating at Dorchester. All the other supplies are much more costly at Manitoba.

Mr. DAVIES (P.E.I.) I would put it to the hon. gentleman that when we maintain a penitentiary, the cost of which for heating is \$91.79 per head, it, on the face of it, shows something wrong. It cannot be that by any prudence or economy the expense of heating a building to keep 73 convicts should amount to over \$91 per head. In Dorchester, it only amounted to \$7 per head. The figures given for the heating of Manitoba penitentiary in the report of the Department of Justice is \$7.251. It would seem that this expenditure at least demands looking into.

Sir RICHARD CARTWRIGHT. Of course, we all admit that in Manitoba a somewhat larger amount would be required for heating, but certainly not as much as my hon. friend (Mr. Davies) points out. Apart from that one item of fuel, it is quite clear that the rations in Manitoba cost a great deal more than the rations in Dorchester. I do not understand why at present in Winnipeg the cost of rationing a convict should exceed the cost at Dorchester. Flour certainly is as cheap in Winnipeg as in Dorchester; meat is as cheap; there is no reason why sugar or similar articles should cost more. Moreover, there are only twenty-eight officers at Manitoba, against thirty-eight at Dorchester, one-third more. The cost of maintaining seventy-five convicts at Winnipeg is estimated at \$2,000 more than the cost of maintaining 175 at Dorchester.

Sir JOHN THOMPSON. To some extent the increased expense for provisions in Manitoba is accounted for by the fact that in consequence of the great distance of the prison from any town or village or market, all the officers are allowed to get provisions out of the store for which they are charged at the contract price, and repay the prison at the end of each month. So that we take an estimate for the supplies needed for both prisoners and officers, and there stands to the credit of the penitentiary on this account \$959.45.

Mr. DAVIES (P.E.I.) It is quite evident the leak lies there. The cash expense for 1892-93 was \$6,296; the cost per capita was \$87.56. My hon. friend has explained why it is impossible there can be so very much difference in the cost of procuring food in Manitoba above the cost in Dorchester. We

find that in Dorchester for 175 convicts, or 100 more than in the Manitoba penitentiary, the total cost for rations was \$5,684, or an average per capita of \$33.70. Assuming that reasonable economy is practiced in the Dorchester penitentiary; there cannot be anything else. and reckless extravagance in the Manitoba penitentiary; there cannot be anything else. The warden himself reports that when he took charge of that penitentiary he found very little discipline among either the officers or the convicts, and when one sees the totality of the expenditure one is not surprised that he should report in these terms. I think that penitentiary calls for a pretty severe examination at the hands of the inspector, and the hon. gentleman's duty demands that the inspector shall do something more than go through a perfunctory examination in the face of facts like these.

Sir JOHN THOMPSON. There are exceptional circumstances in the case of the Manitoba penitentiary. I am perfectly satisfied that there is now no want of discipline, nor any extravagance there. The penitentiary at Dorchester is admirably managed; and it has many circumstances in its favour, in addition to the great vigilance and activity of its warden. But Manitoba has vastly improved in its management and economy, and is in a very satisfactory condition. I will not undertake to say that there may not be improvements or economies introduced there, and I will give careful attention to the question of fuel supply, so as to be able to account for last year's expenditure in that regard. Take the working expenses of the two penitentiaries by comparison:

	Dorchester.	Manitoba.
Heating.....	\$2,280	\$5,127
Lighting.....	450	739
Maintenance of buildings.....	1,500	3,165
Maintenance of machinery.....	500	1,247
Armory.....	50	178
Kitchen.....	200	539

And so on. We have been getting gradually on a better footing in Manitoba, but a good deal of equipment has been required. The want of discipline and harmony among the officers was a remnant of the old disease that existed there in consequence of the want of management in previous years. But I am satisfied that under the present warden there can be no want of discipline that he would not promptly report to the department and promptly correct.

Mr. DAVIES (P.E.I.) The warden, Col. Irvine, evidently is a man who is not afraid to speak his mind. I have quoted the paragraph in which he speaks of the disgraceful want of discipline among either the officers or the convicts, and I presume that a man who is bold and manly enough to call attention to that will see that the remedy is applied. I do not want to make any reflection upon so efficient an inspector as

Mr. DAVIES (P.E.I.)

Mr. Moylan, but I fail to see why the condition of this penitentiary should have passed his inspection year after year. It may be that he can give an explanation of it; but I want further to call attention to the report of the warden. He says:

When I arrived I found the prison buildings in a very dirty and dilapidated condition, and on examining the quarters I found them still worse. It was evident that no cleaning and repairing had been done to them for at least two or three years. A thorough cleaning and overhauling had to be gone into.

Now, it does seem to me that in a public building on which we had been lavishing public expenditure with an unsparing hand for many years, and which we were under the impression had regularly been visited by the proper officer, whose duty it was to report to the Government and this House, we had certainly a right to conclude no such condition of affairs could possibly exist under his inspection as Col. Irvine reports he found when he took charge of the prison. I do not mean to charge that Mr. Moylan performs his duties otherwise than satisfactorily; I make no charge; but these facts would seem to imply that his inspection was a mere perfunctory inspection, and not a thorough one. But unless he has drawn these facts to the attention of the department—and I take it that he could not have done so, or the matter would have been remedied—their existence implies a want of proper inspection on his part.

Sir JOHN THOMPSON. I must say for Mr. Moylan that I do not think he was required to visit the prison for two years before the appointment of Mr. Irvine. The prison was under the charge of the acting warden, who found the state of discipline worse even than Mr. Irvine reports it to have been; but being there temporarily, and not having complete powers of appointment and dismissal of officials, he was not in a position to make a reorganization of the staff. He has made a statement to me, in explanation of the strictures in the report of Colonel Irvine with regard to the cleanliness of the penitentiary, and he represents that in that respect the complaints are very much exaggerated and could only apply to certain quarters. We must do the justice to say that during the time of Mr. Foster's incumbency, not only was his authority necessarily somewhat limited by the fact of his being a temporary officer, but he was sent there with very special instructions as regards expenditure, putting the accounts on a better footing, and everything of that kind, and certainly he performed very satisfactorily a very onerous task.

Mr. DAVIES (P.E.I.) Does the hon. gentleman say that the Inspector of Penitentiaries was not able to visit this penitentiary for a couple of years?

Sir JOHN THOMPSON. He did not visit it during the incumbency of Mr. Foster.

Mr. DAVIES (P.E.I.) Does not the hon. gentleman think it was very unfortunate that we should have an inspector who would not inspect these penitentiaries the furthest away from the Capital, and therefore, the most in need of inspection? It may not be as necessary to inspect the Kingston penitentiary, because that is visited so frequently by magistrates and others that the public are likely to have some knowledge of any insubordination or insecurity, which they would not have in the case of a distant penitentiary like the Manitoba one.

Sir JOHN THOMPSON. It is annually inspected, except during an occasion of that kind. Mr. Foster was one of the principal officers sent out by my department, and during his incumbency it was thought better to allow him a free hand, so that when we made the selection of a permanent warden we should have some standard of comparison to go by as regards expenditure.

Sir RICHARD CARTWRIGHT. With respect to this Manitoba penitentiary, the attention of the Minister of Justice was called to it, as the House will very well remember, some four or five years ago. The reports of want of discipline and extravagant expenditure had reached us, and it certainly was not for want of bringing the matter to the special attention of the Minister of Justice that these irregularities, indicated in the report of his department, were allowed to grow to the magnitude they seem to have attained. The hon. gentleman must recollect that year after year the condition of that penitentiary and the extravagance and want of efficiency in its management were brought very strongly under his personal notice. Under those circumstances, a more vigilant inspection ought to have been had. It is quite clear, unless Lieutenant-Colonel Irvine is entirely in fault, that things were entirely neglected in that penitentiary for a period of three or four years at least. The Minister of Justice now tells us that the condition of things, under his officer, Mr. Foster, was an immense improvement on what had prevailed before. If that be so, what must the condition have been at the time we were endeavouring to call the special attention of the Minister to the subject.

Sir JOHN THOMPSON. These are very 'ad captandum' statements, which sound very well, but will not bear examination. The complaint to which my attention was called were always with regard to expenditure, and expenditure only, under the management of Colonel Bedson. The whole attention of that officer, regardless of every other interest, was in the direction of perfect cleanliness and discipline. Every officer and prisoner in the establishment was as completely under the control of his word and eye as a company of soldiers, but the expenditure was, I was bound to admit, very extravagant indeed. And after two or three attempts to curtail it and get some satis-

factory explanation, he was relieved of the management; and since the time the acting warden took charge, the complaint has been completely removed as regards extravagant expenditure—completely removed. As regards cleanliness, I cannot say how many pounds of soap ought to have been expended more than were expended. I know nothing further of the matter than the statement of Colonel Irvine, and on the other hand, I know from Mr. Foster that that statement is grossly exaggerated. As regards the want of discipline, it amounts to this: When the head, to whom they were accustomed to render most implicit obedience, was removed, the staff broke up into factions and did not respect each other's authority, or the authority of the acting warden. There was but one cure for that, and that was, as soon as possible, to appoint a permanent head, who would act regularly on the statutory powers he possesses of employing guards and dismissing them, and re-establish complete subordination. That could not be done, under the administration of the acting warden, simply for the reason that everything could not be done at once. It was impossible to set the prison accounts right, to establish and enforce regulations for the curtailment of the expenditure, and at the same time exercise special supervision over officers who had been accustomed to a very different master, and, no doubt, were looking forward to the termination of his rule as a thing to be speedily expected, and many of them possibly aspiring to promotion. The first thing was to get matters on a satisfactory basis as regards expenditure, and then to get a warden who would enforce discipline, and Colonel Irvine has proved himself very competent and fairly economical.

Mr. DAVIES (P.E.I.) I regret personally that the hon. gentleman should so completely adopt the view that extravagance has been completely eliminated from the Manitoba penitentiary. I cannot concur in that view. The hon. gentleman says he declines to go into the question of the cost of soap. Nobody did that here, and I do not think the hon. gentleman has any right to complain of the criticisms which have been passed upon this expenditure. On its very face, the expenditure indicates extravagance. We have been told, year after year, that the cost of living in British Columbia exceeds that in any other part of the Dominion, and it might be said that it is hardly fair to draw a comparison between the cost of the penitentiary in Manitoba and the cost of that in Dorchester or Kingston. But compare the cost with that of the penitentiary in British Columbia, where everything is said to be so high, I find that the per capita cost in the Manitoba penitentiary is \$120 beyond the per capita cost in British Columbia.

Sir JOHN THOMPSON. Certainly.

Mr. DAVIES (P.E.I.) Does not that indicate extravagance?

Mr. MARA. Nearly all in fuel.

Mr. DAVIES (P.E.I.) The hon. gentleman will find that out of an expenditure of \$46,011, only \$7,000 is for fuel. The hon. gentleman must not run away with that idea. The cost is not in fuel alone. I respectfully submit that the expenditure we are now criticising is one which calls for criticism from gentlemen on both sides of the House. It cannot be in the interest of any party or any person that extravagance should prevail in any of these penitentiaries; but it must be that extravagance will prevail unless there is criticism of the items and a close inspection of these penitentiaries. In British Columbia the expenditure was \$502 per capita, and the number of convicts 84. In Manitoba the per capita was \$620, and the number of convicts 73.

Sir JOHN THOMPSON. There is no comparison at all in the wants of the two places.

Mr. DAVIES (P.E.I.) But the number of convicts is nearly the same in both cases. I am not going over the items again; we have gone over them already. I would like to ask the hon. gentleman if the inspector has visited either of these penitentiaries during the past year, or even two years. I would gather from the terms of his report that he has not. He seems to judge from the reports and correspondence of the wardens, and from that concludes that certain things had better be done. I would like to ask the hon. Minister if the inspector has made personal inspection, and, if not, to ask him if he does not think there should be a personal inspection at least twice a year?

Sir JOHN THOMPSON. There should be a personal inspection every year. I have already explained as regards the inspection of the Manitoba penitentiary. As regards the British Columbia penitentiary, the report laid on the Table shows that there were considerable complaints of various kinds there, including a good many complaints with regards to the management of the accounts and irregularities in the accounts, although they were not, perhaps, very serious in extent. Certainly there was a very great want of discipline there. I sent the accountant to make an examination of the books and accounts, and, while he was engaged in that work, I directed him to make an inquiry in regard to the other complaints that had been made. Some of the complaints and accusations made related to the inspector himself, and it was thought better, under these circumstances, that the inspector should not go for the purpose of making these investigations in which he himself was directly concerned. Upon the report of the accountant a commission has been issued to examine thoroughly into the affairs of the institution. The commissioner is Judge Drake.

Mr. DAVIES (P.E.I.) I wish to call attention to the per capita cost for rations in

Mr. DAVIES (P.E.I.)

British Columbia, \$43 as against \$87 in Manitoba.

Mr. DALY. The hon. gentleman, in making his comparison, should have gone a little further. At page 110 of the report of the Department of Justice he will see the per capita cost for British Columbia to be \$492.29. The net per capita cost per diem is \$1.35. If he will turn to the report for Manitoba he will see that the per capita cost is \$422.80, or nearly \$70 less than in the British Columbia penitentiary, while the per capita cost per diem is \$1.15½, or nearly 20 cents in favour of the Manitoba penitentiary. While I am on my feet, in justice to Colonel Irvine and the administration of the Manitoba penitentiary under him, I might call the attention of the hon. gentleman to the fact that Colonel Irvine was not appointed until the 1st November, 1892, and that his report is dated the 31st August, 1893, so that he had not been in charge of the penitentiary a year when his report was made. And, on turning to the report of the inspector, I find that that officer said:

The administration of this penitentiary was temporarily entrusted to the Accountant of Penitentiaries some time previous to the death of the former warden, Mr. S. L. Bedson. It continued in his hands for about twenty months, until the present warden, Colonel A. G. Irvine, took charge, on the 1st November, 1892.

Judging from the reports and correspondence of the new warden, and the practical, well considered and business-like way in which he presents matters for the consideration of the department, there is reason to conclude that he has gone far in affecting the reform of improvements, so much needed, and that his future administration will be a success.

Going back to the question of the per capita cost—the hon. gentleman called the attention of the committee to the per capita cost for heating. I cannot understand how any one can find out how much it costs to heat a convict.

Mr. DAVIES (P.E.I.) You can find out the average by dividing the total cost by the number of convicts.

Mr. DALY. But it would cost as much to heat that building, whether there were 150 convicts or whether there were 71. There is nothing in that to form a basis of comparison between Dorchester penitentiary and Manitoba penitentiary. As the right hon. Premier has said, the difference in the cost of fuel is very great as between Manitoba and New Brunswick.

Mr. DAVIES (P.E.I.) Take British Columbia.

Mr. DALY. Or British Columbia. Fuel is much cheaper in British Columbia than in Manitoba. I am quite confident that in a year from now, under the administration of Colonel Irvine the hon. gentleman will find a considerable decrease per capita as compared with what it has been. The Min-

ister has referred to the fact that for twenty months the penitentiary was under the control of the accountant, so that discipline was not what it should be. Colonel Bedson was acknowledged to be one of the best disciplinarians in any penitentiary in Canada, so that if Colonel Irvine found a want of discipline when he assumed control, it was occasioned, as the hon. gentleman has said, by the jealousies that existed amongst the subordinate officers under the administration of the accountant, he not being vested with the authority of the regular warden. It was not possible, therefore, for the accountant to show as good discipline as that which existed under Colonel Bedson, or as will be carried out, I am sure, under Colonel Irvine.

Mr. McMULLEN. Mr. Chairman, ever since I became a member of this House time has been taken up every year in the effort to find out why the enormous expense existed in Manitoba penitentiary as compared with others. The Minister of the Interior may try to lead us to hope that better things may be looked for in the future. The remarks of the inspector show that there has been extravagance in the past, and that the present incumbent in the wardenship is expected to make changes in the direction desired. Take, for instance, the question of rations. I am sure the Minister of Justice or the Minister of the Interior will not pretend that the ordinary items that compose the every day rations of the convict should be dearer at Manitoba penitentiary than at Dorchester. Take, for instance, flour; that certainly should be cheaper in Manitoba, for wheat is cheaper there than at Dorchester. Beef, also, should be cheaper. Potatoes and all kinds of vegetables should be equally cheap. Altogether rations should be cheaper in the Manitoba penitentiary than in the Dorchester penitentiary; but we find that in Manitoba the rations cost \$87.56 a head, while in Dorchester the cost is \$33.37, or less than half. When we look over the other penitentiaries we find the same thing. Now, there is no reasoning that can be presented to this committee sufficient to convince us that it is necessary that a man in a penitentiary in Manitoba should cost two and a half times as much for rations as a man in a penitentiary in any other province of this Dominion. These things show that looseness has existed in the past, it exists now, and we are afraid it will continue, notwithstanding the criticisms that have been made in the House, session after session. Now, I think that the inspector should be called upon to give a clear and distinct reason for these high prices with regard to fuel, light and rations, because nothing has ever been submitted to a committee of this House since I have sat in Parliament that would justify the gross extravagance that exists in connection with the management of this Manitoba penitentiary. Although we have tried to press upon

the Minister of Justice the necessity of cutting down into the iniquity that exists, it appears we have not succeeded in inducing him to act with vigour. I have no doubt the Minister of Justice is very anxious to conduct the penitentiaries economically, but I believe he will have to probe more determinedly than he has yet done, before he gets to the bottom of the iniquity.

Mr. DAVIES (P.E.I.) The Minister of the Interior called attention to a paragraph in the inspector's report, which I had very carefully read before, in which the inspector of penitentiaries draws a certain conclusion from reading the reports and correspondence of the new warden. Well, I am inclined to agree with the conclusion the inspector drew from reading those reports and that correspondence, but the members of the House are just as capable of drawing that conclusion as he is. I am complaining that his conclusion is drawn, not from actual inspection of the buildings, and the convicts, but from reading the report of the warden, and I say that is not the kind of a report which this House or the country expects to have from an inspector of penitentiaries. That is the point I was trying to make. If there exists any reason at all why the inspector should not personally make an inspection—and I venture with some degree of modesty to differ from the First Minister on that point—not once a year, but twice a year, I would be glad to hear it; but, in the absence of any reason, I think I am in the judgment of this committee when I state that it is right and proper that we should have a report from the inspector of what he saw when he made a personal inspection, and not a report in which he draws such and such a conclusion from the report of the warden. We can draw those conclusions as well as he does. I was careful to say that so far as I could judge from reading the report of Colonel Irvine—and I judge him to be a plucky man, a bold man, having the courage and manliness to state what he found when he went there—the discipline entirely gone, both among the officials and the convicts, and the buildings were in a dilapidated condition. But I can draw my conclusions from that as well as the inspector of penitentiaries can, and the criticism that is being made is that we have not a report from the inspector as to what he found when he made an inspection; in other words, that he made no inspection at all. Now, the hon. gentleman states that the per capita cost of the Manitoba penitentiary has been reduced from \$620 to \$422. Well, that is true, but the per capita cost of the inmates is exactly as I put it. Now, the hon. gentleman will see, on the page that he quotes from, that this \$620 is the per capita cost of the inmates of the institution; but the institution received \$10,000 from the Department of the Interior on

account of the insane, and that was what reduced it down. That did not reduce the per capita cost of the inmates, which is exactly what I put it; but if you credit the penitentiary with the \$10,000 received from the Department of the Interior, then it will show, of course, a proportionate reduction in the per capita cost of the convicts.

Sir JOHN THOMPSON. No; the amount received from the Department of the Interior does not go to the convicts.

Mr. DAVIES (P.E.I.) The hon. gentleman will see, on page 28, of his own report that the total cost of the Manitoba penitentiary is given at \$46,000, and that shows a per capita tax, as given by his own report, of \$620. But they credit it with the \$10,098 received from the Department of the Interior on account of insane patients, thus reducing down the per capita cost of the convicts by so much. That is the way he gets a reduction. But what I want to point out is that the per capita cost of maintaining, the inmates in the building is so much. That does not at all touch the points to which we called the hon. gentleman's attention; and speaking only for myself, I must say that if it is my good fortune, or bad fortune, to be here next year when the accounts come in again, I shall deem it my duty to examine closely into them, and to see whether the inspector has made a special report, not only upon the building, not only upon the discipline, but, as it is his duty to do, upon the expenditure in each of these branches. Where that expenditure is doubled and trebled, let us have a report from him explaining, if he can, and giving reasons, why these expenditures are so high; and, in the absence of such a report, I think the country will come to the conclusion that there is extravagance in the penitentiary.

Mr. DALY. I want to call the hon. gentleman's attention to page 107, where there is a detailed report by the accountant of the expenditure of the Manitoba penitentiary. He will see that the total expenditure was \$46,011.85, and he will find this entry:

ESS—Amount refunded by the Department of Interior for maintenance, &c., of lunatics, the N.W.T.....	\$10,098 04	\$46,011 85
Refund from sundry sales, supplies to officers.....	3,370 86	
Cash revenue.....	959 49	
Balance of stock on hand	718 98	
		<hr/>
		15,147 37
Total expenditure	30,864 48	

That total of \$30,864 leaves the net cost per convict per diem of \$1.15½, which is less than in British Columbia.

Mr. DAVIES (P.E.I.) If you credit the \$10,000 from the Department of the Interior on account of the insane patients, then you

Mr. DAVIES (P.E.I.)

would reduce down the per capita cost below that of British Columbia.

Mr. DALY. You have got to do it, because, in the total of \$46,000, the food of the convicts is included.

Sir RICHARD CARTWRIGHT. Are the lunatics included in the Manitoba penitentiary?

Mr. DALY. They are gone now.

Sir RICHARD CARTWRIGHT. Then, in this \$48,957.65, you are not asking anything for lunatics.

Sir JOHN THOMPSON. No.

Sir RICHARD CARTWRIGHT. That is to be the cost of some 70 convicts in the Manitoba penitentiary?

Sir JOHN THOMPSON. No; it includes the building, the heating, and the salaries of all the officers.

Sir RICHARD CARTWRIGHT. But it includes the cost of maintaining, just as the same items do in Dorchester and in Kingston, and St. Vincent de Paul. But the fact remains that we are asked to pay \$48,957.65 for the Manitoba penitentiary in 1894-95 for a matter of some 70 convicts, more or less, that are expected to be maintained there. If the hon. gentleman will divide \$48,957 by 70, he will see that the per capita cost of keeping the convicts was nearly \$700 a year, while for British Columbia, where I understand the average number of convicts is 84, he asks \$52,000, or a trifle less than the sum required per head for Manitoba. But the main fact has not been touched, and that is, the extraordinary difference in the cost of rationing the convicts in Manitoba as against the cost of rationing them in British Columbia, not to speak of Dorchester or St. Vincent de Paul. We can all understand that a little more expense may be required for fuel, but we cannot understand, and no explanation has been offered by the Minister of Justice or the Minister of the Interior, for the extra cost of rationing convicts in Manitoba as compared with other provinces. I do not understand why it should cost more to maintain convicts, apart from the cost of fuel, in the Manitoba penitentiary than in British Columbia. There is certainly in the main articles of food no material difference. It is quite true that Stony Mountain is 8 or 10 miles from Winnipeg.

Mr. DALY. Sixteen miles.

Sir RICHARD CARTWRIGHT. At all events a railway runs close to it, and almost touches it, and the cost of carrying provisions from Winnipeg to Stony Mountain cannot exceed 5 per cent.

Mr. MCGREGOR. The Minister of Justice has stated that the cost of fuel required for the Manitoba penitentiary is very great. But it must be remembered that the penitentiary is situated in a wooded district, and

wood could be obtained for Stony Mountain at \$2.50 per cord, four foot wood, and very fair quality. Vegetables used are grown by the convicts themselves, for there is a garden of 50 or 60 acres, in which the convicts work. The penitentiary is also situated near a good quarry, so that the convicts can do a large portion of any building operations required. As regards general food supplies, they are as cheap there as in any place in Manitoba, and living to-day in Manitoba is about as cheap as in any portion of the Dominion, with trifling exceptions, such as the cost of fuel.

Sir JOHN THOMPSON. When did you make your visit ?

Mr. MCGREGOR. I was there last week. I lived in Manitoba a considerable time, and I have often been at the penitentiary, and I know the cost of living in that section. During each parliamentary session the Government have promised the Opposition that the expenditure in the Manitoba penitentiary would be investigated and the amount reduced. It is true that with only seventy-one prisoners you cannot reduce the expenditure to the same extent as if you were dealing with a very large penitentiary ; but, nevertheless, it must be admitted that the expenditure for that penitentiary has been very large. To-day you can buy butter, eggs and potatoes and other food products at the penitentiary as cheaply as in any portion of Manitoba, because the surrounding district is one of the very best farming sections in the province. Stony Mountain is undoubtedly situated in a first-class farming district.

Sir JOHN THOMPSON. I have had some little experience, too, in Manitoba, although not the experience of the hon. gentleman who has just addressed the committee, and I will have nothing more to do with the wood there in future. We tried it during the period when the hon. member for Oxford (Sir Richard Cartwright) was presenting to me day after day the fact that the cost per capita was not \$500, \$600, or \$700, but over \$1,000 annually. We came to the conclusion that buying wood there is the very worst way of throwing away money, although it was a very speedy way. As regards the prices of the various articles we have them here. The maintenance of the prisoners, the rationing of the prisoners is not excessive—I make no promise in regard to reduction under that head in the future. Hon. gentlemen are comparing the expenditure with the amounts contained in the Auditor General's Report for the past year, when the maintenance of lunatics was included, and that made some difference, and complicated the accounts. I am asking for the maintenance of the convicts in Dorchester, a larger number it is true, \$10,758, and I am only asking for the maintenance of prisoners in the Manitoba penitentiary, \$8,717 ; I cannot feed

them on less, and I will not pretend to do so. But to pretend to make comparisons with an establishment in one province and another establishment in another province by adding together all the salaries, the expenses connected with the building, and the cost of heating the institution is simply a way of getting at a wrong and false conception of the cost of the establishment. Let me say that nearly everything depends on the nature of the building with which we have to deal. Dorchester penitentiary is a compact building, and is easily heated, and no comparison can be made between the expense involved there and the cost of heating the penitentiary in Manitoba. One reason why we only required \$1,200 for heating a whole penitentiary, is that we had a supply of wood on the premises, and it is not fair to compare that with the estimate of \$5,000 for heating Manitoba penitentiary. Besides, there is the expenditure connected with the buildings themselves. Three thousand dollars are asked for repairs on buildings in Manitoba, and no such repairs are required in Dorchester. Besides, a larger staff of officers is required at Stony Mountain, because there is no boundary wall or fence there, and the prisoners are not kept in the penitentiary all the time, and have to be worked outside under a staff of officers much larger than would be necessary if there was a boundary wall as at Dorchester and Kingston. We do not do any quarrying to any extent, although we are beginning now to a very limited extent to try to erect a boundary wall. All these circumstances have to be taken into consideration, and unless a comparison is made item by item it is utterly fallacious to compare two establishments, to say nothing of the fact that, if the prison population of the Manitoba penitentiary was doubled in numbers, I could support it with nearly the same staff and nearly the same outlay for buildings. Of course when we come to compare a small prison penitentiary population with a large one the cost is very much to the disadvantage of the smaller institution.

Mr. DAVIES (P.E.I.) The hon. Minister is in error in imagining that any comparison was made drawn from the Auditor General's Report. The comparison made was between the cost of the different penitentiaries, and the different items of that cost as presented in the report of the Minister of Justice himself.

Sir JOHN THOMPSON. I did not complain of the accuracy of the quotations, or to reference to the Auditor General's Report, but my reference was to the fact that hon. members were referring to years when the accounts were on a different footing.

Mr. DAVIES (P.E.I.) I was not even referring to the hon. gentleman's report when I spoke, but I spoke of the actual expense in past years, and of the scale of the expenditure as tested by the accounts presented

by the hon. gentleman over his own signature. The hon. gentleman cannot, therefore, complain, because according to the report of the Minister of Justice, I find an extraordinary difference in the expenditure for rations between Manitoba and Dorchester.

Mr. DALY. The hon. gentleman must include the lunatics.

Mr. DAVIES (P.E.I.) I refer to the per capita charge.

Sir JOHN THOMPSON. What do you make the per capita charge to be?

Mr. DAVIES (P.E.I.) I will read from the hon. gentleman's report at page 88: "Rations, \$6,296.68, add stock in hand, \$276: gross expenditure, 1892-93, \$6,573. Net expenditure, \$6,392, cost per capita, \$87.56½." These are the figures, and I assume they are correct. What I say is: that assuming the correctness of the Minister of Justice's report, and admitting the facts which my hon. friend (Mr. Gibson) has stated, there is but one conclusion, and that is that there is gross extravagance in the department somewhere. The House has a right to have a report presented to it by the independent gentleman, the Inspector of Penitentiaries, who is paid for doing it. He has not visited the institution, and consequently there is no report as to the result of his inspection. That is what we complain of. There is no use talking of leaving the management of an institution of that kind to a local officer, and paying a man to inspect who does not do so. If there is any reason why he does not inspect the prison, let us have that reason.

Sir JOHN THOMPSON. At page 88, where the statement per capita of the cost of convicts for year ending 30th of June, 1893, is given with regard to Manitoba penitentiary, the net cost per capita per annum is \$422.80. That includes maintenance of buildings, salaries and everything else. That is \$70 less than in British Columbia. The net cost per capita per diem, is \$1.15 in Manitoba, while in British Columbia it is \$1.35, so that these amazing contrasts given by the hon. gentleman do not appear from any figures in the book.

Sir RICHARD CARTWRIGHT. Does maintenance include fuel?

Sir JOHN THOMPSON. No.

Sir RICHARD CARTWRIGHT. It includes food solely?

Sir JOHN THOMPSON. Yes, and clothing for the convicts.

Sir RICHARD CARTWRIGHT. How much for food, and how much for clothing for the Manitoba penitentiary for the coming year?

Sir JOHN THOMPSON. The food amounts to \$4,881.50 for Manitoba, and the other articles bring the total up to \$9,467 for last year.

Mr. DAVIES (P.E.I.)

Mr. McMULLEN. In order to show that we are justified in making the charge that there is extravagance connected with the Manitoba penitentiary, I would point out that for stationery and printing at Dorchester, it cost 83 cents per head; in Manitoba it cost \$6.49 per head, and in British Columbia, \$2.26. No person could possibly fancy that it should cost in Manitoba three times as much for stationery and printing as it cost in British Columbia, and eight times as much per head as it costs in the Dorchester penitentiary.

Mr. STAIRS. I would like to get at the bottom of this comparison which has been made by hon. gentlemen on the other side between the per capita charge in Manitoba penitentiary and the per capita charge in British Columbia penitentiary. I understood the hon. member (Mr. Davies) to say that the per capita charge in Manitoba penitentiary was \$620.

Mr. DAVIES (P.E.I.) I gave the per capita cost and deducted the \$10,000 paid on account of the insane, which reduced it down to \$4.22.

Mr. STAIRS. He does not claim, after he makes that reduction, that the per capita charge in Manitoba penitentiary was higher than in British Columbia.

Mr. DAVIES (P.E.I.) It has been stated over and over again, and it appears on the face of it, that it is less.

Mr. DALY. You did not start out with that idea.

Sir RICHARD CARTWRIGHT. If the hon. gentleman (Mr. Stairs) will look at the sum required for the next year he will find that it is \$49,000 in Manitoba for 70 prisoners, as against \$52,000 in British Columbia for 84 prisoners.

Mr. STAIRS. I rather think that even that does not help the hon. gentlemen out of the fix they have got themselves in when they claim that the per capita charge in Manitoba was highest. The hon. member for South Oxford (Sir Richard Cartwright) wants to make out his own case as best he can, but if I understand it, the Estimates are made up last year and this year on the same system, and there must be a similar amount to cover the maintenance of the insane.

Mr. DAVIES (P.E.I.) They are not included at all; the hon. gentleman has not been following the matter.

Sir RICHARD CARTWRIGHT. If the hon. gentleman had listened he would have heard the Minister of Interior explain that the insane are no longer in the Manitoba penitentiary.

Mr. DAVIES (P.E.I.) And that appears on the face of the report. The hon. gentleman seems to misapprehend the whole situation. He seems to think that we are

quoting figures from the Auditor General's Report or the Public Accounts. We are doing nothing of the kind. We are quoting comparisons made in the Minister's own report. This is no party matter, as the hon. gentleman seems to think. We are talking of the management of the public institution, and we say that the comparisons made by the officials themselves are such as to call for investigation and criticism, not from the Opposition side of the House alone, but from all sides. The comparisons we made at first were made with Dorchester, St. Vincent de Paul, Kingston, and other penitentiaries. Then it was suggested that Manitoba was a more expensive place to live in than these, and that some allowance must be made on that account. Then we compared it with British Columbia, and after it is credited with \$10,000 for the keep of the insane, it appears that Manitoba costs less than British Columbia. That does not answer anything. The cost of \$60 per head for rations requires explanation; every member of the committee knows that it requires explanation; but up to this moment we have not got the explanation. We followed that up with this criticism, that it appears that the Inspector of Penitentiaries has not visited this penitentiary at all. We have no report from him. The hon. gentleman may choose, because he sits on the Government side of the House, to say that everything is right, and that he does not care whether the expenditures have increased or not; but I think that in his mature judgment he will not find that this is his desire or the desire of the country at large. I think it ought to be the desire of every member of this committee to see that no extravagance exists in any of these penitentiaries, and if there is any that the inspector should find it out, and let him understand that if he does not, this committee will criticise his conduct.

Sir JOHN THOMPSON. No one objects to the strictest and closest criticism; but it is a little singular to find, after the criticism of past years, and after the expenditure has been reduced 33 per cent, that the criticism is wilder and more extravagant than ever: and when we compare Manitoba penitentiary with the only other penitentiary with which it should be compared, we find that the cost of maintenance there is less than at British Columbia.

Sir RICHARD CARTWRIGHT. The hon. gentleman is not asking for less.

Mr. DAVIES (P.E.I.) I beg to remind the hon. Minister of Justice that he is wrong in intimating that the cost per capita has been reduced. If he turns to his report he will find that the cost has increased in the past year.

Sir JOHN THOMPSON. I am not speaking of the past year at all.

Mr. DAVIES (P.E.I.) And the cost in the past year was an increase upon the cost of the year before that. The hon. gentleman's demands may be perfectly right, but he has not yet deigned to give any answer to the statements made as to the want of inspection on the part of the officer from whom we have a right to expect a full and thorough report on this matter. I must say I am dissatisfied on that ground. I did expect that the hon. gentleman would have given us reasons why such an inspection was not made, or would have stated that he would see that it should be made this year.

Sir JOHN THOMPSON. If the inspector had been at the penitentiary all the year he would not have made any inspection of the accounts. That is the duty of the acting warden. The inspector would have been able to go into the matter of discipline or management; but the question of accounts was not under his ordinary charge, but under the charge of the accountant; and under the circumstances, I thought it was not necessary to send him to Stony Mountain, the accountant being there. But of course every year he is expected to visit each of these prisons, and the nearer ones even more often.

British Columbia Peniten-	
tiary.....	\$52,368 35

Mr. McMULLEN. There is an increase here of \$3,000.

Sir JOHN THOMPSON. In the heating we asked for an increase last year of \$1,850; this year there is an increase of \$725. For maintenance of the building we are compelled to ask for \$1,142.20. The lower part of the building is in a bad condition, the floors being rotten and requiring to be entirely replaced. There is a slight increase in the kitchen appliances. The total increase under the head of working expenses is \$1,903.45. The other increases are in the cost of provisions, \$1,400, and for discharge allowances and gratuities, clothing, bedding, and so forth, \$1,500. Part of the increase in maintenance in British Columbia and Kingston includes an allowance for the dinner of the guards and keepers. Under the old system they had to disperse to their homes for the mid-day meal, and the prisoners had to be locked up. We find it better to allow the officers a mess-room and to provide them with their dinner. For the prison chaplain at British Columbia the allowance is \$1,433.

Mr. DAVIES (P.E.I.) Does the Protestant chaplain at Manitoba reside in the penitentiary?

Sir JOHN THOMPSON. He does.

Committee rose, and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.15 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 30th May, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 130) to amend the Act respecting certificates to masters and mates of ships.—(Sir Charles Hibbert Tupper.)

WARDEN OF THE KINGSTON PENITENTIARY.

Mr. MULOCK asked, Has the Warden of the Kingston Penitentiary recently paid over to the Government any moneys? If so, how much? When, on what account?

Sir JOHN THOMPSON. Yes. I may say by way of explanation, first, that it is customary at all the prisons for the officials to be allowed to purchase articles, and to pay monthly or at stated intervals, subject to the approval of the department. Dr. Lavell has paid since the month of August last about \$100 in the purchase of supplies which he obtained from the prison, in small amounts, principally for work done at the prison, and things of that kind. In addition to that, he has paid \$474.66 on account of former purchases, the greater part of which had been allowed to stand, in consequence of an application by him to the department to be allowed fuel in consideration of the expense of the house and appurtenances which he has to keep up. The decision of the department being against his application, he has paid the amount standing against him.

THE DOMINION FRANCHISE.

Mr. LAURIER. I notice with some regret that the hon. gentleman has not yet introduced his proposed measure with regard to the franchise. Can he give us some hope that we may have it to-morrow, as this is a matter in which we are greatly interested just now?

Sir JOHN THOMPSON. If the House will indulge me, in consideration of the importance of the question, I will state briefly what the features of the Bill are. I shall have to ask the forbearance of the House as to the introduction of the Bill, because its details will be somewhat complicated, but it may be of some public service that I should state to-day what the principles of the Bill will be, in order that they may be understood by the House and by the public, and in order that the information may be given to the revising officers in advance of the introduction of the Bill. We propose important changes in the Franchise Act, and without making a speech upon them, or giv-

Sir JOHN THOMPSON.

ing reasons, I would briefly state that we propose to adopt as the basis of the franchise the franchises of the various provinces of Canada. We intend to propose, however, that the disqualifications which have been enacted by provincial legislatures shall not apply to persons who would otherwise be entitled to the franchise. We propose further that the electoral lists shall be prepared and revised from year to year by the Dominion revising officers as at the present time. We propose to deal with the subject of multiplex voting in a reasonable way, as we think, not adopting the principle that each man shall have but one vote, but adopting the principle that something more than the mere temporary qualification which the voter may possess at the time he went on the various lists, shall be possessed; that is to say, a property owner having a property qualification in more than one riding shall have a vote in more than one riding, and so if a person has a qualification in more than one riding he shall have a vote in more than one riding, &c. These are the principles of the measure, but inasmuch as it will be necessary to work them out by a careful comparison with the provincial enactments, I propose to take a little further time in the preparation of the Bill.

Mr. LAURIER. Will the hon. gentleman allow me to ask him if he proposes any departure in the existing law as to the time when the lists are to come into operation? Under the existing law the lists are not to come into force until the 1st of January. May I ask whether he deals with that feature?

Sir JOHN THOMPSON. We propose to make the time somewhat later in beginning the revision, and the lists will come into force as speedily as we can expect them to be prepared.

Mr. LAURIER. May we expect the production of the measure within three or four days, or within a week?

Sir JOHN THOMPSON. I hope to have it ready within a week.

BRIBERY AND DISFRANCHISEMENT.

House again resolved itself into committee on Bill (No. 6) to disfranchise voters who have taken bribes.—(Mr. Weldon.)

(In the Committee.)

On section 16,

Mr. JEANNOTTE. (Translation.) Mr. Chairman, I think the deposit should be increased. The fact is, I understood there was an argument under which that deposit was to be increased from five hundred to one thousand dollars. I move that the words "one thousand dollars" be substituted for the words "five hundred dollars."

Mr. WELDON. I hope the committee will not accept the amendment. It was suggested two weeks ago when the Bill was before the committee that it might work injustice in this way, that one political party might take hold of the power under this Act and raise \$500 and attack their opponents, taking good care that they did not touch any friends of their own party, and in the prosecution of this course they might exhaust the \$500. It has been suggested that it would be fair to insert a sub-clause providing that if at this stage any other parties were interested in the further prosecution of the inquiry, and were convinced that this limited deposit would not secure the further investigation they desired and needed, they should have the right to put up a further sum of money in order to ensure the prolongation of the inquiry. That request seems to be perfectly fair and reasonable, and I, as a member of the committee, would be willing to accede to it. It has been pointed out in the House, and it has been very frequently referred to by newspapers criticising this Bill, that the weak point of the proposed measure is that in its operation it would be found most difficult to find counties in which people would be willing to put up so much money with a certainty that it would be expended. If at the outset we increase the sum from \$500 or \$1,000 it will be difficult to find sufficient public spirit animating people of different constituencies to put up so large a sum, and therefore I hope the hon. gentleman will not press his amendment, and if pressed, that the committee will not accept it in its present shape.

Mr. JEANNOTTE. (Translation.) I feel bound, Mr. Chairman, to insist and leave my amendment before the Chair. The first reason I have to do this is in connection with the expenses which such an inquiry will necessarily involve. The travelling expenses and the allowance to be paid the judge must be considered. But there is not only the judge, there are also the officers of the court, the clerk, the stenographers and the other costs inherent to such an inquiry. These expenses will amount to a large sum and indeed the trial stage of the proceedings will hardly be over when the deposit of \$500 will be exhausted. The fact is the court will hardly have been sitting two or three days when there will not be left a single dollar of this deposit; it will be exhausted by the payment of the costs I have already referred to. I will not dwell any further on this point, as I had occasion to refer to it on previous sittings. I now suppose that ten voters were indicted before the court, or incriminated in the course of the inquiry; I suppose that a 'commencement de preuve' was made against them; but all of a sudden, for want of money, the court discontinues its proceedings, how will the voters so accused or incriminated prove their innocence, for it might very well happen

that they should not be at all guilty? The court adjourning sine die on account of the deposit being exhausted, on account of there being no more money to pay the expenses, those citizens will lie under the charge of having sold their votes in not having any chance to prove the contrary. The Bill further states that if the judge should think he has before him a sufficient evidence that the accused parties took bribes, he will have to give them notice to appear before him and prove their innocence. But how will they prove it if the court suspended its proceedings for want of money? If the inquiry should be discontinued for want of funds, these citizens will have to lie under almost a dishonouring charge. That is not fair. Moreover, Mr. Chairman, if there should be no money, how could the court summon witnesses, since such witnesses could not be compelled to appear unless being handed over a sufficient sum to cover their travelling expenses? If it is really intended to pass a law having for its object to prevent bribery, we must give to those who will have to carry it out the means required for that purpose. If, on the contrary, that last is to remain a dead letter, we had better, I think, not pass it, for there are already too many such laws in our statutes. Let it be stated at once, and we will lose no more time in a useless discussion. I will make no further observations with respect to my amendment, for I had already several opportunities to express my views on that point. I leave my amendment before the committee; they may do what they like with it, but I insist on having a decision.

Mr. MULOCK. While some difference of opinion may prevail as to the merits of the amendment, I think in view of what has already occurred, it would be wise on the part of the hon. member for Albert (Mr. Weldon) that he should accept the amendment. I sympathize with his Bill in some respects, and I should not like to see it jeopardized by the hon. member being too strongly wedded to every particular detail.

Mr. WELDON. I am not disposed to be too obstinate. I leave this question to the judgment of the committee.

Amendment agreed to: Yeas, 75; nays, 20.

On section 17,

Mr. JEANNOTTE. I desire to inquire whether Parliament itself will be the authority to disfranchise electors who have received bribes, or whether the Secretary of State will be such authority? It is declared by this Bill that the Secretary of State shall be the only party to declare such voters disqualified.

Mr. WELDON. This clause is simply to secure publicity.

On section 19,

Mr. JEANNOTTE. Before this clause is passed I have an amendment which I am sure will meet with the unanimous approval of the House. I am not very well acquainted with the procedure in the courts of the provinces other than Quebec, but from the information I have gathered, I have put my amendment in such a way as to meet with the requirements of the courts in the other provinces. My object is to allow the disfranchised voter to have an appeal, and I want that appeal to be as cheap as possible. I therefore move that section 19 be struck out and replaced by the following :—

The party disfranchised may appeal to the Court of Review of the province of Quebec, to the Divisional Court of the province of Ontario, to the Court of Appeal in the province of Manitoba and the North-west Territories, to the Supreme Court in the Maritime Provinces, within 30 days after the publication in the "Canada Official Gazette," by a simple inscription and for the smallest deposit required in such courts. Such court shall summarily and in last resort decide upon the merits of such appeal. Such cases shall have precedence in said court.

A voter might be disqualified who is innocent, and it would be unjust to deprive him of an opportunity to have the judgment rendered against him reversed. If he is willing to spend a small amount of money to inscribe his case in review for the purpose of having his civil rights restored to him, I do not see why he should be deprived of that right. In Quebec the Court of Review sits every month, and those cases would have precedence. I think that amendment ought to be carried. In support of this I may say, that in Montreal up to 1890, there was no appeal from the decision of commissioners who valued expropriated property on certain streets, and the parties in many cases had reason to complain of the awards made them. A proprietor on St. James Street, for instance, was awarded \$2 per foot for his land when its assessed value was \$5 or \$10 a foot, but yet he had no appeal then. In 1890 the corporation saw that injustice was being done and they applied to the Legislature of Quebec to allow appeals in these cases. Since then the decision of the commissioners has in many cases been reversed. This amendment is copied almost word for word from the law passed by the Quebec Legislature allowing appeal in those cases. There might be cases where a citizen would be deprived of his franchise, and it would be unjust that he should have no redress.

Mr. CHOQUETTE. (Translation.) I support the first part of the amendment, moved by the hon. member for L'Assomption (Mr. Jeannotte), but I think we have no power to legislate on the second part of it, that in which it is stated that such cases shall have precedence on the other cases before the court. That would have the effect of changing the code of procedure; now, all

Mr. JEANNOTTE.

that relates to the procedure before the courts is beyond the jurisdiction of this Parliament. As for the principle contained in the amendment, I am in favour of it, and I think it would be quite unfair not to give the disfranchised citizens the right to appeal.

Mr. CHARLTON. I think the proposal of the hon. gentleman is a reasonable one, that it is perfectly proper to have an appeal, and that great injustice might in some cases be done where an appeal was denied; and, as a friend of the Bill, I hope the promoter will accept the amendment.

Mr. FRASER. I think the wording of the amendment will need to be changed, as there is no Supreme Court in the Maritime Provinces.

Sir JOHN THOMPSON. I was suggesting that it should read: "in the other provinces."

Mr. WELDON. There is no objection to the spirit of the hon. member's amendment; I am perfectly willing to accept it. As has just been said, there are no Maritime Provinces known to the law, and the provinces would have to be particularly enumerated. But I suggest to the committee that under the power we have given in earlier sections of the Bill to the courts of the provinces to make rules, it may safely be left to those courts to make rules to regulate these appeals; and if the hon. member will abandon the latter part of his motion and put in its place some such words as these: "that the appeal shall be made under rules pursuant to section 7 of this Act," I think it will be more workable.

Mr. AMYOT. We must look to the general state of the Bill also. Clause 13 says that the judge shall make a report; it does not say when; but he will write the report, I suppose, and send it to the Secretary of State. When will the appeal be made? There is no harmony there; there is something lacking. I am afraid that the Bill, when we pass it, will have to be carefully examined by the venerable body that sits near us, and that it will be found to be not very practicable. The hon. mover might think over that. He says he has no objection to the appeal, but he wants the judge who tries the case, not the Court of Appeal, to report directly to the Secretary of State. The Secretary of State then publishes the report in the Official Gazette and sends a copy to the revising officer, and then there is an appeal. It seems to me to be rather late to have an appeal then.

Mr. WELDON. The hon. member surely does not mean to say that the legal ability in this Chamber is not equal to the task of making provision for that—that we are entirely helpless and must let the Bill as it is go to the other Chamber to be revised. Undoubtedly, if the committee accepts

the substance of the hon. member's amendment providing for an appeal, some other slight changes must be made; but that is no reason for throwing up the whole thing as unworkable. The Bill was drafted on the theory that there was to be no appeal. Now there is to be an appeal, and the hon. member for Bellechasse is quite right in saying that the judge's report must be delayed, where there is an appeal, at any rate.

Mr. AMYOT. I do not ask that the Bill should be thrown out. The hon. mover knows that I am in sympathy with its objects; but I want it to be workable and to do no injustice to individuals. I would suggest that the appeal should be to the ordinary courts of appeal in criminal matters. That would be much more practicable. In the province of Quebec the appeal court in criminal matters is composed of five judges, and as the liberty of the subject is concerned here, I do not think it would be right to allow the appeal to be limited to the Court of Review, which is composed of but three judges.

Mr. COATSWORTH. Does the Court of Appeal in Quebec require the appeal books to be printed? That is required in Ontario, and it would entail very great expense.

Mr. AMYOT. I do not think it is required in criminal matters either in Quebec or Ontario.

Mr. MASSON. So far as Ontario is concerned the court is not properly named in the amendment. We have no court of the name of the Divisional Court in the province of Ontario. We have the Supreme Court of Judicature, which is divided into the Court of Appeal and the High Court. The High Court again has three divisions—the Queen's Bench, the Chancery and the Common Pleas.

Mr. FORBES. If the mover of the Bill is willing to consent that an appeal shall be granted from the trial judge, I think this section should stand. It is very imperfectly drawn, and it will not suit us in the province of Nova Scotia or in any of the Maritime Provinces. And we have already a protest from those who know about the matter of appeals in the province of Ontario, so that I fancy the section would have to be re-drafted, and I would suggest that the promoter of the Bill let the section stand.

Mr. WELDON. The select committee were of opinion that an appeal would not be necessary. For my part, I have no feeling in the matter, and if it be thought that the parties complained against should have an appeal, I have no objection to giving it. But to make the appeal work smoothly, a trifling change would be required in section 13, which can be done on the third reading. The amendment of the hon. gentleman will be found unworkable. He says that the appeal should date thirty

days from the publication in the 'Canada Gazette.' The publication of what?

Mr. JEANNOTTE. I understand that the judge will make a report and the Secretary of State, under section 13, will publish it in the 'Canada Gazette,' and that it is only on a copy thereof being furnished to the revising officer of the electoral district, that the names will be struck off the list.

Mr. DICKEY. It seems to me a very unfortunate period to take to date an appeal from the publication in the 'Canada Gazette,' because then the damage is all done, and the voter is published to the world as a defaulter. If an appeal be given, it should be given immediately on the judgment of the court. I would suggest, as an amendment to the amendment, that:

From any finding or decision of a court or judge disfranchising any voter, such voter shall have the right to appeal:

(a.) In the province of Quebec, to the Court of Review;

(b.) In the province of Ontario, to one of the divisions of the High Court of Justice;

(c.) In the provinces of Nova Scotia, New Brunswick, Prince Edward Island, British Columbia, Manitoba and the North-west Territories, to the Supreme Court.

Such appeals shall have precedence over other business on the dockets of the court.

Mr. JEANNOTTE. That does not meet my view. The judge does not give any decision, but simply makes an inquiry and reports. He sends his report to the Secretary of State, and there is no disqualification until the Secretary of State publishes the notice in the 'Canada Official Gazette.' There is, therefore, no decision by the judge to appeal from, and there is no disqualification until the publication in the 'Canada Gazette,' and the names are not struck off the lists by the revising officer until he is forwarded a copy of the 'Gazette.'

Mr. DICKEY. Well, Mr. Chairman, I see that there is a great deal in what the hon. gentleman says. But I do not exactly agree with him as to the position of the court. I think that every man who is summoned there is a suitor before that court. He will be heard, the evidence against him will be heard, and the judge has got to make a finding.

Mr. JEANNOTTE. No.

Mr. DICKEY. I do not agree with the hon. gentleman. However, that is a matter of detail. This question of appeal is something introduced now for the first time, and we must go back and revise section 13. There is no doubt about that, but I ask the hon. gentleman himself if it is not very much better to make a man appeal from the finding of the judge rather than make him appeal from something in the 'Gazette'?

Mr. JEANNOTTE. I would advise the hon. gentleman to change that part which says that the appeal shall be made according to section 7, for the judge who hears the appeal will not be the same judge as the judge who hears the enquête. They have their rules, and you cannot change those rules, for they are under the authority of the provinces, and the Federal power has nothing to do with the rules of any civil court in any province. I think you had better leave that to the court.

Mr. DAVIES (P.E.I.) I think that if we determine to adopt the principle suggested by the hon. gentleman from L'Assomption (Mr. Jeannotte) and allow an appeal to those parties who are disqualified, we cannot carry either the amendment suggested by that hon. gentleman, or the one suggested by my hon. friend from Cumberland (Mr. Dickey) unless we go back and amend the previous sections of the Bill. There is no doubt a great deal in what the hon. gentleman says, that there is no finding of the judge below, and so there is nothing to appeal from. It is provided that the judge shall report to the Secretary of State, but no time for sending in that report is mentioned. If we are to allow an appeal before the judge reports, you will have to amend the 13th section, for the form of the appeal will depend upon the nature of that amendment. As the section stands, you cannot frame an intelligent amendment at all. The proposal to allow an appeal seems to meet with general concurrence. I would suggest to the hon. member for Albert (Mr. Weldon) that, if he finds it necessary to go back to the previous part of the Bill and amend it, this should be done now, and then let the new section, providing for an appeal, come in.

Mr. WELDON. If the committee will agree, I think we could pass this section. The amendment of my hon. friend from Cumberland seems to me more likely to work smoothly than the amendment of my hon. friend from L'Assomption. If the committee would agree to carry this and the next two sections, in a very few minutes we could come back and make the other section suit the case of an appeal. I think there would be no difficulty in that.

Mr. JEANNOTTE. I would suggest that the hon. gentleman suspend the reading of the Bill until eight o'clock, by which time he can have the necessary amendments prepared.

Mr. WELDON. I do not think that is necessary.

Mr. DAVIES (P.E.I.) I think my hon. friend from Albert will see that the amendment will require a little consideration. As it reads now, it would be absolutely unworkable. You speak of the provinces of Nova Scotia and New Brunswick, Prince Edward Island, British Columbia, and the

Mr. DICKEY.

North-west Territories as though there was a Supreme Court for those provinces. The clause would need to be amended so as to provide for the appeal to the Supreme Court in each province. That is a matter of phraseology. But I think the hon. gentleman will see that there are other matters to be provided for; for instance, the time within which the appeal must be taken. It should be a very limited time, say within five or six days. Then the nature and method of the appeal must be provided for. This should be by giving notice.

Mr. DICKEY. That would be a matter of the rules of court.

Mr. DAVIES (P.E.I.) It is very unsatisfactory to leave these matters to the judges. If we are to have an appeal, the method should be simple, say by giving notice within a certain time. The decision of the judge in appeal should be on the evidence taken in the lower court. There is nothing in the amendment to provide that the judge shall report the evidence with his finding. I think the suggestion of my hon. friend from L'Assomption is a very good one—that the hon. gentleman should take an hour to look over this question of appeal, and draft the necessary amendments. As it is now, you are putting the committee into a very awkward situation by asking them to vote. Merely to insert this clause would make the Bill ridiculous, unless section 13 is previously amended. An appeal would be totally unworkable in the present condition of the Bill. The Bill ought first to be put into a condition that an appeal can be framed from some finding which the judge is bound to deliver.

Mr. WELDON. I do not at all agree with the hon. gentleman's suggestion that we work out here an elaborate procedure for each province. I think the proposal submitted by the hon. member for Cumberland is much more workable, namely: to leave this point of the working out of the procedure to the courts of the different provinces. We cannot do it as well here as they can, even if we had all the rest of the session. I differ from the hon. member strongly in that regard. We know very well that clause 13 wants an amendment, and I think in two minutes I can suggest two or three words that the hon. member himself will admit will cure the whole difficulty. All we want is that there shall be some finding to appeal from: then we want furthermore to say that in the case of those voters who have made an appeal, their names shall not be reported on until the appeal is disposed of. It seems to me that only a very slight change needs to be made.

Mr. DAVIES (P.E.I.) Supposing an inquiry is being held, and 50 or 60 men are being tried. The judge receives evidence, he himself may not make up his mind, and after the men have gone to their homes, judgment

is given. You must provide some machinery by which there can be a summary appeal without much expense. If you are going to have bonds given, and a lot of elaborate factums prepared and cases printed, and all that kind of thing sent up to the court of appeal, you will probably prevent a man appealing at all. But if you decide not to make the judgment of the judge in the first instance conclusive, and give the party who is found to be guilty of wrong-doing, a right to appeal to a higher court, I think it ought to be a very simple appeal; then the judge should be bound, on notice of appeal being given, to remit the evidence on which he bases his judgment to the court of appeal, and let that be the whole case, without bonds or anything else.

Mr. MASSON. The objection that there is nothing to appeal from is certainly very forcible, because there is no notice to the party. He is allowed to go home, the judge reserves his judgment, and the document is filed, not in his own district, but here in the city of Ottawa with the Secretary of State. He has no means of knowing what that is until long afterwards, until he sees it in the 'Gazette,' and as he may not be accustomed to read the 'Gazette,' he may never hear of it until he comes to vote at some other time. I think a good way of providing against that defect would be to say that the report should be filed in some local place, in some of the offices of the court in the district where he is tried. In any case where a judge reserves judgment, there must be some way of communicating that judgment to the party interested.

An hon. MEMBER. A copy of it should be served upon him.

Mr. MASSON. That would be one way in which notice could be given, perhaps an expensive way.

Mr. AMYOT. Let a day be fixed for the judgment.

Mr. MASSON. When he reserves his judgment he should be compelled to name a day when the matter would be resumed and judgment given. I agree with the proposal that this clause should be carefully reframed, and if the promoter of the Bill is not prepared with such a clause now, it is, perhaps, only fair to say that it is his own fault, because he knew from the time this was before the special committee that at this stage a motion would be made to amend the Bill by striking out the clause as he has framed it, and providing for an appeal. He should, therefore, have been prepared with an amendment necessary to meet that.

Mr. WELDON. I had the support of the reports of two committees, one last year, both of which had reported against an appeal, with the intention of securing brevity and cheapness.

Mr. AMYOT. Not this year's committee.

Mr. WELDON. I beg the hon. gentleman's pardon. Although the hon. member was a member of the select committee, we had not the pleasure of his assistance.

Mr. AMYOT. I was away and could not attend the committee.

Mr. WELDON. The hon. member did not regret half as much as we did that we had not his assistance in revising the Bill. We were very sorry that the hon. member for Bellechasse was not there to help us. But the judgment of both select committees was against an appeal. We thought the thing would work more simply, that there would be less expense. However, I share the feeling that it is hardship to say to any man that his rights in this matter shall be determined by the first inquiry. But if this amendment of the hon. member for Cumberland is allowed to pass, I think in ten minutes we can correct section 13. I cordially agree with what my hon. friend says as to what needs to be done, and I think we can do it.

Mr. DAVIES (P.E.I.) I for one yielded to the seemingly expressed wish of the committee that the Bill should be altered by giving an appeal, on the assumption that some very simple form of appeal would be agreed to. But if we are going to have an elaborate appeal, accompanied by a large amount of expense, I think you are taking the wrong course altogether. I suggest that the hon. gentleman draft a clause making a summary appeal without expense at all. But you must first determine that there shall be a finding, and that finding shall be so public that the parties who are being punished shall know of it—how, at present, I do not quite see—and that after this knowledge is brought fairly to them, they may have a reasonable time within which to express their desire to appeal.

Mr. MASSON. The hon. member should also define a mode for a summary appeal. In the Controverted Elections Act of Ontario it is provided that any party to an election petition who is dissatisfied with the decision and desires to appeal, may do so within eight days, by depositing his notice of appeal and \$100 with the registrar of the court. That is a summary way and a cheap way.

Mr. DAVIES (P.E.I.) That is pretty expensive, I think.

Mr. JEANNOTTE. The appeal in this case costs only \$20, and \$3 for the inscription. That is very cheap and very easy for a poor man. Anyhow, as it is evident that the committee wants an appeal to exist, I think the hon. promoter of this Bill ought to take one or two hours and draft an amendment to that effect.

Mr. CHARLTON. It strikes me that, considering the fact that this Bill has already consumed three days, it is only reasonable that the promoter of the Bill should allow it to stand until he can put the matter in

proper shape. A little reflection will enable him to do that much better than in the confusion of debate. It is evident that the House is favourable to this Bill, or at least desires a measure that will serve the purpose it is intended to serve. For that reason, I strongly advise the hon. member to take the time that is necessary to put these sections into a proper shape, after consultation with his friends, and when he is ready with it, the House can resume its consideration.

Sir JOHN THOMPSON. And by that way we will get into the Sunday Bill.

Mr. CHARLTON. I may say that my Bill stood first upon the Order paper, and we are now in the very last stage of the session, and I have not been able to go on with it. As that has been alluded to, I may say that I think the proposal I make is one calculated to further the purposes of the hon. member, and at the same time it has the incidental advantage of giving another member a chance to reach measures he is interested in.

Mr. WELDON. I have no desire to stand between the committee and the hon. member's Bill, but, I think, after we have done so much, that I have a right to ask the committee to carry it to a conclusion. I am satisfied that in ten minutes, unless there is some new point raised, we can amend it so as to make it acceptable to every member of the House.

Mr. DAVIES (P.E.I.) I do not think we should have the question forced upon us, when we are agreed that the clause will be futile unless amended. I appeal to the Minister of Justice whether it is right to pass such a clause when we all agree that it is absolute nonsense in the present state of the Bill.

Mr. WELDON. We did the same in regard to one of the sections previously.

Sir JOHN THOMPSON. It is very common to pass a clause with the understanding that we will make the other clauses harmonize, and that is what the hon. member for Albert (Mr. Weldon) asks to be done.

Mr. JEANNOTTE. I desire that the wording of the amendment be changed so as to include the Court of Review as well as the Court of Appeal for the province of Quebec.

Sir JOHN THOMPSON. It strikes me with respect to election cases that we prescribe by the general terms of the Act the form of trial and require the tribunal to make rules of procedure. And so in regard to questions of bankruptcy, we have rules under the Dominion statute.

Mr. MULOCK. That part of the amendment that sets forth that these appeals in election cases shall have precedence should be omitted. The question of procedure should be left to the court, and I doubt if this House has any jurisdiction in this matter.

Mr. CHARLTON.

Moreover, it may not be wise, and on that ground it would be better to drop that part of the amendment.

Mr. DICKEY. I have no objection.

Mr. WELDON. I am perfectly willing to accept the suggestion of the hon. member for North York (Mr. Mulock).

Mr. AMYOT. I suggested that we should make the appeal to a tribunal of criminal jurisdiction, and then we would have jurisdiction in the matter. But we have proceeded to give an appeal to civil tribunals, and thus we have no jurisdiction in the matter of procedure. This is not a special tribunal, for we go before the ordinary Courts of Appeal in every province. There is no use in endeavouring to exceed our authority. By section 91 of the Confederation Act, subsection 27, we have jurisdiction over the Criminal Law, including procedure in criminal matters. Exclusive power is given to Provincial Legislatures by section 92, subsection 14, as regards the administration of justice, including the constitution, maintenance and organization of provincial courts, both civil and criminal jurisdiction, and including procedure in civil matters in those courts. In this instance we use the ordinary courts and give them power to apply our laws, but the procedure before them belongs to the ordinary courts of civil jurisdiction. If we undertake to create a special tribunal having Federal jurisdiction, well and good, and we will then have the right to decide what procedure shall be adopted. When we pass a law here in regard to promissory notes, we know that the subject is within our jurisdiction; but we have no authority to instruct the court as to the manner in which it shall proceed. All matters of procedure in civil courts, and this appeal is to a civil court, are within the jurisdiction of the province, and if we pass a law going beyond that, the Act is ultra vires. We have to follow the procedure of the provinces in cases of civil jurisdiction, and the provinces are absolute in their authority in that regard. The provinces appoint their own officers, make their own rules of practice, appoint their own Queen's counsel, and the Queen's counsel so appointed are as much Queen's counsel in the local courts as are Queen's counsel appointed by the Federal Parliament, and Queen's counsel in courts of Federal jurisdiction.

Mr. DICKEY. I do not think there can be any doubt that we have the right to prescribe some parts of the procedure, and I do not see why we should not regulate the question of appeal. I think that this is a case where we should assume that we have jurisdiction. Having made the offence we should give the man a right to appeal.

Mr. JEANNOTTE. I must still insist that in the province of Quebec the person disfranchised shall have the right to appeal

to the Court of Review. The expense is too great for him to go to the Court of Appeal, because he would have to make a very heavy deposit.

Mr. AMYOT. If the judgment of the court declares that there was no corruption, there is no appeal. If the court declares that there was corruption there is an appeal by the person who is declared to have been corrupt. That person may go either to the Court of Review or to the Court of Appeal; he can select his tribunal. If he makes his deposit of \$20 and goes to the Court of Review, then if he succeeds there will be an end to it, but if he loses there, he will have selected his own tribunal and he will not have much to complain about. If he wants to go direct to the Court of Appeal he is at liberty to do so.

Mr. JEANNOTTE. How does the amendment to the amendment read now?

The CHAIRMAN. It reads as follows:—

That all the words after "That" be struck out, and the following be substituted: "From any finding or decision of the court or judge disfranchising any voter, such voter shall within 30 days of such finding or decision have the right to appeal (a) in the province of Quebec, to the ordinary Courts of Review or Appeal; (b) in the province of Ontario, to one of the divisions of the High Court of Justice; (c) and in the provinces of Nova Scotia, New Brunswick and Prince Edward Island and British Columbia and the North-west Territories, to the court *en banc* in each of the said provinces and Territories respectively; and in Manitoba, to the Court of Queen's Bench. Such appeals to be carried on under provisions of the rules of court made pursuant to section 7 of this Act."

Mr. JEANNOTTE. That is satisfactory.

Section, as amended, agreed to.

On section 20,

Mr. WELDON. With the consent of the committee, I shall ask leave to go back to section 13 and to amend that in conformity with what seems to be the sense of the committee. I move that the following be inserted as the first clause of section 13:—

The judge shall file with the clerk of the court a list of the voters whom he finds to have taken bribes, with the post office address of each, and the clerk shall within three days thereafter, mail a written notice registered to each of said voters that his name appears on the said list, and the filing of such lists shall be the finding of the judge.

Mr. JEANNOTTE. I would like to know at what time the 30 days begin—whether at the time of the publication in the official 'Gazette' or at the time the notice is sent by mail.

Mr. DICKEY. From the filing of the paper with the clerk.

Mr. JEANNOTTE. Then the elector will have 27 days. I think the best thing to

do is to leave the Bill as it is, because I am sure that with this amendment there is not a man in the Dominion who can understand it.

Mr. MASSON. If I understand my hon. friend aright, he proposes that this amendment shall precede the section as printed. The section then will provide that the judge shall file, then that the judge shall report, and then that this report shall be sent to the Secretary of State. Now, I think that the publicity given to the judge's finding should be by declaration in open court. If he gives his judgment off-hand, at the close of the court, after hearing the evidence, the parties or their representatives are there to hear it. If he does not do that, I think he should give it in open court at some adjourned sitting of that court. In that way direct notice will be given. This mailing of notices is very well for stockholders in a company; but in the case of poor, illiterate men, scattered through the back part of a riding, a notice mailed to them within three days after the judgment is filed may lie in the post office the whole thirty days before they receive it. I think the amendment proposed by the promoter of the Bill does not meet the requirements of the case.

Mr. MONCRIEFF. The views of the hon. gentleman who has just spoken accord very much with my own. I think that this section 13 might be remodeled in this line. The judge is to report the names of all persons who he finds have taken bribes. I think it would be much better to commence the section by providing that the finding of the judge in respect to any voter shall be stated in open court at the close of the evidence or at such future time and place as he may appoint for the purpose. Then I would change the wording of the balance of the section, and provide that the judge shall not decide that any voter has taken a bribe until he is satisfied that such voter is served with a notice of the charge against him. After that I should put in a subsection making the thirty days within which the voter has a right to appeal commence with the day on which the judge has given his decision or finding. Having done that, I should provide that the judge's report, together with the evidence, should be filed with the clerk. I should not require the clerk then to give the voter any notice, because there has been an absolute decision in open court, and that should be filed with the clerk. I should follow that up by providing that if at the end of thirty days no appeal is made, or if appeals are made in respect of some of the voters, then those names not appealed and who have been found guilty of taking bribes could be reported to the Secretary of State, and after all the appeals were heard, the names of those as to whom the judge's decision was confirmed by the court of appeal, should be also reported to the

Secretary of State. If those suggestions were carefully gathered together and placed together in lieu of subsection 13, it would meet the views of the committee much better than to have the judge, as is suggested by the present resolution, simply give his judgment whenever he pleases, leave it with the clerk, and let the clerk send it off by registered letter. Every person tried for receiving a bribe is sure to be present when the evidence is through or is sure to be represented in some way or other, and the judge should there and then decide or fix a day for his decision. Then allow thirty days, or any other period which may be thought more convenient, from the giving of the judgment, to appeal.

Mr. WELDON. The suggestion that there should be a judgment in open court can be embodied in the 2nd subsection, but surely the first meets the wishes of the committee, namely, that every one tried should receive notice. He has been in court, he has been on trial, he gets a written notice by registered letter, and has three or four weeks within which to take his appeal. If, in addition, a second guarantee is wanted, I have no objection that the judgment should also be given in open court.

Mr. MONCRIEFF. The first part of section 13, as in the original Bill, with but a few words added, would meet with my views. I would strike out the first line of section 13, down to the word "bribes" in the second line, and add the following:—The finding or decision shall be made by the judge in respect of any voter in open court, at the close of the evidence or at such future time and place as he may fix for that purpose. Then read the section as printed, commencing with the word "but": But he shall not decide that any voter has taken a bribe, &c.

Mr. WELDON. If the hon. gentleman will incorporate the suggestion that I made in reply to the hon. member for Queen's (Mr. Davies), namely, to take care, in the case of appeal, that the appellant shall not be reported on, I have no objection to the amendment. The hon. gentleman is providing for a judgment in open court and accomplishes what I was striving to accomplish. With the consent of the committee, therefore, I will withdraw my amendment and support that of my hon. friend.

Amendment (Mr. Weldon) withdrawn.

Mr. MONCRIEFF moved in amendment:

That the first two lines of section 13 be struck out and the following substituted: The finding or decision shall be made by the judge in respect of any voter in open court at the close of the evidence, or at such future time and place as he may then fix for that purpose. But he shall not decide that any, etc.

Mr. JEANNOTTE. The amendment cannot stand because this is not a court, it is an

Mr. MONCRIEFF.

enquête. I do not desire to discuss the matter further, but I think paragraph 2 and some others must be amended. In that case, of course, we should be making a new Bill. I have no objection to the Bill passing because it has been so amended that it will have no effect at all.

Amendment (Mr. Moncrieff) agreed to.

Mr. WELDON. Clause 2 must be amended by introducing these words at the beginning:—

The judge shall report the names of all voters and such report shall be laid before the Secretary of State.

Mr. DAVIES (P.E.I.) That will not do; you will be reporting men who may have their decision reversed on appeal. I think the hon. member for Lambton (Mr. Moncrieff) said he had an amendment making provision for this.

Mr. MONCRIEFF. In my hurry I could only prepare the first subsection. But I indicated what the other amendments should be. I intended to provide for the filing of this report or judgment, but that would not be reported to the Secretary of State until all appeals were decided.

Mr. DAVIES (P.E.I.) If the report is not sent in until the time of appeal is up, the names of those who do not appeal should be sent in. But it will not do to put in the 'Gazette' the name of a man who has appealed and in whose case the decision may be reversed.

Mr. MONCRIEFF. I think you are perfectly right. No report should be sent to the Secretary of State until the time for appeal has gone by. But if some of the people disfranchised do not appeal, their names might be reported. If the decision is in favour of the applicant, that would end the matter, but if it is against him, a subsequent report could be made.

Mr. DICKEY. I think the amendment now before the committee should read something like this:—"The judge shall, within ten or twenty days after the determination of the appeal," and so on. Then I would propose to add that such report shall not include the name of any voter who has duly appealed from the finding against him. Then there should be another subsection, that after the final disposition of the appeal from any electoral district, the clerk of the Court of Appeal shall report to the Secretary of State the name of any voter who, on the decision of such appeal, shall be held to have taken a bribe.

The CHAIRMAN. The committee has already an amendment before it.

Mr. DICKEY. Yes; I offer these suggestions.

Mr. MILLS (Bothwell). I think that one amendment would cover the whole by pro-

viding that the names should not be reported until the proceedings are closed and all appeals, if any, are finally disposed of.

Mr. DAVIES (P.E.I.) But there might be fifty men found guilty and only one appeal. There would be no reason for holding back the whole fifty names while the appeal of one is being decided.

Mr. WELDON. If the suggestion which is made by the hon. member for Cumberland is adopted, I think the objection would be met. I move that the section shall be amended by inserting the following :—

The judge shall, within ten days after the time within which an appeal need may be taken under this Act, report the names of all voters whom he finds to have taken bribes, and such report shall be made—

—and so on.

Mr. DAVIES (P.E.I.) You should say: "report the names of all voters who have taken bribes and who have not appealed."

Mr. WELDON. I agree to that.

Mr. MONCRIEFF. If this appeal is taken against the decision of the judge, would it not be better that the appeal should come back from the appellant judge to the judge of the first instance? I think if the hon. member for Cumberland will adopt that suggestion, it would be more in the line followed by all the courts.

Mr. DICKEY. I move that section 13 be amended by adding as subsection 4 :

After the final disposition of any appeal, the clerk of the Court of Appeal shall forthwith report to the Secretary of State the name of every voter who, under the decision upon the said appeal, shall be held to have taken the bribe, and on such report, the like proceedings shall be had as are required by this Act in the case of the report of the judge.

Mr. WELDON. I propose that the following clause 21 be added to the Bill :—

Notwithstanding anything in this Act, where in any electoral district an election petition has been filed under the Act for the trial of controverted elections, no petition shall be filed under this Act until such election petition has been abandoned or disposed of.

Mr. AMYOT. If there is a controverted election, the present law will not apply, because over six months will be occupied in disposing of the election petition.

Mr. MASSON. The petition under this Act might be filed before the election petition, and in that event this amendment would not apply.

Mr. DICKEY. The petition under this Act cannot be filed until the time for filing a petition under the Controverted Elections Act has passed.

Mr. DAVIES (P.E.I.) It is perfectly clear that the objection taken by the hon. member

for Bellechasse (Mr. Amyot) is correct. This Act cannot come into operation in any election district where an election petition has been filed. You must initiate proceedings under this Act within sixty days. An election petition must be initiated within thirty days. It is impossible to dispose of an election petition within thirty days, and, therefore, whenever an election petition has been filed it operates as a barrier against proceedings under this Act. It is obvious that there are only thirty days in which to act, and the proceedings under an election petition must be disposed of before proceedings are initiated under this Act.

Mr. WELDON. This Bill is not to operate when an election petition is running, but after an election petition has been disposed of.

Mr. MONTAGUE. There is very grave objection to leaving open a county to the troubles connected with an inquiry running probably two years after the election occurred. If that is the effect of the clause I decidedly object to it.

Mr. DAVIES (P.E.I.) I understand the hon. member for Albert (Mr. Weldon) to say that there should not be two proceedings going on simultaneously, but that if an election petition has been filed a petition cannot be filed under this Act.

Mr. JEANNOTTE. (Translation.) I understand now, if there should be a petition for the voiding of the election, then a petition for an inquiry could be filed under this Act before the election petition has been disposed of.

Mr. CHAIRMAN. (Translation.) That is to say, the provisions of the Bill will not be available before the election petition has been disposed of, either by a judgment or by the waiving of the petition.

Mr. BERGIN. (Translation.) I think, Mr. Chairman, you should read the amendment in French.

Mr. CHAIRMAN. (Translation.) That is what I did.

Mr. JEANNOTTE. (Translation.) I like to get as many explanations as possible, Mr. Chairman, for I want to know what I am going to vote upon. I suppose that, at the next election, the Liberal candidate should be returned in the county of L'Assomption—that will not happen—but I suppose he should be returned. Should his opponents, dissatisfied with the result of the election, file a petition for an inquiry under this Bill, what will happen if there is already a protest filed against the election of the returned candidate?

Mr. CHOQUETTE. (Translation.) The petition will then stand.

Mr. AMYOT. If I understand properly, under the clause as proposed, if a party has

practised corruption very largely it will suffice for that party to contest the election, and then it will be impossible to get the enquête provided for by this Bill. This clause virtually takes away the effect of the whole Bill. A party may practise corruption on a large scale, and if he contests the election even of a friend, then that will be a bar to any petition for this general inquiry.

Mr. WELDON. I will ask leave to add another subsection and to state affirmatively: that notwithstanding anything in this Act, in a county where an election petition has been filed under the Controverted Elections Act, and where such petition has been disposed of or abandoned, then a petition can be filed under this Act. If the section is not clear, then we will make it clear. I move the following sub-clause:—

Notwithstanding anything in this Act, a petition under this Act may be filed within thirty days after the disposition or abandonment of such election petition.

Mr. AMYOT. That simply means that if the contestation of an election takes five years, then there will be thirty days after that to get this inquiry.

Mr. WELDON. The hon. member for Bellechasse (Mr. Amyot) pointed out a few minutes ago that if the preceding clause is not clear, then this whole Act would be made largely nugatory by the filing of the election petition. I want to make perfectly clear by this clause, what I thought was perfectly clear before, and that is: that the power to petition under this Act shall be given to the people of a county, even though two years have expired. I want that the persons in a county who believe there has been corruption shall have their right under this Act.

Mr. JEANNOTTE. (Translation.) What is the time allowed?

Mr. CHOQUETTE. (Translation.) Five years.

Mr. JEANNOTTE. (Translation.) All right, I acquiesce.

Mr. DAVIES (P.E.I.) I am in favour of everything reasonable and fair, and am willing to run the gauntlet for a number of months; but when it is proposed to file a new petition and to put a man on the rack for an offence alleged to have been committed years previously, I think the subject requires consideration. I think the hon. mover of the Bill was unwise in acceding to the amendment to the second clause; but he now wants to go a great deal further than the House agreed to go in the first instance. The House agreed to go this far and no further: that if within sixty days after an election, corrupt practices were alleged to have extensively prevailed, a petition might be filed, but now the hon. gentleman wants that limitation swept away so that at the end of two years a man may

Mr. AMYOT.

still be attacked. That may be all right, but it is a very serious departure from the line laid down in connection with these matters hitherto. In the case of an election petition, you say there must be a reasonable limit within which the petition must be filed. Everybody has agreed to that. Now, if my hon. friend's amendment is carried, it will be possible at the end of two or three years, if the trial of the election petition lasts that long, to file a new petition under this Act. I submit to the committee that that is an unfair thing, and may work very great injustice.

Mr. MILLS (Bothwell). If the hon. gentleman's amendment goes that far, I think it is all wrong; but as I understood the proposition, it was that where a petition was filed within sixty days, as required by the Act, the proceedings under that must be suspended until the election petition is disposed of—

Some hon. MEMBERS. No, no.

Mr. MILLS (Bothwell). But that no greater latitude for filing a petition should be given under such circumstances than if there were no election petition. The only thing that ought to be provided for—and I understood that the promoter was providing for it—is that the proceedings under this Bill should be suspended during the proceedings under an election petition. If that idea is not clearly expressed, I think it ought to be. But I do not think that any greater latitude should be given for proceedings in cases where an election petition is filed than where none is filed.

Mr. WELDON. The hon. gentleman and his colleagues took an active part in the discussion of this question, and it was largely on their suggestion that the second part of this amendment clause was drafted. I drafted it some weeks ago, and I suggested to the committee that it would be more convenient to propose it as a substantive clause at the end of the Bill. In doing this, I am certainly conforming to the wishes of the hon. leader of the Opposition, who took an active part in the discussion. We altered the time so as to keep clear of election petitions. If we had started with the suggestion of the hon. member for Bothwell, which is different from that of the hon. leader of the Opposition, it would serve my purpose. If, in any county, there are men sufficiently anxious to try to clean the Augean stable, as to put up the money necessary to make the attempt, why should they not be allowed to do so? It is not proposed to attack the seat of a member by this measure; the greatest pains have been taken to guard against that. We offer this as a tentative measure, an educative measure, if you will, and in order to give people in any county, whether one month or sixteen months after an election, where they are delayed by proceedings under an

election petition, a chance to strike off the lists the names of men who are not fit to vote.

Mr. TISDALE. If the amendment is such as the hon. member for Queen's explains it to be, it certainly ought not to pass.

Mr. DAVIES (P.E.I.) I do not understand that the promoter challenges my construction of the amendment.

Mr. WELDON. No.

Mr. TISDALE. If the idea of the amendment is that after an election petition has been filed, and while it is before the courts—it generally takes two years to get through with one—an inquiry may be instituted into an election fight which has passed and gone for two years, and when all feeling connected with it has passed away, that is a later period than is even allowed under the general law for proceedings in penal cases. Surely the hon. member does not propose to add to a Bill, so complicated as this, a proposition of that sort.

Mr. DICKEY. There is nothing very extraordinary about this provision. What the hon. member for Bothwell says is exactly what is intended. The hon. member for Queen's talks about a petition being filed under this Act two years after an election. That is the case with an election petition to-day. You can file an election petition two years after the election is over, under special circumstances, where you discover an act of corruption. It might be two years, or it might be three years. But that is an exceptional case, and it is an exceptional case that is proposed to be provided for here. The promoter of this Bill says that a petition under this Act must be filed within a specified time. Some members of this House think, and think very fairly, that it might be used for fishing purposes. In order to meet that objection, the promoter says: Suspend your proceedings until the election petition is disposed of, and then go on. There is nothing in that inconsistent with the proceedings under an election petition, and nothing unfair to anybody that I can see; and for my part, I shall vote for the amendment as proposed, to meet the special case.

Mr. MONCRIEFF. I think there ought to be some defined limit within which the extraordinary process permitted by this Bill ought to come to an end. As mentioned by the hon. member for Cumberland (Mr. Dickey), it is perfectly true that a petition to set aside an election may take place two or three or four years after the election, as in the case where there have been corrupt practices charged directly against the candidate, and it seems to me that this wholesale attack upon the voters' list should be limited in such a way that it could not come up two or three or four years after the

election is over. It seems almost too absurd to think that, if a candidate was personally guilty of some corrupt act whereby his election might be voided, that four years after he had taken his seat should be the starting point at which the thirty days limit should commence, under which the application in the Bill we are discussing may be filed.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

SECOND READING.

Bill (No. 119) for the relief of William Samuel Piper.—(Mr. Northrup.)

BRIBERY AND DISFRANCHISEMENT.

House again resolved itself into Committee on Bill (No. 6) to disfranchise voters who have taken bribes.—(Mr. Weldon.)

(In the Committee.)

Mr. MONCRIEFF. In reference to the clause that was last submitted for the approval of the committee, the import of which, if I recollect rightly, was that, if there happened to be a controverted election petition filed within the thirty days, then the time for filing the petition under this Bill should be extended until thirty days after the complete determination of the trial under the Controverted Elections Act. Now, I fully concur in the principle of that clause in this respect: that I do not think the two should be tried concurrently, nor that the one should be used for the assistance of the other. I believe that would be improper, but it strikes me very forcibly, and I must protest against this amendment for this reason, that our experience of these election trials is that they are very often protracted, and last from six months to two years. They pass from one court to another, and can never be said to be finally determined until the court of last resort has pronounced its decision. Is it to be said that in this matter, where witnesses are to be charged with receiving bribes, they are to be suspended, so to speak, from trial and investigation during all that period? In looking over the criminal laws, I find that there are limitations to the bringing of actions for offences of a very serious character, a few months only being allowed for laying the information against the accused. The reason for that is self-evident. Section 841 of the Criminal Code provides that in every case punishable by summary conviction, and that class embraces an innumerable number of crimes, six months is the limit in which information can be laid, unless another period is fixed by a special Act. The object of that is that a speedy trial shall be had, that witnesses should be brought before the court be-

fore they have left the country or have died if you like, and that inducements for perjury should be lessened, and that the person charged with an offence shall have an opportunity of meeting the charge against him. That stands to reason. But in the amendment now suggested, all that is going to be swept away. And some voter charged with having received 25 cents or some other nominal consideration for his vote sufficient to constitute a matter of bribery—what position is he in? He may not be tried, may not have the particulars of his offence disclosed to him for two or three years after the time when he is said to have been guilty of being bribed. Now, that seems to me altogether too much. This point surely could not have been thought of by the promoter of the Bill, he could not have seen what the effect of such a provision would be. Certainly, for myself, I protest against any clause that would allow a man accused of an offence to be kept without a trial for two or three years. The Bill does not even give him the opportunity of knowing what he is to be charged with. If that were done he could save up, as it were, the evidence for his own defence. But he is to be taken by surprise and told that at an election two or three years before, he received a sum of money or some other consideration for his vote, and called upon to stand his trial. I do not believe the committee would sanction such a clause. If another plan were adopted—I cannot say I would approve of it—that when the original petition was filed, the particulars were to be filed along with the petition, so that the man would know the offence on which he was to be charged, it would overcome in part the difficulty. But I do not think even that would be proper. When a man is, as it were, posted as a criminal, formally accused of being guilty of bribery, he cannot have his trial disposed of too quickly. To give the bill of particulars, and keep the accusation against a man's name, would be even more monstrous. Having once disclosed his name and charged him with an offence, to keep that name before the public and prevent a trial until after a petition under the Controverted Elections Act had been disposed of is against all sound principle. So I do not think that due consideration could have been given to this section. There seems to be too much anxiety on the part of the hon. member for Albert, for whom I have the highest respect, to get the Bill through in some shape or other. My hon. friend seems to be perfectly satisfied to grasp at any amendment that will bring him towards the last section of the Bill. I think that the Bill even in the clauses already passed would stand another revision by the committee. Perhaps I am myself to blame for that. It is a case of hurried legislation. It is provided in one case that the judge shall give his decision at the close of the evidence. That might lead to the giving

Mr. MONCRIEFF.

of the decision as soon as the witnesses have been heard, cutting off the opportunity for counsel to argue the case. In another Act I find that the decision of the judge is to be given at the close of the trial, not at the close of the evidence. I cannot but think that my hon. friend accepts these amendments without due consideration. But we are now discussing the question of keeping a man dangling before the public under accusation, perhaps for years, and I most certainly enter my protest against any such provision.

Mr. WELDON. The hon. member for Lambton (Mr. Moncrieff), when he addressed the House two weeks ago, spoke with more candour than many of those who have thrown their full strength and weight in opposition to the Bill. He frankly stated that he was opposed to the Bill, upright and downright; opposed to the principle and opposed to the clauses by which it was proposed to carry that principle into effect. I do not thank the hon. gentleman for the patronage he has been good enough to bestow on me with. The hon. gentleman is wrong in supposing that little care was devoted to the preparation of the Bill. It was prepared by the help of a most skilled draftsman in my own province, a gentleman who has had a large experience in the trial of election disputes. I was glad to avail myself of that hon. gentleman's skill two years ago when I was trying to give shape to this idea with a view to asking an expression of the opinion of the House with regard to it. Twelve months ago I had the assistance of a special committee of this House, composed of the hon. member for Bothwell (Mr. Mills) and—I cannot remember all the gentlemen who were on that committee, and will probably omit some—the hon. member for Lambton (Mr. Lister), the hon. member for Bellechasse (Mr. Amyot), the hon. member for Quebec East (Mr. Laurier), the hon. member for the city of St. John (Mr. McLeod), the hon. member for Cumberland (Mr. Dickey), and others. This year again I had the assistance of, I think, all but one of these gentlemen whom I have named, and of some other hon. members of this House. It was my misfortune, as I have previously said, that my hon. friend from Bellechasse did not meet with us. I am sorry that I did not get the assistance of my hon. friend from Lambton. His eminent professional abilities had not escaped my eye. I would have been glad had he also been added to that committee, but his absence deprived us of the assistance of that distinguished barrister and very distinguished member of this House in perfecting the Bill. But it cannot be said that the Bill was hastily drawn, or that a fair amount of toil has not been given by the barristers of this House to perfecting the Bill. I am very unwilling indeed to have the Bill carried through in any emasculated form. The hon. gentleman has misconceived me; he does not know me. I am not so eager to

win the kudos of carrying a Bill through Parliament that I am willing to have it carried through with its brains knocked out. And if the only chance for this Bill is to have it tried in counties where no petition is filed, and where, in all likelihood, there has been little or no corruption, then I say the Bill is dead before it is fairly born. Therefore, if this amendment in substance is made, if the principle is not embodied in the Bill, that we shall have the right to make the Bill operative in counties where election petitions have been filed, I shall ask that the Bill do not become law, and shall then exercise my own judgment as to proposing it again at some other time. But I wish to assure my hon. friend from Lambton that I have not been so eager as he thinks to grasp at any half considered suggestions. He makes but a poor acknowledgment of my courtesy to him in accepting suggestions which were no better than those made by myself, but which seemed to me to be workable. I refer to the amendment of section 13, which was suggested by the hon. gentleman. I need not have accepted his amendment—no better and no worse than my own—if I had thought that the best acknowledgment he could make is to taunt me with a desire to get the Bill through, even in an emasculated form. I have no such desire, and I say now that I shall not ask the Bill to be carried to a third reading, if the Bill be, in my judgment, destroyed or deprived of any essential portion. Further, I desire to say that I have the great advantage of knowing from the hon. gentleman's own statement that he would like to see the Bill destroyed, and I think he has made a very skilful and ingenious speech to induce the House, even at this stage, to destroy the Bill.

Mr. AMYOT. This must not be brought down to a personal matter. Nobody impugns the motives of the hon. member. We are all ready to admit his earnestness in desiring to bring about purity in elections. But the question is: is it fair to leave any citizen under a vague accusation, the particulars of which he does not know for two, or three, or, it may be, five years, without a trial? Is it fair to leave such a sword hanging over his head for so long a time? We ask that some limit of time be set for the operation of his Bill. But here he says the suit will be taken at any time after another suit which may last a number of years. So a man who has committed no offence, is liable to be accused five years hence of a thing which he knows nothing about, and witnesses, false witnesses, perhaps, may testify against him, or witnesses who have forgotten the real facts may come and swear against him, for diverse reasons; and he is exposed to that danger all the time. Now, these amendments render that possible, and we ask the promoter of the Bill if it is fair to make such provisions. We are in favour of the

Bill, but a Bill framed in such a way that it will be worthy of this House, not a Bill which will render us subject to an inquisition which may take place five or ten years hence. If the hon. gentleman wants to choke his child at once, he is not showing the disposition of a good father. If his child has some imperfections, let him try and cure them. He must see himself that his amendment is not correct. If he withdraws it, there will remain the possibility of an inquiry when no election contestation will be going on, and it may prove to be of some use. I hope, therefore, he will either withdraw his amendment or change it.

Mr. MONCRIEFF. I think the hon. member for Albert misunderstood what I said. Certainly I did not intend to express my thoughts in any such way as he has interpreted my language. I fully concede that the hon. gentleman is perfectly in earnest in pushing his Bill, and I never meant for one moment to imply the contrary. I never meant to say that he would consent to accept an emasculated form of the Bill, with its brains all knocked out, rather than have no Bill at all. What I intended to say was that the suggestions and amendments that are made to the Bill in committee, are necessarily hurried, without sufficient careful consideration, and that some sections require, in fact, complete revision. Under these circumstances, it is possible to construct a Bill full of imperfections. I want the hon. gentleman distinctly to understand that I do not for one moment impugn his earnestness in this matter, nor do I suppose that he wants a Bill that would not be effective when it was passed.

Mr. TISDALE. I think myself that the hon. gentleman might gather from the length of the debate, and the tenor of the debate, that the sense of the House is against his Bill.

Mr. WELDON. Not at all, far from it.

Mr. TISDALE. I was going to say that I think the hon. gentleman might gather, from the length of time the Bill has been discussed, that there is a feeling against it, and were it not for the earnestness of the hon. gentleman, and the high esteem in which he is held—I am saying this sincerely—the Bill would have been voted down before this time. The fact that this Bill has been discussed in committee three or four times, and has not got through the committee stage yet, and that it was largely challenged on the second reading, certainly shows, to my mind, that the feeling of the House is opposed to it. I have expressed no opinion so far upon the Bill, except this afternoon upon one clause which the hon. gentleman proposed. I am of the opinion that the principle of the Bill has been sufficiently discussed for this session, at least, and the hon. gentleman might con-

sider the propriety of withdrawing it. If he does not see fit to do that, I think some motion had better be made to settle the fate of the Bill, because we have discussed it so long that it is standing in the way of other matters. The Bill at present is not at all the Bill that was introduced by the hon. gentleman. I do not agree with the suggestion that he was willing or anxious that changes should be made. I believe he is very sincere, and were it not for that sincerity, and the high regard the members have for him, it would have been terminated ere this. I believe it would be a relief to many members of the House if the hon. member would withdraw it this session; and then, after further study and consideration, he might bring it up again the next session. He has made more progress with it this session than he did last. If he does not consent to withdraw it, I think we should, in some manner, terminate the discussion upon it, and go on with some other business.

Mr. FLINT. I think the hon. member who promoted this Bill ought to carry it through the last stage, if possible. I think the discussion we have had has been very valuable, because it has directed the attention of the members of this House, as well as the public, to the great difficulty of the question with which he has attempted to grapple. If this Bill should fail, through the difficulty of arranging the details, to become law this session, I believe the attention that has been directed towards this question will result, in a very short time, in some measure dealing with it being adopted. We can all see the difficulties that are to be overcome in grappling with a subject of such magnitude as that to which the hon. gentleman has directed his attention. I presume there are a large number of hon. members who, like myself, have supported this Bill through all its stages by simply voting in order to keep it going, without making any remarks upon it, because the time has been largely taken up by those who have opposed the principle of the measure, or some of the details. Now, we have nearly reached the conclusion of the details of the measure. The clause which is now under consideration is one of the closing passages in connection with the Bill, and if it can be satisfactorily adjusted, then the Bill will probably reach a third reading and be reprinted, and then be discussed over again by such hon. members as desire to do so, having the full scope as well as the details of the measure before them. Now, what is the point to which attention is directed just now? The opposition to the amendment comes from hon. members who really raised the question which induced him to make this amendment. It was stated, although I have not been able to see the force of the argument, that it would be improper, unfair, against public policy, and injurious to individuals to have this inquisi-

Mr. TISDALE.

tion proceeding at the same time with the pendency of a trial on an election petition. I must say that I do not see the force of that argument. I can easily conceive that both proceedings may go on at the same time with the greatest propriety. They are not dealing with the same question, although, in some particulars, they may be dealing with the same people. It is possible that an amendment to the Controverted Elections Act might be introduced, empowering judges to certify what electors have been bribed, and to hand them over, under some form of procedure yet to be devised, to the revising officer, and have their names stricken off the list. That may be a very good amendment to make to the Elections Act. But, in my opinion, there is nothing inconsistent with the proceedings under this proposed measure going on *pari passu* with the proceedings in a controverted election. But as the general sense of the committee seems to be against that view, we may assume that proposition would not now be accepted. Now, what is the objection raised here? It is that during the pendency of the trial of an election petition, certain voters who are accused of bribery and who are to be tried under the provisions of this Act for bribery with a view to having their names struck off from the roll, would be placed in some very embarrassing, or very painful, or very disadvantageous position for a certain length of time. I do not see the force of that argument. A statute of limitations extending to two years for what is now considered a crime is certainly not very extreme. If the evidence is clear that bribery on an extensive scale was conducted two years ago, that evidence will be preserved by those interested in carrying out the provisions of the Act, and the individuals charged will have the same opportunity for defence at the proper time as they would have had earlier. Hon. members are raising an imaginary obstacle; they are looking with undue leniency on the class whom we are trying to punish or are trying to warn. There can be no doubt that bribery has been a source of great evil to this country almost ever since the beginning of our free institutions. There can be no doubt also that owing to legislation and improvement in the public mind there is a decreasing liability to bribery as compared with a quarter of a century or longer ago, and as the hon. promoter of the Bill has claimed for his measure largely an educational value we should do everything to perfect its details in order to place it on the Statute-book. Many of the amendments moved and accepted have not been wise. They have made the measure too heavy, but with all those faults the friends of the measure are disposed to accept it, and those friendly to the views of the promoter should accept the last amendment proposed. The danger of injuring any individual is infinitely less than the danger to the public from the con-

tinuance of the system of bribery which is aimed at by this measure. During the whole of this discussion there have been many philosophical inquiries as to where the responsibility for extensive bribery or bribery at all exists: who is to blame, and who should bear the punishment? Some hon. members are disposed to accuse the rich candidate or his wealthy friends; others are disposed to accuse the needy person who is bribed. I think the personal experience of hon. gentlemen and of those who have been accustomed to take part in election contests will be to distribute this blame somewhat impartially between the two. In many instances where the candidate is known to be wealthy or his friends disposed to contribute large sums for his election, the spirit of cupidity is at once aroused among a certain portion of the electors, and once aroused it injuriously affects the whole election. But where, on the other hand, the candidate and his friends are known not to possess wealth, and are not disposed to expend money, and where the campaign is one largely of a party and an intellectual character, those looking for bribes accept the inevitable, and do not look for them. I have known elections in my own province where bribery has been unknown in a constituency, where it was previously known to have prevailed extensively. The reason was that the candidate and his friends were not able to bribe, and did not desire to expend money for that purpose, and accordingly the spirit of bribery disappeared. But within a year or two candidates were contesting the constituency who were known to be possessed of means, and then the spirit of greed was aroused and bribery of a very improper character was known to have been carried on. So we will distribute the blame equally between the wealthy and the needy, and let us as far as possible accept the views of the promoter of the Bill, and see what will come of it. I believe the educational value of the Bill will be very great, and further, that the educational value of the discussions in this House on the subject will be very great as directing attention not only to the difficulties surrounding the question, but to the difficulties connected with legislating in an efficient manner to grapple with those evils.

Mr. CURRAN. The main argument used against the last amendment is that it keeps the door open to a petition being filed probably two, three, four and even five years after the offences complained of have been committed. A great deal may be said, and has been said with considerable force, against keeping matters of this kind pending for so long a time in view of our statutory enactments fixing the period in which charges are to be brought or abandoned. I do not think that where an election petition has been filed, and where one year or two years have been occupied in arriving at a final decision on its merits, there is likely in

any constituency in Canada to be a petition filed under this Act. I think all the interest will have died out, and the people will not be inclined, after the expiration of two years, to revive any charges of so ancient a date. However, it is as well to provide against a state of affairs that may take place, and against which the hon. member for Lambton (Mr. Moncrieff) has so forcibly spoken. I therefore propose the following as a sub-amendment:—

Provided always that an election petition shall have been finally disposed of within one year of the filing of the petition therein.

If the election petition is not disposed of within a year, then this Act will not come into force in any constituency where such election petition has been filed.

Mr. McMULLEN. In my humble opinion, I consider that the proposition submitted by the Solicitor General is a sheer farce. Any man who knew that bribery and corruption existed to a considerable extent in the riding he represented would induce some person to file an election petition and keep it on file for a year, and it would not be proceeded with except under his instructions and direction, and at the end of the year the filing of an investigating petition of the character proposed by this Bill would be impossible. The time would have elapsed. If the Solicitor General is not prepared to give the promoter of the Bill any more assistance than is contained in the amendment he has proposed, which amounts to no assistance whatever, we must conclude that he is against the Bill.

Mr. AMYOT. If I remember correctly, the election law provides that when a party does not proceed with the petition some other person may be substituted.

Mr. McMULLEN. Every one who has been subject to an election petition is aware that there is a delay of about six months before any proceedings are taken. After that time the petitioner and the member petitioned against, if they are friendly, can very easily extend the proceedings six months longer, and shut out any action that was possible under the hon. gentleman's measure.

Mr. JEANNOTTE. (Translation.) Mr. Chairman, the first time I happened to discuss the Bill, it was thought I only intended to prevent its passing. I am happy to find the discussion has shown that the stand I then took was perfectly right. This Bill is a very important piece of legislation, and it must be carefully drawn up, as it tends to interfere with individual liberty. If I speak again, they will say it is a license. Well, the discussion which took place since this Bill was introduced, especially the one we have had to-day, proves one thing: and that is that a law having for its object to repress an evil must be earnestly considered and carefully drawn up. If, in order to do

away with an evil which is alleged to exist, we make a law which is a greater source of injustices than the evil itself, in my opinion, we should not pass such a law. We have an evidence of that now before us. If this Bill was reprinted with all the amendments made thereto and brought again before the House, I think its own promoter would be the first to ask that it be withdrawn. I am not opposed to the principle of the Bill; I am against bribery, and any measure which might be brought before this House having for its object to efficiently prevent bribery would receive on my part as earnest a support as the objections I made to this Bill, although some papers, English papers in particular, were repeating that I only made such objections in order to prevent the Bill being passed. I will add nothing to these remarks, Mr. Chairman, because I think I am perfectly vindicated, by the general tenor of the discussion of this Bill, to-day, from the animadversions of the English press with respect to the course I followed in the discussion of this Bill.

Mr. DICKEY. It seems to me that the motion of the Solicitor General is a fair compromise between the opposing views on different sides of the House. As a supporter of the Bill I would be prepared to accept the Solicitor General's amendment.

Mr. AMYOT. I suppose it is understood that the Bill will be printed before it comes to the House.

Bill reported.

SABBATH OBSERVANCE.

Mr. CHARLTON moved that the House resolve itself into committee on Bill (No. 2) to secure the better observance of the Lord's Day, commonly called Sunday.

Mr. AMYOT. Mr. Speaker, before the House adopts this motion I want to offer a few remarks upon this Bill itself. I find in the 'Hansard,' the reasons given by the hon. the mover of the Bill for its introduction, and he uses these words:

I propose to present this Bill as a civil measure, as a measure designed to secure for the people of this country their civil rights and their religious rights as well under the law.

These words were not spoken by the hon. gentleman (Mr. Charlton) without reflection. The hon. mover of the Bill went on to say:

The aim of the Bill is not to prescribe religious observances. It will not interfere with the belief or the religious observances of the Mahomedan, or the Jew, the Pagan or the Infidel. It will prescribe for no man what his religious belief, or religious conduct, or religious observances shall be. It is designed to secure to all men certain civil rights. It is designed to secure to the labourer the right of rest on the seventh day of the week. It is designed to secure to the Christian labourer the enjoyment of Christian observances and ordinances on the

Mr. JEANNOTTE.

seventh day of the week, and unfortunately in many cases, unless the law steps in and protects him in that right, it is impossible for him to exercise it.

So the hon. promoter of the Bill (Mr. Charlton) says that the object of this measure, and he has said it repeatedly, is for the protection of our civil rights. It is the second year, if I mistake not, that he brings this Bill before the House. He has had ample time to think over it, and he is still of opinion that this Bill is intended to protect our civil rights. Well, Mr. Speaker, if such be the case, the first objection to it is: that this Parliament has not been created for the protection of civil rights. The British North America Act, clause 92, subsection 13, says:

Property and civil rights in the provinces (will be the exclusive right of the Provincial Legislature).

The hon. gentleman must see at once from this clause the great objection there is in this Bill. Under Confederation we have accepted a partnership. We have left to the provinces certain powers, and we have given to the partnership at Ottawa certain other powers, but each Legislature is supreme within its domain. The Legislatures of the provinces have to deal with civil rights, and they are doing so daily, and they have passed statutes for the very object which this Bill has in view. Why should we infringe upon the rights of the Legislatures? I often hear both sides of this hon. House speak of the autonomy of the provinces. Each political party wants to be looked upon as the guardian of the autonomy of the provinces. Well, the autonomy of the provinces is provided for by the British North America Act, and the British North America Act gives jurisdiction over civil rights to the provinces. There must be some good reason given why we should infringe upon the rights of the Legislatures in this matter. Subsection 8 of the British North America Act, dealing with municipal institutions in the provinces, says:

In each province the Legislature may exclusively make laws in relation to matters coming within the class of subjects next hereinafter enumerated, that is to say, (8) municipal institutions, (13) property and civil rights in the province.

The keeping of Sunday, by refraining from doing something, falls within the domain of municipal control. It is a municipal matter, and moreover it is a civil right, to do or not to do something not essentially bad in itself, such as working on Sunday. The hon. gentleman (Mr. Charlton) himself admits that this is a civil matter, and he has said so repeatedly. Then why should this Parliament pass a law on that point? Will the hon. gentleman say that the Legislature of Ontario has not sufficient intelligence and respect for God to pass laws so that the law of God will be observed in regard to the Sundays? Will he say that the Legislature of Ontario is unfit to pass laws to protect the citizens in accordance with the laws of God? Will

he undertake to say that? Will he undertake to say that this Parliament only understands the laws of God? If not, why does he want to take away from Ontario, that great province to which he belongs, which is ruled by a party to which he belongs, where there are men as patriotic, as intelligent, and as experienced as the leader of that party in that province, the Hon. Mr. Mowat, the right to protect society? Will he say that these men are not able to protect society? Why does he pay them the very poor compliment of saying that we must come to the Dominion to force Ontario to have some respect and regard for the laws of God? That is a most extraordinary position he wants us to take. For my part, I do not know Ontario very well, but I know my own province, and I tell him that in my province, Protestants as well as Catholics all have respect and regard for the laws of God, and do not come to this Parliament to ask for protection against the Local Parliament. I presume that in Ontario the same must be the case; and the sooner the hon. gentleman abandons the habit of looking to this Parliament for the protection of society against the indifference of the Local Parliaments, the better it will be for the reputation of the section of the country which he represents. The hon. gentleman has admitted himself that this is a law for the protection of civil rights, and we cannot have a better admission that we have no jurisdiction whatever in the matter. He will tell me, we will make a criminal affair of it. Well, of course, we have the right to make criminal anything we choose. We may say: If you do not take your breakfast at seven o'clock in the morning you will be guilty of an indictable offence. Shall we do it? We may say: You shall not open your shops on Mondays, Tuesdays, or Wednesdays before eight o'clock in the morning, and if you do you will be guilty of an indictable offence. When we come to the criminal aspect of the matter, it comes within our jurisdiction; but when we were intrusted with the enactment of criminal laws, we were presumed to be intelligent people who would only treat as criminal, those matters which are criminal, per se, or quasi criminal. But the hon. gentleman himself did not take that position. He wants this matter treated as civil law, and by that very fact he removes it from our jurisdiction. Further on, the hon. gentleman says:

The state should protect the rights of conscience.

This is a very important principle. I want to know where the hon. gentleman wants to apply it. It is a very true principle applied generally, and I wish it were printed in the hon. gentleman's heart as well as in the hearts of all the people of the Dominion—the state should protect the rights of conscience. The rights of whose conscience?

Let us speak of the minority in the North-west. Is it the rights of their conscience that he wants to protect? There are those in the North-west who have consciences. If it is the duty of the state to protect the rights of conscience, what does the hon. gentleman propose to do to protect their rights of conscience? He knows to what I allude. If it is our general duty to protect the rights of conscience in matters of Sunday, it is our duty to protect the rights of conscience in matters of every day of the week. For every day of the year the rights of conscience of the minority are violated in Manitoba, it is the hon. gentleman's duty to come to the rescue. Surely a gentleman who has such noble aims will not forget the consciences of the thousands and thousands who are there. He only finds it the duty of the state to interfere when it pleases—I will not say his own caprice, but his own conscience, and only on matters of Sunday; and even in matters of Sunday it is not complete, because when some railways come from the States his conscience is no more affected; when ships ply between the States and Canada, they may journey on Sundays, and his conscience is not affected; if perishable goods are on a train, his conscience is not affected; if live stock are on a train, his conscience is not affected. The hon. gentleman has divers methods of weighing matters of conscience, and with him, matters of conscience are limited to only part of the day—not as it was in the ancient law, from the middle of one day to the middle of the next, but only from certain hours on Sunday. But we will come to that later on. The duty of the state is to protect the rights of conscience; I admit it. But the provinces are the state as well as the Dominion. So far as civil rights are concerned, matters of conscience are left to the protection of the provinces, not the Dominion. I admit, Mr. Speaker, in a general way, the principle that we should protect the rights of conscience within the limits of our jurisdiction. But we are not alone in this Dominion. There are not only Protestants and Catholics in this country; there are some other subjects of Her Majesty; the hon. gentleman knows it. There are some Jews. In England, in France, in Germany, in all the civilized nations of the world, they are a respected set of individuals. They have consciences, too; and though not believing in their faith, I am not ashamed to show their way of thinking. They rely upon the Bible, and upon the Old Testament, and what do they find there? They find the words of God himself. The hon. mover of the Bill himself believes that what I will read there is the word of God. Take Genesis—some hon. gentlemen laugh, but perhaps it will do them good to hear again what they learned by heart when young. Take paragraph two, which reads:

And God blessed the seventh day and sanctified it: because that in it he had rested from all his work which God created and made.

There, it is the seventh day which God made holy, and then, if you look to Exodus, paragraph twenty—I am told that in English we should say verses—verse 20, subsection 8. I may be more correct, perhaps, in saying chapter 20 and verses 8, 9, 10 and 11:

Remember the sabbath day, to keep it holy. Six days shalt thou labour and do all thy work: But the seventh day is the sabbath of the Lord thy God: in it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates: For in six days the Lord made heaven and earth, the sea, and all that in them is, and rested the seventh day: wherefore the Lord blessed the sabbath day, and hallowed it.

The Jews took those texts among others—there are hundreds of them—and say that the law that God gave to his creatures is to keep holy the seventh day. And they ask by what authority we change the law of God and celebrate the eighth day instead of the seventh. This is a very important point, and I am sure that the hon. mover of the Bill (Mr. Charlton) is ready to give his authority. Now, there is another sect or religion which says: We do not rely upon the Old Testament, but upon the New Testament, and according to the New Testament it is ordered that we should go on celebrating the seventh day and not the eighth day. These people rely upon the New Testament, and have even suffered death to prove their belief. I hold in my hand a book entitled "The Faiths of the People," by Molloy, and I will draw the attention of the hon. gentlemen to page 209 at the end of the chapter. He will see there the reasons these people give for going on celebrating the seventh day. I shall not trespass upon the time of the House by giving quotations, but I ask the hon. gentleman to show us one word in the New Testament where the Son of God took it upon himself to change the day ordered by His Father to be kept holy. The Seventh Day Baptists or Adventists, who celebrate the seventh day, say to the mover of this Bill: To whom do you submit when you keep holy the eighth day? And they accuse him of submitting to the Catholic Church. They say to him: In celebrating the eighth day of the week, you admit the authority of the Catholic Church and its right to impose discipline. They admit that the Catholic Church has received from God the power to dictate to the people its law as to the doctrine to be followed. That is the charge which the Seventh Day Adventists make against the hon. gentleman. The hon. gentleman knows, and he will find it in his own authorities, that Sunday is of Apostolic tradition. In the first centuries,

Mr. ANYOT.

as shown in the book I have here, in many parts of Christendom, sabbath was celebrated, but the Catholic Church changed the day, pretending that it had the right so to change it, pretending that it was established by the Son of God and intrusted with all powers. And it is in virtue of that belief that the church changed the day, and that is why the Seventh Day Adventists say to the hon. mover of the Bill: You believe, like us, in the New Testament, why do you give up your belief in the sabbath celebration? Why do you submit to the Romish Church? Why do you admit the traditions of the Apostles? If you admit one, you admit them all. You admit the absolution given by the priest, you admit the sacraments of that church. But they say: We believe in the Word of God the Father in the Old Testament, and in the Word of God the Son in the New Testament, and we stand by that, and will not submit to the dictation of any other church, which is only assuming powers it has not received. As for us Catholics, Mr. Speaker, we shall celebrate our Sundays as we please, provided we do not interfere with your civil rights, and if we do, go to the provinces and you will receive protection. When we joined Confederation, we joined it as a commercial partnership, and not as a salvation army. We do not believe in this Parliament turning itself into a salvation army, and with drums and fifes trying to force us into Heaven. The hon. mover of this Bill says he wishes to protect the rights of conscience. Is he doing that when he wants to impose upon the Jews the obligation of keeping the eighth day instead of the seventh? Does he protect the rights of conscience when he seeks to impose upon the Jews to keep the first day of the week instead of the seventh? Does he protect the rights of conscience when he wants to compel the Seventh Day Adventists to celebrate the first day of the creation instead of the seventh? Does he protect the rights of conscience when he seeks to compel a great number of his fellow-citizens to disobey the Word of God and to obey the words of a church of which they do not approve? The hon. gentleman must remember that in proposing his Bill he acts not only contrary to the constitution which I read a moment ago, but also contrary to the general understanding which prevails in this country and which was summed up in a proclamation by Her Majesty the Queen in 1858, which is as follows:—

Firmly relying ourselves on the truth of Christianity, and acknowledging with gratitude the solace of religion, we disclaim alike the right and the desire to impose our convictions on any of our subjects. We declare it to be our Royal will and pleasure that none be in anywise favoured, none molested or disquieted by reason of their religious faith or observance, but that all shall alike enjoy

the equal and impartial protection of the law ; and we do strictly charge and enjoin all those who may be in authority under us that they abstain from all interference with the religious belief or worship of any of our subjects, on pain of our highest displeasure.

These are the words not only of the Queen, but of the Parliament of Great Britain. This is the rule which should be recognized in this country. We should not interfere with the religious belief of our neighbours. Everybody should enjoy complete liberty, provided that liberty does not interfere with the liberty and civil rights of others. But the hon. gentleman wants to force those who are not of the same belief with himself to observe as the sabbath some other day than that which they believe to be the sabbath, and even to force those who, like himself, desire to observe Sunday, to observe it in the way he believes in and not in the way they believe in themselves. That is not protection of civil rights ; it is interference with civil rights. Mr. Speaker, I do not wish to take up too much of the time of this House, but I have given briefly the reasons why I oppose this Bill : First, because the Bill is unconstitutional ; second, because it is useless if it were unconstitutional, because the provinces take charge of these matters ; and, third, because the Bill is an undue interference with the belief of others.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. LANGELIER. I cannot think that this clause was intended to be seriously pressed. It would send to jail the children engaged in selling newspapers, who have no other means of livelihood, and who, in many cases have others dependent upon them. I do not suppose the mover of the Bill contemplated anything of that kind.

Mr. BECHARD. I think that that portion of the section which refers to the distribution and circulation of newspapers on Sunday, making those who engage in it guilty of an indictable offence, is very objectionable. I do not know how it is in the province of Ontario, but in the province of Quebec, in the rural districts, where there are only small villages, it is the practice of the farmers, who generally take but one weekly paper, which generally comes to the post office on Saturday evening to get these papers on Sunday after divine service. They take the opportunity while they are in the village and near the post office to go there and receive their newspapers and their letters, in order that they may read them in the afternoon. That is not considered there a violation of the observance of the Lord's Day, and if this clause was adopted it would subject the whole population there to great inconveni-

ence. The most part of these people do not live near the post office, but a mile or two, or even three miles away ; and it would be very inconvenient for them to interrupt the day's work to drive in to the village merely to call at their post office for their paper. For these reasons I object to this clause. So far as the printing of newspapers on Sunday is concerned, I have no objection that that should be prevented.

Mr. CHARLTON. The object of this clause is to deal with a great evil, such as has arisen in the United States, the publication and circulation of Sunday newspapers which are printed on Sunday, circulated on Sunday and sold on Sunday. I can understand the force of the objection raised by my hon. friend with regard to the withdrawal of letters and newspapers from the post office. The design of the section is not to prevent that.

Mr. BECHARD. Then I wish you would amend it.

Mr. CHARLTON. In the United States, about fifteen years ago, the publication of a Sunday newspaper was commenced. The first Sunday newspaper was published in Philadelphia. The evil has grown very rapidly, and to-day seven hundred daily newspapers are published on Sunday in the United States, and these newspapers are furnishing to the people a class of reading matter which is highly objectionable, made up of gossip, scandal, stories—often of a very objectionable character—all promoting crime, dissoluteness and immorality, and dragging down the religious and moral life of the community. The circulation of these newspapers is depriving the public of all taste for religious reading or for solid reading of any kind. The Sunday newspaper begets a trifling, superficial character in the population, and the Sunday newspaper is a fruitful source of crime, irreligion and godlessness in that country. And the character and operation of the Sunday newspaper and the results produced by it are clearly discernible and well recognized by all observers of society there. The Sunday newspaper is the greatest curse in that country. It is dragging that country down in the scale of morality and in the scale of all that is desirable in the character of a nation more rapidly than any other influence. Now, I am thoroughly convinced that if we strangle this monster at its birth, we will confer upon Canada an untold blessing. If we do not do this, in my opinion this country will follow the example of the United States, and in a few years we will have a great number of Sunday newspapers published, with the same results as relates to the morals of this country, and as relates to its well-being.

Mr. AMYOT. Which paper is that ?

Mr. CHARLTON. Any newspaper that is a violation of God's command stands as an enemy of everything that is religious.

Mr. AMYOT. Are they worse on Sunday than on other days? Are they only bad on Sundays?

Mr. CHARLTON. Labour may be justifiable on a week day, and bad on a Sunday. An act that is justifiable on a week day may not be permitted on the seventh day, it may be quite inconsistent with the commands of God; and this great American anti-christ, the Sunday newspaper, is in the highest degree detrimental to the best interests of a nation, although the same paper may be very properly published on the other six days of the week. But I do not propose that this clause should prohibit a man who goes to church on Sunday, from going to the post office, providing it is opened, and taking out his newspaper. That is not at all the object of the Bill, but the object is to prevent the printing, the publication, and the sale, the hawking around the streets of cities and towns of a Sunday newspaper, and it is for that purpose the section was drawn.

Mr. JEANNOTTE. (Translation.) The hon. promoter of this Bill (Mr. Charlton) has given the reasons why the committee should pass it. He contends that should we pass it, it would have the effect of stopping the reading of bad books; then he adds that if we should prohibit the printing of such bad books, one would reach a second result: that of preventing the reading of the same. These are the only two reasons alleged by him to induce us to pass the first section of this Bill. Should such reasons be worth nothing, as I hope I can show, it will follow, of course, that the section itself is not worth more than the reasons given. The first reason set forth by him is that this Bill will result in preventing the printing of bad literature. I suppose he means by that, immoral literature. Will it prevent people from printing the same on Saturdays? And if there is any printed, will it prevent people from reading it on Sundays? If there is any printed, who will prevent the buying of it on Saturdays or other week days, so as to read it on Sundays? It seems to me these few words show the weakness of this first reason, and that the promoter of the Bill cannot, by means of this legislation, reach the end he has in view. In the second place, the hon. gentleman contends that if we should prevent bad literature from being printed and sold on Sundays, we would compel people to read good books and thereby prevent any wrongdoing. This is a still greater mistake, I think. If there is nothing to keep the people at home—and I see nothing in the Bill that provides for that—they will go elsewhere and they will do what is wrong without you being able to reach them through your law. Not only will they do that which is wrong, but they will cause some scandal, which is doubly wrong. If the whole Bill is worth that much, I have no hesitation in

Mr. CHARLTON.

saying that it will never reach the object for which it was introduced. The hon. gentleman is anxious to secure a better sanctification of Sunday, that is the object of his Bill. The great evil he wishes to oppose is the unobservance of the Lord's Day. It will be readily seen, by the explanations he has just given, that he will never reach that end we are forced to, the undoubtable, certain, positive conclusion that the Bill can have no practical result. The only effect of the forbidding of any printing on Sundays will be to induce people to work on Saturdays and other week days, to bring out the bad literature and sell it as quick as possible before reaching Sunday. As people have hardly time on Saturdays to make a choice, they will buy whatever is offered to them without looking closely into it, without selecting, and on Sunday, they will spend their day reading that bad literature. I think, therefore, the hon. gentleman will not succeed by means of this Bill in securing the sanctification of the Lord's Day.

Mr. MULOCK. I move to insert in the second line, after the word "printing" the word "or," and strike out the words "or delivery." Also to strike out in the tenth line the words "distribution or circulation." It would then read as follows:—

Whosoever shall on the Lord's Day, either as proprietor, publisher or manager, engage in the printing or publication of a newspaper, journal or periodical, and whosoever shall on the Lord's Day engage in the sale of any newspaper, journal or periodical, shall be deemed guilty of an indictable offence.

Limiting it entirely to the matter of printing and selling.

Mr. MONTAGUE. I would like to call the attention of the committee to the fact that the wording of this clause will make it an indictable offence for a printer to engage on Sunday evening in the typesetting necessary for the publication of the journal on Monday morning.

Mr. CHARLTON. He is not engaged in printing for publication on Sunday morning.

Mr. AMYOT. I may inform the hon. gentleman that in Quebec we have a very respectable Protestant paper, the proprietors of which begin their work upon it at nine o'clock on Sunday evening, and no one ever found any fault with it. Now, the hon. gentleman says that bad and immoral literature is sometimes circulated on Sunday. Well, immoral literature is as bad on Mondays and Tuesdays as it is on Sunday, so that his reason has no force. Let him prohibit immoral literature every day in the year, if he has power to do so. But after we have fulfilled our religious obligation according to our conscience, he should not prevent us from printing papers for publication the next day. Now, when we go to a city we buy papers in that city on Sunday morning, and we see no harm in it; and

all our country people who go to church on Sunday, get their mail on Sunday, and no one has ever seen any harm in it. If the hon. gentleman has such a delicate conscience that he cannot do that, let him abstain from doing it, but let him not try to prevent others from doing it. If his conscience is so delicate that he is not able to live with those who live an ordinary life, let him retire to some monastery and there he will suffer no scandal. I am sorry to have to say that his proposition is nothing but bigotry, he wants to impose his own very narrow views upon others. He knows that his Bill is not approved by this House, is not approved by this country. Then why does he persist in coming here and trying to stir up the passions, the fanaticism and the bigotry of some of the electors, and embarrass his colleagues, as he does every year? I think he should not do it, he is not sent here for that purpose. I tell him that he will not be approved, at all events, in our province, where we respect the liberty of all. He will not find in our province many sensible men to agree with him that we should be prevented from going to the post office to get our papers and letters on Sunday, that we should be prevented from buying the Montreal 'Star,' or the Montreal 'Herald,' or the Montreal 'Gazette' on a Sunday morning in Quebec, or that we should be prevented from buying even good papers on Sundays wherever we may be able to procure them. He has his own way of serving his God. We respect him, we do not want to deprive him of his liberty. Let him do the same with us.

Mr. DAVIN. I would like to point out to my hon. friend who has charge of this Bill, that this clause does not go far enough. The clause as it reads declares that anybody who shall on the Lord's Day, either as proprietor, publisher or manager, engage in the printing, publication, or delivery of a newspaper, shall be guilty of an indictable offence; and then, whoever shall on the Lord's Day engage in the sale, distribution, or circulation of any newspaper, journal or periodical, shall be guilty. Now, suppose a man were to come down from Toronto on Sunday evening bearing with him a paper that had been published there, we will say, and were to hand it to a friend here in Ottawa; he would circulate the paper, and would be guilty of an indictable offence. So I hardly think that goes far enough. I think the hon. gentleman should say that anybody that reads the paper on the Lord's Day is guilty of an indictable offence.

Mr. LANGELIER. That proposition would have some sense.

Mr. DAVIN. I say that is the logical way to act, because when we are legislating in this manner and spirit, we should not merely punish people for holding out a temptation to others, but we should try, if possible, to keep the community as righteous as it is within the power of legislation to effect.

Therefore, I hope my hon. friend who has charge of his Bill will act on my suggestion, and will improve it by making the latter part of it read as follows:—"The person who distributes or circulates any newspaper, journal or periodical, or shall read a newspaper on the Lord's Day, shall be deemed guilty of an indictable offence."

Mr. COATSWORTH. The hon. gentleman has attempted to be very funny respecting this Bill.

Mr. DAVIN. I hope the hon. member will not impute improper motives to me.

Mr. COATSWORTH. I beg pardon. If the hon. gentleman was not trying to be funny, everybody thought he was, and I believe he had some thought of it himself. I have heard the hon. gentleman argue on this Bill before, and his argument was just as illogical before as it has been to-night. The last time I remember he spoke on the Bill the ground he took was this: that it could not possibly be wrong to do on Sunday what it was right to do on Saturday, and it would be very improper for us to say that it is right to do certain things up to twelve o'clock on Saturday night, and yet be wrong to do them on Sunday. That is on a par with the proposition which the hon. gentleman has made just now. I should like to call attention to this fact, as I took occasion to do in answering his arguments before, that it is wrong and unlawful in this province for a man to sell liquor at five minutes past seven on Saturday evening, whereas at five minutes to seven it is perfectly right and lawful to do so. If we were to follow out his proposition to its logical conclusion we would not only in the case of liquor punish the man who sold liquor after seven o'clock on Saturday, but punish any man who drank liquor after seven o'clock. I think the hon. gentleman knew he was making a very ridiculous proposition and trying to bring the Bill into ridicule, instead of treating it with respect.

Mr. DAVIN. Not at all.

Mr. COATSWORTH. I go as far as any one in my desire to avoid trenching on the religious views and liberties of anybody in this country. So far as that is concerned it may well be argued that on religious ground we are entitled to defend the Bill of the hon. promoter. At the same time there is another ground on which it may be supported, and it is a ground which cannot be overlooked by this House, and that is the effect on the working classes of the introduction of Sunday labour on newspapers, or in any other direction. It has been proved by long experience, not only in this Dominion, but in every other country, that one of the most demoralizing things is that men shall be compelled to work seven days in the week. It is one of the laws provided by nature that a man in order to work properly must rest at least one day in seven. What would be the

effect of the general introduction of Sunday labour? It would mean this: that men in order to keep their positions must work on Sunday. Unfortunately there are works of necessity that must be done at the present time, and consequently many men are engaged in Sunday labour who would very much prefer to be at home with their families. I have met while in the United States practical illustrations of this, and of the difficulties which stood in the way of workingmen. Men were notified to work on Sunday, and if they did not attend they lost their situations. I do not think we should do anything to place our workingmen in such a position, but we should place them in a position where they are entitled to a day of rest, and that day of rest on the same day as other men, as far as it is possible to do so. So on this ground, if not on the religious ground the Bill should pass. I believe myself, with the promoter of this Bill, that on the ground of sanctity of religion, and of the day itself, we should endeavour, as far as possible, to prevent any one engaging in labour; but even putting it on the lower ground, and that is the ground of practical utility, we should, as far as possible, prevent any work being done on Sunday so that our workingmen may have a day of rest. A suggestion was made by the hon. member for Haldimand (Mr. Montague) that I do not think can be overlooked, and it is that the publication of the Monday newspaper begins about nine o'clock on Sunday evening, and if we are not satisfied that the Bill is so framed as to permit of the men going to work—for I presume it is a work of necessity in view of the commercial and general interests of the country—we should amend the Bill in accordance with that suggestion. I trust no more ridicule will be thrown on the Bill, but that it will be treated in a fair and impartial spirit, and if I have misinterpreted the hon. member for Assiniboia (Mr. Davin) I sincerely beg his pardon, for I would not endeavour to do so.

Mr. DAVIN. I did not intend to occupy the time of the committee at any length in regard to this measure, but I shall now, with the permission of the committee, devote a few minutes to the serious discussion of this question. The hon. member who has just taken his seat thinks it very illogical that one should approve of closing public houses at a certain time on Saturday, and yet disapprove of legislation such as this under consideration. The hon. member made some reference to my logic. May I point out to him that there is no analogy whatever between the sale of intoxicants and the sale of newspapers. The sale of intoxicants is connected in every mind, and properly so, with disturbance, with rowdyism, with the expenditure of the wages of the artisan. No such ideas are connected with the publication or sale of newspapers. But I understood from the hon. gentleman who has just resumed his

Mr. COATSWORTH.

seat, and from the hon. member who has charge of this Bill, that they regard it not merely from the hygienic point of view, which is a very wholesome one, of a law to secure a seventh day for rest, but also from the most sacred standpoint of religion, and I have time and again heard emphatically and ably stated the views of the advocates of the sabbath and Lord's Day observance from the standpoint of religion. Let me say to the hon. member for East Toronto (Mr. Coatsworth) that there is no language within my control that would express my view of such opinions as have fallen from him in the course of his speech. He has told the committee that we should regard this day from the religious standpoint, that the twenty-four hours should be observed with Mosaic exactness; yet he told the committee that in consideration of the commercial interests involved and at stake we are to invade the sacredness of the day and flout the will of Heaven from eight to twelve on the sabbath evening. If the religious education of my hon. friend is such that he can take that precise view of the strictness of sabbath observance, all I can say is that he might go back to Sunday school once more, and I would wish him a more instructive sabbath school teacher than he seems to have had. I know no kind of movement in Parliament so calculated to strike at all the advantages we have at the present time in a seventh day of rest as such legislation as this brought forward by the hon. member for North Norfolk (Mr. Chariton). Sir, I will tell you why. It will not bear the artillery of logic; it will not stand discussion; because here is the instructed advocate of it, here is a Daniel come to judgment from East Toronto (Mr. Coatsworth); here is an hon. and learned gentleman—not only technically learned, but literally so—and when he comes to support the Bill he tell us in tones that would have done justice to any pulpit: 'Oh, the seventh day is sacred: I should like to support the Bill from that point of view, but gentlemen, for God's sake don't carry it out to its full extent, because commerce might be seriously interfered with if printers were not allowed to work from eight o'clock to twelve o'clock on Sunday evening.' If a Bill of this kind is to be discussed in that fashion, what is to be the end of the seventh day of rest as we have it now? Are we to have such a Sunday as we at present have in Canada, a Sunday in which I rejoice, a Sunday in which there is no such traffic as disfigures cities in the United States and cities on the continent of Europe; or are we to have the United States and continental sabbath? I have travelled in the United States and I have travelled in Europe, and I appreciate the civilization of continental Europe, but I can tell you, Mr. Speaker, that no words of mine could express the appreciation I have for the English way and the Canadian way of spending the seventh day; and, Sir, the English and Cana-

dian way of spending the Sabbath is the common-sense way. We do not set that Sunday apart to be observed with a decent abstinence from work and from indulgence in pleasures, for the purpose of keeping the Jewish sabbath. We look upon it in the common-sense way. We say that it is fruitful of good results, and as long as a spirit like that obtains in Canada, so long shall Sunday be maintained in its present way. But the moment you come to bring in Draconian legislation like this, in the end of the nineteenth century, and with the light not merely of our civilization, but I say also with the absolute light of the gospel itself on the subject, the moment you try to bring in this Draconian legislation you will wake up the public mind to discuss this question, and instead of the Judaic and illogical proposition of the hon. member for East Toronto (Mr. Coatsworth) being adopted by the people, they will come to see that there is no foundation in logic or fact for the passage of such legislation. Instead of the pendulum swinging to the puritanical length my hon. friends would like, the pendulum will swing still further in the opposite direction and we shall have the continental sabbath and the American sabbath in Canada. Instead of the newspapers being kept as they are in the background on Sunday (although still occasionally read), they will be sold openly. I have seen the most religious men of all churches reading newspapers on Sunday. I have seen religious men, men whom I highly esteem, some of them pillars of the church, buy newspapers in the Russell House on Sunday. I have seen in Regina very religious men take their newspapers out of the post office; just as religious as any men listening to me now—I am not sure that would be saying much for them—I have seen them reading their newspapers. I may tell you, because I have no objection to take you into my confidence. I once or twice read a newspaper myself on Sunday. But we have no Sunday newspapers in Canada as they have them in New York. We have no Sunday traffic as they have in New York, and I am glad of that. I say that if you are to keep the Sunday as we have it now, it is by adhering to the spirit of the day and time that we will be enabled to have it; and not by trying to force us back to the Puritan Sabbath and to the Puritan idea of the observance of that Sabbath. But that is a day on which thou shalt do no manner of work: that thou and thy manservant and thy maidservant, and thine ox and thine ass shall have rest. There is some consistency in that. But what you want to say in this Bill is, not that thou shalt not bring in thine ox or thine ass to the labour field; but that at eight o'clock on every Sunday evening you shall bring in your printers to work, as the Hon. George Brown used to. He was a good Presbyterian like my hon. friend (Mr. Charlton) who has charge of the Bill, and as I am myself, by the way.

He was a really good Presbyterian. He was a thoroughly religious man like my hon. friend (Mr. Coatsworth), and very logical. What used he to do? He used to bring in his printers on the Sunday evening, but he would have a paper on the windows so that people going to church should not observe the men at work. He did not want to shock their religious nerves, but still he wanted to get the 'Globe' out on Monday morning, and of course great commercial interests might be injured if the 'Globe' did not come out, and especially the commercial interests of the right-hand pocket of the Hon. George Brown. Sir, in the name of everything that is logical and in the name of everything that is sacred, are we to be told that it is the will of Heaven that we should observe this as a Judaic Sabbath, with the strictness of Moses intended, but that nevertheless, for the sake of paltry commercial interests, we are to invade this Sabbath at eight o'clock on Sunday evening by, not bringing in your ox and your ass, but by bringing in to work at the printing case, men and women with immortal souls, in order to set up a paper so that no commercial interests may suffer.

Mr. MASSON. I think that after the admission of the mover of this Bill, that the printing of papers on Sunday night is necessary and should not be affected, the first part of the clause under consideration should be struck out. I believe that the object the seconder of the Bill (Mr. Coatsworth) has in view, and the object which I suppose the mover of the Bill has in view, might be met by preventing the sale of the paper on Sunday. I think that is all they are really aiming at, because the hon. gentleman from East Toronto (Mr. Coatsworth) certainly does not want to prevent the printing of the paper on Sunday. He is quite willing that the printer should come at eight o'clock on Sunday night and do the printing and, therefore, it would be logical that he should consent to the striking out of the first part of this section. But, Sir, that was not the principal object to which I wish to call the attention of the committee. In reading this section of the Bill in connection with the Ontario Act respecting the same subject, it is quite clear that this Bill, although purporting to deal with criminal law, is really an attempt to supplement the Ontario Act, and to extend the Act over the rest of the Dominion. The first section of the Ontario Act says. The first section of the Ontario Act covers a very wide field:

It is not lawful for any merchant, tradesman, artificer, mechanic, workman, labourer or other person whatsoever, on the Lord's Day, to sell or publicly show forth, or expose, or offer for sale, or to purchase, any goods, chattels, or other personal property, or any real estate whatsoever, or to do or exercise any worldly labour, business or work of his ordinary calling.

Now, in addition to these broad words, the

promoter of this Bill wants us to say emphatically that no person shall sell, distribute or circulate any newspaper, and that any person doing so will be guilty, not of an offence under the Provincial Act, but of an indictable offence. Now, if it is necessary to make the sale of newspapers an indictable offence, where is the logic in the promoter of this Bill when he fails to make the sale of other goods and chattels an indictable offence? If it is necessary for him to make the opening of canals or of the doing of the other works mentioned in the Bill indictable offences, why does he omit to provide that the holding of political meetings shall be an indictable offence? That is made unlawful under the Ontario Act: why does he not make it an indictable offence under this Act? The Ontario Act forbids games and amusements why does he not make games and amusements indictable offences? The Ontario Act forbids hunting, shooting and fishing; why does he not make these indictable offences? The Ontario Act prohibits excursions by steamboat or by railway; the hon. gentleman should deal with these also. Why does he single out such things as the selling of newspapers and railway traffic, and fail to deal with the others? If the sanctity of the Lord's Day is what he wishes to protect, why does he allow amusements, such as shooting, hunting, bathing and Sunday excursions, as well as the selling of goods and chattels and real estate, all to go unpunished as indictable offences? I think the Bill should either embrace these or it should leave out the selling of newspapers. It is surely no greater sin to sell a newspaper on Sunday than to sell dry goods, groceries or hardware. The Ontario Act forbids engaging in all business or labour in the ordinary calling. I question even if the Ontario Act does not cover the very ground the hon. gentleman does in his Bill; I question if it does not forbid the selling of newspapers, which would be the ordinary calling of those engaged in that business. So far as the printing of a newspaper is concerned, I think we may take it as admitted by the promoter that he does not wish to interfere with that. That being the case, if the committee is of opinion that the first clause should pass, I think the first part should be struck out, namely, these words:

Whosoever shall on the Lord's Day, either as proprietor, publisher or manager, engage in the printing, publication or delivery of a newspaper, journal or periodical.

The latter part, referring to those engaged in the sale, distribution or circulation of the newspaper, would meet the case. That would prevent the newspaper being placed in the hands of readers on the Lord's Day. If that is all the hon. gentleman is aiming at, what is the necessity of providing that in certain hours it would be lawful, while in other hours it would be unlawful?

Mr. MASSON.

Mr. McMULLEN. The hon. gentleman who has just sat down does not seem to realize the object of the hon. member for North Norfolk in bringing forward this Bill. It is for the purpose of reaching an evil which now exists to a very great and injurious degree in the United States, and which may be imported and get a foothold in this country; that is, the publication and sale of newspapers on Sunday. My hon. friend, in his opening address, dwelt very fully with that feature of the Bill. The hon. gentleman will admit, I think, that the Ontario statute does not apply to that particular offence, and my hon. friend has prepared his Bill to cover it. With regard to the remarks of the hon. member for West Assiniboia (Mr. Davin), I heard him say that he was a good Presbyterian. Well, I must say, from the opinions he has expressed in the House, it is no compliment to Presbyterianism for him to say that he is a Presbyterian. With regard to his remark about the Hon. George Brown, I am exceedingly sorry that the hon. gentleman felt it his duty to disturb the remains of a man who was recognized by all parties in this country as a great leader and a conscientious, honourable man, by reflecting upon his character in saying that he pasted papers upon his window on Sunday evenings so that his labourers might not be seen at work. I do not think the hon. gentleman was justified in making that statement. I think, out of respect to the memory of that great statesman, a man who was recognized as such both by Conservatives and Reformers, the hon. gentleman ought to withdraw that slur upon him. We all know that newspaper publishers say that they cannot get a paper out on Monday unless they are permitted to do some preliminary work on the evening of the Lord's Day. My hon. friend in his Bill simply provides for the suppression of a paper issued and sold on the Lord's Day.

Some hon. MEMBERS. No.

Mr. McMULLEN. Yes, the printing, publication or delivery of a paper on the Lord's Day. Does any person mean to say that the preliminary work which is done on the evening of the Lord's Day is printing?

Some hon. MEMBERS. Yes.

Mr. McMULLEN. It is not; it is work preliminary to printing. That is not what my hon. friend aims at by any means. He wants to reach the publication and the sale of the Sunday newspaper, not the preliminary portion of the work. That may be looked upon as a desecration of the Lord's Day, but my hon. friend's Bill does not deal with that. It deals with a great common evil, which has got a footing on the other side of the line, and has become in that country a national curse.

Mr. DAVIN. I did not mean to cast any slur upon the Hon. George Brown. It can be no slur to speak the truth. The hon. gentleman does not mean to assert that I did not speak the truth?

Mr. McMULLEN. I do not know what you spoke.

Mr. DAVIN. The politeness of the hon. gentleman is on a par with his piety. The demeanour of the hon. gentleman is as straight and as spotless as his sanctity, and his sanctity and his Presbyterianism amount simply to this, that he wants to keep the outside of the platter clean. That is the sort of thing, that is the kind of argument that I impugn, and that I illustrated by referring to the Hon. George Brown's conduct, illustrating, in my opinion, the attitude that we see assumed, not merely by Presbyterians, but by religious men of other professions. And I say it is a scandal to Christianity and a slur upon religion, because in utter defiance of the denunciations of the founder of Christianity, their desire is to keep the outside of the platter clean. They are like the Scotch Presbyterian girl, who, when her admirer arrived, said to him: Dinna ye ken it is the Sawbath, mon? And he had to beat a retreat. The hon. gentleman said, or seemed to indicate, that I wished to pay a compliment to Presbyterianism by saying that I was a Presbyterian myself. No, Mr. Speaker, I did not. I know what great things Presbyterianism did for Scotland. I know the great achievements of its master minds—such men as Knox, who scorned hypocrisy, who had more of Christianity in his heart than he had even on his tongue. I know all that. I wished to pay a compliment to myself, and when I said that I was a Presbyterian, all I meant was that in my own town I attend the Presbyterian Church—that I like its simple and severe service, that I admire its doctrines, especially as I see them in the light of the broadening influence of modern synodical discussion. But I may say this, that when I said I was a good Presbyterian, I never intended a compliment to Presbyterianism or otherwise, but to indicate that there was nothing in common between Presbyterianism properly understood, and my Presbyterianism, and that snuffing kind of Presbyterianism of which the hon. member for Wellington (Mr. McMullen) is an embodiment and exponent.

Mr. MASSON. I would like to say one word in reply. The hon. gentleman says that the object of the promoter of this Bill is to meet a matter that the Ontario Act does not meet, in reference to the sale of newspapers on the Sabbath. Now, my answer, and the logical answer, to that is, that if it is in the power and jurisdiction of the provincial Government to pass such a section as the one I read a few minutes

ago, forbidding all manner of mechanics and workmen and labourers from pursuing their ordinary calling on that day, it is within their jurisdiction to extend that provision to the sale of newspapers. Let the people of Ontario go to the Ontario Government and get the Act extended so that it will apply to this matter. But do not come here and make a crime of the simple act of selling newspapers, while leaving untouched the selling of real estate or goods and chattels on the Sabbath. Surely it is improper to make the sale of newspapers or periodicals a crime, while other chattels may be sold without the act of selling them coming under our criminal law. The hon. gentleman does not aim at preventing the preliminary work of getting a newspaper ready for an early hour on Monday morning. The articles have to be prepared and the type has to be set before Monday morning, and that work is universally done on Sunday night. The hon. gentleman, however, judging from his remarks, does not wish to prevent that. The preliminary work may be done, the composing may be done, the manual labour of setting type must be done, but when it comes to the machine work of printing, that shall not be done. Is there any logical distinction between the two? If it is wrong to put the paper through the printing press, it is wrong to do the type-setting and the writing. Where are you going to draw the line? I say draw the line where it meets the public, and I am with you. Prevent the sale and I am with you. I am even willing to go further than this Act, and to make each one of those things that are declared in the Ontario Act unlawful, a crime, if necessary, in order to bring them within this jurisdiction. But let it be in matters that affect the public, matters that touch the public, so that it is not only the persons engaged in the work, but the public whose devotions are interfered with. The Ontario Act is confined to such things as come in touch with the public. The carrying on of ordinary business, the opening of stores, the holding of political meetings, excursions—all these things which come in contact with the public, are prohibited by the Ontario Act. Let the hon. gentleman so amend his Bill that it will affect only that which comes directly in contact with the public. I would suggest striking out the first two lines and to "periodical," in the third line, and making the section read as follows:—

Whoever shall on the Lord's Day engage in the sale, distribution and circulation of newspapers, journals and periodicals and so on.

Mr. COATSWORTH. As I understand the argument of my hon. friend, it is this, that if you cannot, in an Act of Parliament, cover all the evils that may possibly exist, you should not pass the Act at all. I submit that the proper course for us to pursue is that if the evils that are being met by

the Bill are such as we ought to legislate against, it is no argument to the contrary to say that because there are other evils of a somewhat similar character which are not included, we will not pass the Bill. I do not think that my hon. friend's argument is at all a logical one. I would like to say a few words in reference to the rather sarcastic remarks of my Presbyterian friend from Assiniboia (Mr. Davin). He was pleased to be very witty at my expense. Of course, I do not pretend to the bright flashing wit of the men who come from his country, but at the same time, I think his argument was deficient in logic, and for this reason: It is well known to all of us that the Scriptures themselves recognize the duty of performing what are known as works of necessity and mercy on the sabbath day. I suppose my hon. friend might pick up an argument with me as to what a work of necessity or mercy is. In my opinion, anything that is essential to the welfare of the people, whether of a commercial nature, or otherwise, may be regarded as a work of necessity.

Mr. DAVIES (P.E.I.) Then that is the end of the whole question.

Mr. DAVIN. Have you Scripture warranty for that?

Mr. COATSWORTH. Yes, we have.

Mr. DAVIN. Where is it?

Mr. COATSWORTH. I am afraid my hon. friend has not read the Scriptures or he would know that there is warranty there for the performance of works of necessity.

Mr. DAVIN. Do not be too sure that I could not pass an examination in them better than you could.

Mr. COATSWORTH. I recommend my hon. friend from Bellechasse (Mr. Amyot) to hand over to his neighbour (Mr. Davin) that Book, and if the hon. gentleman will read it carefully he will see that there is Scripture warranty for the performance of works of necessity and mercy upon Sunday. If my hon. friend is not able to find exactly where it is, I will remind him of the case spoken of by our Saviour when he asks, if a man's ox or ass have fallen into a pit, shall he not take it out on the sabbath day? My hon. friend from Assiniboia laughs. I suppose he will try to build up an argument upon the fact that this does not refer directly to the printing of a newspaper. But the principle laid down is that if there is a work of necessity to be done on the Sabbath day; but we ought to avoid works that are not works of necessity. I think we may take even broader ground than my hon. friend from Wellington (Mr. McMullen) has taken. When the printers engage in work for Monday's newspaper from nine or ten o'clock in the evening of Sunday, even though this may be a part of the operation of printing

Mr. COATSWORTH.

a newspaper, yet, taking into consideration the condition of affairs in which we live, it is a work of necessity and essential to our existence as a business people.

Mr. McMULLEN. I just want to say a word or two on the point that has been touched upon by the hon. member for Toronto (Mr. Coatsworth), and mentioned also by the hon. member for Grey (Mr. Masson). I quite agree with the remarks of the hon. member for Toronto when he says that simply because the Bill does not reach every case that may be found that is no reason why it should not be passed. The hon. member for North Norfolk (Mr. Charlton) in this Bill is aiming at one thing—the Sunday newspaper. When you take the objection that others are engaged in the preparatory work of the paper to be issued on Monday, that is another and a wholly different question. My hon. friend from Grey says the promoter of this Bill should go to the Local Legislature with it. But if the hon. gentleman had read the rest of the Bill, he would see that subsequent clauses cover offences that cannot be reached by the Local Legislature. For instance, he proposes to reach the violation of the Lord's Day by railways, which undoubtedly are under the control of this Parliament. He proposes also to meet the violation of the law by the operating of canals, which is unquestionably a matter under Federal control. Now, with regard to my hon. friend's reference to the hon. member for Assiniboia (Mr. Davin), and speaking of Scripture authority for performing works of charity and mercy on the Lord's Day, it seems to me that the hon. member for Assiniboia has fallen into the pit, though I do not say he belongs to either of the classes mentioned in the quotation given by the hon. member for Toronto. After what the hon. gentleman says about Presbyterianism, I have still to express my regret that he claims to belong to that denomination. The hon. gentleman says that he is a regular attendant when he is at home. I am sorry that he does not keep up his attendance while he is here. It may be, however, that he is among his constituents when he is at home he has a political object to serve in attending which does not move him while he is here.

Mr. AMYOT. It is as well to understand each other and to state facts as they are. It is well known that in our country all the morning papers begin work for Monday's paper on Sunday evening. I do not blame them for that. The typographers begin their rest on Saturday evening. They follow the old rule, which some still favour, of beginning their day of rest with the evening, and they resume their work on Sunday night. Their religious convictions allow them to do it, and I do not see the harm in doing it. I have here a statement showing that in Montreal the 'Gazette,' the 'Herald,' and 'La Minerve'; in Quebec, the 'Chron-

icle'—and when there was a Catholic French paper, the same was true of it; in Toronto, the 'Globe,' the 'Empire,' the 'Mail,' and the 'World'; and in Ottawa, the 'Citizen,' begin the work for Monday's paper on Sunday. They all do it.

Some hon. MEMBERS. Oh, oh!

Mr. AMYOT. I hope this committee will not give a false interpretation to my words. And if the newspapers do this, those who receive their papers on Monday share the responsibility. Now, why would it be more allowable for the typographer to work from seven o'clock till twelve on Sunday than for a man or boy to sell a paper on Sunday morning. If the paper is immoral, it is an offence against the laws of the country, whether it is issued on Sunday or any other day. But if it is a good newspaper, and if the workingman has only Sunday afternoon to read that paper, why should they deprive him of the opportunity? Would it be better for the workingman to buy a novel during the week and read it on Sunday afternoon? If the paper contains the speeches of the hon. mover of this Bill, and if a man reads it on Sunday afternoon, he gets a spiritual lecture, sure. If he reads a paper stating the fact that in the United States immorality is so spread that the sabbath is not observed and the literature is corrupt, and that it is with this country that we are urged to negotiate free trade, undoubtedly the effect of the Canadian people reading that on Sunday will be that of a spiritual lecture and a very useful one. Now, by what right does the hon. gentleman seek to deprive the people of our province of having their newspapers on Sunday? The hon. gentleman has not answered that. If, when we went into Confederation, we had been told that we were joining the Salvation Army, and would have to change our mode of keeping Sunday, we would not have given our consent. We went into a commercial partnership, leaving religion alone. On what ground does the hon. gentleman, because he thinks it is improper to buy a newspaper on Sunday, seek to compel us to believe the same? Is that tolerance? We have always received our papers on Sunday, and we wish to continue doing so, and the hon. gentleman has no jurisdiction to deprive us of that right. Is it for the sake of religion? I say that he is not my priest or my missionary; he has no jurisdiction in religious matters. I know, perhaps, as much as he does of religious matters; I have read the Bible, perhaps, as much as he has done, and I have studied those questions as much as himself. But at all events, if I have not, others in my province have studied those questions, and I prefer to follow them rather than the hon. gentleman. I say that he has no jurisdiction, and not much knowledge in religious matters. He speaks of the matter of health. Well, he is not a good doctor in

that respect, either. The workingman who begins his rest on Saturday night and rests till Sunday night, rests one day in the week, and his health is all right. The hon. gentleman wants to prevent him from working on Sunday night. Will he give that man the necessary food for his family the rest of the week? Will he make good the loss that he will incur? Every one has his seventh day for rest according to circumstances. If you leave aside the religious question, there remains the question of health, and on that point the hon. gentleman is also astray. The hon. gentleman speaks of Sunday newspapers. Does he not know as a matter of fact that those papers are not printed on Sunday, but they are printed on Fridays and Saturdays? I defy him to mention a single paper on this continent that is printed on Sunday to be sold on Sunday as a Sunday paper. Now, the hon. gentleman begins by saying that we have the law of God, and he seems ready to accept the theory that men have power to change or limit the laws of God. The law of God, according to him, begins Sunday morning after 12 o'clock on Saturday night, and lasts till Sunday evening at 12 o'clock; but he thinks he has power to change that and to make it begin at 7 o'clock on Sunday evening, so that people may have the pleasure of reading his speeches on Monday morning. I say he has no such power. If he believes that God has commanded us to keep Sunday without working, he should respect the whole of Sunday; but there again his doctrine is false, and his argument also. He takes good care of the pressmen on Sunday, but what about the compositors who begin work at 7 or 8 o'clock? Are they not entitled to protection? Is it only to the rich man, to the editor, that he extends his protection? Does he think that the compositors are not worthy of his protection? That is the way he treats the poor workingman. Then he will go on to the stump and say: I took the sacred cause of religion in hand, and I prevented work on Sunday, although there may be standing next to him a poor compositor who was forced to work on Sunday night in order that the people might be able to read his speeches on Monday morning. I shall not agree to any amendment to that clause. I see no harm in reading good papers on Sunday, and I think we have no power to deprive the inhabitants of the province of their liberty in that regard.

Mr. MARA. Morning newspapers have been published in British Columbia on Sunday for the last thirty years. Papers are only published six days in the week, but in order that the editors, reporters, compositors and others may enjoy the Sabbath day as a day of rest, the paper is published on Sunday morning instead of Monday. It is claimed by them, and they surely ought to know best, that the work of a Sunday paper is done on Saturday, and the work of a Monday paper is done on Sunday; there-

fore, they claim that by publishing on a Sunday, the Sabbath day is a day of rest, whilst if they had to publish on Monday, they would be compelled to work the greater part of Sunday. Now, the papers that are published in British Columbia are as pure and as clean as the papers published in Ontario. There is nothing immoral or objectionable in the Sunday paper, published in either Victoria or Vancouver, and why should this House dictate to the majority of the residents of Victoria and Vancouver and say that they shall not have the opportunity of reading a Sunday paper? That a large majority of the people are in favour of Sunday papers, is evident from the fact that the leading papers are published on Sunday. The people know very well that they have the law in their own hands. We have in our provincial Statute-book the most stringent Sabbath observance laws, and if the people wished the publication of Sunday papers stopped they have the power in their own hands, and they would certainly use it. I maintain that this clause is an interference with provincial rights; it is an interference with the rights of the people of British Columbia, and on that ground, if on no other, I shall oppose it.

Mr. CHARLTON. The question of the amount of labour involved in the publication of a Sunday newspaper, the question of the labour involved in the work of composition, in the press work, in the editorial work, in the news editor's work, is a question of very small moment in connection with this matter. It is not claimed that the abuses arising from the circulation of Sunday newspapers are confined to the labour performed in the office in producing them. That is not the trouble. It may be true, as my hon. friend from British Columbia says, that Sunday newspapers are published there because their publication involves a smaller amount of labour than it would if they were published on Monday. But the difficulty with regard to the Sunday newspaper is the influence that it has upon society, the deleterious and disastrous influence that is exerted upon society by the circulation, by their reading, and by the sale of that newspaper on the Lord's Day, whether it is published on the Lord's Day morning or upon the evening previous. It is well known that when the first American Sunday newspapers were published, they were, as my hon. friend says the British Columbia papers are, clean and reputable papers. They had a little religious homily in them, but that small modicum of respectability was soon dropped, and the papers gradually deteriorated, they became more and more consonant with the infringement of the divine law that was involved in their publication and circulation upon the Lord's Day. The evil complained of in the United States, the evil that we want to avoid by this Bill, is not the little amount of labour that is involved in setting the

Mr. MARA.

type or in the press work, but it is the influence that that paper exerts when it is spread broadcast over the country, when it is sent by special train, when it is sent by special steamboat, when it is sent by pony expresses and fast coaches, when it is hawked up and down the streets by thousands of newsboys, and when the sanctity of the sabbath is destroyed by this great engine or irreligion, an engine of irreligion that is condemned in the United States by almost every prelate and minister of that country, Catholic or Protestant, an engine of irreligion that was most unsparingly denounced by Cardinal Gibbons, by Archbishop Ireland, by nearly all the Catholic magnates of the United States. Now, Sir, the Bill proposes to deal with the question of Sunday newspapers. It does not propose to say what labour upon a Monday morning paper is right or wrong, that does not come within the province of this Bill. I might say that the Sunday labour involved upon a Monday morning paper was wrong, but the Bill does not propose to make any provision in regard to that at all. The object of this first clause is purely and simply and solely to deal with the evil that it is claimed attends the publication, the circulation and the reading of the Sunday newspaper, which secularizes the day, which banishes religious reading, which the religious community in the United States and in all places where Sunday newspapers are published, feel to be, and know to be, a very great evil, an evil so great that it is sapping the foundations of religious morality in that country. It is not true, as the hon. gentleman behind me claims, that we have no jurisdiction in this matter, that the position taken with respect to the publication of Sunday newspapers is a proof of intolerance. It has been found in many countries in Europe that the Sunday newspaper is an evil. The publication of the Sunday newspaper is prohibited in Holland. An attempt has been made to prohibit it in Austria and Hungary. It is prohibited in Switzerland. A Sunday newspaper is not published in Great Britain. A New York publisher lost a large sum of money in ascertaining English opinion on that subject.

Mr. LANGEЛИER. Do you contend that the publication of a public newspaper is forbidden in England?

Mr. CHARLTON. I say that a Sunday newspaper is not published in England, and the state of public sentiment renders it unnecessary to place on the Statute-book an Act such as is now proposed. Whether the law is to that effect or not, it is a fact that Sunday newspapers are not published there.

Mr. DAVIES (P.E.I.) Yes.

Mr. CHARLTON. There was a Sunday newspaper published by Mr. Gordon Bennet, of the New York 'Herald' in London, and after losing \$400,000 or \$500,000 he suspended its publication. The fact that in various continental countries this evil has been dealt

with, and it is proposed to deal with it still further, the fact that it is a mighty evil, is a justification for this House of Commons to take jurisdiction in the matter and to enact that the Sunday newspaper shall not be published, the all-sufficient reason being that the public interests of Canada require such an enactment to be passed. This measure is not intended to infringe on the liberties of the citizens, to inflict injury on the country, but the intention is to take a definite step to prevent the introduction of an evil here that every well-thinking man will deplore if it is ever introduced. We can deal with this evil by a preventive measure much better than by a measure calculated to remove the evil after its introduction is secured in this country. I am very happy to see evidence to the effect that the weight of opinion in the House is in favour of dealing with the question of the sale of Sunday newspapers. That is what we want to get at. I do not claim that section is faultless; it may be open to objections on the ground that it is ambiguous. The intention of the section is to deal solely with the question of the sale of the Sunday newspapers. Whatever time the type may be set, whatever time may be occupied in running the paper through the press, are matters that are immaterial, but the object is to put an end to the distribution, circulation and sale of the Sunday newspaper. In the opinion of all men conversant with the subject it is an element dangerous to society and something producing most disastrous results.

Mr. AMYOT. What is meant by a Sunday newspaper?

Mr. CHARLTON. In the common acceptance of the term it is a newspaper printed for the purpose of being circulated and sold on that day.

Mr. AMYOT. The Montreal 'Star' reaches Quebec on Sunday morning, and is sold by boys on the streets. Would this Bill affect the sale of the 'Star'?

Mr. CHARLTON. Yes, it would. We might have altered the section by using the word "and" instead of "or," and then it would refer to all the stages of the publication of the Sunday newspaper, and could not be held to refer to anything else. Or, we might insert the words "whoever shall on the Lord's Day engage in the distribution or sale for gain or reward," which would obviate the difficulty connected with the distribution of religious papers, or sabbath school papers, or the taking of newspapers from the post office by people who call there. Or the proposition made by the hon. member for East Grey (Mr. Masson) would serve the purpose, though not so effectively.

Mr. DAVIES (P.E.I.) The suggestion of the hon. member for North Norfolk would not do, because under the section suggested a man would have to print, publish and deliver, and all he would have to do would be

to employ another man to deliver and he would be free.

Mr. CHARLTON. I state the object of the section, and I shall be prepared to accept the best language possible from whatever quarter it may come. It has been claimed that the legislation proposed is an infringement on civil rights, and the hon. member for North Grey (Mr. Masson), although I do not think he would insist on the position he took, stated that if we dealt with this question we should deal with all other questions dealt with by the Ontario law, that we should either embrace all infractions of the divine law or leave them all alone. The object of this Bill is to deal with cases beyond the jurisdiction of the provincial Governments. The Bill when first drafted covered almost all the ground of the Ontario law. It was referred to a special committee, and after consideration all those sections pertaining to provincial jurisdiction were eliminated, and the Bill was framed to take cognizance of those offences that were not under the jurisdiction of the provinces.

Mr. MASSON. Have not the provinces jurisdiction over the sale of Sunday newspapers?

Mr. CHARLTON. I will come to that point in a moment. The provinces could not have jurisdiction in regard to the closing of canals. They could hardly legislate with respect to railway traffic, because railways are declared to be works for Dominion purposes, and under supervision and jurisdiction of the Dominion. It was also held that excursions by railway and steamboat came under the purview of the Dominion Parliament. With respect to the Sunday newspapers, the question was not so clear, and there was ground for the assertion that it came under the jurisdiction of the provincial authority. But it was evident that the publication of Sunday newspapers was a matter of national importance, that it was a matter affecting the whole country, that it was a matter the bearing of which on public morals and public welfare was so great and intimate that the Dominion Government might properly assume jurisdiction with respect to it; and when we take into consideration the fact that the transmission of all literature through the mails is under the jurisdiction of the Dominion Government, also the importation of literature, the prohibition of the importation of obscene literature, and the question of copyright, it became apparent that this broad question was one that might properly be dealt with by the Dominion, and more properly so than by the Dominion Government. Hon. members have referred to the Criminal Code. It contains a class of offences against public order, internal and external. Under that general division we could properly deal with the question in this House. It is a question that pertains to internal and external order. The Criminal Code takes cognizance of offences against religion,

against morals and against public convenience. It prohibits the obstruction of a clergyman in the performance of his duties. I should like to know if it is not against public convenience that newsboys should cry newspapers on Sunday?

Mr. MASSON. Cannot that be stopped by the Ontario Act?

Mr. CHARLTON. It might be. But under our criminal code those acts might be dealt with, and although they may be dealt with by the Ontario Legislature we have a right to deal with offences against religion, public order, public morals and public convenience, and the Sunday newspapers is an offence against religion, morals and public convenience, and against the welfare of the country. It controls the transmission of all printed matter through the mails. It controls the copyright question, and it may properly control all matters which tend towards the welfare of the people. So it may properly control the publication of a Sunday paper. I repeat that I do not propose in this Bill and I do not desire in this Bill to interfere with newspaper office labour, that may be necessary upon papers published on any other day than the Lord's Day. I only propose in this Bill to interfere with the sale and the circulation of the Sunday newspaper, believing it to be a great evil and an evil that we should limit unless we are blind to our interests. We have the example of the United States and we know that the influence of the Sunday newspaper there has been most pernicious. We do not want to copy that American example, but we want to profit by their misfortune in this respect, and to avoid the very thing that all well-meaning men in that country lament and deplore. I submit this proposition either as it stands, or with such mitigation as the committee may deem proper, for the purpose of procuring the prohibition and circulation and sale of newspapers on the Lord's Day. I speak only of Sunday editions.

Mr. MONCRIEFF. Your intention would be to cover the precise acts that the hon. member for British Columbia (Mr. Mara) refers to.

Mr. CHARLTON. Certainly.

Mr. MONCRIEFF. And it would also affect the custom which has for years prevailed in Quebec?

Mr. CHARLTON. Yes.

Mr. MONCRIEFF. I presume that so far as Ontario is concerned the provincial Act now in force covers all that the hon. gentleman desires?

Mr. CHARLTON. No.

Mr. MONCRIEFF. The Ontario Act provides that no person shall sell goods on the Lord's Day, and I presume that would prohibit the selling of newspapers. That Act also says that no person shall do any work

Mr. CHARLTON.

of his ordinary calling on that day, so that to distribute newspapers would be an offence also under the Ontario statutes. Of course if the hon. gentleman (Mr. Charlton) is hitting at all the other provinces as well as the province of Ontario, then his Bill I presume is in the line that he desires.

Mr. CHARLTON. Yes, Mr. Chairman. The provision I deem to be a highly important one. The provision needs to be uniform throughout the Dominion, if the good results that may be naturally expected from it are to be secured. It cannot be partially applied, and if the statements that I make are true, if the influence of the Sunday newspaper is as lamentable as it is said to be, then we can deal with no question of greater importance than the one under consideration.

Mr. MASSON. In order to make the Act accord with what I believe to be the intention of the hon. gentleman (Mr. Charlton) I move:

That all the words preceding the word "whosoever" in the third line be struck out, and also that the words "journal" and "periodical" in the fifth line be struck out.

Mr. FRASER. My only difficulty in the matter is: Whether we have a right to pass this legislation. I have no question at all of the propriety of stopping the sale of newspapers on the Lord's Day. My difficulty is: Is this Parliament within its province in doing that? Even if we were, I think it is hardly fair that this should be an indictable offence. While I am satisfied that the Sabbath day cannot be observed too strictly, still I think that we cannot gain that end by making this an indictable offence. I believe, however, that if the Bill is to pass, the sale of "periodicals" and "journals" should be prohibited as well as that of newspapers.

Mr. CURRAN. There are Sunday periodicals distributed in Sunday schools and Catechism classes, amongst the scholars, which would be prohibited under the section as it stands now.

Mr. FRASER. This clause only refers to the printing.

Mr. CURRAN. The printing has been struck out of the clause altogether.

Mr. FRASER. Certainly this clause would not apply to that kind of literature you refer to.

Mr. CURRAN. It certainly would if it is left as it is now.

Mr. FRASER. There may be religious periodicals, and they ought to be exempted. But there are journals and periodicals which are not distributed to Sunday schools, and which are much more harmful than the ordinary newspapers. I think the distinction ought to be drawn. Sunday school papers should be excepted, but my chief objection is to the penalty being too severe.

Mr. MONCRIEFF. If the section should meet with the approval of the committee, the language, "shall be guilty of an indictable offence," is very objectionable. I think it should read: "shall be guilty of an offence under this Act."

Mr. MASSON. My hon. friend is hardly right in saying that the words "indictable offence" should not apply. I agree with him that it is a little hard to make this one case an indictable offence unless the cases mentioned in the Ontario Act are included. But assuming that the committee is in favour of meeting the views of the promoter of the Bill in regard to the suppression of Sunday newspapers, I am willing that the publication of them should be made an indictable offence. If we read this Act and the Criminal Code together, section 5 only provides for summary convictions, so that the indictable offence is left to be treated according to the Criminal Code, by which it is subject to seven years' imprisonment.

Mr. MACLEAN (York). I move that the committee rise, report progress, and ask leave to sit again.

Mr. LANGELIER. In the province of Quebec a society called the Society for the Propagation of the Faith issues a regular periodical every Sunday, and if this Bill passes, that will be an offence punishable by imprisonment for seven years.

Mr. CHARLTON. By the amendment that is struck out.

Mr. LANGELIER. By this Bill it is desired to compel all the people in this country to observe Sunday as Presbyterians do. Let Presbyterians observe Sunday as they choose; but do not compel us in the province of Quebec to observe it in the same way. We have in Quebec certain holidays which are just as sacred to Catholics as Sunday; yet we do not wish to compel Protestants to observe those days as the Catholics do. We think everybody should be free to observe Sunday as he chooses, provided he does not interfere with his neighbours. But this Bill would have the effect of compelling all people in this Dominion to observe Sunday as the people of Ontario think proper to observe it. Let the province of Quebec be exempted from the provisions of the Bill, and I do not care a pin whether it applies to the other provinces or not. But if it is made to apply to the province of Quebec, I will oppose every clause of the Bill. I regard it as an act of tyranny. It is enough to compel us to observe Sunday as it is observed in Ottawa. Most of the members who vote for this Bill run away from Ottawa every Sunday so as to avoid being compelled to observe it as it is observed here. Let each province be left free to regulate this matter for itself. A few moments ago an hon. member from British Columbia said that the Bill would interfere with the custom of

that province as to publishing newspapers on Sunday. This shows the wisdom of our constitution, which leaves such matters to the local legislatures. Nobody disputes the fact that the local legislatures could deal with all the matters dealt within this Bill. I understand from the remarks made by the hon. member for North Grey (Mr. Masson) that the Legislature of Ontario has passed a Bill more far-reaching than this. We do not complain of that. We are willing that the people of Ontario should be free to observe Sunday as they choose; let us in the province of Quebec be equally free to observe Sunday as we choose. We do not interfere with others, and we do not want any interference from others. The hon. mover of this Bill has spoken of what is going on in Europe. This Bill is intended to take us back to the state of things which existed in England fifty years ago, but which has entirely passed away. I spent Sunday in London in 1863, and I thought I would die from loneliness, having just come from Paris, the difference was so immense. I could not get a cab nor an omnibus. Four years ago I was in London again, and the change was so great that I thought I was in Paris. Cabs and omnibuses and dozens of railway trains were running. Is London more corrupt in consequence than it was in 1863? At every street corner in 1863 I saw drunken men. Four years ago I did not see one drunken man in the streets of London, and I saw hundreds of people going in railway trains to Brighton and other places outside of the city. They were all quiet, respectable people, not one of them giving trouble to anybody. I do not care if it is intended to have Sunday observed in Ontario or in the other provinces as this Bill provides, but in Quebec we do not want to be compelled to observe Sunday in that way. We have our own way of observing Sunday in Quebec; we think it is the best, and I will oppose every clause of this Bill if it is to apply to Quebec.

Mr. CHARLTON. I wish to say that I am very glad to take whatever I can get, provided I get substantially what is asked for, and I have much pleasure in saying that I will accept the amendment proposed by the hon. member for North Grey. I have been waiting for some time to state to the House that that amendment would meet my views. I do not wish the House to suppose that this Bill proposes to restrict any man in his religious rights, or as to the way in which he spends the Sabbath. My hon. friend from Quebec (Mr. Langelier) is not required by this Bill to do one thing or the other. So far as the Bill is concerned, he can go fishing or hunting or to mass, or do what he has a mind to. It simply proposes to provide certain public securities against certain offences against public morals, but it says very little about the individual. I wish to contrast the

opinion of my hon. friend with that of a very high dignitary of the Catholic Church, Cardinal Gibbons, of Baltimore.

Mr. AMYOT. There is a motion before the Chair for the committee to rise and report progress, and the hon. gentleman is out of order in discussing the merits of his Bill on that motion.

The CHAIRMAN (Mr. Denison.) I think the hon. gentleman is in order.

Mr. CHARLTON. I merely wish to contrast the opinion of the hon. gentleman with that of Cardinal Gibbons.

Mr. LANGELIER. We do not want a church authority.

Mr. CHARLTON. You do not recognize him. I do, as a very great and good man. Cardinal Gibbons says :

A close observer cannot fail to note the dangerous inroads that have been made on the Lord's Day in our country within the last quarter of a century. If those encroachments are not checked in time the day may come when the religious quiet now happily reigning in our well-ordered cities, will be changed into noise and turbulence ; when the sound of the church bell will be drowned by the echo of the hammer and the dray ; when the Bible and the prayer book will be supplanted by the newspaper and the magazine ; when the votaries of the theatre and the drinking saloons will outnumber worshippers, and salutary thoughts of God, of eternity, and of the soul will be checked by the cares of business and by the pleasure and dissipation of the world.

This proposal is directly in the line of the recommendations of Cardinal Gibbons and Archbishop Ireland made at that Sunday rest conference. They are directly in the line with the recommendations of religious men in the United States, and these recommendations are no infringement on public liberty, but merely a safeguard for the public good. I support the amendment of the hon. member for North Grey (Mr. Masson) as substantially covering the ground I intended to cover by this Bill.

Mr. LANGELIER. The hon. gentleman has not quoted anything against what I have stated. I am entirely in accord with Cardinal Gibbons and the other authorities. Every one is in favour of a proper observance of the Sunday, but the hon. gentleman will never find one word of Cardinal Gibbons recommending that such literature as the 'Annals of the Propagation of the Faith,' which has been distributed for the last fifty years, should be stopped by this Bill. The hon. gentleman would never attempt to pass such a measure in the Quebec Legislature. Why, then, should he attempt to pass it here ? Is it because we are in the minority ? If he were in the Quebec Legislature, he would never attempt to pass it, but in this House, he thinks he can force us to observe the Sunday in the manner he deems proper. We insist on our right to ob-

Mr. CHARLTON.

serve the Sunday in the manner we deem suitable and proper. We do not want to see in this country a state of things as existed at the time of the Spanish Inquisition, when people were compelled to go to mass or condemned to jail. We think our way of observing the Sunday is the best ; the hon. gentleman thinks his is the best. Let him keep to his way, we do not object, but we do not want to be forced to do anything which is contrary to our views. We have been living longer in this country than the hon. gentleman and his ancestors, and our ways are just as good as his.

Mr. SCRIVER. I think the hon. gentleman displays unnecessary heat in the discussion of this question. There is no clause in the Bill which should provoke his anger to such an extent. He talks of an attempt to restrict the liberties of the Catholics in the province of Quebec, but is it not a fact that there is practically no circulation or sale now of Sunday newspapers in that province, and no occasion for legislation of this kind in that province ? The good morals of the inhabitants there do not call for it, and I would ask the hon. gentleman if it is not his belief that the hierarchy and the priesthood of his own province would be opposed to the state of things which exists in the United States with regard to this very question. If he had travelled in the United States as much as I have and spent as many Sundays as I have there, he would recognize the terrible evils that have grown up and exist there, owing to the circulation of this kind of literature. The aim of my hon. friend's legislation is to prevent the importation into this country of the terrible evils which exist there. It is not to restrict the liberties of the Catholics of the province of Quebec. There is no such contention. It is a tribute to the good morals of the people of that province that this literature does not prevail there.

Mr. LANGELIER. I have read a good deal of what is going on in the United States, and from what I have read it is not the circulation or the distribution of Sunday newspapers that is doing the harm, but the circulation of dime novels. It is not the Sunday newspapers which circulate that kind of literature, and that kind of literature is circulated just as much on week days as on Sundays. But why speak of what is going on in the United States ? Is there anything of that kind going on here ? Are the morals of our population being corrupted by the circulation of Sunday literature ? The hon. gentleman cannot cite one instance. Then why bring up here what is going on in the United States ? We are not legislating for the United States. If there are abuses there, let them be stopped there. But there is nothing to complain of here. I do not see why we should legislate because of something that is going on in the United States.

Mr. SCRIVER. It is wise to legislate in the way of prevention as well as cure.

Mr. SPROULE. The amendment offered by the hon. member for North Grey (Mr. Masson), and also the original Bill, if passed as now worded, would go further than aimed at by the introducer of the Bill. His object is to prevent the distribution or sale of newspapers, because it is immoral, but his Bill would also prevent the distribution of religious newspapers. The sale of the 'War Cry' by the Salvation Army would be stopped.

Mr. CHARLTON. That is not a newspaper.

Mr. SPROULE. It contains a great many advertisements and items of news and religious items, and must be considered a newspaper.

Mr. MACLEAN (York). It gives all the news of the army in all parts of the Dominion.

Sir JOHN THOMPSON. I think we should endeavour to take the decision of the committee on the amendment. There are about a hundred members who have to attend committees to-morrow, and it is getting late.

The CHAIRMAN. Shall the hon. member for York (Mr. Maclean) have leave to withdraw his amendment?

Mr. MACLEAN (York.) Mr. Chairman. I press my motion that the committee rise and port progress, and ask leave to sit again.

Amendment negatived : nays, 45 ; yeas, 56.

Mr. HENDERSON. It seems to me that we should have some better explanation of this first clause from the promoter of the Bill before we proceed to vote upon it. I think that if it is passed it will be nothing more than theoretical legislation, for the clause, it seems to me, is entirely impracticable, or, at any rate, it is very unreasonable. I am surprised at the promoter of the Bill having worded the clause as he has done, considering the practice in his own church. If what we have been doing in the Presbyterian Church is wrong, it is time we should know it. If we pass this clause, then certainly what has been taking place in the Presbyterian Church for years past is wrong, and many of us, instead of occupying a position in this House should be in the provincial penitentiary. I think I would myself come within that category. It has been my habit, on the first Sunday of every month to distribute a periodical, but if this clause should become law, I would be liable to be sent to the penitentiary. In the Presbyterian Church, we have what is known as the Presbyterian Record.

Mr. CHARLTON. That is not a newspaper.

Mr. HENDERSON. It is a periodical.

Mr. CHARLTON. But the word periodical is struck out.

Mr. HENDERSON. I am speaking of the clause as moved by the hon. gentleman ; I do not know that the amendment will be carried.

Mr. CHARLTON. I have accepted the amendment.

Mr. HENDERSON. But even if it is accepted, I think we should look at the absurdity of the proposition that has been made. This Bill has been paraded year after year, and is called a Bill for the better observance of the Lord's Day, whereas, on the face of it, it actually proposes to legalize Sunday labour by a clause which we have yet to reach, and which I do not think this House should endorse or will endorse. As I said before, there is, in connection with my own church, a periodical known as the Presbyterian Record. It is bought in large quantities by nearly every congregation throughout the country, and distributed on the first sabbath of each month to the members of the congregation. We never thought we were doing wrong, but if this clause should pass, as proposed, the person engaged in distributing that periodical would be guilty of an indictable offence. The same is true of the Women's Foreign Missionary Society of the Presbyterian Church. They have what they call their leaflet, and it is a common practice to distribute it among the members of that society on the first Sunday of the month. The Women's Foreign Mission Society of the Presbyterian Church is doing a great work, and the hon. gentleman knows it ; yet he would consign to the provincial penitentiary every lady who engages in the distribution of that leaflet on the Sabbath day. It seems to me that there is a great deal of absurdity in bringing up year after year legislation of this kind. Throughout the country, people are led to believe that the hon. member is doing a good work, and I think it is our duty to point out the absurdity of the legislation he proposes. I am heartily in sympathy with the object of the Bill, or any other Bill that will lead to the better observance of the Lord's Day, but I do not want to see, year after year, absurd, impracticable propositions of this kind brought up and paraded as if they were for the good of the community.

Mr. CHARLTON. Under the amendment which I have accepted, the clause does not include periodicals, and all these publications that the hon. gentleman has mentioned are periodicals. This is confined to newspapers.

Mr. MACLEAN (York). It seems to me that this clause is altogether unnecessary. We have a law in the province of Ontario that meets the case. I may say that I myself was brought up in the Police Court, under that Ontario law and fined for pub-

lishing a Sunday newspaper. I published it under these circumstances. During the North-west rebellion, an important engagement occurred on Saturday, and the news reached Toronto too late for publication in any Saturday newspaper. We published a sheet giving that news, and for doing so we were brought up in the Police Court and fined. That law is still in existence in Ontario; it meets the case; so why pass this unnecessary Dominion law? I agree with the hon. gentleman who spoke recently from the opposite side of the House who said that the provinces could look after themselves in these matters. We hear a tirade here from the advocate of this Bill against Sunday newspapers. But these gentlemen are in this position: If the Sunday newspaper is bad, then every newspaper published during the week is bad, because the Sunday newspapers are no different from the others. If people read the Sunday and week-day newspapers, I should like to know from the hon. gentleman who proposes this Bill how he draws the distinction. The same is true of the Sunday car. We are told, particularly in Toronto, that there is something inherently bad in the Sunday car, and that it leads people to drink, and to the commission of all the crimes in the calendar. I deny that the Sunday car has any more harm in it than the week-day car. On the same grounds, I deny that the Sunday newspaper is any more immoral or tends any more to demoralize the people than the week-day newspaper. The hon. gentleman must first make that clear before he asks the House and the people to change the law from what it is now. This is only an attempt to make the people moral by legislation, a thing which cannot be accomplished, and there is a good deal of humbug and a good deal of hypocrisy in proposing it.

The CHAIRMAN. Shall this amendment be adopted?

Mr. HASLAM. Read the section as it would then stand.

Mr. DEPUTY SPEAKER. It would read like this: "Whoever shall on the Lord's Day engage in the sale, distribution or circulation of any newspaper, shall be deemed to be guilty of an indictable offence."

Mr. TAYLOR. I would like to have the section define what is a newspaper and what is a periodical. The 'War Cry' is distributed at the meetings of the Salvation Army on the sabbath day. My contention is that that is a newspaper, and I think the committee will do well to consider this matter before they vote on either the amendment or the main motion. While we may be in favour of the Bill and having it put through, I think the committee would act wisely to adopt the suggestion made a few moments ago; and in order to test the feeling of the committee, I will again move

Mr. MACLEAN (York).

that the committee rise and report progress, and ask leave to sit again.

Mr. DEPUTY SPEAKER. The committee will first have to vote on the amendment.

Mr. JEANNOTTE. (Translation.) Would you kindly read the amendment in French? I am not deep enough with the English language to apprehend its full meaning at a mere reading of it, and before voting. I want to know on what I am called upon to pronounce.

Amendment agreed to: Yeas, 55; nays, 31.

Mr. BECHARD. I move that the following be added to this section:—

But nothing in this section shall affect the distribution of newspapers or letters on the said Lord's day by any postmaster in the ordinary way.

Mr. DAVIES (P.E.I.) I think the hon. gentleman's object will be better met by putting in the section as it is, the words "for gain or reward."

Mr. BECHARD. I think this is already provided for by the clause in the Bill. My amendment provides only that nothing in the Bill shall prevent the distribution by postmasters of letters or newspapers in the ordinary way by the postmaster.

Mr. JEANNOTTE. (Translation.) The hon. member forgot something in his amendment. He should have included the newspapers and other printed papers distributed by religious societies.

Mr. SPROULE. As the statement which I made a short time ago is contradicted, that the 'War Cry' would not be considered a newspaper, I hold a copy of that paper in my hand, and it contains advertisements of the sale of wood, the sale of dress goods, and the sale of a great many things, the ordinary newspaper advertisements you find in any newspaper in the country. That is not left out because, as long as you say a newspaper, the 'War Cry' is a newspaper, and therefore you would make it an indictable offence to sell or to distribute it on Sundays.

Mr. CHARLTON. The fact that a magazine contains advertisements of dress goods, &c., does not make it a newspaper. The 'War Cry' is a religious journal. It is not a newspaper. The object of this clause is to prohibit the circulation of the ordinary Sunday newspapers.

Mr. DAVIES (P.E.I.) The reason I proposed to my hon. friend from Iberville (Mr. Béchard) to substitute the words I suggested, is that without that proviso, if I received a paper through the post office, and after reading it, handed it to a friend. I would be guilty of distributing it and be guilty of an offence; whereas, if the section was amended in the direction I sug-

gest, that whoever shall on the Lord's Day engage in the sale, distribution or circulation for gain or reward of any newspaper, then it would be confined to those who sell, and would not include the man who hands a newspaper to a friend.

Sir JOHN THOMPSON. It does not seem to me that the words are at all necessary, because a postmaster is obliged to distribute the mail in pursuance of a public duty. I do not think the Act would bear the construction feared, much less would it be necessary to say anything about letters. I think it would be better if the hon. gentleman did not press the amendment. If we come down to the question of gain or reward, we shall have a system like that by which, in the city of Toronto, omnibuses are run in defiance of the Sunday law; nobody is obliged to pay, but nobody gets a second ride if he does not pay. Papers will be distributed to subscribers, and they may pay or not as they please, but the business will go on just the same. It is difficult to prove gain or reward. I believe the passengers who ride in Sunday omnibuses in Toronto, pay for the food of the horses, and do not pay the proprietor any reward.

Mr. DAVIES (P.E.I.) The object the hon. gentleman had in view was to stop the sale of newspapers, not their distribution by one friend to another. I do not think there could be any difficulty by inserting the words "distributing them for gain or reward." If a man gives a newspaper to a friend you would not want to make that a penal offence.

Mr. AMYOT. I propose as a sub-amendment that the following words be added, "elsewhere than in the province of Quebec."

Mr. BECHARD. That amendment is for the purpose of preserving to the people in the rural districts of Quebec, their habit of receiving newspapers and letters from the post office on Sunday after divine service. I have already stated that if they were prevented by this Bill from obtaining their weekly paper, which is the only one generally taken by people in the country districts, they would be subjected to great inconveniences, as they would be compelled to drive two or three miles to the post office on some other day, thereby losing considerable time, which they would prefer to employ in other directions. This amendment is intended to retain to the country postmasters the privilege of distributing letters and newspapers on Sunday, according to the practice in the province of Quebec.

Mr. CHARLTON. I think the amendment of the hon. gentleman is unnecessary, for I cannot suppose that the section, if passed, would interfere with the duties of a postmaster in handing out letters or other mail matter to persons calling at the post office. If the office was open legally so that the people could receive their mail matter.

Mr. MACLEAN (York). Is the hon. member (Mr. Charlton) in favour of having the post office in Toronto open on Sunday?

Mr. CHARLTON. No.

Mr. MACLEAN (York). Why should that post office not be open on Sunday if the hon. gentleman is prepared to give a similar privilege to the province of Quebec? Will the hon. gentleman support a motion, if I introduce one, to open the Toronto post office on Sunday?

Mr. CHARLTON. Certainly not.

Mr. MACLEAN (York). Yet you are giving this privilege to the province of Quebec, and guaranteeing it by legislation.

Mr. SCRIVER. I rise to a question of order, and submit that the amendment proposed by the hon. member from Bellechasse (Mr. Amyot) is not an amendment to the amendment.

Mr. DEPUTY SPEAKER. I think the hon. gentleman is right in his contention, and that the amendment of the hon. member for Bellechasse must form a separate clause.

Mr. AMYOT. I accept the suggestion of the Deputy Speaker and will move it as a separate clause.

Mr. HASLAM. If this clause is passed, it will compel nearly every printer in British Columbia to work on Sunday. They now close their work at seven o'clock on Sunday morning, but if this clause is adopted they will be compelled to work all Sunday afternoon. I do not think it is right to compel a man to work on Sunday when he is anxious to avoid doing so.

Amendment (Mr. Béchard) agreed to.

Mr. SCRIVER. To obviate the objection raised by the hon. member for Grey (Mr. Masson) with regard to the circulating of religious newspapers, I move that the word "secular" be inserted before the word "newspapers."

Mr. DEPUTY SPEAKER. The amendment is not in order, because we cannot go back on those portions of the sections that have been carried.

Mr. JEANNOTTE. (Translation.) I ask that an exception be made in favour of the circulating, on Sunday, of the "Annales de la Bonne Sainte-Anne," of the "Annales de la Propagation de la Foi," and of the "Annales de la Sainte-Enfance"; and further, that it may be lawful to make the usual notification at church doors in connection with sales of benevolent goods.

Mr. MONCRIEFF. I desire to move that the words "indictable offence" be struck out, and there be substituted the words "be guilty of an offence against this Act."

Mr. DEPUTY SPEAKER. The hon. gentleman can move to add some words to the

section, but he cannot change the words already agreed to.

Mr. TAYLOR moved that the committee rise and report progress.

Mr. CHARLTON. This cannot be done, as a motion is under consideration. I am very desirous to get through with at least this one clause.

Mr. DEPUTY SPEAKER. A motion that the committee rise is always in order.

Motion (Mr. Taylor) agreed to: Yeas, 59; nays, 40.

Committee rose and reported progress.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. LAURIER. What business will be taken up to-morrow?

Sir JOHN THOMPSON. Probably some portion of the day with Ways and Means, but principally Supply.

Mr. LAURIER. I might say that my hon. friend (Mr. Davies) intends to move in the Ellis matter.

Motion agreed to; and the House adjourned at 11.55 p.m.

HOUSE OF COMMONS.

THURSDAY, 31st May, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPATRIATION OF CANADIANS.

Mr. GIROUARD (Two Mountains) asked, 1. Did the Government send agents to the United States, during the year 1893, to promote the repatriation of Canadians? 2. Who are the said agents? 3. What localities did they visit, and how many lectures did they deliver? 4. Towards what part of Canada did the agents direct the parties repatriated? 5. What is the number of Canadians repatriated in 1893?

Mr. DALY. Yes. (Repatriation of French Canadians.) 2. J. P. O. Allaire and C. Geo. Caron. 3. Connecticut, Massachusetts, Rhode Island, Vermont, Maine and New Hampshire. We have no definite information as to the number of lectures delivered. 4. Manitoba, principally. 5. 238. Total of

Mr. DEPUTY SPEAKER.

homestead entries made by returned Canadians (783 souls), of all nationalities. These entries were made in Manitoba, the North-west Territories and British Columbia. The proportion of French-Canadians brought back through the efforts of Messrs. Allaire and Caron, was about 50 heads of families. Most of these went to Manitoba. The balance of the 238 heads of families were brought in by the general staff of agents at work in the United States.

POSTMASTER AT GEORGETOWN.

Mr. LANDERKIN asked, Has the postmaster at Georgetown been dismissed? If so, when and why? Who has been appointed to the office? What is the salary of the postmaster at the said office?

Sir ADOLPHE CARON. This office was declared vacant in January last, owing to the fact that the postmaster, who was suffering from mental trouble, had not been able to give it his personal attention for a considerable time. Mr. Herbert B. Henderson has been appointed to the postmastership. Salary, \$800 per annum, together with \$108 for forward duty and \$120 for rent.

THE EXPERIMENTAL FARM.

Mr. CHOQUETTE (for Mr. Delisle) asked, Whether Eugène Pelletier, formerly of St. Roch des Aulnets, is employed at the Experimental Farm. If so, how long has he been so employed, by whom was he recommended, and what is his occupation and his salary?

Mr. FOSTER. Mr. Eugène Pelletier is employed at the Experimental Farm. He has been employed there since May, 1893. He was appointed by the Minister of Agriculture. His occupation is French correspondent; his salary is \$600 per annum.

SHOE FACTORIES IN P. E. ISLAND.

Mr. PERRY asked, Has the Government ascertained how many boot and shoe factories are in each of the three counties in Prince Edward Island? The name of the village or township in which each factory is located? The amount of capital invested in each factory? The number of hands employed in each factory? The amount of wages paid yearly by each factory? The output by each factory per year?

Mr. FOSTER. The information requested with respect to the shoe industry in the villages and townships in Prince Edward Island cannot be furnished without a new and special re-compilation. But I submit the following as respects the three counties for 1891 and 1881:—

Census of 1891.

	Factories.	Capital.	Employees.	Wages.	Output.
		\$		\$	\$
King's.. . . .	41	10,400	42	7,566	21,362
Prince.	50	20,144	56	14,863	31,761
Queen's.	82	27,820	122	26,972	143,277
	173	58,364	226	49,401	196,400

Census of 1881.

		Not separ- ated in 1880.			
King's.. . . .	21		28	6,680	14,886
Prince.	34		53	11,243	30,444
Queen's.	75		120	25,149	88,327
	120	56,249	203	43,072	133,657

COUNTY COURT JUDGES IN BRITISH COLUMBIA.

Sir JOHN THOMPSON moved that the House resolve itself into Committee to-morrow, to consider the following proposed resolution:—

That it is expedient to provide that the salaries of the Judges of the County Courts of Cariboo, New Westminster, Yale, Nanaimo and Kootenay, in the province of British Columbia, shall be \$2,400 each per annum.

Motion agreed to.

BUSINESS OF THE HOUSE.

Sir JOHN THOMPSON moved:

That Government Orders have precedence on Wednesdays after "Questions to be put by Members," for the remainder of the session, and that the Order for Wednesdays, under Rule 19, be for the remainder of the session the Order for Mondays after half-past seven o'clock.

Mr. CHARLTON. I suppose we are approaching that stage of the session when it is reasonable for the Government to ask for Wednesday. I think, however, we might reasonably ask the leader of the Government to give us one more Wednesday before seeking to have this rule adopted. I find there are twenty-six public Bills on the Order paper, and many of these are measures that the promoters desire to proceed with. It is true that this Order paper was gone through on Monday, but it was an entirely unexpected circumstance. The notices of motion were numerous, and I do not suppose that any member of the House anticipated that a public order would be reached upon that day. Many of the members were in the position I myself was in. The adjournment was from Wednesday until Monday, and in

my case it was impossible to reach Ottawa on Monday by leaving home on Monday morning. In order to be present it would have been necessary for me to have left home on Saturday, and as others were similarly situated, no fault can attach to those members who were absent for their holidays and who were unable to be present on Monday. Owing to the number of Bills on the Order paper and the important character of some of them, I trust that the leader of the Government will be kind enough to waive this motion, as far as it deals with next Wednesday, and then, I suppose, nobody would object to his taking the following Wednesdays.

Mr. MULOCK. Speak for yourself.

Mr. CHARLTON. I speak for myself in that respect, of course.

Sir JOHN THOMPSON. I think I must ask that the resolution shall be voted as it is. The House makes apparently better progress on Monday, and in all probability the hon. gentleman will have an opportunity of proceeding with his measure before half-past seven on Monday, as there are only nine notices of motion on the paper now.

Mr. CHARLTON. Others may come in the meantime.

Sir JOHN THOMPSON. It is not very likely, as notice must be given either to-day or to-morrow.

Mr. McMULLEN. I wish to call the attention of the Government to Bill No. 17 on the Order paper. The First Minister will remember that that Bill was once called, but at his request, owing to the fact that the Finance Minister was not present and wished to have something to say on the matter, I allowed the Bill to stand. Under the circumstances, I trust that the First Minister will give me an opportunity of inviting discussion on the provisions of that Bill. The hon. gentleman is quite aware that the question of superannuation in Canada has engaged considerable public attention. It is a system that, in my humble belief, does not meet with the general approval of the people of this country, and the measure which I have on the paper is for the purpose of altering it in the direction of eventually wiping it out altogether. At the request of the First Minister I allowed this measure to stand, so that I trust the Government will give me an opportunity of bringing it up again.

Mr. MULOCK. I am not able to agree with the motion of the First Minister that he shall deprive members of the privilege of proceeding with their business on Wednesdays. I do not think it can be fairly charged against the members that they have been in default in taking advantage of the day which the rules of the House places at their disposal. Considering that at the very commencement of the session, the Government took Wednesdays from private members for quite a while,

it seems to me that they are at least lacking in courtesy in seeking to further invade the rights of members. It must be manifest, Mr. Speaker, to any one who has watched the proceedings of this House within the last few weeks that an undue interest has been attached to certain motions on the Order paper, and I have been forced to draw but one inference, and I do draw that inference, namely: that there has been a manifest lingering over certain Bills on the Order paper so as to prevent the House reaching the discussion of other matters. I do not believe that the time of the House was seriously engaged in considering these motions for the purpose of arriving at the wisest conclusion in regard to them. I may be in error, but that is the conclusion forced on my mind, and upon the minds of a great many members of this House, and of a great many people outside of this House. If the Government persists in passing this motion to-day, they will simply give colour to that view and adopt it as their own. Just before the holiday, the Government moved to take the last Wednesday from private members, and what occurred then? To show the hollowness of that motion, to show that it was not merely for the advancement of public business, when Wednesday was taken everyone had a right to assume that that day would be fully occupied with Government business, but the House adjourned at 6 o'clock after only about two hours' discussion. That was not, I think, a fair procedure, and it was simply depriving members of the opportunity of proceeding with their measures to accomplish nothing so far as the advancement of public business is concerned. It might as well be determined now whether private members are to have any privileges at all in regard to pressing on their own legislation. I myself have some Bills standing in my name on the paper, which I think are deserving of the attention of the House, and which have received the attention of the public. If the Government prevents these measures being reached this session, I think that the country will to some extent resent that action. I understand, so far as my Bill in respect to cattle freights is concerned, that the Government are going to arrange a day for that. That was my understanding; of the remarks that fell from the First Minister when he took Wednesday of last week from us. I then said, and I say it again, that there are other measures that I wish brought to the attention of the House, and on which I desire to have the opinion of Parliament. One is, in reference to the expenses connected with the maintenance of our institution here: Government House and the Governor General's Office. The country has been put to an enormous expenditure in connection with that institution, and there has been, I think, undue extravagance connected with the maintenance of it since confederation. I believe that public opinion in the country is anxious that Parliament should discuss that matter. Another Bill

Mr. MULOCK.

which I think deserves the attention of the House is the Act respecting the Senate and the House of Commons, and which has reference to the present system that to a very considerable extent prevails, of railway companies granting passes to members of both Houses of Parliament. I submit that the dignity of this House demands the consideration of that measure. There are many other matters on the paper demanding attention, but those two I feel to some extent responsible for, and I am anxious to have them considered. So that I think this motion is premature and not in the public interest, and I think the First Minister will be consulting the public interest if he does not press it. When may I expect an opportunity of taking the sense of the House upon my Bill respecting ocean freight rates on cattle? That, at all events, ought to be provided for before any order of the House is made upon this motion.

Mr. SPROULE. If the postponing of this motion for one day would afford an opportunity for considering the Bills on the paper, I think a good many would support its postponement; but it would not enable the House to dispose of more than one or two Bills, at any rate. The hon. member for North York (Mr. Mulock) has spoken of the importance of his measure regarding ocean freight rates on cattle. I am credibly informed that the necessity of that Bill at the present time has been largely removed. From information I received last night from Montreal, I am led to believe that the combination which has heretofore existed amongst the owners of vessels has been broken this spring, and that at the present time the rates from Montreal are lower than the rates from United States ports. No doubt that may be partially due to the ventilation of the question in this House, and to the intimations which have been given that in the event of the evil continuing it might be found necessary for this House to institute legislation dealing with it; but under the circumstances I think the necessity of that Bill at the present time is amply disposed of. However, I rise more particularly to speak of two Bills which I have on the paper myself, and both of which I regard as important; and other members are in about the same position. If we saw any reasonable hope of getting these Bills passed during the present session, no doubt we would be disposed to hold out for the Government giving us another day; but from the desire which has been expressed on both sides of the House to facilitate the efforts of the Government to shorten the session, we are willing that the Government should take another of the days given to private members. All these Bills are in the same category, and I believe no serious injury will accrue to the country from allowing them to stand over for another session.

Sir JOHN THOMPSON. I am sorry to hear the statement made that the impression exists that time has been wasted in the consideration of the two first Bills of Public Bills and Orders, for the purpose of preventing other orders being reached. We all have our own opinion as to whether the discussion was unduly prolonged or not; but I am satisfied, for my part, that there has been no wilful waste of time in the consideration of these Bills in order to postpone the consideration of any others; and certainly the statement that the action of the Government in proposing to take Wednesday gives colour to that impression, is an insinuation which, so far as the Government is concerned, is utterly unjustifiable. We have no intention to avoid the consideration of any order on the paper, and the hon. gentleman will find that the very orders among Public Bills and Orders, which he surmises there has been a desire to avoid, will be reached this session, and will be discussed unless the gentlemen who have charge of them fail to carry them to a discussion. Let me call his attention to the present state of the list. The first order is the Bill to disfranchise voters who have taken bribes. That Bill, I think, is practically finished; at any rate, a very few minutes more consideration, I should hope, would dispose of it. The second is the Bill in relation to the observance of Sunday; and that was so fully discussed last night that I should suppose very few minutes more would dispose of it. Two or three votes were taken on the first section of the Bill, and if I am right in my surmise that the following sections will not be pressed, we may say that practically that measure is finished so far as the committee stage is concerned. The third Bill, to extend the ballot to the North-west Territories, is not, I presume, to be discussed, because the subject has been disposed of. The next is not to be discussed either, or rather will come up on a Government Bill. The next, as to the Electoral Franchise Act, and the next, as regards an amendment to the Criminal Code, will come up when the Government Bills on those subjects are under consideration. So that the Bill of the hon. gentleman is practically the first of those remaining under consideration; and, under the circumstances, having yielded once to the strong remonstrance made in favour of having the Bill considered this session, I would not be disposed to take Wednesday if doing so would put it out of consideration; but it will be practically the first on the list for Monday evening, and the Bill will, therefore, be sure to come up for consideration. The same may be said of some that follow. The Bill respecting the salary of the Governor General I do not understand the hon. gentleman represents to be an urgent measure, because it is only to take effect four years hence, and, no doubt, before that time there will be an opportunity to consider it.

Mr. LAURIER. The hon. gentleman has not given any answer to the question of my hon. friend from North Wellington (Mr. McMullen) with regard to the Bill respecting superannuation. I think the hon. member is entitled to an answer, because the Prime Minister will remember that one day at his suggestion my hon. friend did not proceed with the Bill when he had power to proceed. Under the circumstances, I think provision should be made to have that Bill discussed.

Sir JOHN THOMPSON. I was going to say, although I do not wish to suggest any policy for the hon. gentleman, that as the measure is for the abolition of the superannuation system, it seems to me that subject could be very well discussed apart from public Bills and orders, as there are many other opportunities which the hon. member may take advantage of for that purpose. But we should see what progress we make on Mondays before asking for any special concession for that Bill.

Mr. LANDERKIN. I would like to emphasize what the hon. member for North York (Mr. Mulock) has said with reference to his Bill. If the Government can do anything to relieve the shippers of cattle in this matter, I think they should promptly let them know; or if it is impossible for the Government to do anything in the matter, they should let them know that, because there is a great deal of uneasiness in the public mind on the subject, and the people have the idea that the Government are slow in taking action with regard to it. I would like to induce the Government to let the people understand that they are alive to the importance of this question, and I hope they will lose no time in letting the people know whether it is possible for them to do anything or not; because the cattle shipping trade is suffering great loss and inconvenience, mainly on account of the high rates charged on ocean vessels. Therefore, I hope that the Government will take steps at once to show the people that all the power and influence of the Government is being used to give them relief.

Mr. SPROULE. The rates were lowered a week ago and the new rates published.

Sir CHARLES HIBBERT TUPPER. The hon. member for South Grey (Mr. Landerkin) and the hon. member for South Huron (Mr. McMillan) have so frequently brought up this question of cattle transportation as a serious one and one involving so much to the shippers of cattle, that I wish again to point out that there is not that condition of alarm or uneasiness among the men for whom these hon. gentlemen seem to speak, as they suppose. The very constant reference to the subject, without giving any particulars, warrant me in taking up a few moments to place the House in possession of valuable information which has reached me, and which, I hope, will dispel all fears similar to those expressed

by the hon. gentleman who has just taken his seat. I told the House before, that early in the season, before the shipping season opened, these shippers of cattle met the hon. member for North York (Mr. Mulock) and myself, and we had a friendly consultation with reference to the whole subject, and that the shippers promised to furnish me with certain important and definite information. That information never having reached me, I concluded—and I thought it a reasonable assumption—that circumstances had so changed as to make it unnecessary for these gentlemen to follow up the subject. I communicated then with the inspectors who are supervising the shipments of cattle at Montreal, and asked them to let me know the present condition of affairs. You will remember, Sir, that the complaint made was chiefly this, that whereas the shipment of Canadian cattle was practically confined to one or two ports—chiefly one port—in Canada, the shippers were unable to take advantage of the foreign ports of Boston and New York, etc., and were at the mercy of the ship-owners, who made the best use of their position in their own interest. In reply, I received this communication from the inspectors at Montreal, dated 30th May, 1894 :

We made inquiry from various parties here, and wired a party at Boston with whom we correspond and know is reliable, and wired you as follows: Current cattle rates from Montreal to Glasgow, thirty to thirty-five shillings, Liverpool and London, forty shillings, none taken ahead. Boston, New York and Baltimore, current rates forty-seven and six to fifty-five shillings, and all taken.

The hon. gentleman will see, therefore, that the condition of things must have materially altered from what it was represented at the beginning of the season, and that my assumption was founded on fact. But Messrs. H. & A. Allan wrote also to the inspectors, in answer to their inquiry, and for the purpose of being forwarded to me :

The Allan line are running steamers fortnightly from Boston and Philadelphia to Glasgow, and weekly from New York to Glasgow. From Montreal they are running weekly steamers to Glasgow. At the present time the cattle rates from New York and Boston is 45s. per head, and from Philadelphia 42s. 6d., exclusive of insurance. The Montreal rate to Glasgow is 30s., also exclusive of insurance, and we understand that very much lower rates have been taken by other steamers from this port.

From New York, Boston and Philadelphia the steamers are carrying from 400 to 550 head of cattle, whereas from Montreal the vessels are only receiving main deck loads, which would mean from 200 to 270 animals.

As far as Liverpool and London are concerned, we are in a position to state that extensive contracts have been made from New York as high as 50s.; whereas the best rate which has been made to either London or Liverpool from Montreal for some time past is 40s. Both these latter rates are also exclusive of insurance.

Sir CHARLES HIBBERT TUPPER.

The information which we give you, you can rely upon as being trustworthy, as our agents in New York keep us thoroughly posted from day to day as to cattle contracts, and the figures named in this letter cannot be disputed, as we have received them from time to time from our New York house.

Mr. MULOCK. With regard to the remarks of the hon. Minister of Marine, I do not wish to discuss the matter now, and in fact have no right to do so. But I do not wish his observations to be accepted by the House as conclusive that no legislation is required. When the opportunity arrives for my presenting the Bill, I may be able to deal with the statements he has made and the whole question, and show that the matter has not been finally disposed of even because of temporary relief. With regard to the main motion, I think we are here to discharge the business of the House and not to adjourn for the convenience of members.

Mr. MILLS (Bothwell). I think the almost universal practice is, when the Government take four days of the week, to state what public business they intend to submit during the remainder of the session. The First Minister has stated what business he proposes bringing forward, so far as certain matters are concerned, but whether there is any further business that the Government contemplate, and which has not been mentioned to the House, the Prime Minister has not stated. I think it would be important that the right hon. gentleman should tell us whether he proposes going on with the Insolvency Act, and whether the Government really contemplate a reconsideration of the subject of the distribution of the seats in any of the provinces this session?

Sir JOHN THOMPSON. We shall have some Supplementary Estimates, for example, which I did not think of the other day.

Mr. LAURIER. We knew that very well.

Sir JOHN THOMPSON. I thought, perhaps, it was forgotten. We will ask the attention of the House to the Insolvency Act, if there is reasonable time, this session. I think the matter has been so thoroughly investigated in the Senate that by the time the Bill comes to this House, a good deal of the discussion will have been avoided, as far as our deliberations are concerned, and it may be the House will have time to pass it. We are in the hands of the House on that subject, and also as regards the Company Act, which I regard as a very important Act, and which will be introduced in a few days, perhaps in the Senate also, in order that it may make progress there while we are engaged in Supply. I cannot answer, at the moment, as to what shall be done regarding railway subsidies and the Redistribution Bill. As I said before, hon. gentlemen are anxious to deal with the latter subject, and consider it, if we have time. I allude to hon. gentlemen opposite in particular, who are eager and zealous

about it. With the exception of those, I do not know of any measure that may be introduced, unless some measure of minor importance.

Mr. MILLS (Bothwell). With regard to the subject of the redistribution of seats, the hon. gentleman has not said anything.

Sir JOHN THOMPSON. I have said that both sides are very anxious about it.

Mr. McCARTHY. I only rise for the purpose of asking the First Minister whether I can have the same assurance with reference to the Bill that stands in my name, that it may be considered as a Government measure, dealing with the North-west. The Minister of the Interior has given notice of the introduction of a Bill to amend the Act respecting the North-west Territories, and possibly in that Bill the amendments that I propose may be dealt with. I may be saved the trouble, possibly, of going on with it, but if not, it would be convenient in that case, as in the other to which reference was made, that I should know whether an opportunity will be given me to go on with the Bill.

Sir JOHN THOMPSON. I cannot give any assurance about it, and I am inclined to think the Bill will be again reached, for the third time, on a Monday. The hon. gentleman has the remedy in his own hands, as regards appending it to our Bill, as an amendment, or otherwise.

Mr. LANDERKIN. Has the policy of the Government been amended with reference to the veto? I see that the Controller of Customs, in delivering a speech up west, says that the Government have abandoned the veto.

Mr. SPEAKER. Order.

Mr. LAURIER. I am sorry that I must express my great regret that we cannot have more definite information as to the intentions of the Government. In matters of this kind, we expect the Government to give us information of their intentions. as, I am sorry to say, the Government has not, so far, done. The hon. gentleman says they cannot give us any indication of what is really the intention of the Government with regard to a very important subject—the redistribution of seats in Quebec. I have my own doubts whether it is possible, under the constitution, to bring up that subject again. I will not press that, but the hon. gentleman will understand that it will be preferable, if we are to have prorogation within any reasonable time, we should understand at once what the intentions of the Government are in this matter.

Sir JOHN THOMPSON. I will give an answer very soon, but I cannot do so at this moment.

Mr. LANDERKIN. You have not given me an answer yet.

FAST ATLANTIC STEAMSHIP SERVICE.

Mr. FOSTER moved that the House resolve itself into committee to-morrow, to consider the following proposed resolution:—

That it is expedient to provide that the Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Canada and the United Kingdom, making connection with a French port, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council seems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year.

Mr. MULOCK. Before that motion is carried, I would remind the First Minister and the Minister of Finance that an order of the House was granted on the 7th of May for the production of certain papers in connection with negotiations for the fast line, and it seems to me that these papers are necessary for the proper consideration of this resolution.

Mr. FOSTER. I will have them here.

Mr. MULOCK. Am I to understand they will be here to-morrow before the motion is discussed?

Mr. FOSTER. Yes; before the motion is discussed.

Sir RICHARD CARTWRIGHT. These papers ought to be in our hands a reasonable time before the hon. gentleman proceeds with his motion.

Mr. FOSTER. I will try to get them down to-morrow, and, if I am not successful in getting them here before the discussion commences, we can put the discussion off until Tuesday.

Sir RICHARD CARTWRIGHT. There may be a good deal in them that we shall require to be advised about.

Motion agreed to.

SUPPLY—IMPRISONMENT OF MR. ELLIS.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. DAVIES (P.E.I.) Before that motion is put, I desire to say that my hon. friend and leader gave notice last night that it was my intention to bring to the notice of the House the imprisonment of Mr. Ellis for contempt of court, to invite the House to discuss the whole question, and to submit a resolution on the subject. I merely desire to say that the Premier intimated a wish on his part to look into the papers before the discussion came up, and asked me not to bring the discussion on to-day, otherwise I should have done so.

Sir JOHN THOMPSON. Two very important committees, each having a large

number of members, met this morning, and I thought it would be inconvenient for hon. members to be ready for the discussion, and therefore asked the hon. gentleman to be good enough to defer his motion.

THE UNIVERSITY OF MANITOBA.

Mr. MARTIN. Mr. Speaker, before that motion is put there is a matter of very considerable importance to the province of Manitoba which I wish to bring before this House. In answer to a question addressed to the Government the other day, I was informed that the patents for the land grant for the University of Manitoba were not issued, on account of a dispute in connection with the same. Now, it seems to me important that the House and the country should understand the position of matters in connection with this land grant. There is no dispute with regard to the matter so far as the University of Manitoba is concerned. The university authorities are now, and for a number of years have been, demanding very strongly from the Dominion Government the transfer of the land grant to which the university is entitled. The Government of the province of Manitoba have also repeatedly demanded from the Dominion Government that this land grant should be transferred to the university. In 1885 a settlement was made between the province of Manitoba and the Dominion of Canada with respect to a great many matters then in dispute. One of the clauses of that settlement was a provision by which the Government of the Dominion of Canada were to transfer to the University of Manitoba 150,000 acres of land for the purpose of establishing a fund to carry on the work of that institution. I shall read the clause which was then passed, and which is now found in the Revised Statutes, chap. 47, section 5:

An allotment of land not exceeding one hundred and fifty thousand acres of fair average quality shall be selected by the Dominion Government and granted as an endowment to the University of Manitoba for its maintenance as a university capable of giving proper training in the higher branches of education, and to be held for that purpose on some basis or scheme to be framed by the university and approved by the Dominion Government.

As I have stated, that arrangement was made in 1885, and the statute, I believe, was passed in 1886—it is 49 Vic., chap. 50, section 2. In pursuance of an arrangement made by correspondence with the Department of the Interior, the University of Manitoba, by means of money placed at its disposal by the Government of Manitoba, have, at very considerable expense, selected a considerable portion of land out of which they are willing to receive this 150,000 acres. On the 2nd of September, 1886, at a meeting of the University Council, the question of the assignment of the land granted by the Government to the university was taken up, and

Sir JOHN THOMPSON.

the name of Mr. J. A. M. Aikins was added to the committee appointed at a previous meeting to deal with the question, Dr. King being appointed convener of the committee in the absence of the Chancellor. On the 14th January, 1887, a meeting of the university council was called to receive and adopt the report of the special committee appointed to procure an assignment to the university of the land granted by the Federal Government. On behalf of the said committee Mr. J. A. M. Aikins presented their report, which was received on motion of Mr. Aikins, seconded by Judge Dubuc. The said report was as follows:—

Your committee appointed to look after an assignment of the lands to be granted under chapter 50, 48 and 49 Victoria, beg to report as follows:—

As to the basis or scheme referred to in said statute, your committee recommend the following:

The House will remember from my reading of the clause that it was provided in the statute that a basis was to be suggested by the university and agreed to by the Dominion Government. The report which I have just referred to gives that basis. It is rather long, and, as it is not particularly material to the matter before me, I shall not read it. That basis, however, was set forth in seven paragraphs. A special committee was appointed to reconsider the report of the special committee on the Dominion grant to the university, and reported some amendments to that basis. I may say that nothing particular turns on this upon that matter. I merely refer to it because it was provided for by the statute. The Dominion Government, as I understand, have assented to that basis adopted by the university council. Then at a subsequent meeting of the council the following documents were laid on the Table:—

OTTAWA, 14th October, 1889.

DEAR SIR,—I am directed by the Minister of the Interior to send you the inclosed copy of a letter from His Grace the Archbishop of St. Boniface to the Minister of Justice with reference to the grant of land to the University of Manitoba under 48 and 49 Victoria, chapter 50, for the information of the governing body of the university, and for any comments thereon which they may wish to offer.

I have the honour to be, sir,

Your obedient servant,

JOHN R. HALL,

Acting Deputy Minister of Interior.

F. C. WADE, Esq.,

Sec. Land Committee,

University of Manitoba.

I may say, Mr. Speaker, that all the difficulty in dealing with this matter arises from the letter of His Grace the Archbishop of St. Boniface, which I shall now read; in which he sets up a claim that this land grant should not be handed over to the university except under certain restrictions. The copy of the letter inclosed is as follows:—

ST. BONIFACE, August, 1889.

DEAR SIR,—As president of St. Boniface College, and as one of the representatives of the said college in the council of the University of Manitoba, I beg to submit to you a few considerations in regard to the grant of Dominion lands made to the University, under 48-49 Vic., chap 50, sec. 2 of the Statutes of the Dominion.

A brief sketch of the history of the university, of its foundation and working, may assist in explaining the true position our college is placed in, and in better showing my views on the question at issue.

The university was created by an Act of the Provincial Legislature passed in 1877, and incorporated in the Consolidated Statutes of Manitoba, chap. 63. Section 28 of the Act declares that the incorporated colleges in connection with the university shall be the College of St. Boniface, the St. John's College, and the Manitoba College, and the other incorporated colleges which may, from time to time, be affiliated by the Lieutenant-Governor in Council.

The St. Boniface College is a Roman Catholic institution, the St. John's College connected with the Church of England, and the Manitoba College with the Presbyterian Church.

The above three colleges were in 1877, and remained the only ones, connected with the University until 1886, when the Medical College was affiliated, and last year (1888), the Wesley College was also affiliated.

In the preamble of the Act establishing the university, it is stated that the university is to be established on the model of the University of London. This was inserted advisedly, as it was then intended and clearly understood that the university was to be an examining body and not a teaching body. Section 11 of the said Act enacts that there shall be no professorship or teachership at present in the university. The words "at present" in the section may seem to indicate an intention to make the university, in the course of time, a teaching body. A few observations may be made in regard to these two words.

The Bill creating the university, as framed by the Hon. Mr. Royal, then Attorney General of the province, and as discussed and adopted at meetings of the representatives of the three colleges, intended at the time to be connected with the university, and as presented to the House, had not in it these two words. The Hon. Mr. Royal, who had charge of the Bill, who put it through the House, and supervised it in Committee of the Whole, never saw those words nor heard them mentioned. When the Statute-book appeared, we were greatly surprised to see the said words in it. They must have been added in Committee of the Whole without the knowledge of the promoter of the Bill. But the Bill had become law. I may add, however, that these words were never found in the French copy of the Statutes.

I enter into these details to show you that we were never consenting parties to have these words in the Act. It was well known at the time that we, the representatives of St. Boniface College, and of the Catholic portion of the university in the organization, could not have joined the other colleges in a teaching university.

The following sentence in the endowment clause 48-49 Vic., chap 50, sec. 2: "As an endowment

to the University of Manitoba for its maintenance as a university capable of giving proper training in the higher branches of education," might perhaps at first sight, be interpreted to apply to a teaching university, but I do not think such was the meaning of the programme or curriculum prepared by the council, for the yearly examination on the various subjects necessitates on the part of the affiliated colleges, which, in fact, have so far constituted the university, the obligation of giving the training required by the university, and, in this, the university may be considered as giving proper training in the higher branches of education, within the provisions of the Act.

During the last three or four years the question of making the university a teaching body by founding chairs in connection therewith, has been submitted and urged in the university council by some representatives of the other colleges. We made known to them our insuperable objection to such proposed scheme, as it was impossible for us to send the pupils of our college to be taught by professors over whose teaching we had no control. They understood our reasons; the discussion was conducted in good spirit on both sides, without any harsh words being uttered. They regretted the difficulty of the situation as to St. Boniface College, but they repeatedly said that it was for them a very important question; that the change would have to come and that sooner or later, the Legislature would have to be applied for to legislate on the matter.

Now, we really anticipate that the scheme may be forced on us before very long, when we might be compelled to modify, or perhaps sever, our connection with the university. We have no idea what form the modification may take or on what terms and conditions the severance may be effected. Whether we shall be permitted to remain in some shape or other as an independent and separate branch of the university in regard to the teaching of our pupils, or otherwise, we cannot foresee. At all events, I think that, as the oldest college in the country, as one of the colleges which took a very active part in the organization, in framing, as they now exist, its statutes, ordinances, regulations and curriculum, and as being still what may be called a component part of the university, it is not unreasonable to expect, in the event of the modification of the university from its original plan, that we the St. Boniface College, representing all the Catholic population of the country in the matter of superior education, should not be forced into an undesirable position in the university without some means being devised to protect its rights and its just and reasonable claims. I do not wish to ask for any special privilege or favour for the St. Boniface College. But what I desire and what I would suggest is that, in the patent granting to the university the lands allowed by the statute, some clause or words may be inserted affording a protection to any particular college connected with the university and constituting a part thereof, whose rights and position may be affected or interfered with in the event of the said university altering its constitution or modifying its original plan.

The protection asked to-day by the St. Boniface College will be for the benefit of any of colleges finding themselves in parallel circumstances.

In a few months or a few years, some one of the other colleges may have interests conflicting with

the majority and claim the benefit of the same protecting clause. This would also add as a warning to the university as a body, that the rights and just claims of any of its constituent parts should not be infringed upon, and it would tend to promote and preserve between the different denominational colleges, the harmony and good relations which have so far been prevailing.

Pardon me, dear Sir, for trespassing so much upon your valuable time. The important issue at stake must be my justification. I have reason to hope that your honourable colleagues in the Government, when you will place the matter before them, will see the force and urgency of my request, and that the protection asked for will be secured without difficulty.

I have the honour to be, dear sir,
Your obedient servant,
(Sgd.) + ALEXANDER,
Archbishop of St. Boniface.

That letter was addressed to the Hon. Sir John Thompson, K.C.M.G., M.J., Ottawa. That was one of the documents that was laid upon the Table at this meeting of the university council to which I refer.

Sir JOHN THOMPSON. When was that meeting held?

Mr. MARTIN. I will give you the date of the meeting later. Here is another letter submitted to the council:

DEPARTMENT OF THE INTERIOR,
OTTAWA, 30th July, 1889.

SIR,—I am directed to transmit herewith a copy of a draft form of patent which has been furnished by the law officers of the Crown as the form to be used in granting to the Manitoba University the lands which have been allotted to them, and to request you to submit it for the approval of the authorities of the university, and to return it to this department, under cover of a letter containing any suggestions or observations which they may wish to make in regard to it.

I am, sir,
Your obedient servant,
(Sgd.)
For the Assistant Secretary.

F. C. WADE, Esq.,
Secretary Land Committee,
University of Manitoba,
Winnipeg.

The copy of the patent inclosed was as follows:—

CANADA: VICTORIA, &c.

To all to whom these presents shall come,
Greeting:

Whereas, in and by chapter 47 of the Revised Statutes of Canada, entitled "An Act respecting the province of Manitoba," it is, amongst other things, in effect enacted that an allotment of land, not exceeding one hundred and fifty thousand acres of fair average quality, shall be selected by the Dominion Government and granted as an endowment to the University of Manitoba (a body corporate and politic), under the provisions of the Consolidated Statutes of Manitoba (chapter 63), for its maintenance as a university capable of giving

Mr. MARTIN,

proper training in the higher branches of education, and to be held in trust for that purpose on some basis or scheme to be framed by the university and approved by the Dominion Government.

And whereas the lands hereinafter mentioned and described, the same being Dominion lands within the meaning of the Dominion Lands Act, have been selected by the Government of our Dominion of Canada to be granted to the said "The University of Manitoba" (hereinafter sometimes called the said university) in pursuance of the Act above mentioned, and whereas the said university has framed a basis or scheme under which it is proposed that the said lands shall be held by the said university upon certain trusts which are hereinafter embodied and set forth.

And whereas the said basis or scheme has been duly approved by our Governor General in Council who has authorized the issue of letters patent granting the said lands to the said university upon and subject to the trusts and conditions hereinafter expressed and contained.

Now know ye, that we do by these presents grant, convey and assure unto the said University of Manitoba, their successors and assigns:

To have and to hold all said lands unto the said "The University of Manitoba," their successors and assigns forever, for the purpose hereinafter mentioned, and upon and subject to the trusts and conditions hereinafter expressed and contained, saving, etc.

Provided always that the said lands are to be held by the said university, their successors and assigns, for the purposes hereinafter mentioned and upon and subject to the following trusts and purposes, that is to say:—

1st. That the said university, their successors or assigns, may at any time and in such manner and on such terms as they may deem proper, sell and dispose of or lease the said lands or any portion thereof and receive the proceeds or income resulting therefrom.

2nd. That the said university, their successors or assigns, may apply such portion of the said proceeds and income, as may be considered proper, to pay the expenses of the care and management of the said lands and of the moneys arising therefrom; to purchase a suitable site or suitable sites for and to build thereon university buildings and to furnish such buildings and to invest such portion of the said proceeds as may not be immediately required for any of the said objects in such securities and on such terms as the said university, their successors or assigns, may deem proper and safe for the purpose of deriving an income therefrom, and may apply the income arising from the leasing of the said lands and from such investments or any portion thereof, to any of the purposes aforesaid or to any purpose contemplated or provided for by the Act of incorporation of the said university, and may also from time to time with the express sanction and approval of our Governor in Council, but not otherwise, apply any part of such income to any other purpose connected with the work of the university or the objects for which it was created.

Provided always that if at any time hereafter the said university shall be dissolved or shall cease to exercise its functions as a university, or if at any time hereafter the said university shall cease to be constituted as provided by its present Act of incorporation, chapter sixty-three of the Consoli-

dated Statutes of Manitoba, then and in such case any and all of the said lands which may remain unsold shall revert to and become revested in us and our successors as of our and their former estate therein, and all funds in the hands of the said university, the successors and assigns, the proceeds of which in any way result from the sale, lease or other disposal of the said lands shall be immediately paid over to us, our successors and assigns.

Provided further, and it is hereby made an express condition of this grant that at all times hereafter the said university, their successors and assigns shall keep or cause to be kept such separate and distinct account of the proceeds and income resulting from the sale, lease or other disposal of, and of all moneys in any way derived from or arising out of the said lands, as shall clearly and readily disclose the amount and nature thereof, as well as all dealings therewith, and also the above books, vouchers and papers containing or in any relating to such account shall at all times be open to the inspection of any person or persons appointed by our Governor in Council to inspect the same.

[Great Seal.]

The following papers were also laid upon the table at said meeting :—

5. I, Charles Aldborough Sadlier, Clerk of the Legislative Assembly and Custodian of the Statutes of the province of Manitoba, hereby certify :

That on the first day of February, A.D. 1877, the Hon. Mr. Royal introduced into the Legislative Assembly a Bill to establish a provincial university, the preamble of such Bill and section five thereof reading as follows :—

“Whereas it is desirable to establish one university for the whole of Manitoba (on the model of the University of London), for the purpose of raising the standard of higher education in the province, and of enabling all denominations and classes to obtain academical degrees ; therefore,

“Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Manitoba, enacts as follows :

“V. There shall be no professorship or other teachership in the university ; but its functions shall be limited to the examining of candidates for degrees in the several faculties, or for certificates of honour in different branches of knowledge, and to granting of such degrees and certificates after examination in the manner hereinafter mentioned.”

That the said preamble and section 5 were amended in Committee of Whole (Mr. Brown being chairman of such committee) on the 16th day of February of the same year as follows : By striking out in the second and third lines of the said preamble the words “on the model of the University of London.” By changing the number of said section 5 to “10,” and by inserting in the first line thereof after the word “teachership” the words “at present.”

That the Bill was read a third time and passed as so amended, on the 20th day of February, A.D. 1877.

That the original engrossed copy of the said Bill assented to by His Honour the Lieutenant-Governor is, as to such preamble and section, in the following words :—

“Whereas it is desirable to establish one university for the whole of Manitoba, for the purpose of

raising the standard of higher education in the province and enabling all denominations and classes to obtain academical degrees ; therefore,

“Her Majesty, by and with the advice of the Legislative Assembly of the province of Manitoba, enacts as follows :

“X. There shall be no professorship or other teachership at present in the university ; but its functions shall be limited to the examining of candidates for degrees in the several faculties, or for certificates of honour in different branches of knowledge, and to granting of such degrees and certificates after examination in the manner hereinafter mentioned.”

That the same is, as set forth in the authorized English printed edition of the statutes of that year, as follows :—

“Whereas it is desirable to establish one university for the whole of Manitoba (on the model of the University of London), for the purpose of raising the standard of higher education in the province, and of enabling all denominations and classes to obtain academical degrees ; therefore,

“Her Majesty, by and with the advice and consent of the Legislative Assembly of the province of Manitoba, enacts as follows :—

There shall be no professorship or other teachership at present in the university, but its functions shall be limited to the examining of candidates for degrees in the several faculties or for certificates of honour in different branches of knowledge, and to granting of such degrees and certificates after examination in the manner hereinafter mentioned.

Given under my hand and the seal of the Legislative Assembly of the province of Manitoba at Winnipeg, this twenty-fifth day of July, in the year of our Lord one thousand eight hundred and eighty-nine, and in the fifty-third year of Her Majesty's reign.

[L.S.] (Sgd.) C. A. SADLIER,

Clerk of the Legislative Assembly of Manitoba.

I, John Edward Lethbridge, of the city of Winnipeg, in the county of Selkirk, business manager of the Manitoba ‘Free Press,’ do solemnly declare :

1. That I have carefully examined the files of the ‘Manitoba Free Press,’ weekly edition, of date the seventeenth day of February, 1877.

2. That under the report of legislative proceedings of Friday, February 9th, in said issue I find the following :—

“Hon. Mr. Royal, in moving the second reading of a Bill entitled ‘An Act to establish a Provincial University,’ said that there has been, and still is, a great difference of opinion respecting the institution of a university in this province, and this difference existed chiefly amongst the leading members of the several institutions of the province. The Government have been urged during the past two years to submit a measure for the institution of a university ; and have consented, and in doing so have endeavoured, as far as possible, to meet the views of the different parties seeking its establishment. The Government think the Bill premature, but have been so repeatedly urged that they have brought it down. The Bill only provides for a university to grant degrees and for graduating purposes, but will not be a teaching institution. The Bill provides that hereafter chairs may be attached

and endowed, and become a teaching institution as well. The council would consist of six representatives from each affiliated college, one from each section of the Board of Public Instruction, and also, a representation would be granted to the graduates of other universities resident in the province. The Bill does not come into force immediately, but will be given effect by proclamation of the Lieutenant-Governor in Council. There had been considerable difficulty about the theological faculty, and it had been decided that each college be permitted to have its own faculty of Theology and graduate its own students, who would be recognized by the university. It was his intention to put off the third reading of the Bill until same day next week, in order to permit certain parties who were seeking incorporation for the purpose of affiliation with the proposed university, to become so."

The report then continues: "The Bill was then carried and the Bill read a second time."

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Act respecting extra-judicial oaths.

(Sgd.) JNO. E. LETHBRIDGE.

Declared before me at the city
of Winnipeg, in the county
of Selkirk, this 22nd day of
October, 1889.

(Sgd.) F. C. WADE,
A Commissioner in B. M., &c., &c.

On motion of F. C. Wade, seconded by W. R. Mulock, the report is received and taken into consideration.

Mr. Wade then moved, seconded by W. R. Mulock, that:

Whereas the preamble to the Bill to incorporate and establish the University of Manitoba when introduced to the Legislative Assembly of the province of Manitoba, contained the statement that the said university was to be established on the model of the University of London;

Whereas the words "at present" were not in paragraph five of the said Bill as so introduced;

Whereas the said Bill was referred to a Committee of the Whole House and while before the said committee, the said Bill was amended by striking out of the preamble the words "on the model of the University of London," and by changing clause 5 in the original Bill to clause 10, and by inserting in the said clause after the word "teachership" the words "at present";

Whereas the Hon. Mr. Royal is reported to have stated when moving the second reading of the said Bill, that the Bill provided that thereafter chairs might be attached and endowed and the university might become a teaching body as well as a university for granting degrees and graduating purposes;

Whereas the said Bill as so amended as aforesaid was passed by the said legislature and was in its said amended form assented to by His Honour the Lieutenant-Governor;

Whereas His Grace the Archbishop of St. Boniface has written under date of August, 1889, the letter to the Minister of Justice, which has been now read and in such he points out that "in the preamble of the Act establishing the university it is stated that the university is to be established on the model of the University of London, and that this was inserted advisedly, as it was then intended

Mr. MARTIN.

and clearly understood that the university was to be an examining body and not a teaching body," and in which letter he also further points out that the Hon. Mr. Royal, who had charge of the Bill, who put it through the House and supervised it in Committee of the Whole, never saw the words "at present" (also referred to) nor heard them mentioned;

Whereas His Grace in the said letter further states "that I do not wish to ask for any special privilege or favour for St. Boniface College, but what I desire and what I would suggest is that in the patent granting to the university, the lands allowed by the statute, some clause or word may be inserted affording a protection to any particular college connected with the university and constituting a part thereof, whose rights and position may be affected or interfered with in the event of the said university altering its constitution or modifying its original plan";

Whereas the Hon. the Minister of the Interior has sent to this council a copy of the said letter of His Grace, and has asked them for any comments thereon, which they may wish to offer;

Whereas the draft patent for the said lands, submitted for the approval of the said council by the Hon. the Minister of the Interior, contains a clause to the following effect, that "if at any time hereafter the said university shall cease to be constituted, as provided by its present Act of incorporation, chapter 63 of the Consolidated Statutes of Manitoba."

Now it is resolved that this council, having compared the statements of the Archbishop of St. Boniface, relating to the original constitution of the Act establishing and incorporating the University of the province of Manitoba with the certificate of the Clerk of the Legislative Assembly and custodian of the Statutes of the province of Manitoba and the speech of the Hon. Mr. Royal, cannot but come to the conclusion that the Act of the Legislature, incorporating the University of Manitoba, contemplated the establishment of chairs and professorships in said university in the course of time, and did not provide that it should be founded on the model of the University of London, and that this fact appears to have been known to the Hon. Joseph Royal, and was mentioned by him on the floor of the Legislature of this province at the time.

Rev. Dr. Bryce then moved, seconded by Mr. Brophy, as an amendment:

"That the Chancellor name a committee to consider the matter, with instructions to report on Thursday, the 5th December next, at the general meeting of the council."

The amendment, having been put, was lost.

The main motion was then put, and carried on the following division:—

YEAS:

Rev. Prof. Hart, Mr. Goggin, Mr. Mulock, Mr. Wade, Archd. Fortin, Rev. Dr. Sparling, Prof. Kenrick, Hon. Chief Justice Taylor, Dr. Gray, Dr. Corbett, Rev. Mr. Baird, Prof. Laird, Mr. Pitblado, Dr. Jones, Mr. Aikins, Rev. Canon O'Meara, Rev. Dr. Bryce.—17.

NAYS:

The Vice-Chancellor, Hon. Mr. Prendergast, Rev. Mr. Cherrier, Rev. Father Lory, Rev. Mr. Cloutier, Mr. Brophy, and T. A. Bernier.—7.

The Vice-Chancellor then submitted the following report :

The committee on the patent of the university lands beg to report :

That at a meeting thereof they passed the following resolution on a division :

That the committee do not approve of the patent from the Crown as at present submitted, and that the committee do wait upon the Minister of the Interior with reference to the said patent and request the same to issue free from conditions.

That thereafter the committee, with the members of your committee who dissented from the said resolution, waited upon the Hon. the Minister of the Interior, when he was in this city, and after a conference he expressed his desire that he be written to upon the subject of the university.

And that since then nothing further has been done.

All of which is submitted.

(Sgd.) J. DUBUC,
Chairman.

The report was then received and adopted on motion of Mr. Mulock, seconded by Canon O'Meara.

Mr. Mulock then moved, seconded by Mr. Wade :

That this council do submit that the letters patent from the Crown for the lands granted by the Dominion Government should be issued without any restrictive conditions.

This motion having been put, it was carried on the following division :—

YEAS :

The Chancellor, Rev. Prof. Hart, Mr. Goggin, Canon Coombs, Mr. Mulock, Mr. Wade, Canon Matheson, Archd. Fortin, Rev. S. Sparling, Prof. Kenrick, Rev. Dr. King, Rev. A. B. Baird, Hon. Chief Justice Taylor, Dr. Gray, Prof. Laird, Mr. Pitblado, Dr. Jones, Canon O'Meara, Rev. Dr. Bryce, Dean Grisdale.—20.

NAYS :

The Vice-Chancellor, Rev. Father Lory, Rev. Mr. Chevrier, Rev. Mr. Clouthier, Hon. Mr. Prendergast, Mr. Brophy, T. A. Bernier.—7.

It was then moved by Mr. Goggin, seconded by Rev. Prof. Hart, and carried :

That copies of the resolution moved by Mr. Wade, and also the resolution moved by Mr. Mulock at to-day's meeting, be transmitted to the Hon. the Minister of the Interior.

It was then moved by Mr. Mulock, seconded by Mr. Wade and carried :

That, whereas it has been represented that the grant of the endowment of 150,000 acres of land to the University of Manitoba was a part of what is commonly known as the "Better Terms Act of 1885," as a result of which the Government of this province would be interested in the same :

Therefore it is resolved that the registrar of the university do transmit to the Hon. the Attorney General of this province, copies of the report of the land committee made to this council this day with the documents attached, together with copies of the resolutions of Mr. Wade and Mr. Mulock passed this day.

At a subsequent meeting the following letters were read :—

ST. BONIFACE, Dec. 27, 1889.

Sir JOHN THOMPSON, Minister of Justice.

HON. SIR,—Very likely you have received a copy of the resolutions passed by the majority of the council of the University of Manitoba with the object of making it a teaching body ; also the objections taken to my letter addressed to you August last.

Likely you have also received affidavits purporting to refute any assertions with regard to the original intent, at the time, of the founders of the university.

To this I reply that I emphatically maintain that the position I took at the outset is exactly the one I mentioned in my letter to you. I myself suggested that the words "on the model of the University of London" be inserted in the preamble, and the Act would contain the clause: "There shall be no professorship or teachership in the university."

I never knew that the words "at present" had been inserted within just now cited clause ; but after it was too late to remedy the assertion.

I would never have consented that the College of St. Boniface should join and become an integral part of a university in which teaching would be imparted without any control which could protect the students of our college on their religious belief.

As far as I am concerned, and in the face of the resolution adopted by the majority of the council, (when sickness prevented me from being present), I declare that I have nothing to retract from what I have written to you.

His Lordship, the Bishop of Rupert's Land objects to the sentence of my letter which says : "The Bill was discussed and adopted at the meetings of the representatives of the three colleges."

Naturally His Lordship knows better than I, what was done at St. John's College, and I respectfully accept his version. The opinion I expressed with regard to this was the result of several conversations I had in 1876 and 1877 with His Honour the then Lieutenant-Governor of Manitoba, Hon. Mr. Morris. It was he who urged upon me the advisability of joining with the two other colleges, to secure a university in Manitoba, giving me to understand that the said two colleges had meetings of their own on the subject. I, at first, declined the proposition, my insurmountable objection being in regard to teaching. His Honour insisted, then I told him that I was exceedingly anxious to go as far as possible to meet the views and desires of the other colleges, that having no experience myself in university matters (there being no university in my native land when I left for missions), I would consult and study the whole subject.

I went to Quebec, in 1876, with no other object than to confer with other Bishops and see what I could do to harmonize my great desire of removing any obstacles to the university with the sacred obligations of my position as spiritual guide of my people.

In Quebec I saw a calendar of the University of London ; I studied the principal features of the institution and satisfied myself that I could allow the College of St. Boniface to join the desired University of Manitoba, provided that the teaching of our students would remain entirely under our control. I returned to Manitoba, informed His Honour of my willingness, insisting that the functions of the university would be limited to the

examining of candidates for degrees and the granting of such degrees. The University of Manitoba was created. The new institution received congratulations from many distinguished personages; it was considered a marvel of liberality and goodwill on the part of all those who had contributed to its establishment. Our dear young university has already done a great deal of good and has been a source of enjoyment to its members. I have no doubt but it would have continued being so, if the principle of the constitution had been preserved. Unfortunately the equilibrium is disturbed; the classical affiliated colleges have lost the security of their autonomy; in the near future their own teaching may be disregarded. The council of the university itself has prepared the loss of its own control; political influences are getting hold of the result of our work and sacrifices for the twelve last years. Nobody knows what can be expected within the twelve next months or after.

In the "whereas" of the resolutions, great strength is attached to certain affidavits with regard to the action of Mr. Royal. Surely, the statements of the hon. gentleman himself, concerning his own action on the matter, has more authority than the statement of others who know less than he does. Therefore I draw your particular attention to the letter Mr. Royal wrote to me on the 30th November last, of which I annex a copy marked (A).

The letter speaks for itself and fully corroborates my statement.

You may observe in the report of the meeting of the council of the university of the 23rd November that a motion of Rev. Dr. Bryce to appoint a committee was defeated. That motion would have permitted the committee to ascertain what Mr. Royal would say of the affidavit alluded to in the resolutions, and myself could have explained more fully our position. Consequently the council with the help of new information, might have arrived at a different conclusion. Unfortunately it was otherwise decided and the Catholic being in the minority in the council could do nothing but to register their votes against the measure.

It is painful to observe that the liberality of the Canadian Government in the granting of lands is causing unpleasantness among the members of our university.

With profound respect,

I remain,

Your obedient servant,

† ALEXANDER,

Archbishop of St. Boniface, O.M.I.

At a meeting of the University Council, held on July 31st, 1891 :

After considerable discussion it was moved by Dr. Duval, and seconded by Mr. J. H. Ashdown :

"That this council reaffirm the resolution of November 22nd, 1889, viz. : That this council do submit that the letters patent from the Crown for the lands granted by the Dominion Government should be issued without any restrictive conditions," and request the authorities to grant our prayer, and that the acting Registrar request the Chancellor to forward this resolution to the Minister of the Interior.

It was moved in amendment by Mr. Prendergast, seconded by Mr. Brophy, that this meeting do now rise.

MR. MARTIN.

This amendment having been put, it was lost. The original motion being then put, it was carried.

That is the present position of this matter. What is contended by the Government of Manitoba and by the university is this : This is not a grant of lands made by the Dominion Government to the University of Manitoba, but the lands go to the university as a part of a settlement made between the Government of Canada and the Government of Manitoba. In 1885, and prior thereto, there was a great deal of feeling and a great deal of agitation in the province of Manitoba as to the position of that province in Confederation. It was claimed that we should have our lands. Various other claims were made. It was claimed that we were placed in an unfair position in comparison with other provinces, in regard to our financial arrangements. The result of that agitation and discussion was that time and time again members of the executive of Manitoba came to Ottawa and discussed these questions with the Dominion Government. At last, in this statute 48 and 49 Victoria, chap. 50, a settlement was arrived at. A statute was passed by this Parliament, and a similar statute by the Legislature of Manitoba, providing that instead of the lands of the province being handed over to us, \$100,000 per annum should be given to us as an additional money grant, in lieu of our lands being given to us; and 150,000 acres of land were to be transferred to the University of Manitoba. Therefore, the question is one entirely between the Government of Manitoba and the Dominion Government. Of course, as the University of Manitoba is to be the recipient of this land grant, and as it is very much in need of funds, the university authorities have been active parties in attempting to obtain from the Dominion a transfer of this grant. The Archbishop of St. Boniface seems to think that the land grant is made, not to the university, but to the colleges which compose the university. He claims that there is a likelihood of a change being made in the constitution of the university, and he contends that if that change is made, any lands remaining should revert to the Dominion Government, and any moneys received from the sale of those lands should be paid over by the University of Manitoba to the Dominion Government; and I understand, although it does not appear clearly from this correspondence which I have read to the House, that it is contended by His Grace that then that land grant and those moneys should be divided among the College of St. Boniface, St. John's College and Knox College, the three original constituents of the university. Now, the Dominion Government have undertaken to adopt the suggestions of the Archbishop, and they have proposed to issue patents for the land grant, with conditions in the patents, carrying out the Archbishop's proposition. The University of Manitoba refuses to receive the land grant on those

conditions, and the Government of Manitoba refuses to allow the university land grant to be handed over in that way. It is not for the Dominion Government to interfere in any way, shape or manner with the action of the Provincial Legislature on this subject. In the settlement that was made in 1885 it was not at all intended to hand over to the Dominion Government the jurisdiction which of right the Provincial Legislature would have over the university created by itself. I do not think that for the purpose I have now in hand, it is very material to consider whether the Archbishop's understanding of what occurred, and his version of it given in these letters is the correct one, or whether the university council's understanding of what occurred is correct. That is a matter that will be proper to be argued before the Legislature itself when it comes to consider the question of altering the constitution of the university. If there was any agreement or understanding between the College of St. Boniface and the other colleges, when the university was established in 1877, it is no doubt the duty of the Legislature of Manitoba to pay respect to that agreement; but the place to urge that agreement and the place to enforce it is in that Legislature. The people of Manitoba will not allow the Dominion Government—and I fancy that if the Dominion Government understood the circumstances they would not undertake—to assume any jurisdiction in settling a question of this kind. It is surely a matter of provincial control. But in a sense the Dominion Government have not only undertaken to interfere in the question, but they have undertaken to decide it in favour of the contentions of His Grace the Archbishop of St. Boniface. The land in question has been selected at an expense of some thousands of dollars. The agents of the University of Manitoba have selected the 150,000 acres of land which has been pointed out to them by the Department of the Interior as being available for this purpose, and nearly five years ago the university authorities came to the Government of Canada, and said: We want our lands; we desire you to transfer to us the lands to which we are entitled under this statute. The Dominion Government have refused to transfer those lands. They have in the first place inserted in the form of patent conditions which were suggested by His Grace the Archbishop according to his understanding of the arrangement made at the time the university was brought into existence. In doing that, they have, I say, undertaken to interfere in a matter over which they have no control, with which they have nothing whatever to do. They have undertaken to decide the question in favour of one of the parties to the dispute. I have not read here to-day the letters that have been written from time to time by the Government of Manitoba to the Dominion Government; but they were to this effect. They have repeatedly asserted the claim of the pro-

vince that these lands should be handed over to the province at once, and without any restriction whatever. In the face of all these facts, the Minister of the Interior (Mr. Daly) said to me the other day that the patent for these lands was not issued because there was a dispute in connection with the matter. Under these circumstances, I thought it right, in the interests of the province, to bring before this House a real statement of the facts in the matter. And you will see, Sir, that there is no dispute whatever, unless this Government undertake to say that they have the right to interfere in matters connected with that university. Of course, it might be possible that, if the Government of Canada, of its own free will, were making a present to the University of Manitoba and intended that present to apply to that university as it existed at the time the offer was made—there might be some contention that the Government here would have the right to inquire into objections urged by one of the constituent members of that university. But, as I have endeavoured to point out, that is not at all the fact in this matter. The grant of 150,000 acres of land is not a gratuity from the Dominion to the University of Manitoba. It is part and parcel of a solemn settlement embodied in two statutes—a statute of the Dominion and a statute of Manitoba—a settlement of long-standing disputes between the Dominion and the province of Manitoba. This, I say, is one of the clauses in that settlement, and is something which the province of Manitoba has a right to insist upon, and does insist upon. Therefore, I claim that the Government of Canada by refusing to issue a patent for these lands, until these disputes between the different colleges are settled, are taking a course which is not justified under the circumstances. The plain duty of the Government is to carry out the provisions of the statute. Let me again read the statute in question, and that, I submit, is all that the Government of Canada have anything whatever to do with, remembering the circumstances under which the statute was passed, remembering that it is not an ordinary statute passed by this Parliament, but a statute passed in pursuance of a solemn agreement. I claim that the Government of Canada would have as much right to break one of the clauses of the Canadian Pacific Railway charters as to break one of the clauses of this agreement. In both cases, it is a mere statute of this Parliament, which Parliament no doubt can repeal, as it can any of its statutes. Parliament could no doubt quite constitutionally repeal any or all of the provisions of the Canadian Pacific Railway contract. There is nothing to prevent such repeal, except that it would be against the honour and dignity of Canada. For the same reason, this being a statute passed in pursuance of a solemn bargain entered into with one of the provinces of the Dominion, it is as much

against the honour and dignity of Canada to refuse to obey its provisions as to refuse to obey the provisions of the contract made with the Canadian Pacific Railway. Let me read again the clause of the statute, which is very brief :

An allotment of land, not exceeding one hundred and fifty thousand acres of fair average quality, shall be selected by the Dominion Government and granted as an endowment to the University of Manitoba for its maintenance as a university, capable of giving proper training in the higher branches of education, and to be held in trust for that purpose on some basis or scheme to be framed by the university and approved by the Dominion Government.

That shows on the face of it, that the university was intended to give training. But that is not the question for this House to consider. It is not for us to discuss whether this university should be a mere examining or a teaching body. That is a question entirely for the Legislature of Manitoba to deal with. What the statute provides is that there shall be a trust, on some basis or scheme to be framed by the university and approved by this Government. It has been framed by the university and approved by the Dominion Government, and I would like to know, on behalf of Manitoba and the University of Manitoba, why the Dominion Government have for five long years refused and neglected to issue the patents for these lands, and why they to-day refuse and neglect to issue those patents ?

Sir JOHN THOMPSON. The hon. member might well ask why we have refused to issue the patents for these lands, seeing that we have never done so. And I think that the hon. gentleman, considering that the university whose cause he has espoused, has waited for upwards of four years apparently, without a line of communication on the subject, need not have been in such great haste this afternoon in bringing the matter before the House that he could not even give the ordinary notice that he intended bringing it up on the motion to go into Supply. As far as I am concerned, I have seen nothing of the correspondence for four years and upwards, and as far as the Minister of the Interior is concerned, he has never heard of the subject, so that the intense anxiety exhibited on this subject seems to be confined to the hon. member for Winnipeg himself. I submit to him, as well as to members throughout the House, that courtesy to the House, if not to the Government, required that he should at least have mentioned the subject before bringing it to the notice of the House on going into Committee of Supply, seeing that we have not had the subject brought to our attention for so long a time that we are not in a position to tell the House this afternoon what has transpired with regard to it in recent years at all. But the documents the hon. gentle-

Mr. MARTIN.

man read refreshed my memory to a certain extent, though under the circumstances, of course, I speak from memory alone. The various denominations having colleges in the province of Manitoba, happily, it was thought, after grave deliberation, agreed upon a scheme for forming a university. The liberality of sentiment prevailing was such that these colleges, although mostly, if not altogether denominational, were able to agree upon terms of union. They were to be affiliated—this was the representation made, at any rate, on behalf of one of the colleges—in a university planned on the scheme of the London University, and, as a matter of course, it was to be an examining and not a teaching university. One thing is perfectly clear, that a union could not have been formed—and an affiliation of these colleges could not have been formed—if any system of teaching was to be established there. But they agreed to sink all differences in that way, and the Dominion Government agreed to recommend, and Parliament finally passed, an Act—in view of the harmony which had brought these bodies together—granting 150,000 acres of land as an endowment to the college. I deny that the Provincial Government has anything to do with the subject under discussion now. We have to deal with the university itself—with the corporation claiming the lands for itself ; and so far as I am aware, or so far as my memory serves me, the province of Manitoba has yet to put the first line on paper with regard to the subject. I take it for granted that, when the hon. gentleman undertook to speak for his province, if his province had any correspondence or communication on the subject, he would have read it this afternoon. The House will observe that the lands were to be selected by the Dominion Government, and were to be granted “as an endowment to the University of Manitoba for its maintenance as a university capable of giving proper training in the higher branches of education, and to be held for that purpose on some basis or scheme to be framed by the university and approved by the Dominion Government.” The hon. gentleman has assured us that the basis has been adopted by the university. So far as I am aware it has never been approved by the Dominion Government. If the hon. gentleman has among the documents a copy of any document expressing the Dominion Government's approval of the scheme on which these lands were to be held or administered, I think he ought to produce it.

Mr. MARTIN. I did.

Sir JOHN THOMPSON. The hon. gentleman says he did. I did not hear it, certainly. I did not hear any Order in Council or any communication from a Minister on that subject.

Mr. LAUREIR. That is the complaint—there has been no Order in Council.

Mr. MARTIN. Of course, the papers were long and the hon. gentleman might easily get confused. The reason why I said that the Dominion Government had approved this basis is that the Department of the Interior sent to the university a form of patent in which it was recited that the basis had been adopted by the university and agreed to by the Dominion Government. So I took it for granted that that approval had been given.

Sir JOHN THOMPSON. If that is all I was right in stating that no scheme in regard to administration of these lands had ever been confirmed by the approval of the Dominion Government. Whether we were to blame for that or not is another matter.

Mr. LISTER. The draft patent shows that the approval had been given.

Sir JOHN THOMPSON. The draft patent is not a patent executed, and the recital of such approval instead of being a decision is simply a proposal to the board of the university asking them if they are willing to accept a patent which would embody these conditions, and, if they had accepted the conditions, of course it would be proper to engross the patent with that recital in it, namely, that the scheme had been approved by the Dominion Government, and the patent would have been executed accordingly. To say that we presented a draft proposing certain conditions, which conditions, if adopted, should form a scheme and be approved by the Dominion Government, is quite a different thing from asserting that the scheme or basis on which these lands were to be held in trust had been approved by the Dominion Government. Now, when the statute of the province regulating the university came to be passed the representative of one of the bodies interested discovered that, instead of being such a university as had been deliberately agreed upon by the managers of the college, it was one that could not be agreed to, namely, there was to be a teaching body and not a body only for the administration of the education of the colleges affiliated with it. Under these circumstances a remonstrance came from His Grace the Archbishop of St. Boniface. What was done? The hon. gentleman says we thereupon refused to convey these lands, and thereby violated the good faith to be observed by the agreement. We did not do so. What we did was to transmit to the governing body of the university the remonstrance of His Grace the Archbishop of St. Boniface and a draft of patent embodying his views. And I admit that the conditions of the patent would meet his views, and with that purpose in view we made this offer to fill up the patent to the university on these terms. It was simply a draft. There was no decision on the subject, and it was sent with His Grace the Archbishop's remonstrance with a view to seeing what the authorities

of the university had to say with regard to his remonstrance and to the conditions inserted in the patent. The meeting to consider that was not held till 22nd November, 1889, although, as the hon. gentleman says, the Act with regard to that subject was passed in 1885.

Mr. MARTIN. In 1886.

Sir JOHN THOMPSON. It was assented to on the 20th of July, 1885. I do not think there was any very great urgency down to that moment, and, so far as I know, I have not yet seen, officially or otherwise, the resolutions which were adopted by the governing board of the university. The hon. Minister of the Interior informs me that they have not been brought to his notice down to the present time. It was a case, as the Minister of the Interior stated the other day, in which the action of the Government in making a grant had been stayed in consequence of a grave dispute arising touching the organization of the university, it being alleged that the scheme on which the various colleges had agreed to affiliate had been completely departed from, and a university of a different character formed, and that words had been adopted in the English version of a statute which were not in the French version and which materially modified the intention of the Legislature in that regard. From that time it has remained without action on our part, simply because there was no further request on the part of the university and because there was reason to hope and expect that by renewal of mutual consideration the whole subject could be disposed of through the prevalence of harmony between the bodies concerned—the affiliated colleges. Whether that has been successful or not I am not at this moment aware.

Mr. LAURIER. Mr. Speaker, it is manifest in this discussion that we are in the presence of another example of that procrastination which is so prevalent in some branches of the Government, and which has been so detrimental to the best interests of this country. The question now before the House came before the Government for solution at least five years ago. Having undertaken to settle it at that time the Government found certain difficulties between interested parties in the board of the University of Manitoba, and, instead of taking a course one way or the other, they pigeon-holed the papers, and these have been lying under the accumulating dust for five years. The facts, as I understand them, are very simple. The University of Manitoba was organized in 1877. At that time, or at some other time, the University of Manitoba became entitled to a grant of 150,000 acres of land from this Government. Application was made for that grant as far back as 1889. But at that time His Grace the Archbishop of St. Boniface urged upon the Government certain objections. So far as I understand, he did not object to

the issue of the patents if they were issued upon certain conditions which he urged upon the Government. Thereupon, very properly his objections were referred to the council of the university, and a correspondence took place which elicited the fact that between the Archbishop of St. Boniface and some other members of the university there was a difference of opinion. One thing is clear to me, and that is that when the Bill to create this university was proposed in the Legislature of Manitoba it was the intention of the promoter of the Bill that the university should be an examining body and not a teaching body. Another thing is equally clear and manifest, and that is that when the Bill became law this feature of the Bill had not been maintained, for, under the Bill as passed, it was provided that the university was not to be an examining body, but a teaching body. How that occurred is not very clear. Mr. Royal, who was at that time Attorney General, and who was in charge of the Bill, said that the change was probably made in committee; at all events, it was made without his knowledge or consent. I am not now going into that matter, but I call the attention of the hon. gentleman to this fact. When this difficulty occurred between the Archbishop of St. Boniface and the council of the university, and when it was referred to him, it was his business, it was his duty, and it was the duty of the Government, to come to some decision upon the question. The University of Manitoba is entitled to these lands, as to that there can be no doubt; and when they press upon the Government to issue the patents, they are within their rights. Now, I am not prepared at this moment to say that the patents should be issued without any condition at all, as is claimed by the university, nor am I prepared to say whether they should be issued only upon the condition made by the Archbishop of St. Boniface. That is a question as to which I could not at this moment offer any opinion at all; but at all events, I say that it is the duty of the Government to come to some decision. Why, Sir, for five years, have this Government delayed action, because the hon. gentleman admits that for five years neither himself nor the Minister of the Interior have given any attention to this matter. It was a gross dereliction of duty on their part to allow five years to pass without coming to any decision. I am not prepared, for my part, to agree with everything that has been said by the hon. member for Winnipeg. For instance, if I understood him aright, he said that the Government had decided in favour of the Archbishop's contention. I do not think there was anything of the kind. It seems to me that the Government did at first intend to decide in favour of the pretension of the Archbishop, because the draft of the patent sent out to the council of the university contained a disposition which was evidently

Mr. LAURIER.

meant to meet the views entertained by the Archbishop; but they do not seem to have carried out their intention, and from that moment did nothing. Without deciding either in favour of one party or the other, the Government allowed the matter to rest for five long years. Now, it is not extraordinary that my hon. friend should come to this House and should take this opportunity of speaking in favour of the University of Manitoba, and ask for a decision in the matter. I say again that it is the bounden duty of the Government to give a decision; they must issue these letters patent, either with the condition claimed by the University of Manitoba, or with the condition claimed by the Archbishop of St. Boniface. But now the hon. gentleman says that because there is a contention between the two parties, they must wait for a decision until they have effected a reconciliation between them. I think that where the University of Manitoba and the Archbishop of St. Boniface disagree upon a question of fact, for it is a mere question of fact—it is hardly probable that they can become reconciled; but, at all events, whether they become reconciled or not, it is the duty of the Government to come to some decision on this matter, and not let it sleep for ever because the parties do not agree. Why, Sir, can you imagine a more lame excuse than the one given by the Government for delaying action upon this matter? Because the two parties cannot agree upon one thing, the Government are to let this important question remain pending for ever, or until they come to some agreement. What is the business and the duty of the Government? It is to administer the laws of the country. Here is a law upon the Statute-book compelling them to do a certain thing, and until they do that certain thing they are deserving the censure of this House.

Mr. MARTIN. Mr. Speaker,—

Mr. SPEAKER. The hon. gentleman cannot speak a second time.

Mr. MARTIN. I move that the House adjourn.

Mr. SPEAKER. The hon. gentleman cannot do that, either.

Mr. MARTIN. I will get an opportunity later.

Sir JOHN THOMPSON. I do not object to the hon. gentleman's speaking again. I do not suppose he will speak at any great length. I may say before he begins that since I spoke, my colleague has obtained a file of the papers, and I see that the scheme for the administration of the land was approved at the time the draft patent was transmitted, in 1891.

Mr. MARTIN. I am satisfied that must be so; at any rate, the university have always taken that view, and if it had not been so, I fancy the Government would be

open to censure for allowing the question to stand so long without settling it. In 1889, the university made a draft, and on the 14th of January sent it to the Government for the consideration of the Government, and on the 30th July, 1889, they received from the Department of the Interior a letter offering a form of patent in which it was stated that the basis laid down by the university had been adopted by Order in Council; and I would be very much surprised indeed if the hon. the First Minister had not found out, as he has found out, that the Order in Council was duly passed, approving of the basis laid down by the University of Manitoba. The statute provides that the basis on which the lands were to be held is to be adopted by the university, and approved by the Dominion Government. That basis was adopted in 1889, and was approved by the Dominion Government in 1889, and the form of the patent was sent by the Government to the university authorities on the 30th July, 1889, reciting those facts; so that the university, from that time forward, have considered that matter a dead issue, and the only thing that has delayed the issue of the patent, is this new point raised by His Grace the Archbishop of St. Boniface. Now, Mr. Speaker, the First Minister found fault with me for bringing this subject before the House without proper notice. I would like, under the circumstances, to say why I brought it before the House in this way. I had given notice of a motion for all papers in connection with this matter. That notice has been on the paper for a week or two, the Government have had full opportunity of reading it, and if they were not acquainted with the facts in connection with it, they would naturally look them up. Not only had I that motion on the paper, but I asked the Minister of the Interior a question over a week ago, before vacation, I think, and he stated in answer that the reason why the patent had not been issued was that there was a dispute in the matter. Under these circumstances, the Government knew that I was going to bring this matter up. The fact that last Monday the Government went through the Order paper, disposing of all these notices, amongst which was this particular matter, in a very peremptory manner, when many members of the House could not conveniently be here, does not place the Government in a position to complain of a lack of courtesy on the part of any member if he takes this opportunity, the only one left him, to bring the matter before the House. I may say that since I have been here I have not experienced an excess of courtesy from the members of the Government, particularly in connection with the tariff. I have had occasion, in connection with the tariff, to bring several matters of a purely non-partisan character before the consideration of the Minister of Finance, and I must say that

I have received the gruffest answers from that hon. gentleman. In fact, on one occasion, when I brought a matter before him for consideration, he commenced in a low tone of voice to give forth something which was apparently intended for a witticism, because it was laughed at by those near him, but which I could not even hear. Those are the kind of answers I have got from the Government, and yet the hon. leader of the House complains that I am not treating them with sufficient courtesy. If I have not done so, it is perhaps because I have not felt that they have shown any particular courtesy towards myself. But I think, under the circumstances, I have done all I could be expected to do; I have given them every reasonable notice that this question was to be brought to their attention. The First Minister insinuates, in fact plainly states, that the University of Manitoba do not care anything about this matter, and that I have brought it up presumably for political effect, on my own motion. I can say that that is an entirely gratuitous assertion on the part of the Minister. I have here copies of the documents which were sent to me by the University of Manitoba for the very purpose of bringing this matter to the consideration of this House. It seems a very strange inference for the First Minister to draw, that although in a solemn way in 1889 the university sent to him or to his Government, or to the then Government, a statement in which they said that they refused emphatically to accept the condition proposed to be placed on the patents, he had heard nothing of it. Then the university took up the investigation in a solemn way in 1891, on 31st July. After considerable discussion it was moved by Rev. Mr. Duval, who is an eminent Presbyterian clergyman in our city, seconded by Mr. Ashdown, one of our leading merchants, in the terms I have already read. An amendment was submitted, which was lost. In pursuance of that resolution the Chancellor forwarded to the Government a copy of that particular resolution. Then the hon. gentleman said he never heard of any claim being made by the province of Manitoba in connection with this matter, and he added that if I had any letters in connection with it, no doubt I would have had them here and have read them. There is no doubt whatever that the province of Manitoba has in the most emphatic and formal manner addressed the Government in writing, if I mistake not has addressed the hon. gentleman himself, and have demanded a fulfilment of the contract contained in the statutes to which I have referred. The hon. gentleman will find not one but several letters.

Sir JOHN THOMPSON. No such letter was sent to me.

Mr. MARTIN. I am not positive about that, but it was sent to the Government,

and was sent probably to the Minister of the Interior. The resolution passed on 22nd November, 1889, in which the university refused to accept the conditions, was at once communicated to the Local Government of Manitoba by the university authorities. I was then a member of the Local Government, and I was the particular Minister whose department had to deal with the matter, and I myself wrote, at the instance of the Government of Manitoba, a very strong letter to the Government of Canada backing up the contention of the university, and demanding as a right the immediate issue of this patent without any conditions whatever. So the hon. Minister is mistaken all round in his facts. He has proved himself to be so as regards his assertions, but all the statements which I have made the hon. gentleman will find to be correct on making inquiry in the proper department. The hon. gentleman thinks that we have been slow in this matter, because from 20th July, 1885, nothing was done until 22nd November, 1889. There was some delay undoubtedly, but it arose from the impossibility of getting the Department of the Interior to act. Why should the hon. gentleman talk about delay arising in connection with this matter? In my experience, both as a private member and as a member of the Government, weeks and months elapsed before we were able to obtain an answer to an ordinary letter sent to the Department of the Interior. So soon as the University of Manitoba became entitled to these lands, the authorities immediately set to work to have them selected. They sent communication after communication to the Department of the Interior. They caught the Minister as he passed to and fro, and they interviewed him. They came to the Local Government and obtained a grant of \$4,000 for the purpose of paying the cost of inspection, and it took them with all their zeal, having to work with an institution like the Department of the Interior, which moves so slowly, until 1889 to make a selection of their land. The selection having been made, they expected to have the land granted by patent. But no less than four years and a half have elapsed since the contention was put forward by His Grace the Archbishop of St. Boniface to which reference has been made, and we are still without the patent, and the Minister of Justice says he has done nothing because he has heard nothing of it. He mentions that we have been so very quiet. What does the hon. gentleman expect us to do? Does he expect the council of the university to be again called together and another resolution passed setting forth that the university still adheres to the ground it took on a previous occasion? It is his duty, and the duty of the Government, as has been pointed out by the leader of the Opposition, to do something, and to deal with this matter, and the hon. gentleman may think I am simply bringing this question

Mr. MARTIN.

forward for some purpose of my own, but I can tell him that the council of the Manitoba University includes the leading people of the province, and that they are at my back, and fairly so. The contention we make is a fair one, that the Government are bound to issue these patents. At all events, as the leader of the Opposition has said, they are bound to come to some decision. Let us know their decision. It is very strange that they should attempt to get out of the difficulty by casting blame on the university authorities, and saying that the whole matter has been delayed. Again, it is said that there has been delay of four years, and now the matter is brought before this House without notice. The hon. gentleman, however, has now all the facts before him, he can refresh his memory on the subject, he can look up the letters of the Local Government; and I hope all these matters will be brought before his mind, and that he will arrive at a conclusion in the premises, and announce his intention, either of standing by the position of His Grace the Archbishop of St. Boniface, and refusing to issue the patents except on the terms suggested, or of handing over the lands free of conditions, as the department should have done long ago.

Sir RICHARD CARTWRIGHT. The Minister of Justice in the course of his remarks in reply to my hon. friend the leader of the Opposition, laid down a principle which was certainly not very generally attended to by his own friends on former occasions. As a matter of courtesy when a motion is to be made on going into Committee of Supply, notice thereof is given to the Government. That I think is a reasonable proposition, but I may remind the hon. gentleman, and remind some of the older members of the House that in the case of the Administration of which I had the honour to be a member some years ago, that formality was not by any manner of means regularly attended to. I may also remind the hon. gentleman that it is the unquestionable right of every member of the House, on the motion to go into Committee of Supply, to state any complaint or grievance he may have to ventilate; nor can a Minister in the slightest degree reflect on any member of the House, on either side of it, who chooses to avail himself of the opportunity which our forms give us for thus ventilating complaints and grievances. As to the particular question in hand, it appears to me that my hon. friend is perfectly right in saying that the Government ought to have made up its mind and given an answer, yea or nay, to this question. If it is the desire of an hon. member to make a statement, and follow it up with a motion and a vote, there is a good deal to be said in favour of giving notice, and I am disposed as a matter of parliamentary etiquette and courtesy to adhere to that rule, but as regards such a question as the hon. member for Winnipeg (Mr. Martin) has brought up, there is no procedure and no

rule. It has been held, and I hope it will always be held, to be within the province of a member who has a grievance of any kind to state it to the House before it proceeds to vote supplies to the Government, nor do I think objection can well be taken to such a proceeding.

Sir JOHN THOMPSON. I did not contend that the hon. member for Winnipeg (Mr. Martin) had not the right to bring up the subject as he has done, or that he was out of order in doing so. What I pointed out was, that as a matter of courtesy to the House when he undertook to bring forward a grievance in respect of which nothing had passed during three or four years, he should have at least mentioned it the night before, in order, not that we should evade the attack or answer it, because that is not a matter of any consequence, but that we might be able to give information to the House on the whole subject. If it is not a matter of courtesy, and if the rule is not to be observed as a matter of courtesy, let it be so. If this is to be a departure from the rule which the leader of the hon. member from South Oxford, with his usual courtesy, has observed ever since I came into this House; let us understand it. And if the excuse on this occasion is, that the hon. member for Winnipeg (Mr. Martin) did not get along well with the hon. Minister of Finance in discussing the tariff, or if it is to be a matter of retaliation on us for something that took place sixteen years ago, when the country had their experience of the hon. member for South Oxford (Sir Richard Cartwright), then the country and the House will be able to understand it.

Sir RICHARD CARTHRIGHT. I trust, Mr. Speaker, I may be permitted to say a word, as the right hon. the First Minister has spoken twice. The hon. gentleman has misstated my point altogether. I admit that as a matter of courtesy, when you are going to make a motion on going into Supply, notice should be given. But I flatly deny that on such matters as my hon. friend (Mr. Martin) has brought up, it is either the custom or at all necessary to give notice. My hon. friend (Mr. Martin) has merely stated a grievance without following it up by a motion, and there is no reason at all why notice of that should be given. It may not be possible to give notice in a great many cases, and it is simply a question for the hon. gentleman who has the grievance whether he does give notice or not.

Sir JOHN THOMPSON. If he does not want the information, then, of course, he need not give notice.

Mr. MARTIN. I had that motion on the paper for a couple of weeks.

Sir JOHN THOMPSON. That has nothing to do with the present question.

Mr. DALY. If any person has a grievance in this matter it is myself. As Minister of the Interior, under whose department this matter comes, it would seem to me that if the university authorities of Manitoba are so anxious to have this matter brought to a conclusion, as the hon. gentleman (Mr. Martin) would lead us to understand, it is a singular thing that although I have occupied the position of Minister of the Interior for nearly eighteen months, I have never had a communication from the authorities of the University of Manitoba or from any person on their behalf in reference to this matter. In addition to that, during my incumbency of this office, I have been in Winnipeg on three special occasions and neither the university authorities nor any person on their behalf, has approached me with reference to this matter. If the hon. gentleman (Mr. Martin) intended to have brought up this matter to-day he should have given notice of it in order that I might have the papers with me so as to show what position the matter occupies so far as the records of the department go. In contradistinction to what the hon. gentleman (Mr. Martin) has said with reference to this being urgent, I find, that instead of its being pressed upon the department, that the last communication that was had from the university authorities or any person on their behalf on this subject, is a letter from His Lordship the Bishop of Rupert's Land, dated November, 1891. From that day to this, no communication has been had between the university authorities or any person on their behalf, and the Department of the Interior in reference to the issue of patents for these lands. Nearly three years have elapsed since they communicated with the department at all. The hon. gentleman (Mr. Martin) has said, that he had a notice on the Order paper, and he complained of the Government rushing the paper through. The Order paper was in the hands of the House, and by the agreement that was made between the leader of the House and the leader of the Opposition, all notices were dropped unless by the consent of the House they were allowed to stand.

Mr. LAURIER. There was no arrangement between us. They would drop under the rule of the House.

Mr. DALY. Well, it is the rule of the House that they should drop when those in charge of them were not present. No distinction was made between any hon. gentlemen in this House with regard to dropping the motions, and if the hon. member for Winnipeg (Mr. Martin) had been attending to his duties he would have had an opportunity of discussing this question.

Mr. MARTIN. The notices were not all dropped.

Mr. DALY. They were all dropped but one. The hon. gentleman states that the

Government of Manitoba are interested in this matter. I take issue with him on the grounds stated by the Minister of Justice, and I think the clear reading of section 2 of chapter 50, 48-49 Victoria. "Act for the final settlement of claims made by the province of Manitoba on the Dominion," will establish to the mind of any person reading it, that the Government of Manitoba are not to be considered in this matter in any way at all. It states there, that the 150,000 acres of land of fair average quality was to be selected by the Dominion Government and granted as endowment to the University of Manitoba for its maintenance as a university, and that it was to be held in trust for that purpose. It was not to be held by the Manitoba Government, but by the university authorities in trust, and not by the university authorities until the patents had issued, and it clearly seems to me that the patents would be issued by the Dominion Government to the university upon the trust mentioned in this section of the Act. But it appears that away back in the year 1890, when the hon. member for Winnipeg (Mr. Martin) was the Attorney General for Manitoba, he directed, not two or three communications, or not half a dozen communications, as he would give the House to understand, but he addressed one communication to the Department of the Interior upon that matter. That communication was dated the 2nd of January, 1890, and it contained a protest on behalf of the Government of Manitoba against the restrictions in the patents of these lands. The hon. gentleman (Mr. Martin) has complained of the dilatoriness of the Department of the Interior, and he said that it took weeks and even months to get an acknowledgment of that letter.

Mr. MARTIN. I did not say that.

Mr. DALY. I beg your pardon, you said that it took weeks and months to get even a reply.

Mr. MARTIN. For some letters, but not for that one.

Mr. DALY. Well, the only letter that the hon. gentleman ever directed to the Department of the Interior in this matter is dated the 2nd of January, 1890, and was acknowledged by the department on the 10th of January, 1890, which was not a very great delay, seeing that it took three or four days for that letter to reach Ottawa from Winnipeg.

Mr. LAURIER. What was the answer?

Mr. DALY. The answer was simply an acknowledgment of the letter. What else could the hon. gentleman expect?

Mr. LAURIER. That is not a reply.

Mr. DALY. That is a reply. The hon. gentleman (Mr. Martin) started out with the

Mr. DALY.

idea that the acknowledgments were even delayed. I take it, so far as the Government of Manitoba are concerned, that they are not interested in this matter, good, bad nor indifferent. It is a matter entirely between the Dominion Government and the University of Manitoba. What I stated to the hon. gentleman the other day, was perfectly correct: the reason the patents were not issued was on account of there being a dispute. Surely the hon. gentleman has testified to the fact of there being a dispute, by the record he has read here this afternoon. So far as the Department of the Interior is concerned, I assert that it is not blameable in this matter, any more than are the university authorities. If it is so urgent, if it is a matter that the university authorities are desirous of having cleared up, it is an extraordinary thing to me that no advances have been made to me as Minister, and that they have sent no communication to the department since I have been at its head. The matter never came to my notice as Minister of the Interior until the hon. gentleman's motion was placed on the paper, and I was prepared when his motion came up to discuss it. Now that it has been brought to my attention, I will see that it is dealt with by the Government in a manner that will be, no doubt, satisfactory to all parties concerned.

Mr. DAVIN. The hon. member for Winnipeg (Mr. Martin) has made a statement to-day in regard to this question that I do not think should be allowed to go without comment. He has stated broadly that it takes a long time to get a letter in reply to yours from the Department of the Interior.

Mr. MARTIN. Hear, hear.

Mr. DAVIN. My hon. friend says "hear, hear," but let me point out to the House that if there is any truth in that statement it is easy enough to establish it, because all he had to do was to give an instance where letters were written and where no response came. That statement is of such a nature that it ought to be substantiated in that way or not be made at all, because how could a Minister of the Interior go before the public and answer a broad assertion of that kind? You ask the Minister to prove a negative. In order to disprove that statement the Minister would have to go over the whole correspondence of the Department of the Interior to show by the process of exhaustion that no particular letter had remained unanswered. The hon. member (Mr. Martin), I believe, used to instruct children in other times, and he, therefore, may be assumed to have that pedagogic smattering of education which belongs to his vocation. The hon. gentleman ought to know that no man, no Ministry, and no department, should be asked to prove a negative. Now,

Sir, I am speaking for the department generally, not for any given Minister; but I must say, so far as my experience goes—and it extends not merely over seven years, but over some ten or twelve years, and is fortified by the experience of three or four western members of Parliament with whom I have conferred—that I have never found that department remiss in acknowledging letters, or in dealing with any questions that happened to be brought before it. Of course, I cannot go over the whole line of affairs which the Department of the Interior has to deal with; I cannot do what Aristotle says is impossible, namely, prove a negative; all I can say is that along that portion of the line which is covered by my experience, the statement of the hon. member is absolutely without foundation.

Mr. MARTIN. The hon. gentleman is in a very different position from me; he is a humble follower of those gentlemen, while I am not.

Mr. DAVIN. I am very glad to know that I am not only a follower, but a humble follower.

Mr. MARTIN. I beg the hon. gentleman's pardon. I am speaking of now, not of a couple of years ago.

Mr. DAVIN. The hon. gentleman's interruption will not divert me from the argument I am making. I am dealing with a matter of fact. I say, whether I am now a humbler follower than I used to be, or whether I am the same as I always was, that neither now nor at any other time—and I think I echo the views of the hon. member for Eastern Assinibola, and I know I am expressing the opinion of his predecessor—in our dealings with the Department of the Interior, have seen the least foundation for the charge which has been made. Let me say, Mr. Speaker, that this matter deserves to be regarded with a seriousness very far from the levity which my hon. friend would fain introduce into it. It is not merely a charge against the present Minister of the Interior, but it is a charge against his predecessors; it is a charge against the Deputy Minister, against the chief clerk, against the whole body of officers in that department; and it is a very grave charge. If there were any truth in the statement that questions and letters addressed to that department were treated with contumely and not replied to, it would be a very grave matter. Now, in dealing with this charge, I can only deal with probabilities. Here is a matter of the gravest possible importance to the province of Manitoba—the giving of 150,000 acres of land to endow a university. What is the hon. gentleman's suggestion?—because he does not give the charges. He is a lawyer, I believe, as well as an ex-professor. What would he say if a lawyer opposed to him were to go

into court and make a vague charge against his client? Would not the first thing he would do be to insist that particulars should be given? Instead of giving particulars, the hon. gentleman comes here to-day and makes this general charge. Now, I want to point out the utter improbability of its being true; because I can only deal with probabilities. Here is one of the gravest charges that could be made against the Department of the Interior—not that any person wrote to the Department, and his letter was treated with contempt, but, as I understand, that the Government of Manitoba, or somebody connected with the Government of Manitoba, or some persons connected with the university—I heard the name of Mr. Ashdown mentioned—or some trustees of the university wrote to the department, and the communication was treated with contempt. Now, Sir, if a humble follower of the Government, as the hon. gentleman supposes me to be, has always been replied to, how much more would be those great and important personages?—a great statesman like the late leader of the hon. gentleman, Mr. Greenway, or the hon. gentleman himself, who, I believe, from the way he has described himself, would be the person to write? How much more likely would the hon. gentleman be to get a response from the present Minister of the Interior, or from any of his predecessors than a humble follower of the Government like myself? But I do not want to go on into the question. What I want to deal with is the utter impropriety of making a general charge without giving instances. That is wasting the time of this House, because there is no subject for us to discuss; you cannot possibly deal with it. It is like making a general charge against a man's character or against an institution. Where are you to join issue? There is no spot pointed to. The hon. gentleman has had experience in the Manitoba Legislature, as well as some experience here, and I do hope that as he becomes an older member of this House he will not again be guilty of such a grave indiscretion as to make a general charge without bringing forward a tittle of proof, and for which I do not believe a tittle of proof is to be had.

Mr. McCARTHY. I do not propose to follow the hon. gentleman who has just resumed his seat in a discussion as to the propriety or impropriety of a charge, which he calls a general and sweeping charge, which he says was made against the Department of the Interior. That is altogether aside from the main question which the hon. member for Winnipeg (Mr. Martin) brought to the attention of the House, and which is undoubtedly a very important and grave question, fully worthy of our consideration. Now, Sir, I have only gathered the substance of what has taken place from the statement made by the hon. member for Winnipeg: but the conclusion that it left on

my mind was very different from what it seems to have left on the mind of the hon. leader of the Opposition. It appears to me that the Government have decided this question, and the delay and difficulty has arisen because the University of Manitoba declines to take a patent in the only way in which this Government is willing to give a patent.

Mr. MARTIN. That is it exactly.

Mr. McCARTHY. And, therefore, the issue is with the province and the university demanding a patent in unfettered terms; and I think it is perfectly plain that the province and the university are entitled to have a patent in those terms, while this Government has arrogated to itself the right of saying: We will only grant you that patent fettered by terms and conditions, and if you do not choose to take it in that way you will not get it. Now, the hon. member states, and states properly, that this is the result of a solemn treaty made between the province of Manitoba and the Dominion Government. It is stated so on the face of the Act of Parliament:

The grants of land and payments authorized by the foregoing sections shall be made on the condition that they be accepted by the province (such an acceptance being testified by an Act of the Legislature of Manitoba) as a full settlement of all claims made by the said province for the reimbursement of costs incurred in the government of the disputed territory, or the reference of the boundary question to the Judicial Committee of the Privy Council, and all other questions and claims discussed between the Dominion and the Provincial Government, up to the tenth day of January, one thousand eight hundred and eighty-five.

So here we have an agreement made which is equivalent to a treaty, and much higher therefore than the reference which the hon. member for Winnipeg (Mr. Martin) gave—a contract between the Government and a corporation, even if that corporation be the Canadian Pacific Railway. Here is a treaty between the two Governments for the settlement of disputes between them, and amongst other things this Government agreed to give 150,000 acres of land, which they were to select, as an endowment to the Manitoba University. That agreement was made in 1885, the selection was made within a reasonable time afterwards, and we find in 1889, the selection of land having been made, that the university demanded a patent. What happened then? His Grace the Archbishop of St. Boniface protested against the grant being made to the university, and after his protest was discussed by the council of the university, that council decided against the contention of His Grace. But His Grace then appealed to a quarter where apparently his influence has more weight than it has in the council of which he is a member, and the communication of His Grace was very properly forwarded by the authorities here to the university, in order

Mr. McCARTHY.

that they might consider the whole question. They considered the whole matter, apparently in the presence of His Grace, and declined to accept either his contentions or conclusions. That decision was indicated to this Government, and the patent demanded. But this Government appear to have decided in favour of His Grace the Archbishop, and say the patent will only be granted, fettered by trusts and conditions on which the province and University of Manitoba decline to accept it. Now, on reading the section which has been read partly here, to my mind it is clear that there is no right on the part of this Government to interpose and decide this question adversely to the views of the province of Manitoba and the university. Both the province and the university agree. It might be a very difficult question if the province, which is a party to this bargain, and the university were at variance, but they are in perfect accord. They both insist that the patent shall go to the university unfettered by any conditions. Let us see now what right the authorities here have to burden the grant with any terms. The clause reads:

An allotment of land, not exceeding 150,000 acres of fair average quality, shall be selected by the Dominion Government and granted as an endowment to the University of Manitoba for its maintenance as a university capable of giving proper training in the higher branches of education.

The university is to be not merely an examining body, but a university capable of giving proper training in the higher branches of education, so that we may take for granted that there was then an Act of the Provincial Parliament defining the powers of the university, that the powers of the university had been settled prior to this arrangement, and it was with the university, as thus constituted, that the parties were dealing in 1885. On the very face of the Dominion Act, it appears that the grant of land is to be given, not to a mere examining body like the London University, but a university capable of giving proper training in the higher branches of education. What has the Dominion Government to say as to the trust? The manner of the trust is the only thing which the Dominion Government are to approve:

To be held in trust for that purpose, on some basis or scheme to be framed by the university and approved by the Dominion Government.

The university has framed the scheme, which the Government have approved, and that is all the Government have to consider. But they have insisted and are insisting on attaching to the grant certain conditions upon which the province decline to take it, and the university does not want it. Therefore, the importance of the question brought to our attention by the hon. member for Winnipeg cannot be overstated.

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

After Recess.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Salaries and contingent expenses of the Senate..... \$61,688

Mr. McMULLEN. I do not wish unnecessarily to detain the committee in the discussion of the items connected with the Senate; but without drawing the committee's attention to a great many items, that might well and properly become the subject of criticism, I wish to offer a few general remarks. I do think that some system of controlling in some way the extravagance that unquestionably must exist in connection with contingencies in the Senate and the distribution of all kinds of material, should be devised whereby a stop would be put to some of the extravagance. Any one who will go over the list of the Senate contingencies, and note the enormous quantity of different kinds of stuff purchased must come to the conclusion that there is a leak somewhere. I am not saying that the extravagance is confined to the Senate. I frankly admit there is a great deal connected with the House of Commons, but at the moment we are dealing with the Senate. Any one turning up the Auditor General's Report, and reading over the purchases of all kinds of stuff, that must be quite unnecessary, must conclude that there is a very great leak which should be stopped. I do not know when this thing commenced. It began before it was my privilege to have a seat in this House, and it has been going on ever since. I find that this year there is a proposed increase of \$200 in this very item. Now, we all know very well that hon. gentlemen opposite have been professing for the last two months to reduce taxation, although they started at the bottom of the hill and gradually got back to the top where we were before, and to be consistent with their professions, they should see the absolute necessity of cutting down our annual expenditure. And, if we are to do that, I believe we should begin with the expenditures that are directly under our control in connection both with the Senate and House of Commons. I should like to know why an increase of \$200 is asked for instead of a reduction being proposed. I do not think there has been a year since I came here when increases were not proposed in the Senate and House of Commons expenditure. When are we going to reach the limit and begin to curtail expenses? If the Minister is present who is supposed to have supervision over these matters, I would like to know why an increase of \$200 is asked for this year?

Sir JOHN THOMPSON. If the hon. gentleman will look at page 30 of the Estimates

he will see that there are four statutory increases. This would account for \$200.

Sir RICHARD CARTWRIGHT. In the Senate accounts there are some items that might very well be explained by the member of the Government who takes these matters in hand. I notice, for instance:

Restaurant committee, allowances for chairman for expenses, two at \$100 each, \$200.

If these chairmen are senators, it appears to me scarcely consistent with the dignity of that body to make a special charge as chairmen of a restaurant committee. The hon. gentleman will do well to remember that the Auditor General's Report is scrutinized more closely outside than it is here, and there are a variety of items like this appearing in the Senate details which seem to me to require explanation. We do not want to criticise their expenditure too minutely, but such items as this—though there may be an explanation of them—appear on the face of things, rather odd, to say the least of it. Such an item as that I have given does not appear in our accounts.

Sir JOHN THOMPSON. I do not think these are payments to senators.

Sir RICHARD CARTWRIGHT. I should hope not.

Sir JOHN THOMPSON. It is said to be for expenses.

Sir RICHARD CARTWRIGHT. Yes; it says for "expenses," but an allowance of \$100 for each of two chairmen has a suspicious sound about it. It is an item which should be explained, for anybody looking at this would be disposed to believe that the Senate had charged a sum of \$200 for two chairmen for looking after a matter which they are abundantly able, I am bound to say, to attend to without special allowance.

Mr. SPEAKER. In the Senate the expenses are controlled by a committee called the Contingent Committee. Though I am not personally acquainted with the facts, I apprehend that this item must be for expenditure in connection with the Senate restaurant, and not a salary for the chairmen.

Sir RICHARD CARTWRIGHT. I should be sorry to think that the item, which, as it stands, is likely to leave that impression, was correctly stated. I hope it is for some contingent expenses, and not a payment made to these gentlemen. There are a number of other items, which I shall not criticise now, but which might be open to some consideration. But with regard to the one I have named, I would recommend some member of the Government, who is in closer touch with the Senate than we are, to get the information.

Sir JOHN THOMPSON. I will ascertain what the item means.

Sir RICHARD CARTWRIGHT. I am glad the hon. gentleman will do so, because if the Senate are paying their chairmen a special allowance I suspect we shall hear more of the matter.

Mr. McMULLEN. I do not wish to cast any discourteous reflection upon the Senate. But if, as Mr. Speaker says, their expenditures are conducted under the direction of a Contingent Committee, then, in my humble opinion, any person looking over the items of expenditure in the Senate must come to the conclusion that the committee is a very extravagant one. I have had the privilege of going through the Senate and viewing their accommodations, and I cannot understand, for instance, how \$500 worth of carpet can be used there in a year. If the hon. gentleman will turn to page 95 he will see items amounting to nearly \$500 for carpets for the Senate. We find supplies of this kind bought, and never can find where they are put, or why they are wanted. If all the goods purchased for the use of the Senate for the last twelve years could be brought together, I venture to say that the Chamber, with all the additional accommodation, would not hold the stuff. Where do these things go to? It seems to me this requires some explanation.

Mr. SPEAKER. Of course I do not know personally about these things, except through my experience with the House of Commons. I think, if the hon. gentleman examined the details of the House of Commons expenditure, he will find an explanation of similar expenditures elsewhere. These carpets cannot last for ever. They are used not only for covering the floor of the Chamber, but also the lobbies, and, I have no doubt, in the committee rooms. I am quite satisfied that the Contingent Committee of the Senate would not agree to any expenditure that they did not think was absolutely necessary.

Sir RICHARD CARTWRIGHT. Looking at the account of the Senate salaries, there are some items that strike one curiously enough. Without raising the question as to whether they require so large a staff as they have, I would call attention to the item of salary for a special bank messenger. I am not aware that we have any messenger as a special bank messenger. Prima facie one would suppose there was no necessity for a messenger to go between the Senate and the various banks.

Mr. SPEAKER. That is probably a mere designation given to this messenger. We have a messenger who, in former years, was employed in going to and from the bank with the assistant accountant. That member of the staff is still retained, and his services are used for various purposes in connection with the House. Though he is nominally the bank messenger, his services are used for other purposes in connection with the House. A considerable portion of his

Sir RICHARD CARTWRIGHT.

uties are devoted to work in the Accountant's office, but not the whole of them.

Mr. LANDERKIN. I would like to know why it is necessary to have a second assistant clerk in the Senate? We have only a clerk and an assistant clerk in the House of Commons. Why do the Senate need a second assistant clerk?

Sir JOHN THOMPSON. I can only explain that that has been the staff of the Senate all along, until a vacancy occurred, and the vacancy has not been filled for more than a year. I do not know whether it is the intention of the Senate to fill it; I am informed they will not fill it unless some greater necessity appears than exists at present.

Mr. LANDERKIN. But the estimate is asked for.

Sir JOHN THOMPSON. Yes, in case it should be necessary, as it was supposed to be in former times. It was always voted, but I understand the Contingent Committee of the Senate are disposed not to recommend an appointment to the vacancy.

Mr. LANDERKIN. I would like to get a little idea as to how these salaries are graded. Are they according to position, or according to the work that is done by the officer? I notice that the salaries in the Senate are the same as the salaries here. I presume the duties are not nearly so onerous or so great as they are here; still, they have not only the same officers at the same salary, but they have an additional officer more than we have in this House. I think there should be some grade upon which those salaries are arranged and upon which those officers are appointed, because I cannot conceive that the Clerk of the Senate has nearly as extensive duties nor as much labour to perform as the Clerk of the House of Commons; still he has an assistant, and an estimate is made for a second assistant. I think there ought to be an understanding about this.

Sir JOHN THOMPSON. Well, the salaries are arranged by the Contingent Committee for the approval of the Senate, and the Contingent Committee, I understand, recommend the salaries according to the rank of the officer and the duties devolving upon him. I do not think it has been the practice of this House to interfere in any way with the discretion of the Senate, within reasonable grounds, as to what appropriations should be made for the staff. I am sure the Senate would raise no objection at all to this House having a second clerk. I think it is hardly wise to criticise too closely the action of the Senate in this regard at the very time they are cutting down their staff, and cutting down their salaries from what they have been ever since Confederation.

Mr. McMULLEN. There are a few items in the Auditor General's Report to which I

want to draw attention. I do not think that we should let these items pass without drawing attention to the extravagances that are apparent. I see they have bought a liquor set at a cost of \$15—I suppose for the Speaker of the Senate. Now, in face of the pronounced temperance sentiment of the people of Ontario, it is a singular thing that we are called upon to pay for articles of this kind. I see they bought 84 pencils at a cost of \$112.42, and 4,284 pen holders at a cost of \$130, for 76 senators, although, I believe there are eight vacancies. They bought 881 boxes of pens, costing \$273.36; 144 pocket knives costing \$205.81; 85 purses, costing \$196.50; 84 folding scissors, for \$81.75; and 96 cases, \$110.96. A stationery clerk, 12 months, gets \$200. Then we find 83 writing desks at a cost of \$424.14. Now, I must say that if the Senate want to get into worse odour with the people of the country than they are at the present time—and it is hardly possible for them to be in worse odour than they are—they cannot better secure the thorough disgust of the people of Canada than by piling up items of this kind. As my hon. friend in front of me says, the Auditor General's Report is to be found in every newspaper office and every mechanics' institute throughout the Dominion, where they are kept for the purpose of enabling the youth of our country and those who take an interest in the public expenditure, to examine into these items. It appears to me that 881 boxes of pens for 76 Senators, with 8 vacancies, and 144 pen knives—

Sir JOHN THOMPSON. These things are not divided among the Senators.

Mr. McMULLEN. It is not much wonder that the hon. gentleman is besieged on the right hand and on the left for appointments to the Senate. It must be a perfect little paradise for a man to get into when he has got all the picking that is to be got there. It is no wonder that the members around him are buttonholing him all the time for a seat in the Senate.

Sir JOHN THOMPSON. I see where the hon. gentleman's ambition lies now.

Mr. McMULLEN. I have no doubt the First Minister would prefer that I were there rather than here.

Salaries, House of Commons. \$71,612 50

Sir RICHARD CARTWRIGHT. There are increases.

Mr. SPEAKER. In this item of salaries there are fifteen statutory increases of \$50 each, two of \$75, and one of \$100, making in all \$1,000. The estimate for one clerk in the post office has been struck off, which balances the statutory increases, leaving the vote for salaries exactly the same as it was last year.

Sir RICHARD CARTWRIGHT. There are forty-three put down here in the memorandum before me, as against forty-five.

Mr. SPEAKER. That must be a mistake in the addition, because I see in running over the items there appears to be only one decrease. In running over the items in the detail you will find a decrease in the miscellaneous branch. There are six third class clerks provided for, instead of seven as last year.

Mr. LANDERKIN. How many law clerks are there?

Mr. SPEAKER. There is only one law clerk, Mr. McCord, at a salary of \$3,200, I think.

Mr. LANDERKIN. Are there not more than one?

Mr. SPEAKER. No, there never was but one law clerk since I have been in Parliament.

Mr. LANDERKIN. Neither an assistant?

Mr. SPEAKER. Yes, there is a provision for an assistant law clerk at \$1,800.

Mr. LANDERKIN. Has that office never been filled?

Mr. SPEAKER. Yes, it was filled recently by the probationary appointment of Mr. Mignault.

Mr. LANDERKIN. When did it become vacant?

Mr. SPEAKER. It became vacant before I became Speaker.

Mr. LANDERKIN. Was there no assistant law clerk vacancy?

Mr. SPEAKER. No; there was no person having the grade of assistant law clerk until February last.

Mr. LANDERKIN. What position did Mr. Wicksteed occupy?

Mr. SPEAKER. He was a second-class clerk in the Law and Translation Department, at a salary of \$1,400.

Mr. LANDERKIN. Where is he now?

Mr. SPEAKER. I cannot tell you. He is not in the service of the House.

Mr. LANDERKIN. Was he dismissed?

Mr. SPEAKER. Yes.

Mr. LANDERKIN. Why?

Mr. SPEAKER. Because he had grossly violated, in my opinion, the discipline that ought to prevail amongst officers of the House by publishing in the newspapers a letter attacking not only the officers and the Internal Economy of the House, but members of the House themselves.

Mr. LANDERKIN. The latter part is very bad.

Mr. McMULLEN. I should like to know what is the salary of Mr. E. P. Hartney?

Mr. SPEAKER. It is \$1,800 as a first class clerk, with an addition of \$200 as examiner of private Bills.

Mr. McMULLEN. I notice that last year he was given extra pay to the amount of \$200.

Mr. SPEAKER. Yes.

Mr. McMULLEN. Here is an officer receiving \$2,000 salary, and yet he is given \$200 more. What is the reason?

Mr. SPEAKER. I suppose the hon. gentleman and other members of the House will remember that there was a difficulty in the Accountant's office a year ago last November. I did not desire to call in any person from the outside to examine the accounts, preferring to take one of our own officers and pay him for the work of examining the accounts and determining the actual amount of the deficit that was alleged to exist. Mr. Hartney, from his long connection with the service and from the fact of his having been in the office a good deal with his father while he was Accountant, was, in my judgment, peculiarly fitted for the work of examining the accounts. I asked him to undertake the work, and he did it, and did it very efficiently, and he did it at the sacrifice of a great deal of time and labour to himself, and I thought it was only just that I should allow him \$200 for the service; and when I point out to the committee the amount of salaries saved during the time Mr. Hartney discharged the work not only of investigating the accounts, but of attending to the work of the Accountant's office, was considerably in excess of the amount paid Mr. Hartney, I think it will be admitted that the service was well worth the extra money he received for performing it.

Mr. McMULLEN. I notice in connection with the Speaker's Department last year an expenditure of \$2,047.50. I do not say that the articles bought were unnecessary, but a similar expenditure occurs every year. I observe one item for a sideboard purchased at a cost of \$114 and many other articles. I have noticed every year that a similar outlay has occurred, and we do not seem to know what becomes of the articles that are yearly purchased, when one Speaker leaves the apartments and another comes into possession. I am not insinuating that the Speaker is responsible for any wrongdoing. I dare say these matters are under the officers of the House, but it appears to me there should be some way of keeping a record of the articles purchased.

Mr. SPEAKER. I do not wish to shirk any responsibility that properly devolves on me and place it on the officers of the House. The sideboard referred to was bought under my instructions. The sideboard that was in the dining-room up to this last year was one that had been in use, I was told, for

Mr. McMULLEN.

twenty-five years or more. A sideboard was necessary for the restaurant, and I thought it would be economical on my part to allot the old sideboard to the restaurant and buy a new one for the Speaker's apartment.

Expenses of Committees and
Extra Clerks \$13,600

Mr. McMULLEN. How many sessional clerks are employed this year?

Mr. SPEAKER. Twenty-six sessional clerks and four permanent sessional clerks, thirty altogether.

Dept. of Sergt. at Arms. \$34,182 50

Sir RICHARD CARTWRIGHT. There is an increase of \$450. Why is it required?

Mr. SPEAKER. This item covers all the disbursements and services in connection with the Department of the Sergeant-at-Arms. The estimate this year is \$34,182, as against \$33,732.50 last year, being an increase of \$450. That is accounted for in this way: Up to the present time we have been employing in the Reading Room a messenger, to whom we paid during the session the pay of a sessional messenger, \$2.50 per day, and during the recess \$1.50 per day. I came to the conclusion that it would be more economical to employ a messenger permanently, and the Board of Internal Economy having agreed with me on that point, I asked for a vote of \$500 for a permanent messenger. Then one of the night watchmen died during last session, as will be remembered, and I appointed another man in his place at a salary of \$50 less than he was receiving. So the increase of \$500 and the decrease of \$50 make a total increase of \$450 in this branch of the service.

Revision of Voters' Lists. \$200,000

Mr. LANDERKIN. I should like to ask the First Minister how much he expects to save out of this sum asked by the amendment he proposes in the Franchise Act?

Sir JOHN THOMPSON. I must be allowed to state it with some reservation, because it was very difficult—until the scheme is fully prepared and adopted by the House—to tell; but I should estimate a saving this year of something like \$25,000, and that in future the saving will be considerably more, perhaps double that sum.

Mr. LAURIER. Could not the whole sum be saved? I understood yesterday from the statement made by the right hon. gentleman that he had adopted the provincial franchises. If that be so, he has practically adopted the provincial lists, and the services of the revising officers under those circumstances would be reduced to almost nothing. If he has adopted the provincial lists, they are already prepared and no revision will be necessary; and if the right hon. gentleman would go a step further he

might easily find his way to saving the whole of this sum in question.

Sir JOHN THOMPSON. As I said before, we will see how matters progress. When I say \$25,000, I take into consideration the cost of printing, the preparation of the preliminary lists, and considerable services in the way of preparing the lists and so forth. We do not propose at all to abolish all revision. The extent to which the revising officer's duty will be saved will be a matter for experience, and we shall not know for at least a year where we can put the pruning knife as regards reduction of expenses other than in the cost of printing.

Sir RICHARD CARTWRIGHT. As I understand, the revising officers begin their duties to-morrow.

Sir JOHN THOMPSON. No, they will be asked not to incur any expense until Parliament has an opportunity of settling the policy of the Franchise Act.

Mr. LANDERKIN. I think it would be a good idea when you are going to adopt the provincial franchise to let this item drop. In these hard times it is the duty of the Government as well as of members to prune out everything that is not necessary. You can take the local lists, and if there are any names on those lists that you do not wish to have on you can make it a statutory affair. The times are very hard; wheat is very low; the National Policy is not getting in its work just now; everything is reduced, and it would be well to save the people \$200,000 this year. After the revision of the tariff the Government ought to be able to stand that.

Sir JOHN THOMPSON. The hon. gentleman is a little too revolutionary for me. I am going to a considerable distance in the line of reduction, in the scheme that was suggested to the House yesterday, but the hon. gentleman (Mr. Landerkin) proposes to abolish lists and everything else, and presently, I suppose, he will abolish elections too, so that we can make ourselves permanent.

Mr. LANDERKIN. I would like to call the First Minister's attention to the fact that when he was in Toronto he promised to lop off the mouldering branches. This is one of them.

Sir JOHN THOMPSON. No; they are all gone.

Sir RICHARD CARTWRIGHT. They have grown again. They were lopped off, but regrafted, and are growing a vigorous growth. With respect to the voters' lists the hon. gentleman made a statement the other day no doubt intended to reach the various officers: that they were to accept the provincial lists as a basis.

Sir JOHN THOMPSON. Not the provincial lists, but the provincial franchise.

Mr. CHOQUETTE. That is the same thing.

Sir JOHN THOMPSON. It might amount to nearly the same thing.

Sir RICHARD CARTWRIGHT. Not precisely. That is what I want to understand. Does not the hon. gentleman propose that the provincial lists should be taken in the same fashion as the assessment lists were taken?

Sir JOHN THOMPSON. The revising officer is to take everything into consideration that will give him information as to the persons who are entitled to the franchise. He will, of course, be aided by the provincial lists and assessment rolls, and every material of that kind. It is impossible for us to take the provincial lists as they now stand. Of course, we must add the persons who have been disqualified on account of being connected with the public service, or the militia and so on. The revising officers will probably have their work diminished a great deal by the provincial lists being on the same basis of franchise as our list will be, but that is a matter that we must see as we progress. I have no doubt that a very great deal of labour and a very great deal of expense will be saved to the revising officers and to the parties who are connected with the revision on both sides of politics.

Mr. DENISON. As I understand the new law in Ontario there will be no provincial lists except before a general election. When there is a general election, then they will prepare lists for it, so that there will be three off-years when there will be no provincial lists, and, of course, then it would be necessary to have revising officers do the work as heretofore.

Mr. McMULLEN. I have no doubt but that the hon. gentleman is quite correct about that. I am glad that the First Minister has intimated his intention of taking the local lists as far as possible, because I think it is a step in the right direction. I understand that at the last revision the revising officers were instructed to make the preliminary lists from the provincial lists, and the view of the First Minister appears to be now that it is intended to use the provincial lists to a greater extent than before.

Sir JOHN THOMPSON. Of course, they will be much more used.

Mr. McMULLEN. I am glad of that, because unquestionably it costs a great deal of trouble to the municipalities to perfect these lists for municipal purposes, and from the fact that the Reeves and councillors of the different municipalities are in a better position to judge as to whether men should be placed on the voters' list than any revising barrister, consequently the provincial lists are to that extent better than our lists. The municipal officers put on the men that are entitled to vote, and I

think they do that largely without regard to their own political views.

Some hon. MEMBERS. Oh.

Mr. McMULLEN. I make this statement conscientiously, because in my riding there are townships where the councils are altogether Conservatives, and I give them credit for endeavouring to do what is right. It is the same with regard to councils where they are all Liberals. I trust that that is the experience of hon. gentlemen opposite. That is the reason why I am glad the Government have seen their way clear to use the local voters' lists as largely as possible in the revision now coming on.

Mr. COATSWORTH. I trust that the Government will move very cautiously in regard to accepting the provincial voters' lists until we have a change of Government in Ontario next month, and then, perhaps, we shall be able to get a proper voters' list. We have had a very peculiar experience in Ontario with regard to the voters' lists within the last three months. The Government had provided that the lists were to be made up largely by the assessment commissioners in the cities, and the persons representing both parties went to considerable expense in the city of Toronto in preparing the voters' lists, and the lists were complete at the beginning of the session. The session was held, and the Registration Bill was passed, and it is alleged, and I think I am fair in making the statement, that in consequence of the Conservatives having largely exceeded the Reformers in the number of votes they got on the list in Toronto and St. Thomas, the Government provided that the Act should apply to these two cities this year and not to any other constituencies for some years to come. That we consider is most unfair and unjust to us in Toronto, because it puts us to the expense of revising the lists over again which were only very recently completed. The Ontario Government had no right whatever to discriminate against the cities of Toronto and St. Thomas because the Conservatives got the advantage. I trust that this Government will be careful about entrusting their voters' lists in any sense in the hands of the Provincial Government.

Mr. LANDERKIN. Who are the revisers appointed by the Government in Toronto?

Mr. COATSWORTH. The reviser was the assessment commissioner, a Reformer.

Mr. CASEY. In answer to the hon. member for East Toronto (Mr. Coatsworth), I have a few words to say. He has made special reference to the cases of Toronto and St. Thomas under the Registration Act of the Ontario House. He says the Act was made to apply to those two cities because the Conservatives in them had got the advantage in framing the last list. I will leave it to him to speak for Toronto.

Mr. McMULLEN.

If the Conservatives got the advantage there in framing the list—

Mr. COATSWORTH. They always do.

Mr. CASEY. They are apparently experts in the art of getting the advantage in framing voters' lists. As to St. Thomas, the facts were these. There is a semi-annual assessment in that city, and it was well understood that the election was more likely to be held on the list based on the September, or second assessment than the list based on the spring assessment. The Conservatives in the city, however, took the precaution to attend to the revision of the spring list. They got all the names they were entitled to on that list. I do not know whether they got more than they were entitled to or not, because it appears that on our side very little attention was paid to that list, their expectation being that the second assessment would be used. After the second assessment was taken, a new list was issued, and the revision of it was set about in the ordinary way. Very troublesome delay occurred in the revision of that list. The list was not issued in its rough form from the hands of the city clerk until much later than the usual time. I believe that arose from the illness of that gentleman. But when it was issued, the printing was given to the office of the Conservative organ in the city of St. Thomas, the 'Times,' and the delay in that office has not been explained, and perhaps cannot be explained, unless it is understood that it was intentional, and for the purpose of detaining the list until it could not be used in the approaching election. The Reformers in the city succeeded at last in getting that list printed, but so late that I believe the revision is not finished yet, so far as the first and second parts are concerned. The part of the old list referring to manhood suffrage voters would be, of course, quite out of date if now used; and I suppose it was due to the accidental and unintentional delays that took place in the printing of the list that St. Thomas was given a chance to have a new list brought down to date, by registration of those entitled to manhood suffrage. I hope the hon. gentleman will be satisfied with the Toronto list. I fancy that when the lists are revised in both cases, both parties will be satisfied with them. Both parties have it in their own hands to secure full representation upon them by the exercise of ordinary care; neither has any advantage over the other, or any reason to complain of the introduction of this system, unless the old lists were outrageously unfair to one party, and unduly favourable to the other, which, I believe, was the case in both of those constituencies. The parties who will now become entitled to the suffrage, and who would otherwise have lost it, will be well satisfied in both cases.

Mr. DENISON. Whatever may have been the case in St. Thomas, in Toronto the lists

were made up fairly, because the Conservative party made an extra effort, knowing that the election would come this year, and endeavoured to get every Conservative vote on the list, which, I believe they did, while the Reformers, whether they knew any better or not, were slack, and did not make much effort to get their men on. But no sooner was the list about completed than we heard rumours of another revision, and now we are in the throes of arranging another list, although we only completed the previous one a month or two ago. This is a great annoyance and trouble and bother to everybody connected with the preparation of the list, as well as an unnecessary expense imposed on the people; and, although I have no doubt that in the incoming lists the Conservatives will make as good an effort as before to see that none of their friends are left off, still it was unfair and entirely unnecessary.

Mr. INGRAM. As one representing St. Thomas, I wish to state that the hon. member for West Elgin is not quite correct in his statement with reference to the voters' lists of that city. The voters' lists of St. Thomas were revised last fall. The friends of hon. gentlemen opposite had prepared a number of appeals; but, unfortunately, for them they could not get any person to sign those appeals to place them in the hands of the city clerk, and for that reason they were not sent in. There was an assessment made last fall, and the Conservatives wished as much as the Reformers. I am sure, that that assessment should be the one on which the voting in the coming provincial election would be had; but unfortunately our city clerk has very poor health, and a large amount of work to do, and for that reason he could not place the list in the hands of the printer in time. Therefore, it was not completed as soon as expected, and it was thought it would not be completed in time for the election. But Sir Oliver Mowat passed this Registration Act, making it apply to St. Thomas and Toronto. He says to St. Thomas: You can revise part one, but you cannot revise part three. There are two county judges in the county of Elgin, by sitting on the revision of this list, one taking part one and the other part three, they might have completed it in time for the election, but that would not suit the friends of hon. gentleman opposite. They knew if that were done, the Conservatives would have an advantage, and sooner than allow them that advantage, Sir Oliver Mowat made the Registration Act apply to St. Thomas, thus heaping more costs on the municipality, and by that means endeavouring to defeat the Conservative party in the West Riding of Elgin. It is well known that in St. Thomas the young men are largely Conservative.

Mr. Mr. CASEY. The hon. gentleman has made one or two strange statements. In the

first place, he says the voters' lists were revised last year. A voters' list was certainly revised last fall, a list based on the assessments of last spring, a year ago. But the list based on last September list was only in course of a revision a day or two ago, when I was in St. Thomas. It was in regard to the second revision that the delay occurred, and the failure to get in the appeals with regard to the voters' lists of last year, for whatever reason, has nothing to do with the question at all. The question was that, partly in consequence of that failure to get in the appeals of the Liberal party, and partly on account of the age of the list, the list, which is at present the only revised list for St. Thomas, does not represent the actual status of the electorate in that city. Now, the hon. gentleman from East Elgin (Mr. Ingram) says that the judges could have revised all parts of the list as well as the parts that they are now revising. I do not doubt they could, if they had had unlimited time, but I doubt very much if they could be with the elections coming on so soon. But why the hon. gentleman should say that the Conservatives of St. Thomas will lose by the registration of voters instead of the revision of the list, I cannot imagine. He says it is because the young manhood franchise voters of that city are largely Conservatives. That may be true or it may not. They certainly were at one time, to a large extent, supporters of the hon. gentleman when he ran for the Local House. They may or may not be in the same mood, but whether they are still Conservatives or not, surely the opportunity of getting them registered is as good as it is for those who intend to vote for the Reform party. As to who is going to revise, I see it is stated that the same county judge, who has to revise the list in any case, has been appointed chairman of the Board of Registrars.

Mr. LANDERKIN. It is really very fortunate that the Government have abandoned what the hon. member for Muskoka (Mr. O'Brien) used to consider the bulwark of our liberty--the veto power--because if this provincial Act is wrong, the Government might veto it. But I see from a speech delivered by one of the Ministers a little while ago, that that power has been abolished by the Government. And as to the Act which the hon. member for East Toronto (Mr. Coatsworth) speaks about, he knows quite well that this registration of the lists prepared by the Local Government was intended to prevent the extensive personation that prevailed in Toronto in the election concerning the Toronto street railway.

Mr. COATSWORTH. Not at all.

Mr. LANDERKIN. My hon. friend seems to have a great deal of sympathy with that system, and I am astonished he should oppose a system under which residential men with suffrages can come up and register.

He ought to admire the liberality of the Ontario Government, which is so considerate of those away from home, that they can now come in and register.

Mr. O'BRIEN. I call the hon. gentleman to order. Has this discussion about Toronto City anything to do with the subject before us?

Mr. LANDERKIN. I do not see why I should be called to order when the other gentlemen were not. The subject is cognate to the question of the revision of our Dominion lists, and I only rose, in the first instance, to ask the First Minister to let this drop and allow the revision to be made by the people themselves. That would not entail any cost, and owing to the times being hard, the First Minister would do well, in the present stress, to save this \$200,000 at least.

Mr. DEVLIN. Will the redistribution of seats as passed two years ago be taken into consideration in the preparation of the lists?

Sir JOHN THOMPSON. Yes; in the Bill I propose to introduce, the Redistribution Act will be brought into force for the revision, so that the revision to take place will be a revision of the new constituencies to be established under the Redistribution Act of 1892, and a provision will be made by which, if a vacancy should occur before the coming into force of that Act, the lists shall be framed from the polling districts which constitute the present electoral division. If, for example, the hon. gentleman should vacate his seat for any reason, the list for the bye-elections will include the lists for the two new electoral districts, under the Redistribution Act of 1892.

Salaries of officers of the Library ..\$17,162.50

Mr. McMULLEN. I want to draw the Government's attention to a question that has been frequently discussed in this House. We have a double-headed set of librarians—two men occupying precisely the same position. One is called the Parliamentary librarian, and I do not know what we call the other. They draw \$3,200 each, and I cannot see any necessity for two librarians at such an expense to the country. I think we could well dispense with one of these men, and I would like to know if it is the intention of the Government to continue this system. I remember that when the appointment was made, there was a long discussion, but it was forced upon the House by the late Sir John Macdonald, in the interest, I presume, of a friend who wanted a resting place. He is there still. I am not finding fault with the gentleman, who, I dare say, is very efficient, but the country can well do with one librarian.

Sir JOHN THOMPSON. The policy on that subject is contained in the statute passed by this Parliament, and the vote is merely taken in pursuance of the statute. It is not proposed to change the system.

Mr. LANDERKIN.

Library of American History \$1,000

Sir RICHARD CARTWRIGHT. How is that particular item being disposed of?

Mr. SPEAKER. It is disposed of under the supervision of the librarian.

Sir RICHARD CARTWRIGHT. I am not objecting to the appropriation, for there is a great deal to be said in favour of having a complete library of American history. But what I want to know is what is being done with the money.

Mr. SPEAKER. I am unable to answer. The selection of these works is left to the librarian.

Sir RICHARD CARTWRIGHT. I did not observe that any special report on that subject was presented, though I dare say such a report was laid on the Table. Perhaps some of our friends on the Library Committee can give us some information on this subject.

Mr. SCRIVER. As the hon. gentleman says, there is no special mention in the report of the librarians as to the progress made in this particular branch of the library work, but I remember hearing the librarians saying that some valuable works on Canadian and American history had been obtained last year. I think the aim of the librarians is to procure rare works such as are not easily obtained and such as will be of inestimable value to the library. My own belief is, from the few opportunities I have had of judging, that the work of the librarians in this respect has been very judiciously done.

Printing, printing paper and binding.\$100,000

Mr. McMULLEN. I should like to know whether, under the present system of printing and binding, the general cost to the country is increased as compared to what it was when the work was done under contract?

Mr. COSTIGAN. I think it is very largely decreased, as appears in the report on the subject.

Mr. McMULLEN. Would the hon. gentleman state in what particular way the decrease was effected?

Mr. COSTIGAN. The only answer I can give the hon. gentleman is that the printing costs less money. A comparison is made taking several years, showing the cost of the work done for each department under contract, the figures also being given for the cost under the present system. Though the work is largely increased, we find that it is done at lower rates than when the printing was done under contract. That is the statement made in the report which the hon. gentleman can see.

Mr. McMULLEN. Is the number of hands employed in the Bureau greater or smaller than the number employed last year ?

Mr. COSTIGAN. I suppose the number is about the same. There is no increase at any rate. There is a permanent staff in the Bureau, the cost of which the hon. gentleman will see set forth under the head of Civil Government. The number of printers depends upon the quantity of work from time to time. They are employed not permanently, but by the day or night, but when the work is reduced, a number are let go, and when the work comes in again more men are taken on. The staff was increased by about ten for the sessional work, and no more additions will be made to the number until it becomes necessary to take up the work, whatever it may be, in connection with the revision of the lists.

Mr. McMULLEN. What is the rate of wages per week for type-setters just now ? I believe that some time ago an increase was made.

Mr. COSTIGAN. The wages are, for day work \$12 per week ; for night work, \$15 per week. That is an increase of about \$1.50 per week as compared with last year. The total cost additional for the session will be about \$900.

Mr. McMULLEN. What is the reason for the increase ?

Mr. COSTIGAN. The reason is that the representation made by the printers being duly considered, it was found that they had made out a good case. We laid down the principle that these men should not expect higher pay than the same class of men were receiving in similar positions in the best offices in the leading cities, like Toronto and Montreal. I held to that rule very strongly. When this matter was brought before my personal attention and before the Government, the printers were able to show that while we were holding them to the rates of pay given in these other offices we were requiring of them longer hours of work, and, therefore, were not giving them an equivalent for their services.

Pensions, Miss Harriet Fraser \$250

Sir RICHARD CARTWRIGHT. What was this pension granted for ; I have forgotten ?

Sir JOHN THOMPSON. I think that this item and the next, Mr. Roderick Fraser, \$150, was in connection with the discovery of the Fraser River. These are the surviving relatives of the discoverer, residing in Glengarry—aged persons.

To meet probable amount required for veterans of the war of 1812. \$180

Sir RICHARD CARTWRIGHT. How many of these remain

Sir JOHN THOMPSON. I cannot say the number, very few.

Sir RICHARD CARTWRIGHT. What allowance is now paid to these survivors ?

Sir JOHN THOMPSON. Thirtly dollars apiece.

Sir RICHARD CARTWRIGHT. We might have made it a trifle more.

Pensions payable to militia men on account of rebellion 1885. \$23,000

Sir RICHARD CARTWRIGHT. I notice that our total expenditure for the North-west Rebellion pensions was only \$20,382 last year. Presumably \$23,000 are rather more than is required. Are there any applications under consideration ?

Sir JOHN THOMPSON. There are none at present. But occasionally there is an application based on the ground of the remuneration not being adequate, such, for instance, as the injury having turned out to be more serious than was first apprehended. Of course, these are investigated by medical boards according to regulations on the subject. Applications are not numerous, but one or two come in in the course of a year.

Sir RICHARD CARTWRIGHT. I should imagine from the number that one or two would die in the course of a year.

Mr. McMULLEN. We are still keeping a surgeon employed with this North-west rebellion ? I see that last year we paid him \$1,550 for his services. Have these services ended now ?

Sir JOHN THOMPSON. Yes.

Mr. McMULLEN. That is the hon. member for Cornwall (Mr. Bergin). You will find the item on page E 167, where I see that \$1,550.42 were paid him last year for services as surgeon-general.

Sir JOHN THOMPSON. That was a vote of the House.

Mr. McMULLEN. That is ended now ?

Sir JOHN THOMPSON. Yes.

Pensions payable to Mounted Police, Prince Albert volunteers and police scouts, on account of rebellion of 1885. \$3,367 78

Sir RICHARD CARTWRIGHT. Where is that given in detail ?

Sir JOHN THOMPSON. On page D 226, compensation of the North-west Mounted Police.

Sir RICHARD CARTWRIGHT. There I observe that the amount paid is vastly less than is asked for, apparently. All that is paid is put down as \$1,500.

Sir JOHN THOMPSON. That is \$500 less than last year. There are a good many claims under consideration. Bodies of scouts, for instance, and volunteers, are continually

claiming, as individual members, to come under the provisions of the Act who had, in former times, by strict ruling, been excluded from the Act. In a number of these cases there was an investigation a few years ago, and a number of additions to the list. But the claims under consideration during the last year have not been favourably entertained, so far as I remember.

Railways and Canals—Canadian Pacific Railway—To pay for work done under award..... \$90,000

Sir RICHARD CARTWRIGHT. I thought that all we required to pay under the award had been closed some time ago. How does this vote come to be asked for?

Mr. HAGGART. The amount of the award was \$579,255, and the amount earned and certified as paid for, was \$449,065.04; the balance of work to be done, \$130,000.

Sir RICHARD CARTWRIGHT. Work to be done whereabouts?

Mr. HAGGART. Over in the mountains. It is the award of the arbitrators.

Sir RICHARD CARTWRIGHT. But I thought all the work had been valued and estimated by them.

Mr. HAGGART. No; the amount required to be done, as I said, was \$579,255. That leaves \$130,000. There are \$90,000 of work to be completed this year.

Sir RICHARD CARTWRIGHT. Then there remains a still further sum?

Mr. HAGGART. Yes; there will be \$40,000 besides to be voted next year. That will cover the whole of the award.

Mr. LAURIER. Has this award ever been placed on the Table of the House?

Mr. HAGGART. I will inquire and find out. This vote has been taken for two or three years.

Mr. LAURIER. But the award was not given for two or three years.

Mr. HAGGART. It was given in 1891.

Sir RICHARD CARTWRIGHT. What were the costs in the case?

Mr. HAGGART. They were pretty large, and appeared in the Estimates of 1892.

Intercolonial Railway..... \$312,500

Sir RICHARD CARTWRIGHT. I do not want to unnecessarily delay the passage of this item, but I may remark that the arrangement made between myself and the Finance Minister was that we should go through these items in rotation, and consequently we are not quite prepared to go on with railways to-night. The hon. gentleman may, perhaps, do this: he can give us some general information as to his policy, and let one of the items stand, so that

Sir JOHN THOMPSON.

if any further investigation is necessary we may proceed with it.

Mr. HAGGART. Very well.

Mr. McMULLEN. I observe an item of \$53,000, Intercolonial Railway, increased accommodation at Halifax. Does the Minister expect to complete the work with this vote, and that will be the total cost of the increased accommodation?

Mr. HAGGART. The total amount required is \$200,000. The estimate of the cost is as follows: land damages and other expenses, \$170,000; estimated cost of brick freight shed, \$15,000; 2,500 feet of track, with switches complete, \$2,200; earth filling, \$4,000; office, \$800; macadamizing, \$500; other works, \$5,500; total, \$200,000. The expenditure up to 31st January, 1894, was: legal expenses, \$28; engineers, \$1,080; valuation, \$124; paid for property, \$56,324. The total expenditure for increased accommodation at Halifax, from the commencement in 1872 up to 31st January, 1894, was \$1,457,000.

Mr. McMULLEN. Have both the Canadian Pacific and the Grand Trunk Railway running arrangements over the Intercolonial Railway?

Mr. HAGGART. There are traffic arrangements with both companies, but the Canadian Pacific Railway alone have a right to run trains under the agreement.

Mr. FORBES. Has the Grand Trunk Railway any running arrangement into Moncton?

Mr. HAGGART. No; only freight arrangement.

Mr. CAMPBELL. What is the arrangement with the Grand Trunk Railway in regard to eastbound freight?

Mr. HAGGART. The Grand Trunk Railway has the right to send freight to any point, and a mileage allowance is given to the Intercolonial Railway.

Mr. CAMPBELL. What percentage does the Intercolonial Railway receive, say on shipments from Toronto?

Mr. HAGGART. The distance on the Grand Trunk Railway from Toronto to Point Lévis stands in proportion to the distance from Point Lévis to Halifax.

Sir RICHARD CARTWRIGHT. Do we understand that it is an absolutely pro rata arrangement with the Grand Trunk Railway?

Mr. HAGGART. That is what I understand.

Sir RICHARD CARTWRIGHT. What is the arrangement with the Canadian Pacific Railway?

Mr. HAGGART. It is a very elaborate arrangement, and a copy of the document

was laid on the Table a couple of years ago. The company have a right to run trains and give us an allowance for running over the road, and when they use our trains they give us a mileage allowance. The Canadian Pacific Railway runs from St. John to Halifax.

Mr. CAMPBELL. I have been told that on a car of flour passing over 500 miles of the Grand Trunk Railway and 500 miles of the Intercolonial Railway, the Intercolonial Railway received a smaller percentage.

Mr. HAGGART. If the Grand Trunk Railway makes an arrangement to carry freight 500 miles over its own road and 500 miles over the Intercolonial Railway, the amount received is divided equally.

Mr. CAMPBELL. I always understood that the Intercolonial Railway did not receive its full proportion, but only 37 per cent. I am glad to know that the arrangement is now a better one. As regards increased accommodation at Halifax, I understand the line to Dartmouth has been completed, and that the money now being voted is to extend the road further into the city, to the wharf.

Increased accommodation at Halifax..... \$53,000

Mr. FORBES. Is it expected that this amount will complete the work?

Mr. HAGGART. \$200,000 will complete the work.

Mr. FORBES. Does the hon. gentleman propose to proceed with the work and push it to completion this year? There has not been a rail laid as yet, and little progress has been made apparently.

Mr. HAGGART. The principle expenditure has been on purchasing of property. We intend to push forward the work to completion.

Mr. FORBES. Can you give us the names of the parties expropriated?

Mr. HAGGART. I shall give the hon. gentleman all the details at a later period. I have not them with me now. You will find a good many of them in the Auditor General's Report.

Mr. FORBES. I want them in a concise form.

Sir RICHARD CARTWRIGHT. I understand that no further expenditure is contemplated for this?

Mr. HAGGART. No; that is the estimate of my department, that the total expenditure will be \$200,000. That covers the shed, the track, the earth filling, the office, the macadamizing, contingencies, \$5,500, and the cost of land damages and legal and other expenses.

Sir RICHARD CARTWRIGHT. And no further extension is contemplated?

Mr. HAGGART. No.

Rolling stock..... \$10,000

Mr. McMULLEN. I see that this is charged to capital account. What rolling stock was put on the Intercolonial Railway last year and charged to working expenses?

Mr. HAGGART. Except where there is a special vote for capital account, the whole of the rolling stock is charged to working expenses. This \$10,000 is merely a revote for the purpose of applying the Westinghouse brake to freight cars.

Mr. McMULLEN. Sir Charles Tupper said some years ago that in his management of the Intercolonial Railway they put on each year, a sufficient quantity of rolling stock and charged it to working expenses to make up for anything that was worn out during the year. Is that the principle on which the hon. gentleman is operating the Intercolonial Railway?

Mr. HAGGART. That is the principle. The rolling stock is now in a better state of efficiency than ever it was before and the road itself is in a better state of repair, and that is all charged to working expenses, unless there is a special vote asked for capital expenditure. There are over 600 cars to which the Westinghouse brake is at present applied, on which there has been an expenditure of \$65,000, and this vote is for the purpose of gradually furnishing the whole of the freight cars with that brake.

Mr. McMULLEN. Have you adopted any patent for the sleeping cars on the Intercolonial Railway during the past year?

Mr. HAGGART. None, except the patent that was applied to one of the cars for the purpose of ventilating it.

Mr. McMULLEN. Whose patent was that?

Mr. HAGGART. Some gentleman in Toronto or Lindsay, I forget his name. It was approved by the mechanical engineer of the Intercolonial Railway, and put in one car for trial, and I am glad to say that it is a perfect success.

Mr. COATSWORTH. I hope the Minister will have it put in all the cars, because we who have to sleep in the cars very often feel the need of ventilation.

Mr. McMULLEN. Is it the intention to put this ventilator in the rest of the sleeping cars?

Mr. HAGGART. There has been no decision arrived at on the subject.

Mr. McMULLEN. How much did it cost to put the ventilator in that one car?

Mr. HAGGART. Between \$200 and \$300, I think.

Mr. McMULLEN. And the hon. gentleman does not know who controls the patent or who superintended the putting up of it?

Mr. HAGGART. It was recommended to me, and I adopted it on the recommendation of the hon. member for Victoria (Mr. Hughes). I suppose that is what the hon. gentleman wants to know.

Sir RICHARD CARTWRIGHT. Are the Pullman cars owned and run by ourselves?

Mr. HAGGART. Yes; we get them built by contract in all cases.

Mr. CAMPBELL. Are the new freight cars for the Intercolonial Railway being built under contract?

Mr. HAGGART. Yes, some are being built at Amherst, some at Deseronto, and some at Cobourg. They were all advertised in accordance with the plans and specifications and the contract awarded to the lowest tenderer. The three lowest were pretty near the same, and they agreed to build them at the price of the lowest, and they were divided amongst them.

Mr. CAMPBELL. Most of the railways are now building large cars of 50,000 pounds and in some cases, 60,000 pounds, and I think it would be wise to have the new cars for the Intercolonial built of large capacity, so that they could carry a larger quantity of freight. The 30,000-pound cars are now out of date. I notice that the new cars being built are all 40,000 pounds.

Sir RICHARD CARTWRIGHT. I would like to know how the receipts on the Intercolonial for the four or five months of the year now current have turned out.

Mr. HAGGART. Of course, not yet having returns for May and June, for them, I could only give an approximate estimate; but the probabilities are that at the beginning of the financial year the receipts and expenditures of the Intercolonial railway will balance.

Mr. CAMPBELL. There is another matter which I suppose I might allude to at this time, that is, the freights on the Intercolonial railway. At present, nearly all the flour sent from Ontario to Prince Edward Island first goes to Boston, and is then carried across in steamers to Prince Edward Island. I think that is a mistake. By lowering the rate a little to Point Duchesne or Pictou, the Intercolonial would carry nearly all the flour intended for points in Prince Edward Island, instead of its being sent via Boston. There is one line that runs from Boston every week, and its steamers are always loaded down with Canadian flour that ought to go over our own railway. The rate over the Intercolonial to Pictou from Toronto is 45 cents a barrel, while the rate, via Moncton to St. John, for Bay of Fundy points is 35 cents a barrel. If this rate were adopted for Point Duchesne or Pictou, all the flour for Prince Edward Island now going via Boston would go over the Intercolonial Railway, and largely in-

Mr. McMULLEN.

crease its receipts. The same is the case with regard to flour sent to Cape Breton; a large part of it goes via Boston, but ought to go over the Intercolonial. This is a matter to which I think the Minister of Railways should give his attention.

Mr. HAGGART. Would the hon. gentleman suggest a plan by which the manager of the Intercolonial could remedy it? He must be aware that the Grand Trunk railway and the Canadian Pacific Railway have the right in western Ontario to fix their own rates to any of these points, and they could not be controlled by the Intercolonial railway. We only receive mileage rate from them for the freight we carry.

Mr. CAMPBELL. The Intercolonial is a very important factor in the matter. The Grand Trunk Railway will ship a barrel of flour going via Moncton to St. John for Bay of Fundy points at 35 cents a barrel. I do not think they would make any objection to shipping it to Point Duchesne or Pictou at the same rate, because they would not be carrying it any further.

Mr. HAGGART. I do not see how it could be arranged.

Sir RICHARD CARTWRIGHT. The distances being the same, what is the difficulty?

Mr. HAGGART. The Grand Trunk Railway have a fixed rate to Point Duchesne, and they only allow us a mileage rate for what we carry on the Intercolonial. It is true, there is an arrangement between the Intercolonial and the Grand Trunk Railway by which we carry freight to St. John as cheaply as the Canadian Pacific Railway.

Sir RICHARD CARTWRIGHT. Prima facie, it would seem as if my hon. friend was right, and that on representations being made to the company, equal rates might be got for these points.

Mr. HAGGART. They refuse positively to do it, and insist on the right of making the rates.

Mr. CAMPBELL. They never made that arrangement for Bay of Fundy points until this year. The rate to St. John was always the same as to Halifax until this year. I think the arrangement could be made.

Mr. HAGGART. They will not do it; we have tried them.

Intercolonial Railway—Original construction \$2,000

Sir RICHARD CARTWRIGHT. What is that for?

Mr. HAGGART. This is for still unsettled claims in connection with the construction of the Intercolonial railway. This is for the claim of a man named Weir.

Mr. LAURIER. What is the nature of his claim?

Mr. HAGGART. Paid Weir's old claim for land at Windsor Junction, \$1,400.

Mr. LAURIER. Has the claim been paid?

Mr. HAGGART. It seems so.

Mr. LAURIER. What was the authority?

Mr. HAGGART. That is the extraordinary part of it. It was paid for by the Nova Scotia Government in 1856.

Mr. LAURIER. Really, the more we have the explanation, the less we understand it. Here is a claim paid by the Nova Scotia Government in 1856, what is the reason it is refunded now, after thirty years?

Mr. HAGGART. We took over the Windsor Railway from the Nova Scotia Government in 1866. The land was expropriated by the Nova Scotia Government from a man named Weir, and now forms part of the Intercolonial Railway.

Mr. FORBES. Perhaps I can help the Minister out of his difficulty by explaining that I was the solicitor who started the action for Mr. Weir. He had a claim for land belonging to him at Windsor Junction. The claim was outstanding since 1856. By the local Act of 1856, the Nova Scotia Railway expropriated certain lands, and, in 1866, when the Intercolonial Railway was built, it was part of the terms that the Dominion Government should take over the railway built by the Nova Scotia Government. This was an outstanding claim against that railway, and it became a claim against the Dominion Government. From that day to this both parties have fought it out. Part of the time Weir has been in possession of the lands and mortgaged them, and then the Government took possession and drove off the tenants. This went on from year to year until I brought the matter to a head by filing a petition in the Exchequer Court. The Government pleaded the statute of limitations, but as the claim was a just one, they agreed to pay Weir \$1,400. The claim was for \$7,000 or \$8,000, but, as the Government would plead the statute of limitations, Mr. Weir had to accept \$1,400.

St. Charles Branch. \$17,000

Mr. CHOQUETTE. Is it the intention of the Government to increase the accommodation at Point Levis in order to meet the wants of the cattle dealers? When they have cattle at Levis, they have to put them in the public road or on a piece of land belonging to a man named Brochu, and have to pay 2 cents a head for putting them there, while waiting for the boat, although the cattle may only have to remain there an hour.

Mr. HAGGART. I have had no recommendations from any of the officers of the Intercolonial Railway for increased accommodation in the direction the hon. gentleman points out. It is the first time the

subject has been brought to my attention. If it requires any increased expropriation of land in Point Lévis or anywhere along that branch, I would be very careful about recommending to Parliament any sum for that purpose.

Mr. CHOQUETTE. I am surprised to hear that no complaint reached the hon. Minister, because I complained very often, and went to the spot with Mr. Schreiber myself and Mr. Macdonald, the superintendent. Mr. Macdonald told me he had written to Ottawa to call the attention of the Minister to it.

Mr. HAGGART. Well, I never heard of it.

Mr. DAVIES (P.E.I.) Will the hon. gentleman give a statement of what the St. Charles branch has cost up to date and what claims are now outstanding, because I have never seen a plummet yet that reached within a mile of the bottom.

Mr. HAGGART. The hon. gentleman is pretty nearly correct in his observations. The amount expended on the St. Charles branch is \$1,723,000. The amount required to build the road was only \$822,000, and the amount required for land, damages and expenses was over \$900,000. There are at present unsettled claims to the amount of \$37,000. That is why I answered the hon. gentleman that it was very dangerous to ask an expropriation.

Mr. DAVIES (P.E.I.) What is the length of the branch?

Mr. HAGGART. Fourteen miles.

Mr. DAVIES (P.E.I.) That would be \$1,722,000 paid already.

Mr. HAGGART. \$1,723,137., without outstanding claims, for one of which there is a judgment to the amount of \$26,287. Taking that judgment and the other claims unsettled, the whole outstanding claims amount to \$37,719.

Mr. DAVIES (P.E.I.) What was the estimate made by the Minister of Railways when he proposed to build that branch?

Mr. HAGGART. I have not the slightest idea.

Mr. DAVIES (P.E.I.) It was \$136,000 a mile, and here is an expenditure of \$1,760,000.

Mr. LAURIER. In whose favour was the judgment rendered?

Mr. HAGGART. A man named Gibson. I do not know his first name.

Mr. DAVIES (P.E.I.) Is that for land damages?

Mr. HAGGART. Yes—on several claims.

Mr. McMULLEN. Can the Minister say, or has he already given the items which he

expects will completely close out the cost of this whole line?

Mr. HAGGART. I will give the items so far as we know them—the total amount of each claim:

Louis Grevier.....	\$1,300
Marcel Bourget.....	500
Heirs of James Lewis..	372
The Corporation of Bienville	260
George T. Davey	1,800
Mrs. H. Bourget.....	1,200
Heirs of D. D. Young..	2,999
— Gibson (judgment given for).....	\$26,287.56

Mr. DAVIES (P.E.I.) Was that judgment rendered by the Exchequer Court?

Sir JOHN THOMPSON. Yes.

Mr. LAURIER. Why does the hon. gentleman ask for an appropriation of \$17,000 when he has already a claim of over \$26,000 to pay? What is the appropriation for, if not to pay these damages?

Mr. HAGGART. We do not intend to pay them if it can be avoided—we dispute every item. There is a balance from last year.

Mr. LAURIER. The whole of this is a re-vote?

Mr. HAGGART. Yes.

Mr. LAURIER. What is it to be applied to—the payment of damages?

Mr. HAGGART. The payment of land damages alone.

Mr. LANGELIER. What is the nature of the claim of George Taylor Davey? He has already been paid a very large amount by the Government for land damages in connection with the construction of the St. Charles branch. Why is this made a distinct claim, instead of being lumped with the others? He has already been paid, I believe, somewhere in the neighbourhood of \$30,000. I know that his claim was for \$150,000.

Mr. HAGGART. The officers of the department do not know why this is made a separate claim. I am not asking this vote with the object of paying these claims. I simply state what the claims are. We contest every one of them.

Mr. DAVIES (P.E.I.) Can the hon. gentleman tell for what quantity of land Mr. Gibson was allowed \$26,000? Can he tell us who conducted the suits?

Mr. HAGGART. The Minister of Justice, on behalf of the department.

Mr. CHOQUETTE. Belleau, Stafford & Darveau.

Mr. DAVIES (P.E.I.) I am not going to say anything about the judgment. But I want to know what the Government did in the case. Did they allow it to go by default?

Mr. McMULLEN

Sir JOHN THOMPSON. Not at all.

Mr. HAGGART. The quantity of land taken was 9,000 superficial feet.

Mr. LAURIER. That is a very dear price—almost \$3 per foot.

Mr. McMULLEN. What is the land used for? Is it only track allowance?

Mr. HAGGART. I think it is near the station grounds, but I am not sure.

Sir JOHN THOMPSON. I cannot state at the moment who our counsel were. Our firm of agents were interested by relationship, or in some way in one of the claims and preferred not to take the case, and our defence was put in the hands of other counsel, whose name I cannot at the moment remember. Judgment was delivered after a contest and trial, the judges stating their reasons and the basis of calculation of value, the basis being the value at which property alongside had been sold in recent years.

Mr. DAVIES (P.E.I.) The judge would have but a simple duty to discharge. He would be obliged to give his verdict upon the evidence before him. If there was evidence on one side and nothing on the other, he would be obliged to give a verdict if it amounted to \$200,000. I would like to know who the counsel were and what evidence was given—whether any evidence was given on the part of the Government?

Sir JOHN THOMPSON. I am sure that evidence was given, because I know the nature of it. It is very difficult to get evidence to diminish the value of land, as it is the interest of everybody in the neighbourhood to make the land appear as valuable as possible. But we gave evidence of sales in the locality.

Mr. DAVIES (P.E.I.) I should have imagined that if it was necessary to give evidence of sales elsewhere than in the locality that would have been done. In such a case the judge should not be left without some support, as he is bound to give his verdict upon the evidence before him.

Sir JOHN THOMPSON. The judge was by no means left without support. The claim was fully double this amount.

Mr. McMULLEN. It appears that the construction of this road has cost an enormous amount of money. I well remember when Sir Charles Tupper introduced the Bill for the building of this short branch. As the leader of the Opposition has stated, Sir Charles estimated some small sum—two or three hundred thousand dollars—as the outside cost of this branch. Now it appears that it will cost over \$2,000,000 before it is completed or about \$142,000 a mile. I think we should change the name of this road and call it Sir Charles Branch. It is evidently an expensive ornament to this country, just as Sir Charles is himself. I do not know but it would have

paid the Government better to have tunnelled a road through from Point Lévis for this fifteen miles. It seems to me that that would have been cheaper than to buy the right of way and construct the road. I do not know that there is any portion of any road in this Dominion that has cost so large a sum as this has cost. Even now the Minister does not seem to know where the cost is to end; we have one application for land damages after another. I cannot understand how the construction of this branch has been so miserably mismanaged. It has been a botch from the beginning. The idea of paying \$142,000 a mile for a road the original estimate for which was about \$15,000 a mile.

Mr. DAVIES (P.E.I.) I do not think the explanation is at all satisfactory with respect to the payment of this enormous amount of damages. The hon. gentleman says that the ordinary counsel retained by the Government being interested, were unable to conduct this suit, and they appointed some other counsel. I think the committee ought to know who the other counsel are, and I think it is also desirable to know the character of the evidence that was offered on behalf of the Government. Now, we hear that about three times as much was paid to this gentleman as he paid for the land himself. I do not know anything about that, but at any rate it would be satisfactory to know that if we have to pay \$26,000 for 9,000 superficial feet of land a reasonable and proper defence and evidence were offered to the judge when he was estimating the damages. Everybody will understand how absolutely helpless a judge is when he is called upon to estimate damage for the expropriation of a piece of land. The interested party calls Smith, Brown, Jones and Robinson, who, as the Minister says, are all interested in getting a very high price. They give their evidence from an interested standpoint, and, of course, if the counsel representing the Government slights the case, the judge has no option, he is bound by the evidence, and although he may think it outrageous, he cannot do anything but give his verdict according to the evidence. I think we have a right to know what steps were taken by the counsel representing the Government to put the claims of the people properly before the judge in that instance. This thing has arisen to the dignity of a scandal, nothing more or less. That a Minister of the Crown could come here and induce Parliament some years ago to enter upon a project of this kind, stating that it would cost \$130,000 to \$150,000, and we stand here voting the fag end of \$1,800,000, is something that is not creditable to the Government, and requires from Parliament the most close and searching investigation. I submit to the Minister of Justice that in a matter of this kind where we are paying what, on the face of it, appears to be an outrageously large sum of money by way of compensation for a piece

of land, the committee should be assured that every precaution was taken to safeguard the interests of the public, and that the judge had placed before him fit and proper evidence, and that the case was put into the hands of proper counsel. I do not know who the gentleman was myself, but there are men who are very fit for a county court, but are not fit to manage a matter involving \$40,000 or \$50,000. I think the committee and the public have a right to expect that the Government would employ counsel whose capacity fits them properly to safeguard and defend the public interest in matters of such large amount.

Sir JOHN THOMPSON. I will bring down anything the hon. gentleman asks for. I cannot name the counsel who was employed, but he will find that it was one of the first counsel of the bar in Quebec—the Deputy Minister of Railways thinks it was the Attorney General of the province. I am not sure of that, and do not want to say so. But we had first-class counsel. But the hon. gentleman must not suppose that the case was handed over by our agents there in consequence of their not being able to conduct it. When they informed us that they were not able to attend to it, we instructed counsel from here.

Mr. DAVIES (P.E.I.) The First Minister knows that a counsel is absolutely helpless unless he is properly instructed by a solicitor, and has proper evidence submitted to him. The question is: Had he a proper brief and proper evidence placed before him to submit to the court?

Sir JOHN THOMPSON. He had a proper brief; I cannot answer for the evidence.

Mr. DAVIES (P.E.I.) I would like very much to know. I think the committee will require to know before they are through what evidence was submitted on behalf of the Government to the judge of the Exchequer Court. I will ask the hon. gentleman if, before these estimates for the railway are finally through, he will bring down a statement showing what witnesses were examined on behalf of the Government, and let us see their evidence, and see whether the case was conducted in the public interest, as I think we have a right to expect it would be.

Sir JOHN THOMPSON. Certainly.

Mr. DAVIES (P.E.I.) That will be done?

Sir JOHN THOMPSON. Certainly.

Mr. McCARTHY. The reasons for the judgment would probably be sufficient for that purpose. At all events, they would aid very much in ascertaining what was before the judge. In all probability he criticised the evidence and summarized it, and gave reasons for coming to the conclusion. I would like to know where the land was?

Mr. HAGGART. It was part of the water front, the part that was used for the branch railway.

Mr. LAUBIER. I understand it is the land where the station stands.

Mr. HAGGART. Yes.

Mr. LAURIER. Knowing where the land is, it seems to me an outrageous price—about \$3 a foot.

Sir JOHN THOMPSON. \$2.30. \$2,000 were for interest.

Mr. DAVIES (P.E.I.) The judge's judgment would not be evidence at all.

Mr. HAGGART. All I can say is that the officers in my department thought that \$26,000 was a great deal too much. Their estimate was \$9,000, and they decided to go to the court with it, and they furnished every bit of evidence they could possibly find as to the value of the property.

Mr. DAVIES (P.E.I.) But I want the hon. gentleman to tell me what evidence was furnished.

Mr. HAGGART. We will furnish you the evidence.

Mr. LAURIER. I understand there has been more than one trial in this case. I think there was a trial, and the case was dismissed, then a second trial took place. I would like to know whether the same witnesses were heard the last time that were heard on the first occasion?

Sir JOHN THOMPSON. There was no second trial. There was an attempt made to settle it, and failed.

Mr. LAURIER. It has been in court for ten years, I understand.

Sir JOHN THOMPSON. I do not think so long as that.

Mr. DAVIES (P.E.I.) I understand from the hon. gentleman we will have a full statement, the whole record.

Sir JOHN THOMPSON. I will give any information you desire, that can be got.

Mr. DAVIES (P.E.I.) I would like a statement of the evidence that was given on behalf of the Government before the court, together with the judge's judgment, and the name of the counsel who conducted the case for the Government. The hon. gentleman will see how much more necessary that is now than it appeared to be at first sight. The hon. Minister himself says that his department thought the judgment was three times more than they considered fair, and that being so, it is very important to know whether the case was properly presented to the judge.

Sir JOHN THOMPSON. I cannot get the record; I can get an abstract or a copy of

Mr. McCARTHY.

the judge's reasons. It may take some days to get a full copy of the record.

Mr. FORBES. Can the Minister tell us whether that amount of damages is paid upon the demand of the parties holding the land? How was that settled, and that amount paid out? In the city of Halifax \$50,000 would represent many thousand feet of land. Will the Minister tell us whether there were any others interested for damages to that land?

Mr. HAGGART. The total amount of their claim was \$37,719, and there was a judgment for \$26,218, leaving a balance of claims unsettled of over \$11,000. Every one of them was contested.

Mr. McMULLEN. Will the hon. gentleman say whether this claim that has been settled for \$26,000, remained in possession of the man who originally had the claim, or has it been transferred, or was it bought up by this firm of lawyers?

Mr. HAGGART. This individual, knowing the Government would be likely to want the property in a short time, purchased the property for either \$10,000 or \$11,000.

Mr. McMULLEN. So that a firm of lawyers, acting for the country, went and bought the property?

Mr. HAGGART. No; it was bought by some person who got information that it would be wanted for the railway. We thought the price paid for it was a reasonable one, and refused to give any more, but the Exchequer Court granted an additional sum.

Mr. McMULLEN. There has, no doubt, been looseness in connection with the expenditure on a work that has cost ten times more than was estimated. It has been a veritable sink hole, and we have not yet got to the bottom of it. When the item comes up for further discussion, I hope the information will show that proper care has been exercised by the Government in protecting the public interests.

Mr. LAURIER. The hon. Minister has not yet answered the question I put. He asks for an appropriation of \$17,000. I understand there is a judgment of the Exchequer Court against the department for \$26,000. How does the Minister intend to apply that sum which he asks to be voted?

Mr. HAGGART. I believe an amount was voted last year in the Supplementary Estimates on this account, and that sum, with this amount, will enable the department to pay the judgment.

Mr. LAURIER. Has the amount of Mr. Gibson's judgment been paid. I see a statement in 'Le Quotidien,' of 29th, to the effect that \$19,000 has been paid. This is what I find: Settlement of Claim—It is known that Mr. Gibson, of Lévis, has obtained a judg-

ment for about \$30,000 against the Federal Government for lands in this city. Mr. Panet Angers has received a cheque from the Federal Government for \$19,000 in settlement of the claim. The Federal Government will wait until the Local Government has given a discharge to the corporation of Lévis to make a final settlement of those claims.

Mr. HAGGART. I do not know what the Finance Department has paid. We had only \$17,000 appropriation with which to pay such claims, and I do not think the Auditor General would allow the department to draw a cheque for \$19,000.

Mr. LAURIER. You did not pay it?

Mr. HAGGART. No.

Sir JOHN THOMPSON. The judgment could have been paid without coming to the railway department for the amount of it. There is a statutory provision whereby, whenever a judgment is recognized it can be paid out of unappropriated funds; but we prefer to come to Parliament and place a vote in the Estimates so that the matter may be explained.

Mr. LAURIER. So there is no Minister on the Treasury benches who is in a position to say at the moment that it has not been paid?

Sir JOHN THOMPSON. It has not been paid.

Mr. DAVIES (P.E.I.) No cheque for \$19,000 on account has been issued?

Sir JOHN THOMPSON. There has not.

Indiantown Branch..... \$3,000

Mr. McMULLEN. For what purpose is a further sum required for Indian Town Branch?

Mr. HAGGART. To settle land claims, and an account sent to the department by Senator Snowball. He has prepared a very heavy claim which is being resisted, as not being based on a good foundation, but it is being further looked into by Mr. Archibald, chief engineer of the Intercolonial railway, and the engineer who is referred to in the contract whose settlement is to be final.

Mr. McMULLEN. What is the entire cost of the branch?

Mr. HAGGART. \$195,700

Mr. McMULLEN. What is the length of it.

Mr. HAGGART. Fourteen miles.

Mr. McMULLEN. It is a mere snowball when compared with the other.

Extension North Sydney Branch to
deep water \$20,000

Mr. HAGGART. This is merely a revote to carry out the arrangement with the town of Sydney. When they carry out their ar-

rangement with us we intend to build a branch to the sea from the present station.

Mr. McMULLEN. What about the property that was purchased for this purpose?

Mr. HAGGART. The Government has the property. The town of Sydney prefers another line for reaching the sea, and when they recoup us for the land already purchased by the Government, and provide the land for the proposed plan which they seem to favour, we will build the terminus to the sea.

Branch from Bedford to Dartmouth \$198,000

Sir RICHARD CARTWRIGHT. What is this?

Mr. HAGGART. The bridge from Halifax to Dartmouth was swept away by a storm, and instead of rebuilding the bridge which for the second time was carried away, the people of Dartmouth preferred a direct line of communication with the Intercolonial Railway. The estimate to renew the bridge as it was before, was \$33,000, and to put in a masonry and steel bridge it would cost \$235,000, and, inasmuch as the people of Dartmouth and Halifax appear to prefer the branch via Bedford than via the Narrows, and as the scheme is cheaper, the Government thought it best to construct a branch railway which would be seven or eight miles long.

Mr. DAVIES (P.E.I.) By whom is this estimate made?

Mr. HAGGART. By the engineers of the department.

Mr. DAVIES (P.E.I.) Does that include everything?

Mr. HAGGART. It includes everything as I understand; expropriation, cost of work, and everything.

Mr. DAVIES (P.E.I.) Has the hon. gentleman got any details because it strikes me as being marvellously below what I understood from some other people it would cost.

Mr. HAGGART. I have not got the details, but I thoroughly looked into it with the chief engineer of the department, and this is the full estimate for the building of the branch.

Mr. CAMPBELL. Will it cover land damages too?

Mr. HAGGART. It covers everything.

Mr. FORBES. Does the hon. gentleman intend to rebuild the bridge?

Mr. HAGGART. No?

Mr. FORBES. Does he intend to remove it, because it is an obstruction to navigation?

Mr. HAGGART. It is partly removed now and we intend to remove part of it and use it somewhere else.

Mr. FORBES. I suppose the hon. gentleman knows that the last time, the bridge did

not go down in the storm at all. It was a calm and still night when the bridge disappeared.

Mr. McMULLEN. I really think it is about time that we should quit building branches to the Intercolonial Railway. The people of this country have \$53,000,000 invested in the Intercolonial Railway, upon which they are paying \$2,000,000 a year interest, and they do not get a brass farthing by way of return. The hon. Minister has not come within a considerable sum of making Government roads pay operating expenses, and I really think that we should quit sinking money in railways that are bringing nothing in return to the people of this country.

Mr. FORBES. Will the distance from the junction on the main line from Bedford to Dartmouth be less than the distance from the same junction into the depot at Halifax ?

Mr. HAGGART. Yes, about a mile or two, I believe.

Mr. FORBES. It is expected that the heavy freight will go to Dartmouth.

Mr. HAGGART. All that is intended to go to Dartmouth will go to Dartmouth.

Mr. FORBES. I am afraid Halifax freight will go there too ?

Mr. HAGGART. If any one chooses to send freight to Halifax via Dartmouth we will carry it that way.

To authorize payment of costs of litigation in connection with construction of railways and canals..... \$6,000

Mr. LAURIER. What is the explanation of this item ?

Mr. HAGGART. After the works of construction on the different railways and canals are completed, various litigations ensue ; and as no sum has been appropriated for that purpose, we ask for this sum. We hope that none of it will be expended.

Mr. LAURIER. I am afraid, judging by the past, that it will not go far.

Soulanges Canal..... \$750,000

Mr. HAGGART. The construction of the locks and the prism of the canal is under contract, and it is estimated that this sum will be expended during the year 1894-95.

Mr. LAURIER. How much will be required to complete the work ?

Mr. HAGGART. Up to the present there has been expended \$685,285, and the estimated cost of the canal is \$1,750,000. There will be fourteen feet of water on the mitre sills, and the size of the locks is 280 feet by 46 feet.

Mr. GIBSON. Is it the intention of the hon. gentleman to adopt concrete for the backing on the face of the walls ?

Mr. FORBES.

Mr. HAGGART. No. It was under the consideration of the department whether or not it would be advisable to adopt concrete entirely for the locks. We are making an experiment on the Soulanges Canal by using concrete for the bottom of one of the locks ; the facing of the lock is to be of cut stone. The experience on the other side of the adoption of concrete and stone together has not been satisfactory ; there is apt to be a dividing line. You must either adopt concrete entirely or stone entirely. Although not an engineer, my opinion would be in favour of concrete for locks. The engineers in the department, however, have been in favour of cut stone.

Mr. GIBSON. Where a contract was let on the supposition that concrete was to be used entirely, what arrangement will be made in the event of the contractor being obliged to change and use stone for backing instead of concrete ?

Mr. HAGGART. There is to be no change in the decision of the department at the time of the letting of the contract. There has been no change in the specifications in any instance, in any of the contracts on the Soulanges Canal.

Mr. GIBSON. Is it not a fact that some of the contracts were awarded on the distinct understanding that concrete was to be used, and at lower figures than were named by others who had tendered on the basis of using stone for backing.

Mr. HAGGART. No. The hon. gentleman is mistaken. There has been no change in any contract since it has been awarded.

Mr. GIBSON. Will there be any ?

Mr. HAGGART. Nor will there be, so far as I know at present.

Mr. McMULLEN. Has not one of the contractors abandoned his contract ?

Mr. HAGGART. One gentleman who has five or six sections asked to be relieved of the building of No. 12. That is Mr. Goodwin. The Government have taken no action on that.

Mr. McMULLEN. Who is conducting it at present ?

Mr. HAGGART. At present Mr. Goodwin is the contractor. The Government has agreed to transfer one of the contracts from Mr. Goodwin to Mr. O'Leary, who was foreman with Mr. Goodwin, and he is going on with the work.

Mr. McMULLEN. Is Mr. Goodwin still responsible for the work ?

Mr. HAGGART. No. Mr. O'Leary has made the deposit in cash that Mr. Goodwin did for carrying out the contract.

Mr. GIBSON. Has not the Government let to Davis & Sons a contract for about \$300,000 worth of rough stone for some of the work on the Soulanges Canal?

Mr. HAGGART. No, I do not think Mr. Davis has any contract on the Soulanges Canal at all.

Cornwall Canal. \$450,000

Mr. McMULLEN. What condition is this work in, and how long does the Minister expect it will take to complete it?

Mr. HAGGART. I expect that all the contracts on the Cornwall Canal will be completed in two seasons.

Mr. McMULLEN. What is the anticipated entire cost of this canal?

Mr. HAGGART. The total cost of the enlargement is \$4,000,000, of which \$2,922,192.96 has been expended.

Mr. McMULLEN. From the reports which the hon. Minister has received from his engineers, does he expect that this canal will be completed within the original estimate?

Mr. HAGGART. Yes.

Mr. McMULLEN. There has been no change in the contractors on this canal?

Mr. HAGGART. No.

Mr. DAVIES (P.E.I.) Do I understand the hon. gentleman to say that there was no contract given to Davis & Sons for the construction of any work in connection with the Cornwall Canal?

Mr. HAGGART. There was an extension of the contract. I brought down the papers giving full information on the subject. For the reason assigned in those papers and on the recommendation of the resident engineer and the chief engineer, their contract was extended on account of the facilities they enjoyed for doing the work. They were the only parties who could complete it within the time, as the material to be used had to be taken from their former contract, and the price was not in excess of that in any of the contracts let on the Cornwall Canal. The work consisted of building a dam at the head of Sheik's Island and at the foot.

Mr. DAVIES (P.E.I.) Sheik's Island dam. I understand, they have a contract for building?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) What is the amount?

Mr. HAGGART. \$384,000.

Mr. DAVIES (P.E.I.) I understand that the construction of that dam was given to them without any tender?

Mr. HAGGART. They made an offer to the department.

Mr. DAVIES (P.E.I.) Without tenders being called for?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) So that they got the contract, without calling for tenders. Had there been any contract given out before that for the construction of this?

Mr. HAGGART. No.

Mr. DAVIES (P.E.I.) Were there not some sections under contract which had to be abandoned in consequence of the new dam?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) What sections were they?

Mr. HAGGART. Five and six.

Mr. DAVIES (P.E.I.) Who had the contract for 5 and 6?

Mr. HAGGART. Gilbert Bros.

Mr. DAVIES (P.E.I.) What became of their contract?

Mr. HAGGART. It was a saving to abandon it. There was no necessity for doing the work. There was a recommendation to Council—I do not know whether it ever passed or not—but there was a recommendation from my department anyway, and an offer made to Gilbert Bros. in lieu of the profits which would likely accrue to them on this contract. They were to be allowed 15 per cent of the actual estimated cost of construction. A part of the work was constructed and built, and that offer was to cover the remainder to be done.

Mr. DAVIES (P.E.I.) Gilbert & Sons had a contract for building sections 5 and 6, and had done certain work on that contract. The department then let a contract to Davis & Sons, without calling for tenders, for the construction of the Sheik's Island dam at \$384,000. This did away with the necessity of completing Gilbert Bros.' contract, and consequently they are making a claim upon the hon. gentleman.

Mr. HAGGART. I think they are settled with.

Mr. DAVIES (P.E.I.) What did it cost to give this contract without tendering to Davis & Sons?

Mr. HAGGART. The amount recommended to be paid Gilbert Bros. was \$31,000, which they agreed to accept.

Mr. DAVIES (P.E.I.) Then, in order that Davis & Sons might get, without tendering, a contract for \$384,000, we paid another firm \$31,000 to get out. That is the English of it. Can the hon. gentleman explain how it is that he was induced to depart from what we have always considered to be almost a necessity in the letting of public works, namely: the calling for tenders, and giving out, without tenders, a work of this kind,

amounting to \$384,000 to those gentlemen who had been accused, of course, very falsely, of being very great favourites of the hon. gentleman's department. I refer to Messrs. Davis & Sons.

Mr. HAGGART. The Order in Council and the memo. of the department set forth fully the reasons. It was impossible to do the work without the consent of Davis & Sons, who had the contract for building the adjoining sections, and the work could not be done by others anything like the price at which Davis & Sons could do it. We asked them if they would do it at the figures they got for their original contract, and I got a report from the officers of my department. I wanted to know whether they were fair prices or in excess of the prices given to any of the contractors in that particular work. The report of the department is to the effect that they were not. The officer in charge of the work recommended that it be given to Davis, as he was the only person whose work adjoined this particular section, and who could do it in the time required by the department, that his prices were reasonable, that they were less than the amount estimated by the department as required to do the work, and were not larger than any other contractor was getting on the Cornwall Canal.

Mr. DAVIES (P.E.I.) Those statements can be offered in excuse for letting every contract without tender. Whether the contract was let at the lowest prices that could be obtained, if put up to public competition, is a matter we cannot tell. I want the hon. gentleman to explain why it was necessary to give this firm of contractors this large work without tender—why it could not be put up to public tender?

Mr. HAGGART. I have not the papers here. If the hon. gentleman will look at the papers brought down, he will see that the reasons are fully set forth in the memo. and the Order in Council, and they are comprehended in the remarks I made a short while ago. Davis had the adjoining work, it was impossible, in the time required by the department, to have that particular work completed without his consent or by some one who had his consent, as the material to be used in the construction of the dam and the works had to be taken from the contract he was executing—from the excavation and dredging—and I required further that Davis should do the work within the prices recommended to me by the engineers, and within the prices that any other tenderer received for like work or any work of a similar character on the Cornwall Canal.

Sir RICHARD CARTWRIGHT. It is difficult to follow those reasons, I admit. But, surely, when the engineers made their original reports on which these various works were based—unless this was entirely an after-thought—there should have been no

Mr. DAVIES (P.E.I.)

difficulty in so arranging matters that all would be tendered for.

Mr. HAGGART. It was entirely an after-thought. The plan which was adopted of building the Cornwall canal from the head of Sheik's Island to the bottom of it is a plan adopted since I became the head of the department, contrary, as I stated before, to the advice given by Mr. Page. I was so impressed with the plan, and so was every engineer who ever crossed the work, that the wonder was that it had not been originally adopted. We saved \$200,000 by the abandonment of the contract, and the extra cost would be about \$180,000—say \$200,000. And we have a canal which can be traversed in one third time of the present canal, besides avoiding the danger of the banks breaking away. I never could understand why the plan of building dams at the head and foot of Sheik's Island was not adopted at first.

Mr. LAURIER. So that Mr. Page was altogether wrong?

Mr. HAGGART. He was altogether wrong. As I said in my statement to the House, the plan adopted for building the Cornwall canal was one recommended by Mr. Page. But I gave the authority of the different engineers who recommended the other plan—Mr. Shanly, Mr. Keefer, my present deputy, and others. Moreover, I have no hesitation in saying that any one who ever went over the work, whether an engineer or not, will regard this plan as the best. We all remember the speeches of my hon. friend from Cornwall (Mr. Bergin) in which he recommended the course which has been adopted.

Mr. LAURIER. Mr. Page was considered a pretty good engineer in his day. Unfortunately he is not here to defend his own plan. The hon. gentleman is aware that it has been a most lamentable experience of the department of which he is the head that, as soon as a plan is completed and the contract entered into, some flaw is discovered, making changes necessary. It may be that hundreds of thousands of dollars have been saved to the country by his plan, but if so, it is the first instance of such a result. The usual result of the discovery of these flaws has been to double the cost of the work carried on. So the hon. gentleman will not take it as offensive if I say that for my part I have great doubts as to the character given to the plan of Mr. Page. Mr. Page was accounted to be one of the best engineers the country ever had—I have nothing to say against any other. But, until we have had more explanation, I think the items should not be pressed, but we should have the opportunity of examining the papers which were laid on the Table, and to which the hon. gentleman referred a moment ago in the explanation he gave.

Mr. HAGGART. The papers have been on the Table a number of weeks.

Mr. LAURIER. But the hon. gentleman referred to the papers and said that if he had them he could give further explanations.

Mr. HAGGART. I can give any explanation necessary. What does the hon. gentleman want?

Mr. DAVIES (P.E.I.) The hon. gentleman says that the reasons are referred to in the report to Council.

Mr. HAGGART. These reports and the Orders in Council, the reports of engineers and other papers have been on the Table for a fortnight.

Mr. LAURIER. But the hon. gentleman said he could not give the reasons, as he had not the papers. If those papers are on the Table we would like to have an opportunity to look at them.

Sir RICHARD CARTWRIGHT. The hon. gentleman will see that the same remarks I made with regard to railways apply to this also. It is not possible for us to be prepared for the discussion of these items unless we go through in due rotation. We have not objected to the hon. gentleman passing over a number of items which we had expected to take up to-night. When a point like this arises it is better that the item should stand over, so that we may look over the papers in the case.

Mr. LAURIER. We can reserve one item.

Sir RICHARD CARTWRIGHT. Better reserve this one, I should say, as this appears to be the one concerning which doubt exists, and in which there has evidently been a departure from the usual course.

Mr. McCARTHY. There has not only been a departure from the usual course, but apparently a departure from the law. As I understand it, no contract is to be given without tenders being called for. This is provided for in the Public Works Act:

The minister shall invite tenders by public advertisement for the execution of all the works, except in cases of pressing emergency in which delay would be injurious to the public interest, or in which, from the nature of the work, it can be more expeditiously and economically executed by the officers in the service of the department.

Now, I suppose the Order in Council referred to purports to give the reasons for this departure from the express directions of the statute.

Sir JOHN THOMPSON. Canals are not covered by the Public Works Act; they are under the Railway Department.

Mr. McCARTHY. But the Public Works Act is surely applicable.

Sir JOHN THOMPSON. No; it is not.

Mr. LAURIER. That Act was passed before the department was divided into the two present Departments of Public Works and Railways and Canals.

Sir JOHN THOMPSON. Not at all; it was passed in 1886.

Mr. LAURIER. It was consolidated in 1886. The contention that this Act does not apply to the Department of Railways and Canals leaves us in this position: that if the Minister of Public Works desires to carry on a public work he must call for tenders, while the Minister of Railways and Canals can dispense with calling for tenders.

Sir JOHN THOMPSON. All I say is that it does not apply to the canals. It was passed in 31 Victoria, but it has since been altered.

Mr. LAURIER. In what respect, and when?

Sir JOHN THOMPSON. When the Department of Railways and Canals was made a separate department.

Mr. LAURIER. Is it the contention of the hon. gentleman that when the department was divided this Act ceased to apply?

Sir JOHN THOMPSON. Certainly.

Mr. LAURIER. I certainly cannot see that.

Sir JOHN THOMPSON. I think you will find it plainly stated in the Act.

Mr. LAURIER. But if the hon. gentleman's contention is right, the Minister of Public Works when he has a contract for dredging or building a dam to give, is bound to ask for tenders, while the Minister of Railways and Canals, when he has to spend \$4,000,000 upon the canal need not call for tenders.

Sir JOHN THOMPSON. I am not dealing with what one Minister or another department can do; I am simply saying that this does not apply to the canals. That is my recollection, and I think the Act so declares.

Mr. DAVIES (P.E.I.) But if the hon. gentleman's contention is correct, the result follows which the hon. leader of the Opposition states; that is the contention.

Sir JOHN THOMPSON. I am not making any contention of that kind.

Mr. DAVIES (P.E.I.) But you make a statement of the law, and the hon. leader of the Opposition shows what the result is.

Sir JOHN THOMPSON. But the hon. gentleman must not ascribe to me what I have not stated.

Mr. DAVIES (P.E.I.) I say the hon. gentleman has made a statement that this Act does not apply to canal work. My hon. friend shows that the result is that millions may be spent without calling for tenders.

Sir JOHN THOMPSON. That may be.

Mr. DAVIES (P.E.I.) But we want to know the effect of what the hon. gentleman says. I understand the hon. gentleman to make the statement positively, and I suppose he must have looked at the law pretty closely.

Sir JOHN THOMPSON. That is my recollection of it.

Mr. HAGGART. I may say to the hon. gentleman that they acted upon that meaning of the law when they were in power. I can give an instance and a place where they gave a contract of \$500,000 or \$600,000 to Mr. Goodwin on the Grenville Canal, without tenders, and he was not a contractor anywhere near the works.

Mr. LAURIER. Could you prove that?

Mr. HAGGART. I am only giving an instance of what has been done.

Mr. GIBSON. I would like to ask the Minister of Railways the reason why the work had to be given to Davis & Sons, and why he thinks they had a right to get the contract. I would like to know what shape the work was in. Was it properly expropriated by the Government and paid for by the Government, and how did it require the consent of Davis & Sons to proceed with the work, and in consequence of their objection the Government were obliged to give it to them?

Mr. HAGGART. On another item I will bring down the whole information. The property was not expropriated when it was let to Mr. Davis. He was asked if he would do the particular work for the contract prices or the schedule prices that he had under his contract. I told the Chief Engineer of my department to be certain that in any contracts he let in that section of the country, to be sure that prices were not larger than theirs. I also required him to ascertain whether it was possible for any other person to enter into the contract without the appliances, and without getting access to Mr. Davis's work for the purpose of obtaining material to do the work. On the recommendation of the engineer of the works, and on the recommendation of the Chief Engineer, under those sections, I recommended to the Council the extension of Mr. Davis's contract.

Mr. GIBSON. Could not that contract have been let and the contractor been allowed to make an arrangement with Mr. Davis for the purchase of as much of the stone as might come out of his contract? He was paid for excavating, blasting and rock cutting in this section. He was at liberty to do with that stone as he saw fit. It was quite within the power of the contractor who might be awarded this contract, without the intervention of the Government, to make an arrangement with Mr.

Mr. DAVIES (P.E.I.)

Davis for the purchase of this stone. Any contractor, it seems to me, when the work was abandoned, could have easily got hundreds of men to do the work in the same time, because they would have had the same appliance that Mr. Davis had. Mr. Davis had appliance enough for his own section, no doubt, but if the work was extended to him he required to get additional plant, and other contractors could have done the same thing. There is no reason why a contractor whose work adjoins another section, must of necessity be the only contractor in the country fit to undertake the work of that adjoining section. On the Welland Canal and on other canals, one section after another is let to different contractors, and there never seems to be any difficulty at all where the contracts join. If one contractor is fortunate in having material that he can dispose of, so much the better for him and so much the better for the man who has to buy. If he has to bring his stone a long distance, it will cost him a greater sum of money, but if he can buy the stone from an adjoining contract, he can save that hauling. I have had considerable experience in building canals, and I do not think any contractor would object to another man coming upon his section and carting away his stone if he was getting well paid for it. I cannot see at present, before the papers are brought down, any necessity for giving out that work without asking for tenders. If Mr. Davis had tendered at a reasonable price compared with the other contractors, there may have been some good excuse for the Government awarding that contract to him. But under the circumstances, I do not see that the Government was justified in awarding the work without inviting tenders.

Sir JOHN THOMPSON. One word about the Public Works Act including both classes of work. At the time it was originally passed, the Railways and Canals were set over to a different department. The same clause is put into both Acts. The Public Works Act does not apply to this canal at all. The same provision is in the Railways and Canals Act, section 11, and these are the exceptions:

The minister shall invite tenders by public advertisement, for the execution of all work, except in cases of pressing emergency in which delay would be injurious to the public interest, or in which, from the nature of the work, it can be more expeditiously and economically executed by the officers and servants of the department.

Sir RICHARD CARTWRIGHT. That would not apply to the case of Mr. Davis, who was not an officer in the service.

Mr. LAURIER. The rule is the same in all works. I thought that was the contention of the hon. member for Simcoe.

Sir JOHN THOMPSON. No, the hon. member for Simcoe read the section from

the Public Works Act, and I said the Public Works Act would not apply.

Mr. McCARTHY. I am unable to understand the reasoning of the Minister of Justice. The Public Works Act says the Minister shall invite tenders by public advertisement for the execution of all works, &c., as the First Minister has just read it. The hon. gentleman said that section did not apply.

Sir JOHN THOMPSON. I beg your pardon. I said you read it from the Public Works Act. I did not say the section did not apply.

Mr. McCARTHY. You turn over and you get exactly the same words.

Sir JOHN THOMPSON. I am sure the hon. member understands me perfectly. When I asked him what he was reading from, he said the Public Works Act, and I said that did not apply, and I sent for the books to see whether we had the same clause in the Railways and Canals Act. In the meantime the hon. gentlemen seek to hoist upon me a contention which was theirs alone. The natural result of that would be that the Minister of Public Works would call for tenders and the Minister of Railways would not. It took me about ten minutes to convince the hon. gentleman of that.

Mr. DAVIES (P.E.I.) The hon. gentleman has succeeded in convincing himself now that he was wrong, at any rate, and that the Act controlling the Canal Department has a clause in it prohibiting the Minister from letting these contracts except by tender.

Sir JOHN THOMPSON. That is what I contended all along.

Mr. DAVIES (P.E.I.) But the hon. gentleman has a most ingenious way of hiding his contentions at times, covering them up in extraordinary language. Whether the contract entered into with Davis & Sons is legal or not, I cannot say, not having the Act before me.

Mr. HAGGART. It is a regular contract.

Mr. DAVIES (P.E.I.) Did they give any security?

Mr. HAGGART. Yes, they had to make the usual cash deposit of 5 per cent.

Mr. DAVIES (P.E.I.) Is that deposit of 5 per cent still remaining?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) Has no change been made?

Mr. HAGGART. No change.

Mr. DAVIES (P.E.I.) No change of any kind made in their cash deposit?

Mr. HAGGART. Not that I am aware of, notwithstanding the 'Free Press.'

Mr. DAVIES (P.E.I.) I see it stated in the press that such is the fact.

Mr. HAGGART. There has been no change in that contract.

Mr. DAVIES (P.E.I.) It may be in some other contract under the Public Works Act.

Sir RICHARD CARTWRIGHT. So far as it is possible to ascertain what the real facts are, there does not appear to have been any physical obstacle to other contractors carrying on the work. It might have cost a little more, or it might not. It is a point on which we remain in uncertainty, because no tender ever was asked for. But there does not appear, so far as I can judge, even from the Minister's explanations, to have been any physical difficulty in the way of the construction of this dam.

Mr. HAGGART. There was no physical difficulty. The material might have been taken from a hundred miles distant. The real reason was that the principal material used in the construction of the dam—this is an earth dam—was material that was excavated for the bridges and the deepening of the Cornwall Canal, and was taken from the contract of Davis & Sons. He thought probably it would be far more economical and more in the interest of the Government, that the material should be used in the construction of this dam.

Mr. DAVIES (P.E.I.) Was the hon. Minister advised by the Department of Justice to let the contract without tender?

Mr. HAGGART. I made the recommendation to Council, and on the action of the Council the contract was let. The Minister of Justice may have concurred in it.

Sir RICHARD CARTWRIGHT. Perhaps as a member of the Cabinet, and yet not as Minister of Justice. There is considerable difference between consent being given by a brother Councillor, and consent being given, based on the construction of the statutes, by the First Minister in his capacity as Attorney General of this Dominion.

Item allowed to stand.

Rapide Plat..... \$100,000

Sir RICHARD CARTWRIGHT. How much is required to complete this work?

Mr. HAGGART. The estimated cost is \$1,600,000, and the total expenditure has been \$893,458.

Galops Canal..... \$150,000

Mr. DAVIES (P.E.I.) I understand you are constructing a new channel at this point?

Mr. HAGGART. It was constructed two years ago, and supposed to be finished, but there is an action pending in regard to it.

Mr. DAVIES (P.E.I.) Who were the contractors ?

Mr. HAGGART. Gilbert & Son.

Mr. DAVIES (P.E.I.) What was the cost ?

Mr. HAGGART. There has been an expenditure of \$446,500. The contractors have a suit against the Government for \$130,000. The department contends that the contractors have not performed their work, and refuses to pay them anything.

Mr. DAVIES (P.E.I.) For what reason ?

Mr. HAGGART. Because the channel was not taken out to the depth or breadth contracted for.

Mr. DAVIES (P.E.I.) Is it used for navigation ?

Mr. HAGGART. No.

Mr. DAVIES (P.E.I.) Who were the resident engineers superintending its construction ?

Mr. HAGGART. It was under the general direction of Mr. Rubidge. The engineers in charge of the work were Mr. Haycock and others.

Mr. DAVIES (P.E.I.) I believe the contractors contend that the local engineers had certified to the work at the close of its construction. Are the local engineers still in the employ of the Government ?

Mr. HAGGART. I discharged the man in charge of the canal, after a re-examination of the work by Mr. Kennedy, of Montreal, who went over it, and reported that the prisms were not taken out according to the contract, although the work had been certified to by the local engineer. On the report of Mr. Kennedy I refused to make any payments, and, in fact, have not paid anything on the contract since I became Minister, and I removed the engineer in charge of the work, because I thought his certificates were not such as should have been given.

Mr. DAVIES (P.E.I.) Was he suspended ?

Mr. HAGGART. He was dismissed.

Mr. DAVIES (P.E.I.) What amount has been expended by the Minister in ascertaining that the certificate was wrong ?

Mr. HAGGART. A very large sum, about \$18,000.

Mr. DAVIES (P.E.I.) I understand seventeen feet was to be the depth of the channel ?

Mr. HAGGART. Yes.

Mr. DAVIES (P.E.I.) Will the hon. Minister explain how it was possible to expend \$18,000 in making the investigation ?

Mr. HAGGART. It was a very expensive work to carry out accurately. There is a very rapid current at that particular place.

Mr. HAGGART.

A steamboat had to be employed during the whole time when the examination was being made, and particular instruments were required for testing the bottom. Moreover, a sounding apparatus had to be erected for ascertaining exactly the depth of the prisms.

Mr. DAVIES (P.E.I.) Is the work utilized in any way ?

Mr. HAGGART. The boats at present in use do not require 14-foot navigation, and there is sufficient depth without going over to that channel. It is, therefore, not required until a 14-foot navigation is secured throughout the St. Lawrence Canals.

Mr. GIBSON. I suppose the Minister obtained estimates from the engineer, who made a thorough survey, as to the cost of finishing the work.

Mr. HAGGART. Yes.

Mr. GIBSON. What was the estimate ?

Mr. HAGGART. One of the estimates was that it would not cost much more than the survey has cost, for there are only 2,300 yards of work.

Mr. GIBSON. What was the allowance per yard ?

Mr. HAGGART. Nine dollars.

Mr. GIBSON. From the remarks of the Minister it appears that the survey had cost about the same amount as was required to complete the work ; but if properly done, the surveying would cost as much because there is a rapid current at that place, and to make a thorough examination of the work, as no doubt Mr. Kennedy would do, and make careful soundings and measurements and prepare plans, the cost would not be much less than that required for taking out 2,000 yards.

Mr. DAVIES (P.E.I.) Has the engineer Mr. Rubidge who gave the certificate that it had been completed according to contract, been dismissed ?

Mr. HAGGART. No ; Mr. Rubidge was not the engineer in charge of the work. He had to depend entirely upon the engineer who was immediately superintending the work. The contention of Mr. Haycock the resident engineer, to do him justice, is this : He says that with all the appliances that it was possible for him to have for the purpose of finding out whether the prism was actually taken out or not—and he was most correct about it—he says that the prism was taken out. The contractors, Messrs. Gilbert & Sons, say that the prism was taken out too, but that on account of the current, large quantities of the rock which had been excavated were drifted in again. I gave explicit instructions to Mr. Kennedy to find out whether it was loose rock or rock in situ. Mr. Kennedy or his engineers, who actually sounded it, are of opinion that the

rock never was removed, that it was rock that could not have been removed by Mr. Gilbert, and that he ought to do it again. Mr. Gilbert, in taking out the rock, in some places has gone three or four feet, and in some five or six feet below the depth which was required of him for the purpose of making the excavation, and he has really taken out a large quantity of rock in excess of the original estimate. When I became head of the department I found that the contract had not been literally followed, and I refused to pay him. Mr. Kennedy, who made the examination of the work, says that in order to make the excavation according to the estimate required by the engineers, it would require a further expenditure of \$20,000 or \$30,000.

Mr. DAVIES (P.E.I.) I was informed that Mr. Rubidge had given a certificate that the work had been completed according to contract.

Mr. HAGGART. Very likely he did. He very likely certified to the report of the engineer on that particular portion of the work.

Mr. GIBSON. There is no doubt from the explanation given that too large a quantity was taken out in one place, and not enough in another.

Mr. HAGGART. There was a large increase of the quantity taken out. So much so that Mr. Page, the engineer in charge of the work, made him allowance of half a foot beyond the actual estimate and paid him for it. His contention was that it was impossible for him to take it down to the actual estimate without a larger extension of half a foot, and he claims for the larger quantity taken out. The question is now before the Exchequer Court. The contention of the Government is that he should have taken down to the actual prism, because if any one point is higher than the depth required for navigation it limits the navigation to that.

Mr. DAVIES (P.E.I.) Mr. Rubidge is not held by you responsible for that certificate?

Mr. HAGGART. No; I held the officer responsible who was particularly in charge of that part of the work, and whom Mr. Rubidge depended entirely upon for his certificate.

Mr. DAVIES (P.E.I.) Mr. Rubidge was not the local engineer?

Mr. HAGGART. Oh, no.

Mr. REID. I would like to say about this matter that when I first brought it before the attention of the Minister of Railways and Canals he at once promised to do all that he could to set the matter right, and from the time I first mentioned it to him until the present moment he has done everything in his power to get at the bottom of this whole affair. No member of any Gov-

ernment could have done more than he has done to set it right. I agree with the Minister that Mr. Haycock and the other engineers who were in charge of that work are responsible, but I think that Mr. Rubidge is also responsible for this investigation. He held an investigation at first before Mr. Kennedy, and I believe that he is responsible for not finding out the trouble in the first place, and for the cost of the second investigation. However, the Minister got Mr. Kennedy to go ahead with the examination, and Mr. Kennedy has found out the difficulty in the channel, and there is no doubt that it is a good thing it has been found out, because some vessels might have been wrecked, and probably lives lost.

Mr. GIBSON. I know neither of the engineers, but I hardly think it is fair that the whole blame should be cast on Mr. Rubidge or Mr. Haycock. As I understand the explanation given by the Minister of Railways and Canals these officers had not at their service the same apparatus for making the soundings that Mr. Kennedy had. As the hon. gentleman (Mr. Reid) knows quite well, if the Government did not provide vessels and suitable apparatus to make the soundings, it was impossible for them to arrive at a correct idea.

Mr. REID. I think Mr. Rubidge had all the necessary apparatus that was required.

Mr. GIBSON. Perhaps so.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12 o'clock, midnight.

HOUSE OF COMMONS.

FRIDAY, 1st June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SHEIK'S ISLAND DAM.

Mr. LAURIER. I would call the attention of the Minister of Railways to a matter that transpired yesterday. The hon. gentleman told the House two or three times in succession that he had already laid on the Table the papers moved for in the early part of the session with regard to the Sheik's Island dam. The hon. gentleman is in error, as the papers have not been brought down.

Mr. HAGGART. I thought they were. I know they were sent to the department, and I will have them all brought down to-day.

INSPECTION OF SHIPS.

Sir CHARLES HIBBERT TUPPER moved second reading of Bill (No. 113) to amend the Inspection of Ships Act. He said: This Bill repeals the whole of section 8 of the Act of 1891 and re-enacts the language of that section with the addition of about two lines. When the Act of 1891 was introduced there was no reference to this subject in the original Bill, and it was in committee that clause "a" was added in reference to the inspection of loading tackle. That was a subject that had been pressed to the front, notably by the labour interests and the representatives of those who are connected with loading ships, at the port of Montreal particularly. Clause "a" was introduced to give the inspectors under the Act power to inspect loading tackle and machinery for loading or unloading ships, but there seems to be some difficulty in working it out. For instance, clause 3 made the Act not applicable to vessels classed in Lloyd's Register of British and foreign shipping, or to ships classed in any other corporation or association for the survey and registry of ships. That was perfectly proper as the Bill originally stood, but it defeats the object of clause "a," and this Bill is intended to remedy that.

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

(In the Committee.)

On section 1,

Mr. DAVIES (P.E.I.) The object of this provision is to limit clause 3 to ships belonging to Her Majesty?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. DAVIES (P.E.I.) I have not a personal recollection of the facts; but the committee will see that the provisions of the Bill are very arbitrary, and the mode of procedure very summary. Whether or not it applies to ships duly registered and inspected in Lloyd's, the Bill leaves the decision to the absolute discretion of the inspector; there is no standard laid down to which he must conform.

Sir CHARLES HIBBERT TUPPER. He can do nothing himself except report.

Mr. DAVIES (P.E.I.) But there is no standard to guide a ship-owner, and up to which the tackle, machinery and apparatus must come. That is left absolutely to the inspector, and who is the inspector? If he considers that the tackle, machinery or apparatus used for loading or unloading is defective so as to be dangerous to life, he is to report to the Minister, and the Minister may order such tackle, machinery and apparatus not to be used, and if it is used after that, it is liable to be seized and sold.

Mr. HAGGART.

The inspector is to be the absolute arbiter and judge; if he determines against the tackle and apparatus, it is liable for the penalty; there is no trial. I call the hon. gentleman's attention to this because it may be open to very grave misuse, unless the inspector is a very first-class man; from vindictive or other motives he might put a ship-owner to every imaginable trouble. The Minister is not in a position to revise the report of the inspector, he only receives it; there is no way provided by which he can judge whether the inspector has been properly advised or not. On the report of the inspector, the apparatus and tackle is condemned and sold. The hon. Minister may be able to give the committee sufficient evidence why such extraordinary powers should be vested in one man; but I submit that before the Bill is passed some evidence should be given that cases have occurred in which ship-owners have sent their vessels to sea with apparatus and machinery so defective as to endanger life and property. We all know that ship-owners are subjected to a great deal of trouble already by the various inspections permitted and required by our statutes. They are complaining of that all the time, and we do not wonder at it; they would like to be free from all inspection. At the same time, while I never oppose any Bill providing for a proper inspection of ships or tackle or apparatus when circumstances show that that is necessary, I do not feel like voting even for the re-enactment of this clause unless the hon. gentleman is able to state that he has evidence in his possession that heretofore ships have been sent out with such defective apparatus and tackle as to endanger life and property and to make this provision necessary. I would also like him to give the House an assurance that the men in whom this power is to be vested can safely be intrusted with it, and that it is not likely to be exercised vindictively or improperly.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman has not carefully examined the clause. If he remembers the discussion which we had in committee on the old Bill, he will know that much that he has said applies to the main provisions of the Act as it now stands. I agree with him, and the House took the view, that without the most careful investigation being made, there should be no such interference with these ships; and for the purpose of confining the operation of the Act to cases of necessity only, the provision of section 3 was put in. There was no immediate necessity for bothering with vessels that had a class, and, therefore, they were excluded. The provision under consideration concerns not the machinery of the ship, but only the machinery used on the wharf, or, if on the ship, only for the purpose of loading or unloading. Distressing accidents have oc-

curred. Rotten ropes have been used, and the hoisting gear would descend suddenly and break a man's leg or arm, and I believe in some cases fatal accidents have occurred at the port of Montreal, from which the complaint came. There was no difference of opinion, I think, at the time the subject was fully discussed and considered here, as to the advisability of our legislating to prevent as far as we could these distressing accidents. As to the officers who will have charge of the inspection, they can do nothing but report. They do not interfere with the vessel; they do not exercise any dangerous discretion or powers; they simply report the fact that rotten gear or unsafe tackle is being used. Then, of course, if the department is able to discharge its important functions, and it has proper officers at the port, no measures will be taken except such as are necessary. The proper officers are provided for by section 4 of the Act, which says:

The Governor in Council may from time to time appoint any port warden, harbour master, inspector of hulls and equipment of steamboats or officer of the Marine Department, to inspect the hulls and equipment of ships.

And as a matter of fact, the men appointed are port wardens, harbour masters and inspectors of hulls, and no other officers. We may take it for granted that they would be capable of reporting that rotten gear was being used, and then the order would go from the department to prevent it being used.

Bill reported, and read the third time and passed.

PRESERVATION OF GAME IN THE NORTH-WEST TERRITORIES.

Mr. DALY moved second reading of Bill (No. 115) for the preservation of game in the unorganized portions of the North-west Territories of Canada.

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

(In the Committee.)

Mr. FLINT. I would like to call the attention of the committee to some observations made on this Bill by a gentleman very well qualified to speak on the matter, and very much interested in it. He makes this note: "The musk ox robes are of the very best on September 1st, and the close season should not go beyond that date." There was a remark made, when this Bill was passing the Senate, that perhaps these dates could have been fixed better if experts, hunters and persons well acquainted with the habits of fur-bearing animals, had been called in to give advice. The date should be changed to the 1st day of September, or much earlier than the middle of October.

Mr. DALY. The dates have been fixed in accordance with the information given to

the department by Mr. Ogilvie, Mr. Dawson, Mr. Chipman, Commissioner of the Hudson's Bay Company, and other people conversant with the habits of the animals in that country. There was considerable discussion in the Senate, and that body were of opinion that the dates were in accord with what was supposed to be right by those most conversant with the matter in that country.

Mr. MILLS (Bothwell). I think it is a pity that we should leave the orthography of "Keewatin" as it is. The word is pronounced with a long "a" and ought to be spelt "Keewaytin." I would move that the orthography be made right.

Amendment agreed to.

On section 8,

Mr. FLINT. I think clause "a" of this section is too wide. It seems to me that even Indians and inhabitants of the country should not be allowed to destroy these animals during the close season, except for food. This clause will practically almost annul the general provisions of the Bill, it is so broad. A party of Indians with one trapper or hunter might, during the close season, destroy many of these animals for pleasure or for commercial purposes. I think it would be wise to amend that so as to allow Indians or inhabitants of the country to shoot these animals during the close season for food purposes only.

Mr. DALY. But unfortunately, the inhabitants of the country are dependent upon the game for their food. The only thing we can do is to prevent these animals being shot for pleasure by others than the inhabitants. The inhabitants are mainly half-breeds, and it is impossible to make the Bill more stringent unless we are prepared to feed these people. So far as the fur-bearing animals are concerned, it is against these people's own interest to destroy them during the close season, for the Hudson's Bay Company will not buy the skins of animals shot during that season. So far as other animals and birds are concerned, these people must have food, and it seems to me this is as far as we can go in providing against the destruction of these animals.

On section 14,

Mr. LAURIER. What is the reason that there is a departure in this case from the rule generally adopted that half the fine shall go to the party who informs?

Mr. DALY. The reason is that in that far-off country, the game guardians might be over-zealous in the enforcement of the law if such an inducement were held out to them.

Mr. LAURIER. But if no incentive is given to anybody for prosecuting, is it not possible, and even likely, that no prosecu-

tion will take place, even in case of offences which ought to be prosecuted?

Mr. DALY. Further on, the hon. gentleman will find that provision is made for the payment of game guardians.

On section 17,

Mr. MILLS (Bothwell). Would this Bill prevent persons obtaining the eggs or obtaining the young of these animals with a view to taming them or forming a menagerie? They ought to be at liberty to do that.

Mr. DALY. They can apply for a permit under the provisions of the Act, if they want to do that.

On section 18,

Mr. MILLS (Bothwell). I do not think it is necessary to the preservation of these animals or birds to prevent them being taken alive or their eggs being taken. Suppose a person wishes to form a herd of buffalo, what objection would there be to his catching some of these wood buffalo for that purpose? I think that is a wholly different thing from the destruction of these animals, and might very well be allowed. If the hon. Minister thinks it necessary to have such a restriction, he ought to make some provision that, by application, license might be given for taking these animals alive.

Mr. DALY. I think the clause giving permits will cover that.

Mr. MILLS (Bothwell). There is such a clause?

Mr. DALY. Yes; you will see it later on.

On section 20,

Mr. MILLS (Bothwell). I think that is too restrictive.

Mr. DALY. We have got to be particular in outlining exactly what we require, owing to the condition of the country in which the Act is to be enforced. It is following the customary clauses in Bills of this kind.

Mr. MILLS (Bothwell). No one is likely to take these eggs for mercantile purposes. If they are taken for the purpose of reproducing the animal, or to try experiments, I do not think that ought to be objected to; and the same with regard to taking animals alive. I know cases have occurred under the Ontario law where parties have taken red deer in Muskoka, and brought them home with a view to putting them in a park and preserving them, and these parties were seized and put to great hardship. Where parties wish to form a park of these animals I think they ought to be at liberty to do so.

Mr. DALY. The next clause covers that.

On section 21,

Mr. MILLS (Bothwell). I think the hon. gentleman will see that it is not quite broad

Mr. LAURIER.

enough to give one power to do legally what he suggests. That will merely authorize him to grant a permit when animals are required for scientific purposes only. Suppose they were wanted to try an experiment in domestication.

Mr. DALY. I suppose the only animal they would want to domesticate would be the ox and the bison. But I have no objection to add "or domestic purposes."

Mr. FLINT. I think if the object of the Bill is to preserve these animals, the Minister of the Interior ought to take power to require that outsiders coming into that country for the purpose of hunting shall take out a license and be under certain restrictions. We all know, from information, that in some portions of that country there are enormous herds of deer, which are very tempting to the hunter, and without some careful restriction on the methods of hunting, and on the persons who may go there to slaughter these animals—I am speaking of a time outside the close season altogether—there would be great danger of their being decimated. I think that any person going into that country from the outside for the purpose of hunting, should apply to the proper authorities for a license, and should be under restrictions as to the number he might kill, and so on, these to be settled by the Government. Unless some restrictions of this kind is adopted we shall be opening the door to practices by which that animal may be almost rendered extinct. Hunting grounds in other portions of the world are getting scarcer, and this is almost virgin soil to the hunter, and the present would be a good time for the Government to place restrictions upon outsiders going into that country for the purpose of hunting. I think in other provinces that has been done. In Nova Scotia any persons coming from outside the province to hunt must secure a license under certain restrictions before they can engage in that pastime. I think the Minister of the Interior might amend this clause by providing that any person residing outside that territory shall secure a license under regulations to be approved of by the Governor in Council.

Mr. MILLS (Bothwell). I would suggest that in the third line the hon. gentleman insert the words "or to take with a view to domestication."

Mr. DALY. They might take them with a view to domestication and use them for food. However, I have no objection to the amendment. I may say in answer to the hon. member for Yarmouth (Mr. Flint), that this Bill is introduced for the very purpose of overcoming the difficulty he has pointed out. We think that having in the first place provided against the shooting of bison or buffalo for five years, and having restricted the shooting of other animals within the close season, we have gone as

far, under the circumstances, as it is necessary to go, and that we will afford all the protection that is required in order to preserve those animals and allow them to increase.

Bill reported, and read the third time and passed.

THE GENERAL INSPECTION ACT.

Mr. WOOD (Brockville) moved second reading of Bill (No. 125) to amend the General Inspection Act.

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

(In the Committee.)

On section 1,

Mr. LAURIER. What are the proposed changes?

Mr. WOOD (Brockville). The only amendment is the addition of hay to the list of articles subject to inspection. This was suggested by the Montreal Board of Trade, and largely on account of the increased exportation of that article. In fact so necessary was it that hay for exportation should be inspected to meet the demands of foreign trade that the Montreal Board of Trade adopted the rules of inspection incorporated in this Bill.

Sir RICHARD CARTWRIGHT. By what mode does the hon. gentleman propose to inspect the hay? I suppose the amendment refers particularly to pressed hay, in which form almost all the hay we export is sent from the country.

Mr. WOOD (Brockville). I presume so.

Sir RICHARD CARTWRIGHT. How does the hon. gentleman propose to inspect it, and what will be the cost? In this case details form the very essence of the measure. I have no objection to reasonable precautions being taken for the purpose of ensuring that fraud is not committed in the packing of hay, but at the same time if there is likelihood of any considerable exportation continuing, which is perhaps a doubtful matter, care should be taken that the inspection was not made expensive. Our people obtain a sufficiently small price for their hay at the present time. I should like to know in what way the inspection is carried out in Montreal or elsewhere, as there appear to be some practical difficulties in the way.

Mr. WOOD (Brockville). I have never heard any fault found, either with the fees or with the mode of inspection. This legislation is fully as much in the interest of the vendor as of the purchaser. No fault has been found during the past season with the system which is now being incorporated in a Bill, either on behalf of the exporter or the foreign purchaser. The department has

been informed by the Board of Trade at Montreal that a prejudice existed in the old country against hay sent over without being inspected, that in case of dispute arising with respect to a cargo arriving, say at Liverpool, there was no standard by which the article could be judged, and this provision appears to be really necessary in the interests of the trade and of all parties engaged in it.

Sir RICHARD CARTWRIGHT. I have no doubt that the measure is well intended, and no doubt inspection is very much in the interest of articles sent abroad. But the hon. gentleman must be aware that there is considerable difficulty in properly inspecting pressed hay.

Mr. WOOD (Brockville). They do not seem to have discovered it as yet.

Sir RICHARD CARTWRIGHT. How do they manage? Do they take out a sample of the hay, as they take out a sample from a tub of butter?

Mr. SPROULE. This Bill is of great importance at the present time, owing to our increased trade in the exportation of hay during the last few years. In my section of country those engaged in the trade have suffered considerably by parties exporting hay that was not fit to be placed on the English market, and they strongly advised that there should be an inspector appointed to examine the hay, especially at Montreal, when shipped, and thus guard against hay being shipped that was not suitable for the English market and thus injuriously affect the trade. This is a measure that will meet with general approbation; it is one needed, and I am glad that it has been introduced.

Mr. WOOD (Brockville). I may add that the inspection fee does not exceed 20 cents per ton.

Mr. McMILLAN. What means are to be adopted to classify the hay? I observe the Bill provides that first-class timothy shall not have more than one-eighth of clover. How is the Minister going to ascertain the quantity of clover in a certain quantity of hay shipped from Montreal? During last year I crossed the ocean in a vessel which had on board hay that had been inspected in Montreal, and I can assure the House that it was not such hay as should have been passed by the inspector. If hay is properly packed it is impossible to tell its quality throughout, for if it is packed in damp weather it will be all right outside but rotten within. That has been my own experience. Inspection does not properly gauge the quality of the hay.

Mr. WOOD (Brockville). I must express surprise that the hon. gentleman should have taken a single instance, and on that condemned the whole system of inspection. No doubt cargoes have reached Liverpool, and fault has been found with the inspection. After all it is only a man's practical judg-

ment that will enable him to judge with some degree of accuracy the quality of the sample as compared with what we call the standard. If last season the hon. gentleman happened to see a cargo of hay that was said to have been inspected, but was not in proper condition, he is giving the strongest possible argument in favour of this Bill, because the system of inspection was not then legalized, and so necessary was it in Montreal that they had to adopt a system in the interests of this growing trade.

Mr. McMULLEN. I think the hon. Controller misunderstood the hon. member. The hon. gentleman intended to call the attention of the Controller to the fact that notwithstanding that this hay was inspected it was not up to the standard it was marked. I believe that the inspection of hay is highly desirable, if by it you can secure a good standard for your hay in the foreign market, but people must be able to rely upon the quality that it is branded. The difficulty is in inspecting a bale of pressed hay. It appears to me that it is very hard to tell whether in the centre of that hay there is not more clover than from outside appearance you would expect there was, and so, if the centre were examined the hay might be found to be No. 3, when it was branded as No. 2. When hay is tied up with wires it is nearly as solid as a log and it will be difficult to know what its contents are.

Mr. WOOD (Brockville). There has been no trouble so far in satisfying both the purchaser and the vendor of this article. I have no doubt at all but that some means will be found, by those who are expert in the business, of making the proper inspection. It is just the same thing with a person who is not something of an expert in the business, attempting to say from a sample of grain whether it is No. 1 or No. 2. In all these cases the utmost you can do is to approximate to something near what a sample is, by taking a standard.

Mr. McMULLEN. It is very necessary to have this inspection, I believe, but I cannot see that any person by merely looking at a bundle of pressed hay and judging from outside appearances can tell what percentage of clover is in it or what quality it should be marked. I think some means might be adopted by which the bundle could be cut in two when it would be easy judging the quality. A few bundles could be taken out of a hundred bundles sent for inspection and they could be cut in this way.

Mr. COCHRANE. There would be no necessity for that, because it would be impossible to put a forkful of clover hay in the centre of a bale of hay when pressed with the machine. You cannot put one kind of hay in the inside and another kind on the outside. The outside of the bale of hay

Mr. Wood (Brockville).

must represent the quality of hay that is all through it.

Mr. McMILLAN. I agree with my hon. friend that in the pressing machine you cannot put good hay on the outside and bad hay in the centre. The great difficulty will be with hay that is not packed in proper condition or that is not dry enough when pressed. If that should be the case the outside would appear all right but the inside would be useless. I have had some experience of this, crossing the ocean two or three times, even with hay that had been inspected. I believe that there should be an inspection, but I think it would be impossible to properly inspect it unless the bundle is loosened.

Mr. SPROULE. I have several times seen them use a steel rod with spurs on it shaped something like a fish-hook, it brings some of the hay with it, from which it can be seen whether it is improperly cured, or whether it has become discoloured in the centre of the bundle. This, I think, is a very good device and it would obviate the necessity of opening the bundle.

Mr. McMULLEN. From what I know of baled hay, I do not think the hon. member (Mr. Sproule) has muscle enough to run a steel rod of that kind through a bundle of hay.

Mr. SPROULE. There is no difficulty about it, I have seen it done many times, and it does not require a man of even the muscle of the member for Wellington (Mr. McMullen).

Mr. DAVIES (P.E.I.) Do you mean steam-pressed?

Mr. SPROULE. Pressed by the ordinary machines in the country, run by horsepower.

Mr. COCHRANE. It does not make any difference in that respect whether it is steam-pressed or not.

Mr. WOOD (Brockville). There is no object whatever on the part of the officers other than to inspect the hay in some proper way, and if this is not the proper way we can remedy it.

Sir RICHARD CARTWRIGHT. There is nothing compulsory about this Bill, it is voluntary.

Mr. WOOD (Brockville). It is entirely voluntary.

On section 2,

Mr. TAYLOR. I wish to draw the Controller's attention to the fact that I think the Bill ought only to apply to hay for export, that is pressed hay. I do not think you should compel people to have hay inspected which is simply brought into market and sold by the load.

Mr. WOOD (Brockville). The Bill is not compulsory at all.

Mr. TAYLOR. I think it should apply only to pressed hay, anyway.

Mr. McMILLAN. I believe there is a system by which it is thoroughly inspected. The hay is tied with four or six strands of wire to each bundle, and by that means the bundle can be divided. It can be thoroughly inspected in that way, and I think it is the only way in which it can be inspected.

Mr. WOOD (Brockville). That can be easily provided for.

Mr. CASEY. In this measure there is a great deal of vagueness. It is impossible for any inspector to tell whether the amount of clover in No. 1 is one-eighth or less than one-eighth. He will have, in all cases, to guess the proportion of clover in the timothy and the proportion of other grasses in the clover; and I think it is scarcely wise to give the inspector the right to classify bales of hay as being prime timothy, No. 1 timothy, and so on, merely on the basis of his necessarily imperfect estimate of the proportions of the different grasses they contain. I do not see any propriety in making more than perhaps three classes of timothy—one of pure timothy with no visible mixture, which is a kind of hay you scarcely ever find; another of hay containing more than one-half timothy, and another containing half, or less, timothy. I think it would be possible to arrive at a fair guess whether half was timothy or not; but then it is impossible for any man to decide. In fact, I doubt whether the prime timothy grade should exist at all. That is a grade scarcely ever found. Nearly everything would have to be graded No. 1, No. 2, or No. 3, and it is not fair to the seller to mark his hay with a grade number which puts it below another sample of hay, merely on the inspector's estimate of the quantity of timothy in it. As to the clover, the distinction between the two classes appears on the Minister's explanation to turn merely upon the difference between good colour and fair colour. There, again, I think there is an element of still greater vagueness. It is possible to distinguish timothy from clover, though the proportions may not be easily ascertained; but to decide what is a good colour and what is a fair colour of clover, is a very hard thing for an expert to do, and it is a point in regard to which it would be almost impossible to establish standards. Every inspector would have his own idea of what was a good colour and what was a fair colour. He could not well keep standards on hand, as you can in the case of grain, because the standards would change in colour from the mere fact of being kept; and the grading would be affected thereby. I submit that the Minister

should find some other distinction between the grades of clover than that of colour. I admit that the colour test is prima facie evidence with regard to clover hay, because if it has been subject to bleaching by rain after being cut, the colour would certainly be changed. But a great deal of the clover that is marketed has been in part affected by rain or heavy dew, and in part not. There is very good clover the colour of which has been injured by heavy dews or light showers which is as nutritious as any not affected in colour at all. So that, although colour is a prima facie test of the quality of the hay, it is not a sufficient or conclusive test. The best test at all for clover, to my mind—and I have had a little hayseed in my hair myself, and can speak with regard to it—is the degree of brittleness in the staple.

Mr. COCHRANE. Not at all.

Mr. CASEY. The hon. gentleman who objects to that idea is not very well versed in farming.

Mr. COCHRANE. That would not give any idea of the nutriment of the hay, because it is all owing to the heat and sunshine. The same hay that is brittle in the middle of the day might be quite tough in the evening.

Mr. CASEY. I said that the brittleness is a test, and if the hon. gentleman knows anything of farming, he knows that the brittleness of the leaf shows whether the hay has been dried by continuous sunshine or whether it has been dried and wet and dried over again. However, the colour test if retained at all, I think should be amended in some way. I think it is worth while to consider such a question as this even at some length, because this hay trade may assume considerable proportions; and if we are passing an Act on the subject at all, it is well to consider it thoroughly. I would ask the hon. Controller what experts he consulted in fixing these standards for the grading of hay?

Mr. WOOD (Brockville). I may say that the very utmost pains were taken to obtain all the necessary and proper information—

Mr. CASEY. From what class of people?

Mr. WOOD (Brockville). If you will just have patience for a moment, I will answer you. A year ago this spring, the matter was first brought to the attention of the department by the Montreal Board of Trade, owing to the necessities of the case. Large shipments of hay were being sent abroad, and the fact that there was no such inspection rendered it necessary that they should act promptly; and the Board of Trade, with the Commissioner of Inland Revenue, and a number of those engaged in selling hay, as well as practical farmers, were consulted, and it was upon the very

standard fixed in this Bill that the trade of last year proceeded, and I venture to say proceeded satisfactorily, because I have heard no complaints other than that made by the hon. member for South Huron (Mr. McMillan) this afternoon. Doubtless some of the cargoes may have been imperfectly inspected, but the same has taken place in the case of wheat and barley and oats, and almost every article subject to inspection. As I said before, the utmost the inspector can do is to give an approximate idea as to how near the sample taken from the cargoes compares with the standard set up. Whether this is a proper standard or not, is open, of course, to discussion, and is being discussed. I should be glad indeed if the hon. gentleman would venture any suggestion as to any change he thinks necessary.

Mr. CASEY. I did make one suggestion, which, perhaps, the hon. gentleman did not hear. It was that the brittleness, the breaking of the leaf in handling and so on, should be taken into account as well as the colour, in establishing the condition of the clover hay.

Mr. WOOD (Brockville). Farmers differ on that point.

Mr. CASEY. I do not know that they do.

Mr. WOOD (Brockville.) The hon. member for East Northumberland (Mr. Cochrane) says that is not a test.

Mr. CASEY. No; the hon. member for Northumberland had got the idea that I meant to assume that the more brittle hay was the worst. I only said it was a test of its condition, and not that brittle hay was worse than the other, necessarily, in every case.

Mr. WOOD (Brockville). What is to prevent the inspector taking into consideration anything you have mentioned as an objection?

Mr. CASEY. According to the classification here, he has only to consider the colour.

Mr. WOOD (Brockville). You are speaking now only of clover.

Mr. CASEY. Yes. In all these remarks about brittleness and so on, I am speaking entirely of clover, and the only standard laid down here is one of colour. That is all the inspector can consider.

Mr. WOOD (Brockville.) The word "sound," I think, would cover the very objection you raise as to the brittle character.

Mr. SPROULE. If it is well cured it will not be brittle.

Mr. CASEY. The hon. gentleman (Mr. Wood) will find that the descriptions of Nos. 1 and 2 differ only, as he explained himself a few minutes ago, in this respect: that one is to

Mr. Wood (Brockville).

be a good colour and the other a fair colour. The descriptions in other respects are exactly the same. "Fair colour," I suppose, means less than good, but yet fit for use. Colour is not a test of the quality of the hay, and if it were, it is here left to the judgment of each individual inspector to say what he considers good colour and what is not good but fair. It is leaving too much to the caprice of the individual inspector, and I have pointed out that it is impossible to fix a standard to judge colour by, because standards change in colour by keeping. I asked the hon. Minister what parties he consulted in framing these standards, and he said the Commissioner of Inland Revenue, who, I suppose, is not assumed to be an expert on hay, the Board of Trade of Montreal, and some hay dealers. Well, the Board of Trade and the hay dealers, of course, handle a good deal of hay, but I think those who produce the hay should also be consulted in the matter of framing the standard. There is any number of bodies representing the farmers—provincial agricultural associations, and so on—who might with advantage have been consulted before framing this. There are many individual farmers, well known to the Minister, both in and out of the House, who might have been consulted, and something more definite than this might have been arrived at. I take it for granted that the Minister wishes to make as fair a standard as possible for the inspection of hay. I am only finding fault with what I consider the imperfect manner of framing these standards.

Mr. FEATHERSTON. What market is the hon. gentleman having this hay inspected for?

Mr. WOOD (Brockville). Principally for export to the English market.

Mr. FEATHERSTON. What we call first-class hay in Canada is first-class timothy pure, but in England they prefer it mixed with clover. In Toronto we want pure timothy.

Mr. WOOD (Brockville). Look at the Bill and you will find that No. 1 timothy provides that there shall be a little clover with it, and prime timothy is pure.

Mr. FEATHERSTON. I think it would be better to establish a standard for pure timothy alone, and then a standard for timothy mixed with clover. We ought to know what would be considered first quality timothy, and what would be considered first quality timothy and clover mixed, or timothy and other grasses mixed. The quality of the hay is governed greatly by the way it is cut and saved. No matter what kind of grass if cut and saved properly, it will make good food for either horse or cattle. It would be better if we had a standard for timothy alone and for clover alone, and then a standard for timothy and clover mixed.

Mr. CASEY. Do I understand the hon. gentleman to be in favour of having one grade for pure timothy and another for pure clover, and a third grade for timothy and clover mixed?

Mr. FEATHERSTON. I suggested that we should have a grade for pure timothy, and a grade for pure clover, and another grade for timothy and clover mixed or other grasses. That would be a proper way to arrive at a conclusion. Pure timothy is what is considered in Toronto first-class. With reference to clover it should be pure clover, and other hays, such as clover and trefoil and other grasses, which make very good hay for cattle, would come under the head of mixed hay.

Mr. McMILLAN. As far as timothy is concerned, the different stages at which the grass is cut has a great deal to do with first or second-class timothy. If you allow timothy to stand until the seed is formed you will not get first-class grass. You may cut from the same field in its early stages, when the blossoms form, and if well cured, you will get first-class hay. If allowed to stand until the seed forms you will not get first-class hay, cure it as you will.

Mr. CASEY. The hon. member for Peel (Mr. Featherston) has made a first-class suggestion. To call all timothy prime timothy, and the others Nos. 1, 2 and 3, and so on, would convey the idea that they are very much inferior to the grade called prime. My hon. friend suggests a grade for all timothy, another grade for all clover, and a grade for timothy and other grasses, called mixed hay, graded according to the quality as hay, and not strictly according to the proportion of the different grasses in them. That would be a much more satisfactory definition.

Mr. McMULLEN. Is it the intention to appoint a person to discharge this particular duty, as a Government officer?

Mr. WOOD (Brockville). No; the idea is to utilize the services of the grain inspectors. That was adopted last session at Montreal. While on my feet I may say that this standard was adopted largely in view of the requirements of the English trade. I am quite sure that having passed the ordeal of one season successfully—

Mr. EDWARDS. Not successfully.

Mr. WOOD (Brockville). Yes, successfully—it may fairly be allowed to continue for another season. In any case this is purely voluntary—a man need not submit his cargo to inspection unless he wishes to.

Mr. McMILLAN. The present inspectors of cattle, I believe, would be the best inspectors of hay you could get. They are gentlemen who have been largely engaged in feeding and shipping cattle, and thus are well qualified to judge of the quality of hay.

Mr. WOOD (Brockville). I am glad to hear that suggestion from the hon. gentleman, and I will bear it in mind. At any rate, we do not propose to make any charge upon the revenue for salary.

Mr. McNEILL. I desire to call the hon. Controller's attention to the remarks of the hon. member for South Huron (Mr. McMillan). I think there can be no doubt at all, Mr. Chairman, that the quality of timothy, perhaps more than that of any other kind of hay, depends upon the season at which the grass is cut. If the timothy is left standing long enough for the seed to form, it matters not how well the hay is cured, it matters not how well it is handled, it will be hard and reedy, and will not be so good a hay by any means as if the grass had been cut before the seed had formed. I entirely agree with what my hon. friend from South Huron has said about that, and I would suggest to my hon. friend the Controller to consider if it would not be well to introduce words covering that idea—for instance, "shall be pure timothy," then add "cut in due season"—"perfect in colour," &c.

Mr. EDWARDS. I think it highly desirable that an inspector of hay should be appointed. It is only a few days since I saw a letter in the hands of the Minister of Trade and Commerce complaining that hay had been shipped to England not inspected, and of inferior quality, the consequence being an injury to the trade of exporting hay from Canada generally. I said at the time to the hon. Minister that I thought it was highly desirable that an inspector should be appointed, because, from my own knowledge, a great deal of hay has been purchased and exported to Great Britain which is of inferior quality, and which must be injurious to Canadian trade. I am a very large user of hay, and I think this Bill, in a general way, is framed about as well as it could be framed. So far as the question of timothy hay is concerned, while I agree that, for some purposes, timothy hay is the best, at the same time, a small proportion of clover is not at all detrimental. In my opinion, it would be a very injurious thing if any measure was adopted which would cause the farmers of Canada to sow timothy hay exclusively. The growing of timothy is very exhausting to the soil, while the growing of clover is beneficial to the soil. There are a great many gentlemen who do not know the value of the clover as a fodder for horses and cattle. In my experience I have found it to be valuable for horses to have a small portion of clover mixed with the timothy. For cattle a larger proportion of clover may be used, and for sheep it is better to have all clover with no timothy at all. I agree with what the hon. member for South Huron, and the hon. member for North Bruce (Mr. McNeill) have said with regard to the making of hay. About the only change I would like

to see made in this Bill is that suggested by the hon. member for North Bruce. As the hon. member says, the quality of timothy hay depends very largely upon the season of cutting, and in Canada a great loss is sustained by the farmers through cutting their hay too late. There is, perhaps, nothing so important in the production of hay as cutting at the proper season. Farmers err oftener in cutting too late than in cutting too early. I know something of the quality of hay that is required for the different animals we feed in this country, and for one, I certainly would not favour legislation that would have a tendency to cause the farmers to sow more timothy than they do. It would be a great deal better if they sowed more clover than they do now.

Mr. COCHRANE. I agree with what has been said about the season for cutting timothy, but you cannot get a lecture on the quality of hay into a Bill providing for the inspection of that article. You must leave the working out of the details to an inspector, who is supposed to be a man of common sense. We know that if the seeds of timothy ripen the quality of the hay as fodder is destroyed, but I cannot see how you can put that into a Bill such as this. I agree also with what the hon. member for Russell (Mr. Edwards) says with regard to the sowing of timothy hay and clover. But you can leave the farmers to use their common sense as to whether it is best in their particular district to raise timothy or clover. A farmer is not fool enough to exhaust his land for the little more he will get for timothy hay than for clover. We should leave matters of that kind for the farmers to decide. I do not want to deliver a lecture on agriculture, but my opinion is that it would be very foolish of the farmers to raise timothy hay and send it out of the country. It would be better to raise clover, and produce cheese and beef and send these out of the country.

Mr. WOOD (Brockville). I wish to be guided by the practical advice given me in putting this Bill through the committee, and I have no objection to inserting the words: "cut in due season," after the word "timothy." But I would ask if it is the intention of those who favour the insertion of these words that they should be made to apply to all grades?

Mr. CASEY. That would be to make them all of one grade?

Mr. WOOD (Brockville). It does appear to me—with all deference to the judgment of the experienced farmers who have given their opinions in perfect good faith—that it might be made part of the duty of the inspector to consider whether the hay was cut in due season, and he could tell by the appearance of the hay whether it had been so cut or not. I would prefer that the committee should pass the Bill in its present

form, for I can assure the committee that it was prepared with the utmost care and mainly, as I said before, with a view to suiting the English market. If it does not work well this season, at least it cannot do much harm. If it errs at all, it errs in aiming at too high a standard. Surely in the interest of our trade in this important article, which is growing rapidly we can afford to test this system for another year upon the lines upon which we proceeded last year.

Mr. McNEILL. What I wish to say is that if we are to leave to the judgment of the inspector the question of whether it has been cut in due season, we must in the same way leave to him the question whether it has been well cured.

Mr. WOOD (Brockville). We cannot put in everything.

Mr. McNEILL. But we can very easily put in that which is one of the most fundamental principles in hay-making, that it should be cut in due season, and the same person should judge as to whether it is perfect in colour.

Mr. MILLS (Bothwell). I do not know that I precisely understand the contention of the Minister. But it seems to me that in the Bill, classification and grades are confounded, and the Minister ought to distinguish between them. Now, what is called here No. 1, No. 2 and No. 3 timothy are three classes, they are not grades properly so called, because any of these may be first-class, that is, the timothy and the clover which they contain may have been cut in proper season, and if they have been cut in proper season and properly cured then they would be first-class of their particular grades. Now, let me take, for instance, the first-class. "No. 1 timothy shall be timothy with not more than one-eighth of clover." Now, you may have timothy with one-eighth clover which may have been cut in proper season, and it may be a very good article, but there must be a first grade of that class, there may be a second grade, and there may be very inferior grades, and I think that the Minister ought to distinguish the grades of the different classes. While this classification may seem very well, there certainly are different grades in each of these classes. Of course, with us in western Ontario, and I suppose it is the same here, timothy matures very much later than the red clover, and where the timothy is only sufficiently ripe, clover may be over-ripe; and whoever suggested these clauses, may have had that idea in view. But certainly it seems to me that the arrangement here, while sufficient for the classes, does not serve the purpose of grading at all. It indicates the quantities of each in the particular class, but it does not indicate the character of the hay which may be found in that class. You may have what you call first-class of

Mr. EDWARDS.

a very inferior grade, much below what it is found in the second class, and unless you distinguish between the class and the grade, I do not think you will find that the Bill will work out satisfactorily. Before the Minister takes the Bill out of committee, I would ask him to consider that matter—and I am speaking after some practical knowledge of the subject. He will see that in any one of these three classes which he mentions, he may have a very superior or a very inferior grade, and it is the character of the grade as well as the character of the class that he wishes to distinguish in order that the market may not be injured.

Mr. McMILLAN. I would impress upon the Controller of Inland Revenue that when hay is inspected, the word "Canadian" should be put upon each label. In a letter that appears in the report of the Minister of Trade and Commerce, it appears that people in the old country find it a great saving to them to feed their animals with Canadian hay, and there is danger that they may buy something else when they wish to buy Canadian hay. I think the word "Canadian" should be put upon every bundle of hay exported to the old country.

Mr. WOOD (Brockville). I do not see any objection to that, which can be done. But as to the remarks of the hon. member for Bothwell, that is the first time I ever heard a suggestion of that kind made from any source with regard to the curing of hay, that we should have a grade as well as the classification. Would it not complicate matters a good deal?

Mr. MILLS (Bothwell). The hon. gentleman will see that his present arrangement is no indication of grade at all, because you may have a very inferior article of the first grade.

Mr. WOOD (Brockville). I do not think it would suit the English market at all.

Mr. MILLS (Bothwell). The hon. gentleman does not want to send an inferior article to the English market. Now, suppose a man brings into the market for inspection hay that contains seven-eighths of timothy, but it is over-ripe, the seed has matured, it may in part have fallen off, the stocks have become woody, and it has very little nutriment in it. The hay would go in that grade because it contains those proportions, although it is scarcely fit for feeding. Now, what the hon. gentleman wants is a superior article, and the superiority of that article is not indicated by the proportion of timothy or clover, but it is indicated by the maturity of the hay at the time it was cut, and the care with which it has been cured.

Mr. WOOD (Brockville). And in every other way, so far as its quality goes.

Mr. MILLS (Bothwell). But these things are the matters which govern the quality in each of these classes. Supposing you have hay of the third class, it may be of the very first quality in this respect, that both species of hay that are included in it, are properly matured and have been well cured; but another case he may have in which it has been injured in the curing. The hon. gentleman will see that the character of the hay does not depend on those qualities at all for the market, but it depends on the manner in which it was cured.

Mr. COCHRANE. I read in this clause, "pure timothy shall be timothy perfect in colour, sound and well cured." Now, does the hon. member for Bothwell think he can have timothy hay with these conditions, when the seed has dropped off?

Mr. MILLS (Bothwell). That is speaking of hay of the first class. But supposing an article of a different kind, which has the same proportions, is put in the market, would it go into the second class under that Bill?

Mr. COCHRANE. Yes, you have got to put it in the second class if it is not well cured.

Mr. MILLS (Bothwell). The hon. gentleman will see that the second class does not depend upon the manner in which the hay is cured, it depends upon the proportions of timothy and clover.

Mr. COCHRANE. You could not have it sound and well cured if the timothy had lost its seed.

Mr. MILLS (Bothwell). That is only timothy of the first grade.

Mr. COCHRANE. No, that is the second. You had better read the Bill.

Mr. MILLS (Bothwell). It is the second as to proportions, but not as to quality.

Mr. CASEY. The hon. member for Northumberland (Mr. Cochrane) is mistaken, not only as to the classification, but as to his duty. He seems to think it his duty to defend the exact wording of this Bill, while the Controller, on the other hand, is open to receive suggestions for the improvement of the Bill. Now, the hon. member for Bothwell has pointed out correctly that it is the condition of the hay that should indicate the grade and not the proportions of the different grasses that are in it. The proportions of the different grasses should indicate the classification, while the condition of the hay should indicate the grade, as Nos. 1, 2 or 3. The Controller fears that it will produce too much complication. Possibly it would, if you retained so many classes. But my hon. friend from Peel (Mr. Featherston) has pointed out the remedy for this; he has shown that there is no need for forming so many classifications, but that

a class for pure timothy, a class for pure clover, and a class for mixed grasses composed of part timothy and part clover, would be sufficient, and that each of these should be graded according to their different qualities. That would be an exceedingly practical proposal, and would assist in getting rid of the ambiguous wording of the clause. As the hon. member (Mr. Mills) has pointed out, a specimen of pure timothy, not of sufficiently good colour to come under the heading of prime timothy, has no class provided for it. The same is true in regard to Nos. 1, 2 and 3 timothy. The difference between these qualities provided in the Bill is simply as regards the proportion of the different grasses, and does not indicate any essential difference in the condition of the hay itself. No. 3 timothy may be as good hay as No. 1 timothy, No. 3 simply meaning that it is composed of timothy with a larger proportion of clover in it. The hon. Controller was mistaken in supposing that we object to the classification because it is too strict. We object to it because it is too indefinite, and is not likely to maintain the standard of Canadian hay in the English market. There would be several grades of hay on the English market all branded pure timothy, and this Bill would tend to bring about a feeling of distrust with respect to the grading of hay by Canadian inspectors. The point as to the grading of qualities as opposed to the mere classification of grasses, and also as to the indefiniteness of the standards, should engage the Minister's attention carefully before he takes the Bill from committee. I am satisfied that the hon. gentleman wishes the measure to be a satisfactory one, and I cannot avoid urging that experience of this year will probably decide the fate of Canadian hay in the English market. It has been shown conclusively that the inspection did not work well last year, and that hay was sent to England which was not satisfactory. We should amend the classification, for we may rest assured that if during two consecutive years Canadian hay of uncertain quality is sent to the old country, there will be no use trying to continue the export trade.

Mr. COCHRANE. I desire to draw attention to this fact, that the third quality of timothy is a hay of fair quality, and that No. 1 is perfect in colour; so there is that distinction drawn, and I may add there is also the term "good in colour." We all know a good many facts that cannot be embodied in a Bill. For example, we know that you cannot have timothy and clover both perfect in colour. If you cut timothy so as to obtain perfect colour you will not get your clover of perfect colour, and vice versa; but, of course, you cannot put that information into a Bill; you must leave the inspection to a man of common sense who knows the quality of hay, and who will be prepared to put his opinion on the bale of hay after inspection.

Mr. CASEY.

Mr. MILLS (Bothwell). It is provided that No. 1 timothy shall not have more than one-eighth of clover. Supposing that it contains more than one-eighth of clover and is of fair colour, where would it be classed?

Mr. WOOD (Brockville). I think the hon. gentleman loses sight of the fact that a margin must be left to the inspector's judgment, and quite a margin too.

Mr. MILLS (Bothwell). Supposing it was pure timothy, it would come under the first class, if of good colour; but if it were pure timothy of fair colour, where would it come in?

Mr. WOOD (Brockville). You could safely put it in the second rank.

Mr. COCHRANE. If it were left to me to inspect, and it were not perfect in colour, I would class it as second quality, if it contained a fair percentage of clover.

Mr. CASEY. As regards timothy, that might be good enough in itself, there is no provision for grading it outside of No. 1. It has been urged by hon. gentlemen opposite that we cannot give satisfactory directions to an inspector, and that his individual judgment can be trusted. That is true to some extent, but we are giving directions, and at the same time we leave the inspector to classify hay according to quality.

Mr. McMULLEN. It appears to me from the discussion that it would be better perhaps if the committee were to rise, and allow these gentlemen who are discussing the question to read up more thoroughly first and second timothy. In the clause where the hon. gentleman describes prime timothy I would suggest to have it read this way: "Prime timothy shall be pure timothy, perfect in colour, sound and cured in proper season." The inspector will know better whether it is cured in proper season than whether it is cut in proper season.

Mr. FEATHERSTON. I would suggest that you would make just three classes of hay, and then a great deal of the difficulty would be got over. Say timothy, clover and the other class of mixed hay. Then the inspector could use his judgment to what class the hay inspected belongs. As it is now, the inspector has got to be guided by this Bill altogether, as you define the classes, and he has no discretion left him whatever. It is my opinion that the inspectors should have this discretion. You have two gentlemen inspecting hay for the use of cattle going across the Atlantic, in Montreal, and I know them to be thoroughly competent men in that business. There are no two men in Montreal that I know of more qualified for the office than these gentlemen are. I have seen them inspect hay for cattle going on board ship, and I know that they are well up in their business, and have good experience. If you just define the three classes of hay, then when you have inspectors so

competent as these men are they will assign the hay to whatever class it belongs.

Mr. WOOD (Brockville). Are you having in view the interests of the producers of hay or the condition of the English market? I shall say now for the last time that this Bill has been framed with a view to suit the requirements of the English market, and so far as I can learn it is designed to meet that end.

Mr. FEATHERSTON. We send hay to France and Germany as well as to England.

Mr. WOOD (Brockville). I have no doubt that what suits the English market suits the others.

Mr. FEATHERSTON. You do not know that, and neither do I. In England they like hay with a little clover. They do not like our red clover, because it is too hard; but they like timothy with alsike-clover in it.

Mr. MILLS (Bothwell). It seems to me that there might be a fine grade and a second grade for each of these classes, for instance hay may be of very good quality, but not suitable for a certain class, and then it might be made of a fine grade in the next lowest class.

Mr. WOOD (Brockville). I think as the Bill is framed it enables the inspector to exercise a proper judgment under any one of these classes for the purposes of the foreign market. I think the same discretion should be left to the inspectors of hay that is left to the inspectors of grain.

Bill reported, and read the third time and passed.

COUNTY COURT JUDGES, B. C.

Sir JOHN THOMPSON moved that the House resolve itself into committee on the following resolution:—

That it is expedient to provide that the salaries of the Judges of the County Courts of Cariboo, New Westminster, Yale, Nanaimo and Kootenay, in the province of British Columbia, shall be \$2,400 each per annum.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

Mr. LAURIER. What is the increase?

Sir JOHN THOMPSON. The object of this resolution is to provide for another county judge for British Columbia, in the Kootenay District. That district was created a county court district by the Provincial Legislature several years ago. It has not been thought necessary to make the appointment, but it is deemed expedient to take the power now, owing to the increased population of the district, and the population going there is

of a class that requires the attendance of a court of justice.

Mr. LAURIER. Is this salary on a par with the salaries of similar officers in the province?

Sir JOHN THOMPSON. The same salary.

Mr. McMULLEN. Why does the Minister of Justice consider it necessary to place the salary for a county court judge in British Columbia at \$2,400, when only \$2,000 or \$2,200 is paid in Ontario?

Sir JOHN THOMPSON. That is the law now in British Columbia. In Ontario the judges are appointed at \$2,000, but after three years' service they are paid \$2,400.

Mr. McMULLEN. Is there an additional allowance for travelling in British Columbia?

Sir JOHN THOMPSON. Yes.

Mr. McMULLEN. In Ontario I think the allowance is \$200. What is it in British Columbia?

Mr. MARA. It is according to the distance travelled. I may state that an additional judge is required in British Columbia owing to the recent mining developments in the Kootenay Lake country, and the growth of a number of small towns within the last few years. Hitherto the work has been done by the county court judge of Yale District, but it is impossible for him to travel over the whole district and do the work properly. The district contains about 30,000,000 acres, and as the population is about 15,000, and is scattered over that immense area, you can understand that the little commercial centres are very far apart. The distance the judge has now to travel is something like a thousand miles, that is, if he visits every town in which a court should be held. The Canadian Pacific Railway runs through Yale and Kootenay about 500 miles. He has also to travel from Revelstoke to Kaslo, 220 miles, from Sicamous to Osoyoos, 170 miles, and from Kamloops to Granite Creek, 75 miles. The two latter roads have to be travelled part of the distance by wagons, so that the judge cannot travel very fast. Here are some of the places where county courts ought to be held: Kamloops, Revelstoke, Donald, Golden, Fort Steele, Vernon, Penticton, Kelowna, Nicola, Quelchena, Granite Creek, Osoyoos, Nelson, Kaslo, Three Forks, New Denver and Nakusp. When you consider the number of places I have mentioned and the great distances that have to be travelled, you can easily perceive that one judge cannot do the whole work, and do justice to the several towns.

Mr. LAURIER. How many of these are mining stations?

Mr. MARA. Seven are mining stations. It is proposed that the new judge shall be located in South Kootenay on Kootenay Lake, and the places he would have to visit

would be Nelson, Kaslo, Three Forks, New Denver and Nakusp. Nelson is the place where I have no doubt he would reside.

Mr. DAVIES (P.E.I.) When the question of the salaries of county court judges was up before, the hon. Minister of Justice had brought to his notice, and received it with some favour, the question of increasing the salaries of the judges of the metropolitan counties of the different provinces. I think the salary of the county judge of St. John was increased to \$3,000, and it was urged upon the hon. Minister of Justice that it would be fair that some allowance should also be made to the county judges in Halifax and Charlottetown, in view of the very much larger quantity of business transacted by them than is transacted by the county judges of the outlying counties. I cannot speak from personal knowledge of the amount of business transacted by the county court judge of Halifax, though I presume it is heavy and more onerous than the business in other counties of Nova Scotia. But I know that the county court judge of Queen's has more work to do than the other two judges in Prince Edward Island together, arising from the fact that Charlottetown, the chief city on the Island, is situated in that county. I can vouch for that from personal knowledge. I would again call the attention of the hon. gentleman to the discussion which took place a few years ago on this subject, and urge the justice of making some reasonable allowance to these two judges. The ground for doing so would not necessitate any increase in the salaries of the other judges at all. I understand that the broad question of increasing the salaries of the judges all around was considered, and that it is shelved for the present at least, whatever may be done hereafter. But in the meantime I think these two exceptional cases might very well receive favourable consideration at the hon. gentleman's hands.

Mr. CORBOULD. At present the district of New Westminster has but one county court judge and one Supreme Court judge, although there are four Supreme Court judges and one county court judge on Vancouver Island. The Provincial Government have recognized the fact that the work in Westminster district is now as great as in Victoria, and have divided Westminster district into two judicial county court districts, called Westminster Judicial District and Vancouver Judicial District. I would like to ask the Government if it is their intention to give this new district another county court judge, because the one there now is often left to do the whole of the work, both county court and Supreme Court, in consequence of the Supreme Court judge having to attend the full court at Victoria.

Sir JOHN THOMPSON. I have not been satisfied that there is a sufficient cause for the appointment of another judge for the district of New Westminster, as it has now

Mr. MARA.

a county court judge and a Supreme Court judge resident in the district. It seems to me that in one district, one county judge or Supreme Court judge ought to be ample for the work. At any rate, I have not been satisfied that there is a case on which I could apply for an increase. With regard to the metropolitan county judges, I have forgotten the circumstances of the discussion which the hon. gentleman mentions, but I will look it up and refer to it. I suppose he does not expect anything to be done this session?

Mr. DAVIES (P.E.I.) I would be very glad if something could be done.

Mr. FRASER. I called attention to this matter either last year or the year before. It is a very great hardship, so far as the county court judge in the city of Halifax is concerned. It will be remembered that not only is the salary paid to the county court judge in the city of St. John greater, but he is revising barrister as well, which brings his salary up to something like \$4,000. In 1891-92, Judge Johnson, county court judge of Halifax, tried sixty criminal cases, as compared with thirteen by the whole Supreme Court of the city of Halifax. It will be remembered that since the Speedy Trials Act went into operation, there has been a great deal of work thrown on the county court judges. Judge Johnson tried 134 civil cases against 108 by all the judges of the Supreme Court.

Mr. DAVIES (P.E.I.) That is hardly a fair test.

Mr. FRASER. It is this much of a test, to show that it is unfair that a judge who has so much work to do should be paid no more than a county court judge living in the country, who does not try one-half of the cases. A man who does so much work ought to be paid commensurately. I have not come before Judge Johnson very often, but I know that he tries many cases, and that his judgments are generally sustained. Two of the county court judges spoke to me during recess of Judge Johnson's case, and while they did not ask for any advance of salary, so far as they themselves were concerned, they said that, from their knowledge of the amount of work Judge Johnson had to do, he certainly ought to get better pay. All he gets is \$2,400. Fancy a judge having to try all these cases, and to live in Halifax, not having as much salary as many gentlemen in the civil service at Ottawa are getting. He has to keep up with the times, to buy the latest books, and holding his court in the city of Halifax, he must, of necessity, be better read and pay more attention to cases than country judges, and I can say this, without, in any way, disparaging the other county court judges. I would urge very strongly on the Minister of Justice this case. Judge Johnson ought

to be put in as good a position as the county court judge at St. John. Halifax has a population larger than St. John, and he should be put in the same position as the county court judge of St. John. Since the passage of the Speedy Trials Act, a good deal of extra expense has been put on the judges. They have to proceed to the place which the criminal selects as his place of trial. I think some compensation should be given to cover that extra expense. I understand that the amount given to them is a lump sum. That lump sum may cover some cases, but not all, and it will be much better if the judges were asked to make a return of all the items of travelling expenses from the place where they live to the place of trial, or that they should receive so much per mile for travelling expenses. I would press strongly upon the Government the case of Judge Johnson, of Halifax. A man of his knowledge and ability, getting only \$2,400 per year, has no means of putting by anything if he wishes to keep himself abreast of the times, and maintain, with any degree of propriety, his position in Halifax.

Mr. MILLS (Annapolis). I desire to add my voice in connection with the case of Judge Johnson, of Halifax. It is a matter which has been called to my attention quite frequently, and I think it is deserving the consideration of the Government. A statement of the cases tried in the city of Halifax has been handed me, to which is appended the name of Mr. Holmes, the prothonotary and clerk of the county court. The cases tried during the year 1891 in the Supreme Court were forty, and during the year 1892 there were fifty-nine. The criminal cases tried in 1891 by the Supreme Court amounted to four, and in 1892 they numbered nine. In the county court, over which Judge Johnson presides, the chamber entries during the year 1891 amounted to 110, and during the year 1892, to 196. The cases tried in 1891 numbered fifty-eight, and in 1892, eighty-six. The criminals tried in 1891 were twenty-seven, and in 1892, thirty-eight. This shows that a great deal more business is done in the county court of Halifax than in the Supreme Court. And I think it would be proper for the Government to take this matter into consideration. I have also something to say regarding what has been referred to concerning county court judges trying criminals. Take the case of Judge Savary, in district No. 3, of Nova Scotia. He lives in Annapolis, and has frequently to go to Yarmouth and Digby. Whenever a criminal matter is brought to his attention, he has to go first in order to allow the criminal to select whether he will be tried under the Speedy Trials Act or by jury, and then he has to make another trip to try the case, and his pay in this regard is very small compared with the work done. I would press upon the Government the necessity

of doing something, so that these men should be placed in a better position, financially, and thus be enabled to sustain properly the dignity of their office.

Mr. McMULLEN. Whenever the question of judges' salaries comes up in this House, every man who is accustomed to hold briefs and appear before these judges demands for them increased salaries. The demand for increase of pay to these judges is confined to the lawyers. Whenever any item comes up which will enable them to advocate an increase to the judges of any particular section, they are on the alert to do it. Yet if any one of these judges happens to vacate his position, we can find a dozen ready to take his place at the salary. I believe in paying our judges decently, and I think they are decently and fairly paid, and the best evidence of that is that there are any number of lawyers glad to take their places at the salary. I asked a question of the First Minister a moment ago whether the judges in British Columbia were paid mileage in addition to their salary. He stated that they were. I notice that in the accounts of travelling expenses in the Auditor General's Report nothing appears for travelling expenses for judges in British Columbia. I would like to know why that is.

Mr. BELLEY. (Translation.) Since we are, Mr. Chairman, discussing the question of the salaries of judges, and especially of those among them who administer justice in the country districts, I will seize this opportunity to make one or two observations on this question. I beg to call the attention of the hon. Minister of Justice (Sir John Thompson) to an existing anomaly in the province of Quebec. I quite understand that the salaries of judges living in cities and towns should be larger than those of judges living in the country. But there are two judicial districts in the province of Quebec where the judges are not sufficiently paid, and where they have not even the salary paid to the judges of the other rural districts. Thus, I think the presiding judge in the district of Chicoutimi and Saguenay, and the presiding judge in the district of Gaspé, ought to receive the same salary as the judges of the other rural districts. When, in 1854, the judicial organization was settled, the salary of those judges was fixed as it now is. Thus, the presiding judge in Chicoutimi and Saguenay receives \$500 less than the judges of the other districts. The salary fixed in 1854 might have been large enough, considering the work and responsibility which then devolved on the incumbent. But now there is a large increase in population, and, of course, the value and volume of business have increased proportionately. I have no hesitation in saying that the population in Chicoutimi and Saguenay is now as large as in most of the judicial districts of the province of Quebec, where judges re-

ceive a larger salary than the judge of Chicoutimi and Saguenay. I think this latter gentleman ought to receive at least an equal pay to that of those judges. I have just stated that there has been, since 1854, a large increase in the population of the judicial district of Chicoutimi and Saguenay; the fact is, this population is now nearly 70,000 souls. I think that in many rural districts, the population does not reach that figure. When, in 1854, the present salary was fixed, the population was much less than now, and, therefore, the work the judge had to do was much less. Therefore, the Government would merely do an act of justice were they giving to the judges of the districts of Chicoutimi and Saguenay and Gaspé the salary allowed to the judges of the other rural districts.

Mr. FRASER. I want to add a word to what my hon. friend from Queen's, P.E.I., has said, and to correct the hon. member who spoke just previous to the last speaker. Judge Johnson does not live where I live, and I do not practice before him, nor does my hon. friend from Annapolis (Mr. Mills). It will relieve the hon. gentleman's mind to know that I am not speaking for my own judge. Judge Johnson gets \$2,400 a year, and I am pressing for an increase in his salary on the ground that he does more work than a Supreme Court judge, and he should be fairly paid. Judge Peters, in St. John, receives \$3,000, and was appointed revising officer, thus giving him a considerable increase in his income. Not that I would say that Judge Peters gets too much. I venture to say that there is no lawyer in the city of Halifax of equal ability to Judge Johnson whose practice is not worth more to him than \$2,400 a year. No doubt there are a number of parties seeking such an appointment, but you would not find men of equal ability to Judge Johnson ready to accept such a position at such a salary.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again resolved itself into committee.

(In the Committee.)

Mr. DAVIES (P.E.I.) Before the resolution is reported, I wish to say for the information of the hon. Minister of Justice, with respect to the claims of Judge Alley, the judge of the county court of Queen's, whose case I brought up before dinner, that the reasons I press for an increase of his salary are similar to those which prompted the hon. member for Guysboro' (Mr. Fraser) to press so strongly for an increase to the salary of the county court judge of the metropolitan county of Nova Scotia. There seemed to be a good reason to the hon. Minister for an increase to the salary of the county court judge of St. John, N. B. I do

Mr. BELLEY.

not challenge the justice of that increase; but it does seem reasonable, from what I know of Judge Johnson's position, and the duties he discharges in Halifax, that a similar acknowledgment should be made to him, and on behalf of Judge Alley, I claim that he should receive the same acknowledgment. I wish to say, in furtherance of the remarks I made before dinner, that during the twenty years that Judge Alley has sat as county court judge of Queen's County, the business of the court has very largely increased. The facility with which cases can be brought and concluded in that court, and the lowness of the court costs, have induced a very large number of litigants to resort there. The hon. gentleman seems to think that I am in the habit of practising before Judge Alley, and that that is one reason why I press his claim. I may say that I do not practise in the county court; I have not been before Judge Alley more than once, if at all, in fifteen years, my time being otherwise occupied. A very large number of cases, such as were formerly tried in the Supreme Court, are now brought before him, owing to the fact that the costs in his court are only one-half or one-third of what they are in the Supreme Court, and his judgments have been so satisfactory that out of the thousands that have been given by him in the last ten years I do not think ten have been appealed. I think the hon. Minister of Justice could fairly rank his claim as equal to that of the county court judge of Halifax, and that of the county court judge of St. John, and I hope he will give such consideration to it as will induce him at an early day to make a small increase to his salary.

Sir RICHARD CARTWRIGHT. I do not wish to interfere in matters which, perhaps, belong more peculiarly to the legal members of the House; but it does seem to me that an allowance of ten judges—five for the county court and five for the Superior Court—for a province with the population of British Columbia, is an extremely liberal provision for the administration of justice there, even after taking into account the largeness of the district. I understand that the population is not generally diffused over the province, but is chiefly found in certain districts or along the course of certain rivers.

Sir JOHN THOMPSON. The number of judges would be quite out of reason if it were not for the fact that the population of the province is very much scattered, and the means of communication very difficult; and the attendance of the judges at very distant places is absolutely necessary if we are to keep up civilization and the organization of the courts of justice in the country at all. These increases in the number of the judges in the province have been made very gradually. About ten years ago one or two additional judges were appointed for the Supreme Court, and about that time provision was made by the Provincial Legis-

lature for six or seven county judges. Four of these, those of Cariboo, New Westminster, Yale, and Nanaimo, were appointed four or five years ago. Only after the lapse of four or five years have we decided to add one to the list, and that, as the hon. member for Yale (Mr. Mara) stated, is really in consequence of an increase of the mining population in the Kootenay district. He detailed the number of settlements that the county court judge would require to visit, and showed the impossibility of the county judge of Yale visiting all these widely scattered places. It is true the population in these outlying districts is not at all great; but the administration of justice in them has to be provided for. The hon. member for North Wellington (Mr. McMullen) asked a question regarding the travelling allowances of these judges. They are allowed their actual moving expenses and the usual per diem allowance.

Sir RICHARD CARTWRIGHT. As I said, I speak with all due diffidence on a legal subject; but would it not have been in the public interest and for general convenience to have had three Superior Court judges for a province of that size, and if need be, seven or eight county court judges? That would have given an equal number, and certainly have saved the public exchequer. I do not want to grudge the due administration of justice to our brethren in British Columbia, I assure them; but judging from our experience in other provinces, I should have thought three Superior Court judges ought to be sufficient for British Columbia, the number required being made up by the appointment of stipendiary magistrates or county court judges, as might appear advisable to the Minister of Justice.

Mr. DAVIES (P.E.I.) The five Superior Court judges were appointed when the population was expected to be large.

Sir JOHN THOMPSON. Yes, and at a time when they were required to live in the district for which they were appointed.

Mr. DAVIES (P.E.I.) There is no doubt that the criticism of my hon. friend from South Oxford is perfectly well founded, that five judges for the Supreme Court for such a small population is simply ridiculous. Three judges would form just as strong a court of appeal.

Mr. MARA. The hon. gentleman would be right if the Superior Court judges had not to travel such great distances. From Victoria to Cariboo the distance is about 600 miles. One-half of that distance has to be travelled, not by railway or steamer, but by wagon. Two assize courts are held every year at Cariboo, and courts have to be held at different places on the route between Victoria and Cariboo. Then again courts are held in the lake country twice a year, so that the judges have to travel to Cariboo in the extreme north and Koot-

enay in the extreme south. This travelling not only takes up time, but entails great expense.

Mr. DAVIES (P.E.I.) No doubt what the hon. gentleman says is quite right, but everybody conversant with the duties of judges knows very well that, with the population of 100,000 people in British Columbia, it is absurd to suppose that five judges of the Supreme Court are necessary, when you have besides a large number of county court judges. At the times the judgeships were established, the judges were expected to perform the duties of county court judges and to reside in the various districts. They were district judges and appointed for that purpose, but they declined to act upon the law and chose to reside in the capital of the province. I have no hesitation in saying that three judges would be quite sufficient to sit as a court of appeal and discharge the duties these judges have to do on circuit, even if they have to travel twice a year these distances. I imagine the justification for their appointment lies in the statement of the Minister that they were appointed with the idea of being district justices, residing a long way from one another, and discharging all the duties now performed by the county court judges subsequently appointed. They go twice a year to Cariboo and places on the road, and from the general knowledge I possess, I venture to say that some about six weeks to two months in the year is all that they require to work.

Mr. MARA. The hon. gentleman is altogether wrong.

Mr. DAVIES (P.E.I.) I take the reports of British Columbia.

Mr. MARA. Then the hon. gentleman must admit that some of the Supreme Court judges are hard worked. How could the hon. gentleman say that three would form a strong court of appeal when one of the three would be sitting on appeal in a case he had already tried?

Mr. DAVIES (P.E.I.) The old Exchequer Court of England was composed of three for many years.

Mr. MARA. But one of the three would be trying the case twice.

Mr. DAVIES (P.E.I.) I think one of the appeal courts of the High Court of Justice in Ontario is composed of three judges.

Sir RICHARD CARTWRIGHT. We have only ten Superior Court judges in the province of Ontario with two million of population, and five appears rather a luxury in a province with 100,000 inhabitants.

Mr. FORBES. The object of this resolution is to increase the number of judges. In connection with that, I would like to submit to the Minister of Justice the propriety of increasing the salary of one or two, at any rate, of the metropolitan county court judges

of the Maritime Provinces. It seems that there are five Supreme Court judges now in British Columbia for about one hundred thousand population. In Nova Scotia, we have seven for a population of 450,000. These judges are progressive men, anxious to meet the wishes of the barrister society of the province, and the demands of the public as far as they can, and they do all the work assigned to them. I cannot say that the judges of the Supreme Court are in any way overworked. Some of them are not even hard worked. Most of them are zealous, honest and able judges. However, I will not be invidious by particularizing any, as they are undoubtedly well known to the practising bar. As regards the county court judges of the province, they are also an easily-worked bench of judges, with one exception. In the county of Halifax, the county court judge is overworked. He is as capable in every respect as any one of the Supreme Court judges. He has hardly his equal in the Dominion as regards legal ability, and has had thrust upon him, by virtue of the changes in the Judicature Act and several Acts passed in this House, a large amount of work which he formerly had not to do. The judges of the Supreme Court have been relieved of a great deal of their work, and it has been thrust upon him. Their salaries have not been decreased, and I am glad to say at present have not been increased. But as regards the metropolitan judge of the county of Halifax, since the establishment of the county courts, he has had thrust upon him all appeals from the Magistrate's Court, of which the Supreme Court judges have been relieved. He has also the exclusive trial of all cases involving sums under \$80, of the trial of which the Supreme Court judges have been relieved. They have also been practically relieved of all cases involving an amount at issue up to \$400. It is quite true that the jurisdictions of the county court and of the Supreme Court are concurrent from \$80 up to \$400, but as a matter of fact nearly all suits involving amounts up to \$400, are brought in the county court and only come before the Supreme Court by way of appeal. Again, under the Speedy Trials Act, nearly seventy-five per cent of the criminal trials devolve upon this county court judge, being brought before the county court of the metropolitan county of Halifax. From 1889 to 1892, the county court judge at Halifax tried and finally disposed of fifty criminal cases out of seventy, leaving twenty only to be tried by the Supreme Court judges. I have not the figures for subsequent years. These changes in the procedure and in the jurisdiction of the several courts have thrown upon the metropolitan county court judge at Halifax a vast increase of business for which he has no adequate increase of salary. At the time he was appointed to that office, I believe his salary was adequate to the work done, but the business has since so largely increased, and the court has become so

Mr. FORBES.

popular—judgments being speedily delivered, suitors being well satisfied with the judgments rendered, and counsel knowing well that in all their arguments they are listened to by a judge capable of understanding the principles of law discussed before him—that this judge is no doubt one of the hardest worked judges in the Dominion. Undoubtedly he is the hardest worked judge in Nova Scotia. He has, under a provincial statute passed last year, become a metropolitan county court judge. By chapter 24 of the Act of 1893, it is enacted as follows:—"The judge of the county court, district No. 1, county of Halifax, shall be designated 'judge of the metropolitan county of Halifax.'" This was introduced by a member of the Law Society, and was passed, and it is a recommendation, not only by the House of Assembly, but by others for an increase of salary. The desirability of increasing the salary has been recognized by this Parliament, because, as far back as 1873, it is laid down as a reason for the readjustment of the salaries of judges, in the preamble of the Act 36 Victoria, chapter 51, that there should be a reorganization of the salaries of judges, and that these increases should take place "owing to the increased cost of living, the decreased value of money, and other causes." The same argument would apply to-day with still greater effect in urging the judicial branch of the Dominion Government to increase the salary of the metropolitan county court judges. Take the salaries of judges in the provinces of Nova Scotia, and those of like judges in the provinces of Quebec and Ontario, and we find that the judges of Nova Scotia are paid altogether out of proportion with those of other provinces.

Mr. DAVIES (P.E.I.) Too high, do you mean?

Mr. FORBES. Too low. The amount paid in Nova Scotia is \$45,000, including a chief justice and six other judges of the superior courts, and seven county court judges. On the basis of population, compared with the amount paid to Quebec, which receives \$193,500, Nova Scotia should receive \$58,464 for the judges, including the county court judges. Compared with Ontario, with a population of 2,000,000, and its grant, annually, of \$231,000, Nova Scotia is entitled to \$49,500 as her share of the payment of the salaries of judges. Thus there is a margin of \$4,000 yet to be paid out in order to bring the amount received by Nova Scotia up to the proportion to which she is entitled. It is but fair and right that one judge, at all events—I am not speaking of other county judges of the province—for I have already said that the other judges are probably fairly well paid for the amount of work they do—yet the metropolitan county court judge of Nova Scotia should receive an increase of salary. Judge Watters receives but \$3,000 as salary.

Mr. FOSTER. Judge Watters is in Heaven.

Mr. FORBES. I refer to his successor. Judge Peters, I believe, receives about \$3,000 salary, and, in addition, he is revising barrister for the city of St. John, which gives him an additional amount. If a precedent is wanted for increasing the salary of one county court judge, and not increasing the salaries of others, we have it in the case of the county judge in the city and county of St. John. I want to take exception to the remarks made by the hon. member for North Wellington (Mr. McMullen). The hon. member found fault with the increase of the salaries of judges of the Maritime Provinces, and he urged as an argument that such increase was only advocated by barristers in this House who happened to practise before those judges. I am bound to say that the remarks of the hon. gentleman were very ill-timed, and were misplaced. As barristers, we are obliged to appear before any and every court of the province within which we practise, and it is no reason, therefore, to urge that the salaries of judges should not be advocated by barristers practising before such judges, and no body of men are more capable of knowing the qualities of these judges than the barristers practising before them. Barristers, as a rule, are members of the Barristers' Society of the respective provinces to which they belong, and they know the merits of the judges before whom they practise, and they are certainly more capable than laymen to speak of the merits of the respective judges, and to ask that justice be done them. A layman like the hon. member for North Wellington (Mr. McMullen) has probably little to do with lawyers, and has very little opportunity of knowing their qualities. They are like the pendulum of a clock—they regulate differences between man and man. The hon. member for North Wellington is unfortunate in this respect, that he has not yet been able to gauge the respective merits of judges before whom barristers appear, unless, unfortunately, he has been engaged in an election trial. I submit, on behalf of the metropolitan county court judge that before this resolution be passed, the Minister of Justice should decide to add to his resolution a clause setting forth that the metropolitan judges of the county courts in the Maritime Provinces should have their salaries adjusted, and, under that declaration, the judges who deserve increases of salary by reason of increased business being pressed upon them by the various enactments of the Dominion Parliament would undoubtedly receive an increase in salary. At the present moment, I know of only two judges to whom my argument would apply, Judge Johnson, the metropolitan judge of Halifax, and Judge Alley, of Charlottetown, P.E.I. I know of no other judges of equal claims on the judicial department of the Dominion

Government, and if the Minister of Justice will take into consideration the arguments I have adduced to-night, every one of which is based on facts, he will be convinced that justice should be done, at all events, to one or two of the metropolitan maritime county court judges.

Mr. McMULLEN. The question of the increase of judges' salaries was not before the committee this afternoon, but I took the opportunity of drawing the attention of the House to the fact that when questions respecting the judges or connected with the courts come up, the lawyers take the opportunity of advocating increases of salaries to the judges in their particular districts. I am quite willing that the judges should be fully paid for their services. I believe they are so paid, but whenever a vacancy occurs, I notice that any number of men are prepared to accept, and are only too anxious to receive the appointment. From my own experience, and I have frequently been before the courts, I must admit that I have been treated well by the judges. I think they proved themselves to be most intelligent men, and I benefited by their intelligence, and consequently I have never been unseated.

Mr. FORBES. The result of the election trials is due more to good luck than to good management on my friend's part.

Resolution reported.

WAYS AND MEANS—THE TARIFF.

House again resolved itself into Committee on Ways and Means.

Coal, bituminous, 60 cents per ton of 2,000 pounds.

Sir RICHARD CARTWRIGHT. Is there any change in this?

Mr. FOSTER. No.

Mr. CHARLTON. Why does not the Finance Minister put this at the same rate as the Americans are charging on Nova Scotia coal?

Mr. FOSTER. That would be 75 cents per ton.

Mr. CHARLTON. Just at this moment, but when the Wilson Bill goes through it will be 50 cents.

Mr. FOSTER. Nobody knows how the Wilson Bill will go through.

Sir RICHARD CARTWRIGHT. We know no more how the Wilson tariff will go through than we do how this tariff will go through.

Mr. McMULLEN. I have no doubt that the Finance Minister has had a great deal of trouble in reaching a decision upon this very important point, and I dare say that those interested in manufacturing institu-

tions, as well as the railway companies, have pressed strongly upon him the justice of taking off this unfair duty. In the interests of the railway companies, I certainly think that some reduction should have been made. They are struggling now with the restricted conditions of traffic and everything else, and I think it would be well, both in their interests, as well as in the interest of the manufacturers of this country, that a considerable reduction should be made on the coal duty, if it be not admitted free. It does appear to me that it is a piece of gross injustice to keep a duty of 60 cents per ton on coal. I cannot tell why that duty is retained, unless it is by the influence of the Nova Scotia miners who keep the Minister of Finance in line, and make him fleece those who are users of this coal. I have no doubt that railroad companies have remonstrated very strongly in this matter, and demanded a reduction in this duty. We are glad to see the miners of Nova Scotia having a portion of this trade, but it is too bad that the entire trade of the country must be hampered in order to benefit them.

Mr. CHARLTON. It is to be regretted that the Minister of Finance has not seen fit to mitigate this burden upon the industries of the country. It bears heavily on the railway interests which are now struggling along, and it also bears heavily on all the manufacturing industries of the country. Beyond all question the Wilson Bill will reduce the duty on coal to 50 cents per ton, if not lower. I think that the profession made by the Finance Minister that the tariff concessions would be of a generous character should cause him to give some relief to those who are interested in cheaper coal. I ask him, before this Bill takes its final stage, that he will consider the propriety and justice of reducing this duty on coal by at least 20 cents per ton.

Mr. CAMPBELL. I was in hopes that the Government would have done away with this coal duty altogether, but as they have not done so, they should at least have reduced it considerable, because it is a very onerous tax on the railway companies and on the manufacturing industries of Ontario. I see by the returns that we imported 2,000,000 tons from the United States, which is principally used by the railways, and as has been well said, the railways now need all the assistance we can give them. The Government should consider this, and put the duty down to 40 cents per ton.

Item agreed to.

Iron or steel hoops, bands and strips, eight inches and less in width, number 18 gauge and thicker, \$10 per ton.

Sir RICHARD CARTWRIGHT. What is the reason for this, and what is the effect of it as compared with the duty before?

Mr. FOSTER. The duty formerly was \$13 per ton, and it is now made \$10 per ton

Mr. McMULLEN.

in accordance with the reduction in other iron items.

Sir RICHARD CARTWRIGHT. These, I suppose, are for special use in certain lines of manufacture.

Mr. FOSTER. The principal item is the hoop-iron, which is used by the cooperage interest and involves also the brewers, the distillers and the petroleum oil men.

Sir RICHARD CARTWRIGHT. What item did it come under in the tariff that was reported to the House? I see that No. 222 might include it.

Mr. FOSTER. Yes; No. 222.

Sir RICHARD CARTWRIGHT. Well now, I see that No. 222 is put down at 5 per cent ad valorem. That is a much smaller duty than \$10 per ton, I take it.

Mr. FOSTER. I was speaking about a decrease from the old duty.

Sir RICHARD CARTWRIGHT. Yes; but if the hon. gentleman is correct in saying that it came under No. 222, instead of decreasing the duty he is now proposing to increase it enormously. Five per cent ad valorem is a very moderate rate of duty, by comparison at any rate.

Mr. FOSTER. Most of these goods would come in under No. 220 at \$10 per ton—being up to No. 16 gauge, No. 222 takes in hoop-iron of 17 gauge and thinner, so that this practically takes in two numbers from 222—Nos. 17 and 18.

Sir RICHARD CARTWRIGHT. And raises them from 5 per cent to \$10 per ton. Why?

Mr. FOSTER. Because they are being rolled here.

Sir RICHARD CARTWRIGHT. That is to say, the hon. gentleman is prepared, for the sake of some particular industry, to inflict an injury upon the class, the very numerous class, he has mentioned. The hon. gentleman said he was making a reduction. It appears that he is making an enormous increase, raising the duty from 5 per cent ad valorem to \$10 per ton. This is at the expense of the brewers. But he has been kind to the brewers under other items of the tariff and perhaps he thinks it right to take something out of them here. But there are others who are not engaged in the brewing interest, which has become so dear in the hon. gentleman's heart of late, who are to be compelled to pay about ten times as much as they would have paid had this been allowed to come in under item 222 of the tariff as reported.

Mr. FOSTER. Not more than twice as much.

Sir RICHARD CARTWRIGHT. I would like to ask the hon. gentleman what quantity is likely to be imported under this item?

Mr. FOSTER. I think it will not be imported; it will be made here.

Sir RICHARD CARTWRIGHT. How much does the hon. gentleman suppose will be consumed in this shape?

Mr. FOSTER. Probably a thousand or two thousand tons.

Sir RICHARD CARTWRIGHT. I should think there would be a good deal more than that consumed for the purpose I speak of.

Mr. FOSTER. No, they use this up to 21 or 22.

Sir RICHARD CARTWRIGHT. In any case the hon. gentleman has not reduced, but very largely increased the duty he originally brought down.

Item agreed to.

Eggs 5 cents per doz.; to be free only and so long as eggs exported from Canada are allowed free entry into the United States.

Mr. FOSTER. The Canadian hen was very dear to hon. gentlemen a year or two ago, and she is none the less dear to us now.

Mr. CASEY. This duty on eggs is an instance of what can be done by a member who earnestly works for his constituents, without regard to his party connections. The hon. member for Eastern Assiniboia (Mr. McDonald) put his foot down the other night firmly on eggs, and he has made an omelette thereby of the ministerial policy. He put his foot down and said 5 cents a dozen on eggs it will be, or something will burst, and he has got his 5 cents. I hope the other members supporting the Government will see that they can do their duty to their constituents in this way as well as the hon. gentleman.

Item agreed to.

Rice when imported by makers of rice starch for use in their factories only, $\frac{3}{4}$ ct. per lb.

Mr. REID. Before we adopt that item, I would like to draw the attention of the House to the remarks that were made by the hon. member for North Wellington (Mr. McMullen) on April 20th. The hon. gentleman then submitted some statements to this House, which had been prepared, I may say, by some discharged employees—by men who prepared them maliciously for the purpose of doing injury to the works situated in my constituency. At the time I was taken by surprise, and did not reply, but I wish now to have those statements corrected, as they have gone abroad, and unless contradicted will probably be believed. At the same time, these statements not only did that concern an injury, but they have injured the other starch manufacturing establishments throughout the Dominion. In the first place, the hon. gentleman asked that the rate of duty be reduced, for the simple reason that in the Wilson Bill the rate was 1 cent a pound. I find, on looking that up,

that the rate is 2 cents a pound, and in that Bill the Americans have no duty to pay on the raw material or anything used in the manufacture of starch. The hon. gentleman said that the consumption of starch in Canada was 5,000,000 pounds, or thereabouts, and that the production was confined to three factories in this Dominion. I may say that there are only three factories manufacturing corn starch, but there are some seven or eight potato starch factories in Prince Edward Island, which supply a very large portion of the starch used in this Dominion. The potato starch factories supply nearly all the starch used in the cotton mills and paper mills, which is a large percentage of the starch used in the Dominion. The hon. gentleman also shows that the duty on five million pounds would amount to some hundred thousand dollars, from which he deducted some fifteen thousand dollars of duty collected on the starch imported, leaving some eighty-five thousand dollars to be divided among the three corn starch factories. Well, the hon. gentleman should have deducted the duty upon all the raw material—upon the corn, the coal, the chemicals, and every article used in the manufacture of starch, on which there is a heavy specific duty. At the same time he should have taken into his account the seven or eight factories situated in Prince Edward Island, when dividing the profits. He also stated that there was only \$170,000 of capital in the concern at Cardinal. Well, that was the original capital when the work started, but the works have been enlarged, and when those parties who were discharged took charge of the works some seven years ago, they were handed over an establishment with \$280,000 of a capital, and it required all that money to run that concern. It would be simply impossible to run the works at Cardinal on a capital of \$170,000. It is true that dividends have only been paid on \$170,000, but that is for the simple reason that was the original capital, which has never been increased except through the earnings and profits in years gone by. The hon. gentleman endeavoured to show that these profits were made from the corn starch, but that statement was unfair, for the simple reason that this concern at Cardinal has other manufacturing establishments connected with it, outside of the manufacture of corn starch altogether, and the profits from all other sources are all put together and shown as the total profits during the year, and when any dividend is declared, it is declared on the original capital of \$170,000. The hon. gentleman also said that there are only some eighty men employed in the manufacture of starch in Canada. In the works at Cardinal alone there are in the neighbourhood of one hundred men employed, and I am sure that in the other two establishments at Port Credit and Brantford, there is also a large number of

men employed. The factories in Prince Edward Island also give employment to a considerable number of men. I may say that when the duty was changed we had no protection whatever. I think it is only fair either that the duty on rice should be reduced, or that the duty on starch should be restored, so as to give us a fair field for the manufacture of rice starch in this country. When the hon. Finance Minister reduced the duty on starch, I think he should have given the starch manufacturing establishments an equivalent reduction in the duty on their raw material. It is hardly fair to cut both ways. He has not seen fit thus far to make any change, but I hope he will take the matter into his consideration. The factories at Port Credit and Brantford have been seriously injured by the condition of the tariff. The hon. member stated that the price of starch in Edwardsburg was 5 cents per pound, while similar starch could be bought in the United States for 2¼ cents per pound. That is hardly a fair comparison. The starch that is sold here for 5 cents per pound is the best that is made, and it cannot be made or sold for much less than that. The same kind of starch that is sold for 2¼ cents per pound in the United States is manufactured and sold in Canada to the cotton mills for \$2.80 per 100 pounds, and has been for years. I do not say that the hon. gentleman has given this statement in a malicious way, but at the same time he has taken the statement made by these men who were discharged as true, and I think it is unfair to let it go to the country that these statements are true when, as a matter of fact, they were first made with malicious intent.

Mr. McMULLEN. I do not wish for a moment to try to cripple any industry in this country; my only object is to secure for the people the products of the different industries at about their intrinsic value without compelling the people to pay enhanced prices as compared with what they would pay if they were allowed to import the goods. My answer to the statement of the hon. gentleman is that the statement with regard to the profits made which I have already placed on 'Hansard' is substantially correct. I stated that the profits of the industry of which the hon. gentleman is the manager amounted in five years to \$163,895.92 on an invested capital of \$170,000. I think that is a very clear indication—

Mr. REID. But, Mr. Chairman—

Mr. McMULLEN. If the hon. gentleman will allow me a word. That is a very fair indication that this particular institution has been given too much protection, and my object is to secure for the people of this country what they require to use at the lowest possible price. I admit that a revenue is necessary. But we find that we get very little revenue from starch. Last

Mr. REID.

year we received only \$14,900 on starch, although we know that the consumption of starch in this country is very considerable. We know also that if the people were allowed to bring starch in from the United States it could be placed in the hands of consumers at from 75 to 80 per cent less than the prices that are now charged. We do know also, and the hon. gentleman will hardly deny it, that there is a combine in Canada among the manufacturers of starch. If the hon. gentleman denies it, I think I could prove it to the satisfaction of any judge or jury, even if I could not to the satisfaction of this House, if the opportunity were afforded me. When there is a combination to increase the price of a staple article like this, the Finance Minister should turn his guns directly upon it. He has not done so, and I am sorry for it, because the people have a right to protection against such combines. I think that a complete answer to what the hon. gentleman has said is to be found in this statement of profits made by this institution within five years.

Mr. FEATHERSTON. Mr. Chairman, being the representative of the county in which the Port Credit starch industry is carried on, I may say a few words. From conversation with the gentlemen interested in that business, I learned that they were satisfied with the arrangements made until the duty on glucose was lowered. They wish to compete with the Americans in the production of this article, but in order to do so on a fair basis they desire to have free corn. If the Government could see their way to give us free corn, it would be a benefit not only to the farmer, but also to the manufacturer of glucose. If this cannot be done, they would like very well to have an increase in the duty on glucose. But they would rather have the reduction in the duty on corn, of which reduction the farmers as well as they would get the benefit. A glucose manufactory on this side is under considerable disadvantage in competing with the Americans. The Americans have their corn free and their acids free. Our manufacturers have to pay 7½ cents per bushel duty on their corn, as well as 7½ cents freight, making a total of 15 cents per bushel against them in the price of the corn. Moreover, the Americans can ship their products from Chicago to London, Ontario, for 17½ cents per 100 pounds, whereas the factory in my riding has to pay 20 cents per 100 pounds. I think, therefore, the competition is unfair. If a protective policy is to be adopted there should be, as nearly as possible, a fair protection all round. What I would propose is the placing of corn on the free list. If this cannot be done we must be satisfied with an increase in the duty on glucose, if we can get it. If this is not given these people will have to give up this branch of the business altogether.

Mr. REID. The hon. gentleman says the capital invested in the Edwardsburg starch works is \$170,000. I just wish to say that I had Messrs. Riddell & Common, who were reported to me as being the best accountants in Montreal, to examine into this affair. I never saw either of these gentlemen before, but referred the matter to them, because I was told they were the most competent men. I asked them the question what was the amount of capital actually remaining in the business and the property of the shareholders on the 1st January, 1887, the day on which control of the company's affairs was assumed by the directors, who have recently retired. The answer they gave me; an answer to which they have certified, is that the capital remaining in the business on 1st January, 1887, is shown by the books to have been \$282,012.59. Now, that was the amount invested in the business and the working capital at that time. So that when the hon. gentleman stated that the capital was \$170,000 that was not true. The hon. gentleman has stated that there is a combine. Now, Sir, that Edwardsburg concern has been in existence for over thirty years. That establishment has been in existence thirty or thirty-five years, and never in the history of that company was any arrangement made until last March, when the same men entered into an arrangement that they would not cut prices; but at the very first meeting of the shareholders after they had made that arrangement, every one of those individuals was forced out of the company and the arrangement was broken up, and now the company is running on its own merits. For that reason they have deemed it necessary to prepare the statement as explicitly as possible for the purpose of ruining that concern. When the hon. gentleman made his statement that night it had the effect of influencing the Finance Minister and at the same time injuring that concern, but the hon. gentleman also injured all the farmers in Prince Edward Island, who are now supplying 30 or 40 per cent of the starch grain of Canada. Those men require protection in order to sell their starch, the price of which at the present time is $2\frac{1}{4}$ cents per pound, and surely any hon. gentleman coming from an Ontario agricultural constituency should be quite willing to protect his brother farmer down in Prince Edward Island. In my opinion the Finance Minister should do something towards reducing the duty on the raw material. The starch factories are entitled to their raw material free if the Finance Minister is going to continue the duty on starch as proposed.

Mr. TAYLOR. I cannot agree with the hon. member for Peel (Mr. Featherston), who urged that corn should be placed on the free list. By the tariff submitted there is a duty placed on corn of $7\frac{1}{2}$ cents per bushel.

Mr. DEPUTY SPEAKER. If we commence a discussion on corn there will be no end to it.

Mr. TAYLOR. I am going to talk on starch. There is a provision in the tariff by which corn is admitted free for human food. As a portion of the corn is admitted into this country for human food free, and as the starch factories make it for two purposes, for laundrying and for manufacturing a portion for food purposes and for glucose, which enters into articles of food, such as candy, it would be wise to divide the duty and allow corn whenever imported for the purpose of making corn starch or glucose to be admitted at the reduced rate of 5 cents per bushel. That would be placing it on a footing equal to corn imported direct for human food, because a portion of the products of the corn starch and glucose factories goes into articles for food purposes, while two-thirds of it is used for laundry purposes. It would be a fair compromise between the starch men and the glucose manufacturers if we allowed a portion of the raw material to be admitted at 5 cents in place of $7\frac{1}{2}$ cents, while, at the same time, I am not in favour of admitting corn free for all purposes unless the Americans admit our barley free, in which event we will give free corn.

Mr. CASEY. The hon. gentleman who represents the starch industry is another instance of what can be done by judicious firmness on the part of supporters of the Government in obtaining re-amendments to the amended tariff. It has been well understood that the hon. gentleman has been keeping to his tent for some time, and that there has been some uncertainty as to whether he was going to resign his seat unless certain changes, these changes now under consideration, were made in the tariff respecting starch. His backbone appears to have been starched up by the scheme proposed, and he is now quite hearty in supporting the Government. Other hon. gentlemen who have factories of various kinds in their counties may not have known how much could be accomplished by judicious sulking, or we might not have got through with this tariff for another month or two yet. But coming to the item itself, it seems to me rather outrageous that an article should be imported for use in manufacturing at a lower rate than is charged where it is used for food. The hon. member for Leeds (Mr. Taylor) has referred to the free importation of corn for human food. There is another illustration in the case of rice. If you lower the duty on rice imported for factory purposes, and I do not say it is wrong, as I am generally in favour of reducing the duty, it is a little too much to ask that manufacturers should obtain raw material fit for food at a cheaper rate than those who import that article for food purposes. The hon. gentleman also

mentioned that the factory has been in existence thirty years or more. It appears to have been fairly prosperous during most of that time, but during half of that period it prospered under a rate of taxation not called protective. The industry having stood for thirty years, during fifteen or twenty years of which it was under a tariff that was not protective, surely it could get along without special protection now.

Mr. McMULLEN. So far as regards the question of combination, I observe the hon. gentleman denied that a combination existed. All I have to say in reply is, that within twenty-four hours before I made my statement a wholesale merchant here informed me, and I have received similar information from Toronto and Montreal, that starch manufactured in Canada is placed in the hands of wholesale merchants at a fixed price and they receive a discount from that price, but they are not permitted to place it in the hands of retailers except at a certain fixed price. If a combination does not exist to-day, the change must have taken place within a very recent date. Now, with regard to the starch factory at Prince Edward Island, I did not refer at all in my speech to anything but starch made out of corn; the starch they make in Prince Edward Island is made out of potatoes.

Mr. REID. I wish to say with regard to this combine, as the hon. gentleman calls it, that those gentlemen who were put off the board had control of this factory until away on into January, but just as soon as the new board got control of it they ran it as they had run it for a great many years. Now, with reference to prices, the hon. gentleman must bear in mind that there are two prices, for this reason. There are prices given to the wholesale men, and retail men can buy at a discount of 4 per cent, if they take 50 boxes, and 10 per cent if they take 100 boxes, and they can get similar prices to the wholesale men. I think this House will agree that the wholesale men should have a 10 per cent profit, and it will hardly be expected that a man sending for five or ten boxes of starch would be able to get it for the same prices as a wholesale man who would buy 500 boxes. The hon. gentleman quoted United States prices. He must also bear in mind that he quoted prices in Chicago, or prices where the starch was sold, whereas this concern in which I am interested sell it to the wholesale men, and the retailers get the benefit of it, delivered freight prepaid, on shipments as low as ten boxes. So you will see the wholesale men have a right to protection by getting the starch 10 per cent less than the retail men. I admit the old board had an arrangement for prices such as the hon. gentleman states, but the old board were put off as quickly as possible, and the shareholders did not wish to have any such rates. It is not their policy, and I do not think they should be blamed for it now.

Mr. CASEY.

Mr. FEATHERSTON. Some of the farmers opposite seem to be opposed to admitting corn free.

Mr. DEPUTY SPEAKER. Order. We are on rice.

Mr. FEATHERSTON. We want corn free for the purposes of starch. At the same time they ignore the fact that there is a great deal of corn admitted free already, but the farmers do not get the benefit of it. The milling companies of Montreal get the benefit of it, and it comes into competition with grains that should be ground and used to feed cattle crossing the ocean. They get their corn in bond, grind it, and ship it in bond, but at the same time it is sold in the port of Montreal. Every week there are 200 tons of meal going out in bond to offset the amount of grain that comes in in bond. Therefore they do not know anything about it, and that is the reason why they are not finding fault.

Item agreed to.

Galvanized iron wire, No. 12 gauge, when imported by makers of barbed wire for use in their factories, 15 per cent ad valorem.

Mr. FOSTER. With reference to galvanized wire, there has been a good deal of difficulty, and I have a resolution which I wish to submit to the committee. The committee is aware of the discussion we had two or three days ago on that item. It is a difficult matter to adjust from the fact that whilst we have a wire drawing establishment with a large amount of plant costing some \$90,000 or \$100,000, which draws rods into wire, we have other establishments in the country which simply makes the barbed wire from the galvanized wire, but have not wire-drawing machinery or establishments for themselves. So that in adjusting the tariff there is a difficulty in giving both of these a fair opportunity in their business. The solution which we adopted when we were in committee before upon this item was to take No. 12 galvanized wire used for barbed wire fencing and make that 15 per cent. But that had scarcely been done before it became apparent that there were other makers of wire fences besides the makers of barbed wire, and other numbers were used. The hon. gentleman sitting opposite to me read a letter, and afterwards sent it to me, from a company which used No. 6 and No. 9 chiefly in making fence. So after thinking the whole matter over there does not seem to be any better solution, although it probably will not give unalloyed satisfaction to either party, but it seems the most reasonable thing to do in view of the double industry as a whole, and that is to take these galvanized iron wires of the numbers which are used chiefly in making fences and put them on at 20 per cent, and leave all other wires at 25 per cent. That gives the man who draws wire 25 per cent protection, which I think is sufficient on all wires except these numbers, and with 20 per cent

protection and free rods it gives an opportunity for those who are making wire out of these numbers, and who have not wire-drawing plant themselves, to have a choice between getting them at the wire-drawing establishment here, or importing them and getting them at a less duty, that is, at 20 per cent. The barbed wire itself has a protection of $\frac{3}{4}$ of a cent per pound, and at present rates 20 per cent upon the raw material with a protection of $\frac{3}{4}$ of a cent per pound upon barbed wire, will give them an opportunity, I think, of carrying on their business. It is the only solution which appears feasible, and I submit it to the House:

Galvanized iron wire, Nos. 6, 9, 12 and 14 gauge when imported for makers of wire fences for use in their factories.

Mr. CASEY. Do the words "makers of wire fences" include those who put up woven fences, leaving the fence as it is put up?

Mr. FOSTER. Just as the item is termed "wire fencing."

Mr. CASEY. But what does "makers of wire fencing" mean? Does it mean merely the factories where they use this wire for making fencing? There is a firm in St. Thomas who import wire and have machinery for weaving it on posts as it is put up, forming a woven fabric on the spot.

Mr. FOSTER. Yes, that will be their factory.

Mr. CASEY. Does this apply only to galvanized wire? Would the Minister include wire not galvanized when used for the same purpose?

Mr. FOSTER. No, I cannot do that.

Mr. CASEY. Because the firm I refer to do not use galvanized wire, but use these sizes he mentions. Is there some special reason for including these that does not apply to the galvanized wire?

Mr. FOSTER. That seems, as far as I can go, in justice to a large establishment which has made itself able to make these.

Mr. MARTIN. I would draw the attention of the Finance Minister to the fact that all galvanized barb-wire makers do not use 12 or 14 gauge, but 12 $\frac{1}{2}$ and 13. There are several factories in the city of Winnipeg, and I am informed by one of the manufacturers that he uses 12 $\frac{1}{2}$ and 13, and no 12 gauge. I would draw the attention of the Minister of Finance to the fact that if any one in the barbed wire business is entitled to consideration at the hands of the Government, it is this particular factory, and one other in the city of Winnipeg, because they were started, not for the purpose of making money, but for the purpose of fighting the combine. They are run by hardware merchants in the city

of Winnipeg who rebelled at the tremendous price that the eastern factories insisted upon putting upon barbed wire. They reduced the price last year from 5 $\frac{1}{2}$ to 4 cents a pound and still made money. From the necessities of the trade in Manitoba or for some other reason they find it is better to use 12 $\frac{1}{2}$ gauge for the straight wire, and 13 for the wire that makes the barbs. I suppose that the matter has not been brought to the attention of the Minister of Finance before, but it does not seem to me that these gentlemen are in a position to ask from the Government the same, if not better treatment, than the other manufacturers, because they are really carrying on their operations, in the interest of the trade in Manitoba and the advantage of their operations goes to the farmer. There is no question at all but that the price of barbed wire in Manitoba and the Territories was very considerably reduced by the enterprising efforts of these two hardware merchants. They are Miller, Morse & Co. and J. H. Ash-down. The Minister of Finance could still keep the condition that the wire must be used for the purpose of making barbed wire, but what reason can there be for saying that it must be 12 gauge instead of 12 $\frac{1}{2}$ or 13 gauge, which these manufacturers I refer to, use.

Mr. FOSTER. It is impossible to go so far as to cover every special case. My hon. friend talks about 12 $\frac{1}{2}$ gauge. The barbed wire makers use 12 and 13 gauge and they would be glad to have both 12 and 13 gauge come under this clause, but they use of 13 gauge about one-fifth, and of 12 gauge four-fifths, so that the item upon which they pay the 5 per cent extra would be comparatively small. There are others who are making fence wire and who use 13 gauge, but the difference between it and 12 gauge is not very great and if it is to their advantage to use 12 gauge they can use it with about the same efficacy. Under all considerations, I think we have made a fair compromise—and it is a compromise—and I do not think we can go further without injuring very materially a large industry which started on the faith of the not very large protection we gave.

Mr. MARTIN. I accept what the hon. Minister says about 13 gauge and I do not ask that the Winnipeg people should be treated any differently from the eastern people.

Mr. FOSTER. There is really no 12 $\frac{1}{2}$ gauge known to our law.

Mr. MARTIN. I have here two invoices for 80,000 pounds of galvanized steel wire, 12 $\frac{1}{2}$ gauge.

Mr. FOSTER. It may be 12 light and 12 heavy.

Mr. MARTIN. All that I ask is that the Minister of Finance should put these factories in the same position as the others.

Mr. FOSTER. If it uses 12 gauge it is in the same position.

Mr. MARTIN. But they use 12½ gauge.

Mr. TAYLOR. There is no such thing.

Mr. MARTIN. Would the Finance Minister put it 12 light or 12 heavy?

Mr. FOSTER. It is there as No. 12.

Mr. MARTIN. Will the hon. gentleman say that 12½ gauge will be accepted for duty at 20 per cent.

Mr. FOSTER. If this passes, the customs-house officers will be bound by the law.

Mr. MARTIN. The Finance Minister says there is no 12½ gauge, but surely the best proof that there is, is a copy of the invoice which I hold in my hand, made by manufacturers in the United States, who sell it as 12½ gauge. The fact that the Finance Minister says that there is no 12½ gauge would be no guide for the customs-house officer at Winnipeg, who would be bound by the words of the statute which says No. 12 gauge. I do not ask that 13 gauge should be included, but when this particular establishment in Winnipeg uses 12½ gauge, and the eastern establishments use 12 gauge, it does seem to me that they should all be put on the same basis. Remember what I said about the very courageous and unselfish attempt of these gentlemen in Winnipeg to break up a combination with which I am sure the Finance Minister is not in sympathy. On account of the efforts of these gentlemen the price of wire in the west has been reduced to 4 cents a pound. The effect of the present proposition of the Finance Minister will be to prevent these men from carrying on their business, and the combination will be allowed to come in again. If the farmers of the North-west have to pay 2 cents or 2½ cents per pound more for their wire, surely the hon. gentleman will not be able to escape the responsibility for it.

Mr. FOSTER. Unless this combination rules in the United States and Canada as well, it would be impossible to pay 2 or 2½ cents more for it, because the protection on it is only ¾ of a cent per pound. I know very well the firm in Winnipeg to which the hon. gentleman (Mr. Martin) has referred, and I agree with everything he said as to their pluck in entering into this work. They did good work, they are doing good work now, and I do not think they will find any difficulty at all with the 12 gauge.

Mr. DAVIES (P.E.I.) As the Minister of Finance admits the great force of the point made by my hon. friend (Mr. Martin) that these firms are engaged in the creditable work of fighting the combines.

Mr. FOSTER. I did not say they were fighting the combines now.

Mr. DAVIES (P.E.I.) The hon. gentleman said that they did good work and that they

Mr. MARTIN.

are doing good work now. They deserve approval at his hands, and so far as his voice goes they receive his approval. It strikes me that the hon. gentleman (Mr. Martin) has made a fair request to the Finance Minister. He says that they use 12½ gauge and the Minister of Finance says there is no such gauge. The hon. gentleman asks him: Will you put a departmental construction upon this resolution which will enable that class of wire to come in at 20 per cent.

Mr. FOSTER. I am not here to put a customs construction upon it.

Mr. DAVIES (P.E.I.) You are here to do so, and now is the time that you should say so, and that statement would be more or less binding upon the Customs Department. The hon. member (Mr. Martin) has made a fair and reasonable demand and the grounds upon which he urges it are irresistible. The hon. Finance Minister himself accepts that ground as deserving of very great weight, and he says that as there is no wire known as No. 12½ gauge, the wire in question shall be considered as No. 12 gauge, large size, and come in under the resolution. I do think, considering the strong point the hon. member has made, and the acceptance of it by the Finance Minister, that he should give the assurance the hon. member asks for.

Mr. FOSTER. I can give no further assurance than to ask that the item pass as it stands, and to say that that will let in No. 12 gauge, which, from what the hon. gentleman says, is what these people are using. As I said before, there is no 12½ gauge. The gauges run up by ones, and if the wire he speaks of is not 11 gauge or 13 gauge, I suppose it must be 12 gauge, and, as I said before, I do not think they will find any difficulty in bringing it in under this item.

Sir RICHARD CARTWRIGHT. It is a matter quite within the competence of the Treasury Board to settle if they choose. I believe that under the Customs Act it is under the control of the Controller of Customs, with the Customs Board to assist him. It is perfectly fair to say—if No. 12½ gauge be, as the hon. Minister supposes, a heavy grade of No. 12—that what is technically called No. 12½ in the United States shall be admitted as No. 12. That would be merely carrying out the hon. gentleman's own implied argument for making this alteration at all, and it does seem to me that there can be no possible ground, on principle or in practice, for refusing to agree to that concession. The hon. gentleman knows quite well that there is probably no one article in this tariff more generally consumed by the farmers in the North-west than this same article of barbed wire, and that anything that tends to diminish the price of it is a very great boon indeed to them. In the greater part of that country there is

no wood, so that this article is a prime necessity to them; and surely the hon. gentleman, who made a tour of the Northwest and expressed great sympathy with those people in their difficulties, but whose difficulties, I believe, are not going to be very materially lightened by the changes in this tariff, might make that slight concession.

Mr. FOSTER. The hon. gentleman is scarcely fair in his argument, taken in connection with his general position. I remember, not once, but a dozen times, hearing him scout the proposition that when you made a reduction to the manufacturer in his raw material, therefore you were making any concession to the consumer, because he argued that the consumer would pay just as much, and that whatever advantage was given to the manufacturer he would put it in his own pocket. Now, it suits the hon. gentleman to take the other tack, and, therefore, his argument to-night is lame, if his former position was sound. All his creed on tariff matters is this, that the duty regulates the price, and, therefore, that it does not make a pin's difference to the farmer whether we give the manufacturer a little cheaper or a little dearer material for the article which he makes and which the farmer uses. According to the hon. gentleman's reasoning, the price the manufacturer charges to the farmer is the price at which the article can be bought for abroad plus the duty. The duty is the same in Winnipeg as anywhere else. The duty that makes the relative price in Winnipeg to Messrs. Miller & Morse is the same as that which makes the relative price to the manufacturer here. So the hon. gentleman is not quite right in saying that in doing this or in not doing it, we are discriminating against the farmer or not discriminating against him. Neither will it be found in practice that Messrs. Miller & Morse are being discriminated against.

Sir RICHARD CARTWRIGHT. I think it will be found in practice; and, besides, these people are not in the ordinary sense of the term manufacturers. They are parties who, having an eye to the benefit of the country, embark their capital, not in a combination with men whom we know have in this, as in many other cases, had control of the particular manufacture they are engaged in. My argument was largely based on the fact, which is perfectly well known to the hon. Finance Minister, although he has taken extremely little pains in this tariff to prevent the mischief arising, that all through this country there is a swarm of combinations composed of men who do not compete in the open market with each other, but who make special bargains and regulate the output, and who have been known time and again to close up factories for the purpose of preventing competition. These men are outside of those ruinous

combines with respect to which more particularly I advanced my argument the other night.

Mr. MARTIN. I still fail to appreciate what the hon. Finance Minister says about the gauges. He asserts very positively that there are only No. 11, No. 12 or No. 13—that there is no such gauge as No. 12½ and the hon. gentleman has been in a position to get very accurate information on these points. Possibly that may be the rule among Canadian manufacturers; but there is no question at all that there is a gauge called 12½ made by American manufacturers, and it is American wire that these Winnipeg people import and make their barbed wire from. I have here a copy of an invoice that one of these manufacturers, Mr. Ashdown, received, showing that he imported a large quantity of wire of 12½ gauge.

Mr. FOSTER. After all, the words of the invoice are not the final law. If there is no such thing as 12½ gauge in our gauge measurement, then no matter what an invoice calls it—it may be 12¼ or 12¾ or 12⅝—when it comes to the custom-house, our gauge is used to test it, and it will come in as No. 12 or No. 13.

Sir RICHARD CARTWRIGHT. If it is half-way between No. 12 and No. 13, how will the custom-house officer decide?

Mr. FOSTER. If it goes through the gauge.

Sir RICHARD CARTWRIGHT. If it does not, he will charge the higher duty.

Mr. FOSTER. It is his duty always to charge the higher duty.

Mr. MARTIN. Then this wire will be charged 25 per cent, and, therefore, I say this proposition is unfair to this particular factory.

Mr. FOSTER. I do not think so.

Mr. MARTIN. The hon. gentleman ought to know. I asked the hon. Finance Minister whether the customs officer at Winnipeg would charge 20 or 25 per cent, and he gave me the extremely clear and lucid statement that the customs officer would obey the law. We are here to-night, not to discuss what the law is, but to make the law for the guidance of the Department of Trade and Commerce; and if the hon. gentleman is desirous, as he expresses himself to be, to encourage these gentlemen in Winnipeg who are engaged in manufacturing only for the purpose of fighting the combination, and not for the purpose of making any profit for themselves, surely he should go so far as to make some arrangement by which this 12½ gauge wire will come in at the same rate as the wire he says the manufacturers use. The hon. gentleman seems bound not to take that course, because, evidently, from what he says, if it is half way between,

the Government would take the benefit of the doubt and charge the higher rate. Of course it won't go into the smaller gauge, it won't go into the 13 gauge, therefore it must be the 12 gauge.

Mr. FOSTER. That argument is a little against you.

Mr. MARTIN. Possibly it is. It is half-way between, and the hon. gentleman says the Government will take the benefit of the doubt.

Mr. FOSTER. I did not say that.

Mr. MARTIN. So under these circumstances it will have to pay 25 per cent.

Mr. FOSTER. My hon. friend would like very much to have me say what he wishes me to say, but which it is not my duty, or my province to say. The hon. gentleman, above all others, should not press it, and if he were a Minister he would not answer that question in the affirmative. What right have I to say that a piece of wire, which is simply imaginary, that I have not before me, shall go in at a certain rate. The hon. gentleman wishes me to say that wire which he does not say is thirteen, which he does not say is twelve, but is somewhere between the two, will come in under one or the other of those duties. Let him produce the gauge here, and I will tell him whether it will or not.

Mr. MILLS (Bothwell). The Finance Minister has distinguished between wire that is being used in making fences, and other wires, and he has undertaken to put a lower duty upon that which is employed in making fences than that which is employed for other purposes. My hon. friend informs the Minister that two invoices of 80,000 pounds each of wire No. 12½—

Mr. FOSTER. Which I do not know at all, but yet I am asked to say whether it will come in.

Mr. MILLS (Bothwell). I am pointing out that the reason for putting it in is not a question of size but is a question of use. The Finance Minister is proposing an alteration in the tariff and a classification of wires under different duties, and my hon. friend says that the use that is made of this wire, the purpose for which it is imported, is the purpose for which wire is being used of other numbers which the hon. gentleman has put at a lower rate in the tariff. Now, my hon. friend says to the Finance Minister: You have named certain numbers that are to come in at the low duty, and this wire is not of those numbers, it is not of the numbers that you have fixed at the higher duty that you have mentioned; it is an intermediate wire, but it is used and imported exclusively for the purpose for which you have put the duty down on certain wires. Are you willing to treat these importers of this wire precisely the same as

Mr. MARTIN.

you treat the importers of other wires that are being used for like purposes?

Mr. FOSTER. Yes; if they import No. 12.

Mr. MILLS (Bothwell). But is there anything sacred in the character of No. 12? Is it because it is No. 12 that the Minister proposes to put it on the list at a lower figure? No; that is not the reason the Minister has assigned; it is because that number is used for a specific purpose.

Mr. FOSTER. Thirteen is used for a specific purpose.

Mr. MILLS (Bothwell). The hon. gentleman has put the one on a different plane from what he has put the other. Now, my hon. friend says that these parties entered into this business for the purpose of affording the farmers of the North-west wire fencing at a moderate figure, and they have imported 160,000 pounds, and he asks the hon. gentleman not to put them in a worse position than others who are importing the wire for fences; and the Minister says: This is half a size smaller, and it has to pay as No. 12, but I will pay no heed to your representation. That is practically the position the hon. gentleman takes. Now, we are not interpreting the law here, we are making the law, and we want to word it in such a way as to give effect to what the hon. gentleman says is his policy. We ask the hon. gentleman not to make a hard and fast line that will defeat that policy, so far as certain parties are concerned, to their detriment, and, perhaps, on the whole, to the detriment of the country.

Mr. SUTHERLAND. The hon. Minister of Finance knows well that business men in every town, and business centres of the country are complaining of grievances, owing to the various interpretations put upon the tariff by different Customs officers. I must say that after having seen so much difficulty in the working of the tariff, I regret to observe that the Finance Minister is not willing to try and arrange it in a clear and business-like way, especially when it is pointed out to him in what respect it could be improved. It would be far better and more business-like if the Minister would say to my hon. friend and the parties interested in this business: The article that you refer to will be 25 per cent, and the other will be 20 per cent.

Mr. FOSTER. I do not know what he refers to.

Mr. SUTHERLAND. If the hon. Minister does not know, he ought to know.

Mr. FOSTER. I do not know what size his 12½ is.

Mr. SUTHERLAND. The Minister is simply encouraging the difficulty that exists throughout the country among business men. If he was in business and found that his

competitor in one town was getting in goods at 5 per cent less than he was at the port at which he was paying duty, he would begin to realize that it was a serious matter.

Mr. FOSTER. There is no chance for that in this arrangement.

Mr. SUTHERLAND. There is exactly that chance.

Mr. FOSTER. Each customs officer has his gauge, and goes by it.

Mr. SUTHERLAND. If the Minister, instead of discussing the various theories of protection and free trade, would try to make his tariff as clear as possible, I am satisfied that he would give much better satisfaction to business men. I acknowledge that some hon. gentlemen opposite are endeavouring to assist the Minister in framing this tariff, to clear away some of the difficulties that before existed, and I know that other business men are satisfied that an effort has been made in that direction. Now, this is not a matter of party politics, it is purely a matter of business; and the Minister is asked to say at what duty this article will be imported, and he says that it will depend on circumstances. We know what that means. In some ports it will be admitted at one rate of duty, and at another rate of duty at another port. I am sorry he does not try to make it more clear so that it shall not be left to the discretion of the appraisers and customs-house officers. Perhaps, on the whole, they try to do their duty according to their judgment and information, but the Minister, with the aid of his Controller, ought to be able to make it clear so that these difficulties will be avoided in the future.

Mr. MARTIN. Mr. Chairman, all this discussion seems to have arisen out of a simple matter, but as well as I can understand it these are the facts: The customs officer at each of these places, including Winnipeg, has a gauge marked 12 and a gauge marked 13.

Mr. FOSTER. He has a gauge with No. 12 and No. 13 on it—all the sizes are marked on the gauge.

Mr. MARTIN. If a certain wire cannot be put into No. 13 in this gauge, then it must be No. 12 or lower than No. 12. If that is correct, then we are all right. That is what I have been trying to find out. I understand that No. 13 is the smaller wire. Now, as to this American gauge, which is unknown to the hon. gentleman and which he says, therefore, is unknown to Canada and unknown to the world—if this gauge of No. 12½ is claimed by the Americans to exist, and if No. 12½ is between No. 12 and No. 13, as one would naturally suppose it to be, and if wire called by them No. 12½ will not go into No. 13 on the gauge used by the customs officers, it must be taxed as No. 12. Of course, if that is the

position I am satisfied. If I had been able to get that answer from the hon. gentleman in the first place, there need have been no more talk about it. If this particular size of wire, under the circumstances I have given, is to be taxed at 20 per cent, that is all that Mr. Ashdown requires to know. Evidently the customs officers at Winnipeg have not known of this, otherwise the matter would not have been referred to me to bring before the House. It would appear that they misunderstood their duty and I hope that, under the circumstances, they will be duly instructed how to perform their duty.

Mr. FOSTER. I have one other resolution which I should like to ask the committee to pass. We have had some discussion with reference to payment of duties on articles which have, from time to time, been entered while these resolutions were pending. Representations have been made from both sides of the House, and with a great deal of reason, that if, on a certain day, when a dealer or merchant came to pass his goods at the customs-house there was a resolution—which had the force of law—that he should pay so much duty upon them, and he paid that duty; and if, within a week or two afterwards, there had been a change making the duty higher, then he, having entered his goods at a certain rate of duty, fixed his prices upon the basis of that duty and sold the goods at the prices thus fixed, ought not to be called upon to pay the higher rate of duty. And, vice versa, if he passed them at a certain rate of duty and that rate had afterwards been lowered, we had no right to make him a present of the money by giving him the benefit. My answer to the representations that were made was that it had not been our custom to regard these matters, that the rule was that entries were subject to amendments and that if changes were made and duty raised, importers had to pay the increased duty. But, looking over the whole question, now at the end of the work of the committee on the dutiable list, I find that a great deal of work would be necessary for a very little be made subject to amendment and calculation of extra duty if all of these were to tions of amendments and if re-entries had to be made. Therefore, I am going to ask the committee to pass an addition to the third resolution, which, in brief, is to this effect: That whenever goods were entered on a certain day when a resolution was before the committee fixing the duty at a certain rate and that duty was paid, on one hand, if the duty were raised, there should be no call for extra duties, but, on the other hand, if the duties were made lower, no refunds should be made. I beg, therefore, to present a resolution to that effect.

Mr. FORBES. The hon. Minister will remember when he issued the schedule of the goods, that section referring to lines, seines and twines was supposed to be an exact copy of the same subsection of the old tariff. But

it was found afterwards that "nets and seines" were omitted. A fisherman in Cape Island who imported some of these goods writes to me to this effect.

I hope you will fight your opponents to the death politically. On May 2nd I paid \$12.82 duties on net twine invoiced in Boston at \$33.91, which amounts to about 37 per cent 'ad valorem.' I wrote to the Minister of Customs on the 28th ult., but have not received a reply to date. The following is a copy of the bill:—

95 lbs. twine	\$39.90
Less 15 per cent.	5.99

Tarring, baling, salting. . . \$33.91

I suppose I was charged duty on \$42.75. The twine only costs 22 cents per pound, and 20 cents per pound for making into netting—less 15 per cent. Have I to pay duties on the cost of knitting, tarring, salting, baling and trucking? At above rate the duties on a fish trap or twine for a trap would be about \$300, besides \$50 fee for license.

Now, I think the hon. Minister will see that the man has been improperly charged a duty upon his goods. The hon. gentleman stated that nets and seines were to be imported free and I fail to understand under what provision of the tariff this customs officer charged the duty. I take it that the hon. Minister will agree with me that the duty should be refunded to him. If he says I am right in that, of course that ends the matter.

Mr. FOSTER. When the tariff was brought down, the question was asked, I think, by the hon. gentleman himself, whether it was intended to charge duty on these nets and seines. That certainly would be a case in which the duty was properly collected by the collector; but certainly a refund would be in order.

Mr. LANDERKIN. Did you make that statement when the tariff was first brought down?

Mr. FOSTER. I forget.

Mr. MARTEN. I am glad the Government have brought in this proviso. It will be remembered that some time ago I called attention to the very unfair position the importers were placed in under the rule that had been acted upon previously in these matters, and I was informed by the Controller of Customs that it was out of the question to consider such things, that they would have to take their chances. Now, it appears to me that there are occult influences at work upon this Government which produce effective results, but which are not the result of discussions in this committee. It seems to me that the discussions which take place in this committee have little or no effect upon the Government, because if it is right tonight for the Government to come to this conclusion, it was right for them to pay attention to the point when it was brought up in this House some little time ago. The hon. gentleman's conduct appears to be under

Mr. FORBES.

the control, not of this House, but of those for whose support and approbation he cares more than for the approbation of this House. So far as the hon. gentleman's supporters are concerned, it makes very little difference what kind of a proposition is made. If the Minister declares his intention of reducing the duty upon rice, we hear loud applause from all quarters of the Chamber occupied by supporters of the Government; and when a few days later the Minister sees new light and puts back the duty upon rice, again we find that his course meets with the unanimous approval of the supporters of the Government. But we find the supporters of the Government outside the House are not so docile. When a proposition is made which does not suit them, they immediately bring an effective influence to bear upon the Government, and very soon there is a notice given and a proposition is made in the line of the interests of those gentlemen.

Mr. FOSTER. I move that the committee rise and report the resolutions, and ask leave to sit again.

Mr. SUTHERLAND. May I ask the Minister of Finance whether he intends to deal with the matter I brought to his attention the other night?

Mr. FOSTER. The hon. gentleman only put the papers in my hand this afternoon, and I have not had time to look into them.

Mr. SUTHERLAND. I protest against that as being hardly a fair statement. I have already brought the matter up in the House.

Mr. FOSTER. Quite true, and I asked him to send me the papers, and I only got them two or three hours ago.

Mr. SUTHERLAND. He will see that these papers are copies of letters and statements addressed to the Customs Department two, three, and six months ago. It is not fair to say the matter has not been brought to his attention. Personally, he may not have been made aware of it, but I was surprised when I saw that some of these letters had been addressed to the Controller of Customs many months ago, and that in the interval there were letters asking that he would be kind enough to reply, and they could not even get an acknowledgment of their letters. I may take the opportunity of saying that at the present time we have a gentleman from South America with a view to making a contract, and in addition to what was in the papers, I would point out how difficult it would be for these people to compete with American manufacturers in that market when they have to pay 35 per cent on a great amount of the material they use. As they have pointed out to him in this correspondence, they cannot compete with the Americans and others in the South American market. I think if he will look into the matter a little carefully himself, he will see that

something can be done to encourage that manufacture in Canada.

Mr. FOSTER. I will look into it.

Committee rose and reported resolutions.

SUPPLY—DOMINION LANDS.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. CHARLTON. I move in amendment that all the words after the word "That" be left out, and the following inserted instead thereof :—

In the opinion of this House the public lands of the Dominion should be sold to actual settlers only, upon reasonable terms of settlement, and in such areas as can be reasonably occupied and cultivated by the settler; that no sales of public lands to speculators or middlemen should be permitted; that liberal provisions should be made for free homestead grants to settlers; and that land grants to Railway Corporations have been made by the Government with reckless lavishness, and to the serious detriment of the public interest.

In support of this motion I beg to urge a few reasons and present a few statements. The hour is late, and I shall be as brief as possible. The policy set forth in this motion is by no means a new one, or a novel one as regards the Liberal party of Canada. The policy with reference to the reservation of public lands for actual settlers, was moved in this House on the 12th April, 1882. It was then formerly adopted as the policy of the Liberal party, and has been adhered to by them from that time down. The Liberal party also, from time to time, has taken exception to the character of the land policy of the Government, and has criticised unfavourably its free homestead grant policy, and has denounced unsparingly the lavish grants made by the Government to railway corporations. We have always held that the public lands of the Dominion were the heritage of the people, that the Government were merely trustees, that their duties were to preserve that heritage inviolate for the people, that in the condition of the Dominion, with its sparse population, with the foundations of its institutions being land, with its future being mapped out by the policy of the Government, great care should be exercised in administering this trust, and that areas of unoccupied land in the North-west and elsewhere should be held until the settler was ready to occupy them, and not be permitted to pass into the hands of speculators and middlemen who would ultimately charge the settler there four or ten times the price they paid to the Government. These protestations and representations have always passed unheeded by the Government. Railway grants have been made, speculators have been permitted to acquire great tracts of land, the homestead policy has not been a satisfactory one for the settler, and the policy

of the Government from its inception down to the present moment has been a policy open to and deserving of severe criticism. The speculator, the middleman, in all countries wherever areas of virgin soil are in possession of the Government and open to and offered for settlement is the natural enemy of the settler. He is the enemy of the state because he seeks to acquire land and amass a fortune at the expense of the most deserving class of the population, the pioneer and settler, upon whose efforts the progress of the country must to a very large extent depend, and who is worthy of the highest consideration, and the most careful care of the Government, and should be protected in his interests in all cases where it is possible for the Government to afford such protection. It is a criminal act, it is not only an act of bad policy, but it is a criminal act, to permit the public heritage to pass into the hands of the favourite, the speculator and the middleman, and to disregard the interests of the settler who is in the future to develop the resources of the country, if the country's resources are to be developed at all. The contractor, the speculator, the railway promoter appear in the lobby, and exercise their influence, and a most potent influence it is. They make their demands on the Government and the Government listens to those demands, while those who are really interested, the farmer, the settler, the pioneer, are not there—they are not represented in the lobby, and the Government receive no representations from them. It knows well enough, however, what their interests are, and what its duty is, but they listen to the representations of the speculator, the railway grant promoter and men of that character seeking to acquire the land which will be ultimately developed, and the consequence is in Canada as in other countries that we will awaken some day and find one-half, two-thirds or three-fourths of the public land acquired by these people, a result which could have been prevented by a little forethought on the part of the Government.

Let us review for a few moments the policy of the Government with respect to the public lands of the Dominion. We had in 1882 the introduction of a policy called the Colonization Grant Policy, and in one year the Government had received applications from 251 parties, 24 of whom were members of Parliament, and had granted 2,295 townships of land, or 82,520 square miles of the public lands to companies, to speculators, and on easy terms of payment, and also at one-half the price that the Government charged to actual settlers. That was an outrageous act, that was a policy conceived, not in the interest of the settler, but it was a policy designed to forward the interests of the speculators. The Government at the same time granted millions upon millions of acres of pasture land on leases, at the nominal price of 1 cent per acre, asking for no competition, inviting no men to

bid, but granting those leases to their own favourites at this nominal sum, as it granted these applications for colonization grants of townships to a large extent to its own favourites. Then the Government adopted a plan of scattering homestead settlers. In the United States where the authorities realized the importance of securing the settlement of wild lands, the homestead settler was allowed to take a homestead where he found vacant land, and in that way contiguous bodies of settlers were created; but the Government of Canada has pursued a line of policy whereby one homestead settler is placed in one section, and another in another section, with vacant spaces interposing between them, and the scheme was so adroitly contrived as to place the settler in such a position that it was impossible for him to obtain school and church privileges without travelling long distances, and he could not go to the post office, or to the grist mill with convenience, because the settlers were so widely scattered over a township. The policy was one that did not attract settlers, it was one that was not in the interest of settlers, or in the interest of the country, and if the Government had earnestly desired to secure the settlement of the fertile North-west, it would have adopted a liberal homestead policy, and have invited settlers to make homes for themselves in the country on some system which would have secured to them the privileges of schools, churches, grist mills and post office and other facilities which are for the convenience of settlers of a new country.

Then the Government adopted as another part of its policy the system of giving away timber areas, not inviting competition, not putting them up at auction, not seeking to secure for those properties their actual value, but partitioning out among their favourites tracts of not less than thousands of square miles of the most valuable timber land of this Dominion, and in this way no less than 25,000 square miles were granted by the Government to its favourites at a nominal rate of \$5 per square mile, as I have said, without competition and without regard to actual value. So this land policy of the Government in all its phases from its very commencement has been a policy that any man conversant with the proper course to be pursued by a Government with respect to wild lands must necessarily condemn, a policy not calculated to promote the interests of the country. We cannot overestimate the importance of securing the settlement of the North-west. The great want of this country is population. It has an enormous extent, it possesses enormous resources of all kinds, its wealth of resources is as great as that of almost any equal area of the earth's surface, and what it wants is labour, population, to develop these resources. The great North-west with its wide expanse of prairie and timber lands, with its rivers and lakes, with its mines and

Mr. CHARLTON.

vast and varied resources of various kinds does not constitute a national asset until the labour of man develops these latent resources, and what we wanted in the North-west was not pastoral land leases, coal land leases, grants for timber speculators, grants to railway speculators, not free townships granted to speculators under the colonization plan, but what we required in the North-west was settlers to cultivate the land and develop the resources of the country and add to the prosperity of Canada. That was exactly what this Government has not sought to secure, these are results which the Government have not sought to obtain, or if they have sought to obtain them, they have not endeavoured to secure them in any reasonable or practical manner. The fact that the settlement of this great and fertile country has been so slow is itself a proof that the policy of the Government must have been faulty. We have in that great region to-day less than 400,000 inhabitants after all these years of attempting to people it. Something surely must be wrong. We started out first with a policy asking \$5 per acre for lands within a certain distance of the proposed line of railway; \$4 an acre for lands in the next belt; \$3 per acre for lands in the next belt; \$2 per acre for lands in the next; and away off entirely out of the reach of humanity, \$1 per acre for the rest. People did not go in, and I repeat what I said before, that the prices were too high; that the homestead policy was an erroneous one, scattering the settlers when they ought to be allowed to concentrate and take the lands wherever they could obtain them.

Now, Mr. Speaker, land grants in a new country are always liable to be lavishly made. The authorities of a new country perhaps can scarcely be expected to realize the future importance of the proper management of this great trust. Nearly all countries that have had great extents of wild land have, at the outset, managed their trust badly, have not realized the value of that trust, have not realized that that land should be carefully husbanded for the occupation of the settler and for the occupation of the settler alone. They have not realized that the Government should act as trustee for the settler, should secure the land and hold the land and pass the land over to him on the easiest possible terms, and should, in every way, make it for the interest of the settlers to flock into the country where these lands were held. I want to refer to-night to a most glaring instance of incapacity and folly on the part of the Canadian Government with reference to the management of its North-west land trust. Since the year 1880 this Government has granted to railway corporations, 44,242,000 acres of land, representing 442,240 farms of 100 acres each, an extent of land representing somewhat more than 70,000 square miles, an extent of land double

the area of the cultivated land of this entire Dominion, an extent of land capable of sustaining double the present population of the Dominion. Seventy thousand square miles of the choicest lands of the North-west, I repeat, capable of supporting 10,000,000 inhabitants, were granted by this Government to railway corporations, some of them, possibly, necessary, and many of them unnecessary. Now, I want to compare the results of this land grant system and the magnitude of the grants, with the policy pursued by the United States which, for years, has been admitted in that country to have been a lamentable one. Since 1850, the United States have granted to railways, 58,461,000 acres of land. These land grants commenced forty-three years ago, and our policy in that respect began about thirteen years ago. You will observe that the total amount of land grants in the United States is only 30 per cent greater than our own. Their population is twelve times greater than ours, so that our excess of land grants to railway corporations upon the basis of population, is nine times to one that of the United States; or our excess of land grants over that of the United States upon the basis of population and time over which these land grants extend, represents a disparity of twenty to one. We have given on the basis of extent and time and disparity of population, twenty times as much land to railways as the United States have. These United States land grants promoted the construction of 21,898 miles of railroad. The exact number of our railway miles that our land grants will promote the construction of, I am unable to say, but I do venture to think that the American mileage of railway was at least five times greater than the mileage promoted by our land grants in Canada, and consequently that the American grants have been from four to five times more effective in proportion to the acres granted than our land grants have been. As I said a moment ago, the Americans woke up to the realization of the fact that this whole policy was an erroneous one, and that the country would have been far better off if not one acre of land had ever been granted to a railway, because their grants, in many instances, enriched to an enormous extent, railway corporations at the expense of the people. The Illinois Central railway received a land grant twice enough in value to build the road. The Union Pacific afterwards incorporated with the Southern Pacific, resting upon the basis of its land grant and its money loaned from the Government, realized to the projectors on the original capital of \$10,000 or \$20,000, a property valued at \$270,000,000 above its liabilities. If you trace the whole history of land grants in the United States to these various railroads, you will find a system where corporations like cormorants have grabbed all they could get, had taken vastly more than they need-

ed, and had secured grants from the Government in advance of the time that the roads were needed by the country. When the time came that the roads were needed, it was evident that the roads would have been built without any aid from the Government at all, and that the Government that granted these lands had simply squandered them for the benefit of corporations; capital, as a matter of investment, always standing ready to give to a country railroads when they are needed, without any grants in this way. The policy of the United States which I have referred to has been abandoned for over twenty years, and not a public man in the United States conversant with the question will venture to assert at the present moment that the whole policy was not a gigantic mistake, taking as it did from the settlers of the United States lands that would have been sold to them at \$1.25 per acre, or given to them afterwards under the Homestead law, and putting these lands in the hands of railway corporations that sold them to settlers at any price from \$4 to \$20 an acre. Now, Mr. Speaker, I venture to say that it is time that this country should follow the example of the United States in this respect, and put an end to this policy. We have run the course almost as extensively as they did. We are perhaps not in as good a position at present to realize the evil fruits that will result from it as they were, but we may profit by their example. We may accept the suggestion of all their public men that the policy was a mistake, and we may realize that in giving away 70,000 square miles of land in the North-west, we were taking from the people land that will be needed at some future day. There is another bad feature about our railway land grant. When the American Government made land grants to railways, they laid off a certain belt on each side of the road. They gave to the company such lands in alternate sections as had not been already taken by settlers. They gave them no privilege of rejecting lands not fit for cultivation. They gave them no privilege of going outside that belt to get the lands that ought to have been in that belt if they were not there. The railway company had to take the alternate sections in the belt reserved on each side of the road, whether they were mountain or alkali, plain or swamp, or whatever they might be, and if these alternate sections were found with squatters upon them, or if they had been already sold by the Government, the railway company did not get them. The Canadian Pacific Railway received a land grant in the North-west with the privilege of rejecting lands not fit for settlement; and if it could not find enough in the first belt it had the privilege of going to the second, and if it could not find enough in the second it could go to the third, and it might go to

the north pole for that matter until it found good average lands of the quality which the Government granted to it, and to the extent of that grant.

Now, Sir, the Government might answer that the demand made in this resolution for a homestead policy of a liberal character had already been met. They may claim that they have a homestead policy which is all that can reasonably be desired. I repeat what I said, that the homestead policy of the Government is not a proper policy, that by that policy the Government have not realized the object of obtaining settlers for the North-west, that the policy of planting settlers on alternate sections in unoccupied districts is one that cannot materially hasten the settlement of the country. Now, Sir, the interest and welfare of the settlers should be the primary object of the Government. The Government should cease to bestow its kindly care and consideration upon the land speculator, upon the timber speculator, upon the railway corporation, upon the charter broker, and it should realize the importance of bestowing its care upon the settler whose labour is to reclaim that wilderness, if it is ever to be reclaimed, whose labour is to build up an empire in Canada, if we are ever to have an empire in Canada, whose labour is to develop the latent resources of that country if they are ever to be developed. He is the man who should have the Government's fostering care and consideration. The speculator, the charter broker, the timber-limit holder, the pasture land lessee—all these men will take care of themselves, and we have had enough legislation for them. We want now to have a state of things introduced by which the people, the hard-handed sons of toil, the settlers whom we wish to introduce into that country, will be encouraged; and in order that they may do well and develop that country and make Canada a nation, the time has come when we should adopt such a policy as this resolution demands.

Mr. DALY moved the adjournment of the debate.

Motion agreed to, and debate adjourned.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to, and House adjourned at 10.45 p.m.

HOUSE OF COMMONS.

MONDAY, 4th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FRASER RIVER DISASTER.

Mr. CORBOULD. Mr. Speaker, before the Orders of the Day are called, I would like to

Mr. CHARLTON.

draw the attention of the Government to the great disaster that has overtaken the settlers in the valley of the Fraser River, in British Columbia. I am quite sure that it has been with a feeling of sincere sorrow that every hon. member of this House has read the account of the floods that have taken place in that part of the Dominion within the last ten days. That which was one of the most flourishing farming districts in British Columbia, a few days ago in fact the garden of the province, where some two thousand families had their happy homes and everything they possessed in this world, is now one vast sheet of water. Many lives also have been lost—it is impossible yet to tell how many. A large tract of country, some seventy miles long, by an average of twelve in width, has been swept by this flood. The flood has been caused by the unusual quantities of snow which accumulated on the mountains last winter, and the very cold and late spring up to within a few weeks ago, when it suddenly turned to exceptionally warm weather, causing the snow to melt and flood its natural outlet, the Fraser River. In 1882 a similar flood occurred, when much damage was done; but I am quite satisfied, from the reports which we have received so far, that the damage done in 1882 was as nothing in comparison with the damage that has taken place within the last few days. If I mistake not, on the occasion of the great fire that took place in the city of St. John some years ago the Dominion Government granted a considerable sum of money in aid of those who were rendered homeless; and in more recent years, when the town of Cornwall was flooded in consequence of an ice jam, the Government again granted a considerable sum for the relief of the people injured thereby. I hope, therefore, that the Government will now come to the relief of the settlers and farmers of the Fraser River valley, and grant a sufficient sum to provide for their immediate wants, at any rate.

Sir JOHN THOMPSON. Mr. Speaker, the regret of which the hon. gentleman speaks is, I am sure, shared by every member of the House. I am sorry that to-day I am not able to give the hon. gentleman a definite answer to his request, for want of information and particulars on the subject of the distress. I presume this will be forthcoming within a few days, and if the members representing the province of British Columbia receive any such, I shall be very glad if they will forward them to the Government, in order that they may be promptly considered.

Mr. LAURIER. I would suggest to the hon. gentleman that he should also look into the condition of things at St. Andrew's, county of Portneuf, which has suffered from exactly a similar disaster.

TELEPHONE.

Mr. McMULLEN. I would call the attention of the House to a recommendation of the

Printing Committee, which was adopted by this House on the 5th April last, that a telephone be placed near the 'Journals' office in the corridor. Notice was received from the Speaker's secretary, intimating that the recommendation had been forwarded to the Public Works Department, but so far nothing has been done. If the Department of Public Works is going to assume the responsibility of overruling the action of this House, we ought to know it.

Mr. OUMET. That recommendation was never sent to my department, and I do not know that my department could do anything of the kind unless we got the money. It was agreed at the time that the cost should be paid out of the contingencies of the House, and I have no appropriation to meet it. However, now that the hon. gentleman has drawn my attention to the matter, I will see how the desire of the Printing Committee can be met.

MANUFACTURING ESTABLISHMENTS IN LONDON.

Mr. MILLS (Bothwell). On the 13th March, last year, I moved for a return showing the number of manufacturing establishments in the city of London, the names of the parties, and other information connected therewith. That address was carried, but the return did not come down last session, and so far it has not appeared.

Sir JOHN THOMPSON. I will make inquiries about it.

RETURNS NOT BROUGHT DOWN.

Mr. LANDERKIN. I think it was on the 8th of April that the House made an order for a return showing the number of returns that had been ordered by the House and have not yet been brought down. I hope they are not so numerous that it is impossible to make them up in a couple of months, and I would like to know if the Government intend bringing that return down.

Mr. PERRY. I have the same complaint to make. The other day I asked the Minister of Railways when he would be prepared to bring down certain papers connected with the movement of a flag station, and I should like to have these papers before we prorogue, and as I wish to know how the Minister was actuated in carrying out this scheme.

Mr. HAGGART. They are being prepared as fast as possible, and will be down in a day or two.

SHEIK'S ISLAND DAM.

Mr. LAURIER. I would call the attention of the Minister of Railways to the papers in connection with the Cornwall Canal. The hon. gentleman stated to me, the other day, across the floor, that they had been laid on the Table and sent up to the Committee of Public Accounts. They are

not among the papers before the committee or on the Table.

Mr. HAGGART. I inquired twice about them, and my officer told me he was positive they were in the Public Accounts Committee, and had been there for a fortnight. I will inquire again.

ST. CHARLES BRANCH.

Mr. DAVIES (P.E.I.) I would like to ask the hon. gentleman if he has borne in mind the conversation we had in Committee of Supply the other day respecting the judgment awarding \$26,000 for a claim for damages in connection with the St. Charles branch? He then promised to bring down all the papers before we went into Supply again.

Sir JOHN THOMPSON. I think I will have them ready shortly, but I did not promise to have them before the House before we again went into Committee of Supply.

Mr. DAVIES (P.E.I.) That is what I understood.

Sir JOHN THOMPSON. I think I will have them ready.

IN COMMITTEE—THIRD READINGS.

Bill (No. 51) to incorporate the Northern Life Assurance Company of Canada.—(Mr. Mulock.)

Bill (No. 62) respecting the Richelleu and Ontario Navigation Company.—(Mr. Girouard, Jacques Cartier.)

Bill (No. 96) to incorporate the General Trust Corporation of Canada.—(Mr. Davies.)

RELIEF OF JOSEPH THOMPSON.

Mr. NORTHRUP moved second reading of Bill (No. 120) for the relief of Joseph Thompson.

Mr. CHARLTON. Before that question is put to the House, Mr. Speaker, I desire to say, as I have said on a previous occasion, that I always feel in connection with legislation of this kind, so far as the discharge of my own duty is concerned, that I am called upon to perform an act that does not properly devolve upon me. I believe that in granting a divorce, where the concurrent action of the House of Commons is necessary, that action is almost invariably taken by this House carelessly and without due knowledge of the facts. Now, I suppose that the granting of a divorce is a judicial act, and that it is an act that can only be performed if some legally defined cause exists, and that the ascertaining whether that legally defined cause exists is a judicial investigation. If a judicial investigation is necessary for the purpose of ascertaining whether a legally defined cause exists for the performance of a judicial act, it strikes me—and I present the matter to the Minister of Justice—that this is rather an awkward and unmanage-

able court for the performance of that duty. If divorce is to be granted, I hold that we should have a properly constituted and organized divorce court, that the law should define clearly, as perhaps it does, what causes render a divorce permissible, and the investigation into the facts should be made by a judge, and made carefully in the form of a judicial investigation, a decision should be given upon the facts and a decree granted upon that decision. If this were the case, it would have several advantages. One advantage would be that the investigation would be more thorough, in all probability, and more reliable; another advantage would be that it would save cost to the applicants; and a third advantage would be that it would save the time of this House; and I rise to protest, as I have done before, against the course that is pursued in this country with regard to the granting of divorces. I would like to have it pointed out to me where this course is pursued in any other country in Christendom? I would like to have it shown to me in what country it requires the action of the Legislature of the country to perform this duty that should be referred to a divorce court? I call the attention of the Minister of Justice to this point. I presume there are many members of the House who feel as I do, perhaps he does himself, that we should have a change in the law with reference to this matter; that we should have a divorce court established, and if divorces are to be granted at all, if any cause is sufficient for granting a divorce, let it be ascertained by judicial investigation before a court whether that cause exists, and let the decree be issued by that court.

Mr. DAVIES (P.E.I.) I do not want to object to the second reading of the Bill, but I have been watching very closely, and I have not seen this evidence distributed.

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. DAVIES (P.E.I.) I sent up to the Distribution Office for a copy, and I was told I could not get one. I do not think it is fair to press this motion.

Sir JOHN THOMPSON. We will let it stand.

EMPLOYMENT OF CHINESE AT ESQUIMALT.

Mr. MARA (for Mr. Prior) asked, Has the Government taken any action yet in regard to stopping the employment of Chinese by the Imperial authorities on the fortifications at Esquimalt? If so, what action has been taken, and with what results?

Sir JOHN THOMPSON. The Board of Trade of Victoria transmitted a resolution, through the hands of the senior member for Victoria, on the subject of the employment of Chinese labourers at the fortifications at Esquimalt. Inasmuch as this work was

Mr. CHARLTON.

being carried on directly under the British Government, and the Canadian Government has not control over the works or the modes of carrying them on, we felt that nothing more could be done than to transmit the views expressed in the resolution and in the letter of the hon. member for Victoria, to the Home authorities, and the communications were referred to the Minister of Militia and Defence for that purpose.

THE MESSRS. DAVIS'S SECURITY.

Mr. LISTER asked, Have Messrs. M. P. & W. H. Davis been allowed to withdraw any cash deposited by them with the Government as security for the completion of a contract for deepening the Cornwall Canal or any other public work; and to substitute for such cash security real estate or other property? If so, what was the amount of cash so withdrawn, and what is the character of the security substituted therefor? If real estate is now held as security in lieu of cash for the performance of said contract, what is the area and value of such real estate? Where is it situated, and by whom, and at how much was it valued before its acceptance? What is the nature and amount of the security, if any, held by the Government for the completion of the contract for the dams at Sheik's Island?

Mr. HAGGART. On the 5th February, 1890, Messrs. M. P. & W. H. Davis were allowed to withdraw their cash deposit with the Government as security for completion of contracts Nos. 2, 3 and 4, for enlarging the Cornwall Canal, and to substitute real estate. The amount of cash withdrawn was \$50,000, the security substituted was real estate. It is situated in the city of Ottawa, and was valued at \$92,000 (before its acceptance) by Messrs. J. B. Bowes, architect, and A. B. Macdonald, as follows: Three lots situate No. 12, south side Daly Street, and Nos. 12 and 13, north side Stewart Street. Estimated value of lots and buildings, \$41,000. Two lots, Nos. 40 and 41, north side Rideau Street, estimated value of lots and buildings, \$18,000. Five lots, Nos. 19 and 20, south side Theodore Street, and 3, 4 and 5, Marlboro' Street. Estimated value of lots and buildings, \$33,000. Total, \$92,000. The works on sections 2, 3 and 4 being far advanced towards completion, and the contract for section 4 being extended so as to embrace the Sheik's Island dams, the \$50,000 mortgage is held to cover it, being more than 5 per cent on the Sheik's Island work, and the work remaining to be done on sections 2, 3 and 4. Works remaining to be done on sections 2, 3 and 4, \$530,000; Sheik's Island dam works, \$384,000; total, \$914,000.

Mr. DAVIES (P.E.I.) Then the hon. gentleman's memory was entirely at fault the other night.

Mr. HAGGART. The hon. gentleman's memory was perfectly correct. Since the security was given for the Sheik's Island dam, there has been no change made whatever; and the substitution was made in 1890, long before I became Minister of the department.

DEAF AND DUMB OF THE TERRITORIES.

Mr. MARTIN asked, Do the Government intend arranging for the education of the deaf and dumb of the Territories at the Manitoba Asylum for the Deaf and Dumb?

Mr. DALY. It is the intention of the Government to arrange for the education of a limited number of the deaf and dumb of the Territories at the Manitoba Asylum for the Deaf and Dumb.

REVISING OFFICERS IN MANITOBA.

Mr. MARTIN asked, Have revising officers been appointed for Winnipeg, Selkirk, Lisgar, Macdonald, Brandon and Marquette? If so, what are their names? If not appointed, when will they be?

Mr. COSTIGAN. 1. Judge D. M. Walker is revising officer for Winnipeg and Selkirk; Alexander Haggart, Esq., is revising officer for Lisgar; Judge J. Ryan is revising officer for Marquette. 2. No appointments have been made for Macdonald and for Brandon, as these are two new districts under the Redistribution Act, which is not yet in force.

Mr. MARTIN. Do I understand that these are new appointments or simply old appointments standing over? The constituencies have been changed, the hon. gentleman knows. For instance, Lisgar, in which Mr. Alexander Haggart was revising officer, is changed now and called Selkirk.

Mr. COSTIGAN. New appointments have been made in new districts.

GEORGETOWN POST OFFICE.

Mr. LANDERKIN asked, Who was in charge of the Georgetown post office last year, during the illness of the postmaster? Were the duties then satisfactorily performed? Were petitions sent in asking for the removal of the postmaster during his illness? If so, were they numerously signed? Has Herbert Henderson been in charge of the office and performed the duties of it ever since his appointment? If not, who was in charge and who did the work?

Sir ADOLPHE CARON. 1. Miss Ella Goodenow. 2. Yes. 3. No. 4. No. Ella Goodenow, assistant postmaster.

DR. GAUVREAU—THE STEAMER 'LABRADOR.'

Mr. CARROLL asked, Have the Government been informed that on the last voyage of the steamer 'Labrador,' that vessel was detained at Father Point an hour and a half, waiting for the visit of Dr. Gauvreau? Have complaints been laid against that public official charging him with negligence in the discharge of his duty, more particularly under the circumstances above mentioned? If so, is it the intention of the Government to make inquiry and proceed against that gentleman, should the complaints prove well founded?

Mr. DALY. I may say, the Minister of Agriculture has been informed by the Board of Trade at Montreal of such detention, and inquired of Dr. Gauvreau in the matter, and received from him the following answer:

The "Labrador" was not detained at Father Point. First information regarding steamer when she arrived off Rimouski, after being notified I was on board tender in half an hour.

(Sgd.) Dr. GAUVREAU.

No complaints have been made against that public official charging him with negligence in the discharge of his duty.

WAGES PAID BY GOVERNMENT CONTRACTORS.

Mr. COATSWORTH moved:

That it is expedient to insert in every contract for any public work made and entered into hereafter, a clause requiring the contractor to pay the workmen engaged upon such work a rate of wages at least equal to the current rate of wages paid in the locality where such work is being done, at and during the time such contract is being carried on. Unless the Minister with whose department the contract has been made shall for special reason relieve the contractor from the observance of this clause.

He said: I desire to say a few words in order to show the circumstances under which I have been led to submit this motion to the House. A similar resolution was passed in the British House of Commons on February 15th, 1891, and that resolution has been carried into effect in all departments of the Imperial service. The circumstances which induced me to propose this motion in this particular case occurred in connection with certain Government work in the city of Toronto, at a time when the workmen of that city had agreed with all the local contractors, after some considerable trouble, that certain rates of wages should be paid to the workingmen. That rate of wages continued to be paid, and the contractors, on the one hand, and the workingmen on the other, were severally carrying out faithfully their agreement to its fullest extent. But there was a Govern-

ment work being carried on by a contractor who did not belong to Toronto, and difficulties arose between him and the workingmen in regard to the rate of wages received by those he employed, which resulted in two strikes or more. The result of that was to create more trouble between the workingmen and other contractors, because the latter felt that if the rate of wages was lowered by a contractor coming into the city to do work, they were entitled to the same privilege of reducing the rate of wages paid. It seems fair that in public works the Government should not allow their contractors to present the example of treating workingmen in a way that was considered unfair. We may be sure that when local contractors have agreed to certain rates of wages, those rates will be fair to themselves, and it can do no possible harm to the Government to adopt a resolution of this kind, that their contractors shall pay the current rate of wages wherever Government works are being carried on. As I have already mentioned, there was a resolution, almost similar in its terms, carried in the British House of Commons on February 15th, 1891, and a similar resolution was carried by the London County Council on February 13th, 1892.

Mr. DAVIES (P.E.I.) Will the hon. gentleman read the resolution? Is the present motion a transcript of that resolution?

Mr. COATSWORTH. No; but the resolutions are similar in their terms. I will read the terms of the resolution adopted by the British House of Commons. They were as follows:—

Resolved, That in the opinion of this House it is the duty of the Government in all Government contracts to make provision against the evils recently disclosed before the Sweating Committee and embody such conditions as may prevent abuses arising from subletting, and to make every effort to secure the payment of such wages as are generally accepted as current in each trade for competent workmen.

There was a notification sent by the Government to each of the different departments, asking each department to put this clause in force in all contracts entered into by it. I have copies of these communications, which I presume it is not necessary to read, and such communications were sent to the Admiralty, Board of Trade, Customs, Home Office, and other departments of the Imperial service.

Mr. TISDALE. Read one of them.

Mr. COATSWORTH. I will read one sent to the Admiralty. It is as follows:—

ADMIRALTY, WHITEHALL, S.W.,
16th February, 1892.

GENTLEMEN,—I am directed by my Lords Commissioners of the Admiralty to call your attention to the Resolution at foot, passed by the House of Commons on 13th February, 1891, and to state

Mr. COATSWORTH.

that they expect those who are entrusted with contracts for the Admiralty to adhere to its conditions. My Lords will be compelled to consider the question of removing the names of all who fail to comply with the Resolution from the list of those allowed to undertake work for this department. You are requested to be good enough to acknowledge receipt of this letter.

I am, &c.,

(Sgd.) EVAN MCGREGOR.

The other communications are similar in their terms. A by-law has been adopted by the city of Toronto, relating to the labouring classes, providing that no labourer employed by a contractor or by the city, on municipal work, shall be paid a lower rate of wages than 15 cents per hour, which is the current rate for labourers. Resolutions more or less in harmony with this principle have been passed by numerous cities, towns and municipalities in England and the United States. There are others to which I might have referred more in detail, but I think those I have mentioned will suffice to show that the principle I am desirous of establishing by this resolution is by no means a new one, and that with the example of the British House of Commons before us, we would not be doing wrong, but only doing what is fair and right to the workingmen, in adopting the resolution I have the honour to submit.

Mr. OUIMET. The proposition submitted to the House by the hon. member for East Toronto (Mr. Coatsworth) appears, at first sight, to be quite reasonable; but when it comes to be carried into practice, it would involve very great difficulties that could not be surmounted. The first difficulty would be to ascertain what is meant by the term, "current rate of wages," and what, in practice would be accepted as such. Who was going to determine the rate of current wages? Would the current rate of wages be determined by the trade unions or other labour associations? Or would the rate be determined by the contractors, or by the ordinary law of supply and demand? The hon. gentleman has stated that in the city of Toronto the labour unions and the contractors had agreed as to what would be the current prices for the different trades carried on in that city during the next twelve months.

Mr. COATSWORTH. For the next three or four years, or five years, I think.

Mr. OUIMET. If that rule in the city of Toronto were extended to all parts of the Dominion I could not see much objection to the present resolution, but the great difficulty is that there is no other place in Canada, that I am aware of, where such an agreement has been entered into between the contractors and the workingmen. So far as my department is concerned therefore, it would be impossible to make it a condition of the contract that the contractors should

pay the current prices for labour. With the exception of the difficulty that occurred in the city of Toronto last winter, I am not aware that there has been any complaint which would justify a new departure in this matter. The hon. gentleman (Mr. Coatsworth) entered into a correspondence with my department in reference to these difficulties, and we at once saw that the contractors should do what was right in the matter. I understand that the whole trouble was settled to the full satisfaction of the labour unions at the time.

Mr. COATSWORTH. Not at all.

Mr. OUMET. The only part of the difficulty that could not be settled was in connection with the fact that the contractor had brought into Toronto some labourers and tradesmen who did not belong to the city. How could this Government make it a condition that none but local tradesmen should be employed on public works? That would be a difficulty that we could not get over. As you see, Mr. Speaker, a proviso of this kind would render the conditions of the fulfilment of the contract so uncertain that it would greatly increase the cost of every public work in Canada, or else the Government would have to depart from the policy of giving contracts by public tenders. It would be a very grave matter I should say to change that policy which has been followed for years, and particularly so as a special law has been adopted by this Parliament to enforce the system of giving contracts by public tender. As far as my department is concerned, I do not see, as things are at present, that we could adopt the stringent resolution which the hon. gentleman (Mr. Coatsworth) has proposed, and which he will admit is much more strict than the resolution adopted by the Imperial House of Commons, which reads in this way:

That in the opinion of this House it is the duty of the Government in all Government contracts to make provision against the evils recently disclosed before the Sweating Committee, and to insert such conditions as may prevent the abuses arising from subletting, and to secure the payment of such wages as are generally accepted as current for each trade for competent workmen.

It will be seen that this resolution was passed in England for the special purpose of preventing what is known there as the sweating system, and which I am happy to say has not yet been introduced into Canada. That special condition not existing in this country, even the resolution as passed by the Imperial House of Commons would be unnecessary here. My department is willing to do everything in its power to secure fair-play and justice to the working people in all parts of the Dominion; but the present resolution would be impracticable. There is added to this resolution a provision that the Minister in whose department a contract has been

made shall for special reasons relieve the contractor from the observance of this clause. The House will see at once what would be the result of that. At every step in the fulfilment of the contract, there would be difficulties raised either by the contractors or by the workmen themselves, and the Minister in charge of the work would be subjected to all sorts of solicitations on which he would have to decide either in favour of one party or the other, so that he would be placed in a very embarrassing position, and in a position that might be very detrimental to the country. For these various reasons I would ask the hon. gentleman to reconsider his resolution. I hope that we shall never have such a condition of things in Canada as existed in England, and which made it necessary to pass the resolution I have read. I trust that the hon. gentleman will not press his resolution, at least for the present.

Mr. FRASER. I suppose that the hon. member (Mr. Coatsworth) is moving in the interests of the city of Toronto, and if so I can scarcely understand why this resolution is necessary at all. In that city a current rate of wages is fixed, and as I understand there is plenty of work in Toronto for the people, workmen would not be likely to work on Government contracts at less than that current rate of wages. The resolution, therefore, it seems to me is unnecessary. There is, however, another direction, and if the hon. gentleman would move in that direction I would be most happy to support him. I would be in favour of providing that a Government contractor, whether he did the work himself or sublet it, should be held responsible for the wages of the men who perform the labour. I will go for a resolution of that kind. Labour ought to be paid; it ought to be the first charge. I have known cases in which men took a contract and sublet it to others who were worthless, and got the work done, but the men were never paid. The Government paid the contractors, but the men were not paid. When the hon. gentleman moves in that sensible line, I think he will find a number of hon. members on both sides of the House who will go with him. But on the present occasion I see no need for his motion at all, because, there being plenty of work there for the men, there is no fear of this happening. I would suggest to him that, instead of pressing this motion, he should withdraw it and introduce one in the line that I have mentioned, which I would be glad to support.

Mr. EDGAR. One of the chief reasons given by the hon. Minister of Public Works for objecting to the introduction of this provision in public contracts was that there is no sweating system in Canada. If that is the only reason he has, I am afraid he will have to yield to this motion, because I can assure him that there is a

sweating system, at least in the city of Toronto, and that it has been practiced there extensively.

Sir CHARLES HIBBERT TUPPER. By what firms ?

Mr. EDGAR. By a firm called, I think, Lailey & Co., a large clothing firm, who sublet their work to contractors who imported Polish Jews from the States to do sweat work in that kind of business, and there was a great row about it among the labour people there. That system has been introduced into Canada even under the National Policy—a fact which the hon. member for East Toronto (Mr. Coatsworth) undertook to dispute, but which, I very much doubt, if he will dispute now. I think he has probably heard from the Trades and Labour people of Toronto, who saw that he had disputed it, as I see by the papers that they were clamouring against him for having done so. I hope that when he replies he will show the hon. Minister of Public Works that there is sweating in this country—under the National Policy, too—even in the city of Toronto; and if that is a sufficient justification for this resolution, which has, undoubtedly, some good points in it, then the Government ought to yield to it.

Mr. INGRAM. Mr. Speaker, I remember a year or so ago accompanying a deputation to interview the hon. Minister of Public Works to induce him to have something of this kind placed in Government contracts. With respect to the sweating system, I do not think this resolution will cover that at all. The chief sweating done in this country is done by private individuals or private corporations; it is not done on public works, to which this resolution refers. I think a provision of this kind will be beneficial in this way: For instance, a department wishes to have certain public works done in London, Toronto, Quebec, or some city. Persons wishing to tender for these works should first ascertain the current rate of wages paid in the city where the work is to be done, and in tendering should base their figures upon that rate. If that were done, I do not think the workingmen would have anything to complain of. What they complain of now is this: Suppose a public work is to be done, say in the city of Hamilton, the local contractors there, in tendering, figure on the rate of wages paid in Hamilton; but an outside contractor, say from the city of Ottawa, comes here, and, without taking into consideration the rate of wages paid there, tenders according to the rate which he thinks he will be able to employ labourers, say in Ottawa, or Montreal, or Quebec, or wherever he can get them at the cheapest rate. Then, if he gets the tender, he brings them into the city of Hamilton to do the work. This is what they complain of, and for this reason they ask the Government to place in Govern-

Mr. EDGAR.

ment contracts some such provision as this resolution asks for, requiring contractors to pay the current rate of wages paid in the locality where the work is done. Now, I do not think there is anything wrong in asking that much. I know cases myself where public works have been tendered for, on which local workingmen were not employed, but Italians and other foreigners were brought in, who worked for a smaller rate of wages than was paid in the locality where the work was done.

Mr. COATSWORTH. I must confess, Mr. Speaker, that I have been a little surprised that the hon. Minister of Public Works has so strongly opposed my resolution, as I was under the impression that, with the modification or exception at the end of it, he would have supported it. Now, I did not state very fully the facts with regard to the difficulties that have arisen in Toronto. The contractors and workmen, who, from time to time, have had their disputes, as to the rate of wages, had made an agreement, covering four or five years, I am not exactly sure which. A Government contractor, before tendering for the work, sent an advance agent to Toronto to ascertain the rate of wages paid there, and based his estimates upon that rate, and secured the contract. When he came to the city, he did not employ imported labour, as the hon. Minister thought, but employed workingmen belonging to the city of Toronto; and after the work had proceeded to a certain point, he lowered their wages below the current rate which was paid by all other contractors. It is all very well for hon. gentlemen to speak about it not being necessary for the men to work for that contractor. They were placed in this position in consequence of an agreement which they have with each other: that the men employed on the work were obliged to strike. The whole amount involved in the strike, which my colleagues and myself succeeded in getting adjusted, did not amount to more than \$150; yet it caused confusion and disturbance among all the working people in Toronto. On the next occasion, when the same thing happened, my colleagues and myself again attempted to adjust the difficulty; but we were unable to do so, and I do not know how it was settled—I presume by some amicable arrangement between the men and their employer. There is no doubt about the difficulties having occurred; and, although my hon. friend may think that men are not obliged to work for this or that contractor, I think that would be a very unfair position for us to assume. We would be putting the men in such a position that they could not carry out the engagement they have entered into with each other, and with the other contractors in the city of Toronto, but must abandon that engagement, and allow an outside contractor to come in and break it, even though doing Government work. I think it is very

unfair to allow Government contractors to go into any locality and break up an arrangement of that kind, which is the result of a compromise on both sides, which is arrived at for the sake of peace and harmony in the community, and to which all parties are willing to agree. Irrespective of all questions of party, it would be very unfair for the Government to allow their contractors to enter into our cities and towns and municipalities and do a thing of that kind. The hon. Minister of Public Works thinks that the resolution is far more stringent than that passed by the British House of Commons. I do not understand it to be more stringent. In the resolution passed by the British House of Commons it is provided that the current rate of wages must be paid to workmen on Government works. That is all that is provided in this resolution. I wish to read the clause that is put into the contracts in connection with the Imperial service, in order to satisfy the House that what I am asking it to pass, does not go any further than the British Government certainly understand their resolution to go. Under the head of "Building," there is this clause :

The contractors shall employ only competent workmen and shall pay them wages at rates (not being less than the minimum rates mentioned in condition 29) such as are generally accepted as current in each trade for competent workmen.

I do not think anything could be clearer, but in order to make it still more clear, they further provide :

The contractor shall not, without consent of the receiver, pay any workmen employed by him for the purposes of his contract at a lower rate of wages than hereafter provided, that is to say.

Then are given the trades and the current rates of wages paid by each trade.

Mr. MULOCK. The receiver is the Government representative.

Mr. COATSWORTH. I presume he is a Government official. And then this clause follows :—

Should the contractors fail to pay the minimum rate of wages above mentioned, without the consent of the receiver, then the receiver shall be entitled to pay to any workman who has been underpaid such a sum as will bring up his wages to the rate specified and to deduct sums so paid from any amount due or to become due from him to the contractor.

The conditions I have just read are not, in any sense, less stringent than the resolution I have put on the paper. With regard to the objections of the hon. member for Guysboro' (Mr. Fraser) and his suggestion—for which I am very much obliged to him, although I cannot adopt it—if he would propose a provision that the contractor should be responsible for the wages of the men working for subcontractors, I am quite satis-

fied to support it. I think it very proper that some such provision should be made, and I think that in Ontario there is some such provision for the payment of the wages to all the workmen who work on a building, but I am not prepared to substitute that resolution for mine. I think we require both principles to be adopted in the case of contracts.

Mr. DAVIES (P.E.I.) Before we pass from what the hon. member for Guysboro' said, the hon. gentleman will recollect that he rather insisted that the resolution before the House now was unnecessary, inasmuch as there was plenty of employment in Toronto. I ask the hon. gentleman if that is the case ?

Mr. COATSWORTH. Have I not pointed out clearly to the hon. gentleman and the House the necessity for my resolution. I have specified a case in which two strikes occurred, because the Government contractors desired to lower the rate of wages below the current rate. I have informed the House that the local contractors and the workmen had agreed together, after a great deal of trouble and compromise on both sides, that, in order to prevent strikes for four or five years ahead, the rates of wages should be fixed and determined upon. But the Government contractor came into the city, and, by provoking strikes, created a great deal of trouble and confusion among the working people. I do not think that any case could be put more clearly to show the necessity of this resolution. I do not know the necessities of outside cities, but I should be disposed to think that in Montreal there is a similar arrangement between the contractors and the workmen.

Mr. OUIMET. I do not think there is any such arrangement in Montreal.

Mr. COATSWORTH. Then so much the easier is it for the Minister of Public Works to assent to the resolution. I do not think he gave strong reasons why the resolution should be more difficult of being put into operation, in the case where there is no current rate of wage agreed on in a locality. The only question is whether, when the workmen have been enabled to come to an agreement with local contractors, the Government contractors should be permitted to come in and break down that agreement.

Mr. DAVIES (P.E.I.) If the workingmen do not get sufficient wages in one place, they will go to another.

Mr. COATSWORTH. There is nothing in that argument to warrant opposition to my resolution.

Mr. DAVIES (P.E.I.) Is there a dearth of employment in Toronto ?

Mr. COATSWORTH. There is.

Mr. DAVIES (P.E.I.) Is there quite a number of workmen out of employment there who cannot get employment ?

Mr. COATSWORTH. That is entirely outside the question.

Mr. DAVIES (P.E.I.) I want to know the facts.

Mr. COATSWORTH. My hon. friend is not candid.

Mr. DAVIES (P.E.I.) I am thus far candid, that it may influence the way many members will vote. If there is a dearth of employment there, and the men cannot get employment, and this will help them to get employment at fair wages, there might be some argument in its favour, but if there is plenty of employment, what necessity is there for the resolution ?

Mr. MONTAGUE. The contention of the hon. member for Queen's would be all right if this resolution were simply intended for Toronto ?

Mr. COATSWORTH. I think my hon. friend from Queen's wants to make political capital.

Mr. BERGIN. I am afraid that our hon. friends over there are very sorry they cannot make out that there is no employment in Toronto.

Mr. COATSWORTH. I will answer the hon. gentleman to this extent, that we have plenty of workmen in Toronto and have also a fair share of work continually going on : but in a large city like that, there are always plenty of men who are wanting employment, from time to time, as the work they were engaged on is completed, particularly in the building trade. When a large building is completed, the men are necessarily thrown out of employment for a time until they can get employed on some other building ; and as a matter of fact, the particular building to which I refer is just about completed, so that while I have mentioned a particular case, I am not confining myself to that case in order that the remedy may be applied to it specially. I hope that Government works will go on in Toronto in the future to a greater or lesser extent, but we do not want repeated what has already happened. When our workmen and contractors agree together, we do not want Government contractors to come in and break down that arrangement. With regard to what the hon. member for West Ontario (Mr. Edgar) said about sweating the other night, I replied that I did not think it was fair for the hon. gentleman, on the strength of a newspaper report, to allege that sweating did actually exist in Toronto. He ought to satisfy himself by better evidence before making the positive statement. He was not prepared then, and he is not prepared now, to state, from his own personal knowledge, that he is satisfied, by evidence conclusive

Mr. COATSWORTH.

to his mind, that there is sweating in Toronto.

Mr. EDGAR. Does the hon. gentleman deny that there is sweating in Toronto under the circumstances I have mentioned ?

Mr. COATSWORTH. I have not entered into the question at all. The hon. gentleman knows the question that I raised was this, that he had not evidence, such as ought to satisfy any one, especially a lawyer, that the statement he made was correct. I went further, and said on that occasion, as I say now, that if there be such a thing as sweating in Toronto, this is one of the best methods to stop it. And I think, therefore, the hon. gentleman is bound to support my resolution.

Mr. EDGAR. I do not say that I will not.

Mr. COATSWORTH. As regards what my hon. friend from Elgin (Mr. Ingram) has said as to the contractors knowing the rates of wages, he will know, as I have told the House, that the contractor, in the case to which I referred, sent his advance agent to ascertain the rates of wages before making his estimate and tendering, so that there was no possibility that he did not know beforehand what rate of wages he expected to pay. Of course, Mr. Speaker, if the Government do not assent to the resolution, I suppose it would not be wise for me to press it.

Some hon. MEMBERS. Oh, oh.

Mr. COATSWORTH. At the same time, I think it is a resolution that ought to be passed, and I sincerely trust the House will give its assent to it.

Mr. MARA. One point has been brought out in this debate to which I would like to call the attention of the Government, in view of the statement made by the First Minister this afternoon on the question of employing Chinese labour on the Esquimalt fortifications. It has been shown by the hon. member for East Toronto (Mr. Coatsworth) that the Imperial Government are instructed by the House of Commons to make every effort to secure the payment to workmen on public works under contract such wages as are generally accepted as current to competent workmen. If an Englishman working under a Government contractor in his own country is entitled to receive the rate of wages paid in his district, why should not Canadians working on the Esquimalt fortifications receive the rate of wages current in the vicinity of Esquimalt ? It is quite true that we cannot dictate to the Lords of the Admiralty, but the Government can very well call their attention to the resolution passed by the Imperial House of Commons, and to the instructions given to the Lords of the Admiralty when contracts are issued by them. I think, and I am sure the House will agree with me, that if in England a man working on a Government contract receives the current rate of wages, it is not right that Cana-

dians working in Esquimalt should be forced into competition with coolie labour.

Mr. DAVIN. Mr. Speaker, I should like very much, in case a vote is arrived at on this motion, to have my hon. friends who are supporting it explain to me how persons can be employed extensively on public works in a city like Toronto and not receive the current rate of wages? It may be that we shall have to give a new definition to the word "current." It may turn out that this motion is a sound one. No doubt it is possible to overturn by a wave of the hand, by the action of a wise legislation in this Assembly, all the established principles of commercial and trade transactions. I have not the least doubt of that, and, if it should be so established, then, I think, we ought to have a rider to the motion. We have a Customs Department which admits large quantities of goods from various parts of the world, upon which goods we impose certain duties. If this motion is passed we should add a rider to declare that any wholesale merchant who is allowed to bring in goods, should be compelled to pay his clerks, his book-keepers, and other employees the current rate of wages. And so with other branches of the public service—I confess, I do not see where we are going to stop. I am not wholly averse to paternal legislation. There are cases, in my opinion, in which it is proper for the Government to interfere. But here is a proposition that, in a city like Toronto—or any city, we will not confine it to Toronto—where any large public work is let by contract, the contractor must pay the current rate of wages in the locality. I do not see, for the life of me, how he can get men to work for less than the current rate of wages. If they go to work for him at a given rate, it must surely be the rate regulated by the demand for labour and the supply of labourers. As at present advised, and as I understand this motion, if it goes to a vote I must vote against it. But it may be that there is hidden away in the dark recesses of the motion an abstruse wisdom that is entirely lost on me. There may be hidden away in the arcana of certain hon. gentleman's politico-economical intelligences such wisdom as will yet live to revolutionize mankind. But at present, Mr. Speaker, I certainly can only vote for the motion on principles that will justify me in voting that the Government, and that we the House of Commons, should interfere in matters in which, according to my present opinion, we are not fit to interfere, and in which Parliament is not concerned at all.

Mr. SPROULE. I think that the principle involved in this motion is a very bad one, because it will prevent persons going into the open market and hiring labour for what it is worth. It may be that labour is not the same in Toronto as in, say Owen Sound. A man in Owen Sound may have a contract for a public work in Toronto. If he chooses to bring his labourers with him, as he can

often do to his own advantage, and to the advantage of the country—in the reduction of the cost of the public works—he ought to be allowed to do it, without being compelled to pay these labourers the current rate of wages in the locality in which the work is being done. A very fine illustration might be found in the case of work along the Canadian Pacific Railway in British Columbia. I am told that very often they employ Chinese to do the work that would otherwise be done by English-speaking people, and they do it for much less. That being the case, the country gets the benefit in the reduced cost of the work.

Mr. LAURIER. Hear, hear.

Mr. SPROULE. The hon. gentleman says "Hear, hear," but the same principle obtains all over the world.

Mr. LAURIER. It is quite sound, but it is rather new to hear it on that side of the House.

Mr. SPROULE. It may not be less valuable because it is new. I know cases of contractors who went from our section to the city of Toronto to commence building operations. They were able to make their contracts at lower figures than ordinary contractors living in the city. Why? Because they have had labourers who were with them constantly, and who work at a lower rate of wages than those in the city. And the country gets the benefit of that. Why should they be compelled to pay the same rate of wages as is paid in the locality? I think that this should be left to be regulated in the open market, so that labour might be hired in any portion of the country at rates agreed upon between the parties. So long as the contractors pay the rate of wages that the workmen have agreed to take, we should not interfere with them. We had a case some time ago when workmen in Quebec engaged in loading and unloading vessels wished to get a law passed to compel the payment of a certain rate of wages, while they would not allow outsiders to come in and do the work for less. I do not think that is sound legislation, whether it is recommended by the Knights of Labour or not. I feel free to oppose it, though recommended by the Knights of Labour, as if it were recommended by anybody else. The principle is an obnoxious one and ought not to be endorsed by this House. If we were to apply it to public works it would soon be pressed further, and we should find it applied to private contracts. And, as a result, you would have to pay a great deal more for such works than they would cost if this objectionable principle were not crystallized in our law.

Mr. TISDALE. It seems to me there are two propositions which make this a very difficult resolution to adopt. First of all, there is the uncertainty of it. I can quite understand the hon. gentleman from Toronto thinking that it is a good and pro-

per resolution, and I am not going to say that it may not be for Toronto, for it seems they have a fixed rate of wages there. It is the only place I know of in the Dominion that has a fixed rate of wages. Now, take a public work to be performed in a new district where there are no labourers, and in order to get labourers you may have to pay them, perhaps, 50 per cent more than labourers are getting in the large centres. How would the contractor, how would the Government, in letting contracts, protect themselves? The contractor would not know, he would have no means of knowing, if he was a provident man and a responsible man, on what basis he would be able to make a fair profit; for this resolution, as introduced by the hon. member, is to apply everywhere. The second proposition is this: If this resolution is adopted, and is susceptible of being carried out, it would mean that all the rest of the people of the Dominion are to pay more for the public works that are to be performed, because in a place where the rate is not fixed, these difficulties would arise. We are asked to adopt a far-reaching resolution of very uncertain consequence, and I agree with the Minister of Public Works that we should hesitate until we are shown the necessity for it. Where is the call for it? Where do the grievances exist? The hon. gentleman has mentioned two solitary instances in the city of Toronto in connection with some strikes that occurred there, and that may or may not have been caused by the public works. I submit that the public works there were not the cause, but they were caused by that special arrangement, and the peculiar conditions which exist there. I do not think this is sufficient evidence for it. While I am on my feet I may say that I quite agree with what the hon. member for Guysboro' (Mr. Fraser) says, that if this was a resolution to apply to contractors on public works, compelling them to see that the labour they employed was paid for, that would be a different principle altogether. But owing to the far-reaching extent of this resolution, and the effect it would have in increasing to the whole country the cost of our public works, and the uncertainty that would surround the contractor who honestly endeavoured to arrive at an approximate estimate in constructing public works, I think we ought not to adopt this resolution.

Mr. McNEILL. I think this is a very strange proposition. To ask the Government to say that labour upon public works in Toronto is to be confined to the people of Toronto, and that that labour expended upon public works in any other city is to be confined entirely to the people of that city—for that is what the proposition amounts to—seems to me a very extraordinary proposition. If the labouring classes from a rural constituency, the county of

Mr. TISDALE.

York for example, propose to take a part in those works and offer themselves for hire at a somewhat lower rate of wages than the current rate that has been fixed by the labouring men of Toronto, they are not to be allowed to do so.

Mr. COATSWORTH. That is not the meaning of the resolution.

Mr. McNEILL. That is exactly what it amounts to.

Mr. BERGERON. It is a combine.

Mr. McNEILL. That the rate of wages to be paid should be the current rate fixed by the labourers of Toronto, means that the work is to be confined to them. I understand my hon. friend to say that the best way to prevent strikes is to tell these people that they have the work in their own hands, and that no one else can come in to compete with them. Now, there is no better way to cause strikes than to give these people to understand that they hold the control of the rate of wages in their own hands, so that when they choose to strike, those who employ them are powerless to procure any other labour. It seems to me it would be a terrible thing to accept such a proposition as that.

An hon. MEMBER. The British House of Commons have accepted it.

Mr. McNEILL. If the British House of Commons have accepted a somewhat similar proposition, I can only say that I hope sincerely that the people of Canada are not so much at the mercy of trades union organizations as the people of England are.

Mr. McLENNAN. I would simply say that I can hardly understand the object of this motion. I have been connected with workingmen almost all my lifetime, and cannot see how this Parliament can regulate the rate of wages in the way suggested by this motion. In some sections of the country wages are higher than in others. For instance, while men were getting in this section \$1 or \$1.25 a day, on Lake Superior and in the western part of Ontario contractors have been paying \$2 and \$2.25. The rate of wages largely depends on the difficulty of getting supplies where the works are going on, and the difficulty of getting men; and the contractors will have to pay the current rate of wages, otherwise they cannot get men to work for them, and these circumstances will regulate what the current wages shall be. I would like to understand from the hon. gentleman who has moved this motion, how this current rate of wages is going to be regulated, who are going to regulate it, and where it is going to be regulated. In my opinion such a thing is impossible, and I do not think it can be worked out successfully. I agree with the remarks of the last speaker, that nothing would tend to create strikes so much as this very motion that is now before the House. I am myself anxious to see the workingmen get every justice, and I agree with the remarks of the hon.

member for Guysboro' (Mr. Fraser), that the men should be protected, and that they should in every case get the wages that they agree to work for. I have taken the trouble to place a Bill before the House, which I hope we will be able to reach, with the object of securing that end, as I think it will be a great benefit to the working classes. If there is any class of men in the country who can ill afford to lose their wages, it is the workingmen, upon whose day's pay their wives and families are depending for a living. I cannot see where this can be regulated. I cannot see who is going to regulate it, and I have no doubt that if this motion were carried, it would be the means of producing strikes throughout the country. The same class of men have to work in different places. Sometimes you have to pay the same men 25 or 50 cents more in one class of work than you have to pay them in work of a different character. Then there are men who are worth more than others. On public works we always pay men according to their value and according to their work; but if this motion were carried, the poorer man would want as much wages as the better man. I see a great many objections to this motion, and I have no doubt that it would tend, as I have already stated, to create strikes and disturbances on public works that have not existed heretofore.

Mr. HAGGART. The hon. gentleman who has introduced this resolution is evidently following in the direction of Mr. Burns, the labour socialist, who introduced a similar resolution into the House of Commons in England, and which, to the surprise of every one, was carried.

Mr. MARTIN. Mr. Burns is not a socialist.

Mr. HAGGART. He is the well-known labour leader. After that motion was carried, I recollect that a question was asked in the House of Commons what action the Government had taken upon the matter, and the answer was given, as the hon. gentleman has intimated, that notice had been sent to the Admiralty, the Ordnance Department, and other branches of the service, directing them to inform contractors that a clause of the nature of the resolution which had been carried in the House of Commons, should be embodied in their contracts. Now, we must remember that different circumstances prevail in this country to those that exist in a country like England. In England the wages are fixed, to a certain extent, by local bodies, the same as in Toronto, by arrangement between the contractors and the labourers. There is a feeling in England that a fair day's wages ought to be given for a fair day's work. But the difficulty in this country is that there is no current rate of wages fixed in any place I know of except Toronto.

Mr. INGRAM. I beg to correct the hon. gentleman, as I have heard that statement made several times to-day. In the city of London, in the city of Hamilton, in the city of Montreal, and in fact in all the leading cities, there is a limited rate of wages fixed, and that is understood among the workingmen generally.

Mr. HAGGART. This is the first time I have heard it, and that is one reason why I ask for the adjournment of the debate on this question—for the purpose of ascertaining in what other places besides Toronto the rate of wages has been fixed. Difficulty will arise even in centres where there is a current rate of wages, and even in the event of public works being constructed in London, Toronto, or Montreal. Has not a carpenter or a blacksmith from the adjoining county the right to go there, and be employed perhaps at the current rate of wages in the particular locality at which he formerly resided? Of course, there is an objection that may be taken to that proposition. Labourers in Toronto and other cities propose, of course I cannot state authoritatively the position, but at all events they assert the right that no labourer from an adjoining municipality shall work at a lower rate than is accepted by those living in the city, contributing to the taxes and becoming a ratepayer therein. But is the Dominion Government, which is constructing public works in different parts of the country, to be bound by that doctrine? That is a question which requires considerable consideration. No less than 90 per cent of the work carried out by the Department of Public Works and Railways is built outside of the cities, and where no current rate of wages prevails. The great works on the Welland Canal, Soulages Canal, and also connected with Government railways, would not be affected by the resolution proposed. Again, it would place the Government in the position of arbitrator as between the employee and the employer, which would be a most disagreeable position for a Ministry to occupy. Time should be granted to the Government to consider the position. The hon. member for East Toronto (Mr. Coatsworth) has given the authority of the English Government as having passed a similar resolution. The circumstances here, however, may be shown to be entirely different; at the same time, it may be possible to make a resolution apply to centres where certain rates of wages are paid, and after mature consideration the Government may be induced to accede to a certain portion of the motion. I move the adjournment of the debate.

Mr. LAURIER. New light has dawned on the Government since the Minister of Public Works spoke in this debate. That hon. gentleman pronounced emphatically against the proposition of the hon. member for East Toronto (Mr. Coatsworth), and now

the Minister of Railways wants time to consider it. The new light is in the direction of free trade. Hon. gentlemen opposite feel compelled to recede from their own doctrine. The hon. member for East Toronto (Mr. Coatsworth) is a protectionist all round, and the motion which he has submitted is quite in accordance with the views laid down and supported by hon. gentlemen opposite during the last two months. What have we learned in regard to the future? We have learned that labour has to be protected. We have been told that we should not permit the importation of the pauper labour of Europe into this country, but that we should stop it at the custom-house, in order that the artisans of this country, as we have heard the phrase used from the Treasury benches, should have the benefit of the Canadian market. But the hon. member for East Toronto (Mr. Coatsworth) has stated that certain classes may be protected, and even should be protected, if contractors for public works import pauper labour. The hon. gentleman has said, and properly said, that according to his doctrine, if it was wrong to bring into this country the products of the pauper labour of Europe it was equally wrong to bring in the pauper labour of Europe itself. Contractors, however, import Chinese and Italian labour, which comes in here and works for half the rate of wages demanded by native labour, but hon. gentlemen opposite have pointed out that if it is wrong to admit foreign pauper labour, it is equally wrong to admit the pauper labour itself, and so far they are consistent with themselves. What have the Government to say to this, according to their own doctrine, because, after all, the only point made in favour of the motion of the hon. member for East Toronto (Mr. Coatsworth) in so far as regards practical results, is that contractors have brought in Italians and Chinese and other foreign labour and inferior labour to compete with the artisans of this country. The need of Canada to-day is population to settle the wild lands of this Dominion. There is no necessity for importing artisans. We have all the artisans we want. After all there is truth in what has been stated by some hon. gentleman, I think, especially by the hon. member for East Grey (Mr. Sproule), that trade matters tend to regulate themselves, and that the less we interfere with labour the better it will be for the country at large; and, therefore, the proposition of the hon. Minister of Public Works was the correct one, namely, that this proposition should not be entertained by the Government because it would be an interference with the laws of trade and commerce, and the less those laws are interfered with the better for the community at large.

Sir JOHN THOMPSON. The difficulty which has prevented the leader of the Opposition from supporting the motion for the

Mr. LAURIER.

adjournment of the debate is intimately associated with the difficulty experienced by many of his friends whenever they discuss any question whatever, no matter how remotely connected with or entirely disassociated from questions of trade and commerce and the question of free trade and protection: they think there is something to illustrate their story and adorn their tale in everything that transpires in this House. There is much indeed in this discussion that has afforded new light to the House, but that light has dawned on hon. gentlemen opposite when they found that the country which has set itself against the world in championing free trade, has adopted this clause which embodies a strictly protective principle.

Mr. LAURIER. It is a surprise to the Government, as expressed by the Minister of Railways.

Sir JOHN THOMPSON. It is not at all a matter of surprise to the Government. It is to meet an evil that has grown up in that country from which hon. gentlemen opposite draw their trade views, and which is the immediate product of the free trade principle which free traders in England and elsewhere think should be enforced in various ways except in the one cold and material way of adopting the principle of protection and not relying on its practice alone. The same principle of protection, applied although not adopted, is enforced against the products of foreign countries and to the cattle of this country, and here hon. gentlemen opposite are the same time the most rigid protectionists in the world and the most ardent advocates of free trade. But I think hon. gentlemen opposite are mistaken altogether with respect to the purpose of the resolution and are, therefore, opposed to the motion to adjourn the debate. It is not with a view to protect the artisans of the country against pauper labour that this resolution is proposed, as I understand from the argument of the hon. gentleman who has moved it. On the contrary, what is objected to, and what is challenged by the members of the Government who have spoken with regard to it is this: That it endeavours to apply the protectionist principle, not in its broad sense, to the country as a whole, but to each particular locality in the country. That is precisely the fallacy into which hon. gentlemen opposite are always falling when they discuss the principles of free trade and protection, because they always try to reduce it to an absurdity by saying that if protection is good for Canada, it ought to be good for Toronto and Montreal as against each other. Therefore, instead of this discussion having developed any departure from the principles which are held with regard to trade and commerce, on this side of the House, it has only illustrated the absurdities on which gentlemen opposite

have, from day to day, contested these principles. The proposal to adjourn the debate, which I venture to think is a reasonable one, is based, to some extent, on this proposition: There are certain classes of contracts in the mother country to which the resolution is peculiarly applicable; principally contracts in relation to supplies furnished the Imperial Government, and which are not so much in relation to the construction of structures, wharfs, breakwaters, public buildings, &c., which are the principal classes of our public works in Canada. In the old country, an enormous proportion of the contracts which are let by the Government are for the supplies of clothing and saddles, and everything of that description, to the army, to the navy, and to the reserves. In relation to the furnishing of these supplies it had been established, or it was supposed to have been established, that the sweating system applied in the direction of reducing the cost to the contractor, and to check that evil, the resolution was adopted by the Imperial House of Commons. The hon. member for York (Mr. Mulock) told us to-day that the sweating system existed in Canada. If it exists in any considerable proportion, especially if it can be apprehended that that evil exists in the supplying of goods to the Government under contract, this resolution undoubtedly ought to be adopted for the same reason as led to its adoption in the mother country. That statement, however, is seriously challenged, and it has never been established, at any rate. The contention made this afternoon, that a system for establishing a current rate of wages, exists not in one locality merely, but in many localities in this country, deserves the attention of the House and of the Government. For these reasons, and notwithstanding the observations of the hon. the leader of the Opposition, I venture to support the motion for the adjournment of the debate.

Mr. MILLS (Bothwell). The speech of the right hon. gentleman does not at all reconcile the difference between the observations addressed to the House by the Minister of Public Works, and the observations addressed to the House by the Minister of Railways and Canals. The hon. Minister of Public Works pointed out very clearly what his objections were to the resolution, but the Minister of Railways had not sufficient light on the subject, and he wanted further information, and with a view of obtaining that further information, he proposed the adjournment of this discussion. Whether the Government proposes to take any action immediately following the adjournment of this debate or not, we have not been told either by the hon. Minister of Public Works, or by the right hon. gentleman who leads the House. The Prime Minister and the mover of this resolution have both, it seems to me, overlooked some important differences between the condition of the labourer in the

United Kingdom and the condition of the labourer in Canada. When you once establish the principle that men are not free to contract, that the one party is absolutely at the mercy of the other, and must accept such terms and conditions as the other may offer, then, I think, it is a recognized rule in political economy that the state may interfere and undertake to fix the rate of wages on certain equitable principles, such principles as are recognized by a court of justice in undertaking to settle disputes between contesting parties. That rule was recognized in undertaking to fix the rents in Ireland. It was upon that ground, wisely or unwisely, as hon. gentlemen may think, that the Parliament of the United Kingdom undertook to deal with the question of rents. They said: That the tenants had no means of subsistence which would enable them to resist any proposition made by the landlords, and so, that Parliament was entitled to intervene and to fix a fair rate for the use of the soil, when the tenants were not themselves in a position which would enable them to contract freely. The resolution proposed in the House of Commons by Mr. Burns, and carried, was not a resolution relating to that kind of contract which has been spoken of by the First Minister, because it applies to the ordinary contract of labour, as well where the labourer was engaged by the state as by another party. But, Sir, that case is a somewhat different case from the one which we have before us here. Now, the right hon. gentleman has addressed to this House earlier in the session, and in former sessions, this argument: That the people of this country were all in a prosperous condition, that the labourer no less than others was in prosperous condition, and that the alterations in the tariff which the First Minister says has been imported into every discussion, was intended specially to protect the labouring classes from the consequences which would result from freer trade. We have pointed out over and over again, that in order to secure the object which the hon. gentlemen have in view, or profess to have in view, it was not only necessary to increase the cost to the consumer of the articles which are imported from abroad, and which are the product of that cheap labour abroad, but it was equally necessary to put restrictions upon the importance of labour in this country, so that, by making labour scarce, the value of labour might be kept at a high figure. The hon. gentlemen, therefore, in logically following out their policy, are forced into a position to keep this country a country with but few inhabitants, to see that the population is sparse, and that those who are without capital and who live by their daily labour shall be few in numbers, so that labour will be in large demand, and, in consequence of that demand, will be enabled to command a high price. The hon. gentleman (Mr. Coatsworth) does not

propose to meet that condition of things logically and boldly on the lines which he has adopted with regard to the imposition of high duties. He proposes that so far as labour is devoted to public works and undertakings, so far as the labour employed by public contractors is concerned, that this House shall exercise a surveillance over that labour, and see that the parties shall receive the current rate of wages, whatever that current rate may be. But the hon. member for Glengarry (Mr. McLennan), who has had a large experience in this matter—and whose observations are characterized, it seems to me, by good sense—has pointed out that the rate of wages depends largely on the locality, and that until you have the experience which arises from the actual employment of labour in the locality, you cannot say what the rate of wages ought to be. That being so, it would be quite impossible under any circumstances to enter into any public contract with the Government beforehand for the construction of any public work, except at a very high figure, such as would protect the contractor against the possibility of being bankrupted by the very high rate of wages that might be demanded. Now, it seems to me that the course taken by the Government is not a courageous one, or one in the public interest. To speak of what has come under my own observation, I know that the demand for labour in the rural districts has greatly decreased, and it has decreased largely because the rate of wages is very nearly what it was ten years ago, when the price of every farm product was higher than it is to-day. The result is that the farmer cannot afford to employ labour, and has to devise other means of carrying on his agricultural operations; so that a very large number of persons who were formerly employed as labourers in the rural districts, have been left without employment, and have left the country. I give that as an illustration of what has happened in the rural districts, and I venture to say that if the hon. gentleman were to attempt to carry out this policy, instead of letting the matter regulate itself by the law of supply and demand, he would find that the only effect would be to so hamper all public works that their construction would be secured only at a very high figure, and in many cases would not be undertaken at all—though, if they were carried on upon the same lines as public works have been for some time, this would be an advantage. But the effect, so far as the labouring classes are concerned, would be to leave them without any public employment, and to diminish their numbers in all the large centres of population. Then, the hon. gentleman, if he were to act on the principle of his resolution, would be obliged to go further. I remember reading not long since of an association meeting in the city of Philadelphia, where it was maintained that a man with a weak physical frame, although he could

do less, perhaps not more than half as much as another man of a much stronger and more vigorous constitution, was entitled to the same rate of wages, because the insufficiency of his strength and his inability to perform as much labour was not any fault of his own—because he was doing the best he could, and he ought to have the same chance in life as the stronger and more vigorous neighbour.

Mr. INGRAM. What organization was that?

Mr. MILLS (Bothwell). I forget the name of the organization; but the meeting was in Philadelphia, and their proceedings have been published in book-form. The hon. gentleman, I suppose, would insist that he, as a professional man, should have the same compensation that would be given to the hon. member for North Simcoe (Mr. McCarthy), or that the hon. member for North Simcoe ought not to be entitled to more than he himself receives. And so, if you were to carry out that rule with regard to every calling and profession in life, I fancy that all classes would be very much worse off than they are at the present time. Looking at the speech which the hon. gentleman made in this House not very long ago, it seems to me that this is an attempt to correct a mistake which he made on that occasion, and that in addressing the House on this subject he has sought rather to conciliate those whom he offended than to secure the adoption of his resolution by the House. The Government have come to his rescue by declaring that the debate shall be adjourned, and that the House shall express no opinion on the subject. The hon. gentleman is relieved from the embarrassment of his position by what he himself has said and by what the Government propose to do for him, while the Government have not the courage of their convictions with the exception of the hon. Minister of Public Works, who said what he did because he could not very well help himself.

Sir CHARLES HIBBERT TUPPER. What do you think about it?

Mr. MILLS (Bothwell). I have said what I think. I have said that the law of supply and demand, it seems to me, regulates these matters better than they could be regulated here. I apprehend that if the hon. gentleman undertook to regulate the meat market of Ottawa for the next few months, there would be a good many occasions when he would go without his ordinary breakfast steak, or when a large amount of meat would be spoiled in the market. These things, if left alone, regulate themselves, and do so with great accuracy; and so it seems to me it would be in this case. There are no doubt many cases where, as my hon. friend pointed out, an employer of labour undertakes to pay the labourer much less than he is entitled to; but there are cases when the employer of labour is obliged to

Mr. MILLS (Bothwell).

pay more than he can well afford, and consequently abandons the employment of labour for the time being. Wages will go down in the one case, and will go up in the other. Our position here is altogether different from that of the United Kingdom. Labour here is not reduced to that helpless condition that it is there. The labourer here is free to contract: he can refuse to enter into a contract if he is not adequately remunerated, and if he considers his remuneration insufficient he can abandon any engagement whenever the opportunity arises. So it seems to me there has been no case made out to-day for the interference of the state.

Mr. DAVIES (P.E.I.) Mr. Speaker, the proposition of the hon. Minister of Railways practically carries out the request made by the hon. Minister of Public Works, that the resolution should be withdrawn. This is, of course, the last we shall hear of it this session: the motion is made to burk it, and the hon. member for East Toronto clearly understands of course that it is effectually burked for the rest of the session. But a point has been referred to incidentally in the discussion which I conceive to be a matter of far greater importance than the subject of the resolution itself, that is: the question whether labourers on Government contracts should not be protected in the payment of their wages by some clause inserted in the contract.

Mr. HAGGART. There is a Bill before the House in that direction.

Mr. DAVIES (P.E.I.) In the Maritime Provinces several years ago very grievous and serious injuries and frauds were practiced on the labouring men and upon those who sold supplies to contractors for the construction of railways in those provinces. It is all very well to say that the labourer ought to know and ought to see that his employer is a solvent man, and that his wages shall be paid. That does very well in theory; but in practice, a contractor for a large Government work advertises for labour, and men flock to the spot from points hundreds of miles distant and are put on the work. They do work which the public receive the advantage of; and, public moneys being used to pay for that work, reasonable means should be taken in drawing the contract to provide that the workmen shall be paid. There is no difficulty in doing that. There is always a large sum of money retained by the Government as security for the performance of the work by the contractor. That sum might be increased, or special provision might be inserted in the contract that if any workman or supplier of small supplies to the contractor or to any sub-contractor, no matter how many hands the money might go through, the Government should deduct it from the deposit, and pay it to the person to whom it was due. It should be a primary principle that the actual labour engaged in the construction of

any public work should be paid, and that the payment of his wages should be ensured beyond any reasonable doubt. It is unfair and unjust that a workman, after perhaps leaving his home, as I have known many men to do—I have known men to leave their farms in Prince Edward Island to work on a Government contract, thinking that because it was a public work, the fruits of his labour were secured beyond doubt, should find at the end of six weeks or six months that he had been engaged by a sub-contractor who was bankrupt and from whom he could not get a dollar of his pay. Hon. gentlemen who were in this House at the time will remember that some years ago, so grievous was the condition of things, the Government felt impelled to come to the relief of the labourers. I think it was in the case of what was called the New Glasgow Short Line. The Government felt impelled to come down to this House and ask for a grant of a large sum of public money to enable them to pay the workmen and the suppliers of small supplies along that road. There was an election coming on at the time, and to save themselves, the Government felt compelled by public opinion to take that course. But there is a better mode of meeting the difficulty. The Government should not be compelled to pay twice over, and there ought to be no difficulty whatever in inserting stipulations in every Government contract to ensure to the workmen engaged, payment at all hazards, of their wages. No matter whether the party in default was the principal contractor or the sub-contractor, or a tenth sub-contractor, the Government should retain sufficient money in hand to ensure payment to the workmen of their wages. This is a matter which, I believe, will receive nearly the unanimous approval of members on both sides, and I trust that the hon. gentlemen who are at the head of our great public departments will not lose sight of this in framing their contracts.

Mr. AMYOT. I may inform the hon. gentleman who has just spoken that the principle he advocates, which seems to be embodied in a Bill now before the House, under No. 69, has been already adopted by the province of Quebec. There a law has been passed to secure the payment of workmen. All that the labourer has to do is to file a notice to the proprietor of the work on which he is engaged, and that notice gives him a privilege on the work when constructed, so that the proprietor is obliged to pay his claim, or his property is subjected to a hypothec and privilege for the amount. And that principle, I am sure, will soon be accepted by this Parliament. It is only fair that those which do the work should be paid, and that law to which I have referred does not apply to Government contracts alone, but to all works. But between that and the resolution now submitted, there is a wide difference. This resolution provides that the workmen shall be paid a rate of wages at

least equal to the current rate paid in the locality. As has been said already, that does not provide who will decide what the current rate is; and we will probably see that this rate will be decided by outside parties, in all probability by the great unions in the United States, which order strikes right and left over the continent. We will be subjecting this country to the arbitrary dictation of the labour societies in the States. We will be submitting ourselves to the dictation of foreign societies, which have been created for the alleged purpose of giving security to the workingman, but have turned out to be ruinous to him. I will give an example. In the city of Quebec, some years ago, Parliament incorporated the Ship Labourer's Society. This society was established for the protection of the ship labourers, to ensure them against accidents, to enable the members to mutually protect each other. But it had also for object the prevention of the men working at too low a rate of wages. What has been the consequence? The direct consequence has been that, while at the time this society was incorporated the ship labourers of Quebec were numerous and earning good wages, as soon as the Act of incorporation passed, they took the law into their own hands and decided that instead of working for \$3 a day, they should be paid \$4 a day of 5 hours labour. The result was that the shipping interest, not being able to afford those wages, abandoned the port of Quebec, and to-day, instead of having that prosperous population of ship labourers in our midst, we have only a few, and those are starving through the fact that the shipping business has gone to other cities. If you countenance such organizations, if you put into the hands of some men who live out of the work of others, and who dictate absurd laws in these bodies, you will injure greatly, not only the labouring class, but every place where these societies take root. The principle advocated by the hon. gentleman would be a good one, if he were to say that an arbitration should take place between labour and capital, by which the rights of every one would be protected, and a proper rate of wages agreed upon. If we could organize a tribunal, which would, on a sound basis, decide what wages should be given, that would be all right; but in the shape in which this resolution is proposed, the rates will be decided, not by the labourers interested, but by those vast organizations, which are continually provoking strikes and disorder and riots, and which have the effect of driving away capital and disturbing the whole community. There is in this resolution a principle opposed to the basis and prosperity of society. Let the hon. gentleman find some means of arbitration to decide what should be the current rate, and his resolution will be worthy of support. I would, however, go a step further. I would say that any interference by legislation between capital and labour is very dangerous.

Mr. AMYOT.

We are sure of one thing, that when a man has a good contract, he will have to pay the ordinary rate of wages, for if he does not, he will not get men to work for him. I remember that when the contractors on a contract for Government buildings in Quebec were paying very low rates, a riot occurred. The Government interfered and ordered the contractor to add 20 per cent to the rate of wages. The contractor did so, for a few weeks. But it turned out to be a farce, because outside of these workmen who received 20 per cent addition to their wages, there were thousands only waiting an opportunity to work for less. So the wages on the work soon dropped to the current rate of wages. Therefore, thinking that the principle advocated by the hon. member for Toronto is a wrong one, because he gives to organized force undue power as against thinking capital, I shall vote for the adjournment, feeling confident that when the question comes up again the hon. gentleman will not insist upon his proposal.

Mr. MARTIN. With regard to the suggestions that have been made by several members in connection with this discussion as to a clause in the contract to protect the workingmen, I must say that I am quite surprised to find that it has not been the practice of the Dominion Government to insert such a clause in their contracts. I would point out, Mr. Speaker, that there is no necessity for any legislation, or even for a resolution of this House, in order to accomplish that end. It is quite within the competency of the Government, under the present law, to insert a clause in each contract which will give them the power to withhold from the contractors sufficient money to pay for all supplies and all labour in connection with the contract. I may say that it has been the practice of the Government of Manitoba for very many years past to insert such a clause in their contracts, and to carry it out, and in no case are any payments whatever made to the contractors until they satisfy the Government that all persons who have furnished material for the contract, or who have given their labour in connection with the contract, have been duly paid. As has been pointed out, there is no doubt that labourers and small merchants dealing with public contractors are placed at a great disadvantage in this respect. As the work is a Government work, and as the contractors, in many cases, are not known to the local persons who are dealing with them—the labourers and those who supply material—these latter naturally take it for granted that the contractors are worthy of credit, and feel no concern at all as to getting paid. Particularly is a clause of this kind necessary under the practice which prevails with this Government of giving contracts rather to a favoured few, than under public competi-

tion, for the result is that in nearly every instance, the Government work is not done by local men, but by men who come in from the outside, and who are unknown to the local persons. A very large amount of money is often lost through the failure of contractors to meet their obligations, and the insertion in contracts of such a clause as has been suggested, does not interfere with the general laws of trade. It is very difficult, indeed, for me, even after the explanations of the hon. the First Minister, to distinguish between the principles which underlie protection proposed by this resolution from those which underlie protection in trade and commerce. It has been very refreshing, indeed, Mr. Speaker, to hear the sound principles enunciated by hon. gentlemen opposite who are so firmly attached to the doctrine of interference with the natural laws of trade in another form of protection. It is difficult to see what difference there is between undertaking, by legislation, to regulate the rate of wages, and undertaking, by legislation, to provide employment. The proposition underlying the National Policy is that the goods consumed in Canada should be manufactured in Canada in order that employment may be given to Canadians. Under this resolution, it is proposed that the work paid for by the Dominion of Canada shall be paid for at a rate fixed by legislation. It does seem to me, Mr. Speaker, that in both propositions the same principle is involved. A question naturally suggested by this discussion is this: Why is it necessary to propose any such protection as this for the workingmen of Canada? If the claims—I will not say the prophecies, but the claims—made on behalf of the National Policy are correct, and if it is the fact, especially in the city of Toronto, than which no other place in Canada ought to reap greater benefits from the National Policy, that manufactures have been established, if the manufacturers are looking for men, and if the kindred employments which go hand in hand in a prosperous community are prosperous, if building is active and progress is seen on every hand, then, as has been pointed out, surely the employers of labour ought rather to come here and ask for protection of this kind, so as to enable them to secure workmen without paying too much for them on account of the demand for labour exceeding the supply. This resolution is a practical admission on the part of the hon. member for East Toronto that his claims in this House as to the success of the National Policy do not correspond with the facts as shown by the actual state of affairs in the city of Toronto to-day. I remember very well that it was one of the great causes of complaint against the Mackenzie Administration—and if I did not remember it I should be reminded of it day after day by hon. gentlemen in their speeches in this House—that the Government were not

able to formulate a policy that would ensure employment for the people. It was charged that there were idle men in the cities from one end of the country to the other. It was charged that, in Ottawa, there were large numbers of idle men, and a very large delegation was promoted by the Conservative party as a campaign dodge, to call upon the Hon. Alexander Mackenzie to demand work. I say that was done, not because the men were specially out of employment, although there is no question that times were dull and that employment was scarce, but it was made a party question, it was a party measure that this large delegation should be sent up to the department in order to demand employment from the Government. Again, in this very city of Ottawa a soup kitchen was established by the Conservative party as a means of advertising the fact to the world that times were hard in Canada, and that the Government were unable to improve them. Now, Sir, I have no hesitation whatever in saying that if the Liberal party to-day were as unpatriotic as the Conservative party of that day, and were desirous of bringing this Government into disrepute at the expense of the country, they could at this very time show as much lack of employment in Canada as existed at that time, and could show quite as much reason to establish soup kitchens. I can say, Mr. Speaker, that the soup kitchens that were in operation in Canada during the past year were not established by the Liberal party as a campaign measure, they were established by charitable people. I can point out a city with which I am very well acquainted, in which a soup kitchen was running all last winter, not merely a soup kitchen, but an institution in which substantial meals were provided for the unemployed, not by the Liberal party, not as a campaign dodge, but as a matter of charity.

Some hon. MEMBERS. Name.

Mr. MARTIN. If we desired to go into those matters—

An hon. MEMBER. Toronto.

Mr. ROBILLARD. A soup kitchen was running in Ottawa for the last four years, established by a Liberal, and we bought him out.

Mr. MARTIN. When the hon. gentleman says "we bought him out," does he mean the Conservative party?

Mr. ROBILLARD. We bought it out because there was no need of it.

Mr. MARTIN. I can quite understand that the Conservative party should be very jealous of anybody else engaging in this business which they have appropriated to themselves. The city I referred to was Winnipeg. I may say the difficulty, so far as the North-west is concerned, has been that for many years past they have sent a class

of representatives here who have considered it their duty to represent things in the Northwest, not as they actually were, but as the Government desired that they should be represented. The people of Winnipeg, for a change, have sent a representative here who undertakes to state matters exactly as they are, without any regard to political effect, or anything of that kind. So I say that when we look back at the agitation with respect to hard times in Canada since 1878, we see with what prodigious effort the Conservative party enlarged and magnified our national ills before that period, in order that they might reap a political advantage therefrom, and as I say, actually starting a soup kitchen in this very city for mere political effect, in order to advertise the fact that there were unemployed men in the city, in order to emphasize the fact that times were hard in Canada; and now we find the hon. member for Toronto (Mr. Coatsworth) bringing in this question before the House, and I say his motion involves the statement that there is at the present time a great deal of distress in Canada, especially in cities like Toronto, a distress which the hon. gentleman himself has no hesitation in proclaiming to the country.

Mr. COATSWORTH. Will the hon. gentleman state any case of distress that I have brought before the House?

Mr. MARTIN. His resolution is a wail.

Mr. COATSWORTH. It is distressing to my hon. friend, I suppose.

Mr. MARTIN. Supposing that Toronto were in the midst of great activity, supposing that the National Policy had brought to Toronto all that was promised for Toronto on its behalf—

Mr. COATSWORTH. So it did.

Mr. MARTIN. Then I would imagine that if a city were in the midst of great prosperity, if works of all kinds were going on, if private dwellings were being erected on all sides—

Mr. COATSWORTH. Let me tell the hon. gentleman that the population of Toronto has doubled and nearly trebled since the National Policy was inaugurated.

Mr. MARTIN. I know that the population of Toronto has considerably increased, but when we look at the census of Canada we find that the population of the country as a whole has not increased. Then when we come to ask the reason why Toronto has increased, we find the answer in the fact that hundreds of towns and villages that were prosperous in 1878 have actually gone backwards, and the people who formerly lived in those towns and were earning a living under favourable circumstances—

Mr. COATSWORTH. The hon. gentleman says hundreds of towns and villages have gone back. Can he give us a list of them?

Mr. MARTIN.

Mr. MARTIN. I could, if I had time.

Sir JOHN THOMPSON. Give him time.

Mr. COATSWORTH. Can you name any of them?

Mr. MARTIN. All I would have to do would be to get a copy of the census and read it. I could take up considerable time reading from the province of Ontario, and then if I had not completely satisfied the hon. gentleman in reading the list of towns and villages in Ontario that have been depleted of their population, who have gone to increase the people of Toronto, then I could go into the Maritime Provinces and I could keep the hon. gentleman amused for a considerable time showing him how those provinces have been depleted; but unfortunately, instead of their people going into the cities of the Maritime Provinces, they have gone into the States to swell the population of American cities.

RETURN ORDERED.

Copies of all correspondence, petitions and memorials in relation to the reduction or abolition of the duties on Canadian tobacco, or in relation to any possible changes in the Inland Revenue laws in that behalf.—(Mr. Brodeur.)

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

After Recess.

BRIBERY AND DISFRANCHISEMENT.

Mr. WELDON moved third reading of Bill (No. 6) to disfranchise voters who have taken bribes.

Mr. AYMOT. I desire to draw the attention of the mover of the Bill to the schedule appended. It is not complete. Hon. members will recall the fact that the Bill was amended so as to provide that the court shall not hold an inquiry unless it is satisfied that extensive corruption has prevailed. There should be incorporated in the petition some statement of facts as to how the corruption prevailed, whether by the distribution of money, liquor or by intimidation, and particulars in a general way should be furnished; otherwise a judge would never be satisfied.

Mr. WELDON. The question raised by the hon. member for Bellechasse (Mr. Amyot) was discussed very fully when the Bill was in committee, and it was pointed out by hon. members defending the Bill that it was quite impossible to ask for a full statement of particulars. The whole purport of the Bill is to fish for evidence—it purports to be a measure of discovery.

Mr. AYMOT. I do not propose that we should give the details, but that a general idea as to the nature of the corruption and the place where it is practiced should be

given. The petition at present does not suggest that any particulars whatever should be furnished.

Motion agreed to, and Bill read the third time and passed.

LORD'S DAY OBSERVANCE.

House again resolved itself into committee on Bill (No. 2) to secure the better observance of the Lord's Day, commonly called Sunday.

(In the Committee.)

Mr. CHARLTON moved that the first section, as amended, be adopted.

Sir HECTOR LANGEVIN. I do not think the word "letters" should be included in the clause as amended, for the Bill has nothing to do with letters.

Mr. DEPUTY SPEAKER. The clause as amended can only be changed by adding words to it.

Mr. CHARLTON. I hope the fact that the word "letters" appears will not be permitted to prejudice the chance of the passage of the section. The intention is to prevent the circulation of newspapers.

Section, as amended, agreed to: yeas, 41; nays, 21.

On section 2.

Mr. CHARLTON. I move the adoption of this clause.

Mr. HAGGART. I move that the clause be struck out and substituted by the following:—

No canal belonging to the Government of Canada shall be operated for traffic on Sunday, except from the hour of midnight on Saturday until 6 o'clock in the morning of Sunday, and from and after the hour of 9 o'clock at night on Sunday. In the case of urgent necessity arising from the pressure of business caused by the interruption of traffic, or the approach of the close of navigation, the foregoing provision may from time to time be suspended or varied by Order of the Governor General in Council; but no such Order in Council shall continue in force for a longer period than from four weeks of the making thereof.

Mr. CHARLTON. This amendment, although not one that I would propose or not one that would be fully satisfactory to those in favour of this Bill, is nevertheless one that I feel bound to accept because it is a very material concession on the part of the Government. I shall not offer any objection to the adoption of the amendment.

Sir HECTOR LANGEVIN. I wish to call the attention of the Minister of Railways to the case of our canal at the Sault Ste. Marie. Will our canal on the Canadian side be closed for traffic under this clause while on the other side the Americans will have their canal open? Is it customary for the United States authorities to allow traffic on Sunday through the American canal?

Mr. SPROULE. Yes; they go through all the time on the American canal.

Sir HECTOR LANGEVIN. If that is the case, and if the traffic is going on all the time through the American canal, they will have a very decided advantage over us.

Mr. SPROULE. It seems to me that this clause is very objectionable when applied to the canal of which the hon. gentleman has just spoken. It frequently happens, in the long trip between Collingwood and Duluth, or between Port Arthur and Collingwood, or Owen Sound, that boats are obliged to pass through that canal on Sunday; and if this clause passed, they would either be compelled to tie up at the wharf, or they would go through the American canal. They would not stop, because carrying through freight from China or Japan, which has come over the Canadian Pacific Railway, these boats are accustomed to pass through the canal on Sunday as on other days. Then, I understand that the Americans have the use of some of our canals, and it appears to me questionable whether we would have the right to prevent the Americans using them on Sunday as they are entitled to do at present I believe under treaty arrangements. If you prevent boats passing through the canals on Sunday, it seems to me you should go further and tie up every boat or tug plying in every harbour in Georgian Bay or other Canadian waters on Sunday. The promoter of the Bill should stop his own boat from plying on those waters on the same principle on which he would close up the canals.

Mr. HAGGART. I may be mistaken, but I think it is at present the law that no canal boat shall pass through any canal, except under such conditions as are mentioned in the amendment, the Governor in Council having the power to regulate the matter. I think the Act is declaratory, that no traffic shall occur on any of the canals on Sunday.

Sir HECTOR LANGEVIN. If this Bill passes, will it not supersede that? Would it not be better to provide in this Act that that traffic will not be interrupted? Of course, I speak for no special interest; I speak only as a Canadian, not wishing the trade of the country to be impeded by this measure. Of course, it is a laudable thing to observe the Lord's Day, but we must not injure the trade of the country.

Mr. SPROULE. It may be that the law at present will close the Canadian canals; but the American canal I refer to has been made use of by Canadian boats for years, and I have no doubt it will continue to be in future. The Canadian Pacific Railway boats come down with both passengers and freight, coming, it may be, from the far west, or only from the prairie province, and I have no doubt that if the Canadian canal is closed to them, they will pass through the American canal so as to reach their destination as soon as possible. They frequently come into Owen

Sound on Sunday as on any other day in the week, and immediately on their arrival a train is despatched and the passengers sent on.

Mr. CHARLTON. Neither the promoter nor any friend of this Bill will attempt to deny that the closing of the canals or the prohibiting of any kind of work on Sunday will interfere with the ordinary current of business. The Bill proceeds on the assumption that English law and English usage recognize the Lord's Day—recognize the principle of securing to the subject his right to rest on that day; and recognizing that right, this Bill proposes to give the lock tenders and the other employees on the canals, an undisturbed Sunday, from six o'clock in the morning until nine o'clock in the evening, the Government reserving to itself the power to permit business under special conditions, such as a break or the pressure of work at the close of the season of navigation. I do not think it is any argument against the closing of the canal on the Canadian side that the canal on the American side is open on Sunday. I do not suppose that we are to copy the Americans in the desecration of the Lord's Day, or in anything else. They may copy us if we set them the excellent example of closing our canal on the Lord's Day, while they, for the sake of godless traffic or worldly gain, leave theirs open. With the two canals in juxtaposition, I think the advantage and the gain will be very greatly ours. I certainly would be very proud of my country if I could point out that on the Canadian side the Lord's Day was observed by the decree of the Government, while on the American side the desecration of the Sabbath, and the stream of traffic went on uninterruptedly. I think no possible hardship can be worked if the Government assent to this Bill, which makes no material change in the condition of things now in force.

Mr. SPROULE. The hon. gentleman seems to lay a great deal of stress on the force of good example. Would it not be as well for him to begin his charity at home by stopping the running of his tugs on the Lord's Day? I do not understand that he has made provision for stopping railway trains carrying through passengers; but he proposes to close a canal between two great lines of railway, carrying through traffic from the west to the east. The boat only takes what the railway had, and you stop the boat while you let the railway train run. If you stop the boat, should you not on the same principle stop the railway train? You let one run because it is carrying through traffic, and you stop the other, though it is carrying the same through traffic.

Mr. TAYLOR. If I understand the amendment, it legalizes work on the Sabbath day up to six o'clock in the morning, and after nine o'clock in the evening, while the Ontario Act prohibits any kind of labour on the Sabbath day. I do not see why this Par-

Mr. SPROULE.

liament should pass an Act overriding the legislation of Ontario by legislating labour on the Sabbath day. I think it is better to leave legislation of this kind to each of the provinces, which I presume will follow in the wake of Ontario and make it illegal to do any kind of work on the Sabbath day. This being the view I take of the amendment, I shall certainly vote against it.

Mr. MILLS (Bothwell). If that amendment were adopted, you would have to adopt an Order in Council applicable to every canal work, whereas you might want to keep a certain canal closed and open another one, as a matter of necessity. At the same time, you want a larger discretionary power in the exercise of a larger authority by the Governor in Council.

Mr. HAGGART. There are some canals to which the Order in Council need not apply, and they could be named in the Order in Council.

Mr. MILLS (Bothwell). I do not think so, under the section as drawn.

Mr. CHARLTON. Yes, it says "any canal."

Mr. AMYOT. By this Bill we claim jurisdiction in religious matters. I have objected to that already, but being in the minority, I can do nothing but submit for the moment. In the second place, by this Bill we assert that Sunday is the Lord's Day. I have already given the name of a very respectable religion which holds the contrary view, and I challenge the mover of the Bill to show where in the Bible he finds that Sunday is the Lord's Day. I quoted the Old and New Testament against the hon. gentleman's contention. Will he allow this opportunity of answering the challenge to pass—he who is the champion in this House, the athlete, fighting in favour of a principle? Will it be said all over the Dominion and the world, that a member of the Legislature in this House could not find in the Bible any text to authorize his assertion that Sunday, or the first day of the week, is the day chosen by our Lord for a day of rest. It is all very well for the hon. gentleman to remain silent, but he thus gives a victory to his adversaries. The Seventh Day Adventists will cast up at him, wherever he may be, that he was not able to defend himself against one who is not a member of his religion. I have proved by the Old Testament that the Sabbath is on Saturday, and not on the Sunday, that God did not rest before his work was done but after it was done, and I have challenged him to find any passage in the New Testament where the Son of God gave orders to celebrate the first day of the week instead of the one chosen by His Father. I challenge the hon. gentleman in the name of the Seventh Day Adventists and of the Jews, to reply. Is he impotent? It is all very well for hon. gentlemen to laugh, but there is the weak point, and if he is not able to

answer it must be said that the champion in this House, advocating the keeping of the Lord's Day, could not furnish any good ground for his advocacy. As I have said, by this Bill we are assuming to have jurisdiction in religious matters. I contend that it is the provinces, and not this Parliament which has such jurisdiction. In the second place, while the hon. gentleman asserts that the work on the Lord's Day is against the law, by this amendment, to which he consents, he says: the law of God is all very well, but we will not follow it whenever we think it is not in our interests to do so. God said: You must observe the whole of Sunday. That is all right, but we will cut the day short, and take from the Sunday the amount of time required for our business, and the Governor in Council will have the power, four weeks in advance, to say that three weeks hence there will be such a press of business that we will have to disobey the law of God and let prevail the law of man. For my part, I am against all this legislation. I believe that it is not our duty here to occupy ourselves with religious legislation. That has been left to each individual. Each individual has the right to worship his God as he thinks proper, provided he does not interfere with the liberty of any one else. Then, as a civil matter, this legislation belongs to the provinces. Our constitution on that point is clear, and I protest against our submitting to the narrow theories and strict tendencies of certain sects in the community. But if, in spite of the constitution, we are going to legislate to prevent work on the Lord's Day, then I say, enforce the celebration of the whole of Sunday and not a part of it.

Mr. SPROULE. It seems to me there ought to be some provision made for through traffic in this as well as in railways. At the end of the next clause it is provided:

Through passenger trains with their necessary connections shall be permitted on any trunk line in Canada.

This is one of the great through trunk lines of the waterways in this country, carrying passengers and freight, just the same as railways, and if it is wise to allow freight and passengers on through lines to pass over railways on Sunday, it is equally advisable to show a similar privilege to vessels passing through the canals on Sunday, as they do regularly, because they cannot leave either Port Arthur or Owen Sound on a Saturday without the necessity of passing through the Sault on Sunday. And if they cannot pass through the Canadian canal, they will pass through the American canal, because they are not likely to stop their traffic if they can take another route.

Mr. MASSON. Before the amendment is put, I would ask that still further exception be made with regard to the hours. The time in which the amendment would allow ves-

sels to pass through the canal would be of no benefit at all, so far as traffic on Lakes Superior and Huron are concerned. These two lakes, united as they are by the St. Mary River and the Sault Canal, carrying the largest inland marine on the continent—to stop this connecting link between the lakes from the hours of daylight on Sunday morning until dark on Sunday evening, would mean stopping it, as far as commerce is concerned, for the whole twenty-four hours or more. Vessels cannot go up or down that river at night. They have to move up or down in the daytime. Therefore if a vessel does not get there until six o'clock at night, she might as well lie there until daylight the next morning. Therefore the delay of these hours in the daytime will cause a greater delay than is experienced on any other canal in the country. I would, therefore, ask that the hours, so far as that canal is concerned, be reduced, and that vessels should be allowed to go through, say from two to four o'clock or from two to six o'clock, so that those that are to go through may not be delayed.

Mr. McMULLEN. There is one feature of this Bill that, I think, commends it from a seaman's standpoint, and that is that though it has been before the House for two months, though it has been published in the newspapers, though it was up last year, and it was known that it was to come up again, though every sailor and every captain throughout the country has been made aware of its provision, and of the fact that it is before Parliament, not one single petition against the Bill has been received from any representative of the class most directly affected. The Government may have had intimation that there were objectionable features in the Bill from the standpoint of these men, but the House has certainly received none. The St. Mary's Canal is not yet completed, and it will take some time before it is finished. If it is found that the Bill operates very seriously against the general trade it can be amended—however. I must say that I am opposed to opening the canal even though they continue to open the American canal. This Bill is intended for the very purpose of meeting a vicious system that has been adopted on the other side, of publishing Sunday periodicals, and the general disposition shown to disregard and set aside the Day of Rest which is gaining ground there. Now, we want, as a part of Her Majesty's Empire, to show them a good example, right along their own border. The Bill provides, therefore, to shut up our canal on the Lord's Day, even though they may allow boats to pass through theirs. My hon. friend from Grey (Mr. Sproule) objects that because the Americans keep their canals open on the Lord's Day, we ought to keep ours open also. That argument might be presented in support of many other things. Take the case of Windsor. Many roughs go across the river on Sunday to get into the hotels there

because the hotels on our side are closed under the law of this province. The hon. gentleman might say that we are losing money, that these people will go and spend good Canadian money on the American side, because our hotels are closed, and our people will lose business to that extent. Would that be an argument for opening our hotels on Sunday? I think not. The Bill is in the right direction, and we ought to give it effect.

Mr. MASSON. I have never argued that because the Americans keep their canal open on Sunday, therefore we should keep ours open. My hon. friend from North Wellington (Mr. McMullen) is mistaken if he understood that to be my argument. But, suppose there is some weight in his argument of example, and suppose the Americans close their canal after we close ours. What will be the consequence? Large numbers of vessels will accumulate. Instead of passing through the canal and on to the lake, they will lie there and wait. All the seamen and passengers will be delayed. The example given by the hon. gentleman shows us that they will go to the American side of the river where, at the present time, the saloons are open on the Lord's Day. A number of sailors will be delayed for hours when they might be passing their vessel through. Does the hon. gentleman suppose it would be possible to keep all these men sober on the Lord's Day under these circumstances? Would he not, by keeping the canals closed, and staying traffic, be doing much more harm than would be done if the canal were open for two or three hours in the afternoon to allow boats to get through?

Mr. DUPONT. (Translation.) Mr. Chairman, I think the discussion which has taken place on this Bill is out of order, inasmuch as the Bill itself is unconstitutional. It is evidently contrary to every principle which must guide Parliament in its legislation. I vainly seek in the British North America Act a provision which empowers the Dominion Government of the House of Commons to introduce and pass laws such as the one proposed by the hon. member for North Norfolk (Mr. Charlton). The British North America Act contains twenty-nine subsections in which are defined the legislative powers of the House of Commons, and I cannot find in any of them any authority to take any notice of a Bill such as this. If I look into the chapter of the powers conferred to Local Legislatures, I find several subsections relating to the legislation with which we are now dealing, and, therefore, if we should decide to pass a Bill such as this, we might as well say at once that we can legislate on any matter coming under the control of Local Legislatures, according to the constitution. In the matter more expressly retained under the whole British North America Act, there is no control of the Local Legislatures than the

Mr. McMULLEN.

civil rights of the individuals, the rights of the municipalities to control the police in their limits and the right of the province to control local undertakings. Every clause of this Bill is an offence against these prerogatives of the Local Legislature. I am astonished to see that the members of the Government and the leading members opposite—who often set up for champions of provincial rights—do not raise their voice against such an encroachment. For my part, I deem it my duty to protest against any such Bills which are so many steady encroachments upon the powers of the Local Legislatures. The British North America Act provides that the municipal institutions, the civil rights and generally all matters of a merely local or private nature shall come under the control of the provinces. Now, no matter is of a more local kind than the control of railways in the limits of a province. It is so much so that even the properties held by the railway companies under the control of the Dominion Government are, as concerns their management, subject to the rights of the various provinces through which they run. I, therefore, wish, once for all, that the Government and the leading members opposite should decide on this matter. In the provinces, and especially in the province of Quebec—as known by the hon. members who represents this latter province in the Government—this Government are constantly charged by the press and jurists of the highest authority with encroaching upon the powers of Local Legislatures; and they contend that it will not take many years before the action of the Legislatures will come to naught, they contend that it is a want of good faith on the part of the Dominion Government towards the province which allowed themselves to become part of the Dominion. I hope that the learned jurists who are at the head of the Government as well as those who lead the Opposition in this House, will apply themselves, at this very session, to put a stop to such attempts and confine this House within their proper limits by not allowing it to secure all the legislative privileges exclusively reserved to the province by the British North America Act. I recently met learned jurists, distinguished judges of the province of Manitoba, who told me they were astonished to see how the House of Commons, the Government as well as the leading members of the Opposition, were allowing laws to be passed which were an outrage to the constitution and a violation of the privileges reserved to the province. I once more, Mr. Chairman, call the attention of the hon. gentlemen who have the control of this House to the fact that this Bill is quite unconstitutional and out of the jurisdiction of this House. As pointed out by an hon. member a moment ago, every province in the Dominion has laws with respect to Sunday rest. Notwithstanding that, this Parliament interferes and introduces a legislation which is exclusively

germane to the civil rights of the citizens of the various provinces. It interferes through new laws which are sometimes inconsistent with those of the various provinces, and which allow works, on Sunday, which are not allowed by the provincial laws. I hope, therefore, that no legislation will be passed here which should be inconsistent with provincial laws with respect to matters exclusively reserved to the provinces by the British North America Act. It is time we should put a stop to such a kind of legislation.

Mr. BERGIN. I do not rise for the purpose of offering any opposition to this Bill, but for the purpose of saying that, while I approve of many of its provisions, there are one or two points on which I differ from the promoter of this measure. The main object of the Bill, as the hon. gentleman has explained it to us, is to prevent the introduction into this country or the publication in this country of Sunday newspapers. I agree with the hon. gentleman quite heartily when he says that there is no more poisonous class of literature placed in the hands of the public than the American Sunday newspapers. They are, in a sense, directories of all the vile haunts in the great cities. They contain also full descriptions of the most disgusting and abominable crimes, and they familiarize the youth of the country, both boys and girls, with that which they ought not to know much of even when they reach maturity. They are incentives to vice, they are provocative of sin and provocative of crime. Therefore, I think that we ought to give that portion of the Bill certainly our most serious consideration and to assist the hon. gentleman in bringing it into force. The second clause of the Bill, that which is now more immediately under consideration, is one which, I think, might well be enforced during a great portion of the day. But, towards the close of the season, it would be very injurious to the best interests of this country and might be the cause of very serious loss to the shipper and to the trade generally if enforced in its present form. It is no light matter to stop vessels passing through the canal on Sundays in the latter part of October or the beginning of November. There certainly would be very large loss in demurrage to the shippers, and there would be very serious danger of vessels being caught in the ice in proceeding down the Gulf to the sea. At this moment, and during the last year, the canal regulations have been found to work very well. Vessels cease to pass through the canal at six o'clock in the morning and they commence again to pass through at nine o'clock in the evening. This is found to be a reasonable and proper rest for the lock labourers, on the Sunday, and I think my hon. friend would do well to fix the hour, as it is now, at nine o'clock.

Mr. CHARLTON. By the amendment before the House it is fixed at nine o'clock.

Mr. BERGIN. I do not think that any one can find fault with the third clause of the Bill—I know it is out of order to discuss clauses not before the committee, but I ask the indulgence of the House in order to say what I have to say while on my feet.

Mr. CHARLTON. I do not intend to proceed with the third clause. I shall be abundantly satisfied if I get the second.

Mr. BERGIN. As to the fourth clause—

Mr. CHARLTON. I shall drop that also.

Mr. BERGIN. I am glad of that, for I am not in sympathy with that clause.

Section, as amended, agreed to: yeas, 56; nays, 32.

Mr. CHARLTON. Now, Mr. Chairman, I feel very much gratified with the success the Bill has met with. I feel under great obligations to the First Minister of the Crown, and to many of his colleagues, for the absence of opposition, at all events, to the Bill, and I propose now to rest satisfied with what I have got. I think, perhaps, that it would be bad tactics and bad policy, at this juncture, to attempt to get more; so, with the permission of the committee, I will drop the third and fourth sections of the Bill. I presume we have hardly time to consider those sections fully at this stage of the session, and it might endanger the portions of the Bill that have been secured, to attempt to get more. With your permission, we will pass on to the fifth section of the Bill, which is necessary in connection with the first section, which is passed.

On section 5.

Mr. MASSON. Before that section is carried, I would call the hon. gentleman's attention to the fact that he only makes a partial provision for a breach of this Act, namely, that on summary conviction, certain things can be done. Now, the party moving against the offence, may not wish summary conviction, it is made an indictable offence, and he may take proceedings by indictment. What, then, will be the punishment? You have an indictable offence without any provision being made for punishment. The rule under the criminal code of 1892 is that the punishment may be seven years, and I do not think the hon. gentleman wishes such a severe penalty as that attached to this Bill. I think we should amend the clause so that in case of conviction on indictment, the punishment would not exceed six months, or a year at the very outside.

Mr. CHARLTON. We provide for one month.

Mr. MASSON. That is for summary conviction, not where you go before the grand jury by indictment, and have the person punished.

Mr. TAYLOR. Before this clause is adopted, I would like to understand just what clause one means.

Mr. DEPUTY SPEAKER. That was passed last week.

Mr. TAYLOR. I know it; but I do not understand it. As printed it says—

Mr. CHARLTON. I object to the hon. gentleman going back.

Mr. TAYLOR. I want to understand what we are voting on. We here make it an offence punishable by a fine of \$50, if I understand it, for any person to distribute a newspaper on the Lord's Day. Now, we have in connection with the Methodist Church, a newspaper called the 'Christian Guardian.' In many of the rural districts this 'Christian Guardian' is sent in packages to the clergy, and by them distributed on the Sabbath day at their preaching appointments. If this becomes law, each of these ministers, for distributing this newspaper, is liable to a fine of \$50—because I do not think there is an hon. gentleman on either side of this House who will say that the 'Christian Guardian' is not a newspaper. It makes no pretension to being a periodical. Now, any person who commits this offence under clause 1, is liable to the penalty provided by clause 5. The same remarks would apply to the 'War Cry' of the Salvation Army, which is a newspaper; and so it is with other churches in the country, whose newspapers are distributed only on the Lord's Day. I am not in favour of passing a clause making it a penal offence for a clergyman or any other person simply to hand over a newspaper to another individual. Clergymen may not do it in the town, but they do it in the rural districts. The people send in their subscriptions to the 'Christian Guardian' through the clergymen, and the papers are sent back to them in bulk, to be distributed. Therefore, I am strongly opposed to making it a crime to distribute this newspaper on the Sabbath day, and punishing the alleged crime by a fine of \$50.

Mr. SPROULE. I think that hon. members will see the force of the suggestion I made when we began the consideration of this Bill. I suggested that we should confine it to the distribution of secular newspapers, for these newspapers are supposed to be religious newspapers; they are newspapers in the common acceptation of the term, but contain religious literature. I think it is quite clear that this section, together with section 1, would punish a man for distributing these papers on Sunday.

Mr. CHARLTON. I rise to a point of order. All these points have been discussed, we have passed over the portions of the Bill the hon. gentleman is discussing.

Mr. TAYLOR.

Mr. DEPUTY SPEAKER. I think that in discussing the fines, hon. gentlemen may refer to clause 1. to which they relate, and that is why I did not stop the hon. member for Leeds (Mr. Taylor) and the hon. member for Grey (Mr. Sproule).

Section 5 agreed to: Yeas, 43, nays, 24.

Section 7,

Mr. MASSON. Surely the promoter will admit that if this Bill is to be worth anything, it must have public sentiment in its favour, and no doubt it has been introduced in deference to public opinion. If the Bill is demanded in the public interest, there is no reason why an informer need be bribed to take action by giving him half the penalty.

Mr. CHARLTON. It is an old adage that whatever is everybody's business is nobody's business, and public opinion will be quickened by the Bill containing this provision to have the law put in force. It was carefully considered by the committee to which the Bill was referred, and under ordinary circumstances it is a good provision.

Bill reported.

CRUELTY TO ANIMALS.

Bill (No. 4) to make further provision as to the prevention of cruelty to animals, and to amend the criminal code, 1892. (Mr. Coatsworth) read the second time, and considered in committee.

(In the Committee.)

On section 1,

Mr. COATSWORTH. The object of the Bill is to enlarge the sphere of the operation of the present law. Paragraph D of the code reads as follows: The expression "cattle" includes any horse, mule, ass, swine, sheep or goat as well as any neat cattle or animal of the bovine species, by whatever technical or familiar name known. The words added by the Bill are as follows: Mare, gelding, bull, ox, cow, heifer, steer, calf, lamb, pig, hog, sow, dog, or cat, and every other domestic animal, fowl or bird, or wild animal. The object is to include a great many cattle and animals of different kinds shipped, and driven, which the criminal code does not at present cover.

Sir JOHN THOMPSON. The word "animal" must be used in many places in the Act, and I think we will be only getting into confusion by passing the clause as it is. The hon. gentleman evidently means to give a definition of the word "animal" for the purposes of this Act. Therefore, he had better make this separate and say: "for the purpose of this Act the word 'animal' shall have the following meaning."

Mr. COATSWORTH. I will do that. I will add: "For the purposes of this Act the word 'animal' includes," &c.

On section 2,

Mr. FLINT. I would like the mover to explain in a general way what are the nature of the amendments to this section.

Mr. COATSWORTH. The amendments proposed are, first, in subsection (a), which reads as follows in this Bill :—

(a.) Wantonly, cruelly or unnecessarily beats, binds, ill-treats, abuses, overdrives or tortures, or being the owner of or having the charge, custody or control thereof, causes or permits to be wantonly, cruelly or unnecessarily abandoned, bound, illtreated, abused, overdriven or tortured, any cattle, poultry, dog, domestic animal or bird.

The difference between that and the code is : “or being the owner of or having charge, custody or control thereof” are introduced here and are not in the code. Section (b) and subsection (c) are the same as in the code. Subsections (d,) (e,) (f,) (g) and (h) are entirely new. I would like to add in paragraph “a” in the 15th line, after the word “abuses,” the word “overchecks,” and in the 18th line, after the word “any,” the word “animal.”

Sir JOHN THOMPSON. I would like to know what over-checking is. I do not know that it has been defined. Some society in Ottawa has undertaken to stop the use of the check-rein, but to make that a crime would, I think, be somewhat ridiculous.

Mr. COATSWORTH. I will drop that word.

Mr. FLINT. I think paragraph (b) does not relate to cruelty to animals. It relates to damage to personal property, which is punishable in another way and by another process altogether.

Mr. COATSWORTH. That is part of the code at present.

Sir JOHN THOMPSON. Paragraph (g) deals with the question of birds which we used to have discussed so frequently in the House, and I would like to know from the hon. member whether his proposal goes the length of the former Bill, which was in charge of Mr. Brown, the member for Hamilton, or whether this is a modification of it.

Mr. COATSWORTH. This Bill does not go so far as the Bill of Mr. Brown. It prevents cruelty being practiced at pigeon-matches, but does not go the length, as the former Bill did, of preventing the use of live pigeons in shooting matches. It is alleged, and I believe with some truth, that some cruelties are practised before the pigeons are shot at in the way of pulling out their feathers to make them fly in a certain way, and also that after the actual shooting the pigeons are allowed to fly about for some time while wounded. The only object aimed at by this Bill is to prevent cruelties of that kind.

Mr. MASSON. Will the hon. gentleman read over the section of the code which he seeks to amend and this section, and say how the interpretation he has put upon it can possibly be borne out. Let him read the two together, and say how under this wording it would be possible to allow live birds to be used at a shooting match.

Mr. COATSWORTH. There is the exception in the last line of paragraph (g)—“except as a bona fide test of skill in marksmanship.”

Mr. MASSON. For what other purpose would a man shoot at a bird ?

Mr. COATSWORTH. I am not raising any question about the shooting of birds. The former Act was to prevent entirely the shooting of birds. This is not intended to do that, and I do not think it does so.

Mr. McCARTHY. It seems to me it does not mean anything.

Mr. BERGIN. Before this goes any further, I would like to ask my hon. friend, the promoter of the Bill, whether he considers the docking of horses cruelty, and if he does, why he does not include it in the Bill? There is no such cruelty to animals practised in this country as the docking and nicking of horses.

Mr. COATSWORTH. It may be, and it is quite possible that subsection (a) would cover the docking of horses.

Mr. MASSON. Before this section is passed, I would like to know what it really does mean. Reading it over, it seems to me very clear that it does not bear out the interpretation put upon it by the hon. gentleman—“Keeps or uses any live animal or bird for the purpose of being used as a target, or to be shot at, for amusement.” Is there any distinction in the hon. gentleman’s mind between a bird being shot at for amusement and a bird being used for a bona fide test of skill. For my part, I fail to see where the distinction can come in, or how any magistrate or jury could draw that distinction. Next we read : “or shoot at such animal or bird.” For what other purpose than as a test of skill or marksmanship would a bird be shot at? If for the purpose of killing a bird for food, and not as a test of skill, then he would make the bona fide shooting of a bird for food an offence, while if it were shot at, simply as a test of skill or marksmanship, to allow it to lie on the ground after being shot, it would not be an offence. Next, we have these words : “or is present as a party, umpire or judge, at any such shooting at any animal or bird.” Now, the test of skill exception cannot be pleaded in favour of a party who is present

as party, or umpire, or judge, or keeps or knowingly rents any building, shed, room, field, yard or premises, or knowingly permits the use of any build-

ing, shed, room, yard, field or premises for the purposes of shooting at any animal or bird as aforesaid.

What in the world does the hon. gentleman mean by that? Does the exception apply to that? Does it apply to anything else except the keeping or renting of a building for the purpose of testing marksmanship? The hon. gentleman has just said that the real object of such clause is to prevent birds, before they are shot at, being maltreated by the feathers being plucked out of their breast, their eyes being put out, or other means of torture applied. If that is the object of the section, why does he not say so? This section is absolutely silent on that point.

Mr. McCARTHY. The next section says that.

Mr. MASSON. Therefore, I think this subsection (g) should be struck out, and I move to that effect.

Mr. BERGIN. If you strike out that section and include only the following one, you will put an end to all shooting for sporting purposes. You will prevent a man who lives in the woods and wants a little fresh meat, from shooting a deer. A more clumsy, awkward and unintelligible clause I never saw framed.

Mr. FLINT. I think the object of the promoter of the Bill would be carried out by striking out those words "except as a bona fide test of skill or marksmanship." That is, that the committee shall prevent the use of any live animal or bird for the purpose of being used as a target, and punish the person who knowingly rents a building and premises for that purpose. Nothing short of that will satisfy public sentiment. The object is to prevent this business altogether. I cannot enter into the feelings of those who see an amusement or pleasure in it, but of course there are persons who do, I think that public opinion, outside of their own ranks, condemns it. You will look in vain for any defence of that sort of sportsmanship among writers on this subject. Inventions are now in use which give all the opportunities for marksmanship and perhaps better opportunities for skill in marksmanship than are given by live birds, the best sportsmen of the world are using these, both in England and the United States. Do I understand my hon. friend to move an amendment?

Mr. MASSON. I move to strike out the clause entirely.

Mr. FLINT. I move, in amendment, to the amendment, to strike out the words "except as a test of skill or marksmanship."

Mr. McNEILL. That would mean that we are not to be allowed to shoot birds or animals at all. The clause says that any one who "keeps or uses any live animal or bird for the purpose of being used as a target or

Mr. MASSON.

to be shot at." So that any one who preserves game on his own premises is to be held guilty of cruelty to animals, if he shoots them.

Mr. MILLS (Bothwell). What is the effect of the word "use"?

Mr. McNEILL. It is used so often that it is hard to tell. "Any one who keeps or uses any live animal or bird for the purpose of being used."

Mr. MULOCK. It might apply to shooting at a wild animal.

Mr. McNEILL. Of course it does. If you have a preserve, you render yourself liable to a penalty. The hon. gentleman moves to strike out the last line, but whether it is struck out or left in, you cannot have game for the purpose of shooting.

Mr. COATSWORTH. It does not apply to game.

Mr. McNEILL. It applies to any live animal or bird.

Mr. MASSON. Your interpretation says domesticated or undomesticated.

Mr. COATSWORTH. Tamed or domesticated.

Mr. BERGIN. Subsection (c) says, "fowl or bird, whether of domestic or wild nature."

Mr. COATSWORTH. Subsection (c) does not govern this section. The first clause governs this. It only refers to tame or domesticated animals. Leave out the words "or bird." In answer to the hon. gentleman who desires to amend the section by striking out the words, "except as a bona fide test of skill or marksmanship," I would not be prepared to father an amendment of that kind. I do not think it would meet the approval of the House.

Mr. MILLS (Bothwell). Yes, it will.

Mr. COATSWORTH. I am not responsible myself for the framing of this section. It was in a Bill discussed by the House before I was here, and it was in deference to the opinion of the committee and a number of members of the House that these words were put in. I took the responsibility of inserting those words to meet a difficulty that was felt when the subject was before the House on a previous occasion.

Sir RICHARD CARTWRIGHT. For my part, I doubt if there is any description of cruelty to animals which deserves better to be put down by law than the practice of letting loose a number of tame pigeons to be shot or mutilated, as the case may be, for the purposes of sport. There is nothing of real sportsmanship about it. And while I am not in the slightest degree disposed to interfere with any legitimate exercise of skill in marksmanship at the expense of ordinary wild animals, I must say that the exhibitions of pigeon shooting which I have seen occa-

sionally appear to be about as cruel and inhuman proceedings as could be witnessed, and I for one would be exceedingly glad to see them put down by law.

Mr. DEPUTY SPEAKER. It is moved that the words, "except as a bona fide test of skill or marksmanship" be struck out.

Mr. MILLS (Bothwell). It seems to me we might as well have no Bill at all as to have a Bill with these words in. You are simply providing by legislation immunity from punishment to those who are guilty of this cruelty. Parties who wish to try their skill in marksmanship can try it in some other way. Nor will the clause, if these words are struck out, be open to the construction put upon it by the hon. gentleman from North Bruce (Mr. McNeill). Parties who are keeping game upon any premises which they possess with a view to killing a certain number for food are perfectly at liberty to do so. They may invite their friends to go with them, and they will not be interfered with so long as that is the principal aim. But the other, it seems to me, is a cruel proceeding, and tends to cultivate brutality in the community which, by idleness and ignorance, may be sufficiently promoted without special recognition of this kind.

Mr. COATSWORTH. When I prepared the Bill a year ago I took the section in the Bill that was formerly before the House, and amended it by adding these words. I have never been at a pigeon match, and I never expect to be; I have no interest in them at all. The only reason why I shall go against the amendment is this: when I prepared my Bill I was approached by several members of the House who had opposed the former Bill, and who asked me what provision was made in this case. I made representations to them, and showed them the Bill as I prepared it. These gentlemen, relying upon me pressing the Bill in the form in which I had amended that clause, have absented themselves, and are not opposing the Bill, as they would have done had the clause not been so amended. I do not think I would be keeping faith with them if I were to support the amendment of the hon. member, though, personally, I am as favourable to it as he is.

Mr. BERGIN. Did the hon. gentleman submit this Bill to any of the law officers of the Crown before bringing it to the House?

Mr. COATSWORTH. No.

Mr. BERGIN. I would suggest that this should be done before the Bill is pressed any further. We ought to have the opinion of some law officer before going further with the Bill. The hon. gentleman might submit it to the Solicitor General to-morrow.

Mr. EDGAR. May I ask the hon. promoter of the Bill a simple question, which, I

submit, he should answer—yes or no? Does he favour the shooting of live pigeons out of a trap or not?

Mr. COATSWORTH. Personally, no.

Mr. EDGAR. Then why do you object to this amendment?

Mr. COATSWORTH. I did not say I objected to it; I simply tried to explain my own position. If you wish to amend the Bill you may do so.

Mr. EDGAR. Will you vote for the amendment?

Mr. COATSWORTH. No.

Mr. EDGAR. Why?

Mr. COATSWORTH. For the reason I have explained. I think I made myself clear. These gentlemen, relying on my seeking to put the Bill through in its present form, are absent. Otherwise they would be here opposing the Bill. I am not going to take advantage of their absence.

Mr. EDGAR. The hon. gentleman seems to be frankly admitting that for the mere sake of having the kudos of carrying a Bill through he is willing to have one that he does not believe in himself.

Mr. COATSWORTH. You may put that construction upon it. It is a very unfair one.

Mr. EDGAR. Can the clause mean anything at all if these last words are left in it? Will any one admit that he is shooting at a pigeon except as a bona fide test of skill in marksmanship? What else would he shoot for?

Mr. MULOCK. In self defence.

Mr. EDGAR. I have no doubt those who opposed the Bill have been asking my hon. friend what he intended to do. He has been too ingenuous; they have imposed upon him. These gentlemen are perfectly safe in going away so long as the hon. gentleman leaves this clause, for it will make this part of the Bill perfectly useless, and of no practical effect. I suppose that when he introduced the Bill he had some intention of trying to prevent this kind of cruelty to animals, but by this clause he does not prevent it.

Mr. CRAIG. It seems to me that if these words are allowed to remain the usefulness of the section is destroyed. I have had no experience in shooting, but I have heard of a kind of shooting which seems to me very cruel, and which furnishes a case in point. I have heard of men meeting on Christmas day or the day before and tying a turkey to a post and standing some distance away and shooting, the turkey being given to the man who hit it. I do not think we can well conceive of anything more cruel than that, but if these words are left in this section it would not prevent such a practice.

I quite agree with the last speaker that the section would be entirely useless if these words were allowed to remain, because every one who shot at these animals would say that he did so as a test of skill in marksmanship.

Sir JOHN THOMPSON. The hon. gentleman who has charge of the Bill feels himself bound in honour to those who, if present, he fears would oppose the Bill. Therefore he has amended the clause of the old Bill. But he must make some allowance for the feelings of others, of whom I am one, who are seeking to put down these pigeon matches. Having voted repeatedly for the Bill when introduced by the former hon. member for Hamilton, and this being the same, except for this clause about skill in marksmanship, I prefer to vote for the amendment.

Mr. LANDERKIN. We could probably reach a solution of the difficulty if we were to change the name of the promoter and put in as promoter the name of some gentleman who is favourable to the objects which this Bill seeks to attain. It is very difficult to carry through a Bill in which you personally believe, and at the same time carry out the views of those who are opposed to the Bill. We might substitute the name of the Premier as promoter.

Mr. McNEILL. Is the word "bird" struck out?

Mr. DEPUTY SPEAKER. Yes; it is struck out everywhere.

Sir JOHN THOMPSON. But birds are included in the Act under the word "animal."

Mr. McNEILL. Am I to understand that if we have partridge or any other game in a preserve we are not allowed to shoot them for our use? Or if we happen to have some property on which deer are running wild, and we prevent their being hunted and exterminated by outside dogs and outside sportsmen, are we not allowed to shoot these except as a test of skill in marksmanship?

Mr. COATSWORTH. It does not refer to that; it only refers to animals or birds tamed or domesticated.

Mr. McNEILL. But it says "any live animal."

Mr. COATSWORTH. Yes; but those words are governed by the interpretation clause.

Mr. McNEILL. But the words "live animal" must mean something more than "animal." It is not to be supposed that there is any cruelty in shooting at a dead animal.

Mr. COATSWORTH. "Live animal."

Mr. McNEILL. What is the good of putting in "live animal" at all? The clause is a most confusing and confounding combination of terms. I must say that I think the

Mr. CRAIG.

suggestion that has been made by my hon. friend beside me is a good one, and that this Bill should be referred to a committee of lawyers to deal with it before it is brought before this House for final consideration. It is quite impossible for hon. members to vote intelligently upon this unintelligible composition.

Mr. FRASER. I regret that the hon. member who has just taken his seat should make a remark like that, the Bill having been framed by a lawyer.

Mr. McNEILL. I have no desire at all to cast any reflection upon the hon. member who framed the Bill, but I would like to see some further consultation among lawyers on the subject before the Bill is dealt with by the House. It is certainly the most extraordinary Bill that I have ever seen or heard discussed in the House.

Mr. MASSON. There is more force in the objection taken by the hon. member for North Bruce (Mr. McNeill) than some members of the committee seem to think. The interpretation clause does not aid us in finding out the interpretation. The interpretation clause says the word "animal" shall include any horse, and so on; it does not say it shall not include a deer, or any wild animal, but it shall include those animals named. It does not go to the extent of saying that the ordinary interpretation of the word "animal" shall not be applied to others. It is for the purpose of removing difficulties and to make it clear that it does include these, and does not say that it does not include anything else. Therefore, there might be great difficulty in construing the clause as it is at present framed. Besides, the hon. gentleman has introduced the Bill with a form of words by which he intends to exempt an ordinary shooting match. I think it would be unfair to press the amendment to-night. It changes the whole nature of the Bill as regards that one particular sport. It is all very well for hon. gentlemen to get up and say that these sports are cruel. Wherein does the cruelty consist in shooting a bird on the wing when it rises from a trap, any more than in shooting it in a barnyard, or catching it and wringing its neck? For my part, I do not see any greater cruelty in the one than in the other. The hon. member for Durham (Mr. Craig) has referred to a practice that may be in vogue in his riding, but in the rest of the province of Ontario, which I can speak for pretty well, it is entirely out of date. The old form of putting up a turkey to be shot at is a class of shooting match that, so far as I know, does not to-day exist in any part of Ontario, except the county of Durham. The more modern, more civilized, and more humane method of putting up a target, letting scores be made on that target, and awarding the turkey to the person who makes the best score, is the one now adopted throughout the country. The turkey is then taken home and his head

is cut off or his neck wrung, and he generally furnishes a dinner to the winner. As to the mode adopted in killing that turkey, I think it requires something more than the surgical ability of this House to determine which is the least cruel. I think the committee is not prepared to deal with this clause, not with the very important amendment that has been proposed, and I would, therefore, move that the committee rise, report progress, and ask leave to sit again.

Mr. CRAIG. I wish to say, in justice to my riding, that the circumstance I mentioned did not take place there at all, it took place in the city of Toronto.

Mr. McMULLEN. I hardly think it is fair to treat the Bill in this manner. We have time enough yet to dispose of several clauses, clauses which I hope the good sense of this House will sanction. The cruelties practised last year in pigeon matches should be put a stop to, and I fully concur in and admire the views expressed by the First Minister on this point, and earnestly hope the House will sanction them.

Mr. BERGEN. I am just as strongly opposed to any cruel sport as the hon. gentleman who has just sat down, and if this clause were confined solely to dealing with that practice, it would have my support. But this clause goes further than that; it will prevent the shooting of game at any time during the season authorized by law. You cannot shoot a deer in season, or partridge, or quail, or snipe, or duck, or any other game animal, these birds being included in the word "animal," as I think they are in the interpretation clause. You cannot under this section of the Act shoot any of this game without being liable to punishment.

Mr. COATSWORTH. I think there is a misapprehension as to the meaning of the interpretation clause. The interpretation clause closes with these words: "and every other domestic animal, fowl or bird, or wild animal, fowl or bird, tamed or domesticated." I do not see how we could more clearly express the intention to include a tamed or domesticated animal or bird. It is not intended to interfere with game at all. If any gentleman can suggest words in the interpretation clause which will more clearly effect the object intended, I am quite willing to assent to it. I do not think it is right to ask the committee to leave this Bill now.

Mr. McNEILL. We must assume that when a new term is introduced there is some reason for introducing it, and we certainly would not have the term "live" introduced here, unless there was some particular reason for it.

Mr. COATSWORTH. Strike out the word "live."

Mr. McNEILL. I think that even would still leave room for doubt. I think it would be better to have the matter considered by a

committee and let the Bill be brought before the House in such a shape as that there would not be the same amount of ambiguity and difficulty as at present, and that members should not be called upon to vote upon clauses the exact meaning of which they do not understand.

Mr. FLINT. I think a careful reading of this clause would show that it only applies to animals kept or used for the purpose of being made a target, or to be shot at for amusement; but it does not apply, and cannot be construed to apply, to bona fide hunting. I think every member of this House agrees that hunting is a noble amusement, and I for one would not agree to any clause which would prevent hunting in season. This only applies to killing animals when they are used as a target, and on that ground I think the criticism of the hon. member for North Bruce (Mr. McNeill) is not sound. Of course, it is intended mainly to apply to pigeon shooting. I do not think it would apply to the keeping of game preserves. I am not aware of any game preserves in Canada, although there may be some.

Mr. MULOCK. The keeping of birds in a preserve would not be keeping birds to be a target, although they might ultimately be shot in that way. After the principle involved has been disposed of, the clause should be amended in several particulars.

Mr. McNEILL. From what has just now passed it is obvious that my contention is correct, namely, that the Bill is one which we are not in a condition to discuss. The hon. member (Mr. Flint) has told us that this clause simply means the keeping of animals to be used as a target. If the hon. gentleman will consider the clause a little more carefully, he will observe that it means much more than that, for it says, "or to be shot at or for amusement or for any like purpose." The hon. gentleman tells us that hunting is noble sport, and yet hunting would come under the designation of amusement and would be covered by that term. The Bill should be considered more carefully before it is finally disposed of.

Mr. MILLS (Bothwell). No doubt the Bill is unskillfully drawn, and if the committee should rise the hon. mover would have an opportunity of considering its phraseology. In the third clause I find that bull, ox, heifer, steer, and calf are mentioned. If it is necessary to go into such details with respect to one species, why not with regard to another. Then pig, hog and sow are enumerated, but the male animal is not mentioned. So, dog is mentioned only one gender, and of course cat is supposed to include both genders. The hon. gentleman should consider more carefully the kind of animals he intends to have protected in this Bill.

Sir JOHN THOMPSON. I am sure the hon. member for East Toronto (Mr. Coatsworth) will not be discouraged in his good

purpose by the light treatment which his Bill is receiving, because when he remembers that we have had practical illustrations given by flying pigeons through this Chamber, he will consider that some progress has been made in the demeanour of the House by the contrast presented. I do not think it is necessary to refer the Bill to a committee in order to remove the ambiguity which the hon. member for Bruce (Mr. McNeill) has pointed out. I think if the word "or" is struck out the case will be met.

Mr. McNEILL. What is the meaning "for amusement or like purposes?"

Sir JOHN THOMPSON. As a target.

Mr. BERGIN. In regard to section 3, in my opinion if you are shooting at a bird you are baiting a bird.

Mr. McNEILL. I hold that a bird is used as a target if shot at whether it rises from a trap or from the limb of a tree, or if it sits on a tree. If I keep a preserve of partridge to be shot, are not those birds as much to be used as targets as if they were pigeons rising from a trap?

Mr. COATSWORTH. If there is ambiguity, why does not the hon. gentleman suggest an amendment?

Mr. McNEILL. I am not prepared at the moment to suggest different language, and therefore I ask that the Bill be referred to a committee in order that it may be amended.

Sir JOHN THOMPSON. If the hon. gentleman kept a preserve of game, and having been out and shot some of them, he was asked whether he had been shooting at a target or not, I do not think he would answer yes.

Mr. McNEILL. If I shot at pigeons whether they flew from a trap or off the limb of a tree, I would not be shooting at a target. But I presume this argument would apply to one case as well as to the other.

Sir JOHN THOMPSON. The argument would not apply to the present Bill. Shooting at game in a preserve is not in any sense of the term shooting at a target, and could not be made so.

Mr. McNEILL. It is arbitrarily assumed in this Bill that shooting at a bird is shooting at a target. But I never heard, except in this Bill, that shooting at a pigeon was shooting at a target, and if the right hon. gentleman asked if I would reply in regard to shooting partridges kept on a preserve, that it was equivalent to shooting at a target, I would say that I had not been shooting at a target. I could simply reply and say that I did not shoot at a target, but that I had shot at pigeon flying out of a trap. My argument is that the term target applies as much to a partridge as it does to a pigeon.

Motion that the committee rise negatived.

Amendment (Mr. Flint) agreed to.

Sir JOHN THOMPSON.

Mr. McNEILL. I would like to get some explanation as to what the promoter of the Bill means by the term target?

Mr. MULOCK. In the Bill introduced by Mr. Brown, of Hamilton, there were two principles. One clause of the Bill aimed at the shooting of animals and another clause forbade the shooting of animals. We had hard work to satisfy that hon. gentleman the class of live animals that he thought it was right to shoot was a sick horse, but under this Bill it may not be lawful to do that. Might I ask the hon. gentleman (Mr. Coatsworth) would it be lawful to make a target of a sick horse under this Bill?

Mr. LANDERKIN. Would the promoter of the Bill allow a person to shoot a calf with a cough.

Mr. McNEILL. I think we should have some explanation of the meaning of that word "target."

Mr. LANDERKIN. I think that should be submitted to the Supreme Court.

Mr. BERGIN. The Bill says:

Or keeps, or knowingly rents any building, shed, room, yard, field or premises, or knowingly permits the use of any building, shed, room, yard, field or premises, for the purpose of shooting at any animal or bird.

I would like to know whether the yard, or the shed, or the field, is to be used for the purpose of shooting any animal, that is the grammatical construction of this beautifully framed clause, and I think the promoter of the Bill should tell us what he means. There is nothing in the interpretation to show a field, shed or yard, means a gun or a rifle.

Mr. McNEILL. I ask my hon. friend, the promoter of the Bill, how he explains the term "target?" Surely the committee is not going to pass a clause the meaning of the terms of which we do not understand.

On section 3,

Mr. McMILLAN. I think subsection 7 ought to be amended by making the depth of the bedding for animals shipped in cars two inches. Any person shipping animals a long distance will put in deeper bedding if it is necessary. For animals shipped a short distance there is hardly any necessity for bedding at all. To put bedding in a car to a depth of six inches would require three loads, which is nonsense. Two inches deep would be sufficient.

Mr. MASSON. Subsection 6 will interfere very seriously with settlers moving, say from the province of Ontario to the province of Manitoba. It is very common for a farmer, when moving to place his whole stock in one or two cars, and it would be impossible, except at a very great expense, for him to have partitions between his different animals. He generally arranges, in filling his car, to keep separate the different classes of

animals, or to place them in such a way that they will not injure each other. It is his interest to do that; but to make it an absolute law that he must have a partition separating his sheep from his horses, or his cattle from his pigs, would impose a very heavy expense upon a poor man. I do not know that the practice of drovers putting sheep and cattle in close contact in one car is very often resorted to. There may be cases of that kind, where great suffering is occasioned, but I think the clause should be limited in some way, either as to the distance which the animals may be carried or the manner in which they should be kept separate.

Mr. COATSWORTH. Perhaps the committee would like to hear some of the cases that have been met with, in order that they may see the necessity for this section. In reading of these cases, I will, of course, leave out the names and the places. On 3rd October, 1892, so-and-so, from such a place, sent down 60 sheep and 40 hogs in Canadian Pacific Railway Car 60.982 to the Western Cattle Market, Toronto. The Humane Society's officer, P. C. Chapman, found 23 of the lambs and 2 hogs trampled to death. At the same time, he found 2 cattle with legs broken shipped by so-and-so to the Western Cattle Market on Grand Trunk Railway Car 7.403. On 25th January, 1893, P. C. Chapman reports that so-and-so shipped 19 cattle, 12 hogs and 9 lambs in Grand Trunk Railway Car 1,964. Two of the lambs were trampled to death by the breaking down of the deck or partition, and no one can be held responsible. The secretary of the society, in writing to me about this matter, says:

It having been reported to the society that the mangled bodies of the lambs were reported for food, I wrote the mayor, and in reply received from him letters from the city solicitor, the city commissioner, and the city inspector, to the effect that after particular inquiries it was found that the dead bodies had been fed to hogs, and not used for human food.

Mr. SPROULE. I may say that the placing of hogs and cattle together in a car is a custom which obtains very largely with drovers. Sometimes, when there are not a sufficient number of cattle to make up a load, they put in a number of hogs, which are not kept separate from the cattle. I noticed, the last time I went up the line, several carloads coming towards Toronto in which the animals were put together in that way. It is a common custom with drovers.

Mr. COATSWORTH. I may say that the cases I have mentioned are of almost daily occurrence during the time cattle are shipped.

Mr. McNEILL. I think this is a very good and necessary clause, but it would be well to consider the suggestion of the hon. mem-

ber for North Grey (Mr. Masson), and make an exception of settlers' effects.

Mr. COATSWORTH. I am willing to except them.

Mr. FRASER. I think men going to the North-west should be guarded by law as well as any others.

Mr. COATSWORTH. As I understand, my hon. friend means that where a settler is moving to the North-west, he takes with him one or two cows, two or three sheep, pigs and so on. There would not be the danger in shipping those together that there is where a car is filled with animals of different sizes and kinds, so that I apprehend what my hon. friend means is that the danger is so slight you should not legislate against it.

Mr. FRASER. The exception would be no good unless it is limited.

Mr. COATSWORTH. It should be limited.

Mr. FRASER. We must draw the line and say how many there would be to make it dangerous. Otherwise the Bill would have no effect at all.

Mr. DALY. The regulations enforced by the railway company prohibit taking more than a certain number, and would meet this case.

Mr. FRASER. Not as to the number of each, but as to the number in a car. We do not provide how many sheep, hogs and cows may go together. It is only the sum total that they should regulate.

Mr. MASSON. Supposing a settler had only two or three sheep and two or three hogs and perhaps a span of horses. This Bill would forbid his putting them in the one car. Though he might have them at separate ends, that would not be sufficient. There must be a partition across the car under the section as it now reads.

Mr. COATSWORTH. You may make a proviso to that effect.

Mr. McMULLEN. The provision with regard to animals going a great distance is more important than in the case of animals going a short distance. I quite agree that there is great cruelty in mixing up a lot of animals in a car. I have noticed that sheep, hogs and cattle are sometimes shipped together, and provision should be made to prevent the cruelty and suffering to which these animals are subjected by being shipped in mixed lots.

Mr. MILLS (Bothwell). Would these words added to the clause overcome the difficulty: "Unless the smaller animals are secured so as not to come in contact with the larger ones."

Mr. COATSWORTH. That would not cover it.

Mr. SPROULE. How would it do in the case of a calf going along with the cow.

Mr. MULOCK. The hon. gentleman's term smaller animals does not cover calves.

Mr. McNEILL. I would move that the section read in this way: "Except as settlers' effects, no sheep, lamb, &c."

Mr. MASSON. There are other cases, such as taking animals to a fair. In that case the number is few, and they might be shipped in one lot, but under the hon. gentleman's Bill they could not, but each description would have to be separated by a partition. If a farmer is bringing a few animals to a fair for exhibition, he may be relied on seeing that they do not suffer on the way.

Mr. MULOCK moved to add after the word larger in the 26th line, the following: "or unless the smaller animals are secured so as not to come in contact with the larger ones."

Sir JOHN THOMPSON. The object of the section is to prevent the possibility of one animal receiving an injury from another. Unless secured in such a way that they cannot receive injury from each other, the object would be defeated.

Mr. McMILLAN. In the case of a person going to a show and taking animals with their young, for instance, a cow and its calf, under this Bill they would have to be separated.

Mr. McNEILL. Then amend the clause by adding the following words at the beginning: "Except as settlers' effects or animals being conveyed for the purpose of exhibition."

Mr. SPROULE. It would be well to understand what is meant by "settler's effects." It often happens that farmers buy animals, young and old, and tranship them from one part of the country to another to bring them home. These can hardly be considered settlers' effects, for they are not moving them away; they are bringing them home. The animals may be purchased at a sale, and brought home by train. This clause would necessitate the tying up of the young animals away from their parents which, in many instances, it would not be wise to do.

Mr. McMILLAN (Huron). In case a person was shipping a car load of horses and putting a mare and her foal together he would be fined under this clause. The clause should be framed so as to prevent those who ship large numbers of animals from doing such a thing as loading a lot of large animals in a car and shipping hogs amongst them. If the Bill were made to cover that ground it would be all that would be necessary.

Mr. COATSWORTH.

On subsection 7,

Sir CHARLES HIBBERT TUPPER. I should like to propose an amendment to that clause. Strike out the first word "other" in the first line and add, after "vehicles," "other than ships." The reason is that there is already in force an Act which applies specially to the shipment of cattle as well as regulations under the Act, and this might interfere with those regulations, which, I suppose the hon. gentleman who has charge of the Bill does not desire. There are at present very elaborate regulations which have been settled practically by the Canadian and British authorities, and it would be dangerous and perhaps confusing to pass this regulation in addition to the others now in existence.

Mr. McMILLAN (Huron). I move that instead of the words "shall have placed in them bedding to the depth of at least six inches," the words "shall have placed in them bedding to at least the depth of two inches" be substituted.

Mr. MILLER. I move that we strike out that clause altogether. The drovers know better than the lawyers what they want. I do not think they are going to put any hogs or cattle into cars to get them killed before they get them to market. It is money they are after.

Mr. McMILLAN (Huron). I am willing to withdraw my amendment if the clause is dropped altogether. I think the clause is wholly unnecessary.

Mr. SPROULE. It would prevent a farmer sending one or two horses a short distance without having bedding, and bedding is altogether unnecessary when the distance is short.

Mr. BERGIN. I would like to know from the hon. gentleman what effect the Bill is likely to have in the case of a butcher who goes out to buy and gather up a couple of calves and three or four lambs and puts them in a cart to bring them into town. Under this Bill he would be liable to a fine unless he had a partition put up to separate the calves from the lambs.

Mr. COATSWORTH. I am willing to let that subsection go.

On subsection 8,

Mr. COATSWORTH. Change "two last preceding subsections" to "the last preceding subsection."

Mr. MASSON. What is the reason for making the unfortunate consignor liable?

Mr. McCARTHY. You are not going to make the shipper responsible for putting up this petition?

Mr. COATSWORTH. Certainly. The reason for this is that a difficulty has always been found, when parties were brought up

in cases of cruelty, in finding anybody who was responsible. The consignee clearly could not be held responsible.

Mr. McCARTHY. The carrier is the man to make responsible.

Mr. COATSWORTH. It is a question whether the shipper should not be responsible for seeing that the cattle are properly shipped.

Mr. MILLER. If the shipper has the misfortune to lose a sheep or a hog in the car, you want him fined because he lost it. I do not think there is much common sense in that.

Mr. COATSWORTH. I would call the attention of the committee to the fact that the carriers are liable as well.

Mr. SPROULE. If you allow this to remain, you can have actions almost every day in the year against drovers. They generally put twenty or twenty-five head of cattle in a car, or, if the cattle are large, a lesser number; and through crowding and jostling and shaking of the car, some of the weaker ones get down and frequently get killed. Under this section, there is no doubt that the parties shipping them would be liable to the penalties.

Mr. McMULLEN. There is little danger of crowding a large number into a car now, because they are limited according to weight, and, since that is done, no shipper ever crowds a car with animals. When animals are shipped in large numbers, some individual always accompanies them. In my opinion, there is no necessity for this clause. At every railway station where the car stops, the keeper goes and sees to the animals, and does everything he can for them. That has been my experience, and I have gone with a large number of trains all the way from western Ontario to Montreal. On one occasion, when we got to Point St. Charles, one of the animals had its leg broken, and, under this clause, we would be liable to a penalty for that accident.

Mr. SPROULE. I would ask the hon. member for Huron if he has not often seen drovers, when the train stops at a station, go and try to get up the animals that were down. Although you may only put in the number that the railway company prescribes, frequently the animals get down, and sometimes the conductor will not stop long enough at a station to allow the keeper to go and help them up. The result is that they are injured, or killed, and are dead by the time they reach their destination. You can see that at almost every station, when cattle trains are passing, and, in case of an accident of that kind, the consignor would be punishable under this clause.

Mr. McMILLAN. If the train does not stop long enough to allow the cattlemen to get out and look after the animals, and an accident occurred through no fault of their

own, they would still be liable to punishment under this clause. I see no necessity for it.

Mr. O'BRIEN. As I understand the clause, it makes no man liable for accidents arising from the ordinary dangers of traffic, but only for general neglect.

On section 4,

Mr. FRASER. I think it is rather a novelty in legislation to put in the word "expostulate."

Mr. EDGAR. It does not require the permission of an Act to do that.

Mr. FRASER. It is the first time I ever saw the word in an Act. "Any person may expostulate or interfere to prevent the perpetration or continuation of any act or acts of cruelty done in his presence to any animal." I suppose that means any acts of cruelty as set out in this Act, or is it universal?

Mr. COATSWORTH. I suggest that we leave out the words "expostulate or" in the second line, and change the word "engaged" to "so interfere."

Mr. MASSON. Is it necessary to have that clause at all?

Mr. COATSWORTH. It is necessary. A case occurred in this city not long ago when a person employed by the humane society interfered to prevent a gross act of cruelty to an animal, and the driver of the animal resisted the interference and assaulted the person in a savage way. He was brought up in the Police Court and the Police Magistrate held that the agent had no right whatever to interfere, even with the committal of the act of cruelty to the animal, therefore, he dismissed the case and would not even fine the man who had committed the assault.

Mr. FLINT. I hope my hon. friend will not take out the word "expostulate."

Mr. COATSWORTH. Does not "interfere" include "expostulate"?

Mr. MILLS (Bothwell). It is a very extraordinary clause. What definition would the hon. gentleman give to "interfere"? In what way interfere? Interfere by physical force sufficient to prevent the act being committed?

Mr. SPROULE. If a man was trying to punish a balky horse, some disinterested party might come up and interfere with him, and if the man owning the horse dared to resent the interference, he would make himself liable to the law, and punishable.

Mr. DALY. I suggest that we strike out the first two lines, and the third line down to "animal," and the clause would read, commencing with "and any person who interferes," and so on.

Mr. MILLS (Bothwell). That would refer to the third party, and not to the original offender.

Mr. MULOCK. I do not think this clause is necessary. We are already making a change in the law by creating new crimes. Had we not better try the working of the law as now proposed? If you allow one man to interfere with another there might be a struggle and breach of peace. It is rather risky to allow one man to take the law into his own hands, and to be judge, jury and executioner.

Mr. FRASER. If the officer was authorized to lay a complaint the same object would be served. If a citizen saw a man beating a horse and interfered there would be a risk of a breach of the peace. The officer, however, could go before a justice and lay complaint that the man was abusing his horse, and the same result would be obtained.

Mr. MULOCK. I move that the clause be struck out.

Mr. TISDALE. There has been a long discussion on this Bill, and I should like to have an opportunity of considering some of its provisions. The Bill was postponed on one occasion because I was not able to be present, and I find it is now in somewhat different shape from what I thought it to be. As the hour is late, and a great deal of difference of opinion prevails, I move that the committee rise and report progress.

Mr. COATSWORTH. The hon. gentleman will understand that I have done the best I could with this Bill.

Mr. MULOCK. I think the amendment is not a wise one, and that we should finish the Bill to-night. There is only one clause remaining, and the Bill might therefore be disposed of at this sitting.

Sir JOHN THOMPSON. I think this is a good subsection. If a horse is cruelly treated any citizen should have a right to interfere to stop it. If a breach of the law were committed as a result, the offender should be fined the extreme penalty. But to say that if a horse is cruelly treated or driven up hill with too heavy a load, and that punishment shall afterwards be meted out in the shape of a fine imposed some weeks afterwards, such a provision will not assist in suppressing cruelty.

Mr. McMILLAN. What would the hon. gentleman do if he was driving a lot of cattle along a road, and one became enraged, and he had to beat the animal severely in order to save himself?

Sir JOHN THOMPSON. I am not saying that some animals should not be beaten. But the question is whether it is not wise to endeavour to prevent cruelty, as well as to punish it.

Mr. EDGAR. If an animal is cruelly treated the law should be drawn as to bring the offender under it and have him punished. At the same time it should not be framed

Mr. MILLS (Bothwell).

so as to encourage breaches of the law, otherwise, in the first place, there may be cruel treatment of the animal, and afterwards an assault and a counter assault. I am afraid that the clause as drawn would lead to breaches of the peace.

Sir JOHN THOMPSON. That is exactly the point on which the hon. gentleman and myself differ. I think the Bill is not worth passing unless we do our best to prevent cruelty, as well as to punish it. A man with humane instincts would interfere in any event to prevent a horse being cruelly beaten.

Mr. MULOCK. That is assuming that the person in possession of the animal is ill-using it. Some interfering, meddling men might, however, assume that an animal was being cruelly treated when such was not the case.

Amendment that the committee rise and report progress agreed to.

Yeas, 62; nays, 27.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. LAURIER. I give the First Minister notice that to-morrow my hon. friend Mr. Davies (P. E. I.) will bring up the Ellis matter.

Motion agreed to; and the House adjourned at 11.35 p.m.

HOUSE OF COMMONS.

TUESDAY, 5th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS.

Bill (No. 131) to incorporate the Nova Scotia Steel Company.—(Mr. Fraser.)

Bill (No. 132) respecting the Cobourg, Northumberland and Pacific Railway Company.—(Mr. Sproule.)

THE NORTH-WEST TERRITORIES ACT.

Mr. DALY moved for leave to introduce Bill (No. 133) to amend the North-west Territories Act. He said: One of the principal changes has reference to the appointment by the Lieutenant-Governor of justices of the peace. The Lieutenant-Governor has power to appoint them at present, but those justices of the peace are to give bonds. It also gives power to the Governor General to appoint stipendiary magistrates, and there is a

further provision relating to certain clauses of the Act, as it now stands, having reference to the collection of accounts for liquors sold by wholesale merchants. The present law was passed when prohibition was in force in the North-west Territories, and under it such debts cannot be collected. The Act provides that by a proclamation, the Governor in Council may repeal that provision. The next provision is :

To authorize the Legislative Assembly to appoint a committee of four persons from among the elected members thereof to advise the Lieutenant-Governor in relation to the expenditure of territorial funds and of such portions of any moneys appropriated by Parliament for the territories as the Lieutenant-Governor is authorized to expend by and with the advice of the Legislative Assembly or of any committee thereof. The said committee shall be styled the executive committee of the Territories, and the members thereof shall severally hold office until their successors are appointed.

The chief changes there are that we give a name to the executive committee and authorize them to remain in office until their successors are appointed. The reason for this is that after the present Assembly expires in August next, the elections are not likely to take place until November, and in the meantime, without a provision of this kind, there will be no executive council in the Territories. There are other provisions in the Bill of a minor nature relating to a repeal of some of the clauses and substitutions therefor, but I would prefer giving further explanations on the second reading.

Mr. MILLS (Bothwell). There is no power of dissolution in the Governor.

Mr. DALY. No ; that remains exactly as it was.

Motion agreed to, and Bill read the first time.

DOMINION IRRIGATION ACT.

Mr. DALY moved for leave to introduce Bill (No.134) intituled the Dominion Irrigation Act. He said : This Bill covers thirty-five clauses, and deals with a matter entirely new to the members of the House, and I think it would be better that I should defer my explanations until they have the Bill before them.

Mr. LAURIER. Does it give additional powers to this Government to authorize companies to irrigate ?

Mr. DALY. It does not, but simply provides for the formation of companies for the purpose of irrigation. It deals with riparian rights and other matters pertaining to the subject.

Mr. EDGAR. The committees of the House are being troubled a good deal in the last few years by special Acts for irrigation, with all sorts of different and exceptional powers. If the Government introduces a well-considered Bill, establishing a uniform system, that will be good policy.

Mr. MILLS (Bothwell). I hope the hon. gentleman will be prepared to explain what the law is in California with regard to irrigation and the relations between the irrigating companies and the holders or owners of real estate. The subject has been there very fully considered, and as this is an initiatory step here we would do well to understand fully what the law is in that state.

Mr. DALY. I shall give the hon. gentleman and the House all the information in relation to irrigation in California, Idaho, Montana, Wyoming and other states of the Union, and the same for Australia. We have adopted some of the provisions of the Australian measure. The Bill has been well considered, and I think it will meet the approval of the House.

Motion agreed to, and Bill read the first time.

WAYS AND MEANS—IMPRISONMENT OF MR. ELLIS.

Mr. FOSTER moved that the House again resolve itself into Committee on Ways and Means.

Mr. DAVIES (P.E.I.) Mr. Speaker, I desire to take this opportunity of calling the attention of the House to the circumstances under which Mr. John V. Ellis, the proprietor and editor of the St. John 'Globe,' in the city of St. John, in the province of New Brunswick, was imprisoned for alleged contempt of court. Many hon. gentlemen in this House will recollect Mr. Ellis as a representative of the city of St. John, in this House. To those who do not know him otherwise than as an ex-member of the House, I desire to say that he has been for very many years the editor and publisher of one of the leading newspapers of the province of New Brunswick. Last autumn he was sentenced to a term of imprisonment and to a large fine, together with payment of costs of the proceedings of the Supreme Court of the province of New Brunswick, for his alleged contempt of court. I desire to invite the attention of the House to the facts in connection with that imprisonment, to the alleged contempt for which Mr. Ellis was punished, to the circumstances under which he published the articles complained of, and to the manner in which the court chose to punish him, also to the severity of the punishment which they inflicted upon him. I am in hopes, Mr. Speaker, that, so far as the facts are concerned, there will be no difference of opinion on either side of the House. Hon. gentlemen will recollect that in the year 1887 a general election took place, and there was an election, as of course, in the county of Queen's, N.B. The return given by the returning officer on that occasion was deemed, by gentlemen on this side of the House, at least, to have been a false and fraudulent and illegal return, and mo-

tions were made in this House the result of which was that all the papers connected with that election were brought down before the House and are now to be found in the Votes and Proceedings for the year 1887. The case has been a number of times before the Supreme Court of the province of New Brunswick on different motions, and the facts connected with it have been so well sifted that I think we shall be able, at any rate, to cite them in a manner which will commend universal assent, so far as the truth of the recitation is concerned. Whether we agree or disagree upon the conclusions which ought to be drawn from the facts, it is very desirable that there should be no question at all as to the facts themselves. Shortly, these facts, as I gather them from returns made to this House in 1887, and from the reports of the different cases as given in the Supreme Court report, are these: A writ was issued for the election of a member for Queen's County, N.B., in February, 1887, which writ was addressed to Mr. John R. Dunn, as returning officer for the district. That returning officer appointed the 15th February for the nomination of candidates and the 22nd February for the polling day. Two candidates were nominated, Mr. George G. King and Mr. George F. Baird. Mr. King's nomination was duly signed by the requisite number of electors, was assented to by Mr. King, and was signed by himself and verified by the oath of Mr. Wetmore, who acted for him as attorney and agent and who also paid the returning officer at the time the sum of money required by law as nominating fee. The returning officer received these papers, examined them, saw that they complied with the law and gave Mr. Wetmore, as Mr. King's agent, a certificate to the effect that he had received the nomination fee and the nomination paper and that everything was in form as by law required. Mr. Baird was nominated also, and I have never heard that there were any doubts as to the legality of his nomination either. Both nominations were received by the returning officer in due form, both parties nominated received a certificate from the returning officer that their papers were correct and in due form, and, on a poll being demanded, that poll was granted, the day of polling being fixed for the 22nd February. The election took place in due course, and, on the 5th March—that is on what is called declaration day—the returning officer assembled his court for the purpose defined by the law, that of receiving returns from the various deputy returning officers so as to ascertain which candidate had the majority of the votes. He did receive these returns, no ballot box, I believe, being missing. Everything was in due form of law, and the returning officer proceeded to, and did ascertain the result of the polling. Before the formal declaration of election of either one candidate or the other, Mr. Baird's solicitor and

attorney objected that Mr. King had been illegally nominated because the deposit of \$200 paid by Mr. Wetmore, acting on Mr. King's behalf, had not been paid by Mr. King's election agent, contending that under the law the nominating fee must be paid by the election agent appointed by the candidate. The returning officer, after hearing the argument, I assume, on behalf of the two candidates, assented to this view of the case; and, although the addition of votes which he had made showed that Mr. King had polled 1,191 votes, while Mr. Baird had only polled 1,130, leaving a majority in favour of Mr. King of 61 votes, the returning officer undertook to reverse the decision he had given before election day when he received and approved of the nomination papers and candidature of Mr. King, and declared that Mr. King had been illegally nominated, and that, therefore, although he had been elected by a handsome majority, he would report the minority candidate, which he then and there proceeded to do. On the 7th of March, that is two days afterwards, Mr. King made application to Judge Steadman, the county court judge of the county, on an affidavit stating substantially the facts I have given, and also stating the belief of the deponent that some of the deputy returning officers had improperly counted the ballots, and that some deputy returning officers had improperly rejected one or more ballots. On this affidavit the county court judge made an order for a recount of the votes, fixing the time and place for holding the recount in the manner prescribed by the statute. Two days afterwards, Mr. Baird's counsel applied to one of the judges of the Supreme Court of New Brunswick for a writ of prohibition to prohibit Judge Steadman, the county court judge, from proceeding with this recount. This was in the form of an order nisi, of course, to show cause why the writ of prohibition should not be issued, but contained a peremptory order staying the county court judge and prohibiting the recount. Now, these are the bald, bare facts, the accuracy of which, I think, will remain unchallenged by anybody. I have endeavoured to state them fairly and frankly, without minimizing or exaggerating them one way or the other. It was when these circumstances became known, that Mr. John V. Ellis published in his newspaper the comments complained of. Hon. gentlemen will understand that under the circumstances which I have described, there was an unwonted and unusual degree of anxiety and excitement prevailing throughout Queen's County. I am correct in saying that that excitement was not confined to the bounds of the county; it pervaded every district in New Brunswick, every district in the Maritime Provinces, and every district throughout the Dominion of Canada. From one end to the other of this Dominion, there ran the thrill of disgust and shame at the

facts which had transpired. When people learned that it was possible that a legal election should be held, the candidates nominated, and the turmoil which accompanies election gone through, with the expenditure of time and money, and labour and brain work, which accompany these elections in an intelligent and free constituency—after it had all been gone through and the people had declared their mind by a majority which was beyond doubt, when they found that a returning officer, whose duty seemed to be simply ministerial, to add up the results returned to him by the deputy returning officers and declare them in due form in order that the majority candidate might take his place in the House of Commons—that that officer had not only neglected his duty, but violated his sworn oath of office and disregarding the law, diregarding his oath of office, and disregarding his duty, had returned to Parliament as the elected candidate the man who received a large minority of the votes, I say these facts sent a thrill of horror and disgust throughout the length and breadth of Canada. Hon. gentlemen will acknowledge that there is no wonder at that fact, because if the deputy returning officer Dunn can, with impunity, violate the law and return his nominee, even if he is the minority candidate, as the elected candidate for his county, why, of course, every other returning officer may do the same, and this House, in that case, would not consist of members elected by the choice of the people at a legal election held under our constitution, but would consist of the nominees of the returning officers in the several districts who, in their turn, are nominated by the Government of the day. Hon. gentlemen will see that this act struck a blow at the root of constitutional government as it exists in Canada, and if it was allowed to go unpunished, and if that returning officer was allowed to have his way, there would be no such thing as constitutional government here, as we understand it. There would be no need of going through the turmoil and the expense of an election throughout Canada; it would be far better for the Government to nominate a House from time to time and do away altogether with the farce of an election. Under these circumstances, and in the heat of the excitement which existed throughout the province, the newspaper press, as the exponent of public opinion, necessarily and properly took up the case, and from one end of the province to the other, from one end to the other of the Dominion, articles were published condemning, in the severest terms, which the English language could furnish, the arbitrary, unconstitutional and hateful conduct of this returning officer. Among these articles was one published by Mr. John V. Ellis, and in order that the House may understand exactly the different steps that were taken to punish Mr. Ellis for writing those articles, I think it right, at this

opening stage of my remarks, to quote at length the articles that he published on the subject, although in doing so I will be obliged to trespass for a few minutes upon the indulgence of the House. Hon. gentlemen will recollect that I have stated that application was made to Judge Tuck for a writ of prohibition to prohibit the county court judge from proceeding with his recount, and in the St. John 'Globe,' published on the 10th March, 1887, Mr. Ellis published the articles complained of. The articles are reported officially in the case which was heard before the Supreme Court of New Brunswick, and I quote from that report. These are the articles for the publication of which Mr. Ellis was punished:

QUEEN'S ELECTION.

People who know something about the course of political events were not surprised when they read in the papers this morning that Mr. Justice Tuck had issued a writ of prohibition to Judge Steadman of the county court, prohibiting him from proceeding to recount the ballots in the Queen's election. Nevertheless, the fact that such a writ has been issued adds fuel to the fire of discontent now burning fiercely over this whole business. A trick by which the voice of the majority in Queen's is silenced, is condemned all over the country in unmistakable terms, as a flagrant outrage upon popular rights and as a grossly immoral transaction. The appeal to Judge Steadman for a judicial reconsideration was made to a man of fair and honest judgment, who, if he had political leanings at all, would have them towards the Conservative party, but whom the people generally would trust to do what was fair. He might, therefore, be safely allowed to examine into the whole matter, and to do justice. But it is not justice that is wanted, and, therefore, Judge Tuck intervenes.

This whole business as it stands before the country to-day is a scandal and an outrage of the most abominable character. It is an outrage upon the electorate and a disgrace to institutions alleged to be free. It is the worse blow public liberty and public morality have yet received, and no effort should be left untried by the friends of free institutions to prevent the foul deed which Baird and his allies are seeking to perpetrate on the country.

That was the total article of that date. On the day following, March 11, the following article appeared:—

GOVERNMENT BY FRAUD.

The attempt to deprive the electors of Queen's of their right to choose their own representative has succeeded for the moment. A returning officer who appears to be restrained by no moral consideration, and who appears to be incapable of judging between right and wrong, has selected Mr. Baird to sit in the House of Commons of Canada, although the majority of the electors rejected Mr. Baird. A judge assumes, if he does not usurp, the power to prevent a full investigation of the matter in time to remedy the evil, and the boast is made that two years must elapse before the man chosen by the majority can take his seat.

Can justice and right and principle be trampled down with impunity? Can the Conservative party stand by and abet the wrongdoer and prevent the triumph of right? We do not believe the great majority of the men in that party would desire to govern the county by force of arms or by force of fraud. In fact, it cannot be done. And every attempt to do it adds only to the discontent and ill-humour and dissatisfaction of the time. There has just been an appeal to the people, out of which the Administration has come weak and panting. Can it regain strength in the country through fraud of returning officers? Can partisan judges give it vitality degrading the ermine in its interest? We have every confidence that free institutions, if left to themselves, will purify themselves, but the assumption of power by officials and the prostitution of judicial authority for the purposes of party, are sufficient to weaken the foundation of the strongest faith in freedom.

On the next day, the 12th March, the 'Globe' contained the following, and this is the last article:—

QUEEN'S COUNTY.

Judge Steadman, in whose jurisdiction as county judge the matter is, proceeded to Georgetown yesterday to hold a court and to inquire into the Queen's County matter. Dunn, the returning officer, declined to produce the ballots. According to the 'Telegraph's' report of the proceeding he had been served with a copy of the order made by Judge Tuck upon Judge Steadman, in which Dunn's name was not mentioned at all, and which really had no relation to Dunn. The report then says:—

"Mr. Dunn then said that when Mr. Currey served him with the paper, he told him that Judge Tuck had said to Currey to say to him, Dunn, that that paper was equal to a command not to produce the statements and ballots, and he therefore declined to produce them."

If this report is correct, either Mr. Currey did not tell the truth, or Judge Tuck, when he issued his order to Judge Steadman, felt that it was not an order to be obeyed, and he sent a private message to Dunn by Currey not to deliver up the ballots. We doubt if Tuck has any power to send such an order as a judge, but he may not have been acting in the capacity of a judge but in some other capacity when he sent it. While Judge Tuck's order to the county judge is disobeyed because, as is generally conceded, Tuck went beyond his powers, the effect of his interference is to delay justice, and to prevent the will of the majority of the people from being carried out.

I have read every word of the three articles written by Mr. Ellis and published in this paper which were complained of as constituting a contempt of court. I must say, considering the outrageous character of the fraud, the infamous character of the fraud of which candidate Baird was guilty, the language used cannot be condemned by anybody. He was guilty of a wicked fraud of the worst kind. It was Mr. Ellis's duty as a newspaper publisher to expose that fraud to the public, so that public opinion, if there is

Mr. DAVIES (P.E.I.)

such a thing existing in this Dominion, might be brought to bear on the man to punish him. After reading over these articles a number of times, I fail to see that in them there is one word requiring to be altered or modified in so far as they condemn the conduct of Mr. Baird, or in so far as they condemn the conduct of Mr. Baird's allies or conspirators, and in so far as they condemn the outrageous, villainous conduct of that returning officer. I remember a few months ago that a man went to Winnipeg and violated the election law by personating one or more voters. For committing that fraud against the public that man justly and properly has been sent to the penitentiary for three years. There is no sympathy whatever in this House or in this country on behalf of that personator. He violated the law, committed a shameful fraud, and will spend the next three years in the penitentiary, and justly so. But if three years in the penitentiary is a just punishment given to a man who personates an elector, what punishment should be awarded to a returning officer who, sworn to stand as an independent man between the electors on both sides, sworn to carry out the law fairly, justly and honourably, receives the nomination papers and the fees of both candidates, gives them certificates and acknowledges them as candidates, grants the demand for a poll to be held between them, holds an election in the county, receives the count from his deputy-returning officers, files a statement that one of the candidates has a majority of 61 votes, and because that majority does not suit his political views, turns round and in defiance of the law, justice, fair-play and constitutional liberty and right, declares that the minority candidate had been elected for the district. The wrong committed by that act was the greatest wrong that could be committed against Mr. George G. King, one of the candidates. He also committed the greatest crime against the electors of Queen's County, who for weeks had canvassed the political issues and had polled their votes in favour of the candidate of their choice. He did more. He struck a blow at constitutional liberty, which if left unassailed and unpunished will be copied by other scoundrels like himself who occupy the position of returning officers, and the freedom and liberty of the people, and the freedom and liberty of this House will not only be undermined but destroyed. I therefore say that the article which Mr. Ellis published was published by him prompted by a severe sense of duty and right, and that so far as the comments went upon candidate Baird and returning officer Dunn, and allies and conspirators who were joined together to defeat justice and the law, there is not one word which I should like to see modified or altered. But it was said that in publishing these comments Mr. Ellis had gone beyond proper bounds and had criticized unfairly the conduct of Judge Tuck, who issued the writ of prohi-

bition. We have to look at the facts to determine whether that is so or not. We must recollect that this subject-matter is one particularly within the privileges of the House of Commons, that Dunn was acting there as an officer of the House of Commons, that the preponderance of judicial authority, and until the decision of the New Brunswick court was given the sole decision existing on that point, was to the effect that the judges of the court had no control, either by mandamus or prohibition, to control or direct the action of the officers of the House of Commons in regard to elections. We must recollect that the matter had come up for judicial decision only in one of the Ontario courts, and in the Centre Wellington case, after hearing argument, the judges had solemnly decided that they had no power to issue writs of mandamus, ordering certain things to be done, and had no power to issue writs of prohibition, prohibiting returning officers from doing their duty in that regard; that the officers were officers of the House of Commons, and it had reserved to itself the entire control over election proceedings, except in so far and to the extent to which they had delegated that control to the election judges under the Election Trials Act. Beyond that the judges of the land had no right and power to intervene; and I call the attention of the House to this fact, which in my opinion is very important, that at the time Mr. Ellis published these articles he published them with that knowledge and acted under that honest belief. Whether he was right or wrong, perhaps this House will not undertake to say. It is fair and right that I should say that afterwards the action of Judge Tuck was approved by his colleagues upon the New Brunswick Bench, and they held, after argument had been adduced before them some years subsequently, that Judge Tuck acted within his rights in issuing his order for a writ of prohibition and in staying the proceedings, and prohibiting Judge Steadman going on with the recount. But I want to call the attention of the House to what I conceive to be the crucial point in this matter: Was there a criminal intent on Mr. Ellis's part in publishing that article? Did he publish it bona fide and honestly? What is the fact? Judge Steadman, who is judge of the county court, acted upon the belief that the order made by Judge Tuck was waste paper, and he refused to obey it. He did so because the judicial authority in Ontario had determined, as I have already said, that the judges of the land had no power to control or direct the officers of the election court, except to the extent the power was given them on an election petition; and until this decision was given by the New Brunswick court, there were few, if any lawyers, in the Dominion who believed that any judge had power to interfere in this matter. I do not desire to ask the House to pass an opinion as to whether the court of New Brunswick was right or the court of

Ontario was right; I am not going to ask the House to sit in appeal in this matter and decide in one way or another, but I ask the House to consider whether in the publishing of that article Mr. Ellis was animated by an honest, high, constitutional motive, or whether he was animated by malice and hatred against Judge Tuck personally. What were the particular sentences in the article which were held to comprise contempt of court as against Judge Tuck? There were two sentences, and one is in the first article I have read:

But it is not justice that is wanted, and therefore Judge Tuck intervenes.

I venture to say that one would have to put a very strained construction upon that sentence to construe it into malicious contempt. It is open to several constructions. We know that a layman is constantly complaining that justice is not given in the courts so much as strict law, and that very often in the opinion of these men, strict law and justice do not go hand in hand. It is not a contempt of court, I hold, for a man to say: that may be the strict law of the matter but it is not justice, and I submit whether it is so or not, to my mind, at any rate, there was nothing in these words which would warrant a man being punished for contempt of court. The other sentence complained of was:

Can partisan judges give the law vitality by degrading the ermine in its interest?

And it was contended that Mr. Ellis wished to apply that to this particular case, and that the words were an attack upon Judge Tuck. Now, Sir, I have read these articles and I want to point out to the House the particular ground of complaint I have to make. In the resolution which I will have the honour to submit at the close of my remarks, I will ask the House in the first place to condemn the conduct of John R. Dunn in making the false and fraudulent return he did, as being a violation of the letter and the spirit of the law. I will go further and I will ask the House to say that in proceeding summarily to punish John V. Ellis for contempt of court in publishing these articles, the Supreme Court of New Brunswick, formed themselves into a tribunal comprising prosecutor and jury, and judge and sentencers, and that it was a proceeding which under the decisions given by the English courts cannot be justified. I say, Sir, that the law of contempt is one which is necessary to preserve order and power in our courts of justice, and I say so far as the powers of punishing for contempt of court in the face of the court are concerned that I am not one who wishes to minimize or attack or destroy the powers which the judges have. I say, that if a judge representing Her Majesty and sitting in court administering justice and law between par-

ties finds the administration of justice interfered with in open court by his orders being disobeyed, or by witnesses refusing to testify, or by jurors being tampered with, or by conduct in court which prevents a proper and due administration of the law; then I say the judge has and ought to have full and uncontrolled power—except the power which is limited by judicial discretion—to punish that contempt then and there. It is essential to the proper administration of justice that this should exist, and therefore I desire the House to understand that I am not seeking directly or indirectly to make an insidious attack upon that power. I desire to let it remain, and I desire to say: that that power is not involved in this discussion, nor is it involved in the condemnation which I ask the House to pass upon these proceedings. Then, Mr. Speaker, what is the power of punishing for contempt which I challenge? There is a contempt of court which is said to exist, when something is done, not in the face of the court but outside the court, such as the publication in a newspaper which may attack some litigant or judge, or in some way to prevent due administration of justice. That is called a constructive contempt of court, and the proposition to which I desire to invite the attention of the House is this: that there is a proper and effective mode of punishing any such attempt to interfere with the due administration of justice and that that mode has not been resorted to on this occasion. If any man's character is attacked in the newspaper press, be he a member of Parliament or a judge sitting upon the bench, he has the right to bring his action of libel, and the party sued has the right to invite the verdict of a jury as to whether he has been guilty of libel or not. We know very well that many years ago in the history of our country, there was a court known as the Star Chamber. The Star Chamber acted in the exercise of arbitrary and untrammelled power and haled before them everybody who made an attack upon its members or upon the Queen's Government. The accused parties were brought before the Star Chamber and punished with a severity unknown to modern days and without having the safeguard of the intervention of a jury. The criminal intent was determined by the Star Chamber judges themselves, who also acted as prosecutors and inflicted the penalty. I read the other day of one case where a man was brought before the Star Chamber for publishing reflections upon the Lord Chancellor of the day and the sentence passed upon him was: that he was to be perpetually imprisoned and fined a thousand pounds, and to be afterwards pilloried and lose both his ears. Well, Mr. Speaker, I want to point out to the House, that the power of punishing for contempt of court which is vested in the judges, or which they claim is vested in them, is so untrammelled as to permit them to punish a man by sentencing him to imprison-

Mr. DAVIES (P.E.I.)

ment for life. There is no limit whatever to the punishment which these judges may inflict if they so choose, whether it be a fine of £100 or of £10,000, or imprisonment for thirty days or for life. I say that this power is dangerous to the constitution, is a power vested in no other body and is a power which may produce the most glaring wrongs. Now, Sir, after the abolition of the Star Chamber, men were brought before the courts and punished for libel very much as they are at the present time. After a time had gone by, judges being only human, drew to themselves more and more power, and they eventually determined that in them lay the right to determine whether an article published constituted a libel or not; the jury being merely to determine whether the article was published. When they determined that the functions of the jury were so practically limited as to be useless, the question of libel or no libel was reserved by the judges to be determined by themselves. There is no student of English history but recollects the noble stand Erskine and his compeers took to destroy that judge-created law; and when Fox brought in his Bill leaving it to the jury to determine on the whole question of libel or no libel, a blow was struck in favour of civil and religious liberty which has been productive of the most glorious results ever since. After that day no one could be punished in a civil action for libel unless a jury of his peers could be found to declare that he was guilty of a libel. A judge may think what he likes, but the question of libel or no libel has been by statute law in England for the last hundred years reserved to the jury and jury alone; and that is one of the greatest safeguards of personal liberty which the subject of the Crown possesses. But, Sir, it is not only there that the remedy lies—and it is to this I desire to call the attention of the House. If Judge Tuck felt that his honour or his dignity or his reputation had been unjustly or unfairly assailed, he had other remedies in his hands besides the civil action of libel. He could have gone to his brother judges and applied for leave to file a criminal information against his assailant, and I assume that the judges would have granted that leave, they having declared the publication to be a contempt of court. That is one of the modes indicated by the law to enable a man, whether a judge or anybody else, to vindicate his character when it has been improperly assailed. That was a pertinent remedy which was open to Judge Tuck, and which, if he had adopted it, would have had this result, that when the criminal information came to be tried, it would be tried, not alone before a or anybody else, to vindicate his character was alleged to have been assailed, but before a judge, assisted by a sworn jury, who would have been called upon to give their verdict of guilty or not guilty upon the criminal intent with which the libel was published. Or, he had his third remedy: he

could have preferred an indictment before the grand jury of the county, in the ordinary way in which a criminal is indicted. He had these three remedies, each and all of which were pertinent to the case in hand, by which he could have obtained proper redress for the offence alleged to have been committed, but each and all of which safeguarded the defendant by that great safeguard which we all value so highly, the intervention of a sworn verdict of our peers before we can be convicted. Let me point out that the mode of proceeding which was adopted to punish a man for contempt of court is 'sui generis'—is opposed to the spirit and genius of constitution. Why? Because, in the first place, it takes away from a man that dearly cherished right which our forefathers fought so long to obtain, and which we have retained up to this time—the right to be judged by a jury of our peers. In the second place, it deprives a man of the presumption which in every case is accorded to an accused person, to be held innocent until he is proved guilty. In this Star Chamber proceeding, the defendant had not the benefit of that presumption; but he was put upon his oath to say whether he was guilty or not guilty; the prosecutor was not put to the proof at all. It is an inquisitorial proceeding unknown to the English law, and especially unjust, because it enables the parties attacked to punish on their own mere motion, without the intervention of a jury. I allege and contend, therefore, that when, as in proceedings like these under discussion, the contempt of court is what is called a constructive contempt, a publication in a newspaper reflecting on the conduct or the opinions of the judge, it is unjust, unfair, anti-British and opposed to modern precedents for the judge to take the law into his own hands, to summon the publisher arbitrarily before him, put him upon his oath and demand from him whether he is guilty or not guilty, find him guilty, and then punish him himself. It is vesting in one man the three distinct functions of prosecutor, judge, and jury; it is a thing which in all other cases is unknown to the English law; it has been productive of the greatest evil in times gone by; and it will be productive of untold evils if permitted to gain a hold in this country. I desire the House to follow me in my argument in this respect, that I am not asking them to determine whether Judge Tuck was right in issuing the writ of prohibition or not. That question is not involved necessarily in the propositions I submit for the concurrence of the House. When the judges gave their judgment on the contempt case in the court below, they were very careful to state that it did not matter in the slightest whether Judge Tuck had the right to prohibit or not; the contempt was the same, and they would proceed to punish whether they thought Judge Tuck had the power or not. Chief Justice Allen, in delivering his judgment, anticipated the objection made by

Mr. Ellis's counsel, that inasmuch as Judge Tuck had no right to issue a writ of prohibition the whole matter was 'coram non iudice,' and Mr. Ellis could not be proceeded against for contempt. The chief justice said:

As to the first objection; I think it is not necessary to determine whether a prohibition would lie in this particular case or not. Mr. Justice Tuck may or may not have been right in granting the order; but in my opinion the question whether the publication is a contempt or not does not depend upon the determination of that question.

I am the more anxious to put this case before the House because the propositions I submit are plain and simple propositions based on common sense and justice, and not necessarily involved in abstruse questions of law. I do not ask the House to sit as a court of appeal and to declare that Judge Tuck did wrong in issuing his writ of prohibition. My resolution does not cover that point. The New Brunswick court determined judicially that whether Judge Tuck was within his right or not, the contempt of court was equally proven. We have nothing to do with the legal question whether he had the right to issue the writ of prohibition or not, because, in giving their judgment in the court below, the judges declared distinctly that that was a question that did not enter into their consideration. If that is the case, I would ask this House, and each individual member of the House—if they believe that there were plain and pertinent methods of punishing the wrong, if a wrong was done to Judge Tuck—whether they will endorse the proceedings that were taken, of summarily haling this man before the court and punishing him without the intervention of a jury or the other safeguards which the law throws around an offender? But let us see how these proceedings were taken. Was the dignity of the court felt to have been offended or insulted? Did the court rise up in their majesty and declare that this man should be punished for what they declared to be a contempt? Not at all. The court never imagined they were injured, the court did not think a wrong was done. The court took no steps to punish the man. The court directed no proceedings to be taken to punish him. But the offender—and I say it without wishing to be too personally offensive—one of the conspirators, the man who had done the wrong, the man who had been a party to stealing the seat, the man who had been a party to depriving the electors of Queen's County of their dearly cherished rights, the man who usurped the seat to which Mr. George King had been elected, the man who had committed a crime so rank that no language we can use can condemn it too severely—this man went into court with an affidavit, whining that the dignity of the court had been attacked. Let it be understood that the application in this case was made by Mr. George F. Baird, the man who had profited

by the wrong which the returning officer and his fellow-conspirators had done against right and justice. Mr. Baird went into court complaining of what? He complained that he had been prejudiced and wronged. Why had he not the manliness to do what every other man has to do when he finds his character has been attacked? Why did he not bring his case before a jury and let a jury decide whether he had a character which had been assailed improperly or not? No, the hon. gentleman would not resort to the ordinary tribunals and to the ordinary process. He dared not face any jury in that country or any other. I will venture the assertion, in view of the facts which I have recited—the plain, bald facts—that if the defeated candidate, Mr. Baird, who had usurped the place his opponent had won, who had been one of the conspirators, who had succeeded in violating the law and getting himself returned to a seat in this House for which he had never been elected—I venture to assert that if that man had gone before a jury and asked for damages because his conduct had been reflected upon, he would have been hissed out of court. The jury would have given a verdict to the defendant without hearing evidence for the defence at all. The facts of the case, on the plaintiff's own side, would have been quite sufficient for any jury. What did he do? He went into court with his own affidavit, reciting these articles, and claiming to take what? The honour—that is the word, mark you—and the dignity of the Supreme Court under his charge, and asking that court to declare that he should be allowed to take proceedings to punish his opponents for the crime which had been committed by Mr. George King being elected by the majority of the people. A more wilful, flagrant, notorious attempt to pose as an injured innocent, I do not remember in my history. Why, these men ought to be in the criminal box instead of appearing as plaintiffs before the court. If the law had been vindicated as it ought to have been, if punishment meet for the offence had been awarded to those who had sinned, some of these men would have been serving their time in the penitentiary—

Mr. LISTER. They would have got out on the ground of ill-health.

Mr. DAVIES (P.E.I.) That would have been a subsequent proceeding. But I invite the attention of the House, at this stage of my remarks, to the application which was made to punish this newspaper editor. What was he doing? He was championing the rights of the people, vindicating the liberty of the press, defending the majesty of the law, insisting upon the rights of the electors being recognized by the law. And for doing this, for standing up for the people, for defending the liberty of the press, for vindicating its rights in this matter, Mr. Ellis was brought before the Supreme Court of New Brunswick. And brought by whom? By

Mr. DAVIES (P.E.I.)

the man who had committed the fraud, who was a party to the wrong-doing, and who should have been punished for his crime. What was the proceeding he took? He got a rule nisi on his own affidavit, setting out that he himself felt very much injured by these articles of Mr. Ellis. Why, what did Mr. Ellis say of him? Mr. Ellis said:

This whole business, as it stands before the country to-day, is a scandal and an outrage of a most abominable character.

Is not that true? Apart from party politics, there is not a man in the House who holds any other opinion. I say more than that. A gentleman, who to-day is a Minister of the Crown, stood up in his place in this House, and said the outrage was of so flagrant and foul a character that rather than defend it he would cut off his right hand. This was said by a gentleman whom the hon. gentleman (Mr. Baird) is now following. It was said by one of his leaders—a Minister of the Crown to-day. The language used by Mr. Ellis is no stronger than what was used by that gentleman on the occasion I refer to, when the debate took place in 1887. Mr. Ellis went on to say:

It is an outrage on the electorate and a disgrace to institutions alleged to be free. It is the worst blow public liberty and morality have yet received, and no effort should be left untried by the friends of free institutions to prevent the foul deed which Baird and his allies are seeking to perpetrate on the country.

And the hon. gentleman (Mr. Baird) complained that he was wronged because of this language. I say that Mr. Ellis did not go a jot too far. I say that his language would be justified and approved of by any jury, and I believe in my heart that there is no man more ashamed of the proceedings that took place on that occasion than Mr. Baird himself. I believe this much: If there is any remorse in his heart at all, I believe that gentleman is consumed with remorse for the course he took on that occasion—and if he is not, he ought to be. Now what is the rule the hon. gentleman took out? He applied for a rule of the court, and the court granted a rule, as follows:

It is ordered that John V. Ellis, the editor and principal publisher and proprietor of the St. John 'Globe' newspaper, show cause why an attachment should not be issued against him or why he should not be committed for contempt of this honourable court for writing, printing and publishing in the issue of the St. John 'Globe' newspaper on the 10th of March, an article under the caption of "The Queen's election."

This article I have read, and the rule goes on to allege:

And wherein are comments, reflections and innuendos, and the applicant George F. Baird, on an order of His Honour Mr. Justice Tuck, one of the

justices of this honourable court, made on application of George F. Baird for an order *nisi* for a writ of prohibition to prohibit James Steadman, Esq., the Judge of the Queen's County Court, from further proceeding with or to make a recount or final addition of the votes given for said George F. Baird and one George G. King at the election held on the 22nd day of February last of a member to represent the electoral district of Queen's County, in the province of New Brunswick, in the House of Commons of Canada, and on His Honour Mr. Justice Tuck; and in which said articles the said John V. Ellis has been guilty of a contempt of this honourable court in scandalizing this honourable court, and particularly His Honour Mr. Justice Tuck, one of the justices thereof, in calumniating and vilifying said applicant George F. Baird, and in commenting on the matters of said election, said recount, and said order *nisi* for a writ of prohibition in a manner calculated to prejudice and that does prejudice the public before the hearing and judicial decision of said matters, and so as is calculated to prevent said applicant George F. Baird from obtaining a fair and impartial disposal of said matters.

Why, one would imagine that we were back in the days of the Star Chamber again. One would imagine that the liberty of the press was only a myth or a thing of the past. Newspaper men must not comment on proceedings of this kind freely, but must, with bated breath, apply to the man who commits a political crime and ask him how far they may go in censuring that crime in the press. When that day comes the liberty of the country will be undermined; and the country at large owes a debt of gratitude to this man who had the pluck, the manliness, the courage, to express in plain Saxon English the truth in connection with that political outrage. The application was made at the instance of Mr. George F. Baird to punish this editor for publishing comments, reflections and innuendos on himself. Again I ask, if Mr. Baird thought he was calumniated, abused, libelled, by what right of process does he stand superior to the rest of the community and become relieved from the necessity of carrying his character into court before a jury, vindicating it before a jury, and trying to punish the offender on the verdict of a jury? He applies to Justice Tuck, or, rather, to the court of which Mr. Justice Tuck is a member, and asks the court to take cognizance of the offence committed against himself; and this rule *nisi* is afterwards made absolute, and Mr. Ellis is sent to prison for the contempt, and to this day it is hard to tell whether it was for speaking what they considered calumniating words of Mr. George F. Baird, or what they considered calumniating words of Mr. Justice Tuck. Now, Mr. Speaker, I lay down this legal proposition, to which I ask the assent and concurrence of hon. gentlemen in this House: Where a publication such as this is made in a public newspaper commenting upon matters of public importance, the parties who think themselves injured by any part

of that publication if there is a pertinent remedy open to them which can satisfy the law and justice, are bound to resort to it and must not resort to this arbitrary process of punishment by contempt of court. And the reason for this, hon. gentlemen will see, is plain. In the one case, if he applies for a criminal information, or if he prefers an indictment or brings a civil action for libel, he has a fair and honest trial; he stands on an equal footing with his opponent. The person accused has a fair and open trial; a sworn jury is called upon to determine between the parties. If the impleaded man is tried and the jury give their verdict, justice is satisfied and nobody has anything more to say. In this case, if the hon. gentleman could have found a jury which would have given a verdict against Mr. Ellis and the court had then punished him, I should have been the last man to rise in Parliament and say a word against the proceeding. I stated before that this proceeding is contrary to the genius and spirit of the British constitution. It is an inquisitorial proceeding; it withdraws from the criminal the safeguards which the law throws around every individual; it does away with the jury, it constitutes the prosecutors the judges who are to deliver sentence. Where is the authority for that proposition of mine? I say we have the highest authority. Some years ago in England applications of this kind were made, and nothing but the good sense and the high judicial character of the English bench prevented these proceedings from degenerating so that Parliament would have had to interfere. In Canada few instances can be found where this arbitrary proceeding has been resorted to. I do not know of one case of late years in the province of Ontario. I do not think that in England such an application would be listened to for a moment, because the rule has been laid down there time and again by judges of the very highest standing and character that such proceedings are never to be resorted to except as a last resort, and where no other remedy is open. In Lord Chief Justice Campbell's "Lives of the Chief Justices," is given the finding in *Rex vs. Almon*, which appears in Willmot's notes, as to the power of committing for contempt. In commenting upon the case, Lord Chief Justice Campbell says:

That although the power to proceed by attachment in the case of a libel published on the judges is undoubted, yet the preferable course is to proceed by information or indictment so as to avoid placing them in the invidious situation of deciding where they may be supposed to be parties.

In that one sentence he sums up the law as I say it is understood and known and laid down by the highest judicial authorities in England to-day. "The invidious situation," which no judge ought to stand in, "of deciding where they may be supposed to be

parties." "No man ought to be judge in his own cause." is a principle underlying British law everywhere, and this proceeding, which comes down to us from the days of the Star Chambers, violates that well-known canon of British law and constitutes the judges parties in their own cause. Sir, a few years ago, in a case decided by one of the most brilliant jurists that ever sat upon a British bench—I refer to the late Sir George Jessel—the judge was called upon to give judgment upon the very point I am discussing, and he sums it up in these words :

It seems to me that the jurisdiction of committing for contempt being practically arbitrary and unlimited should be most jealously and carefully watched, and exercised, if I may say so, with the greatest reluctance and the greatest anxiety on the part of the judges to see whether there is no other mode which is not open to the objection of arbitrariness and which can be brought to bear upon the subject. I say that a judge should be most careful to see that the cause cannot be fairly prosecuted to a hearing unless this extreme mode of dealing with persons brought before him in accusations of contempt of court should be adopted. I have myself had many occasions to consider the jurisdiction and I have always thought that necessary though it be, it is necessary only in the sense in which extreme measures are sometimes necessary to preserve men's rights—that is if no other pertinent remedy can be found. Probably that would be discovered after consideration to be true measure of the exercise of the jurisdiction.

Mr. McNEILL. That refers to contempt in open court.

Mr. DAVIES (P.E.I.) No, to constructive contempt. The remedy for contempt in open court which my hon. friend refers to must be summary and prompt in its nature. That, of course, does not come in question, nor do these arguments apply to it. I pointed out to the House that there were three easy, plain, practical remedies open alike to Mr. Baird and to Mr. Justice Tuck. One was a civil action for libel, another by preferring an indictment, and the last by applying to the court for a criminal information. They were as speedy—even more speedy—than the course taken by the judges here; they would have been as effective to punish, even more effective; they would have surrounded the defendant with the safeguards which every person accused of crime has when he is called upon to stand his trial for his life or his liberty, and would have satisfied the demand of the law that no man shall be judge in his own cause, that every man shall be presumed to be innocent until he is proven guilty, and that no man shall be punished until a jury of his own countrymen find him guilty of the offence with which he is charged. Sir, this statement of law covers the whole ground. The question was afterwards brought before the Court of Queen's Bench

Mr. DAVIES (P.E.I.)

in England and discussed before the other judges. Mr. Justice Matthews agreed fully and unreservedly in the statement of Sir George Jessel. Lord Justice Mellish is also a very high authority, who gave his entire concurrence to the statement of the law laid down by Sir George Jessel, which I have just quoted. In the case of Maria Anna Davis, in the Court of Queen's Bench, Mr. Justice Matthews, with a few words preliminary words of his own adopted absolutely the dictum of Sir George Jessel. I say that in this Ellis case these excellent principles were deliberately ignored. No information was filed or applied for; no indictment was preferred; no civil action was brought, but the summary and arbitrary measure of proceeding in the way I have mentioned was adopted. Some years ago this matter was brought up before the House of Lords by the Lord Chancellor, Sir Roundell Palmer, who introduced a Bill into the House of Lords for the purpose of limiting and controlling the exercise of this jurisdiction on the part of the judges. Hon. gentlemen will recollect that there is another incident connected with this arbitrary mode of punishment which is unknown to the other methods I have referred to, and that is that this method is not only arbitrary and summary, and without the protective surroundings I have referred to, but it is absolute in the sense that there is no appeal from it. The judges themselves give judgment, and from that judgment there is no appeal; and therefore there is more reason why the course which Sir George Jessel laid down should be adopted. Now, when Sir Roundell Palmer introduced his Bill into the House of Lords upon that occasion, that distinguished Irish law lord, Lord Fitzgerald, made some comments upon this method of procedure. He said :

The old cases which punished for speaking disrespectfully of the courts would not now be followed. In modern times this power of commitment has been confined solely to articles in the newspapers which were thought to interfere with the administration of justice.

Mind you, not a matter relating to the dignity and character of the judge, but something which absolutely interfered with the administration of justice.

The doctrine of constructive contempt was one he was not inclined to favour, the judge being at once judge of the law, of the fact, and of the intention of the sentence, and his decision was without any power of review.

That eminent and distinguished lord denounced the present system "as uncertain, undefined, and depending on a capricious discretion," and added: "such a practice as ours of summary punishment for constructive contempt, did not exist in any other country." Now, Sir, I submit I have proved the proposition with which I started out.

The second proposition contained in my resolution to which I ask the House to assent, is that inasmuch as there were pertinent and proper remedies which could have been resorted to, and which Mr. Baird or Mr. Justice Tuck might have invoked on their respective behalfs, they had no right in law or in equity to resort to this arbitrary, capricious and indefensible mode of punishing Mr. Ellis by summary application, to punish him without the intervention of a jury. Now, Mr. Speaker, this case was appealed from the Supreme Court of New Brunswick to the Supreme Court of Canada, on the assumption which was then generally entertained, that in a matter of this kind an appeal would lie. It seemed impossible that two or three judges sitting in a court should be the sole arbiters of a man's liberty, and that from their decision there could be no appeal to any other tribunal, that they could punish a man, and that they in themselves could possess the sole power of limiting the punishment, it might be one year or twenty years, and that there could be no court of appeal to whom the man so punished could appeal. Therefore, proceedings were taken to the Supreme Court of Canada. But it was held that no appeal could lie in proceedings of this kind, and the case was remitted back to the Supreme Court of New Brunswick. Well, of course the judges of the Supreme Court of Canada gave no judgment upon the merits of the case, but one of them could not refrain from expressing in the very strongest language his opinion of the conduct of the judges, and he went so far as to say, although the matter was not before him for decision, that under the extraordinary circumstances of the case he could not refrain from saying that the whole proceedings of the judges of the court of New Brunswick were contrary to law and to justice. His language is to be found on page 17 of the Supreme Court Reports of the case. Judge Fournier says :

I am forced to regret to say upon this subject that I consider the opinion of the Hon. Judge Tuck and that of the Court of New Brunswick, as equally erroneous, contrary to law and to the decisions of the highest tribunal.

That, of course, is a mere dictum of that learned judge. On the merits of the case he could not decide, because there was no right of appeal, as he determined himself, but the case was so extraordinary and so indefensible that he could not refrain from expressing an opinion as strong as the one which I have just recited. Well, Sir, when these proceedings were remitted back to the Supreme Court of New Brunswick, one would suppose that after so long a time had elapsed, after the judges had had an opportunity to reflect upon their conduct, they would be satisfied with a mere nominal punishment. But I want to call the attention of the House to the fact that although six years had elapsed, although the proceedings about which these articles were written had all

ended, although other elections had come and gone and everybody had nearly forgotten all about it, when public opinion and justice would have been satisfied with a nominal punishment, these judges thought it necessary not only to sentence Mr. Ellis to pay a fine of \$200 and to pay the costs between attorney and client, but to sentence him to thirty days' imprisonment in the common jail as a common felon. I say it was an indignity which the offence, if offence there was, did not deserve. I say the severity of the punishment cannot be justified. I cannot conceive myself what motives could have prompted the judges to inflict such a harsh, cruel sentence. What justification could be offered by the judges for inflicting such a cruel sentence upon a man for such a a venial offence, if offence there was committed at all. But, Sir, what was he punished for? It seems he was punished for reflecting upon Mr. Baird, because Mr. Ellis was made to pay the costs of Mr. Baird's lawyer, and every dollar that Mr. Baird had paid out of his own pocket as between attorney and client, had to be paid by Mr. Ellis. Mr. Baird was not put forward by the court to vindicate their honour and dignity, he was vindicating in this extreme mode his own character, as he said, against the calumnious attacks made upon it by one of his public opponents, while at the same time voluntarily assuming to take the honour of the court under his wing, and his costs are paid as between attorney and client, and the offender is sentenced to thirty days' imprisonment in the common jail as a common felon. Now, if any hon. gentleman in the House thinks that the language Mr. Ellis used went further than the occasion required, they will admit that the offence was not one to call for punishment such as this. Why, Sir, many a man who commits a course and vulgar crime against the community is very often sentenced to a much less imprisonment than the term which Mr. Ellis was sentenced to suffer. He was a man deservedly enjoying the esteem and respect of his fellow-colonists, and those hon. gentlemen in this House who remember him while he sat here for four years, will remember him as one of the mildest and most estimable men that ever sat in this House of Commons. He may have used strong language in the heat of the moment, but I will challenge contradiction to this fact, that he was the last man that ever sat here likely even to hurt the feelings of anybody, a mild-mannered man, a modest man, a kind man, the last man in the world who would maliciously stab and injure an opponent, a man who, on this occasion, was prompted by a stern sense of duty, and duty alone; and if he did go beyond the verge of that which is strictly permissible, I say justice would have been vindicated by a nominal punishment, and not by a punishment which I cannot characterize as otherwise than vindictive. But, Sir, it may be asked, how was this court composed, how was it possible that

those gentlemen could be actuated by vindictive feelings? The court was composed, as appears from the return brought down in answer to a motion I made, of Sir John C. Allen, the present Chief Justice, Hon. Justice Palmer, and Hon. Justice Fraser. So far as Chief Justice Allen is concerned, I suppose there is no man inside of this House or out of it who would say a word against that gentleman, who was a mild-mannered, estimable judge in all the relations of life, and enjoyed the esteem of his fellow-citizens. I have never heard aught against him. His judicial character is one that reflects credit on himself and has cast honour on the Bench; and I speak in these terms more cheerfully because he has unfortunately been stricken down with a disease which I suppose will prevent him ever sitting on the Bench again. There is little doubt, I have no doubt, I am sorry to say, that at the time when that distinguished judge gave judgment he was on the eve of that terrible sickness which shortly afterwards overwhelmed him. His mind did not possess that strength and clearness which in times gone by he had enjoyed; he was subject to a stronger mind on the Bench, and I am going to point out by whom that sentence was given, and why that sentence was given. I am going to ask the attention of the House to this question, whether that judgment sentencing Mr. Ellis to jail for thirty days was given in punishment of an article he had published six years before, or whether it was given from the malice and vindictiveness of one of the judges in punishment of an article—

Some hon. MEMBERS. Shame.

Mr. WELDON. I rise to a point of order. My point is that the hon. member for Queen's (Mr. Davies) cannot criticise the acts of one of the judges on the New Brunswick Supreme Bench.

Mr. DAVIES (P.E.I.) I am not going to do so. I am not referring to a judge of the Supreme Court of New Brunswick at all. If the hon. gentleman will allow me to finish my sentence, he will learn to whom I refer. I am referring to a gentleman who left the Supreme Court of New Brunswick and now is a private citizen, who left the Bench because he knew he was going to be impeached in this House for high crimes and misdemeanours. I am going to read to this House an article which J. V. Ellis published three months before he was sentenced by Mr. Justice Palmer, and hon. members can draw their own conclusions after I have read that article. The hon. gentleman (Mr. Weldon) need not rush to the rescue; he may have an opportunity of vindicating the character of this gentleman whom he now patronizes or rises to defend. Sir, on 14th June last, before the sentence was published, and about the time the matter was remitted back to the Supreme Court of New Brunswick by the Supreme Court of Canada, an article was published by Mr. Ellis reflecting on

Mr. DAVIES (P.E.I.)

the character of a gentleman who then occupied, but does not now occupy, a seat on that Bench. That article was entitled:

THE EQUITY COURT—GRAVE RUMOURS AFFECTING JUDGE PALMER—WHY IS HIS SON RETAINED IN SO MANY CASES?—COMPLAINTS OF NEPOTISM—MANAGEMENT OF THE PARKS BUSINESS—ALLEGED PAYMENT TO THE JUDGE OF \$5,000 FOR SERVICES IN THAT CASE.

There is a great deal of talk in legal and in business circles over rumours and assertions which are current respecting the administration of justice in one of the most important courts in this province. If gentlemen who ought to be well informed, are to be believed, there is a bad condition of things existing; but it is somewhat surprising and very regrettable that those who are most deeply interested have not the courage to bring the matter before the constituted authorities. There is here a barrister's society, and it is, or should be, deeply interested in keeping the fountain of justice pure. Individual members of this society will talk in the boldest manner to any one whom they feel they can trust concerning transactions of the judge in Equity, Mr. Justice Palmer, but when asked why they do not take concerted action so as to bring the facts under the notice of the Minister of Justice, they merely shrug their shoulders intimating that there is too much risk in exciting the hostility of any judge. One lawyer of considerable prominence in the community has been, it is said, heard to declare that to take any steps likely to bring upon him the hostility of the judge would be unfair to his clients, as it would ruin their prospects of success. There may be a certain sympathy with this view, little as it may have to justify it on public or moral grounds; but, if it be a fact, as is currently stated, that when able lawyers who are employed in a case scramble among themselves as to which shall be the first to employ the judge's son—who is also on the roll of barristers—we can see that the legal fraternity are practically committing themselves into a line of conduct that makes them participators in the wrong-doing they deplore.

After commenting upon certain charges of nepotism alleged against Judge Palmer, the article goes on to say:

Gross as this proceeding is, it appears to be exceeded by some of the transactions which have taken place in connection with the management of the Equity Court of the Parks cotton mill. This concern was, it will be remembered, put into the hands of a receiver (Mr. H. H. McLean), at the instance of the Bank of Montreal. While thus in the hands of the receiver, Judge Palmer himself actually undertook the management of the business. One of his first steps was to appoint his nephew, Mr. Philip Palmer, an inspector or overseer of the business, and he was allowed five dollars a day for his work. Heretofore Mr. Palmer's occupation was that of a lawyer. He knew as much about the manufacture of cotton as lawyers generally do of work of that kind. The judge, in his capacity as manager of the mill, for the court composed of himself, went into cotton speculation of various kinds, and, according to the current reports, he lost four thousand dollars, some, if not all of it, "in margins." While some of the papers were industriously

employed in lauding Mr. Justice Palmer's skill as a cotton manufacturer, the parties most interested in the concern were getting very sick of his alleged management, and they brought about a movement to oust him. Of course, this had to be done very cautiously. That is, the parties in the case had to do it cautiously; they feared, rightly or wrongly, that the judge enamoured of his own skill as a manager might not want to go suddenly out of the business; he might not want to allow Mr. Philip Palmer to lose his lucrative employment. The whole thing was kept a profound secret, up to within a few hours of the time when all the parties went before the judge and asked him to stop the proceedings in Equity, and to allow the new man to take hold of the mill. The judge did this, but before he finally got out he had extended Mr. Philip Palmer's prerogative, so that he might continue for three months longer to receive wages, although his work had ceased; he managed to get in his own claim for \$1,300, to pay over the indebtedness due by him on his speculations. So far as regards the allowance to Mr. Philip Palmer, it seems to have been nothing short of a gross outrage to allow that gentleman anything. Even if he were really employed at any time in any necessary work in connection with the cotton mill, there was no ground whatever for paying him a single dollar over and above the time he was employed; in fact, it seems to have been an injustice to do so. The judge, in making his allowance, appears to have arbitrarily used the power in his hands for the benefit of his relative. So far as paying the "cotton margins," or whatever the \$1,300 balance was due for, that may be excused or even justified, though it seems a very doubtful and improper thing for a judge to be carrying on transactions of this kind in his own name. But this is a simple proceeding as compared with something else which happened. It seems that a large sum of money was paid to Mr. Justice Palmer personally for his services in the matter while acting as the judge of the court. The amount stated to have been paid him is five thousand dollars. There are some who assert that just before the final proceedings were taken to have the matter removed from the Equity Court, the judge became aware of the fact that this large sum would become his as soon as the matter was at an end, and it was even delicately, if maliciously, intimated that the proceedings being stayed or stopped by the judge, things would be different, and there would be no money. This probably may be a mere invention; but, however, the thing was hedged, there seems to be no doubt at all that not only was the money tendered Judge Palmer but that he took it. Those who can speak categorically upon the matter can tell how the cheque was drawn, by whom, who carried it about before it was delivered, and how long a time elapsed after the transfer of the property to the new men before the money was paid.

The complaints of nepotism fade into insignificance before this last affair. Stripped of all its ornamentation the fact remains that the Judge in Equity received a sum of money, said to be five thousand dollars on the termination of a suit. What was the money paid for? Why did the judge put himself into the humiliating circumstance of accepting it? Is there any justification for the course taken? The facts are within the reach of men of capacity and influence and honour in this

community. Do they intend to permit a thing of this kind to pass without fullest investigation? If so, are they not contributing to the corruption which they deplore?

Sir, that is the article which was published in the month of June, two or three months before Mr. Ellis received his sentence from the man he accused of receiving bribes. This House may well ask: Did Mr. Justice Palmer and his colleagues on the Bench invoke the aid of the power of commitment to punish the man who accused a judge of the Supreme Court of New Brunswick as being a bribe-taker. If that charge were true, then all confidence in that judge must cease. Heretofore, the streams of justice so far as we knew, ran pure; the fountains of justice were unsullied, as far as our knowledge went. We were proud to know that sitting upon the Bench of our Supreme Courts were men of incorrupt life, at least; judges who would discharge their duties between man and man without a suspicion that justice was bought at their hands. But here was a man charged with receiving bribes who had proclaimed some years before that he was zealous and jealous of the honour and the dignity and the purity of the court; that a mere word reflecting upon the integrity of the judges should be punished, not by the ordinary methods of law, but by resorting to the extreme and summary mode of attachment for contempt. With such a man, of course, hon. members will imagine that the moment a public charge was made in a public newspaper, that he had taken \$5,000 as a bribe to corrupt justice, to divert the purity of the streams of justice, that moment the judge would rush into print to deny the charge, and would hale the offender before him to administer condign punishment. But was it so? Was a writ issued for libel so that the man might be tried before a jury and the libel exposed and punished? Was the fact denied? Was the charge that this judge had taken \$5,000 to pervert justice ever challenged or denied? Was an attachment moved for, or a criminal information applied for, or an indictment preferred? No. Absolute silence was maintained. No libel suit was brought. No criminal information was preferred. No indictment was instituted. No denial was made from the Bench of the Supreme Court. Silence, absolute silence in the face of that terrible charge—one of the most terrible that ever was preferred against a judge in a British colony. Absolute silence was maintained. But when the poor culprit was brought up for having reflected upon Judge Tuck, some six years previously in declaring that he had intervened because justice was not wanted; then this man who was accused of taking bribes to pervert justice, took his seat upon the Bench, and in the Queen's name administering the majesty of the law declared: John V. Ellis, I send you to prison for thirty

days, not for having maligned me, for I won't say a word about your charge against me, but for having, six years previously, reflected upon the character of my colleague. There may be gentlemen in this House who can believe that the motives of Judge Palmer were the highest and most honourable. If so, I leave it to them to vindicate Judge Palmer's conduct. I cannot do it, Sir. I have come to the conclusion, for my part, that motives other than those which should animate judges when they ascend the Bench, to discharge the solemn duty of pronouncing sentence upon a prisoner, must have animated this judge upon that occasion. It is not human nature to suppose that he could be indifferent, in the face of such a charge. He was accused of the highest crime which a judge can commit, the crime of having sold justice. Is it possible that he could be indifferent in sentencing the man who made such a charge? I appeal to the sense of fair-play and justice which must animate the minds of hon. gentlemen on both sides, and I say: It is trifling and paltering with our common sense to state that a court, constituted with that man as one of its members could have done justice to poor Ellis. I ask the opinion of the House upon several points which I have summed up in my resolution. I say that when John Ellis was sent to prison—John Ellis, as pure-minded a man, as noble a man, as honest a man, as fair-minded a man, as there exists in the city of St. John; when he was dragged into a criminal cell and sentenced to thirty days in New Brunswick jail, I say that there rang out from one end of this land to the other a stream of execration and condemnation upon the court that pronounced such a sentence. I say that John Ellis had the sympathy of the highest men of all classes and creeds and politics in the province of New Brunswick.

Mr. WELDON. He had not.

Mr. DAVIES (P.E.I.) Do you say that he had not?

Mr. WELDON. He had not.

Mr. DAVIES (P.E.I.) I say that he had. I say that some of them ostentatiously went out of their way to exhibit that sympathy. I say that the Lieutenant-Governor of the province travelled from St. John to Fredericton and visited the poor fellow in his cell that he might publicly express his sympathy. I say that the Lord Bishop of the diocese visited him with the same object, at the same time, and in the same way. I say that the magistrates and the leading citizens exhibited that sympathy, and I say that outside of a few men whose politics are so biassed that they have no sympathy for any man opposed to them, the whole province went out in sympathy to John V. Ellis. The hon. member for Albert (Mr. Weldon) can only go so far as to say that Mr. Ellis had not his sympathy, but he will

Mr. DAVIES (P.E.I.)

find it hard to prove that Mr. Ellis had not the sympathy of the rest of the community. What do the press say, Sir? I need not quote from the press supposed to be in sympathy with the Liberal party. We know that there was not one paper silent from British Columbia to Cape Breton. The whole newspaper press rang out its denunciation in the strongest and severest terms against this unjust and cruel sentence. But I am proud to say it was not confined to the Liberal press. The Conservative party press rose above party considerations. They understood that something more was involved in this matter than a mere party triumph. They understood that the liberty of the press was at stake—the right of a public man to express his public views on public questions when justice was outraged; and I am proud to say that in numerous instances the press of the country rose to the occasion and expressed their sympathy with Mr. Ellis in the strongest possible terms. The Newcastle 'Advocate' said:

We consider the sentence an excessive one, considering the trouble and expense the accused has been put to in defending his action. The payment of the costs would appear to have been punishment enough for the offence and the Supreme Court Bench of this province would have sustained their dignity by the verdict of guilty of contempt of court without accompanying it with a fine and imprisonment.

The Fredericton 'Gleaner,' a Conservative paper, said the public would not approve of the Supreme Court's action, and demanded the repeal of such powers by the court. It added that Mr. Ellis, whose influence had ever been for good and at the service of his country, was sent to jail without the option of a trial by jury. Proceeding, the 'Gleaner' said:

In the tilt which took place between Judge Palmer and Mr. Weldon, Mr. Ellis's counsel, the judge declared that public opinion until crystallized into law would never influence him in the discharge of his duties. This is very proper ground for Mr. Justice Palmer to take in preparing a judgment. In imposing sentence, however, the case is widely different. That is a matter entirely in the discretion of the judge or court, and in that case the court has a right to consult, or to be influenced by, public opinion.

The Quebec 'Chronicle' said:

It finally reached the full bench of the Supreme Court of New Brunswick. The newspaper critic was there, practically at the mercy of gentlemen who were really his accusers, triers and executioners. He goes to prison for his opinions, and though he will suffer personally, for a time, he will have the satisfaction of seeing his name recorded, as the last man in Canada who will be obliged to submit to such incarceration for an offence which is not criminal. The law must be changed. Common sense is against the judge in this case. This

is not the first time that independent and thinking men have gone to prison for their opinions. But it should be the last time. Canada is too great a country to endow any man, whether he wears the ermine or not, with despotic powers.

The Montreal 'Star,' an independent Conservative paper, said :

The spectacle of a man, who is generally known to be a plucky and a conscientious journalist, hauled off to prison, in spite of a crown of gray hair, is not likely to put down "contempt of court." * * The dignity of the Bench will not gain by always invoking its full powers of punishment against honest critics.

The Montreal 'Witness,' which is an independent paper, though leaning to the Liberal side, spoke in equally strong terms. The Ottawa 'Journal,' which is an independent Conservative paper, said :

But fearless of criticism of a judge's actions and decisions, and as full of freedom of criticism of a judge personally as of any other public man, are equally necessary to the public welfare, and should be limited by precisely the law which limits them in the case of other public men, namely the law of libel. Apart from the interests of justice, a judge is no better than any other man. Personally, he is no more infallible. His right therefore to a weapon which implies infallibility should be resolutely questioned. The people should make unmistakable their feeling that the law of contempt must only defend, as the Privy Council says, the courses of justice, not the feelings of judges.

The Toronto 'Mail,' also an independent Conservative paper, said :

That a judge should submit to systematic defamation no one will contend; but when his judgment on a political question has been challenged in the press, he need not be in haste to consign his assailants to jail, for the party which approves of his decision will be certain to acquaint the public of its wisdom, thus more fully and more thoroughly vindicating him than any amount of imprisonment can. It is not probable that the New Brunswick judges will be congratulated upon their course with regard to Mr. Ellis. The respect and honour which the courts of the land challenge and receive are based upon the wisdom and impartiality of the Bench, and not upon the the readiness of the judges to open the jail doors to their critics.

The Fredericton 'Farmer,' a Conservative paper, said :

Though contending that the language used in the article was unnecessarily severe takes exception to "the manner and form" of the trial and proceedings, supports the demand for trial by jury in such cases, and not by the "judges of a court against whom the offence is said to have been committed." The time has gone by, or should be gone by at least, when a man may be thrown into prison without a fair and impartial trial by his peers, and without the opportunity to offer evidence in defence or justification of his act. The judges should be, and

we trust are, men above suspicion of wrong-doing, and every protection should be thrown around the court, which holds in its hands the safeguard of society, but at the same time the law furnishes ample means for the punishment of judge insultors, in the same manner that other offenders are dealt with, and without recourse to the mode of trial adopted in Mr. Ellis's case. Sometimes it is difficult for newspaper writers to draw the line neatly between legitimate criticism, and unfair comment, even in referring to courts and judges. We have seen allegations against a judge, which, if true, ought to drive him from the Bench, and yet no action was taken to disprove the damaging statements made. Perhaps some judges are more sensitive than others.

I merely quote these few extracts to show that not only was public opinion, so far as it could be gathered, in full sympathy with Mr. Ellis, but the newspaper press, which voiced public opinion, the independent press of the country, were strong in their denunciations of the arbitrary and cruel action of the judge in inflicting this sentence upon him. And now, Sir, I will just ask the attention of the House, in conclusion, to the points which I ask it to admit. The resolution asks the House to condemn the high-handed outrage by which a band of conspirators deprived the electors of Queen's County of their rights, and returned a man to represent them in Parliament who was not elected. That condemnation, I believe, ought to receive the support of every member of this House. Be it remembered that the action of Dunn on that occasion was denounced by every judge on the Bench in giving judgment in the case. Every one of them held that the conduct of the returning officer was wrong, and indefensible; and I have yet to hear a lawyer whose reputation is worth anything stand up in this House or elsewhere, and say that the conduct of that officer was anything else than a wicked and indefensible outrage. I think I am right, therefore, in calling upon the House, as the judges and the legal fraternity have condemned it, to condemn as a violation of justice that action in sending a man here who was not elected and keeping out the man who was elected. I ask the House, secondly, to condemn the action of the judges who in this arbitrary and summary way punished Mr. Ellis for an alleged contempt of court. If he erred by going further than he ought to have gone in a fair and honest criticism, the judge should have resorted to one or other of the methods I have referred to, under which the defendant would have had a fair trial before impartial judges and impartial jurymen and not by men who acted as a combination of prosecutors, judges and jury, in opposition to the principles laid down by Sir George Jessel, Lord Justice Mellish, Mr. Justice Matthew, Lord Fitzgerald, and a host of other English authorities. I ask, lastly, that that sentence should be pronounced excessive and entirely unnecessary. Considering the excitement which existed at

the time, considering the political outrage which had been perpetrated, and which Mr. Ellis was condemning, and considering all the circumstances, very great allowance should be made for strong language, and all these circumstances, which in an action for libel before a jury would be pleaded in extenuation and would have their effect, should, in a case like this, be considered by the judges. And without determining any of the legal questions, and I have avoided determining any of the legal questions—the right to issue a writ of prohibition or to proceed to punish by contempt in this particular way—I claim that the severity of the sentence was absolutely unjustified, and I would, therefore, move :

That all the words after the word "That" be left out, and the following inserted instead thereof :—“in February, eighteen hundred and eighty-seven, a writ had issued for the election of a member to represent the electoral district of Queen's County, in the House of Commons of Canada, directed to John R. Dunn as returning officer :

That the fifteenth day of February was the day appointed for the nomination of candidates, and the twenty-second for the polling day :

That Mr. George G. King and Mr. George F. Baird were nominated as candidates on the fifteenth day of February : that Mr. George G. King's nomination was signed by upwards of twenty-five duly qualified electors of the district, and was also assented to and signed by him, and verified by the oath of T. Medley Wetmore, who, also at that time, paid the returning officer the deposit of two hundred dollars required by law, and that he then gave T. Medley Wetmore a certificate stating that he had received from him a nomination paper of Mr. George G. King signed by upwards of twenty-five persons, and signed by Mr. George G. King as consenting thereto, and that he had also received a deposit of two hundred dollars as by law required :

That a poll having been demanded, an election was held on the twenty-second day of February, Mr. George G. King and Mr. George F. Baird being the candidates :

That on the fifth day of March, the day fixed for declaring the result of the polling, the returning officer stated the number of votes given for each candidate at the several polling districts ; but before announcing the result, Mr. George F. Baird's agent objected that Mr. George G. King had not been legally nominated, because the deposit of two hundred dollars was not made by his duly appointed agent ; and that all the votes given for him were therefore null and void, and should be rejected, and that Mr. George F. Baird should be declared duly elected ;

That the returning officer adopted this view and declared Mr. George F. Baird duly elected, though it was admitted Mr. George G. King had the majority of the votes polled ;

That on the seventh day of March, on behalf of Mr. George G. King, an application was made to Judge Steadman on an affidavit substantially stating the above facts and also stating the belief of the deponent that one of the deputy returning officers had improperly counted the ballots, and that another returning officer had improperly rejected one or more ballots in counting them ;

Mr. DAVIES (P.E.I.)

That on this affidavit an order was made by Judge Steadman appointing the eleventh day of March, at the court house in Queen's County, as the time and place for holding a recount of the votes ;

That thereupon, on the ninth day of March, Mr. George F. Baird's counsel obtained from Mr. Justice Tuck, one of the Judges of the Supreme Court of New Brunswick, an order nisi requiring Judge Steadman and Mr. George G. King to show cause at the then next term of the court why a writ of prohibition should not issue to prohibit the said Judge Steadman from proceeding to make a recount of the votes and ordering that, in the meantime, all proceedings relating to the said recount should be stayed.

That in Easter term, eighteen hundred and eighty-seven, of the said Supreme Court of New Brunswick, counsel on behalf of said George F. Baird obtained a rule nisi for an attachment against John V. Ellis, editor and publisher of the St. John "Globe" newspaper, for contempt of the said court for publishing in the issue of the said newspaper of the tenth, eleventh and twelfth days of March, 1887, certain articles under the captions of "The Queen's Election," "Government by Fraud," and Queen's County," wherein it was claimed were comments, reflections and innuendos on the applicant George F. Baird on the said order nisi for a prohibition granted by said Mr. Justice Tuck, and on said Mr. Justice Tuck himself, and in which articles it was claimed that Mr. John V. Ellis had been guilty of contempt of court in scandalizing the court, and particularly Mr. Justice Tuck, in calumniating and villifying the applicant, and in commenting in the matters of said election, said recount and said order nisi for a prohibition in a manner calculated to prejudice the public before the hearing and judicial decision of said matters ;

That subsequently the rule nisi for an attachment for contempt was made absolute by the Supreme Court of New Brunswick, against the said John V. Ellis, and he was adjudged guilty of contempt for having published such articles, but sentence deferred to admit of an appeal to the Supreme Court of Canada ;

That in February, eighteen hundred and ninety-three, the Supreme Court of Canada delivered judgment to the effect that no appeal would lie to it in such cases of alleged contempt, and the proceedings were consequently remitted back to the Supreme Court of New Brunswick, which latter court did, on the fourteenth day of October, eighteen hundred and ninety-three, sentence the said John V. Ellis, for his alleged contempt, to pay a fine of two hundred dollars, to be imprisoned in the common jail of the county of York for the space of thirty days and until the fine was paid, and further to pay the costs to be taxed as between party and party ;

That more than six years had elapsed between the publication of the articles containing the alleged contempt and the delivery of said sentence, during which time all the proceedings in the several courts to which the said articles had reference had ended and been finally disposed of ;

That in the opinion of this House, the action of the returning officer Dunn in refusing to return George G. King, who had polled a large majority of the votes at an election duly held and in returning Mr. George F. Baird, the minority candidate,

instead, was a gross violation of law and justice, a wicked and indefensible outrage upon the electors of Queen's County, New Brunswick, and a precedent pregnant with such danger to the future political government of Canada as to have demanded and justified on the part of the newspaper press the severest possible condemnation and censure :

That in the further opinion of this House, the jurisdiction claimed by the judges of Superior Courts of Record of punishing by fine and commitment to prison for constructive contempt being practically arbitrary and unlimited and exercised by judges, who are at the same time judges of the law, of the fact, of the intention and of the sentence, and whose decisions are given without the aid of a jury and without being subject to review, is opposed to the genius and spirit of constitutional liberty and ought never to be exercised where any other pertinent remedy can be found or recourse had to any other method of obtaining justice :

That the punishment inflicted by the Supreme Court of New Brunswick upon John V. Ellis, in the month of October, eighteen hundred and ninety-three, for an alleged constructive contempt of court contained in articles published by him on the Queen's County election herein referred to, was arbitrary, excessive, inimical to the public interest and deserving of censure, and in so far as it added costs to the fine and imprisonment without precedent.

I may say that the facts which I have recited in this resolution are taken almost verbatim from those recited in the judgment given by Sir John Allen.

Mr. HAZEN. In which case ?

Mr. DAVIES (P.E.I.) In one of the two cases.

Mr. HAZEN. The hon. gentleman, in the preamble of that resolution, has made a statement as to what the affidavit of Mr. King contained, on which Judge Steadman granted the order for a recount. What is his authority for that statement ?

Mr. DAVIES (P.E.I.) Copied almost verbatim from the ex parte Baird report, 29 New Brunswick Reports, page 163. Whatever opinions we might entertain or different conclusions we might form upon the facts, I thought it was absolutely essential to have the facts expressed correctly, and I thought I could best express them by copying them from the statement of facts contained in the official reports, and especially as they are recited by the learned Chief Justice himself. I have not deviated in any respect from the facts as they are judicially recited by the Chief Justice and the reporter in these two cases—27 New Brunswick Reports, page 202 ; 29 New Brunswick Reports, page 162. At the foot of page 163 is the reference the hon. gentleman asked me for. Although there are many other parts of the case on which I would like to have commented at greater length—for instance, I would like to have quoted the decisions given by Chief Justice Allen and Mr. Justice King, upon the regularity of the proceedings, I do

not care to take up longer the time of the House, except, if the House will pardon me, just to make that quotation. I want to show that there can be no possible doubt that in the opinion of the judges who heard the case argued, all the proceedings on Mr. King's part were correctly and legally taken, and that Mr. King should have been returned as elected for the county of Queen's. On page 175 of the New Brunswick Reports to which I have referred, Sir John Allen, Chief Justice, is thus reported :

I can see no objection whatever to the nomination paper presented for Mr. King. All the provisions of the statute respecting nomination papers were complied with. It was signed by upwards of twenty-five electors ; it contained the written consent of Mr. King to his nomination : the deposit of \$200 was paid to the returning officer at the time ; Mr. Wetmore, who produced the nomination paper to the returning officer, made oath to the facts required to be sworn to by the 21st section ; and the returning officer received the paper and deposit, and gave Mr. Wetmore a certificate to that effect, and granted a poll for taking the votes of the electors for the two candidates. If the nomination was insufficient the returning officer no doubt might have rejected it, but he did not do so. On the contrary, he received it and adjudged it sufficient, and every act which he did at that time showed that he had so decided. I think, even assuming his decision to have been wrong (which, however, I do not) his power of adjudicating upon the sufficiency of the nomination paper was at an end when he accepted it and granted a poll ; and he had no right afterwards at the time for adding up of the votes, to decide that Mr. King's nomination was illegal, and that the votes polled for him were null and void, and therefore that Mr. Baird was the only candidate legally nominated.

On page 178 he goes on to say further :

I will now consider the grounds on which the decision of the returning officer was arrived at in this case. It is admitted that it was because Mr. Wetmore, who presented Mr. King's nomination paper and paid the deposit, had not been appointed Mr. King's agent, and that no written authority so appointing him had been delivered to the returning officer. In my opinion no such authority was necessary to perfect the nomination. * * * In the present case—

He goes on to say on page 180 :

—Mr. King was nominated in every respect in accordance with what the Act required, and the returning officer treated him as a candidate throughout the election. So that there was no justification under these words in section 118 for declaring that he was not a candidate, and that the votes given for him were null and void.

Sir JOHN THOMPSON. What was the date of that decision ?

Mr. DAVIES (P.E.I.) February 13, 1890. I want to show the House that the proceeding which Mr. Ellis condemned was held by the Chief Justice, who heard the case afterwards, to be without any justifi-

cation whatever, that Mr. King's nomination paper, and the proceedings on his behalf were entirely regular, that Mr. King was a legal candidate in every respect, and that the objection taken to him was absolutely futile. They might as well have taken any other objection; it would have been equally good for the conspirators in this case.

Mr. SPROULE. Why did you not punish the returning officer for doing an illegal act?

Mr. DAVIES (P.E.I.) The judge had not the returning officer before him. That is part of the complaint—that the wrong man was punished. The man who committed the act which the judge said was without justification in law or fact goes free—

Mr. SPROULE. But not one of you had the courage to call for his punishment if he did wrong.

Mr. DAVIES (P.E.I.) I am speaking only to the one point. I want to remove doubts that might exist in the minds of hon. gentlemen as to the nature of these proceedings. Mr. Justice King who gives judgment and who agrees that Judge Tuck had the right to issue a writ of prohibition, upon the point of Mr. King's nomination paper being right and the returning officer having acted entirely wrong, is quite clear. He says:

I think that the deposit was well made by the person who produced the nomination paper to the returning officer, and that section 118 is inapplicable. I therefore am of the opinion that the returning officer was wrong in determining that Mr. King was not legally nominated.

Mr. McCARTHY. What judgment is that?

Mr. DAVIES (P.E.I.) The judgment in *ex parte Baird*, 1890.

Sir JOHN THOMPSON. Making the rule absolute for prohibition.

Mr. McCARTHY. Not the case of contempt?

Mr. DAVIES (P.E.I.) Judgment for contempt is given in Vol. 27; the other is in Vol. 29. I am not going to argue whether Judge Tuck was right in issuing prohibition or not. As the judges said in the courts below, that is entirely beside the question, it had nothing to do with the question of contempt which they had before them. I have endeavoured to show that on the facts of the case Mr. King was entirely right and Mr. Baird and Mr. Dunn were entirely wrong, and that the man who commented, and properly commented, in the severest language upon their conduct was haled before the judges and condemned as a criminal without trial by a jury, subjected to a heavy fine and made pay the costs of one of the culprits. In view of these facts I think I can fairly ask the concurrence of this House in the resolution I proposed, and in the condemnation by that resolution of these parties.

Mr. DAVIES (P.E.I.)

Mr. HAZEN. I regret that I cannot conscientiously congratulate the hon. member for Queen's (Mr. Davies) on the speech which he has just delivered to this House. We would naturally have expected a lawyer of his eminence in the province from which he comes, to approach the discussion of this question in a fair and judicial spirit, but he has done so in a most violent, a most unfair and a most partisan spirit. The hon. gentleman commenced his speech by saying he had no disposition to attack what Mr. Justice Tuck had done, no disposition to attack what the Supreme Court of New Brunswick had done; but in the concluding part of his speech, when he departed from the question before the House and indulged in an attack upon a gentleman who is not now a member of that Bench, it must have been perfectly clear to every one within the sound of his voice that the object of his speech was not to attack what Mr. Justice Tuck had done—because I think that from the first to the last everybody must have been satisfied as they listened to that hon. gentleman that he was utterly at a loss for an argument to attack what Mr. Justice Tuck had done—but his whole object in addressing this House was to attach odium, and, if possible, to attach disgrace, to the Bench in the province of New Brunswick, the sister province to the province from which he comes. While I cannot congratulate the hon. gentleman upon the spirit he has displayed in discussing this question to-day, I can congratulate him upon the ingenuity he has shown in attempting to divert the attention of this House and this country from the matter which is under discussion, and which we have been led to expect by the newspapers for several days past, he would bring up for discussion, in order that he might censure the Supreme Court of the province of New Brunswick for sentencing Mr. Ellis for contempt of court. I say I can congratulate him on his ingenuity in attempting to divert attention from that issue by raking up again the Queen's County election of 1887, and indulging in the most unwarranted abuse of the gentleman who, to-day, by the votes of the people of Queen's, represents that county in the House of Commons, and indulging in the most unwarranted abuse of the gentleman who was returning officer in that election. Mr. Speaker, I say, and I say it advisedly, that the hon. gentleman was utterly without excuse, that he has not one scintilla of justification for his course in this House in speaking of Mr. John R. Dunn as a scoundrel. The hon. gentleman argued that the Supreme Court should not have punished Mr. Ellis, even if he had committed an offence, because that offence was committed some six odd years ago; but the hon. gentleman follows a different rule when he comes to discuss the conduct of Mr. Dunn in a case where, even if he had done wrong, the wrong was committed some six odd years ago. He thinks it is

perfectly fair and legitimate to stand up in this House to-day and stigmatize Mr. Dunn as a scoundrel. Sir, over six years ago, Mr. John R. Dunn appeared at the bar of this House and was interrogated concerning his connection with the Queen's County election of 1887, and so fairly and frankly did he answer the questions put to him, so well did he undergo the artillery levelled against him by the hon. gentlemen opposite, that he was allowed to leave the House uncondemned, and hon. gentlemen opposite never had the courage to move a resolution concerning Mr. Dunn for what he did in that election.

Mr. DAVIES (P.E.I.) I moved a resolution myself.

Mr. HAZEN. I am stating what I believe is a fact, and what hon. gentlemen who were present at that time tell me now is a fact. Now, Sir, in view of the fact that Mr. Dunn was brought to the bar of the House in 1887, when the whole matter was threshed out, and when Mr. Dunn answered satisfactorily all the questions that were put to him, I ask, is it decent to-day for the hon. member for Queen's to get up in this House six years afterwards and call Mr. Dunn a scoundrel, and use language of invective fit only for a fishwife? I feel it my duty to say this, that Mr. John R. Dunn is not now, and never was, a scoundrel, and such language as was used by the hon. gentleman could never be fairly applied to him. I have known Mr. Dunn for many years. I knew him as a young man at the university with me, I have known him working his way through college in order to get an education under circumstances that would have daunted many men of less courage. I have known him since then as teacher in the grammar school in the county of Queen's, N.B., in the town where he is said to have committed this great crime; and I have known him since then as a member of the New Brunswick bar, and as a result of my long acquaintance with him, I say that I do not believe that either now or at any other time could he be fairly stigmatized, either in this House or elsewhere as a scoundrel. What was it Mr. Dunn did? At Gagetown the case was argued before him by counsel, and it was contended that in the election for Queen's Mr. King had not been legally nominated, and Mr. Dunn so decided. I am not saying that Mr. Dunn was right in his decision, far be from me to do so; but I believe that in giving that decision Mr. Dunn was acting only from honest motives, that there is not a tittle of evidence to show that he was influenced by any corrupt or improper motive in giving the judgment he rendered, and if he was wrong he would not be the first man sitting in the capacity of a judge who made a mistake in construing a statute or rule of law. The hon. gentleman proceeded to make

a most unwarranted attack on the gentleman who now occupies the position of member for Queen's, N.B. That hon. gentleman is well able to defend himself and needs no defence at my hands. But I think it is proper for me to say, in view of the abuse heaped on him to-day by the hon. member for Queen's (Mr. Davies), that in the community where he lives and where he carries on an extensive business, in the city of St. John, there is no business man whose word is held in higher regard than the word of George F. Baird.

Mr. DAVIES (P.E.I.) I made no reference to Mr. Baird's commercial reputation or character, or anything outside of the particular point we have under discussion.

Mr. HAZEN. No. The hon. gentleman knew better than to refer to him in specific language.

Mr. DAVIES (P.E.I.) I would not do it.

Mr. HAZEN. But the hon. gentleman spoke in language so extravagant and abusive that any one listening to the remarks, and not knowing the hon. member for Queen's (Mr. Baird), would come to the conclusion that he was everything else but an honest man. I say the standing of Mr. Baird to-day in the community where he lives and does business, in which he goes in and out earning his daily bread, is as high and as good as is the position of the hon. gentleman who has so viciously and abusively attacked him to-day in the community in which he lives, and in saying that I do not say so with a desire to make an attack on my hon. friend, but I am simply stating the fact that Mr. Baird is a man who is regarded as a good citizen, and the abuse showered on him to-day is utterly unwarranted. Why, the hon. member who has just addressed the House stated that Mr. Baird would not have dared to have gone down to the county of Queen's in 1887, and appeared before a jury of the people knowing the circumstances of this case, and that if he had done so he would have been driven from the county. What do we find to have been the case? That after the session of 1887 Mr. Baird resigned his seat in this House, went down to the county of Queen's, N. B., among the people where my hon. friend says he would have been driven out of the county if he had dared to go into it for election purposes, and the people of Queen's County, knowing all the circumstances and all the facts of the case in which he was the principal party, sent Mr. Baird back to Parliament as their representative by a majority of over 100 votes. How utterly idle it is in view of that fact for the hon. gentleman to declare that Mr. Baird dare not face the people of Queen's. How absurd it is for the hon. gentleman to make such a statement; how idle it is to make such an assertion in view of the fact that Mr. Baird went back for election and was again returned. And not only was Mr. Baird

elected in 1888, having voluntarily resigned his seat, after he had been abused from one end of Canada to the other as no other public man had ever been abused before, but he was again returned by the people of Queen's in 1891. However, I felt it desirable to refer to this matter merely in passing, as Mr. Baird requires no defence at my hands. But there is a gentleman who I feel I am warranted in defending from the most wretched aspersion cast on him, and that is the gentleman who now occupies the position of Chief Justice of New Brunswick, Sir John C. Allen. The hon. member for Queen's (Mr. Davies) commenced by complimenting that learned judge, as he very properly could do, because no more high-minded man ever sat on the Bench in New Brunswick, or on the Bench in any other country. But the hon. member went out of his way to insult that learned judge by stating that his judgment in the case of Baird and Ellis was influenced by a stronger mind, the mind of Mr. Justice Palmer. Did it ever occur to the hon. gentleman that the judgments given in this case were rendered in 1888 and 1889, the first judgment finding Mr. Ellis guilty of contempt, and the second judgment, when the case came back for interrogatories after the Supreme Court refused to hear the appeal the first judgment being given nearly six years ago, at a time when Chief Justice Allen was in the possession of the most splendid health, and when his intellectual and physical vigour were beyond question? And further than that, the reason which the hon. gentleman said led Mr. Justice Palmer to influence the Chief Justice was an attack made on himself by Mr. Ellis; yet that attack was not made on Mr. Justice Palmer for years after those judgments were given in 1888 and in 1889.

Mr. DAVIES (P.E.I.) The hon. gentleman is entirely mistaken. I referred to the sentence.

Mr. HAZEN. The hon. gentleman says he referred to the sentence.

Mr. DAVIES (P.E.I.) Certainly.

Mr. HAZEN. But the important part of the case is the judgment given by the court. When those judgments were given, and I will read from Chief Justice Allen's judgment before I resume my seat, the Chief Justice was in full intellectual and physical vigour, and in those judgments, finding that Mr. Ellis had been guilty of contempt of court, the Chief Justice and the other judges, Mr. Justice Wetmore, Mr. Justice King, who is now a member of the Supreme Court of Canada, Mr. Justice Palmer and Mr. Justice Fraser, now the Lieutenant-Governor of New Brunswick, all agreed, and I make the assertion here, although it may be looked upon as sectional for me to do so, but I do not make it in that view, that I believe at that time there was not on any Bench in any of the provinces, men of greater ability,

Mr. HAZEN.

better lawyers, and more thoroughly qualified to give legal decisions on that or any other point that came before it.

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

After Recess.

Mr. HAZEN. Mr. Speaker, before the House rose at six o'clock, I had pointed out, that although Mr. Dunn, the returning officer for the county of Queen's, N.B., at the general election of 1887, had been called before the Bar of this House and had been interrogated by hon. gentlemen opposite concerning his connection with the Queen's County election in 1887; that yet, hon. gentlemen opposite, after Mr. Dunn had been interrogated, had failed to move any vote of censure upon his conduct in that election. When I made that statement I was interrupted by the hon. member for Queen's (Mr. Davies)—who, I regret to say, is not now in his seat—who informed the House that the statement made by me was not correct, as he (Mr. Davies) himself had during the session of 1887 moved a vote of censure upon Mr. Dunn, the returning officer, for his connection with the Queen's County election. Since the House took recess I have looked up the record, and I find from the Journals of the House of Commons, 1887, that the statement which I made was absolutely and in every respect correct, and that the statement made by the hon. member (Mr. Davies), to the effect that he had himself moved a resolution of censure upon Mr. Dunn, was incorrect. Now, in order to show that I made a perfectly correct statement, and that the hon. member for Queen's (Mr. Davies) was incorrect when he interrupted me, I will read from the Votes and Proceedings of the House of Commons for the year 1887. I find at page 205 of the Journals, under date 1st of June, an amendment moved by the hon. member (Mr. Davies) touching this matter, and that was the only motion he made in reference to it during that session or at any other session. There was before the House an amendment moved by the present Minister of Justice and seconded by Mr. White, of Cardwell:

That all the words after "That" where it occurs in the first line to the end of the question be left out and the words "The House adopts the second report of the Select Standing Committee on Privileges and Elections on the case of the Queen's County, N.B., election" be inserted instead thereof.

I find that the hon. member for Queen's (Mr. Davies) moved in amendment to this, and that was the only motion which he made in connection with this matter. I quote the following from the Journals, page 205, 1st of June, 1887:—

The House then resumed the consideration of the amendment proposed to be made to the question respecting the Queen's County election.

And the question on the amendment being again proposed ;

Mr. Davis moved in amendment to the said proposed amendment, seconded by Mr. Ellis,

That all the words after "That" in the amendment be left out and the words "at the late election held in the county of Queen's, N. B., for the House of Commons, two candidates, namely, George G. King and George F. Baird, were nominated, a poll demanded and granted and duly held, and on the summing up of the votes polled, the candidate : George G. King, had a majority of 61 votes. That the returning officer nevertheless returned the defeated candidate the said George F. Baird as elected, and that it was his duty instead to have returned the said George G. King, who received the said majority of votes, as the member elected ; and that the said returning officer (by name John R. Dunn) be forthwith summoned to attend at the Bar of this House and amend his returns accordingly," inserted instead thereof.

That is, I suppose, what the hon. member from Queen's (Mr. Davies) says is a vote of censure upon the action of the returning officer. I submit that that is not a vote of censure at all. It is simply a resolution that Mr. Dunn be summoned to the Bar of this House to amend his return. That motion is indeed a curious vote of censure upon the returning officer. I state again that the records of this Parliament bear out conclusively the assertion that I made, and for which I was corrected by the hon. member for Queen's (Mr. Davies) : that the members of the Opposition of this House, in 1887, after hearing Mr. Dunn before the Bar of this House, and after having the fullest opportunity of interrogating him concerning his action in the Queen's County election ; were so satisfied with what he said that they moved no vote of censure upon his conduct, and Mr. Dunn was allowed to leave this House without any such vote of censure being moved. Now, Mr. Speaker, having by way of introduction to the subject made those remarks which were called from me by the extraordinary statement made by the hon. member for Queen's (Mr. Davies)—who, instead of devoting his time to a fair discussion of the legal points involved in this matter, has gone out of his way to make a most vile and partisan attack upon Mr. Dunn, and Mr. Baird, and upon Judge Palmer—I shall now, Sir, endeavour to proceed to a fair discussion of the question which has come before this House, the question being : Was the Supreme Court of New Brunswick in the right, and did they act in accordance with law, when they found Mr. John V. Ellis, editor of the St. John 'Globe,' guilty of contempt of court ? I will endeavour to discuss that question without bias and without partisanship. I am well aware that this Parliament is, perhaps, not the best place in the world to discuss a nice legal question or a

question involving nice points of law. At the same time, Mr. Speaker, I think I will be able to convince you, and to convince the House, that in acting as they did the Supreme Court of New Brunswick acted entirely within the law, acted in a manner that cannot be successfully attacked from a legal standpoint, and further than that, I will prove that they are not open to the aspersions and accusations made against them to the effect that they acted from partisan motives and in a high-handed and arbitrary manner actuated by feelings of revenge. Let me lay before the House the facts of the case from the time of the Queen's County election in 1887 down to the imprisonment of Mr. Ellis. In the year 1887, as every member in this Chamber very well knows, there was an election held in the county of Queen's, N. B., the candidates being Mr. George G. King and Mr. George F. Baird, and at that election Mr. Baird polled 1,130 votes, and Mr. King polled 1,191 votes, Mr. King having a plurality of 61 of the votes cast. That point is not disputed. On nomination day the point was taken before the deputy returning officer, by counsel acting on behalf of Mr. Baird : that Mr. King had not been duly in nomination, that there had been a defect in the proceedings by which he had been nominated, that he had never been in nomination, that, therefore, he had never been a legal candidate, and that being the case, that there was legally only one candidate in the field, that candidate being Mr. Baird, the legality of whose nomination was not attacked, and that Mr. Baird was virtually elected by acclamation. That was the point taken before the returning officer on declaration day in the year 1887. The returning officer, Mr. Dunn, rightly or wrongly—I do not feel called upon to argue that question now—decided that Mr. King had not been legally a candidate, that his deposit had not been legally filed, and so he declared Mr. Baird elected. There was never any dispute as to the number of the votes that were polled at the election. After that judgment was given by the returning officer, counsel acting for Mr. King applied to Judge Steadman, judge of the county court for the district in which is situated the county of Queen's, and obtained from Judge Steadman an order dated the 7th of March, which was served upon Mr. Baird, and which order was for a recount and a final addition of the votes given at the said election. On March 9th, counsel acting for Mr. Baird obtained from Mr. Justice King, judge of the Supreme Court of the province of New Brunswick, a rule nisi for a writ of prohibition, calling upon Judge Steadman and upon Mr. King to show cause, on the first day of the following term—then not far distant—why a writ of prohibition should not issue to prohibit Judge Steadman from proceeding to make a recount and final addition of the votes, and from certifying the result of such recount to the returning

officer, and that in the meantime the proceedings relating to the said recount should be stayed. The matter presents this position at this time: That an application had been made to Judge Steadman on the part of Mr. King for a recount and a summing up of the ballots cast, which order had been granted by Judge Steadman and had been served upon Mr. Baird. Then we have an order nisi—and it is important to bear in mind that this order was a rule nisi, because a different impression prevailed in this country for some time, and prevails to some extent to-day—calling upon Judge Steadman and Mr. Baird to show cause before the Supreme Court in banc the first day of the following term why a writ of prohibition should not be issued to prevent Judge Steadman going on with the recount, in the meantime all proceedings to be stayed. Therefore it was open to Mr. Justice Steadman and his counsel, or to Mr. King and his counsel, on the first day of the following term, to appear before the full bench of the province of New Brunswick and show cause, if there was any cause, why the writ of prohibition should not issue. If they showed that Judge Steadman had a right to issue the order for a recount, the writ of prohibition would be refused. If, on the other hand, it was decided that Judge Steadman had no right to issue the order for a recount the rule would be made absolute for the issue of the writ of prohibition preventing him from doing so. Thus we had a pending legal proceeding, and while it was pending, and while the matter was before the court, with a fair opportunity of being argued without prejudice to anybody, then it was that the St. John 'Globe,' edited by Mr. Ellis, published the articles for which the rule for an attachment for contempt of court was moved against him; and those articles I will submit to any layman as well as to any lawyer in this House, were calculated to prejudice that legal proceeding, and I think every lawyer in this House will agree with me, constituted a very clear contempt of court indeed. It may be said, as it has been said, that it may have been thought by Mr. Ellis that it was not merely a rule nisi which the court had issued, but an absolute writ of prohibition to prevent Judge Steadman going on with the recount. Had that been the case, it would have been easy for Mr. Ellis at a later date to state so and to express regret that he had been led into error; but he did not express any regret. I say that if you search the books and authorities through from end to end, you will be unable to find a clearer case of contempt of court than was furnished by those articles which were written by Mr. Ellis. They accused a judge of the Supreme Court of desiring to prevent justice being done, of intervening for that purpose, of acting from corrupt and partisan motives, of dragging the ermine in the dust, and, impliedly, if not directly, of acting not

Mr. HAZEN.

in the capacity of a judge when he issued that order, but in some other capacity. Now let me again read the first of these articles, though it was read this afternoon by the hon. member for Queen's (Mr. Davies). On the 10th of March, the day following the issue by Mr. Justice Tuck, of the rule nisi for a writ of prohibition, which had the effect of bringing the whole matter up for fair consideration before the Supreme Court Bench, we find the following articles appearing in the St. John 'Daily Globe':—

THE QUEEN'S ELECTION.

People who know something about the course of political events were not surprised when they read in the papers this morning that Mr. Justice Tuck had issued a writ of prohibition to Judge Steadman of the county court, prohibiting him from proceeding to recount the ballots in the Queen's election. Nevertheless, the fact that such a writ has been issued adds fuel to the fire of discontent now burning fiercely over this whole business. The trick by which the voice of the majority in Queen's is silenced, is condemned all over the country in unmistakable terms, as a flagrant outrage upon popular rights and as a grossly immoral transaction. The appeal to Judge Steadman for a judicial reconsideration was made to a man of fair and honest judgment, who, if he had political leanings at all would have them towards the Conservative party, but who the people generally would trust to do what was fair. He might, therefore, be safely allowed to examine into the whole matter, and to do justice. But it is not justice that is wanted, and, therefore, Judge Tuck intervenes.

A clear attack upon Judge Tuck, implying that he was actuated by improper motives in granting the rule nisi for a writ of prohibition. Then, on the 11th of March, although in the meantime Mr. Ellis had time to find out whether the order was a rule nisi or not, I find, under the heading of "Government by Fraud," the following article:—

The attempt to deprive the electors of Queen's of their right to choose their own representative has succeeded for the moment. A returning officer who appears to be restrained by no moral consideration, and who appears to be incapable of judging between right and wrong, has selected Mr. Baird to sit in the House of Commons of Canada, although the majority of the electors rejected Mr. Baird. A judge assumes, if he does not usurp, the power to prevent a full investigation of the matter in time to remedy the evil, and the boast is made that two years must elapse before the man chosen by the majority can take his seat.

That I say is not the case. There was no power assumed or usurped to prevent the remedying of the evil. Then again, further on, we find:

There has just been an appeal to the people, out of which the administration has come weak and panting. Can it regain strength in the country through the fraud of returning officers? Can partisan judges give it vitality by degrading the ermine in its interest.

Then, on the 12th of March, I find an article in which it is stated :

We doubt if Tuck has any power to send such an order as a judge, but he may not have been acting in the capacity of a judge, but in some other capacity when he sent it. While Judge Tuck's order to the county judge is disobeyed because, as is generally conceded, Tuck went beyond his powers, the effect of his interference is to delay justice, and to prevent the will of the majority of the people from being carried out.

Now, I would submit to every lawyer in this House, as well as to every layman who has looked at the authorities at all, that a clearer case of contempt of court was never made out against any man than was made out against Mr. Ellis by these articles, which imputed most improper and dishonest motives to a judge of the Supreme Court, and which were published during the pendency of these legal proceedings in connection with the Queen's County election; and I submit that the law is that when a contempt of that kind is committed, and the attention of the court is called to it; and when the court, having fairly looked into the matter, and having given the party accused and his counsel every opportunity of presenting his case to the court, comes to the conclusion, as no court could help coming to the conclusion, that this was a clear contempt of court, calculated to prejudice and prejudge the proceedings then before the Supreme Court of New Brunswick, then no other course was open to that court than to impose sentence upon the person who committed this contempt, provided he did not purge himself of the contempt in the meantime. From the very outset of these proceedings, had Mr. Ellis—and I believe he could have done it without any humiliation to himself—admitted to the court that he had written these articles, that he had written them under excitement and that he regretted it afterwards, the court would have accepted such an explanation and the matter would have come to an end. As a matter of fact, it is admitted by every one who knows anything about this matter, that at one time it was agreed that if such a statement were made by Mr. Ellis that would be acceptable to the Chief Justice, it would be accepted by everybody. A statement was prepared by Mr. Ellis which was acceptable to the Chief Justice, which it was intended should be read to the Supreme Court, and Mr. Ellis was prevented from presenting it, not by the acts of people who were pursuing him, as we are told, with partisan vindictiveness, but by the action of his own political friends, by the action of the St. John 'Daily Telegraph,' which, when it learned this, came out the next day with an article under flaming headlines, taunting Mr. Ellis with being on his knees to the Supreme Court of New Brunswick and with cowardice. The result was that Mr. Ellis concluded not to read in court the statement he had prepared, and the litigation went on, which it

took five years to determine. Had he followed his calmer judgment, and he might well have done so without humiliating himself at all, because I submit the occasion was one on which such a course could have been taken without implying humiliation in any respect, or lowering Mr. Ellis in the slightest degree in the eyes of his fellow citizens, because we all know that men in the heat of political excitement often say things which they regret in their calmer moments—had Mr. Ellis read this statement, the matter would then and there have been settled. But not having done so, it seems to me that he has himself to blame for the long years of litigation and for the result which attended this matter. Now, there is no doubt whatever that, under the law, Mr. Ellis's act, in writing these articles, whether Judge Tuck was right or wrong in granting the rule nisi of prohibition—though for my part I do not see how his right to grant it can be called into question—was a contempt of court. Whether Judge Steadman was right or not in granting, in the first instance, the order for a recount, was a matter to be decided by the courts on the hearing of the rule nisi. And it was the attack Mr. Ellis made upon the judges concerning the proceedings then pending before the courts, which constituted a contempt of court. His attack was clearly a contempt of court, no matter whether the rule for a prohibition was properly granted or not, no matter whether Judge Steadman was right or not, but it may not be out of place to take up the time of this House for a brief space in discussing whether Judge Steadman had the right, under the statute which gave him the power to interfere in matters concerning elections, to order this recount, and whether Judge Tuck would have been justified in refusing the rule nisi when the application was made to him. In the first place, the right of a county judge to interfere in election matters is a right given him by statute. It is not a common law right, it is not an inherent right vested in his court, but a right which he possesses in virtue of the statutory power given him, and in the exercise of which he is strictly limited by statute. Let us see what was the position in which the Queen's County election matter stood. The only cases in which a county court judge has the right to order a recount under the statute, and the language of the statute is quite plain, are these. If there has been an improper summing up of the votes or an improper rejection or acceptance of ballots, then a recount will lie. In this case there was no such contention. The number of votes that had been cast was not in dispute. There was no question as to the improper summing up of votes or improper rejection or acceptance of ballots. But the whole point at issue was whether Mr. King had been legally in nomination, and the returning officer held that he was not. I will read to the House chapter 8, section 64, of the Revised Statutes of Can-

ada, under the heading of "Recount or final additions by judge." which gives the power a county court judge has :

If it is made to appear on the affidavit of any credible witness, to the judge of the county court of any county or union of counties that such witness believes that any deputy returning officer at any election in such electoral district, in counting the votes—(1) has improperly counted; or (2) has improperly rejected any ballot papers of such election;—

Mr. MILLS (Bothwell). Hear, hear.

Mr. HAZEN. My learned and honourable friend says "hear, hear." but the language of the Act is "deputy returning officer."

—or (3) that any person voted at such election whose name was included on any list of voters used in such election, or whose name was excluded from any such list, and whose right to have his name so included on the said list, or the exclusion of whose name from such list, as the case may be, appeared by such list to be the subject of an appeal pending and undecided under the provisions of "the Electoral Franchise Act," or the Act passed in the session held in the 48th and 49th years of Her Majesty's reign and intituled: "An Act respecting the electoral franchise," and that judgment has been rendered on such appeal deciding that such person is not entitled to have his name so registered upon the said list, or that the name of such person was properly excluded therefrom, as the case may be; or (4) that the returning officer has improperly summed up the votes.

Not one of the cases mentioned in that Act arose in connection with the Queen's County election. It was not the action of the deputy returning officer which was complained of, but the action of the returning officer, John R. Dunn, in declaring that Mr. King was not a candidate. It was not complained that the deputy returning officer had improperly added the votes or improperly rejected or accepted ballots. The whole complaint was that the returning officer, Mr. John R. Dunn, decided that Mr. King was not a candidate at that election. Any man who considers without party bias the section I have read cannot help coming to the conclusion that there was not a case for a recount by a county court judge, that it was not a case where a county court judge was authorized by the statute to order a recount of the votes cast. What was done then? It may be said by hon. gentlemen in this House, not familiar with this question, that it would be a great injustice to Mr. King if he had no remedy and was bound to submit to the illegal act of the returning officer. But Mr. King had a remedy. He had ample remedy. That remedy is clearly given to Mr. King by means of a petition. I will deal with this in a few moments. If hon. gentlemen will look at chapter 9 of the Revised Statutes of Canada, the Controverted Elections Act, they will find that it makes ample provision for

Mr. HAZEN.

remedying the state of affairs complained of. That Act provides for the appointment of judges, who are, in the province of New Brunswick, the judges of the Supreme Court, to try election petitions, and defines their jurisdiction. Section 5 says :

A petition complaining of an undue return, or undue election of a member, or of no return, or of a double return, or of any unlawful act by any candidate not returned, by which he is alleged to have become disqualified to sit in the House of Commons at any election, may be presented to the court by any one or more of the following persons.

Then are given the names of the persons who may present such petitions. It is perfectly plain, therefore, from the Dominion Controverted Elections Act, that there was ample opportunity given to Mr. King, if wrong were done him, to have that wrong redressed. That was the position of affairs, and I contend that when Mr. Baird's counsel went to Mr. Justice Tuck, and pointed out to him these facts, and made the proper affidavits, Judge Tuck was not only justified in granting the rule nisi for a writ of prohibition, but would not have been justified in refusing. Mr. Justice Tuck did not at once grant that rule nisi. Knowing that the matter was one in which there was very considerable interest, knowing that a good deal of feeling had arisen in connection with the election, he took time to deliberate before making up his mind to grant the rule. He did more, he consulted with several of his brother judges, the appointment of one of whom to the Supreme Court of the Dominion a few months ago, was received with the applause and acclaim of almost every newspaper and every public man in the Dominion, irrespective of party politics. Now, the rule nisi was granted, and one would have thought that it would have been the simplest matter in the world to have waited a little while until the court met, and to have gone before the court and argued the matter, and had a judicial decision. But instead of doing that, Mr. Ellis rushed into print and bitterly attacked the judge who had issued the rule against him, accusing him of corrupt and improper motives. In order to show the effect of the expressions of contempt used, let me read a few extracts from the judgment of the court of New Brunswick on that subject. My hon. friend from Queen's (Mr. Davies) left the impression upon members of this House this afternoon, I find, that when that judgment was delivered, it was after an attack had been made in the St. John 'Globe' upon Mr. Justice Palmer. My hon. friend shakes his head, but I say that was the impression left upon many members of the House, for they have told me so since the House took recess. This judgment was delivered in 1888. First of all, I will quote from the judgment of Chief Justice Sir John Allen, a gentleman whose integrity no man has ever disputed and no man ever will. In delivering judgment he says :

There can be no doubt about the general power of this court to grant writs of prohibition to restrain inferior courts from proceeding in matters over which they had no jurisdiction; or, where, having jurisdiction, they are attempting to proceed irregularly or improperly. In hearing the application for a prohibition against the judge of the county court of Queen's County, and in granting the rule nisi calling upon him to show cause why a prohibition should not issue, Mr. Justice Tuck.—

Let me say a word here, because the statement has been made from one end of the country to the other in the newspapers, that Judge Tuck took part in this trial, that he found Mr. Ellis guilty of contempt and sent him to prison. There is no truth in that statement. Mr. Justice Tuck took no part in the proceedings. It is not true that he was prosecutor, judge and jury. He did not sit in the case; he did not listen to a single argument; he did not give judgment in the matter. I have seen it stated within the last week in journals usually well informed that Mr. Justice Tuck himself sent Mr. Ellis to prison because of contempt committed against himself. A statement more grossly inaccurate and untrue was never made, and I am glad to have this opportunity before this country of making this statement; and I trust that the press of this country who have published this statement broadcast will do Mr. Justice Tuck the justice to publish the denial I have now made:

Justice Tuck was acting in his judicial character as a judge of this court; and charges made against him alleging that he was actuated by dishonest and corrupt motives in granting the order which he did, were calculated to interfere with the proper administration of justice, and to bring the proceedings of this court into contempt; and therefore I am of opinion that the first objection in the proceeding in this matter cannot be sustained.

Later on in his judgment, Sir John Allen says this:

I think it cannot well be disputed that Mr. Justice Tuck, in granting the order nisi, was acting in his judicial capacity as a judge of this court. As such judge he had general jurisdiction over the subject of prohibition; and when affidavits were produced before him which satisfied him that the judge of the county court was attempting to exercise a jurisdiction in the matter of the election which he had no right to exercise, that he (Mr. Justice Tuck) acquired jurisdiction over the particular case, and in what he did he was acting for this court judicially and in the administration of justice, and the language which was used respecting him in the matter in some, at least, of the articles published, was a contemptuous interference with the judicial proceedings in which he was acting. I am therefore of opinion that the rule should be made absolute for an attachment.

I also wish to read to this House very briefly from the judgment delivered by Mr. Justice King:

In the case before us, it was not thus far disputed that the writing was contemptuous;

You will notice that it was not disputed by Mr. Ellis's counsel that the publication was contemptuous. This was clearly the case. I will ask the House to listen to me for one moment while I read a brief extract from the argument of Mr. Weldon, who was Mr. Ellis's counsel on that occasion. This is how it is reported:

Mr. Weldon, Q.C., said: I regret very much the tone of this article. Using the hon. justices surname without giving his title is much to be depreciated.

So, Mr. Justice King says, that it was not disputed that the writing was contemptuous. He goes on:

—but it was contended that the judge was acting in his judicial character, because neither the court nor any judge of the court has jurisdiction to issue a prohibition to a judge of the county court assuming to act under the powers given to a county court judge under the Election Act. It is not necessary to express an opinion as to whether the order nisi was invalid or not, and whether in whole or in part, for the court is a court of general jurisdiction, and application upon affidavit having been made to Mr. Justice Tuck, it was his duty to hear and decide upon the application in one way or the other, and in so doing he was acting in his judicial character as a judge of this court, and the correctness or otherwise of the conclusion which he reached does not alter the character of his act in entertaining the application. The writing complained of impugns the bona fide of Judge Tuck throughout the entire proceedings, and imputes to him improper motives in his action in entertaining and in deciding upon the matter. As to the point that the application is improperly made as on the part of Mr. Baird, the affidavit of Mr. Ellis admits the writing complained of, setting it out again, and if anything, making it rather worse, and the matter of the contempt being thus before court, it may be dealt with irrespective of the technical objection referred to.

After these judgments were delivered in the Supreme Court of New Brunswick the rule was not at once made absolute. Time was given to Mr. Ellis to appeal to the Supreme Court of Canada. Mr. Ellis accordingly made his first appeal to the Supreme Court of Canada, but the Supreme Court of Canada held that as the judgment was not a final judgment they had no jurisdiction. It then came back to the Supreme Court of the province of New Brunswick. The rule was made absolute, interrogatories were propounded to Mr. Ellis according to the procedure of the court, which interrogatories he answered, and the court then found him guilty of contempt. Then they suspended sentence so as to give him an opportunity to go to the Supreme Court of Canada. He again came to the Supreme Court of Canada. When the parties came before that court, the point was raised by counsel acting on behalf of Mr. Baird and against Mr. Ellis

that, as the matter was a criminal matter—relying upon the authority in the recent English case of O'Shea and O'Shea—an appeal to the Supreme Court of Canada did not lie. This point being raised, the Supreme Court of Canada decided that they had no jurisdiction and the appeal was quashed accordingly. Now at that time there was no argument in the Supreme Court of Canada on the merits of the case at all. My hon. friend reads the judgment of Mr. Justice Fournier, but it was fair that he should state at the same time that it was judgment delivered by one of the judges of the Supreme Court not having the merits of the case placed before him, and not having heard the arguments of counsel upon the case. While I have great respect for the judgment of Mr. Justice Fournier, it must be felt that his judgment given ex parte without argument of counsel can hardly have the same weight as a well-matured judgment of the Supreme Court of New Brunswick after a full argument of the case, after counsel have been heard, and after the case has been discussed from every possible point of view. My hon. friend from Queen's, who moved the resolution, cited the Centre Wellington case, a case decided in the province of Ontario by three of the judges there, which decision was to the effect that no mandamus would lie from the Supreme Court against a judge of the county court in an election matter. That is a judgment of three judges of the province of Ontario. It does not constitute an authority binding upon the Supreme Court of the province of New Brunswick, or of any other province. And, were I compelled to make a choice, I would, as a lawyer, prefer to accept the law as expounded by five judges of the Supreme Court of the province of New Brunswick, rather than as expounded by three judges in a court of the province of Ontario. It does not seem to me that I am forced to do that to-day, because I think if you take up the Centre Wellington case and the Baird and Ellis case, you will come to the conclusion that the cases are distinguishable and that the same point is not involved in the two cases. The hon. member for Bothwell (Mr. Mills) shakes his head. I will give my hon. friend my reasons for saying so. In the first place, the application in the Centre Wellington case was an application for a mandamus, and every lawyer knows that a mandamus is a different writ from a writ of prohibition. A writ of mandamus is one that goes to the discretionary power of the court. In the Centre Wellington case there was an application for a mandamus to compel the revising officer to go on with a recount, and it was held that the mandamus would not lie, and one of the reasons given was that it being a writ in the discretionary power of the court, the mandamus would not lie if there was any other adequate remedy. On the other hand, it is true that Chief Justice Haggarty uses the terms

Mr. HAZEN.

“mandamus” and “prohibition” as if they were synonymous; but I think that must be a slip of the learned judge, because the question of prohibition was not before him, and for the reason, as I said before, and every lawyer knows, a writ of mandamus is a very different writ from a writ of prohibition, in that it goes to the discretionary power of the court, while a writ of prohibition is a writ of right, and a judge or a court is bound to grant a writ of prohibition, where it is made clear to that court that an inferior court is acting in excess of jurisdiction, and without any jurisdiction at all. Now, that was exactly the case in the writ of prohibition in the New Brunswick case. Mr. Justice Steadman—I speak of him with all respect as a very worthy man—was assuming a power which he did not, under the statute, possess, and when that fact was made to appear to a judge of our Supreme Court, exercising, as our Supreme Court does, the functions of the Court of Queen's Bench in England—when that fact was made to appear, I say not only was Judge Tuck right in granting that rule nisi, but he could not do anything else, as it was a writ of right, and he would be liable to condemnation if he did not issue it. Now, what is the language of Judge Haggarty in regard to that Centre Wellington case? Certainly that was not a case where there was a defect of jurisdiction. There, there was a judge of the county court who had the right to proceed with the recount, but he did not proceed with it, and they wanted to make him proceed by a mandamus, and the court said: We will not grant the mandamus, it is a discretionary writ, and there is another adequate legal remedy, namely, by petition. That was a very different case from the present one where the judge was acting without authority, and where there was no other adequate legal remedy to prevent him from going on. Now, I will read an extract from the judgment of Judge Haggarty:

It is generally asserted that such a course is not taken, where there is any other adequate remedy?

So I say that the Centre Wellington case is distinguishable from the case we have under discussion, but whether distinguishable or not, the judgment of a court in the province of Ontario is not binding upon a court in the province of New Brunswick. Now, Mr. Speaker, I think I have made it clear to this House that there was a clear contempt on the part of Mr. Ellis, no matter what authority Mr. Justice Tuck had; that in the second place, there was no authority vested in the judge in the county court to order a recount under circumstances similar to those that prevailed in Queen's; and, in the third place, a writ of prohibition being a writ of right, a writ which our court has the right to exercise, having, as it does, the same functions as the Court of Queen's Bench in England—and it has been decided

there that a writ of prohibition will go even to the Privy Council—I think it must be apparent that Mr. Justice Tuck in issuing the rule nisi was not only doing what was not wrong, but he was doing what he should have done, and one of the judges declared in his judgment that he would have done wrong had he not granted the rule nisi. In any case, I think it must be apparent that as it was a legal question involving a great deal of doubt as to the right of Judge Steadman to proceed with the recount, no harm could be done by Judge Tuck issuing this rule nisi and having the matter brought before the Supreme Court, where it could be determined after full argument whether Justice Steadman was right or not, and if he was right then the recount would have proceeded, and under those circumstances there was no justification for any one in condemning Mr. Justice Tuck for acting corruptly or with improper motives. Now, the hon. member for Queen's has moved a resolution touching this matter which I wish to deal with briefly. The hon. gentleman asks this House to resolve three things. First, he asks this House to resolve that :

In the opinion of this House the action of the returning officer Dunn in refusing to return George G. King, who had polled a large majority of the votes in the election duly held and in returning Mr. George F. Baird, the minority candidate, instead, was a gross violation of law and justice, a wicked and indefensible outrage upon the rights of the electors of Queen's County, N.B., and a precedent pregnant with such danger to the future political government of Canada as to have demanded and justified on the part of the newspaper press, the severest possible condemnation and censure.

Now, I ask that hon. gentleman why he did not move that resolution when Mr. Dunn was before the Bar of the House seven years ago? He has waited seven long years, and now he asks this House, in which are many members who were not here at that time, and who did not hear the answers which Mr. Dunn made to the interrogatories put to him—he now asks this House to condemn the action of Mr. Dunn upon that occasion. It occurs to me that no matter how gross may have been the wrong, this House would hesitate in passing a resolution now to condemn a man for something that occurred seven years ago, and especially when all the facts were clearly before this Parliament, which disposed of the case at that time. Then the hon. gentleman goes further, and asks this House to condemn the power possessed by the courts for the summary punishment of constructive contempt. The hon. gentleman has talked a great deal about the Star Chamber. Sir, the hon. gentleman need not go back to the Star Chamber to find cases for punishment for contempt. The right of punishing for contempt is an inherent right which exists in all courts in all English-speaking countries; it is not a right which exists for the personal protection of the court, but it is a right which exists,

and properly so, for the protection of litigants in that court. It is a right that exists for the punishment of those who attempt, while a proceeding is pending in court, to interfere with the course of justice by writing articles prejudicing the finding of that court. It is necessary that such a power should exist, for in the absence of that power, when matters are pending in the law courts, it would be possible for persons, in order to accomplish their own ends, so to interfere with the proceedings before the courts by vilifying the parties, by vilifying the juries trying that case and by vilifying witnesses, as to do a great deal of harm to the litigants who were involved in suits before that court. That power is given to the court for that purpose, so that the courts of justice may not be interfered with, and that when matters are pending before the courts, as the Queen's County election case was pending, if the parties choose to adopt a course that would prejudice the tribunal holding the inquiry, witnesses or jurors or any body else, the court should have the right to inflict summary punishment and prevent wrong being done. The hon. member for Queen's (Mr. Davies) does not propose, after all, when we come to read his resolution, to do away with the rights of the Star Chamber. The hon. gentleman says: Oh, no; I will do away with punishment inflicted on persons for acts done outside the courts, but I will leave the right of dealing out summary punishment to the judges for offences committed inside the courts. So inside the court the judges can follow the course of the Star Chamber, can cut off the ears of people and send them to prison for life; but in regard to acts done outside, the court must not impose any such penalty. What would be the result? The judges could punish a man who, in the presence of the court, impugned the honesty of a judge or interfered with the proper conduct of a suit, or attributed improper motives to the judges; but the same men could go outside and write article after article in the press, denouncing the proceedings of the tribunal, and thereby prejudicially affect the trial of the case, and if the judges were weak they might frighten them into doing something they did not wish to do or might frighten the jurors into doing something that was not right and proper—the parties could do all this outside without receiving summary punishment, but the moment similar acts were done inside the court in the presence of the judges, they could exercise the rights of the Star Chamber, which the hon. gentleman said has been in existence for many years. That is logically and fairly the proposition which the hon. gentleman has submitted to this House. Before I pass on to quote authorities, and I have a number of authorities on this question, allow me to say a word more on the sentence passed on Mr. Ellis. The hon. gentleman asks this House to condemn the sentence. The sentence, of

course, is a matter resting within the discretion of the court itself. I would ask hon. members if they think it right to establish a precedent that when any sentence is imposed complaint should be made in Parliament that it was too severe, or was unjust? The sentence, I repeat, is in the discretion of the court or of the judge who hears the case. The opinion of judges differ. It is not unusual in this country, where this discretion is given to the judges, for lesser or greater penalties to be inflicted for a similar offence; but it would be most improper to lay down a precedent that every time a sentence is imposed the party can come here and complain that the court or judge acted with undue severity. That is what this House will be doing if hon. members should adopt the resolution submitted by the hon. member for Queen's (Mr. Davies). I further think that the language used by the hon. member with respect to the punishment inflicted on Mr. Ellis should not have been inserted in this resolution, unless my hon. friend is prepared to follow up his course in moving this resolution by asking the impeachment of the judges who gave the sentence. That is the only logical and proper course to pursue. That being the case, it would be a most unwise course for Parliament to adopt to lay down the precedent that any hon. member could rise and attack a judge for imposing a sentence, and declare that the sentence is too severe, and at the same time ask that the House condemn it. When I pointed to the fact that the judgment of the Chief Justice and the rest of the court was dated many months before Mr. Ellis wrote the article reflecting on Mr. Justice Palmer, the hon. member for Queen's said he referred to the question of sentence, and he declared that the Chief Justice was influenced in giving sentence by the force of Mr. Justice Palmer, who was a stronger man than himself. I think that statement is entirely and absolutely unwarranted. Down to the time he received the stroke of paralysis, from which he is now suffering, some months after sentence was imposed in this case, the Chief Justice was able properly to perform his duties. He is the last man in the world, knowing him as I do, to be influenced in his course in this matter, either by Mr. Justice Palmer or by any other judge. He was not the man to be influenced by anybody, but he would do what he himself thought was right. There was no man on the Bench of New Brunswick having greater regard for the dignity of the Bench than the Chief Justice himself, and he would have been the last man to have allowed it to be said against him that he a few years ago imposed a sentence on a journalist of New Brunswick, then but a short time in the province, and had not surrounded himself with a large number of friends, as Mr. Ellis has naturally done during his long citizenship, and that he had imposed on the other journalist a more severe sentence than he had imposed on a gentle-

Mr. HAZEN.

man having the prominence possessed by Mr. Ellis in the community. As a man who wanted to deal out fair play, and even-handed justice to all, he would not have gone down to his grave allowing it to be said of him that because Mr. Ellis was a more prominent man than the other journalist who had been punished in that province, he had received a lighter sentence. The gentleman to whom I referred was sentenced to two months imprisonment and a \$200 fine. It is true he was not called upon to pay the costs, but in that proceeding there were scarcely any costs, because the case did not drag over a long period. The sentence in the case of Mr. Ellis was one month in jail and \$200 fine, and costs incurred, and nearly all those costs I state here now before this House from commencement to finish, including the cost of appeal at Ottawa, were all incurred, not through the action of those in charge of the prosecution, but through the action of Mr. Ellis's counsel. The hon. member for Queen's asks this House by his resolution to make a statement which we cannot truthfully make. He asks the House to resolve this, that the punishment inflicted by the Supreme Court in New Brunswick was arbitrary and excessive, and inimical to the public interest. Allow me to say that I believe it was with a feeling of very deep regret, not only on the part of the Chief Justice, but on the part of other members of the court, that this penalty was imposed on Mr. Ellis. It must certainly have been most unpleasant to inflict such punishment, in view of the fact that Mr. Ellis had so long been a citizen of the province, and had occupied a prominent position in the community, and up to the very last moment, as appears from the judgment of Mr. Justice King, in volume 28, Supreme Court, New Brunswick reports, the court hoped Mr. Ellis would purge his contempt by making a statement, as he might reasonably have made, that this statement in question was made by the newspaper in the heat of political excitement, and he regretted having made it. Mr. Justice King, in the course of his judgment, said:

I am disappointed that Mr. Ellis has not spoken a word of regret. The case has stood over so long upon his application for time, that the hope was entertained that we might have a frank retraction, such as one might very well make where he uses language under excitement which he knows is taken as imputing improper motives. But as the case stands, I think we must treat the matter of offence as deliberate on his part. * * *

Newspapers have rights and the courts have rights, and, as usually happens in society, everything goes on best when parties pay just regard to the rights of each other. * * *

In this case I am clearly of opinion and find that Mr. Ellis has committed a contempt of the court in the articles referred to by contemptuous references to Mr. Justice Tuck, in his judicial capacity as a member of this court.

Mr. Ellis must have felt himself in his calmer moments that Judge Tuck had done

no wrong from the answers he made to the interrogatories. The fifth interrogatory put to Mr. Ellis was this :

Were the expressions in such article referring to Mr. Justice Tuck, "partisan judges" and "prostitution of judicial authority" intended by the writer to refer to Mr. Justice Tuck and the granting of said order nisi for writ of prohibition?

In his first answer Mr. Ellis said he could not answer that question, as it was ambiguous. Counsel then moved that Mr. Ellis be committed for contempt, as he would not answer the interrogatories. The court ruled that he must answer that interrogatory. The interrogatory was again framed, and Mr. Ellis answered it in this way :

That the term "Judge Tuck," referred to Mr. Justice Tuck. The terms "partisan judges," and "prostitution of judicial authority" were general ones, and he believed had no other application where used in the said articles. They were not intended to have any other application than a general one, and were not intended to have any particular application to any particular judge.

The court still held that that was not a direct answer to the interrogatory, and later on in the day the examiner reported on the fifth interrogatory as follows :—

In using the expression "partisan judges" and "prostitution of judicial authority" in the article of March 10th, I did not refer, and did not intend to refer to Mr. Justice Tuck "or to the granting of the order nisi for a writ of prohibition.

It must clearly have appeared to Mr. Ellis from these answers, that he made a mistake in referring to Mr. Justice Tuck in the way he did. Mr. Ellis must clearly have seen that Judge Tuck was not exceeding his duty, but was simply doing his duty, and, therefore, it is that Mr. Justice King expressed his regret that Mr. Ellis had not expressed any regret himself to the court, and that they were bound to find him guilty of contempt. Now, Sir, the hon. member for Queen's (Mr. Davies) asks us to bind ourselves to a resolution setting forth as facts, assertions that are not correct. He asks us to resolve :

That the punishment inflicted by the Supreme Court of New Brunswick on John V. Ellis in the month of October, 1893, for alleged constructive contempt of court, contained in articles published by him on the Queen's County election hereinafter referred to; was arbitrary, excessive, inimical to the public interest and deserving of censure.

I ask the hon. gentleman's attention to this part of the amendment :

And in so far as it added costs to the fine and imprisonment without precedent.

This House cannot vote for this resolution because that statement is absolutely incorrect. It is not true that the penalty of adding costs to the fine and imprisonment is without precedents, because I will show this House several precedents, both English and American, for a similar course. In the first

place I would ask hon. gentlemen to listen to this case. In the case of Oswald, editor of the 'Independent Gazetteer,' the Supreme Court of Pennsylvania, imposed on the editor the following sentence :—

That you pay a fine of \$50 to the Commonwealth, that you be imprisoned for the space of one month, and afterwards until the fine and costs be paid—Sheriff he is in your custody.

For publishing about a suit that the judge acted under the influence of Dr. Rush, and that in short from the ancient prejudices of all the judges, the defendant did not stand a chance of a fair trial. Chief Justice McKean said in passing sentence :

Assertions and imputation of this kind are certainly calculated to defeat and discredit the administration of justice, Eleazer Oswald, having yesterday considered the charge against you we are unanimously of the opinion that it amounted to a contempt of court. Some doubts were suggested, whether even a contempt of court was punishable by attachment; but not only my brethren and myself, but likewise all the judges of England think that without this power no court could possibly exist; nay that no contempt could indeed be committed against us, we should be so truly contemptible. The law upon the subject is of immemorable antiquity, and there is not any period when it can be said to have ceased or discontinued. On this point we entertain no doubt.

In Passmore's case the same court said to the editor for a similar offence :

You have made no atonement whatever to the person whom you have so deeply injured, and you can only blame yourself for the consequences. The judgment of the court is, that you pay a fine of \$50 to the Commonwealth and be imprisoned for thirty days, and afterwards until the fine and costs are paid.

Mr. MARTEN. Would not the hon. gentleman think that that would refer to the cost of the application or costs in connection with sheriff's fees, or something of that kind?

Mr. HAZEN. No; it is an attachment. It is stated so, and I will give other authorities to my hon. friend. In Gaudy's case in Nebraska,—and I do not quote this for the purpose of precedence,—a contempt case, the court said :

As the proceeding was solely to protect justice from obstruction the accused is not entitled to a trial by jury.

In Cartwright's case in Massachusetts, Gray, C.J., said :

The summary power to commit and punish for contempts tending to obstruct or degrade the administration of justice is inherent of courts of Chancery and other Supreme Courts as essential to the execution of their power and to the maintenance of their authority and as a part of the law of the land within the meaning of Magna Charta, and of the twelfth article of our declaration of rights.

In Matthew's case in New Hampshire, McDonald's in Maine and Spalding's in New

York, similar decisions and sentences were given and passed. In Edward's case in Florida, the editor got \$100 fine and 30 days imprisonment. Storey, the editor of the Chicago 'Times,' got fine and imprisonment for commenting on a suit, and Wilson, editor of the Chicago 'Evening Journal,' was sentenced by the Supreme Court of that state to fine, costs and imprisonment for impugning the motives and integrity of the judge, in conducting the trial of Rafferty, when the case was before the court on writ of error. Chief Justice Lawrence in delivering judgment said :

No candid man can deny that the article in question was well calculated to make upon the public mind the impression that the court in a pending case was influenced by money in its judicial action, and that it could be so influenced in other cases. The article declares that the money raised for Rafferty is operating splendidly, predicts that he will be granted a new trial and avers that the sum of \$1,400 is enough now-a-days to enable a man to purchase immunity from the consequence of any crime, and that, the courts are now completely in the control of corrupt and mercenary shysters, the jackals of the legal profession. Such language will bear but one interpretation. Let me say here and so plainly that our position can be misrepresented only by malice or gross stupidity, that we do not deprecate nor should we claim the right to punish any criticism the press may choose to publish upon our decisions, opinions or official conduct in regard to cases that have passed from our jurisdiction so long as our action is correctly stated and our official integrity is not impeached. * * *

The freedom of the press is indispensable to the preservation of the freedom of the people, but certainly neither these respondents nor any intelligent person connected with the press and having a just idea of its responsibilities as well as its powers will claim that it may seek to control the administration of justice or influence the decision of pending cases. A court will of course endeavour to remain wholly uninfluenced by publications like that under consideration, but will the community believe that it is able to do so? Can it be certain in regard to itself? Can men always be sure of their mental poise? A timid man might be influenced to yield while a combative man would be driven in the opposite direction. Whether the actual influence is on one side or the other, so far as it is felt at all, it becomes dangerous to the administration of justice. * * * The papers of Chicago, circulating throughout the State and the North-west, had called attention to the subject. It was made a frequent topic of discussion in the public prints, and when finally this article appeared in a paper of noted sobriety and respectability, containing charges and imputations against this court, which were simply infamous, the majority of the court felt that it was necessary for the good name of the State, within and without its borders and necessary in order to preserve the confidence of the people wholly unshaken in this court, to request the Attorney General to move for a rule against these respondents. The loss of public confidence in our integrity would be a calamity little less than the loss of official integrity itself. The pomp and circumstances which, in England, aid to clothe the

Mr. HAZEN.

courts and the law with dignity and power are not in consonance with the republican form of government. In this country the power of the judiciary rests upon the faith of the people in its integrity and intelligence. Take away this faith and the moral influence of the court is gone, and popular respect for law impaired. When confidence in the courts is gone, respect for the law itself will speedily disappear, and society will become the prey of fraud, violence and crime. We have personally felt great reluctance to take notice of the publication, but our consciousness of the mischief that may be done in embarrassing the administration of justice and impairing the moral authority throughout the State, if this article is to stand as an unpublished precedent has compelled us to issue the rule, and now compels us to order an attachment.

Judge McAllister in a lengthy concurrent judgment observes :

The exercise of the power to punish for such publications is not an abridgement of the freedom of the press. The freedom of the press is fully protected, without licensing libel and ribaldry, and charges of corruption and bribery against courts and their officers.

The respondents got \$200 apiece, all the costs of the proceedings to pay, and imprisonment. Similar decisions in every state and country under British laws could be cited. In the case of Banergia against the justice of the High Court of Bengal, the Privy Council decided the courts could punish an editor for contempt for libelling the judge, even after the suit was ended. In England not a year elapses but the courts punish for constructive contempts by long terms of imprisonment. In the very recent divorce case of Captain O'Shea against O'Shea and Parnell. Touby, editor of the 'Freeman,' was fined, ordered to pay costs as between solicitor and client, and be imprisoned till paid, for contempt of court in abusing the plaintiff, though he personally did not write the article. Now, it is quite clear that the hon. gentleman (Mr. Davies) cannot ask us to endorse the statement that in so far as the penalty added costs of the fine, it is without precedent, because I have shown ample precedents to him. As will be seen from the quotations I have given, we do not have to seek in one country or another for examples, that when improper censures have been made on judges during the progress of the trial, and improper motives have been attributed to them; we do not have to seek only in England or Canada to find examples of precedents of that sort. There is one more precedent which I will cite for the benefit of the hon. gentleman, and it was a charge against a judge similar to that preferred by Mr. Ellis against Judge Tuck. In 1884 the Supreme Court of Virginia convicted Frew of contempt of court for publishing in his newspaper the charge that the Court of Appeal was prostituting its high and sacred trust to base political pur-

poses, a charge similar to that preferred by Ellis against Judge Tuck. In that case, Chief Justice Johnson said :

The books do not furnish a clear case of contempt. It is a contempt because it charges three of the judges of this court, acting in their judicial capacity, with an offence, which if true is just ground of impeachment ; with an offence calculated to degrade the court and destroy all confidence of the people therein. * * * * *

The court has the right to punish the offender because the language used is designed and calculated to destroy the confidence of the people in the court and to degrade the court in the opinion of the people and to corrupt the streams of justice. In such case the court would be wanting in respect for the people whose servant it is, if it did not summarily punish the offender. The suggestion of a libel suit—

My hon. friend suggested a libel suit. This is what Chief Justice Johnson, of the Supreme Court of Virginia, says in regard to that :

The suggestion of a libel suit is disgusting to a man of honour. It will be a sorry day when the practice shall obtain among judges of the court of last resort who hold the dearest interests of the people in their hands, when in their judicial capacity they may be grossly libelled, to leave their high positions and go before the jury in a libel suit, be subjected to the coarse criticism of defendants counsel, and if they succeed in their suit, have it cast in their teeth, that they were influenced by sordid motives. Who would have any respect for a judge who would pursue such a course? Would he not under the circumstances deserve the contempt of every good citizen? Besides, what right would he have individually to recover damages, for a wrong committed against him in his individual capacity for an injury done the people in his person? In such case the individual must always be separated from the judge. The court has no right to punish as for contempt one who libels an individual, who happens to be the judge; but it is a contempt of the court, as such, and an insult to the people represented by the court, which alone the court can punish as such. Scarcely less repulsive to all sense of judicial dignity is the suggestion that the judge should play the role of prosecuting witness in the trial of an indictment for libel. If that day shall ever come when such shall be the only protection left to courts of justice against publications affecting their judicial integrity, none but the base and vicious can be expected to occupy judicial position.

In William's case, the High Court of Errors and Appeals of the state of Mississippi, said :

In this country all courts derive their authority from the people and hold it in trust for their security and benefit. In this State all judges are elected by the people and hold their authority in a double sense directly from them, the power they exercise is but the authority of the people themselves, exercised through courts as their agents. It is the authority and law emanating from the people which the judges sit to exercise and enforce. Contempts against these courts in the administration of the laws are insults offered to the authority of the people themselves and not to the humble agents

of the law, whom they employ in the conduct of their government. The power to compel the lawless offender against decency and propriety to respect the laws of his country and submit to their authority (a duty to which the good citizen yields hearty obedience without compulsion) must exist or courts and laws operate at last as a restraint upon the upright who need no restraint and a license to the offenders whom they are made to subdue.

I have many other authorities here, but I will not weary the House by citing them at any length. There is one case to which I must refer, that is, the celebrated Castro case, which was decided in England about twenty years ago. That was a case in which four men at a public meeting denounced the judges as corrupt and oppressive. Two of them who apologized were fined £100 each. Two who did not apologize were fined £500 each, and imprisoned for three months. I will also refer to the case of a native of the very province to which the hon. member for Queen's belongs: my recollection is that his name was Macdonald. He went to Massachusetts, got involved in a suit there either as a witness or in some other way, was found guilty of contempt of court, and was condemned by the court to be imprisoned until he apologized for the contempt, and I believe he remained in the jail of that State for fifteen years, until he was relieved by the act, either of the Governor or the Legislature. I do not know, at the present moment which. It was said by my hon. friend who moved this amendment, that there was a great deal of sympathy felt for Mr. Ellis in the province of New Brunswick in the position in which he was placed. I do not hesitate to say that that statement is perfectly correct. There was a great deal of sympathy felt for Mr. Ellis, not only by members of his own political party, but by a large number of Conservatives, who regretted deeply that a gentleman like Mr. Ellis should have placed himself in the position he did, when it would have been so easy for him to have purged himself of the offence without any sacrifice of his honour or his manhood. There was that feeling of regret, there is no doubt about it; and if the editor of a Conservative paper were sent to prison for contempt of court, in the province of New Brunswick, I have no doubt that a great deal of sympathy would be felt for him, not only by Conservatives, but by Liberals who happened to be his fellow-citizens and his personal friends. But the fact that sympathy prevailed for Mr. Ellis does not prove, as my hon. friend attempted to make it prove, that that sympathy meant condemnation of the court, and justification of Mr. Ellis for having written the articles complained of. My hon. friend grew eloquent and poetical and quite emotional when he talked of people having visited Mr. Ellis in his cell. I can assure my hon. friend that the word cell is not fairly applied to the room which Mr. Ellis occupied in York County jail. I venture to

say that he occupied as comfortable lodgings there as the hon. member for Queen's or any other member of Parliament occupies in the city of Ottawa; and when the hon. member for Queen's talks about the dark cell in which he was confined, he is drawing largely upon his own imagination, because Mr. Ellis's accommodations and surroundings were of the most comfortable character, and he was denied nothing necessary to make any man comfortable except the right to go forth for thirty days. I do not think my hon. friend's sympathy carried him so far as to bring him across from Prince Edward Island to call upon Mr. Ellis there. While there was a great deal of sympathy expressed for Mr. Ellis in the newspapers, and while a fund was started to raise a splendid testimonial to him, the matter has not been heard of since; I hope it has not died out entirely. Now, Mr. Speaker, I fear I have taken up too much of the time of this House in placing this matter before it. It is not, it seems to me, a case where it is necessary for hon. members to take sides either with the court of New Brunswick or with Mr. Ellis. The question is a legal one, to be discussed, as I have attempted to discuss it, without passion or partisan feelings. I trust that the House will take a fair view of the matter, and will see that in acting as he did, Mr. Justice Tuck was acting as the law compelled him to do, and as he had a perfect right to do. Further, I trust that hon. members will not mix up with this case the old matter of the Queen's County election of seven years ago, which was discussed and decided in this House at that time. I trust that this House will not place itself on record as criticising the punishments which any judge inflicts and which he has a perfect right to inflict. I trust that this House will not place itself on record as saying that in awarding the payment of costs against Mr. Ellis, the court was acting wholly and absolutely without precedent, in view of the precedents I have cited in support of that action. I thank the House for the kind attention it has given to me while I have discussed this subject—a subject which cannot be of great interest, considering the dry character of these legal matters. I certainly hope that the discussion may go on in a fair and judicial spirit, and a right conclusion arrived at, and that this House will not pass the resolution of the hon. member for Queen's, which, to my mind, involves an interference with the rights of the Provincial Legislature. Matters relating to the procedure of the courts of the provinces are matters within the jurisdiction of the provinces themselves. That being the case, I do not think it is fit or proper that this House should pass a resolution declaring that this punishment for contempt was unjustifiable and that the right of the provincial courts to punish for contempt should be taken away.

Mr. HAZEN.

Mr. FRASER. Mr. Speaker, I desire to address myself to the House for a short time in respect to the resolution of the hon. member for Queen's, P. E. I. (Mr. Davies). Let me say, in opening, that the hon. member for St. John (Mr. Hazen) might have spared at least half the time he devoted to this question, because all he said was not in controversy. There was no discussion at all as to whether or not the prohibition that issued was right or wrong, although he referred to the judgments as if that question existed. I find, for example, that the Chief Justice, in referring to this matter, said:

As to the first objection, I think is not necessary to determine whether the prohibition would lie in this particular case or not.

Now, there is no need of discussing the question whether the prohibition was right or wrong, or whether Judge Steadman, in issuing his order, was right or wrong. That is not the matter before the House. The whole discussion is on the resolution of the hon. member for Queen's, as to whether, in view of the action of the judges of New Brunswick, the court acted rightly. On page 117, Mr. Justice Wetmore says:

But supposing I am wrong in the views I have expressed and that Judge Tuck had no right to grant the rule nisi, what justification would that error be for the articles published.

So that the court assumed that the question as to the prohibition had nothing at all to do with the matter then before them. Now, the hon. member for St. John asks, why bring up this matter now, after seven years? The answer is apparent. This is the ending of the seven years' contest that would never have arisen were it not for the wrong committed seven years ago. The judgment of the court which sent Mr. Ellis to jail was a judgment upon matters that took place seven years ago, and that is the reason why this resolution is presented here now. If it had been brought up at any time before the final judgment, the hon. member for St. John (Mr. Hazen) would have been the first to rise and say that, as the matter was still before the courts, we should not discuss it, but should wait until it was finally decided. When the hon. gentleman was deprecating this Parliament having anything to do with a provincial matter, it ought to have struck him that we are dealing with a question respecting the election to a seat in this House. He should remember that Mr. Ellis was committed to jail because he wrote an article about a member who was returned—or rather was not returned—to this Parliament. And, therefore, this Parliament has the right to inquire into that subject now. I have not myself very much to say about Mr. Ellis's confinement in jail. I am not going now to comment on the luxuries surrounding him while in jail—luxuries equal to the

best to be found in the best hotel at Ottawa. If the hon. member for St. John thinks that that is a sufficient condonation of the judgment of the court, he is welcome to that contention. But the very fact shows the character of the judgment given. There is, after all, even in New Brunswick, a desire to be well governed and to accede in all respects to the judgments of the courts.

Some hon. MEMBERS. Hear, hear.

Mr. FRASER. Hon. gentlemen say, "Hear, hear." Then, I want them to understand that either the men who brought those luxuries to Mr. Ellis were guilty of contempt of court, or Mr. Ellis was not the criminal the judgment of the court declared him to be. Did it not strike the hon. gentleman that everything done to show sympathy to Mr. Ellis was a protest from the best citizens of New Brunswick against the judgment. And while I do not say that the judgment of the people ought to weigh in every case, against that of a court, I will say this, that any court which consults its own dignity will find the people always ready to give it every respect. Why was it that men of all political shades, persons of every class in Fredericton, from the Governor down to the most ordinary citizen, called on Mr. Ellis. Does that mean that Mr. Ellis was so popular that, even as a criminal he commanded the respect even of the Governor who had recently been appointed in New Brunswick. Not at all. The good sense of the community is very often the best judgment that could be given even in a matter before the courts. Was Mr. Ellis a criminal confined for violating the law, so far as the court was concerned? If so, he had a sympathizer in the Governor himself, who, forgetting the dignity of his position, actually went to the cell where a criminal was confined for contempt of court—for it must be held that Mr. Ellis was as great a criminal as if he had violated the law in any other respect. What would be the difference between Mr. Ellis and a man who had committed an assault. Surely it is a greater crime to insult a court than to insult or assault a private individual, and what would be thought of a governor who would go to a cell to show his sympathy for a man who had assaulted another. This outburst of public sympathy shows that the judgment was not a proper one. There is such a thing as a court being too anxious for its own dignity. We have no such trouble in Nova Scotia. I notice that New Brunswick has a good deal of trouble. I notice that the judges have sent editors to jail there more than once.

Mr. WELDON. What about the mayor of Truro?

Mr. FRASER. It was not the court that sent the mayor of Truro to jail, but Parliament.

Mr. WELDON. A Grit Parliament.

Mr. FRASER. That may be, but I am here talking of the court, and the case is not in point. Such a thing was never heard of in Nova Scotia. Why? Because the judges there know how to conduct themselves. We have never had a judge in Nova Scotia against whom an article was written in a single paper, that I know of, or who has sent a man to jail for contempt. I think there was a case I heard about, in which one of the judges of the Supreme Court committed a barrister who had said something he should not before him; but the kindly heart of the judge relented before the sentence was carried into execution, and he remitted the fine, and the barrister did not go to jail. I want to insist on this point, that a court may be, after all, too anxious about its own dignity, but I must say, in all fairness to the court of New Brunswick, that it did not initiate the action. That was done by the hon. member for Queen's (Mr. Baird). We must consider together all the acts performed in connection with this matter from the time the prohibition issued, or rather from the time the articles were written, and you cannot judge of this case by deciding, for example, that there was a right to issue the prohibition. The resolution of the hon. member for Queen's (Mr. Davies) is this, that the final judgment, taken in connection with all the others, was one that should not have been pronounced. The hon. gentleman speaks of American cases where costs were granted. He must know that there are not costs in the United States such as we have in this country. There are only the costs of the court in the United States. A man may bring a civil action, and will get no costs except those of the court. There is no such thing known there as taxing a bill of costs against an opponent, as is done in Canada and England. I remember myself, only one case in which costs were given in a criminal case in Nova Scotia, and that was a case which came before the present First Minister in Amherst. He ordered, not only that the culprit should be sent to jail—and I did my best to defend him, although I had not much defence,—but he actually ordered that he should pay the costs of the court. I thought at the time it was a very hard judgment. It was the only case I knew of up to that time in which a criminal was condemned and mulcted in costs as well. In connection with the costs in this case in New Brunswick, I may say we never heard of a case in Nova Scotia where the costs were taxed against the opposing party as costs between attorney and client, and I make the statement that neither in Canada nor elsewhere was there ever a criminal case in which the party against whom judgment was given had to pay costs as between attorney and client. Every lawyer understands the distinction. The hon. member

for St. John (Mr. Hazen) understands the distinction. He knows that in taxing a bill of costs against an opponent he taxes it in an entirely different way from that in which it would be taxed as between attorney and client. As the costs were taxed in this case every consultation with his client would be charged by the solicitor, so that the costs charged against Mr. Ellis would be twice as great as they would have been if taxed the other way. I think that the resolution is quite correct in that respect. The hon. member for St. John said a good deal in reply to the hon. member for Queen's (Mr. Davies) about both Mr. Dunn and Mr. Baird, the present member for Queen's, N.B. I submit that Mr. Dunn, as he appears in the record, was not all that the hon. member for St. John painted him. Mr. Dunn was a returning officer. He was at the time studying law, or he then expected to study law. He received a deposit and admitted that it is correct. Afterwards, upon the point being raised before him, he at once gave judgment that his former judgment was wrong. In this he gave a judgment that no judge either in the Supreme Court of New Brunswick or any other court, and no lawyer here or elsewhere, says is correct. Does not it strike the hon. member for St. John as a very strange action? He gave the correct judgment when he accepted the deposit; he gave an incorrect judgment afterwards. I submit that that indicates that he was in consultation with some one in the meantime, and after their consultation he reversed his right judgment and gave a judgment which he must have known to be wrong—

Mr. MILLS (Bothwell). He had no right to give judgment at all.

Mr. FRASER. Of course that is quite true. But I am speaking of him now as a judge and an honest man. He must have been an honest man, because he came in contact with the hon. member for St. John. They went to college together. I only wish he had followed in the same virtuous course as the hon. member. Had he consulted with the hon. member he would not have given such a judgment as he did. He first decided that the deposit was sufficient. But of course it was quite easy to give an opposite judgment when a seat was in question. The hon. gentleman also spoke about the honour and integrity of the hon. member for Queen's, N.B. (Mr. Baird). I have nothing to do with that; I am not going to discuss that here, Mr. Speaker. All I will say is that, as the record is now before us, his action is not the action of a man who always acts right. We all remember the case of a great criminal, the famous Dr. John Dodd, who was going to be executed for having committed forgery. Almost every man who ever knew him came into court and swore he was one of the most honest men that

they had ever known. But did the court excuse him for that reason?

Mr. DAVIN. What judge was that?

Mr. FRASER. Not judge at all—Dr. Dodd.

Mr. DAVIN. You said judge,

Mr. FRASER. But who is Mr. Baird seeking to vindicate? If he is seeking to vindicate himself by this proceeding, then the court had no right to decide after hearing Mr. Baird's side only. If he was seeking to vindicate the court, the court should not have proceeded as they did, because they had not heard the other party. Mr. Baird was very adroit, or, rather, the solicitor who prepared the affidavit for him was very adroit. He had two strings to his bow. He would appear in court to vindicate himself, and if that failed, he wanted that the court should be vindicated. So far as the judgment is concerned, it would seem to be rather in favour of the court, that is, the judgment of the court was that the articles complained of were articles that reflected upon the court. I cannot help thinking, so far as Mr. Baird was concerned, he would have stood much better if he had not sought to get the court to vindicate its own honour at his instance. There is such a thing as men feeling in the bitterness of party warfare that they have not been rightly used. But, after the hon. member found that the seat was given to him, I will not say by a trick, but by an act which no man now claims to have been right or lawful, common modesty should have prevented him going into court with such a plea as this. He did not go into court with clean hands. The method he took to vindicate his honour shows that he did not act as he should. I care not a straw, so far as this discussion is concerned, whether the court was right or wrong in the matter of the prohibition. The question is did the Supreme Court of New Brunswick act judiciously and fairly when they gave their last judgment? There are two principles involved here: first, there is the liberty of the press, and, secondly, there is the liberty of the subject. Mr. Ellis conducted a newspaper—and here let me say, Mr. Speaker, that every one of us has come under the lash of the editor. But I must say, in all fairness, that I know of no class of men in Canada to-day who, taking their whole record, show such fair play to their opponents, as the editors. The newspapers of Canada, I think, are in advance of the newspapers to the south of us. I do not think they have reached the high standard that has been reached in England. But with all their faults, the editors do not write for the purpose of maliciously hurting the feelings of any man, much less those of a judge. And the court ought to have recognized that fact. I can very well understand the court feeling that an imputation was made against

Mr. FRASER.

them affecting their honour. I am sure the court would have consulted its own dignity had they sought every method at their disposal before they committed a man to jail who had published an article in the newspaper during a period of heated discussion upon a question which was exciting a great deal of feeling in the locality. I think the judgment given in the House of Lords in the matter of the judge in Bahama was sound, and the rule there laid down the correct one. A person signing himself "Colonist" had written an article which held the judge up to the greatest possible contempt. He imposed a fine exactly as this court did, and imprisonment as well. Now, what did the court find? They found that inasmuch as the article was not calculated to obstruct or interfere with the courts of justice or with the due administration of the law, he could not do such a thing. Now, what is obstructing or interfering with the courts of justice or the due administration of the law? Was this such a case? Who was the party prejudiced? There was no jury. Was the court itself the party prejudiced? Was the judge the party prejudiced when he read that and gave such a judgment as he ought not to have given? Did it interfere with the courts of justice and the due administration of the law? I do not think the hon. gentleman himself will say that. This article of which I am speaking held the judge up to the greatest possible contempt. He had refused to accept a few watermelons, or something of that kind, and the article was of the most aggravating character, and the Governor himself took the matter in hand, but in a different way from the Governor of New Brunswick. The Governor himself took the matter in hand and discharged the editor. The Governor of New Brunswick took a different course. He sympathized with the prisoner, and brought him oranges, perhaps, and other things, in the luxurious apartments in which he was placed, to solace the weary hours of his confinement. Of course, the Governor of New Brunswick had no right to pardon him. But this is the point, that unless the due administration of justice is interfered with, the court has no right to do that. Now, that is what the Lords held in England; and I maintain that the cases cited by the hon. member for Queen's, the hon. member for St. John adroitly avoided, and never attempted to answer them. What is his whole answer to the dictum of Lord Esher and others? Simply the decision of the court of New Brunswick. That is his whole answer. He does not attempt to say that the English judges have given bad law, but he cites the law of New Brunswick and says that is a complete answer. There is no word about that. Why, so far as that is concerned, the judgments of Lord Esher and others, I think, stand as high as the judgments of the judges of New Brunswick. Now, it must not be forgotten that the hon.

member for St. John—and I cannot blame him for that—spoke about judges before whom he has to appear, whom he meets from time to time in personal relations, and at whose house he visits, men, of course, of high character, but men that he is bound to speak of in a way different from what another man would do who has not such relations with them. Now, if it is a fact that the courts of highest resort in England have laid down the rule that this method is only to be resorted to when every other method has failed, surely the judges there were wrong in doing it. Nor must it be forgotten that after all these years, I think their sober better-sense ought to have prevailed. I noticed that while the hon. gentleman was very bold while he stood up to fight for Mr. Dunn and Mr. Baird, he passed by the equity judge without one word in his favour. He was almost melancholy when he dropped him. He is no longer a judge, and the hon. gentleman will no more appear before him. He holds his brief, but that judge can say nothing to him, and consequently he says nothing in his favour. Now, to my mind it is a matter of great importance that the article about that ex-judge should have been published a month beforehand, and I have no doubt the hon. gentleman perceived that he could not say a word in favour of that judge, and so he passed that matter over. But will it be contended that a man against whom an article like that was written, could give an unbiassed judgment? I ask any hon. member of this House, if a violent article like that, stating practically that the judge had been bribed, was written against him a month before he had to decide in a matter in which the writer was interested, would that judge be wholly unbiassed? It is contrary to human nature to expect it. But I am sure had that ex-judge consulted his own dignity, if he had any, he would have refused to sit upon that case. Why, he was sitting in face of an article that blamed him for taking \$5,000 in money, that blamed him for putting his own son in a position where he made money, an article that laid the most frightful charges at his door, yet he calmly walks in and sits on the case. He was not deciding whether there had been contempt, that had been decided already, and I am not discussing now whether that contempt was correct. I am not arguing the question, although it is subject to argument, as to whether the judgments given in New Brunswick were correct or not. But I want to draw particular attention to the fact that these judgments had been given, but the judgment as to the extent of their power had not been given. Now, this judge is sitting there. There were five judges on the Bench in New Brunswick at that time, only three of the judges were present when the judgment was given, and one of them was a judge that had not been on the Bench. As I understand, Judge Fraser had not been on the Bench when the judgment was given; but of course Judge

Fraser would be bound by the judgment of the court as to the contempt. But was it seemly for Judge Palmer to sit and give judgment in a case in which the man who had written this article about him, was interested? I submit that it was not, and I submit further that the fact that he was there proves that that court was not acting, in the latter judgment, in that spirit of fairness that ought to have governed them. I know nothing about the age of Chief Justice Allen, nor do I care, but I am anxious to point out that when Mr. Justice Palmer sat there he violated the decency of the court. How could he give judgment in a matter of right when that paper published in the very province over which he presided as one of the judges, stated that he had actually been receiving bribes? He was to give judgment upon a question where there was a hint that he was partisan, and he gave judgment in that case while he himself, if that statement was true, had actually taken bribes. Fancy a judge sitting on a case in England after the House of Lords had found that he had accepted bribes. Fancy Lord Bacon sitting in a case after the charges were made against him in the House of Lords. From the time the charge was made that great man never entered the court. He sent the very next day his statement to the Lords acknowledging the truth of it. I submit that Mr. Justice Palmer, when he allowed that article to go a whole month, had no more right to sit upon that case to give judgment, than a felon had. Is a judge to act in that way in matters that have arisen out of an election for a member of this House, and is this House to be told that we should say nothing about it? The hon. member says: If you touch this case, you will bring up every case for contempt. Not at all. I admit that in a judgment for contempt as between ordinary citizens, that argument would apply, but when the judgment is one for contempt in a case that has arisen from an election of a member of this House, this House has a right to deal with it. There is not an hon. gentleman in this House who is not interested in this matter as much as is Mr. Ellis himself. It may be our own case to-morrow; it may or it may not be, but of one thing I am sure: that if the court is not told, as I think it should be told, that it has exceeded its duty, it will become even bolder and may do worse acts. Viewing the whole question—both as a question of law and fact—in the light of the authorities and of the facts, I am satisfied that the court acted in an improper manner, and I am also sure that Mr. Baird has not won any laurels. He may be. I doubt not that he is, a most honourable man; but men of the most honourable character will do strange things sometimes. Politics seem to bring out special characteristics, even in good and honest men, characteristics never before dreamed of. This seems to be a case in point. But after a lapse of seven years for that court to send a man of Mr. Ellis's age to jail for thirty

Mr. FRASER.

days, to the luxuries of a jail, as the hon. member for St. John (Mr. Hazen) said, to surroundings such as are only to be seen in the rooms occupied by the hon. member for Queen's (Mr. Davies), to deprive Mr. Ellis of his liberty, and I understand that when he asked permission to attend divine service the court was silent and gave no answer, is obviously a display of excessive zeal. When such a man is sent to jail for publishing what was not in effect such as the hon. member for St. John (Mr. Hazen) set out, which published articles that did not state that the judges were dishonest or anything worse than Mr. Justice Tuck might be a partisan, the act is a scandal to public life in Canada. It is admitted that the court has gone far beyond its jurisdiction. While I admit that the court should possess that right of inflicting imprisonment for contempt, it should only be exercised under proper conditions, and that was not such a case. I contend that the court should have tried the matter as a court would have done in England. If it had done so its members would have gained more credit for themselves, and the court would have stood higher in the estimation of the people of New Brunswick. It is certain that no court ever gained the affectionate and intelligent reverence of the people that was so anxious about its own dignity as to imprison a man for publishing a statement that might be construed to amount to a contempt of court. It is because I think the court has thus acted that I am in favour of the resolution moved by the hon. member for Queen's (Mr. Davies). I am in favour of it because I believe it puts the case correctly before this Parliament and future Parliaments, and that while the courts are not bound by any means to follow the lines of a resolution of this Parliament they would not act as the Supreme Court of New Brunswick appears to have acted. I regret that we have to speak of the courts at all. My own feelings would be much better served if we never mentioned a court in Parliament. I have the greatest possible respect for the courts. Practising as I do before the courts I look upon them as the greatest security for the people, but when the court forgets itself and the instruments by which it gives judgment are such as ex-Judge Palmer, who gave this judgment, and who no doubt by his powerful intelligence controlled the judgment of the court, Parliament should interfere, least hereafter we should fall upon similar evil days. I am not afraid that similar cases to the Queen's election case will occur, for I think public opinion has advanced beyond that point; but while I have no fear on that head, I entertain fear that some other case might arise like the case of Mr. Ellis, and that the judges might forget themselves, and entertaining this view I am in favour of the resolution presented by the hon. member for Queen's.

Mr. BAIRD. Mr. Speaker, having been interested in the subject-matter of this dis-

cussion I had intended to be silent during the debate; but certain deceptive lines of argument, very much in keeping with the tone of the article which appeared in the 'Globe,' have come forward and forbid that I should remain silent. All along it has been intimated that this so-called attack upon Mr. Ellis was the subject of a conspiracy and combination between myself and the court of New Brunswick, or the members of the Bench and others of the Conservative party, and I wish, as far as I am able, to disabuse the minds of any hon. members who listen to me in that regard on that subject. I will not enter at the present moment upon the facts in relation to the Queen's County election, but I will deal with this matter from the time that the rule nisi for prohibition was issued. After I had been served with an order for a recount I expected to receive it, and I fully understood that such move would be made. Then I directed my attorney to apply to Mr. Justice Tuck for a writ of prohibition, entertaining a firm and honest belief that I was entitled to that writ. I felt under the law, as I then understood it, that the judge of an inferior court had exceeded his authority, and that I had a right to demand from the judge of a Superior Court this rule for prohibition, and I may say that it was without discussing the matter with any one, except my attorney, that this movement was made. As soon as that rule was served upon the parties interested, then the articles which have been complained of appeared in the 'Globe.' Without consulting Mr. Justice Tuck or any person except my attorney, I directed that those proceedings should be taken. It is true, as hon. gentlemen have said, there were other courses of procedure. But if there is blame in regard to the course that was taken the blame should fall upon me, the responsibilities are mine, and I am willing to bear them. I directed that course, and I directed it with the full intention of carrying it to the end, and I may say to the credit of Mr. Justice Tuck or Mr. Justice Palmer, and every other judge of the Supreme Court, that from the moment those proceedings were taken down to the present day, I have never discussed the subject in any way with any member of that Bench. As the case made progress it was widely discussed. Some laughed at it; some condemned it; some urged me to delay it; some urged me to drop it; more urged me to proceed. These did not take that effect upon my mind. I felt that I had a right to deal with it, and I felt that I had a right to deal with it from the standpoint that I had been dealing with it. Strange to say though, in the many phases of public opinion that I found expressed in the province of New Brunswick and in the city of St. John, for every Conservative who urged me to go ahead and carry it to its final end, wherever there was a Conservative spoke to me and urged me in that line, I may add that two Liberals gave

the like advice. And further, it is strange to say, that when Mr. Ellis was paying the penalty in the jail at Fredericton, there appeared to be numbers of prominent Liberals in the city of St. John who fairly hugged themselves with delight that this end had been reached. Why it was I will not undertake to say; but I find that the hon. member for Queen's (Mr. Davies) has undertaken to give Mr. Ellis a high certificate of character; a certificate which surpasses anything that I have ever heard said of him before. I must avail myself of the opportunity to take a little hand in this matter. I am sorry that it is forced upon me, but I must quote from some of the Liberal newspapers what has been said of Mr. Ellis in the past and how he stands. I think it is fair that I should lend a hand in assisting the hon. member for Queen's (Mr. Davies). He appears to think that his word ought to be good upon any subject, but in the province of New Brunswick, his word is not by any means a legal tender for any fact. I shall bring to his rescue a little donation from some of the Liberal papers. I prefer to take the Liberal ones, because it is not fair that I should do like him and quote from my own party papers. I like to take a Liberal paper because the Liberal editors appear to have a nicer and more easy flow of language when they are dealing with such subjects than the Tory editors have. So for a few moments I will occupy the time of the House in reading for the benefit of the hon. member from Queen's (Mr. Davies) a little certificate of character from New Brunswick, to show how it will correspond with his certificate of Mr. Ellis's character, and when he hands it down to Mr. Ellis perhaps he can reconcile it with his statements. This is from the St. John 'Telegraph,' the standard Liberal newspaper of New Brunswick, a paper that certainly none of the Liberals will refuse to believe in, because it is Mr. C. W. Weldon's newspaper. We will begin with Mr. Ellis's character on December 17th, 1887, from the St. John 'Telegraph':

LET MR. ELLIS RESIGN.

Mr. J. V. Ellis, M.P., in the paper which he controls, the 'Globe,' to wit, has openly declared in favour of, and advised, the political union of Canada with the United States. We submit, that this is a direct breach of faith, with hundreds of his constituents, and that it is a violation of the spirit if not the letter of the oath of allegiance to which he subscribed as a member of the Commons. That oath, as correctly quoted in our morning contemporary of yesterday, is as follows:—"I, John Valentine Ellis, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria." Can a man having so sworn, keep to either the letter or the spirit of his oath and advise five millions of British subjects to abandon their allegiance to Her Majesty's throne and Government? We submit the question to the thousands of loyal men who read the 'Telegraph' and are accustomed to regard an oath as a sacred thing. We subject it to the conscience of Mr. Ellis himself,

and ask him how he will answer it to God and to his country. It is very painful to have such a matter to discuss. But if all the ties binding the citizens in loyalty to His Sovereign, and the solemn obligation of an oath superadded, still leave him free to cancel the throwing off of allegiance, then what remains to bind the conscience or the honour of any man? Behind this lies the question of the breach of faith between Mr. Ellis and his constituents. As we have said he could not have been a candidate of the Liberal party, much less could he have been elected in St. Johns, had he before the election made known the disloyalty which was even then in his heart and thought. Behind this still lies the question whether the House of Commons, composed of men sworn to bear faithful and true allegiance to their Sovereign and their country, can suffer to sit in their midst one who openly expresses a desire to substitute the Stars and Stripes for the Union Jack in Canada. These are some of the questions forced to the front by the disloyal utterances of the 'Globe,' for which Mr. J. V. Ellis, the representative of St. John in the Commons is responsible. They are questions of urgency and gravity which must be grappled with. They are questions which transcend mere party issues, and compel the 'Telegraph' to deal with Mr. Ellis precisely as we would deal with a member of the Conservative party found guilty of like faithlessness to his country. We again call upon Mr. Ellis to resign his seat in the Commons. We believe that he has forfeited the right to sit in that Assembly. And apart from that he has made so great a departure from the principles of the party whose standard bearer he was in this city, that he is in duty bound to restore again to their hands the seat which in a mistaken sense of his loyalty and integrity they entrusted to him. Let him resign and submit to the verdict of the people of St. John whether he can remain their representative. The Liberal party, hitherto led by and composed of loyal men cannot afford to bear the odium of an annexationist amongst their representatives. Even Mr. Baird has resigned rather than again face fellow representatives to whom his course had become nauseating. We cannot conceive of Mr. Ellis again taking his seat among the loyal Commons, knowing what must await him there. Let him resign, and at once end the pitiful chapter. By so doing he will relieve his party of a load too great for any party to carry, save the Commons the necessity of applying an extreme penalty, and give St. John the opportunity to elect a representative who will be "faithful and true" to his Sovereign in a sense that Mr. Ellis can never be. Does he await a requisition? If so he can be accommodated.

On the 22nd December the St. John 'Telegraph' says :

Resign, of course not. Any other than an annexationist would do so rather than hold on to office in dishonour, but it cannot be expected of the class we are now dealing with. They may be expected to pocket the last dollar they can obtain of fees and indemnity from the respective offices to which, in the guise of true and fair allegiance they have attained. Cupidity and cowardice are both native to the annexationist's heart. They will take the last dollar they can get from the Canadian people, under their oaths of allegiance, and who

Mr. BAIRD.

will say they do not, even now, receive other moneys from across the border as the price of their perfidy?

Here is some more of it that will be very pleasing and very applicable to the hon. member for Queen's (Mr. Davies).

We submit that both treason and perjury lie unconcealed in the advocacy of annexation by a man who has taken the oath of allegiance. We may not know at present what inducement from across the border is the motive power behind this infamous course. What we do know is that if Mr. Ellis's service and devotion to a foreign power is not paid for by that power, it is a remarkable instance of a man engaging voluntarily in a very dirty business without remuneration.

Political Marplot: that is the name they used to apply to me. Let us see how that sounds for Mr. Ellis :

When Commercial Union and Unrestricted Reciprocity were brought before the Canadian people during the past summer and fall, the ministerial press brought forward the charge that the advocates of these proposed measures were more or less tainted with the desire for political union with the United States. The charge was resented by the loyal section of the Liberal press, because it was, as far as they were concerned, untrue, and at the same time damaging. At this juncture, Mr. J. V. Ellis, the elected representative of the Liberals of St. John, proclaimed through his newspaper, for himself, and those for whom he speaks, that what they are after is annexation pure and simple. He need not say that no more deadly blow could be struck by Mr. Ellis and his associates towards killing the reciprocity movement than this. It has had its effect. In Shelburne, where the Liberal standard was carried by one of the most patriotic, intelligent and deserving of the young representatives of the party, defeat followed, and the old Liberal county was lost because of the more than doubtful loyalty of the prominent advocates of reciprocity. We venture to affirm that the annexationist taint has not yet touched Mr. Robertson of Shelburne; but what of his newspaper support? In view of their recent utterances, the 'Halifax Chronicle and Recorder' must be set down as the humble apologists for the open advocacy of annexation, who are only deterred by the fear of consequences from taking a more open and disloyal stand.

These journals are doing their utmost, whether intentionally or not, to rally the loyal sentiment of the country to the support of Sir John Macdonald. That is the first and direct political effect of their public course. With a vast number of people in Canada the country is considered before party. In this case it is so with good reason. Annexation contemplates the destruction of Canadian parties, for if the traitorous crew could have their way both the Liberal and Conservative parties would be swept away to make room for the Democrats and the Republicans. What care these men for party ties or party prospects? Mr. Ellis is very willing to deceive the Liberal electorate with simulated loyalty at election times in order that he might write M.P. after his name, or capture a post office, but he has never been known to resign a public position in which a dollar of Canadian money can be pocketed. His hatred of the flag of

the country does not extend to the coin of the realm.

If he remains a recognized member of the Liberal party he will continue to be a political marplot, aiding to defeat its every legitimate project and aim, as he and the annexationist clique are now defeating the party candidates and the prospects of reciprocity. We have brought these matters as forcibly as we could to the notice of the Liberal party in St. John and the province. Mr. Ellis has not apparently the decency to resign. It therefore becomes the duty of the party in its organized capacity to take official notice of his action. We give them fair warning. The party must repudiate Mr. J. V. Ellis or share the responsibility of his course. It is a good time for those representative liberals who are still loyal to the Queen to speak out.

Now, Sir, the 'Telegraph' does not appear to be alone. There appears to be an accumulation of articles written in honour of this gentleman, whom the hon. member for Queen's, P.E.I., is certifying for :

'DAILY TELEGRAPH.'

Since Mr. Ellis threw off the mask and declared for annexation, he has been called upon to resign his seat in Parliament. We did this on purely public grounds, in the interest, as we understand it, of the city, the province, the Dominion and the Liberal party. We were not alone in the opinion that Mr. Ellis is morally bound to give up his seat. That view is shared, as we believed, by the great majority of the St. John electors. It is shared by a large number of journals which we receive in exchange. We subjoin a few extracts among a large number, taken from journals which have more or less strongly endorsed the 'Telegraph's' demand for Mr. Ellis's resignation :

'COLONIAL STANDARD.'

Mr. Ellis has been told that he does not truly represent the people of St. John in this matter, and he has been asked to submit his conduct to the judgment of the people who elected him last winter. This only honourable course, it is hardly necessary to say, Mr. Ellis declines to take.

'HAMILTON SPECTATOR.'

The 'Telegraph' is right. No man who is a traitor to the country he lives in ought to be permitted to hold office in that country.

'LIVERPOOL TIMES.'

The 'Telegraph' concludes a lengthy article on the question as follows: Let him resign and at once end the pitiful chapter, etc. This is as it should be. The sooner traitors to their Queen and country—like Ellis, of St. John, and Longley, of Nova Scotia—are allowed no foothold in either of Canada's great political parties, the better it will be for all concerned.

'PRESBYTERIAN WITNESS.'

It is unquestionably immoral to take the oath of allegiance and then propose the dismemberment of

the empire. There is a right way and a wrong way of inaugurating a revolution. If Mr. Ellis wants a revolution let him get out of Parliament.

'BELLEVILLE INTELLIGENCER.'

The sentiments expressed by the 'Telegraph' do it honour, and its demands that Mr. Ellis should ask the verdict of his constituents upon his traitorous declaration is eminently proper.

'CHIGNECTO POST.'

These annexation views having been announced by Mr. Ellis since his election, a sense of self-respect will lead him to resign. It has long been the practice in England for a member, who, being elected on one set of principles, as reason could change them, to promptly return the trust of the people. It is contrary to the old spirit of our institutions for a representative to hold one set of views and his constituency another.

'CHICAGO CANADIAN-AMERICAN.'

The St. John 'Telegraph,' a Reform organ, challenges Mr. Ellis to resign his seat and test public opinion on the annexation sentiment expressed by him in his paper, the 'Globe.' This is a good suggestion. Mr. Ellis ought to have quite a following in his city. He was elected to Parliament at the last election, defeating a very strong candidate, and he should not to-day be without honour in his own province.

'LONDON CANADIAN GAZETTE.'

It is hardly unnatural, therefore that the St. John 'Telegraph' should call upon him to resign his seat as Liberal member for St. John City, seeing that the views, expressed by him in the 'Globe' regarding annexation to the United States are utterly disavowed by the Liberal leaders and the Liberal party.

'WOODSTOCK PRESS.'

For months he has been indignant that Mr. Baird should sit in Parliament without the expressed wishes of a majority of his constituents, now let us see if he will be as sensitive and honourable as he has been preaching that others should be. With a general public not in sympathy with Mr. Ellis we should hope to see such a consensus of opinion against him in St. John and in his own party that he will adopt the very advice he has been tendering others and resign. This, unless he receives the approval of the Liberal party, will be the only proper course for him to pursue in justice to himself, to the principles that he now professes, the party which elected him, or the government under which he lives. Resign and contest a constituency on the annexation question.

If there are wrongs and grievances in Canada, the Canadian people are themselves solely responsible for their existence. We have no just grievance against Great Britain. She lends us her protection, and does not ask that we shall contribute in any way to her exchequer. Our taxation is wholly for our own purposes and we have full control of our own affairs. Why then should we rebel? The thought is most repugnant to the great majority of our people. The resurrected literature of the 'Globe' affords no pretext for its advocacy

of annexation. That advocacy is clearly seditious and disloyal. It is made without pretext of justification. It is made by a man who misrepresents the city of St. John and whose holding a representative position is a libel upon the fair fame of our city. He ought at once to resign, but it seems he has not, in that regard, even so much sense of decency and propriety as Mr. Baird.

We find other articles speaking of him as a perjured traitor, and other articles in the sense that he should resign doubly as strong as any that have called for my resignation. There was a time when I was called upon to resign. It is certain I was not forced to resign, and how different my conduct in that respect must appear to the minds of any one who look fairly upon it, as compared with the conduct of Mr. Ellis or the conduct of any other Liberal who could be named. You cannot mention to me a Liberal in the Federal or any of the Local Parliaments of Canada who, when he once had control of an adversary and once closed the door upon him, failed to hold the clasp and keep his adversary there. I was called upon to resign, and was told that I dare not resign. Yet my seat was as safe as it possibly could be. All possibilities of an election petition being decided against me were past; but the idea was heralded broadcast, and very blatantly by the hon. member for Queen's, P.E.I., that I dare not resign my seat and face my constituency. It was very largely to show that there was no such opinion held of me in the county of Queen's that I went again before the electorate. I dared to go then, I dare to go now, and I will dare to go again. Now, I have listened to the arguments of the hon. gentleman about the great burden that was thrown upon Mr. Ellis in the carrying on of this case, and the number of years it has been carried on, and the way in which it was protracted, and the immense costs heaped upon him. If any hon. gentleman will take the trouble to look fairly into the matter, they will find that every delay was caused by Mr. Ellis and his counsel. He invariably had friends in court, as the old saying runs. There was not a term when my counsel was not on hand to proceed with this cause and carry it to an issue; but as repeatedly as he appeared, that cause was burked and prevented from being tried. We did not complain, we did not wish to complain, but we were determined not to let it drop. Now, time changes all things, and there came a time when they could no longer burk or hinder a fair trial, and at last we got a final judgment and sentence. That judgment carries with it costs. A great cry is made about the immense costs that Mr. Ellis is condemned to pay, the amount is enlarged and magnified away into thousands, and the Liberal hat is passed around all over the Dominion, and the dollars and cents are gathered in until quite a sum is handed over to Mr. Ellis. To use the language of that very

Mr. BAIRD.

truthful member for Queen's (Mr. Davies), he has had to pay heavy costs. Well, Mr. Speaker, he has never paid a dollar of costs. Every cent of that contribution is in Mr. Ellis's pocket to-day. Not a dollar is paid; and if he can avoid paying, he certainly intends to do so. I give him credit if he can, but he will find us after him as long as it is possible to follow him. But these things appear very different in the way they are expressed by the hon. members who are bringing this case forward in order to make a martyr of Mr. Ellis, in order to prepare him for future elections. But, as I have told the hon. member for Queen's (Mr. Davies), it will require a stronger certificate of character than he can give him, it will require stronger arguments than he can produce, it will require a better word and promise than he can give in New Brunswick, to make a martyr of Mr. Ellis.

Mr. GILLMOR. Do I understand the hon. gentleman to say that Mr. Ellis has not paid any costs?

Mr. BAIRD. I do say so.

Mr. GILLMOR. I have been informed that he has paid between \$500 and \$600 already.

Mr. BAIRD. You may tell your informant that he is mistaken.

Mr. SCRIVER. Will the hon. gentleman allow me to say a word with reference to the collection made on behalf of Mr. Ellis? He says that Mr. Ellis has it in his pocket. I have the word of the Hon. Mr. Lewin that that money has been deposited in the bank, and that Mr. Ellis has not received one cent of it.

Mr. BAIRD. I do not think that Mr. Lewin's word is any better than mine, or mine any better than his.

Mr. SCRIVER. Any gentleman who knows Mr. Lewin knows that his word is good.

Mr. BAIRD. I know that Mr. Ellis's advocate stated to-day that the costs were paid, and I know that is untrue. That is as far as I can go with it. As I have told you, Sir, it will require better authority than the hon. member for Queen's, P.E.I., to make up a certificate of character for Mr. Ellis. I am sorry to say that such has been the conduct of Mr. Ellis in the city of St. John, that his very colleagues have been forced to speak of him as they have. His conduct has been harsh instead of high-minded and unoffending, as the learned gentleman from Queen's had the impudence to tell you. He has for a long lifetime enjoyed a seat in the editorial chair, and he has never during that lifetime failed to use the privilege of inflicting torture and misrepresentation upon any he could visit it upon. If he had to deal with a political enemy, it appeared as if it were impossible for him to deal fairly. His pen became

a dagger and his ink as mean a poison as ever entered the current of human life. If he dealt with the judiciary, it was to impugn their motives, to question their integrity, to proclaim to the world that they were bartering away their honesty and their honour. It was to teach the public that their judgments were bought and sold and void of all respect. If he were dealing with a fellow-citizen who had been unfortunate, who had fallen into financial disaster or anything of that kind, it appeared to be his delight to jump on him with both feet well down. If he dealt with State or Government, then what do we find? We find that Farrar and Wiman were his patron saints. From the Queen upon her throne, to whom he had sworn allegiance, as stated in his own newspaper, down to the meanest subject administering her laws, he would undermine and overturn all authority. In this way Mr. Ellis has put in his lifetime, instead of being the quiet, innocent, unoffending man that the hon. member for Queen's has pictured him. Therefore, I say we will require something more than that hon. gentleman's word. Mr. Ellis was very shrewd, very sagacious in selecting that hon. gentleman to advocate his cause in Parliament. It was a cause that required a good deal of glossing over, that required a good deal of colouring, that required an advocate who had an utter disregard of facts—

Some hon. MEMBER. Order.

Mr. SPEAKER. The hon. gentleman must not accuse the hon. member who has moved this resolution of having a disregard for facts.

Mr. BAIRD. I withdraw the expression, and I am very sorry I have not the privilege of using it. I think I have the right to place these things before the public in their proper light and in a way which no one in the city of St. John or the province of New Brunswick would have the courage to contradict. I bring them up only because I am actually forced to do so. I feel that I have always been dealt with unfairly in relation to the Queen's County election. It is true that great difficulties arose. It is true that at the time I went into Queen's County, matters were so arranged that I had to meet with a loaded voters' list. It is true that the voters' lists were so manipulated that I could not be possibly returned.

Mr. MILLS (Bothwell). Hear, hear.

Mr. BAIRD. I cheerfully faced the difficulties I had to meet, and then, after the judgment of the returning officer was given, I did not for a moment suppose that I was doing what I was not entitled to do. It was a legal question. I believed it was a question fairly debatable on fair and reasonable grounds; and when I accepted the declaration of that returning officer, I did not believe that I was doing what was wrong

in the eyes of the law, or the eye of the public. It would not have been thought anything of on the part of a Liberal to have done the same thing. However, it appeared to have been a mistake on my part, and I believe to-day that I did myself an injustice. I could have taken the outside track and given my opponent the inside track and then have beaten him; but, believing that the shorter course was the correct one, and that it was my right to take the seat and leave him to take the courts, I brought down on myself a tirade of abuse from that day to this. It appears that in my case there is to be no forgiveness for such things as this. It appears that the Liberal party are determined to follow it in a spirit of barbarian ferocity. While I on my part have done what none of them have dared to do—resigned my seat to go back to face the constituency fairly, and in the courts, in the House and everywhere else, I have gone on—it is true persistently, yet I have tried to go on fairly—allowing the courts to give their judgments, allowing the people to give their verdict, and doing what seemed to me my duty. If these hon. gentlemen feel that they are doing right, if they feel that this is the best course for them to pursue, I am prepared to say that they will never compel me to take one backward step. It is unnecessary that I should go into the law of the question. I have heard the hon. member for Queen's (Mr. Davies) state the law of the case in a way I could not understand. I have heard his statement fairly answered by the hon. gentleman opposite (Mr. Hazen). I have listened to the remarks of the hon. gentleman from Nova Scotia (Mr. Fraser), and I must say that I could not see any particular point that he made. It is true he dealt with Mr. Justice Palmer from a standpoint of his own, speaking of the impropriety of his sitting as a judge and giving judgment in the way he did. The inference from what the hon. gentleman said would be that Mr. Justice Palmer had given judgment after the articles published in the St. John 'Globe' were before him; while the fact is, if I am correct in my recollection, that judgment had been given long before the article appeared in the newspapers.

Mr. DAVIES (P.E.I.) Will the hon. gentleman allow me a word. There was no reference to the judgment. The statement was that Mr. Justice Palmer gave sentence, or joined in pronouncing sentence, two months after the article published in the St. John 'Globe' accusing him of having accepted a bribe. Whether that is right or wrong, we leave the hon. gentleman to his own conclusions.

Mr. BAIRD. The hon. gentleman is now referring to the sentence. I was speaking of the judgment. The hon. member for Guysborough (Mr. Fraser) spoke of the judgment. That is why I raised this objection. Mr. Justice Palmer could have had no motive

such as the hon. gentleman speaks of at that time; there was no such article then before him.

Mr. WELDON. If the hon. gentleman will excuse me, Mr. Justice Palmer did not give sentence; it was the Supreme Court of New Brunswick that gave sentence.

Mr. DAVIES (P.E.I.) Of which Mr. Justice Palmer was one of the judges—one of the three.

Mr. BAIRD. Mr. Speaker, there is nothing further I wish to remark on the subject. I leave it now for the further discussion of hon. members who may wish to discuss it.

Mr. WELDON. Having regard to the lateness of the hour and the fulness of the discussion thus far, I shall speak briefly. The hon. member for Queen's, in introducing this motion, took care to say that this House of Commons was not a court of appeal. But he paid scant courtesy to his own statement for the remaining part of his speech proceeded upon the assumption that this High Court of Parliament was a Court of Appeal from the Supreme Court of New Brunswick. Over half his time was spent in condemning the rule of the Supreme Court of New Brunswick on mixed points of law and fact, arguing against the decision of that court, that the writings of Mr. Ellis were a contempt. He appealed to this tribunal from the court of New Brunswick with the argument that a writ of prohibition from Mr. Justice Tuck of the Supreme Court would not run to the county court, his argument being based upon the decision in the courts of other provinces directly in opposition to that in the court of the province of New Brunswick. I wish, Mr. Speaker, that he had not disregarded his own proposition, for nothing can be truer or more germane to the subject than to say that this House of Commons is not constituted to be, is going very far from its duty when it undertakes to be, a court of appeal. What a preposterous court of appeal it would be. If we are a court of appeal, we members of this House are 215 judges. The hon. member for Queen's, P.E.I. (Mr. Davies), is one of these judges. The hon. member for Queen's, N.B. (Mr. Baird), is another. I have the honour to be another of the judges. Take notice what shocking language is used by one of these judges to another. One of the judges of this court speaks of a brother judge as a conspirator, says he should be in the penitentiary, says that he stole his seat. These statements are either true or false. If they are true, it is quite clear that a gentleman here ought not to occupy a seat in this High Court of Parliament; if they are not true, the hon. gentleman who makes these statements is a slanderer. But whether true or not, how about the rights of the rest of us who must sit with one or other of these

Mr. BAIRD.

judges? We do ourselves no credit by such language. We all know that we use rather the language of partisans or advocates, that we are not constituted to discharge well the duties of a court of justice. We have not the temper; we are too numerous; we do not patiently hear argument. We apply rather the rules of counsel, and advocate and find it difficult and almost impossible to apply the rule of judges. I wish to give a few reasons why I shall vote against the motion of the hon. member for Queen's. Without referring to the recital of the facts, I come to his motion proper. He asks us to censure the returning officer in intemperate language for something done by that officer in 1888, he asks us to adopt the following:—

That in the opinion of this House the action of the returning officer Dunn, in refusing to return George G. King who had polled a majority of the votes at an election duly held and in returning Geo. F. Baird, the minority candidate, instead was a gross violation of law and justice, a wicked and indefensible outrage upon the electors of Queen's County, N.B., and a precedent pregnant with such danger to the future political government of Canada as to have demanded and justified on the part of the newspaper press the severest possible condemnation and censure.

We have a rule in the English law that no man can be twice put in jeopardy on the same charge. We brought Mr. Dunn seven years ago to this House, and he stood there at the Bar and was tried. The memory of that trial will be fresh in the mind of every member who then sat in this Chamber. All will remember how complete a farce and fiasco it was. The whole trial broke down. He was called upon to answer the questions of hon. gentlemen, and when the questionings were done, honourable gentlemen opposite stared at us and we stared at them, until Mr. Landry, who represented the county of Kent, moved that Mr. Dunn be discharged. My hon. friend from St. John is strictly correct, and the denial of my hon. friend from Queen's (Mr. Davies) is entirely wrong, when the former gentleman said that no attempt was made, when he had brought that accused person to the Bar for trial, to punish him or deal with him in any way. Why then again drag up this charge seven years afterwards and undertake to punish a man we have already tried? Further, the hon. gentleman asks us to say:

That in the further opinion of this House the jurisdiction claimed by the judges of the Superior Courts of Record of punishing by fine and commitment to prison for constructive contempt being practically arbitrary and unlimited and exercised by judges, who are at the same time judges of the law, of the fact, of the intention and of the sentence, and whose decisions are given without the aid of a jury and without being subject to the review, is opposed to the genius and spirit of constitutional liberty and ought never to be exercised

where any other pertinent remedy can be found or recourse had to any other method of obtaining justice.

If the hon. gentleman were introducing a Bill proposing to abolish this whole doctrine of constructive contempt, I would ask him to carry his doctrine further before agreeing to give him my support. If he is sincere—and I must suppose him to be sincere—in a desire to enlarge the liberties of the Queen's subjects and to curb dangerous powers that may be exercised arbitrarily, let him begin with this Parliament with which he has more to do. We have larger powers than the Supreme Court of New Brunswick. We have dangerous powers, and we have not always shown too great moderation in the exercise of those powers. Liberty of speech is as much in danger from the arbitrary exercise of the power of this House, and much more so than it is from the arbitrary exercise of the power of the Supreme Court of New Brunswick. In this very case, seven years ago, to which our memories are brought back by the hon. member's speech, he himself, with his own lips, moved a motion asking this House, which means the Conservative majority of this House, for they controlled the proceedings of this House at that time, to take one member out of his seat and put another in his place. I cite this instance merely to show what large dormant powers, capable of great wrong and great mischief are vested in this House. We have exercised them sparingly, when, as we thought we were protecting the rights of the minority. In that instance I refer to, many thought we had not the power, others thought we had, but we forebore to use it, saying that the aggrieved parties might go back to New Brunswick to their own court, whose doors were still open, and ask for redress there. They were doing a dangerous thing when they asked this Parliament to take control and vote A out of his seat and put B in his place. And so in this particular matter, the power of the Supreme Court of the province to commit for contempt it is argued, is a dangerous one, because they are judges in their own cause, or, to use the words of the hon. member for Queen's, they are prosecutors, judges, and jurors in their own case. Sir, his statement was exactly wrong with respect to the trial in question. The Supreme Court of New Brunswick was not the prosecutor, and if my hon. friend will read the 27th and 28th volumes of the New Brunswick reports, he will find that one of the objections taken to the proceedings was on the ground that the judges themselves were not the prosecutors. He complains again that in this process there is no intervention of a jury. There is practically no need of a jury, there are no complicated facts to be ascertained, there is no body of witnesses to be brought in, there is no question of the credibility of

the evidence taken. The man who is charged with contempt can purge himself from contempt by making a distinct oath of denial, and there is really no need for the intervention of a jury in this regard, for the facts in question are so plain and simple. He points out that the power is a large power, that it is capable of abuse. Mr. Speaker, the higher the repositories of power are under our constitution, the greater the danger of abuse, and we must presume, and it is right for any parliamentarian to presume that the higher the authority in the state, the more sparingly and properly will such authority use those great powers. Take the power that the Attorney General has in the way of criminal prosecutions. He has the power to stay any criminal proceeding by entering a 'nolle prosequi.' It is a power capable of abuse, but we trust to the high professional standing of the men, and to the strength of public opinion, to protect the exercise of that power from abuse. But he who attacks this power on the ground that it is capable of great abuse, must support his position by facts, and I submit that in this cause before us the hon. gentleman has not done so. He has read from the St. John 'Globe,' an expression which said that justice was not wanted and therefore Mr. Justice Tuck was called in. What could be more offensive or defamatory to Mr. Justice Tuck? I need not repeat the other expressions that are used. To be sure the expression "partisan judge," and other similar expressions were used by Mr. Ellis as having no reference to Judge Tuck; but I do not think any member of Parliament, sitting in this Chamber, and hearing the extracts which the hon. member for Queen's has read, will agree with him, not one of his own colleagues will agree with him, that those expressions do not apply to a judge of a Supreme Court in respect of his issue of that order nisi, and that they are anything more or less than contempt of court, and the maligning of a judge. Well, then, the court was maligning, the newspaper editor was in contempt, and the court began to deal with him. Six years ran on. I think myself it was easy to explain why Mr. Ellis should, in 1887, looking to the excitement of the month of March in that year, have written, in hot blood. Political passions were roused, undoubtedly, to a white heat in that province, and there is no difficulty in explaining how an impulsive man should have written as he did. But the thing that is hard to explain, and the thing which, more than any other in the whole matter, brings discredit upon Mr. Ellis—against his character I am not able to utter one word, nor do I desire to say one word—but the one incident in this whole transaction from 1887 to this hour that does discredit to Mr. Ellis, is that when the days of hot blood had gone by, when passions had abated, he refused to acknowledge his error.

After six years, he knew that Judge Tuck, who had been attacked so unjustly, whether he had properly or improperly construed the statute, had performed a judicial act that had to be performed on an ex parte hearing. Many think to this hour he was quite wrong, others think differently; but whichever way that question was decided, whether a judge of the Supreme Court of New Brunswick had or had not power to issue an order prohibiting a judge of an inferior court from going on to exercise his power of re-count, whichever way that power was exercised, it was a judicial power exercised by a judge, and on the face of it there is no evidence of bad faith. Now, long afterwards, when Mr. Ellis knew that he had been wrong, as every man in New Brunswick knows now that he was wrong, that there was no excuse and no justification for writing what he did; then, what does the man of honour do? What does a true gentleman do? Mr. Ellis is not the first man who has made a mistake, he is not the first impulsive man who has said that which he thought was justifiable at the time, but in cooler moments he found was unjustifiable. I say a man who has a jealous regard for his own honour, when he finds that he was wrong, will say that he was wrong. It hurts no one to say so; and if Mr. Ellis had said that he was wrong, Chief Justice Allen and his colleagues would have dropped the matter, and there would have been no fine and no imprisonment. My hon. friend from St. John read the first paragraph in the judgment of Mr. Justice King, now in the Supreme Court of Canada, to show that the judges were looking for and hoping for a retraction on the part of Mr. Ellis, which would put an end to the whole matter. There was no desire for vengeance. I do not know the secrets of the judges' room in the Supreme Court, but there is a tradition among the barristers which I have heard, and which every member of the New Brunswick Bar has heard. It has been told me that the most strict and most severe disciplinarian on the Bench, the one most stubbornly insisting upon this power of commitment, was the Chief Justice, and the New Brunswick barristers scoff and scout the theory of the hon. member for Queen's that the Chief Justice, being an old man whose intellectual strength was not what it had been in his prime, was overborne by a stronger will, that of Mr. Justice Palmer. There is no member of the New Brunswick Bar, Liberal or Conservative, who does not scout that solution of the difficulty, and the hon. member cannot name one who will endorse his theory in that regard. As a matter of fact, I have heard months ago, after these very articles in the 'Globe' were published that the hon. member read—and I think most improperly read, attacking a judge who has resigned from his seat—that it was notorious that Mr. Justice Palmer was one of the judges who stood out most strongly for

Mr. WELDON.

clemency. I have heard that, and I am sure that it is the common belief of the Bar that the theory of the hon. gentleman is altogether wrong. We had a citation very much in point, and I say so freely, given by the hon. member, from the late Master of Rolls, Sir George Jessel, in which he points out that this power of commitment is a dangerous power, is one capable of abuse and is one that must be exercised carefully, and is one that wise and temperate judges would use sparingly.

Mr. DAVIES (P.E.I.) That is not all.

Mr. WELDON. Then I only go that far. I do not remember what the hon. gentleman considered to be the crucial point.

Mr. DAVIES (P.E.I.) The words "and never should be resorted to in cases where any other pertinent remedy is open."

Mr. WELDON. I am very far from agreeing with that opinion if it means that a judge whose good name was assailed, as Mr. Justice Tuck's good name was assailed in New Brunswick seven years ago, is compelled to go to a court of justice and enter a libel suit, and I should deplore the fact that a judge should be driven to that extremity in order to vindicate himself. I may remind the House, however, that there is no authority for that. We remember the rule of English law, that no action shall lie against a judge of a Superior Court by reason of any word spoken or any act done in the course of the judicial proceedings, that no action shall lie in case of words used, no matter how malevolent or malicious or false or irrelevant they may appear. Why does the English law give that protection to judges of the Superior Court? Not to enable lawlessness and wrong-doing to go on untrammelled and unchecked; but the law takes knowledge of this, that these judges are professional men of the highest class, that cases of abuse in the nature of things must be few, and if there are any of a flagrant character, there is an extreme constitutional remedy; and the reason is mainly this, that it is better in the long run, in the thousand cases in any country, that occasionally some hardship should be done to the reputation of one of the Queen's subjects than that the whole body of the judges of Her Majesty's courts should be in their proceedings harassed by fear that this or the other disappointed suitor will institute a civil action. It guarantees that the judges shall be able to deal with all matters in a free and open manner, and not be coerced by fear of punishment by reason of action taken by vexed suitors, and no punishment is so mischievous as a parliamentary censure, instigated possibly by party feeling, inspired by a desire to gain party advantage, or as in this case, as has been suggested, by a desire to place a chaplet round the brow of Mr. Ellis in order to prepare him better

as a parliamentary candidate for St. John, or to perpetuate a quarrel, or intensify a quarrel between the Supreme Court of my province and the whole press of Canada. The hon. member for Queen's (Mr. Davies) has pointed out that the whole newspaper press, both Conservative and Liberal, have for a moment forgotten party in their desire to defend a member of their own craft and put a ring of bayonets around one of their own number, neither knowing or caring whether the attacked journalist was right or wrong, taking little pains to obtain correct and accurate knowledge in regard to the merits of the case, but demanding the reason why the court punished one of their number. Even the independent or Conservative newspapers outside the province of New Brunswick have shown a lamentable lack of acquaintance with the facts of the case. They have proceeded on the supposition that Mr. Ellis has been punished for criticising the soundness of Mr. Justice Tuck's construction of the statute. Not one of the newspapers in the western provinces said, or apparently, although they attacked the action of the Supreme Court, knew the crime committed by Mr. Ellis, or were aware of the opportunity given him to apologize, and of the patience and forbearance of the court. I ask the newspapers championing the cause of the editor of the St. John 'Globe' to be as fair to the Supreme Court of New Brunswick, which has no representative here and cannot speak here or make its defence, as they are to their newspaper colleague, and that they will remember that those judges are as jealous of their good name and fame as a journalist can be. They would like to be better thought of in the cities in the west than they are under the present misstatement of the facts, and I do not think the newspaper press by its action in regard to this case has increased its reputation with the reading public, by showing extreme zeal to take for granted that one of their own order has been wronged by the judges of the Supreme Court, and by doing this without having given patience and industry to an examination into the full facts of the case. I will not be so reckless as to impute a spirit of unfairness to those newspapers, but I impute to them a lack of industry and patience in obtaining details in respect to the dispute between the court and the press. The feeling I have in this regard is that the newspapers seem to have combined to throw their whole weight and strength, with a few notable exceptions, to condemn that court in our little province, a court which is as jealous of its fame as is any of the courts in any of the larger provinces. I am proud to be a New Brunswicker born, and you cannot wound a New Brunswick man more than by reflecting on the Supreme Court of his province. Our province is a little more than one hundred years old. When New Brunswick was made a province separate from Nova Scotia, a company of scholars and gentlemen,

U.E. loyalists and their sons, many of whom had been educated at Harvard and Yale, came into the province and that court was organized. I could recall the old names of which we are proud, and they form a splendid body; I could speak of the Chipmans, Parkers, and Ritchies, whose names every New Brunswick boy regards with honour. The admirable traditions of the court have remained from that day to this. In New Brunswick we have no institution reflecting the best intelligence and character of our people as does the Supreme Court of the province; we are proud of it, and it is worthy of the province; and we must be forgiven if we speak with a little extra warmth and resent with unusual force any attack made on the good name of the Supreme Court of the province. I deplore and regret extremely the statements which have been made by the hon. member for Queen's (Mr. Davies). The effect of the hon. gentleman's statements going abroad uncontradicted would be to make the people of Canada believe that our Supreme Court judges are a gang of thieves and bribe-takers. God forbid that any such false and erroneous opinion should prevail in any part of this Dominion.

Mr. DAVIES (P.E.I.) Will the hon. gentleman kindly state what statement I made which he deplores?

Mr. WELDON. The half of the hon. gentleman's speech. Also, almost every paragraph of the hon. gentleman's resolution.

Mr. DAVIES (P.E.I.) I challenge the hon. gentleman to refer to a statement.

Mr. WELDON. The hon. gentleman's motion reads as follows in its last clause:—

That the punishment inflicted by the Supreme Court of New Brunswick upon John V. Ellis in the month of October, 1893, for an alleged constructive contempt of court contained in articles published by him on the Queen's County election herein referred to was arbitrary, excessive and inimical to the public interest and deserving of censure.

The hon. gentleman uses the words "alleged constructive contempt." But that contempt was proved by language quoted by the hon. gentleman before this House. I agree in toto with the statement made by the hon. member for St. John (Mr. Hazen) that we are going beyond our rights in sitting in judgment on sentences passed in this or any other court in this country. We are all human, and as members of Parliament we have no right to express the opinion that the judges should not have done this and that. I will not, however, enter into that subject or give any colour or support to the claim that Parliament has the right to sit in judgment on such matter. For this reason I will vote against the motion which declares that the court is deserving of censure. The last statement is in fact entirely inaccurate.

Mr. DAVIES (P.E.I.) I challenge the hon. gentleman to cite one English case where constructive contempt was made to include three punishments, fine, imprisonment, and payment of costs?

Mr. WELDON. The hon. gentleman will not change the issue. I have not been very long in this House, but I am too old to allow the hon. gentleman to alter his resolution by word of mouth. The hon. gentleman is now hedging and bringing a new element into the controversy. I will give the hon. gentleman a number of cases, not one, two, or three, but if the patience of the House will allow me more than that number. There is the case of James Tuohy, the publisher of a Dublin newspaper, who had reflected upon a petitioner in a divorce case, and he was dealt with by the court, Mr. Justice Butt being the judge, and was held in contempt. A writ of attachment was ordered to issue and he was fined £100 sterling—two and a half times as much as the fine in the Ellis case—and the court decided that he should be compelled to pay the costs as between solicitor and client.

Mr. DAVIES (P.E.I.) That is a fine and costs, was there imprisonment there, too?

Mr. WELDON. If the hon. gentleman possesses his soul in patience I will give him another case.

Mr. DAVIES (P.E.I.) Answer, was there imprisonment there?

Mr. WELDON. If the hon. gentleman will be patient I will give him all that he wants and more than he wants. If the hon. gentleman reads up the case of Steele vs. Hutchings' 'Weekly Notes,' 1879, page 18, he will find again that costs were given.

Mr. DAVIES (P.E.I.) But was there imprisonment also?

Mr. WELDON. If the hon. gentleman will look up the case of Will vs. Corcoran, Common Pleas Division, 69; if the hon. gentleman will look up the case of Little vs. Thompson, 2 Beaven 129; if he will look up the case of the Plating Company vs. Farquharson, 17 Chancery, page 57—

Mr. DAVIES (P.E.I.) Will you read Lord Justice James's statement in that Plating case?

Mr. WELDON. I have read it, but I have not got it here. If the hon. gentleman will be kind enough to hand it over to me.

Mr. DAVIES (P.E.I.) Lord Justice James in that case says that costs are sometimes given in lieu of imprisonment. That is the statement in the very case you were reading.

Mr. WELDON. If the hon. gentleman will be good enough to send over the book I

Mr. WELDON.

will be obliged to him. I have a quotation here from the Master of the Rolls, Sir George Jessel, in which he said that: costs as between solicitor and client are sometimes given to the party moving.

Mr. DAVIES (P.E.I.) "Instead of committing to prison." You omitted those words.

Mr. WELDON. Send me the book, if you can.

Mr. DAVIES (P.E.I.) I have it in an extract here from Book 17, Chancery Division, page 57.

Mr. WELDON. The hon. gentleman had better leave it until we get the book. He is only putting his extracts against mine.

Mr. DAVIES (P.E.I.) Does the hon. gentleman challenge my statement?

Mr. WELDON. I admit nothing. I assert the accuracy of my own statements. I would refer the hon. gentleman to another case, the case of Jackson V. Mawby, Chancery Division, page 86, where the same principle was laid down. Now, Mr. Speaker, before concluding my remarks, I desire to say again that I will not lend my tongue to say one word in disparagement of Mr. Ellis. I know that gentleman well. He has sat in this Parliament with us. I know how highly he is estimated in his own city by his neighbours, and he is esteemed most by those who know him best. I will not say one word against him, except to repeat what I said in the beginning: that the one fatal mistake that gentleman made was in not taking the lead of his own mind and making an apology, when his own impulse was to make an apology, and when he knew he was wrong. There would have been no fine and no imprisonment had he done that. I should like to close my address by making an amendment to the amendment of the hon. member for Queen's (Mr. Davies), were it not that the rules of the House do not permit it. I would like to move: that this House regards with disfavour any attempt to attack or disparage the judges of the Superior Courts of the country, when the accuser does not mean to go on to impeachment. Nothing can be more deplorable than that this House of Parliament, dealing with these judges of the land—and particularly when they are complained of in respect to the conduct of political trials—should keep them perpetually under the harrow, and in fear of parliamentary criticism when the person making the charge does not mean to go to impeachment. If these charges are believed to be correct by the person preferring them; if we believe our judges to be corrupt, we are bound to destroy them, if we believe them to be dishonest it is our duty to impeach them. Unless when charges are made in this House against our judges the member making such charges is prepared to go to impeachment; it would be better, far better that our judges

should be left alone. It is neither fair nor just that we should keep them in perpetual fear and terror of Parliamentary censure. We have no right to do so, and no good results can be accomplished by our doing so. The dangers that loom ahead of us are not the dangers of despotism; the dangers ahead of us are the dangers of a turbulent democracy, and every prudent, faithful and patient man, anxious for the welfare of his country, must desire to strengthen all that tends towards social order, and to discourage all that points to anarchy. I have already quoted in this House the words of Jeremy Bentham: "In every commonwealth it is of supreme value that the people of the country shall believe they are getting justice; it is of supreme value that they shall have trust and confidence in their courts." The logic of that statement carries us, of course, to the duty of making good appointments to the Bench, and to the duty, also, of being patient and forbearing in the exercise of our power over the Bench of parliamentary criticism. We have put upon the judges of the Superior courts of all the provinces, a jurisdiction which they never asked for, and which they never thanked us for. We have forced on them the power to deal with these election trials, and they get no additional remuneration for exercising that function. They dislike this power which we have compelled them to exercise. We ourselves used to exercise it through a committee of the House, but we found ourselves incapable of doing it properly, and now that we have thrown this unwelcome duty on our judges, we ought, in all common fairness, to be the last persons who should go boxing them about on one ear and on the other, because they may have displeased some who are disappointed in election trials. The judges are doing our work, and we should be thankful to them. It is a work that we have compelled them to do, and they have a right to ask us, in return, to be patient and forbearing and reasonable before we attack them. If you look at the 'Hansard' of twenty years ago, you will find that many of the coolest and wisest heads in this House of Commons protested against the statute of 1874, throwing election trials upon the courts, for the very reason, that if the judges were obliged to preside at these election trials they would be liable to be dragged into political controversy, that thereby they would be attacked in Parliament subsequently, and their judicial reputations disparaged. That regrettable condition of affairs was foreseen by many in this Parliament, twenty years ago, and it is our duty as moderate and reasonable men to take care that that fear shall not be realized. I have stated the motion which I would like to move if the rules of the House would allow me, and in support of my wish to move such a motion, I shall read three or four short extracts from the English 'Hansard' to show what is the best feeling prevailing

amongst responsible and able men in that old legislative chamber across the sea, to which we so often look for precedence and guidance. In the English 'Hansard' of 1872, vol. 207, page 758. Mr. Gladstone, certainly the oldest great parliamentarian living, and one of the most capable, during the course of a debate very closely resembling this discussion here to-night, is reported as saying:

What do you intend to be the relation between the Legislature in time to come and the judges of the land? At present you are strictly refrained from interference except in one most solemn and formal manner. You are not to inflict on them a minor punishment.....

Are you prepared to say that you will venture upon breaking down that fence which, by your own wisdom, prevents you from intermeddling with the character of the judges by means of votes which, if I dare say so, dare not aim at their removal, but which, at the same time, have a tendency to lower their character and to impair their credit and authority.

I have here the statement of Mr. Thesiger, afterwards an ornament to the Bench of Great Britain, taken from English 'Hansard,' vol. 66, page 1090, in which he says:

But was there no danger of the dependence of judges on a public assembly? Was there anything more calculated to shock the independence of a judge than the feeling of being constantly liable to the censure of the House of Commons on the application of any discontented suitor?

I have the statement of Sir James Graham, English 'Hansard,' page 1129, in which he says:

It is due to the cause of justice to defend the judges of the land unless we shall be satisfied that their conduct has been corrupt, and their motives dishonest.

In the same debate, Lord John Russell spoke. It was the case of a Liberal statesman resisting an attack on Sir James Scarlett, an old Tory member of the House, who was complained of as having used offensive expressions to a grand jury, and shown great lack of judgment, and, in that trying case, Lord John Russell said:

The independence of the judges is so sacred that nothing but the most imperious necessity should induce the House to adopt the course.

Lord John Russell himself, and those whom he could influence were induced to resist this motion which came from his own friends. Mr. Speaker, I have cited four or five out of a great number of quotations from the speeches of the best and most responsible men in the English Parliament, which tend to prove that this matter of every session bringing up a charge, graver or lighter, against judges whom you do not mean to impeach is a mischievous interference with their independence, and is adverse to the best interests of the nation.

Mr. GILLMOR. Mr. Speaker, I do not intend to trespass five minutes upon the patience of this House. I only rise because I feel it my duty to say a word for my life-long friend, Mr. Ellis. I was pleased to hear the hon. member for Albert say: "I am not able to utter one single word in detracting of Mr. Ellis's character." I was glad to hear him say that, differing as he does, politically, with that gentleman. Mr. Ellis may err in judgment sometimes, for who is perfect? But all who know him will say the same. I only rose to say a word in favour of my old friend, because of the course which the hon. member for Queen's County, N.B. (Mr. Baird), took in his remarks. I thought it was in very bad taste for that hon. gentleman to take the course he did. This discussion to me has been a painful one. I have been associated with the gentlemen who have been referred to for a great many years. I may say for a lifetime. I have been acquainted with Chief Justice Allen for forty years; I have been acquainted with Mr. Ellis for nearly forty years, and I have been acquainted for a long time with the judges on the Supreme Court Bench. I have had very strong feelings with regard to this case. I have felt that the hon. member for Queen's had been punished enough, and I would have been pleased if my hon. friends on the front benches had concluded that enough had been said about it. I was unable to see exactly what good was to come out of any further reference to the matter. Although I am not intimately acquainted with the hon. member for Queen's, N.B., yet I know he has suffered. If he has not suffered, God have mercy on him, because he ought to have suffered, under the circumstances. I know he has suffered, and I think he has suffered enough. But I regret the way he has treated my old friend Mr. Ellis. I am not the only one who knows John V. Ellis. You all know him—one of the most pure-minded and one of the most modest men, but one of the boldest men when wrong is to be attacked. He has no superior on the press or in Parliament, or on the Bench in those qualities that constitute a truthful, honourable, high-minded man. I am under no obligations to Mr. Ellis, nor is he under any to me; but I have known him under all circumstances, and I have never known him to flinch from what was right or to do a mean or dishonourable action. I regret this discussion in some respects. I am sorry that the name of my old and long-tried friend the Chief Justice of New Brunswick has been brought into discussion. I was in the Government with him thirty-seven years ago, and I never knew a better man than Chief Justice Allen. I have also been pained, because my sympathies went with my friend Mr. King, of Queen's County. I think Mr. King was an injured man; I think he was wronged and dealt with unjustly throughout the whole transaction. I do

Mr. GILLMOR.

not wish to express any opinion about the legal aspect of this question, as I do not understand the law. I hope some good may grow out of the discussion. I just rose to say that I have never known John V. Ellis to do a mean or dishonourable action, or to be guilty of an untruth, and I think the hon. member for Queen's, N. B., would have done his cause and himself more good if he had pursued a different course, and had not tried to drag Mr. Ellis down to the level that he occupied before he went through the ordeal he has gone through.

Mr. MILLS (Bothwell). I move the adjournment of the debate.

Sir JOHN THOMPSON. I know it is the desire of the whole House to get on with the business, and to finish this debate if possible to-night, and if I yield to the motion, I only do so in consideration of the fact, as I understand it, that the hon. member expects to occupy a considerable time, and that it would be inconvenient to him personally to continue to the conclusion of his speech to-night. I would therefore remind the House of the condition of business, and say that if the debate is adjourned now we shall continue it to-morrow as the first order, and I shall expect after that to have to ask the House to resume the debate on the motion of the hon. member for North Norfolk (Mr. Charlton), and to remain in session until both are disposed of.

Mr. LAURIER. Hear, hear.

Motion agreed to, and debate adjourned.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.35 p. m.

HOUSE OF COMMONS.

WEDNESDAY, 6th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

THE PROHIBITION COMMISSION.

Mr. CAMPBELL (for Mr. Flint) asked, Has the Government information as to when the report of the Royal Commission on prohibition will be ready for presentation to the House? If so, when will the said report be presented?

Mr. FOSTER. The information in possession of the Government is that the interim report of the Royal Commission on prohibition is now nearly ready for presentation to the House—has been waiting, I think, for the printing of some copies of the evidence.

Mr. LAURIER. Did I understand the hon. gentleman to say interim report?

Mr. FOSTER. Yes.

Mr. EDGAR. How many reports does the Government expect, may I ask?

Mr. SPEAKER. Order.

Mr. FOSTER. I am afraid you will have to put another question on the paper.

"DAIRYING FOR PROFIT."

Mr. GIROUARD (Two Mountains) asked, Is the Government aware of the publication of a book by Mrs. E. M. Jones, of Brockville, bearing the title "Dairying for Profit, or the Poor Man's Cow?" Is it the intention of the Government to have this book translated into French, and distributed among the farmers speaking that language?

Mr. FOSTER. The Government is aware of the publication of a book by Mrs. E. M. Jones, of Brockville, bearing the title stated in the question, "Dairying for Profit, or the Poor Man's Cow," but it is not the intention to have this book translated into French and distributed among farmers, for the reason that such book is not in any manner the property of the Government.

THE WHARF AT YAMACHICHE.

Mr. VAILLANCOURT (for Mr. Legris): 1. Is the Government informed that the wharf built last summer at Yamachiche has been broken up or considerably damaged by the ice this spring? 2. Is it true that this wharf is situated at a distance of about two acres from the shore at low water? 3. Is it the intention of the Government to repair the said wharf or to leave it as it now is? 4. If the Government gets it repaired, is it the intention to provide the public with the means of carrying to or from the shore the goods which may be placed on this wharf, if such at any time occurs?

Mr. OUMET. (Translation.) 1. The Department has had no information with respect to the wharf at Yamachiche, but an inspection was ordered. 2. The wharf is situated at a distance of 270 feet from the shore. 3. The necessary repairs will be made. 4. It is not the intention of the department to connect the wharf with the mainland; that will have to be done by the municipality of Yamachiche.

SOULANGES CANAL.

Mr. McMULLEN (for Mr. Lister) asked, Has the cash put up as security for the performance of the work on sections 1, 2 and 3, Soulanges Canal, been given up? If so, who is the contractor? What amount of cash was put up as security? What amount has been returned? When was it returned? What security has been substituted? If mortgage, what is the description and area of the land?

Mr. HAGGART. The cash security for the performance of the work on sections Nos. 1 and 2, Soulanges Canal, has been given up, but not for section No. 3. Mr. Archibald Stewart is the contractor. The amount of cash put up as security is \$40,915.37. It was returned on the 28th of March, 1894. The security substituted is a mortgage on land 64.02 acres, of lot lettered F, in concession D, Rideau Front, of township of Nepean, valued at \$69,041 by Mr. A. Pratt, Assessment Commissioner for Ottawa on the 5th of October, 1893, which valuation was confirmed by seven other competent persons, namely, Hon. F. Clemow, Mr. W. Pennock, Mr. F. H. Chrysler, Mr. John Graham, Mr. Jacob Erratt, Mr. Thos. H. Kirby, and Mr. A. MacLean.

LEASING PROPERTY IN LONDON.

Mr. McMULLEN (for Mr. Lister), asked, Have the Government recently acquired property in the city of London by purchase or lease? If by purchase, who was the vendor and what was the consideration paid? If by lease, who is the lessor and what is the term and yearly rent payable? What is the description of the property, that is to say, number or other description of the property, and street upon which it is situate? Does the lease give the Government the privilege of purchasing? If so, at what price?

Mr. PATTERSON (Huron). The Government have not acquired any property in the city of London recently, either by purchase or by lease. The Militia Department had under consideration the advisability of leasing a certain property for the purpose of using it temporarily as a storehouse, but the matter is not yet disposed of. I will be happy to give the House the fullest information when the matter is settled.

OUTPORT OF ENTRY AT SEAFORTH.

Mr. McMILLAN asked, Is it the intention of the Government to establish an outport of entry at Seaforth, Ont.?

Mr. WALLACE. The question is under the consideration of the Treasury Board.

CUSTOMS VACANCY IN STANSTEAD.

Mr. RIDER asked, Are there any vacancies in the Customs service in the county of Stanstead? If so, what, and when did they occur? Has any inconvenience been caused the public through delay in filling the same? If so, do the Government intend to fill the vacancies without delay? If not, do the Government propose to abolish the vacant positions, if any exist? Have the Government received any applications for appointment to any such position? If so, how many?

Mr. WALLACE. Preventive Officer David Young, at Stanhope, under port of Coaticook, Que., died 11th February, 1894. No inconvenience has been caused, Preventive Officer E. O. Baldwin having been placed in charge. Two applications have been received.

WAYS AND MEANS—IMPRISONMENT OF MR. ELLIS.

House resumed adjourned debate on the proposed motion of Mr. Foster:

That Mr. Speaker do now leave the Chair for the House to go into Committee of Ways and Means; and the motion of Mr. Davies (P.E.I.) in amendment thereto.

Mr. MILLS (Bothwell). This case is one of a small class of cases that are very important, because they concern not only the liberty of the subject, but also the rights of Parliament. It is my intention to discuss both of these features, neither of which can ever be unimportant. It is always of the first importance to consider everything which interferes with the freedom of the subject, and every act or matter which encroaches on the authority of Parliament. I shall begin by the consideration of this matter so far as it concerns the liberty of the subject, with which my hon. friend dealt in the motion which he submitted to the House yesterday, and in the speech by which he supported that motion. It sometimes happens that in the discharge of a public duty we come to the point where the roads part, and where we are obliged to uphold the principles of justice at what may seem to be the expense of the law, or to maintain the law at the expense of the rights of private individuals. It is very seldom that we have to complain that the law is so interpreted that it becomes a shield to acts of injustice, and that in order to uphold what we regard as the principles of natural equity and fair-play, we are obliged to dissent from the views of the law expressed by its authoritative expositors. Mr. Ellis, in the articles which have been the subject of discussion, and for the publication of which he was imprisoned, endeavoured to uphold the principles of right, to prevent

Mr. McMULLEN.

wrong, and to support what may be regarded as the honest administration of the election law and the proper representation of the electors in Parliament. It is of very great consequence, in the consideration of questions of this sort, that we should take a fair view of the whole subject, that we may thoroughly apprehend not only the view of the law taken by the courts as applied to the particular case, but what opinions were in the mind of the writer, and the objects at which he aimed in what he has written or expressed. Sir, it is never to be forgotten that the age in which we live is a democratic age; that in order to secure the respect and the support of the community at large, we must undertake to convince the judgment of that community; and that the law itself can no longer rest upon force, but must rest upon popular assent, and have the sanction and the sympathy of the great mass of the population. If acts have been committed that are unwarranted in themselves, if there is a misuse of popular authority, much more will be done by those who committed the error, or who made the mistake, to weaken the authority of the officers of the law, than can be done by the most violent attacks of the most unscrupulous journals. I find everywhere in the community a feeling that judges, like other men, ought to rest for their protection upon those principles of law administered in the ordinary way, which are regarded as adequate for the protection of every other class of the community. If there is special protection afforded to the courts, however proper that might have been in a former period, except in very rare instances, it will be regarded with jealousy in our own day, and it is of more consequence that the courts should rely, as they do in almost every instance, upon the sympathy and support of the great mass of the population, in the justice of their intentions, and the fairness with which they are believed to administer the law, than upon any terror which they may inspire by any extraordinary power that may be conferred upon them. It is true that it is said there is a divinity that doth hedge kings, and the judges of the Superior Court as representing the sovereign in the administration of the law are supposed to represent the sovereign in this particular, and from perhaps the weakness of human nature rather than from the necessities of the case it is perfectly natural they should undertake to maintain those extraordinary powers so long as the Legislature of the country will permit them to remain on the Statute-book. But the courts, if they seek to maintain this authority, are doing nothing more than what the vast majority of men who are intrusted with authority in every sphere of life are disposed to do, to claim for themselves more than is actually necessary for the proper administration of the duties that devolve upon them. It is important that we should uphold the dignity of the

courts. This is necessary for the security of the suitors and for the efficient maintenance of justice in every part of the country. But in many of the states of the neighbouring republic the power to punish for constructive contempt has been taken away, and I am not aware that where this has been done any very serious effort has been made to restore it on account of the inconvenience which has been felt in the administration of justice for the want of any such authority. It is well known that for many years the doctrine was everywhere accepted that the power to punish for contempt committed, against legislative bodies not in their presence was preserved by those legislative bodies wherever the English system was introduced into any portion of the Empire. That view has been very fully considered by the Judicial Committee of the Privy Council in many cases, and in every instance, except in the first case, they have held that the power to punish for contempt is not a power incident to a legislative body, and not one that it necessarily should possess for the due and sufficient exercise of its authority; and the views which have been expressed over and over again on this subject by the Lords of the Privy Council who have delivered the judgment of that body, have all pointed in the same direction, and the observations which have been made in those judgments are observations which are in most cases strictly pertinent to the exercise of such authority by the courts. Sir James Colville, in delivering judgment in the case of Doyle against Faulkner, after referring to the argument which had been put forward before the Judicial Committee in favour of such a power being possessed by the Legislature, said :

On the other hand, it may be argued with at least equal force that the power contended for is of a high and peculiar character, that it is an invasion on the liberty of the subject and carries with it the anomaly of making of those who exercise it judges in their own case, and judges from whom there is no appeal, and that while that power may be safely intrusted to magistrates who would be personally responsible for an abuse of it to some high authority, it might be very dangerous in the hands of a body which from its very constitution is practically irresponsible.

Those observations, while they may not show that there may not arise cases in which such power may not be necessary to the efficiency of a judicial body, show that it is a power which if it were intrusted to such a body at all ought to be most sparingly exercised, and that it ought to be limited by the rule laid down by a former Master of the Rolls, and to which the hon. member for Queen's (Mr. Davies) has referred, that when such power is employed the court ought to satisfy itself that there are no other means speedily available for the vindication of its right. This is an arrogation by the courts of a power which, as I have already said, is supposed to belong to the sovereign,

and the judges in exercising that power understand the sovereign to be constructively present in the court, and each judge represents the majesty of the state in administering justice for the purpose of settling disputes that may arise between litigants and as such was entitled to the respect and obedience of those who were present in the court, and who were held to be guilty of contempt if they set at defiance the sovereign authority. In our day the ordinary Legislature of the country creates the court. The Ministry name the judges whom the sovereign is to appoint; and it does seem to me that in the exercise of judicial authority, the maintenance of the rights of the court and the rights of parties will have in almost every instance been secured without having recourse to this authority. The main protection of the courts of justice is the moral sense of the nation. They are in the exercise of their authority everywhere acting under a sense of responsibility to the public opinion of the country, and he would be indeed an unworthy judge who forgets that he is elevated to the position which he occupies to illumine the path in which it is the plain duty of men to tread, that he is intended to be the official exponent of what is right and just between disputants, and that he is on the Bench for the purpose of upholding and vindicating the rights of parties under the law and is not himself above and beyond the law. There is no one who is a better ally of the Bench in the administration of justice than the well-informed and conscientious journalist. If he is to do substantial service, if he is to vindicate the authority of the courts of justice, if he is to become a substantial contributor to the maintenance of law and order he must be free to dissent from and to criticise the views which the courts of justice express; he must be at liberty to discharge his duties freely and not be called upon to discharge them in fetters. The first Act on the subject of contempt was passed about seventy years after Magna Charta had been agreed to by the King, and it gave the right to punish for contempt for acts of disobedience to the process of the court and for contempts committed in the presence of the court. It was in time extended to acts done outside the court, to acts which were said to have interfered with the court in the discharge of its duties. There is no legislation conferring this authority on the courts, it was regarded as incidental and necessary to the due exercise of its duties; and this case we are now called upon to consider is in itself a good illustration of the danger which may attach to the doctrine of constructive contempt. The articles written by Mr. Ellis were not written so much to deal with any matters that were pending before the courts. They were not written with a view of stating to what conclusions the judge ought, in a pending suit, to arrive. They were written with reference to an accomplished fact, to the propriety of an act which was already accom-

plished, and if there was anything wrong in them they bore rather the character of a libel than the character of a contempt. Now there is gradually growing up (when you examine with some care the decisions of the court on this subject) a distinction between cases of libel and cases of contempt. There are grounds that they occupy in common. The one extends into the field that is occupied by the other, but there is a field peculiar to each, and the principles which have recently been recognized, serve to make clear the distinction between them, and to show when an act should fall within the purview of a libel, and when it should be regarded as a contempt. An article calculated to interfere with the court in arriving at a just judgment, an article which undertakes to overawe the court or which is written with a view of preventing witnesses appearing before the court, or which is intended expressly to prejudice the rights of some parties in a case pending before the courts, would be properly regarded as contempt. If it prejudices the public mind against the court itself generally, it would fall within the class of cases that would be regarded as libel rather than as contempt. In other words, when a matter is pending in a court, a constructive contempt bears some resemblance to a nuisance. It is an obstacle in the way of the administration of justice, which the court may find it necessary to abate in order that it may discharge the duties that devolve upon it. Now, a contempt of court is always regarded in England as a matter which calls for the superintending action of Parliament, and it does so because it interferes with the liberty of the subject. I was rather surprised at the argument addressed to the House by the hon. member for St. John (Mr. Hazen), and the hon. member for Albert (Mr. Weldon): that if this House undertakes to criticise the conduct of a judge with reference to a matter which had been dealt with by him in his official capacity, it was making itself a court of appeal and doing that which it had no right to undertake in any way whatever. The hon. member for Albert (Mr. Weldon) said, that unless you were prepared to bring charges against a judge which if established would justify the House in asking for his removal, that you ought not to undertake to discuss his conduct at all. That is as far removed from the recognized doctrine under the English constitution as anything well could be. There is nothing more frequently undertaken in the Imperial Parliament than the criticism of the manner in which justice is administered by the various courts in different parts of the United Kingdom. Let me call the attention of the House to the views expressed by two very high parliamentary authorities: Sir Robert Peel and Lord John Russell. Sir Robert Peel when he was Prime Minister of England, and when the conduct of Lord Abinger was brought before the House of Commons, said:

Mr. MILLS (Bothwell).

I cannot forget that, as the noble lord justly observes, the constitution places us as a controlling power over the courts of law. This House has not only the right to address the Crown for the removal of a particular judge, but in cases of misconduct it has the right of exercising a power even more unpalatable to the judges. It has the right of exercising a superintending control over the manner in which they discharge their duties and to institute inquiries relative thereto.

Now, that is a broad statement of one of the most important functions that devolves upon Parliament, and the House can easily understand why that is the case. This House is the representative body of the nation. We have here to personate the entire community that we represent. We have a superintending control over, not only the Executive Government of the country that is under the immediate administration of the Crown, but we have a superintending control over the courts of law which interpret that law which the Ministers of the Crown are called upon to administer. Why, Sir, it is in the name of the Crown that justice is administered no less than that in which the ordinary business of the country is conducted, and that being so, every department of Government is under the control of this House. There is not a department of Government, there is not a public officer in the discharge of any duty, who is not connected with some department of Government or other. There is not a public officer that some Minister of the Crown who sits in one of these Houses of Parliament is not responsible to this House for as a public officer; and the Department of Justice has a superintending control over the courts of this country, just as the Department of the Home Secretary has in the United Kingdom. Therefore there cannot be any public officer, whether he be an executive officer or whether he be a judicial officer, who is not responsible to Parliament for the manner in which he discharges his duty. In the same discussion to which I have referred, the English Attorney General of the day, Attorney General Pollock, said:

Lord Abinger's conduct is a fair subject of discussion and he is responsible to public opinion. This holds a salutary check over judicial conduct and over the conduct of public functionaries of all kinds.

So that public opinion may be expressed, and on that occasion it was expressed in two ways. It was expressed by the criticism of Lord Abinger's conduct in the press, and by the criticism of his conduct in Parliament. In Mr. Ellis's case, it seems to me that the effect of the position taken by the courts of New Brunswick is to destroy one of these checks. I want to know how the press of New Brunswick could enter into a criticism of the administration of justice, or of the conduct of the judges, or of the manner in which their duties are being discharged, unless they are

permitted freely to discuss those actions? Sometimes, as Attorney General Pollock points out, the conduct of the court, although it may not be right, does not call for the criticism of Parliament. One hon. gentleman said yesterday that if we criticised the conduct of the judges in this matter, the conduct of the judge in every case that is decided may be brought up. Yes, Mr. Speaker, it may be, but it is not likely to be; it is not called for. It is only when there is adequate reason for criticism that the conduct of a judge in a court of justice is likely to be made the subject of discussion in Parliament. As Attorney General Pollock points out, in all subordinate matters the control of public opinion may be left to the press. We do not interfere with the press; we depend upon it to discharge certain duties, to exercise a certain restraint—such restraint as may be adequate to the case; we do not undertake the matter here, because that controlling influence of public opinion is sufficient. Public opinion is, after all, the controlling influence that finds expression here. It is because we are a representative body and because we have public opinion behind us that our expression of opinion has weight. And so, for the same reason, the expression of public opinion by the press is not without its influence upon Parliament, upon the courts, upon every official throughout the country. Of course, that influence will be great or will be insignificant in proportion as the power with which the press is clothed is exercised with moderation and fairness, or is marked by unscrupulous conduct. The courts could not be injured by a libellous press in an intelligent community, for the reason that such a press would exercise indeed very little influence. Now, Sir, let me point out to the House, in reply to the observations which were made by hon. gentlemen yesterday, a number of instances where the conduct of judges was made a subject of discussion in the Parliament of the United Kingdom. Let me refer to the case of Baron Pennefather. Baron Pennefather, in 1833, when he was going on circuit, criticised very strictly and in a hostile spirit before the grand jury the conduct of the Government in dealing with the Reform Bill. He also criticised adversely a number of the measures that were then pending in Parliament. That criticism was brought to the attention of the House by one of the Irish members, and the Solicitor General on that occasion, Sir John Campbell, made this statement with regard to the conduct of Baron Pennefather:

No one values more than I do the independence of the judges; but I most certainly think that a judge forgets his duty and runs the risk of bringing his high office into disrepute if, in addressing a grand jury he becomes a partisan, and takes a part either in opposing or defending a measure that has passed the House or is before the House for its consideration.

On another occasion, the attention of the Government was called to a speech that had been made by Mr. Justice Monaghan, who had attacked the magistrates in one of the counties in Ireland, charging them with a failure of duty in the administration of justice. Sir Thomas Bateson brought his criticism before the attention of the House, pointing out that Judge Monaghan, in holding assizes in the county of Down, had accused the magistrates there of failure of duty, and that, when one of the magistrates rose to explain himself, the judge swore and said it was all stuff and nonsense. The magistrates had consulted the law officers of the Crown, and the law officers of the Crown had approved of the course which they had taken. This matter was brought to the attention of Sir Robert Peel, and questions were put to him in regard to the conduct of Mr. Justice Monaghan, and Sir Robert Peel said that the judge was a little passionate, a little hasty, but that he was not warranted in making the remarks which he had addressed to the magistrate on that occasion. Again, in 1863, when a case was brought before Vice-Chancellor Stuart, he was informed that the parties who were before the court were wards in chancery, and that their reputation was likely to be affected by the evidence which would be given; and the court, acting upon a recognized rule of court, allowed the examination to be conducted in private. A very violent attack was made in the press upon Vice-Chancellor Stuart; it was said that he had ordered the trial to be conducted in private in order to shield Lord Vernon, who was a defendant in the case. The judge was very angry, and addressed those present in the court in language which was considered unbecoming the position he occupied. The subject was brought before the attention of Parliament and made the subject of inquiry and discussion there, and Sir Roundell Palmer gave the explanation I have stated, that Mr. Vice-Chancellor Stuart had not acted as he did with a view of shielding Lord Vernon, but with the view of protecting the wards of the court whose conduct would be inquired into before the court. Another case was the case of Mr. Justice Christian in 1874. He said, in addressing the parties before the court in Ireland, that the Government had revived the second landed estates court against their better judgment, and that a certain judge had been denied the promotion to which he was entitled because he had earned in the discharge of his public duties the hostility of the priesthood, and that the Government in England had yielded to this hostility and done him an injustice. Mr. Callan brought the matter to the attention of the House. He read what Mr. Justice Christian had said, and called upon Mr. Disraeli, whose Government was then in office, for an explanation. Then, in the case of Chief Justice Lefroy, who, in a trial of murder at Birr, it was said, was so feeble in intellect, on account of his ad-

vanced age, that he was utterly unable to pronounce sentence against the party who had been convicted, that he often mistook the evidence, that he had to be corrected over and over again during the proceedings, and that the Attorney General stood by him and dictated to him the sentence which he repeated after the Attorney General in court. This matter was made a subject of complaint in the House of Commons, and when under discussion there, the Attorney General, Mr. Lawson, said that he was sorry to say the statement was strictly accurate. The Chief Justice Lefroy, then in his ninetieth year, shortly after retired from office. I mention all these cases to show that the House of Commons constantly exercises a superintending authority over the courts, and frequently makes the conduct of the judges a subject of discussion. I have said that the exercise of this right to punish for constructive contempt is a right that is looked upon with a good deal of disfavour by the courts, and one they are little disposed to exercise. A very able American jurist, in discussing this question, says :

That the power to punish for contempt is exercised without the ordinary checks or safeguards attending criminal trials. The proceeding is inquisitorial, the accused is compelled to answer against himself, and the decision of the committing judge is in the case without appeal.

Now, Sir, that is the recognized state of things, and the result is that in cases of contempt, or where punishment for contempt might be exercised by the court, that power is exercised at this day with very great reluctance, when exercised at all. I have said that this is largely due to the changes that society has undergone and the democratic spirit that everywhere prevails, the present disposition now being to uphold authority on grounds of reason and not upon any feeling of awe or any fear of punishment on the part of a court. The change of public opinion in this respect is shown by a case which was tried a short time ago before one of the superior courts of England, where the husband claimed the right to exercise coercive control over his wife. His counsel referred to the doctrine laid down by Blackstone and the older writers, to show that the husband had the right to compel his wife to live with him, and to exercise such restraint over her conduct as would enable him to force her to do so. But the court held that he had no such control ; that the ancient conceptions of society had all disappeared ; that the social framework was changed, and although there had been no change of law, yet the theory upon which those views were upheld could no longer be supported. And the same change in the relation between the community and the courts of justice is going forward at this moment. Sir, the limitation upon the freedom of criticism is well expressed by

Mr. MILLS (Bothwell).

Mr. Justice Grose. In the case of King against White. The newspaper press had made a somewhat violent attack upon Judge LeBlanc in the trial of a murder case, and upon the jury, and Mr. Justice Grose, who tried this case, said :

It certainly was lawful with decency and candour to discuss the propriety of the verdict of the jury or the decision of the judge, and if the defendants should be thought to have done no more in this instance, they would be entitled to acquittal ; but on the contrary they have transgressed the law and ought to be convicted, if the extracts of the newspaper set out in the information contained no reason or discussion but only declamation or invective, and were written, not with the view of elucidating the truth, but to injure the character of the individual and to bring into hatred and contempt the administration of justice in the country.

The whole question there was a question of the object or design with which the articles were written. That is the doctrine laid down, and you have, Sir, two propositions embodied in the matters which I have brought to the attention of the House. The first is the view put forward by Attorney General Pollock in his address to the House of Commons, in which he points out the restraining influence of public opinion and its beneficial uses, and the second is the aim of the writer, as stated in this proposition laid down by Mr. Justice Grose in his charge to the jury. The question here of Mr. Ellis's case was a question as to the purity of the election. What object had Mr. Ellis in writing ? Was it not for the vindication of popular liberty ? Was it not to favour the honest representation of a constituency ? Was it not a condemnation of what he regarded as an improper use of official authority by a returning officer ? Was it not for the purpose of elucidating the truth and of upholding what was right and just ? Look at those articles which are published in the reports, and which my hon. friend from Queen's, P.E.I. (Mr. Davies) read yesterday. Is there a single sentence which shows that the object of Mr. Ellis in writing those articles was to attack the court and not to uphold what he thought was the right, and to create a public feeling against the wrong and the injustice that had been done ? If that be so, if the object was not to create a feeling of hatred and contempt for the judge, if it was not to interfere with the due administration of justice, then there was not such a writing as the court ought to have taken cognizance of or to have punished the writer of for contempt. It is not enough, Mr. Speaker, that the judge should be harshly criticised ; it is not enough that the writer should have formed suspicions that are unfounded and that are unfair to the judge ; it is not enough that the writer should, with some heat and with some colour, have expressed opinions that are not warranted. You are bound to look beyond that and to see whether, in the writ-

ing of that article, the writer's main design was to frustrate the administration of justice, to interfere with the court in the discharge of its duties, to intimidate the judge in doing what he was at law entitled to do. There is nothing of that kind indicated. An election had taken place and a gross fraud had been committed. The party whom the people had elected had been wronged and the rights of the majority had not been respected in the election. No one can read what took place in that case and fail to see that what Mr. Justice Tuck did in fact, whether it was legal or illegal, did hinder, delay and defeat justice in that case. Every judge who gave judgment admits that the returning officer was not warranted in doing what he did. Every one admits that it was the duty of the returning officer to have complied with the statute and to have returned the party who had polled the majority of votes. Now, what was it Mr. Ellis sought to do? He was seeking to uphold the rights of the majority; he was endeavouring to show that what was required by the express provisions of the statute had not been done. Let me call the attention of the House for a moment to the case of the Queen vs. the Mayor of Bangor. That case has a very close resemblance in principle to this one of the election in Queen's. In that case the returning officer was of opinion that the candidate who polled the majority of votes was not eligible as a candidate—ought not to be returned. Now, what does the Master of the Rolls say with regard to that matter? He points out that the returning officer had a duty to discharge. The words of the statute are almost the same as the words in our statute. The duty of the returning officer in that case was the same as the duty of the returning officer here. The Master of Rolls said:

The persons to whom the notice is to be given under the rules are therefore different from the persons to whom he is to make the declaration under section 2, at the time of the counting of the votes, because that declaration is to be made in the presence not of the electors (who are not allowed to be present), but of the agents (if any) of the candidates. The declaration under section 2, is therefore, in respect of a wholly different thing. It refers to the declaration of the numbers of the votes given, but the rules refer to a public notice stating who has been elected. I therefore say that the returning officer here, had no power whatever to declare Pritchard elected, and the declaration to that effect which he made in the placard issued the day after the election was ultra vires and void. The only valid declaration he could make was the declaration of the number of the votes given to each candidate. If the majority of the votes for Roberts was obtained by illegal or improper means, it could only be questioned by other persons in the proper mode.

Then, Sir, another of the courts, Mr. Justice Lopes, says:

119

The material part of that section is the second part, which defines the duties and powers of the returning officer when the ballot boxes have been taken charge of by him after the close of the poll. After he has opened the ballot boxes and counted the votes, "he shall forthwith declare to be elected the candidate to whom the majority of votes has been given." He has no power to inquire to whom the majority of legal votes has been given. I think that directly he has ascertained by counting to whom the majority of votes has been given, his simple duty is clearly and indisputably to declare that person elected. It cannot be that he has any power to declare with respect to the eligibility or ineligibility of any candidate. That would be a highly dangerous power to intrust to a returning officer. I am, therefore, of opinion that Roberts was duly elected.

So that the duty of the returning officer was simply to add up the votes and to return the party having a majority. But my hon. friend says the returning officer sat judicially in his matter; he decided, whether rightly or wrongly, that Mr. King was not a candidate at all, that Mr. King ought not to have been recognized as a candidate, and, that being the case, he returned the only party who was legally nominated. When the returning officer received Mr. King's nomination, then, so far as he had any judicial power, by that act of receiving the nomination he exercised that power and exhausted it. He could not go behind that fact. When, on the day of declaration he added up the votes and found that Mr. King had received 1,191, and that Mr. Baird had received 1,130, he refused to declare the candidate who had the majority to be elected. He went behind his own act and rejected all the votes cast for Mr. King. Now, the hon. member for St. John (Mr. Hazen) said that no matter whether he decided legally or illegally, he had decided that there had been but one candidate; and therefore it would require an election petition to try the question whether there was more than one candidate or not, and there was no such addition of the votes as would enable any elector to apply to the county judge for a recount. Now, Sir, I do not admit that. I do not admit for one moment that the returning officer, by doing an extra judicial act, an act that is wholly illegal and void, can interpose that act to prevent the county judge from making a proper recount. Why, Sir, look at the words of the statute:

The returning officer at the place, day and hour appointed by his proclamation and after having received all the ballot boxes, shall proceed to open them in the presence of the election clerk, the candidates or their representatives, if present, or of at least two electors, if the candidates or their representatives are not present, and to add together the votes given for each candidate, from the statements contained in the several ballot boxes returned by the deputy returning officers of the ballot papers counted by them.

2. The candidate who, on the summing up of the votes, is found to have the majority of votes, shall then be elected.

The words are the same as in the English statute. The returning officer in this case added up the votes and then he heard argument as to whether there had been a legal election, and he held that Mr. King had not been properly a candidate. He gave that decision and rejected all votes cast for Mr. King. Now, as to a recount or a final addition by the judge it is provided that if a credible witness by his affidavit declares that he :

Believes that any deputy returning officer at any election in such electoral district in counting the votes (1) has improperly counted ;—

We do not say that he did that.

—or (2) has improperly rejected any ballot papers at such election—

Now, we say that he did improperly reject the ballot papers, and having improperly rejected all the ballot papers marked for Mr. King, the parties had a right to apply to the county court judge for a recount in the matter. It is worthy of remark that no judge held with the returning officer that Mr. King had not made a proper deposit as required. What did the returning officer do on the day of this declaration? He admits that he improperly appointed the deputy returning officers; that he improperly issued the ballot boxes; that he improperly had the ballots printed; that those ballots were printed with Mr. Baird's and Mr. King's names upon them; that he appointed a day for the declaration; that he met the parties on that day; that those parties whom he had named as deputy returning officers had brought to him their ballot boxes, and that he had counted the ballots. And, Sir, he did more than that; he applied to the Government to compensate these deputy returning officers for their services in that election, and that compensation was made. All these acts go to show that an election was held, and that an election being held, he had a certain ministerial duty to discharge, which he did not discharge. He said that Mr. Baird was the only candidate, the voice of the electors was unheeded, the rights of the people in Queen's County were disregarded, and a return was made of the man whom the electors by their votes had rejected. Sir, the hon. member for the City of St. John (Mr. Hazen) gave to the hon. member for Queen's, N.B., (Mr. Baird) a certificate of character, yesterday. He said he had been to school with the hon. member, and that he had a very high regard for him. I remember a few years ago there was a book published, a life of Jesse James, and it stated what a tender regard that man had for his mother. Now, there may be a great many estimable qualities in men who go wrong. I do not say that the hon. member for Queen's, N.B., is not a man whose word may be relied upon by those in business. He may be a good neighbour, a good merchant, or

Mr. MILLS (Bothwell).

business man, he may be perfectly upright in his dealings with other men; but I say that as a public man, as a candidate before the electors of Queen's, his conduct in connection with the election was not, by any means, commendable, that it was wholly unworthy of him to do as he says he did. Why, Sir, what reason, or what defence, did the hon. gentleman make last night for his conduct? He says the voters' list was stuffed with the names of parties politically opposed to me, I did not think I would have a fair chance in a fair election in the constituency, under the circumstances, and I was bound to win. That was, in effect, what the hon. gentleman said, and so he adopted those means which were necessary to success. Sir, I could not help noticing the tears of sympathy which my hon. friend shed, both over Mr. Ellis and over the member for Queen's. My hon. friend was dividing his sympathy, for some reason, impartially between these gentlemen. I do not know anything that reminded me so much of, as the 'Sorrows of Werther.' But let me say this, Mr. Speaker, that I do not see anything in the speech of the hon. member for Queen's that called for very much sympathy. It is true, the hon. gentleman stated that perhaps if he had to do this matter over again, and had to run the election gauntlet again, under the same circumstances, he might have allowed Mr. King to take the seat. Well, I suppose the hon. gentleman was quite right in saying that, he did not allow Mr. King to take his seat. The hon. gentleman controlled the returning officer, if he did not control the majority of the votes. But the hon. gentleman gave a reason for his regret, and that was, that after all the trouble, the experience he had with it, it left on his mind the impression that if he had allowed Mr. King to take his seat, it would have been, perhaps, less expensive, and less troublesome to him. Now, I do not know what there is in the conduct of the returning officer on that occasion to entitle him to much sympathy, or to the high encomiums pronounced upon him by the hon. member for St. John. The hon. member says that he was brought to the Bar of this House, and no one insisted that he should be punished. Why, Sir, everybody who was then in Parliament and is in Parliament now, remembers the farce that was played on that occasion; they remember a witness being brought to the Bar of the House, with counsel to advise him as to what he might answer and what he might not answer. They know that the House had already refused to permit the election returns to be corrected in accordance with the facts.

Sir JOHN THOMPSON. I think that is not correct.

Mr. MILLS (Bothwell). At first, there was a motion that the returning officer should be brought to the Bar of the House to cor-

rect a return and insert the name of Mr. King for that of Mr. Baird; and that being voted down, the proposition to bring him to the Bar of the House to explain his conduct, was adopted instead. Now, Sir, in this case, the chief author of the outrage upon the liberties of the people, or one of them, at least, was the complainant. The hon. member for Queen's was the party who applied for the writ of attachment. He appeared before the court with a view of securing the punishment of Mr. Ellis. What had Mr. Ellis done? He had not deprived the majority of the electors in the constituency of the rights which the law gave them, he had done his best as a public journalist in upholding the law, and in seeking to give effect to the result of that vote as the law requires that it should be done; and the hon. gentleman applied to the court for the purpose of having Mr. Ellis restrained and punished. Now, let me call the attention of the House to a rule that had been recognized in England where a party other than the judge who had been wronged, applies for an attachment. I refer to the case of *ex parte Turner*, where judgment was delivered by Sir George Rose. Now, in that case, the judge held that no indignity or wrong done the court, was to be taken into consideration; it was simply the wrong done the party where the party is the applicant, that the party is not to use the power or the authority of the court to gratify his own revenge, or to punish one whom he regards as his adversary. The judge said:

I take the liberty of repeating that this contempt is a profound contempt, in which the part which relates to the court itself is perhaps the least. It is not for me to say whether the learned judge who has been the subject of the learned counsel's observations should have found it necessary to vindicate himself by any process of contempt. That learned judge has never stirred in the matter at all, but when parties are involved, as the petitioners in this case have been, and when upon the whole of the circumstances being brought before it the court finds itself involved in some contemptuous language it is not to vindicate its own particular individuality that the process is now put in force.

It seems to me that this rule was not recognized in the judgment given in the Supreme Court of the province of New Brunswick. They did take into consideration the contempt as affecting the personality of the court, and they did that upon a motion made by the hon. gentleman. The rule in the case I have read is the rule which says that the subject-matter for consideration before the court is the wrong done to the complainant and not to the court itself. Let me call the attention of the House to the fact that the same rule of law laid down in the case to which I have referred was followed by the Court of Queen's Bench in Toronto in the case of *Regina vs. Wilkinson, re Brown*. In that case Mr. Justice Morrison said:

The court, in my opinion, is not obliged to take notice of libellous or contemptuous publications directed against the court itself. I cannot admit the right of any person to initiate or take a proceeding of this nature for a contempt which the court did not deem worthy of notice. This extraordinary power has hitherto been seldom used and should be rarely put in motion or exercised, and never, in my judgment, except upon the request or at the instance of the court. To permit this summary proceeding to be taken at the will of any individual would be placing in his hands, as I have already said, means which, under the pretense of maintaining the dignity of the court or respect to its authority, might be used to gratify a revengeful spirit.

This is the first occasion the court has been invoked in a matter of this nature. My duty as a judge is to administer the law as I find it, but if I am at liberty to express any personal opinion upon the expediency of exercising the power of the court to summarily punish contempts not committed in its presence, and not calculated to obstruct the course of justice, but by the publication of libellous matter unfairly criticising or impugning the action of the court, or imputing impure or corrupt motives to its members, I would venture to say that in such cases the exercise of this arbitrary power would be a questionable remedy, either for maintaining respect for the court itself or vindicating the characters of its members.

The rule laid down there is, it seems to me, the modern rule. It is the right of the party who feels he has been wronged or that any injury has been done him, if there is any other method of redress, to have recourse to that method, and if he goes to the court, and the court on account of the urgency of the case entertains the application for contempt, it must confine its punishment and its consideration of the question as to how far it affects the party himself. If the court has not undertaken to interfere in the matter, the court cannot take into consideration the question of its own dignity and the injury done to itself; it has to do solely with the question as to the injury done to the individual whose case is then pending in the court. A different rule appears, however, to have prevailed in the courts of New Brunswick. They have taken into consideration the question as to how far these criticisms published in the *St. John 'Globe'* affected Mr. Justice Tuck, rather than how far they affected the rights or interests of the applicant, and I will go so far as to say this: that they laid down a different rule and acted on wholly different principles from those recognized in the judgment I have just read given by the Court of Queen's Bench in Ontario, and the judgment of the English court as given by Sir George Rose. I have already referred the House to the case of *Lord Abinger*, and I said I would read an extract from a speech delivered by Lord John Russell, as well as from the remarks of Sir Robert Peel, which I have already quoted. I read these remarks for the purpose of showing how far leading

members of the House of Commons, men of great parliamentary experience and wide constitutional information, felt they were justified in criticising the conduct of a judge in the discharge of his duties. Lord John Russell in criticising the charge which Lord Abinger had delivered in regard to the Chartist Riots, said :

He did not accuse Lord Abinger of any want of legal knowledge, but he did blame him (Lord Abinger) that he had mingled both legal and political considerations, when only legal considerations were required. What was the consequence? The Chartists who were brought before him, hearing what his opinions were concerning annual parliaments and vote by ballot, which they regarded as remedies for political evils, and that they were placed in the same category as physical force and were consequently classed as crimes, such men when brought before him would be convinced that the judge entertained prejudice against them. He entertained the opinion that Lord Abinger in introducing political topics, injudiciously departed from his office as an exponent of the law, which was the proper subject of his charge.

The newspapers which criticised those objections by Lord Abinger went very much further than did Mr. Ellis in the articles which led to his committal. The London 'Times' in referring to the sentences which had been pronounced by the learned judge in the trial of the Chartists, said :

We must guard ourselves from being exposed to express an unqualified opinion on all that Lord Abinger has said and done in the performance of his trying office. We are inclined to regret the severity of some of those punishments with which he has visited many of the subordinates in this ill-judged and ill-fated rising. We regret that acts, scarcely amounting to tumultuous begging, and with no proof of violence, should in these excited times have been visited with transportation, which, as robbery has been awarded.

The 'Morning Chronicle' said :

If the sentiments attributed to Lord Abinger in reports of his previous charges are objectionable, those attributed to him in this last charge are infinitely more so. Indeed we can hardly conceive it possible to cram a larger number of questionable, nay, absurd propositions into the same space. We pass over the insinuations levelled at the Anti-Cornlaw League in the allusion to the "schemes of persons who considered that a general turn-out might be advantageous to their peculiar political objects" and proceed at once to notice some of the gross misstatements contained in this report. It is always our wish to treat with deference those who are clothed with judicial authority. Had Lord Abinger in his charges, imitated the wisdom and moderation of Chief Justice Tindal, he should equally have commanded our appreciation. But the noble and learned lord has chosen to quit that path in which he could tread securely, for one in which his gait is most unseemly. It is not for a judge to propound from the judgment seat doctrines of a questionable character, and if any one judge less than another is entitled to dogmatize on subjects such as these we have noticed—it is Lord Abinger. When

Mr. MILLS (Bothwell).

in the House of Commons he was never able to rise to the level of any general question, and in the House of Lords he has never distinguished himself by the comprehensiveness of his views.

Then the 'Morning Herald' also criticises this judgment, and that criticism is not less severe than that of the 'Morning Chronicle.' This is what the 'Morning Advertiser' said of him :

Lord Abinger is proving himself to be to the Tory Government what his Lordship appositely described Suisse to be to the Marquess of Hertford, "an invaluable servant," to whom no dirty work comes amiss.

I fancy that is very much stronger than anything that is to be found in the articles written by Mr. Ellis.

Yesterday we commented upon his Lordship's charge to the grand jury at Chester, and to-day we refer to the report in another part of our paper of a similar charge on opening the special commission in Liverpool. We have no hesitation in pronouncing both of these charges a disgrace to the Bench, whereto the public have been taught to look rather for an impartial and temperate exposition of the law, than for political disquisitions, or such liberticide harangues as those by which Lord Abinger has desecrated it. We have already expressed our conviction that the object of the Tories is to suppress all expression of public wrongs and opinion, under pretense of quelling insurrectionary manifestations, and Lord Abinger's charges most fearfully confirm this apprehension. By his Lordship's exposition of the law, the mere fact of seeking any change in the system of Government, by means calculated to alarm the authorities, is equivalent to an overt act of treason; so that the people, in such case, have nothing to do but to hug their chains, lest their very rattling might disturb the repose of their taskmasters. We have merely space thus briefly to direct attention to the speech preparatory to the analysis, exposure and denunciation of its flagrant aggression against the constitutional rights of the people.

The Macclesfield 'Chronicle' said of him :

Lord Abinger delivered a lengthy charge to the grand jury at Liverpool, on Monday, which, for bigotry and violence of language, far exceeded his former one. It was composed almost entirely of attacks upon the Anti-Cornlaw League and the Chartists. This learned judge—this renegade Whig vents his Toryism in the most ignorant comments upon free trade, and takes upon himself to be the guardian par excellence of public opinion. We venture to assert, that there is scarcely a single man, whose office leads him to animadvert upon human wickedness, in whose history will be found crowded a greater mass of political infamy.

Now, these are criticisms from the English press, with regard to the conduct of that judge in the discharge of his duty. Lord John Russell pointed out—and there are long extracts given from his address in the speech of Mr. Duscombe, which I need not trouble the House with—but they go to show that Lord Abinger discussed the conduct of the Chartists from a legal, as well as

from a political standpoint, and in this respect his address differed widely from that delivered by Chief Justice Tindal. He was criticised in the House of Commons for this, and he was not defended by the Attorney General, but on the contrary the Attorney General deprecated the discussion of his conduct in the House, because he thought it was adequately discussed, and that the public were adequately protected by the discussions outside of the House. How his conduct was discussed outside the House is shown by those extracts which I have read from the newspapers, and I ask any hon. gentleman in this House, whether there is anything in the three articles written by Mr. Ellis which animadverted upon Mr. Justice Tuck, that in severity can at all be compared with those articles which I have read from the English newspapers of half a century ago, upon the conduct of Lord Abinger? There are very strong expressions used by some of the law officers of the Crown in some of the cases. Mr. Pepys, afterwards Lord Cottenham, discussing the conduct of Mr. Baron Smith, pronounced his address to a grand jury in an Irish court :

A disgrace to the Bench and an insult to at least one-half those who were upon the jury.

Those extracts go sufficiently far to establish what I have said : that the House of Commons in England is regarded as having a superintendence over the administration of justice by the courts, that the press are held to be entitled to indulge in criticism, and that that criticism, although it may be occasionally harsh and in some cases unjust, does not call for or warrant interference unless it is written maliciously ; unless it is written, not with a view of promoting any just public right or interest, but with the sole view of damaging the judge and of weakening his authority, and so interfering with the administration of justice by the court. Having said this much, Mr. Speaker, on this particular question, I wish to call the attention of the House to another matter, and that is the legal right of a superior court to intervene by writ of prohibition in a case such as that of Mr. King when he applied for a recount. One hon. member said : that this House was not a court of appeal, and that we are not here for the purpose of reversing the judgments that have been pronounced by the judges in the administration of justice throughout the country. That is perfectly true. It would, perhaps, be scarcely proper on my part to say anything with regard to the judgments that have been delivered by the court in New Brunswick were it not that this judgment, it seems to me, interferes with the privileges of Parliament. It is always a proper thing for Parliament to consider its own privileges and to inquire whether these privileges have been invaded, and whether that invasion has been due to the unauthorized proceeding of any private person or to the improper interference of

any court, however high that court may be in judicial authority. The hon. gentleman from St. John (Mr. Hazen) admitted that the judgment of the Court of Queen's Bench in the Centre Wellington case, was seemingly at variance with the judgment of Mr. Justice Tuck and the Supreme Court of New Brunswick upon this matter of restraining the county court judge from making a recount. But he said : that there was a distinction between a writ of mandamus and a writ of prohibition, and that while the court might probably refuse the one it could not properly refuse the other. I may say that I was totally unable to follow the argument of the hon. gentleman in that respect. If you look at the judgment of the court which was delivered by Mr. Justice Hagarty, you see that it based upon these principles : that the holding of an election is within the law of Parliament, that the consideration of whether there has been a due return or not belongs to Parliament, except in so far as Parliament has parted with its authority, and that you cannot extend that authority beyond the express words of the statute which may call it into existence. Let me read an extract or two from this judgment for the consideration of the House. Mr. Justice Hagarty says :

When the first application was made to me in Chambers for a mandamus, I declined to interfere, pointing out the gravity of the proposed step, and its unprecedented character. Nothing that I have heard on the argument of this rule has removed from my mind the leading difficulty of the propositions ought to be established, viz., that the court is asked to interpose its authority in the direction of proceedings which appear to belong altogether to another jurisdiction, which has always asserted with success its right to regulate the conduct and execution of writs for the election of its members.

I am satisfied that the legislation which has provided a new mode of trial of controverted elections, transferring such trial from the House to the judiciary, has in no way affected the question now before us, and that we have to deal with it as if this important change had never taken place.

The House retains all powers that it has not expressly given up.

Further on, in the same judgment, he says :

The main objection seems to be this, that the person against whom the writ is asked is, as it were, the officer of another jurisdiction, which can exercise control over him, if necessary, and to whom, and not to us, he is amenable.

I assume, as I said in my former judgment, that the House of Commons has the power of enforcing returns to the writs issued for the election of their members. They have the right to inquire why any one or more constituencies may be unrepresented.

Further on still, he says :

On the whole, I am satisfied that there is no jurisdiction in this court to interfere in the manner proposed ; that the right to deal with all such matters belongs to the House of Commons, except so far only as the Legislature has expressly devolved

on the courts certain express duties and powers respecting elections by mandamus is not one of those so devolved.

If that is good law, then Mr. Justice Tuck had no legal right whatever to undertake to restrain Mr. Steadman, the county court judge, from making a recount. Mr. Steadman was not acting as a common law judge. He was an officer of this Parliament, appointed by statute for a specific purpose. He was neither inferior nor superior in that official capacity to any judge of the Superior Court. He was an officer standing distinct and apart from them, and they had no more jurisdiction over him than if he lived in another country. Let me call the attention of the House to this fact, that the administration of justice is vested in the courts as servants of the Crown. They administer justice on behalf of the Crown, and the Superior Court could see that every inferior officer, whose duty it was to discharge any function on behalf of the Crown, was acting within the limits of his authority, and in accordance with the law. But Mr. Justice Steadman, in making a recount, was an officer of this House, a parliamentary officer. The Crown had no jurisdiction over him. It had no right to undertake to control him in any way in the discharge of that duty. The powers and privileges of this House are known to the House itself, are under the control of the House, and in so far as they are under the control of any other party, they are put there by the express authority of the House, and that can give to an officer of the Crown no jurisdiction in such a matter. That rule is fully recognized by the Privy Council in the case of *Theberge vs. Landry*. In that case, which was an appeal from the courts of Quebec to the Judicial Committee of the Privy Council, the question of the jurisdiction of the Privy Council arose. The Privy Council is in an eminent degree an advisory body of the Crown. It derives its authority from the Crown; and, although it acts judicially, in form as a committee of Council, its judgments are given effect by an Order in Council, sanctioned by the Crown. Now, what does Lord Chancellor Cairns, who delivered the judgment of the Judicial Committee in that case, say? Referring to two statutes of the province of Quebec, relating to the subject, he remarks that these two Acts of Parliament are peculiar in their character, and then goes on to say:

They are not acts constituting or providing for the decision of mere ordinary civil rights; they are acts creating an entirely new, and up to the time unknown, jurisdiction in a particular court of the colony for the purpose of taking out, with its own consent, of the Legislative Assembly, and vesting in that court, that very peculiar jurisdiction which, up to that time, had existed in the Legislative Assembly of deciding election petitions, and determining the status of those who claimed to be members of the Legislative Assembly. A jurisdiction

Mr. MILLS (Bothwell).

of that kind is extremely special, and one of the obvious incidents or consequences of such a jurisdiction, must be that the jurisdiction, by whomsoever it is to be exercised, should be exercised in a way that should as soon as possible become exclusive, and enable the constitution of the Legislative Assembly to be distinctly and speedily known.

Further on, in the same judgment, he says:

Now, the subject-matter, as has been said, of the legislation is extremely peculiar. It concerns the rights and privileges of the electors of the Legislative Assembly to which they elect members. Those rights and privileges have always in every colony, following the example of the mother country, been jealously maintained, and guarded by the Legislative Assembly. Above all, they have been looked upon as rights and privileges which pertain to the Legislative Assembly, in complete independence of the Crown, so far as they properly exist. And it would be a result somewhat surprising, and hardly in consonance with the general scheme of the legislation, if, with regard to rights and privileges of this kind, it were to be found that in the last resort the determination of them no longer belonged to the Legislative Assembly, no longer belonged to the Superior Court, which the Legislative Assembly had put in its place, but belonged to the Crown in Council, with the advice of the advisers of the Crown at home, to be determined without reference either to the judgment of the Legislative Assembly, or of that court which the Legislative Assembly had substituted in its place.

Now, it seems to me that that judgment completely covers this case; and when we look at the rights of Parliament as distinct from the common law, prior to any legislation on the subject, I think we cannot help coming to the conclusion that the courts could have no jurisdiction whatever over the county judge in undertaking to recount the votes in an election. I will briefly refer, and then I will have done with the subject, to three cases that are mentioned in Hallam, Carte, and d'Ewes with regard to the powers of Parliament in this particular. The first case I will mention, and I will mention it very briefly, is the case of Mr. Alexander Nowell, who was Prebendary of Westminster, and who was elected to a seat in the House of Commons. A committee was appointed to inquire whether he was entitled to take his seat or not, and the committee reported that he was a member of the House of Convocation, that he had a voice in that House, and was therefore disqualified for a seat in the House of Commons. And so they ordered that a writ should be issued for the election of another member. Now, the second case was one that occurred in the time of Queen Elizabeth, which concerned certain irregularities in the elections in the county of Norfolk. The Lord Chancellor had issued a writ for new elections on the ground that those which had previously been held were irregular and that other parties ought to be returned. The subject was discussed in the House of Commons. The Speaker received a notice from

the sovereign that the House had been troubling itself with a thing that did not concern it and with which it ought not to meddle, but the House disregarded Her Majesty's inhibition, and considered the subject, and made a report. They said that they did not regard what had been said or done by the Lord Chancellor or the judges, because they thought it would be well to protect their own rights by not seeming to recognize anything that might have been done by the Chancellor or by the judges, and they recalled the writs that had been issued by the Chancellor and ordered the members that were elected to be sworn in. Now, a third instance I will mention is that of Sir Francis Goodwin and Sir John Fortescue, both of whom ran for the county of Buckinghamshire. Sir John Fortescue had the support of the King, but Sir Francis Goodwin had the support of the majority of the electors and was returned to Parliament. He had been outlawed some time before, and the King objected to his appointment, and ordered that a new writ should be issued. The matter was the subject of dispute between the sovereign and the House of Commons. He insisted that a conference should be had with the judges. The Commons at first refused, but agreed at last that they would hold a conference in the presence of the King and Council, and after they had done so, the King admitted that the Commons had jurisdiction over the matter of election returns, but maintained that the Chancellor had concurrent jurisdiction. The matter in dispute was settled by Sir Francis Goodwin resigning his seat, and a new writ was issued. That, says Mr. Hallam, is the last instance in which the Crown undertook to interfere with the prerogative of the House of Commons to judge of a return of its own members. The validity of those returns and their regularity was therefore always judged by the House. The Crown had not power to interfere, and the courts, as representing the Crown, had no jurisdiction over the election. That has been the settled law of Parliament from that day to this, and the recognized power of every Parliament where representative institutions have been introduced, and it is utterly impossible to conceive that a judge appointed by the Crown for the trial of common law or equity cases could have any jurisdiction over anything pertaining to the election of a member to the House of Commons unless such jurisdiction was expressly conferred upon him. This was the view recognized by constitutional writers in England. Every reader of Hallam knows what the English view of the law is in this particular. Every one who is conversant with the Centre Wellington case, and that was frequently discussed at the time of the elections of 1887, knows what view was taken by the courts of the province of Ontario, and everyone knows what view had been taken by the Judicial Committee of the Privy Council in the case of the appeal to it from the pro-

vince of Quebec. All these things were before Mr. Ellis's mind when those articles were written, and all these things it is important to keep in mind when we are judging as to the propriety of what Mr. Ellis has written. Let me suppose for one moment that the court of New Brunswick had found the contrary of what they did. Let me suppose that they had found that Mr. Justice Tuck had no jurisdiction and no right to issue a writ of prohibition to restrain Mr. Justice Steadman from making a recount. What view would have been taken in that case, with regard to the moderation and fairness of those articles which Mr. Ellis had written? There could be scarcely two opinions in the public mind that the facts were such as to warrant what he had said, and it is from that view that we must regard those articles, when we consider whether they were properly or improperly written. I do not pretend to say, Mr. Speaker, that every word in those articles was duly weighed, and that there was no injustice done to Mr. Justice Tuck. I am not questioning the purity or the intention of the judge. I am not calling into question the uprightness or integrity of any one of these judges connected with this case. But I say, from my point of view, that the rights of Parliament have been invaded. There has been a contempt of the authority of this House, and we might, with more propriety have summoned Mr. Justice Tuck to our Bar, than the court exercised in summoning Mr. Ellis to appear before the Supreme Court of New Brunswick. If we have exercised forbearance, if we have not called those judges before our Bar, as Justices Pemberton, Jones and others were called before the Bar of the House of Commons in England, under similar circumstances, these distinguished luminaries of the law ought to have exercised more forbearance, more consideration to a journalist who, in the discharge of his duty, was writing in the interest of what is just and proper in respect to elections. I say, that being so, I cannot help but feel that the judgment of the Court of New Brunswick was a harsh judgment, that the punishment to which Mr. Ellis was subjected was unduly severe, that there was a wide departure from the practice of the English courts and the courts of Ontario in undertaking to consider his conduct, as it affected the court itself, on the application of a private individual, and that for all these reasons the course taken by the court is one the facts and circumstances did not warrant, and one which is calculated to weaken the authority of the court very much more than anything Mr. Ellis wrote on that occasion.

Sir JOHN THOMPSON. For my part, the speech of the hon. member for Queen's, P.E.I. (Mr. Davies) on the resolution moved by him, entirely convinced me that the resolution ought not to pass; but if there has been any hesitation or doubt in the mind of any member of this House, that doubt should have been removed by the speech we have

just heard, although it is directly in contrast with that in which the resolution was moved. The speech in which the resolution was moved was so extremely violent that the House would have been led into a false position—even if there were some grounds for adopting it—by giving the resolution its assent. The hon. member for Bothwell (Mr. Mills) has led us to the same conclusion by a speech far more temperate and far more free from the great body of objections which might be made to the speech of the hon. member for Queen's (Mr. Davies). So that whether the decision of the House is asked, on this question, in the tones of invective which were raised by the mover of the resolution, or calmly and logically, as in the speech we have listened to this afternoon, we fortunately arrive at the same conclusion. The hon. member for Bothwell (Mr. Mills) has mentioned to the House, and mentioned usefully, a great variety of cases in which the conduct and language of judges have been brought in question in Parliament; and he has done so in such a way as to illustrate well the sphere of Parliament with regard to inquiry into the conduct of judges. The hon. member has mentioned some eight or ten instances in British history in which, in the Imperial House of Commons, the conduct and language of judges, or their demeanour on the Bench of their fitness to serve upon the Bench has been brought in question. But I ask the House, I ask every hon. member who listened to the hon. gentleman, if the cases which he cited, and which show the range of discussion with regard to the judiciary in Parliament, do not prove that that range has been absolutely limited to these questions—the fitness of the judge, his deportment upon the Bench, the partisanship of his conduct, or his expressions in addressing juries, as showing that he was departing from his business of laying down the law, and that he was dealing in politics instead of law. That is the entire range that the discussion has taken in the British Parliament, that Parliament to which we look for an example. That is the entire range which the discussion of the judiciary has taken in any Parliament, so far as I have been able to learn from an investigation of the subject. But what the hon. gentleman is asking us to do to-day is to commit the very offence for which judges have been censured in Parliament. Judges have been censured for having left their business of judgment and having gone into politics. We are being asked to leave our business of politics and to go into the business of judgment. Now, while these instances are fresh in the recollection of the House, and while the House remembers the range of the discussions in the Imperial Parliament with regard to the conduct of the judges, I wish to ask the House—and to couple with my request a challenge to the hon. members who have supported this

Sir JOHN THOMPSON.

resolution—whether there is an instance in British history or in colonial history in which such a discussion in Parliament was in review of a judgment, either of a judge or of a court? In all the discussions that have taken place, in all the instances which the hon. gentleman has enumerated, or which I have been able to discover, in which there have been reflections upon the conduct of judges, there has never once been a resolution moved or a speech made attacking the validity and soundness in point of law of a judgment given by a judge of a British or a colonial court. But I wish to carry that challenge further, and to ask hon. gentlemen if they can point out an instance in British or colonial history in which even criticism in Parliament—to say nothing of a resolution of censure—was directed against the judgment of a court constituting a tribunal like the Supreme Court of New Brunswick. Such an instance cannot be found, not in the English language, or, I venture to say, in any other language, does a resolution exist—I might go so far as to say does a speech exist by a member of Parliament, criticising and pronouncing invalid or contrary to the law the judgment of a tribunal like that which sits in the province of New Brunswick, and of whose judgment we are now deliberately sitting in review. Sir, the constitution is perfectly plain on this point, it seems to me, and hon. gentlemen have not shown it to be otherwise. The path of the judges is clearly marked out. Their business is to administer the law. When they deal with politics, we, in our own sphere of politics can censure them, and criticise them and pronounce our opinion upon them. Our business is confined to the politics of the country—I use the word "politics" in its larger sense, as embracing legislation—and when we step out of our sphere and undertake to deliver judgment between subject and subject, much more when we undertake to reverse or to sit in review on the judgment of one of the highest courts of the country, we lay ourselves open to the very condemnation that this resolution would pronounce against the court whose opinions it criticises. The censure of this House is worth something or it is worth nothing. If it is worth nothing, we need not spend a day or two in discussing whether we will pronounce that censure against Mr. A or Judge B. But I do declare that the censure of this House, if this resolution were to pass, would be held in utter contempt by every reasonable man. How does it proceed at the very outset? It proceeds to pass judgment against a man who has not been heard in his own defence. There was a time, seven years ago, when he stood here on his defence, stood in the face of the judgment of the House with Mr. Speaker in the Chair, was interrogated at the Bar and gave his answers—assisted by counsel, because his examination might have been followed not only by the reversal of his action as returning officer, but also by his imprison-

ment. When he stood there seven years ago, he at least had the advantage of being heard. And what action did the House take? The hon. gentleman who moves this resolution was here then, but many of the gentlemen who were here and heard his defence then have gone from this Assembly. And when his examination was finished, a resolution was adopted by this House. The House had heard him, and had heard his advocate, so far as he thought it necessary to have the assistance of advocacy, and the resolution adopted then and there was that Mr. Dunn be—discharged. And he was discharged. My hon. friend from Guysboro' (Mr. Fraser) said last night that it is not too late to deal with this case, that this is the very close of the whole transaction. So far as Mr. Dunn was concerned, that was the close of the transaction. Fifty or sixty or seventy gentlemen who sat here and heard his defence and his explanations have since passed away from this House. And now, after the lapse of seven years, a new House is asked to pronounce judgment upon his acts, and to declare him guilty of most dishonest and improper conduct with regard to this House. In the meantime is he summoned back? Is he given an opportunity to make his defence? Is the charge communicated to him? Not at all: not one of these things is done. The policy of the resolution, while repugnant to every principle of decency, according to my opinion, is not inconsistent with that which was adopted by gentlemen opposite at that time, when the House had to divide in order to ascertain whether Mr. Dunn should have the privilege of having counsel attend him at the Bar, or not. The same line of conduct follows him now, and we are not only to condemn him after a lapse of seven years, we are not only to condemn him without hearing, but we are to condemn him without giving him an opportunity to answer one syllable of this resolution, to appear either in person or by counsel, or have the charge communicated to him; and we are to have all this done in pursuance of a speech which, forsooth, in every second line of it, refers to the practice of the Star Chamber of old. Sir, there is not a feature connected with the objectionable practice of the Star Chamber of old that is not repeated in every feature and phase of the resolution before the House to-day. The binding nature of the punishment, the severity of the censure, the absence of the accused, the omission of any opportunity for him to be heard, the omission to communicate the charge to him—these were the severest charges that were ever made in history against the Star Chamber of old; and the hon. member who professes Liberal principles has succeeded, for the first time in history, in grouping all these abominations into one resolution. Now, Sir, I said that the hon. member who had just resumed his seat had given to the House the best proof that had been given yet that

this resolution ought not to pass. Why? The hon. gentleman proceeded to deliver to the House a long argument—not too long at all for me—but a most interesting argument upon the legal branches of this case. At every turn and phase of that argument he discussed legal decisions pro and con. Now, I ask a gentleman so familiar as he is with the records of British parliamentary history, whether he can find in the pages of the British 'Hansard' one instance in which a judge or court was under consideration, where the member who brought forward the charge or made the criticism, was obliged to open a law book and prove that the judge was wrong in point of law. When a question is before this Parliament with regard to the judiciary, as to whether a judgment pronounced by the judiciary is right or wrong, the moment an hon. member opens books, the moment he undertakes to prove to the House what the law is between fifty or sixty apparently conflicting cases, it requires no great intelligence to see that we are out altogether of our sphere.

Mr. MILLS (Bothwell). If the hon. gentleman will allow me to interrupt him—all my arguments in that respect was addressed to one point, and that was with regard to the privileges of Parliament being invaded by the courts.

Sir JOHN THOMPSON. This is not a question of the privileges of Parliament being invaded by the court.

Mr. MILLS (Bothwell). It is, if I am right in my view, that the prohibition was a prohibition of an officer of this House responsible solely to this House.

Sir JOHN THOMPSON. We are not trying a question of prohibition to-day. Did not the hon. gentleman who offered the resolution say it was a matter quite immaterial whether Judge Tuck was right or wrong? Of course it is, and I do not intend to waste the time of the House to-night by arguing whether Judge Tuck had or had not jurisdiction; in any case it was not an interference with the privileges of the House, because the House had no jurisdiction at all in the premises. The question of law at the root of that objection was that the county judge alone had jurisdiction, and that the judges of the Supreme Court could not interfere with him. But the hon. gentleman, for the purpose of excusing this elaborate legal argument, introduced an altogether new reason, and that is that in England cases have been cited to Parliament to show that the courts were interfering with their jurisdiction. Let him show me in the British 'Hansard' a resolution like this reflecting upon a judge or upon a court, reflecting upon a judgment, in which any member discussed a question as to whether the judge was right or wrong in his judgment. There is not such a case in British parliamentary history, either in the mother country, or in any of her colonies.

Sir, if a single word more were necessary to show how utterly inappropriate to our institutions and to our procedure anything like this is, let me recall to the House the style in which this resolution was moved. Mr. Dunn was called a villain, a scoundrel, a conspirator; it was said that he should be in the penitentiary; it was stated that not a word could be uttered in Parliament to justify his course. All these things were asserted; but it was said to be a most shocking thing, and a thing requiring the intervention of this Parliament, that Mr. Ellis should have been tried by his accusers. Mr. Dunn, however, is not even tried by his accusers, but the sentence is moved without his being tried, in spite of the fact that he was acquitted when he was tried six years ago; and these epithets, the worst that the English language affords, were shouted by his accuser, who is about to vote as his judge, amidst the wildest cheers of his fellow-judges. That is the kind of procedure that this House is asked to adopt. After the speeches which have been made by the hon. member of St. John (Mr. Hazen) and the hon. member for Albert (Mr. Weldon), it was not needful for me to address the House, because there was nothing of interest, I think, left to say in the case; but I would not be doing my duty if I did not deprecate this assumption on our part of functions which the constitution does not give us, and the discussion of which only brings this House into the contempt of the country. We are asked to-day to undertake the serious business of reversing the judgment of one of the highest courts in the country, second only to the Supreme Court of the country itself, and we are asked to do that with no more powers over the question than a moot court sitting in any part of the country, or a debating club has; and for the House to enter upon its Journal judgments of that character, is to reduce the prestige and honour of this House, and to make it a laughing-stock, at least in professional circles, in this country. If we are to judge of this motion by the language of the mover, it was not moved with any hope of its being adopted, it was moved for the purpose of getting political revenge for Mr. Ellis, by using invective such as is seldom heard in this House, and ought not to be very often heard in it. The hon. member for Queen's, N.B. (Mr. Baird) was assailed in the most violent language. He was repeatedly called a conspirator in the alleged felonious conduct of Mr. Dunn; it was said that he would not dare to go into court and submit to a jury the question whether he had a character which was injured; that he went whining into court with a long affidavit complaining of his grievances; that he was a man who had committed a great wrong, and who had suffered ever since the agony of remorse. All this, of course, had not the slightest bearing upon the case, and would not have been uttered if there were any foundation or excuse for it; but it was a convenient way, one would

Sir JOHN THOMPSON.

judge from the hon. member's speech (inasmuch as the resolution had no chance of passing), of getting some party revenge for Mr. Ellis by plastering the hon. member for Queen's, N.B., with every insult the English language would afford. So far as my experience goes, the hon. member for Queen's, N.B., even if it were relevant to this question to say so, has done no single act to deserve such censure. He was returned to this House by the returning officer, erroneously, I believe, erroneously I never hesitated to say; but the man does not live who has had the courage—though insinuation, insult and invective we have had galore—who has had the courage or the honour to point to any evidence that Mr. Baird instigated it, or that anything occurred from beginning to end which would justify any honest man, with a spark of regard for his character or his word, in calling him a conspirator in regard to that wrong. Mr. Baird took his seat in the House as the representative returned, and he sat here under the judgment of this House. The House investigated the case, it brought the returning officer here, it had the ballots, the writ and the return; the case was investigated by a committee of this House, and that committee declared that the House ought not to exercise jurisdiction with respect to the matter; and Mr. Baird sat and waited for the attack which his opponent might make by a petition in the courts. We affirmed the principle in this House that the courts having ample jurisdiction to give redress by election petition, the matter should be left to them. But his assailant declined to bring him before the court for the obvious reason, a reason which was made patent to everybody here at the time, that the lists, I will not say through any fault, but through accident, probably, were in an entirely artificial state, and contained three or four hundred names which should not have been on them at all, and Mr. King knew perfectly well that if the lists were revised while the petition was current, and if he unseated the sitting member, the member would be returned to this Parliament if he went again before the electors. No petition was presented, but Mr. Baird resigned his seat, although he was not under any legal obligation to do so, and he was returned, and returned handsomely, by the county in which it was asserted last night he would not dare to enter a court of justice to seek redress without being ejected. When the general election came on, Mr. Baird was elected again.

Mr. CASEY. What is that?

Sir JOHN THOMPSON. Mr. Baird had just as good a title to the seat as the hon. member who has just interrupted me, and he has sat in this House ever since with quite as much credit as he. But something must be done to insult again and again a man who has triumphed over his political enemies in that way, and hence

this resolution. Then we come to consider the case of Dunn himself. I have discussed the ordinary principles on which men act in every-day life, especially when they have to administer anything like judicial functions, as some of us are called to do from time to time, although, perhaps, in a subordinate sphere. We expect every man to be heard before he is condemned, we expect him to have notice of any charge or complaint made against him. But let all these principles of common decency, justice and procedure be waived, I ask the House what evidence the hon. member for Queen's (Mr. Davies) or anybody else has presented of all that alleged villainy on the part of Dunn which has been denounced in this invective and in the language of the resolution itself. What evidence has the hon. member, or has any one offered in regard to Dunn? Hon. gentlemen opposite had not the fairness to read the answers that he gave at the Bar of this House. While I do not hesitate to say that I believe his decision was wrong, we are not referring to the wrong to-day; we are not asked to pronounce the decision wrong, we are asked to pronounce it corrupt and fraudulent without any hon. member undertaking to produce evidence to show that it is either one or the other, except by asserting that it is so and by asserting it in very loud tones and with very vehement gestures. Hon. gentlemen opposite have not had the fairness even to read the answers he gave at the Bar.

Mr. DAVIES (P.E.I.) Will the right hon. gentleman allow me to say that he is not quoting from the resolution correctly. There is nothing about corrupt or fraudulent about it. The resolution says his action was a gross violation of law and justice.

Sir JOHN THOMPSON. I will read the resolution presently. I will adopt, however, for the present what the hon. gentleman has quoted from it; I was not, however, pretending to quote from it. If the answers which Dunn gave at the Bar are true, although his decision was a wrong one, it could not be fairly stigmatized as a gross violation of law and justice, because while the evidence would not go to the extent of showing that his decision was right or wrong, because that was not matter of evidence, it was evident that he acted according to his best judgment and, on questions of law, by legal advice. We are not accustomed in this country to treat every case in which an error of law is committed by a returning officer or by a deputy returning officer as a gross violation of law and justice and to stigmatize it in the language which the hon. member for Queen's (Mr. Davies) has used, and in language which he poured across the Table in an unceasing stream for two hours, but which he did not place on the face of the resolution. We are not accustomed to treat cases of that kind in that way. I see a countryman of

my own sitting here who was deprived of his seat by the error of two deputy returning officers, who refused to count four hundred of his votes, and the man who took his seat. I will not say stole it, because that would be a quotation from the other side, which I do not wish to make; but the man took his seat and kept it for a year, and sat in the closest councils of hon. gentlemen opposite, and was not called a thief, a conspirator, a man who stole his seat or any of the foul names of yesterday, but who was treated as a good, honest, true, pattern Liberal until the constituency caught him by the collar and put him out of the House, to which he has never returned since. We are not accustomed to treat these subjects in the language that was used yesterday. We leave these matters to the courts. The hon. member for Lunenburg (Mr. Kaulbach) presented his petition, and the judge denounced from beginning to end the proceedings instituted by which he had been deprived of his seat. The election took place, and the present member for Lunenburg was restored. At the same time, I would have regretted if, even in that which was a much more glaring case than the present, the party with whom I have been accustomed to co-operate in this House, had called upon the House not only to interfere and pronounce judgment on the question, but to pronounce judgment on the question overruling the decision of the highest court in the province in which the transaction took place. Now, let me call the attention of the House for a moment to what the facts are; and I will run over them very briefly, because I think very few of them have any practical bearing on the question before the House. The articles were published by Mr. Ellis in a paper in St. John, a very short time after Judge Tuck had granted an order nisi for a writ of prohibition. I suppose every member of this House, even those who do not possess any legal training, is aware by this time that what Judge Tuck did was not to prohibit the county judge from recounting the ballots, but to order that the subject should be argued before the full Bench of the New Brunswick court, and that in the meantime proceedings in the case should be stayed. I do not think it is necessary to argue, or that it is worth while to argue, as to whether Judge Tuck had jurisdiction to prohibit the recount or not. I think he was bound to permit the question. There may be doubts, and some members of the House for whose legal opinion I have great respect entertain strong doubts as to whether he had jurisdiction to issue a writ of prohibition; nevertheless there was strong opinion on the other side, and he acted properly. He was sustained by the unanimous decision of the Bench of his province, and at least he was justified in giving an opportunity for the case to be argued. That was all he did. Mr. Ellis made the mistake to attack him;

indeed he made a two-fold mistake. He was under the impression that Judge Tuck had given an absolute prohibition, and that that was the end of the matter, and he assailed him in the worst language that could be applied to a judge, language in comparison with which the language used in any of these cases which have been cited, was childlike and loving itself. An extraordinary attempt has been made here to say, that not one word should be withdrawn from the severity of Mr. Ellis's language; at least, as regards Mr. Dunn, and at any rate as regards Judge Tuck, the contention has been made here that we owed Mr. Ellis a debt of gratitude for the language he used in reference to Judge Tuck. I confess, for my part, that I do not owe him any debt of gratitude with regard to that matter at all; and Mr. Ellis did not think so himself, because when he came before the court to answer the interrogatories which were put to him, he said, in explanation of the reason why he had made this extraordinary attack: "I thought that the prohibition had put an end to the matter," implying, perhaps—although I am sorry he did not say so—that he would not have made use of that language under other circumstances. But it is reserved to this day (so many years afterwards), for political purposes, that some people should say that although the judge had merely ordered that the question should be argued before his brother judges, that he was liable to be stigmatized as a man, only to be resorted to when justice was not wanted; a man who had thrust himself into the case, a man from whom no honest judgment could be expected. I have heard a good deal said of Mr. Ellis's character and bearing. I only know him as a fellow-member who sat in this House; but knowing him that much and only slightly in that way, I have no hesitation in believing that he would not have made use of that language or published it in his paper if he had known what the facts were and just what Judge Tuck had done. But the gentlemen who have used the language that we heard yesterday are apparently men of a different pattern from Mr. Ellis, because they justified the writing, while Mr. Ellis himself admitted that it was written under a mistake. In the meantime, Mr. Ellis had done a great injury to Mr. Baird, and he had done a foul injustice to Judge Tuck. He would have done that injustice by simply stating that Judge Tuck had prohibited a recount, which, under the circumstances, would have been, I think, an improper thing for a judge to do; but then he went further and slandered Judge Tuck's private character as a man of honour, and applied to him epithets which, if Judge Tuck deserved, he had no right to sit upon the Bench at all, in this or any other country. He had in the meantime done that grave wrong to the judge as well as to the suitor and his

Sir JOHN THOMPSON.

offence merited punishment, even if he admitted he had erred; and it deserved punishment tenfold more, (according to all the precedents which will be found in regard to this subject), when he stood there absolutely refusing to make the slightest apology for the unwarranted wrong which he had done. The hon. member for Bothwell (Mr. Mills) treated it as perfectly clear that there was no jurisdiction on the part of a Supreme Court judge, and that the county court judge was a parliamentary officer: an officer of this House. I admit that there are questions, as to whether he can be controlled in the exercise of his judicial authority by the judges of another court, but I do not conceive that there is the slightest warrant for the contention that he is simply a parliamentary officer: an officer of this House. I am glad to know that an opinion similar to this has been very strongly expressed by a gentleman of very high authority: one who will be recognized as a high authority by this House, and that gentleman spoke in reference to a case in which the hon. member for Bothwell (Mr. Mills) was himself concerned. An attack was made in this House by Mr. Hawkins, who one session sat for Bothwell, upon the county court judge because he would not recount, and the contention which Mr. Hawkins made was, that the county court judge was only a parliamentary officer: an officer of this House, and that his bounden duty was to recount the moment the application was made to him.

Mr. MILLS (Bothwell). He did recount, and the returning officer disregarded it.

Sir JOHN THOMPSON. That only shows that Mr. Hawkins was not justified in attacking him because he did not recount. If the hon. member (Mr. Mills) will look at the Debates of April 9th, 1883—which I dare say he looked at at one time with more interest than he does now—he will find that that day was occupied by a discussion on the conduct of the county court judge because he would not recount. Whether they brought the horse to the water to drink a second time or not, I have no knowledge. This is what the Hon. Edward Blake said upon the subject:

What does the hon. gentleman put upon the paper? He puts a notice of motion for a select committee to inquire into the conduct of the judge in refusing the application made on his behalf for a recount of the votes. The judge may have been right or may have been wrong in refusing the recount. I purposely abstain from discussing a single word of the particulars.

The Hon. Mr. Blake did not leave his moderation behind him when he left hon. gentlemen opposite.

It is not because he was wrong in law that we would inquire into this case any more than we would inquire into the case of an erroneous judgment in the discharge of any judicial function, for

I differ from the hon. member for Bothwell in the opinion that we have the right any more to interfere with a judge in the discharge of this judicial function than in the discharge of any other. We did not make him an officer of the House, but we imposed upon the county judges of Ontario and of some other provinces, and the judges of the Superior Court of the province of Quebec, certain functions in their judicial capacity; and I would have been one of the last to sustain the proposal that these functions should have been imposed on the judges, had I dreamed for a moment it could ever be suggested that they could discharge those functions in any other than a judicial capacity, had I thought they could be considered in any other sense than as judges discharging that particular function, under all the sacred obligations which appertain to a man that fills the Bench of Justice. In this matter we must hold, all the more because these are matters that do excite party feeling, that the judge who is discharging this political function is discharging it in the same spirit, protected in the same manner, and subject to the same liabilities as in the discharge of any other judicial function. We could not complain of a judge because he erred in his judgment, or misconstrued the law, or misapplied the facts.

But hon. gentlemen opposite could complain of Mr. Dunn if he erred in his judgment.

Why? What have we Courts of Appeal for? We have one Court of Appeal after another. You find the County Court judges' decisions reversed in the Court of Appeal, those of the Superior Court reversed in the Court of Appeal, and those of the Appeal Court reversed in the Supreme Court, which may find that the primary judge is right, and the Judicial Committee of the Privy Council finding something else altogether. There is a constant error of judgment, because judges, like other men, are fallible, and it is an error in judgment that should form the subject even of an observation here. Therefore, upon the face of the hon. gentleman's notice of motion which simply said: I want a select committee to inquire into the conduct of this judge for refusing to grant me a recount; we could find nothing, we could find no accusation against the judge, we could not even find subject for an argument as to whether the judge was right or wrong in refusing the recount, or as to whether there had been a proper application made at the proper time, accompanied by the proper formalities, and what the reasons were. We had none of that even before us for an interesting legal argument. But that would not have been enough if we had had all that. What was the cause, then, which could properly bring this judge's action under our consideration? It was a charge of impartiality, of malfeasance in office.

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

After Recess.

Sir JOHN THOMPSON. Mr. Speaker, when the hon. member for Bothwell (Mr. Mills) presented to this House the argument that Mr. Justice Tuck, in making the order which brought the subject of a writ of prohibition before the Supreme Court of New

Brunswick, was acting beyond his jurisdiction, he called on this House to enter into a very difficult legal inquiry for the purpose of inducing the House to sustain a resolution reversing the judgment of that court. When I said that I did not think that that was material to the case, I said so under the impression, which I still entertain, that the hon. gentleman had a somewhat mistaken view of the proceedings which occurred in the courts in New Brunswick. The question whether Mr. Justice Tuck had jurisdiction or not to issue an order nisi for a writ of prohibition—the question whether a judge of the Supreme Court of New Brunswick had jurisdiction over a county judge in his procedure for recounting the ballots—was the very question which was coming before the Supreme Court of New Brunswick; and it was while that very question of jurisdiction was pending before that court that Mr. Ellis interfered and committed the contempt. Now, if the argument of the hon. member for Bothwell, that there was no jurisdiction on the part of a Supreme Court judge to interfere with a county judge, is correct, it follows that judges, in hearing an argument on a question as to whether they have jurisdiction in a certain case or not, are utterly without protection—that they can be assailed and their functions hampered by any person who chooses to commit a contempt against them. The position in New Brunswick was this: Mr. Baird applied for and obtained an order nisi calling upon Mr. Ellis to show cause why a writ of attachment for contempt should not issue against him. What was the position of affairs with regard to Mr. Baird himself? The matter has been argued here as if it were simply a question with regard to the propriety of Mr. Justice Tuck's conduct, or with regard to the fairness of the comments upon his conduct. But Mr. Baird had rights in that matter too, and whether he was right or not in his contentions was not the question. He had at least the right, which every suitor in a court of justice has, to have his case fairly heard without being prejudiced by an attack against the judges who were to hear his case. Every suitor in the country has, by the well-established principles of law, the rights—and surely we all recognize these rights—that the witnesses who are to testify in his behalf shall be able to appear before the tribunal which tries his case without alarm that their property will be injured, that they will be assaulted themselves, or that their characters will be traduced by any person interested in interfering with the proceedings of the court; he has the right that the jurors shall exercise their functions freely, without alarm that their property, their persons or their characters will be injured; and he has the right that the judges shall hear and deliberate upon his contentions until the case reaches its conclusion, without feeling that they are subject to attack if they shall dare to do him justice. Mr. Ellis did not recognize those rights. He took the view that

Mr. Baird was simply a humble suitor before the court, and that he (Mr. Ellis) might in his paper lash everybody interested in the proceedings—that he was free to assail Mr. Baird with every description of calumny which he could put in print, and had an equal right to attack every judge on the Bench in order that, so far as his pen could have any influence whatever, he might enter into the struggle and influence the proceedings and the decisions of the court. What is the answer to that? Has it been contended, in the argument of this question yesterday or to-day, that Mr. Baird had no right to have his case fairly considered, or to have counsel in order to establish the justice of his case, without having to fight every enemy in the country, who chose to traduce his character and assail his case? That has not been contended; but it is contended that it was fair to suppose that no judge on the Bench would be influenced by an attack on his character—that it was an extreme thing to say that Mr. Justice Tuck, for example, would be influenced by an assertion that he was a man of no honour or probity, that he could not do justice, that he was only called in when justice was not wanted, but when justice was to be perverted. But the same hon. gentleman who laid down that doctrine told us that undoubtedly Mr. Justice Palmer's mind was influenced to greater severity by another attack which Mr. Ellis made upon him. Now, Mr. Baird was strictly within his right as a suitor before the court in asking that until the litigation was determined he should have a fair hearing on the merits of his case, and that he should not be held up to the country as a thief, or the judges as perjured scoundrels if they should do him justice. That was a principle which Mr. Ellis ignored and denied, and upon which he boldly challenged the powers of the Supreme Court of New Brunswick. It is to be borne in mind that his contempt was committed, not as regards Mr. Justice Tuck personally, but as regards the Supreme Court of New Brunswick, because it was there that the case was to be heard. Now, the language that was used by Mr. Ellis I need not repeat to the House after the general description of it which I have given. But it was strange to hear it contended yesterday that these expressions, utterly infamous as regards any judge, if they were undeserved, and rendering the judge utterly infamous if they were true, would not bear the interpretation of being malicious contempt, that they were inspired by high constitutional motives, that any jury in the country would justify the language used, and that we, forsooth, owe to Mr. Ellis a debt of gratitude for having used it. Sir, it would be trifling and paltering—to copy again the language of the hon. gentleman who moved this resolution—to argue that these expressions which were used by Mr. Ellis, if they had any intent at all, intended anything else than a wanton, wilful inter-

Sir JOHN THOMPSON.

ference with the proceedings then pending, and a bold and violent attempt to prevent Mr. Baird getting a fair hearing in the case. It is true that Mr. Ellis pleaded, not, perhaps, by way of excuse, but still the only justification which the case admitted of, namely, not at all that he was actuated by high constitutional reasons, not at all that he was using strong language with regard to a great public scandal, but that he did not know that proceedings were pending, that he thought Mr. Justice Tuck had put an end to the whole affair by the process he had issued, although such was not the case. His position, then, when he came to justify his language in the court, was simply this: I accused this man of dishonesty and corruption, but I find now, what I did not know then, that he had not committed that dishonesty and corruption at all. But while he stood before the court, he did not utter one word of amend or apology for the language he used, and the judges who gave the final judgment, expressed their astonishment that when he admitted this charge was unfounded and absolutely false, and that the character of the judge, who had not even the opportunity to reply, had been plundered and violated in that way, not one word of amend came from the man who acknowledged himself guilty of that offence. And yet, forsooth, no punishment should have been meted out to him, according to the contention of the other side. Nay, the hon. member for Queen's P.E.I. (Mr. Davies), by the time he got to that point, had worked himself into the position of assuming that the judges were the culprits, and that Mr. Ellis was the man to try them, because, he said, when the case had come back from the Supreme Court, a long time had elapsed, the elections were over, and the judges had time to reflect upon their conduct. Now, it is worth while for us to consider, especially as we are charged by this resolution with the duty of saying whether the penalty were too severe or not, what the defences of Mr. Ellis were. That is all important. Mr. Ellis has had the benefit of able counsel here. I will not say, because I do not know, that the counsel who appeared for him at the Bar of the Supreme Court of New Brunswick was less able, less ingenious, or more ingenuous, but the defences on which Mr. Ellis relied in the Supreme Court of New Brunswick were these. Not that Mr. Baird was a great thief, as was said yesterday, not that he was a conspirator, not that Mr. Dunn ought to have gone to the penitentiary, not that there was great heat and excitement on a great public occasion, but his defences were these: that he thought the whole thing was over, and he had stolen the judge's character by mistake; that certain newspapers had slandered the judges—and he produced the Toronto 'Globe' and the Ottawa 'Free Press,' and he quoted that well of English defiled, the language of the hon. member for South Oxford (Sir Richard Cartwright). The hon. member for Queen's (Mr. Davies)

went further than that. Mr. Ellis raised also this question about the jurisdiction of Judge Tuck, and he said that Judge Tuck was only sitting in chambers. In substance, that although Justice Tuck sat in the court-house, sat in the seat of justice, heard the parties, heard the arguments, gave the order as a judge, yet the technical description of his office was that of a judge in chambers, and not a judge sitting in court. And for these reasons Mr. Ellis ought not to have been punished; and we were asked to pronounce a review of the sentence passed upon him. What does the House think of these defences to-night? Most of them have been abandoned in the course of this discussion, and after a lapse of some years, some gentlemen think themselves ingenious enough to invent an excuse or justification for Mr. Ellis, which Mr. Ellis never thought of before, and, I venture to say, would utterly repudiate now. It is said in these defences, forsooth, that Judge Tuck ought to be called a judge in chambers only, and that other papers had abused him, and that the hon. member for South Oxford had a worse tongue than Mr. Ellis had a pen. For these reasons it is urged the case ought to have gone to a jury, and that if a jury had once been empanelled, it would never have convicted him. I am sure that the man who says that—and it has been said here—maligns, whether intentionally or not, the intelligence and probity of the people of New Brunswick. Because when a man stood up in court and said: I wrote that article, I accused the judge of a crime which he had not committed, but which I thought he had committed—there would be but one duty upon any jurymen who valued his oath a snap of his finger, and that was to pronounce a verdict of guilty. It would not be a question for a jury, under the old statute law or under the new statute law on libel, to say whether it was malicious or not, because when you accuse a man of a great crime, when you accuse him of having violated his oath of office, of having been guilty of disgraceful conduct, it is not necessary to prove that you did so maliciously, if you did so falsely. And according to Mr. Ellis's own confession he did the act, and he did it falsely. And if the hon. member says that no jury would have convicted him under the circumstances, he simply says that no jurymen would have regarded his oath under the circumstances. What had Mr. Ellis to complain of as regards the want of a jury in such a proceeding? I grant that he had to complain of just this: that he lost the opportunity of a jury disregarding their oaths and committing a great crime. It might be possible that if a jury had been empanelled they would have disregarded the duty they owed to the public, to justice and to themselves. He had not that advantage, but I do not think that it is in the mouth of any offender to complain of that. But it is to be observed, as the judges themselves remarked, that the procedure they

did adopt was peculiarly favourable to Mr. Ellis. If he had been indicted and brought before a jury, or if a process had been instituted by way of information, or any other proceeding taken than the one adopted, the prosecutor might have struggled to the last point for a conviction, in spite of adverse testimony, if adverse testimony were produced. But the peculiarity of this proceeding which the judges did adopt is this: that the offender brought up under the attachment for contempt has the case in his own hands. He is called into court to answer interrogatories, and if he answers that he is not guilty, that he has not committed the offence, or gives any excuse or justification in law, his answer, be it true or false, is conclusive in his own favour. There can be no possibility then of a conviction and punishment by a court, or even a verdict by a jury. His answer is the law in the case, and the end of the whole proceeding. Therefore I do not think that the judges were so vindictive or intemperate or regardless of Mr. Ellis's rights, when they gave him an opportunity of saying whether he was guilty or not, and of making his own answer conclusive with regard to the circumstances. Well, then, it was said—and it is the point of the whole argument of hon. gentlemen who have spoken for the resolution—that other remedies might have been taken. It is said that Mr. Justice Tuck—who had nothing to do with these contempt proceedings at all—could have applied to the grand jury for an indictment against Mr. Ellis. But Mr. Justice Tuck was not the prosecutor; he did not care to be the prosecutor; so far as he was concerned, these proceedings for contempt might never have been commenced. The contempt was the contempt of a court of which Mr. Justice Tuck was but a member. The injury done was done to the rights of a suitor in that court, and there could have been nothing more unbecoming, in my humble opinion, than that, under these circumstances, the judge should leave the Bench to hunt the man who had attacked him in the press. The matter is very well put in a judgment that was given in a case in the United States, which was cited in the Ellis case itself. President Johnson, referring to the contention that the judges should not exercise any jurisdiction in contempt, but should pursue their assailants by prosecution, said:

Such a suggestion is disgusting to a man of honour. It will be a sorry day when the practice shall obtain among judges of the court of last resort who hold the dearest interests of the people in their hands, when in their judicial capacity they may be grossly libelled, to leave their high positions and go before a jury in a libel suit, be subjected to the coarse criticism of defendant's counsel,—

of which we heard a sample yesterday.

and if they succeed in their suit, have it cast in their teeth, that they were influenced by sordid motives. Who could have any respect for a judge who would pursue such a course? Would he not,

under such circumstances, deserve the contempt of every citizen? Besides, what right would he have individually to recover damages for a wrong committed against him in his judicial capacity for an injury done the people in his person?

And let me ask here what kind of a remedy it would have been for a wrong done to the suitor, that Mr. Justice Tuck should recover damages for himself or inflict a penalty on the offender. Would such a decision be any protection to the rights of a suitor who might be prejudiced by a gross assault upon his character, while he was a litigant in one of the courts of the country?

The court has no right to punish as for contempt one who libels an individual who happens to be the judge, but it is a contempt of the court, as such, and an insult to the people represented by the court, which alone the court can punish as such. Scarcely less repulsive to all sense of judicial dignity is the suggestion that the judge should play the role of prosecuting witness in the trial of an indictment for libel. If the day shall ever come, when such shall be the only protection left to courts of justice against publications affecting their judicial integrity, none but the base and vicious can be expected to occupy judicial position.

These expressions, I am sure, will carry conviction to the mind of every man who may read them. Let us imagine the preposterous position of a judge one day sitting in the city of St. John earnestly engaged in the laborious work of the commercial cases that arise in that city, suddenly obliged to jump up, whip off his gown, and hurry into another room, where he is carrying on the prosecution of a man who had slandered him in a case he had been trying. The position of a judge, under such circumstances, would be an exceedingly anxious and trying one. The hon. gentleman read authorities for the purpose of showing that other remedies are to be resorted to, if possible, that the judges are reluctant to use their powers in cases of contempt; and for the purpose of showing the indisposition courts of justice have to exercise these strong powers of punishment for contempt, the preference they have for taking any other adequate remedy. But, in every case, the law is distinct and clear, and every one of the authorities cited in the course of this discussion shows that the choice of remedies is in the discretion of the courts themselves; that they are to be the judges of what remedy is most suitable and most applicable to the case, and, using justice with forbearance and with discretion, it is for them to say what the suitable remedy is; just as it is for them to say eventually what penalty is to be inflicted. Now, Mr. Speaker, the next extraordinary thing was the attempt that was made here to show that the penalty was a very severe one. So far as I am concerned, I think that the penalty inflicted was an exceedingly light one. The fine was small, and the period of imprisonment the shortest that could have been

Sir JOHN THOMPSON.

inflicted under the circumstances. It is said, by way of accounting for the penalty inflicted—for its severity, forsooth—that the chief justice had a weak mind, as shown by the fact that four years after he wrote his judgment he had an attack of paralysis. It is true that what the hon. member for Queen's (Mr. Davies) actually said, with regard to that, was that not many months or weeks after he pronounced sentence he was attacked by illness. Those who know the chief justice and those who have heard of him know that he was in the full vigour of health down almost to the hour when he suffered that attack. I think he was actually presiding in court the very day the attack occurred. No one noticed any diminution of his vigour, and as regards the possibility of his mind having been weakened, let any one read the two judgments given by him in this case. They are the judgments of a strong judge, of a strong-minded man, as well as of a keen logician. And, Sir, if the judgments are sound and correct, which he pronounced four or five years before, in point of law, and as regards the narrative of the facts, he was exceedingly temperate in the sentence by which he followed them. But it is said: there was another judge upon the Bench who possibly over-ruled the judgment of the chief justice. We are asked to pronounce judgment upon that hypothesis. Few of us have ever seen the respected chief justice. Few of us know Judge Palmer, but the hon. gentleman said—and we are to take it on the assumption of the hon. member for Queen's, and adopt a resolution on that ground—that he suspects that Judge Palmer had a stronger mind than the chief justice. What though he had? The crux is that Judge Palmer had been slandered too. True, it was a great offence to slander Mr. Justice Tuck. But, in the meantime, and before sentence was pronounced, Mr. Ellis had slandered another judge too, and therefore he should not have been punished so severely. Either the hon. gentleman's argument means that, or it means this: that, two months before sentence was pronounced, Mr. Ellis deliberately came out in the same paper and assailed with the strongest charges that could be made against a judge another member of the court, in order that that judge might be hindered from sitting in judgment upon him. Why did he not follow that to the logical conclusion and attack them all? He would then have had them all disqualified, and we should have had the hon. member for Queen's speaking to his resolution yet, and declaring the wickedness of this court, because, though Mr. Ellis had slandered them all, they still persisted in trying him. Well, Mr. Speaker, when the hon. member presented that argument to the House, did he tell us that there were other judges than these two gentlemen, and that these two did not even constitute a majority? Did he tell us that Mr. Justice Wetmore, since dead—dead before the

sentence was pronounced—had left his judgment on that question, agreeing with the chief justice and Mr. Justice Palmer? Did he tell us that Mr. Justice Fraser, who is known too well in the Maritime Provinces to need one word of commendation from me, to eulogize whom would be superfluous—a man of the highest probity, a man who never wanted a respectful word of a fellow-being, unless that word had to be denied him in order to make political capital against his friends—also agreed in this judgment. Why did he not tell us then that Mr. Justice King, who sits in the Supreme Court of Canada now, an exceedingly respected judge in his own province, as he is here, after expressing his profound regret that when Mr. Ellis had to admit that his accusation was false and unfounded, he had not made an apology or an excuse to the court why the sentence should either be withheld or made less than it was, proceeded to concur in all that the Chief Justice and Judge Palmer said, and went just as far as any of them. So that there were three other judges of the court whom Mr. Ellis had forgotten to slander, and for whose presence there the hon. member for Queen's had no explanation, upon his brief to offer. Now, I want to say a word or two with regard to the hon. gentleman's argument as to constructive contempt, because in this resolution we are invited not only to lay down principles of law as to which many of us do not agree, we are not only asked to say that the Supreme Court of New Brunswick unanimously erred in deciding upon this question of law, but we are asked to lay down certain legal principles with regard to the law of constructive contempt. The contentions that were made in this regard, were utterly unsupported by the authorities, because while they lean in the direction of leniency, forbearance, and the preference for other remedies, not one of them has the slightest relation to the power possessed by the judges. One of the most forcible quotations that were read by the hon. gentleman was a note to Volume III of the lives of the Chief Justices of England, by Lord Campbell, a note commenting upon the decision in the case of *Rex vs. Almon*, an old case, in which Judge Wilmot, said among other things:

It is as ancient as any other part of the common law; there is no priority or posteriority to be found about it; it cannot, therefore, be said to invade the common law.

But here yesterday it was said not only to invade the common law, but to be utterly unknown to English procedure and the English constitution; it was inquisitorial, and unknown to the English law.

It acts in alliance and friendly conjunction with every other provision which the wisdom of our ancestors has established for the general good of

society. Truth compels me to say that the mode of proceeding by attachment stands upon the very same foundation as trial by jury; it is a constitutional remedy in particular cases, and the judges in those cases are as much bound to give an activity to this part of the law as to any other.

The hon. member for Queen's read it as though the foot-note wiped out the text. Well, the foot-note enjoins discretion, and indicates the care with which the judges exercise that power; but does it go the length we are asked to go, of saying that the power is practically extinguished by the changes which have taken place in recent times?

And although there can be no doubt as to the power to proceed by attachment in such a case—if a prosecution or a libel on judges be necessary, the preferable course is to proceed by information or indictment, so as to avoid placing them in the invidious situation of deciding where they may be supposed to be parties.

"There can be no doubt about the law," is the language which the author uses in his note, and as regards the preference to proceed by information or indictment so that they may not appear to be the parties, it has no application to a case like this, where the suitor claims that he has been wronged, and that his rights in the litigation have been interfered with. Does it not show more boldly than anything else that can be suggested, the impropriety of this House being asked to reverse the decision of the Supreme Court of New Brunswick, when we find that there is attached to it a declaration that that judgment is without precedent in view of the fact that it awarded a fine, imprisonment and costs? Now, I wish the House to understand me as making two propositions upon that subject. The authorities are perfectly clear that the power of the court in such a case is to award imprisonment and fine, or both, and costs. So with all the authorities with regard to the practice laid down—and the hon. gentleman was far from citing any authority to the effect that that is not a proper mode of proceeding—and now he wishes us to come to that conclusion without a single authority against that position, but with a clear authority in support of it; because he has not been able to find or produce in any of the cases which have been decided, where there was a contest, that that happened to be the sentence pronounced. The dictum is perfectly clear in the books of practice upon this subject:

If the court is not satisfied, it may commit him to prison for a certain time, or may impose a fine, or may do both; and in every case the court may further order the defendant to pay the costs of proceeding in every case. But the costs are, of course, in the discretion of the court, and will not be granted where proceedings are clearly vexatious and the party instituting them is himself to blame. —[Ogar's *Libel and Slander*.]

Yet we are asked to censure the Supreme Court of New Brunswick because it added costs to the remainder of the penalty. I do not think such is the function of the House, and if this were the law—which I do not believe it is—it would be rather rash to lay it down to this House as the law, simply because the hon. member for Queen's tells us that he has not been able to find a proceeding like the one under discussion. Now, in saying a few words upon the propriety of these attacks upon the judiciary, I do not wish to be misunderstood. I do not claim for the judges, as they have not indeed claimed for themselves, that they are above criticism. I do not claim for this power of attachment for contempt that it is a power which extends to every offence committed against a judge. The hon. member for Bothwell seemed to think that we ought to reverse this judgment of the Supreme Court of New Brunswick because he discovered that two newspapers in England said what he thought were worse things of Lord Abinger, than Mr. Ellis said of Judge Tuck, and yet were not prosecuted for contempt. Well, Sir, the libels, if they were libels—and they did not seem to me to have anything like the severity which was attributed to them—were not made on the judge in his judicial capacity at all. The complaint made in Parliament was that Lord Abinger had harangued grand juries by denouncing a Liberal Government in England for having given too much encouragement to the Chartists, by their measures in favour of reform and by their proceedings in favour of reform Bills; and upon that the press drew attention to certain events of his early career when he was in the House of Commons, showing, in the opinion of the editors, that his opinions did not amount to much, and, therefore, need not be regarded very highly upon the Bench. These were strictures, whether right or wrong, that might be made on a judge, certainly without incurring the penalties for contempt; just as a judge may be attacked on the street, foully beaten, injured and his property taken, and whatever his assailant may incur in the way of penalty, he does not incur the penalty of attachment for contempt. But to attack a judge in relation to judicial proceedings respecting a case that is before him is a matter altogether different, involving the rights of a different class of persons and involving the judiciary. No one contends that the press is not perfectly free to criticise the judges. They may, day after day, show to the people if they can, and the judges of the tribunals of the country are wrong in point of law; but they may not assail the characters of the suitors in the courts, and may not attribute untruthfully corruption to the judges in relation to their judgments. That is all we contend for, and it is a principle that would be struck at by this resolution. As regards the treatment of judges in this

Sir JOHN THOMPSON.

Chamber, let me recall what I said with respect to the illustration given by the hon. member for Bothwell (Mr. Mills), that whenever a judge steps out of his legitimate functions he is open to censure, observation and criticism here. The one thing we cannot do is to reverse his judgment, because we have no jurisdiction to do it, our arm falls helpless when we attempt to do it and we cover ourselves with ridicule and contempt. Another thing we ought not to do is to assail the characters of these men, or undertake to weaken the respect which the public have for their judicial authority, unless indeed a case should arise in which we are bound to go forward and remove the judge from the Bench, on the complaint of some one who has the courage to make the charge, and undertake to prove it. But in a collateral way, for the purpose of giving revenge or redress to Mr. Ellis, to undertake to assail the characters of the judges who sentenced him, or to review their judgment, it is only, as I ventured to say a little while ago, beneath the dignity of this House, but outside of its legitimate powers, and, therefore, would subject the House to the contempt it would deserve if it did so. But the position we should occupy is this, that when we undertake to proceed against a judge by reason of an erroneous judgment or a corrupt judgment, we should proceed in the way pointed out by the law; that is to say, as was contended last night by the hon. member for St. John (Mr. Hazen) and the hon. member for Albert (Mr. Weldon), we ought not to be satisfied with undertaking to pronounce other penalties than those which the law provides. The law prescribes the penalty, namely, that if the judge is incompetent or corrupt he shall be removed by an address of both Houses of Parliament; and it is against the constitution that he shall be censured or subjected to any different penalty from that which the constitution prescribes. The principle is not new. The hon. gentleman has sought to give us illustrations to the contrary. Not in any case, however, was the result such as this resolution calls for. On one occasion, in consequence of a judge on the Bench not only having used very intemperate language, which he was not authorized to use as a judge, but in consequence of his demeanour having been alleged to be very violent—I refer to Baron Smith—the House of Commons was induced to pass, not, mark you, Mr. Speaker, a resolution reversing his judgment, not a resolution asking that censure be passed upon him, but a resolution appointing a committee to make inquiry into his conduct and into the allegations made before the House immediately afterwards. Sir Robert Peel rose in his place in the House and moved to rescind the motion, immediately after it was granted, on the ground that the appointment of a com-

mittee was outside the law, which requires an address from both Houses of Parliament to authorize the removal of a judge, because if the judge were a man of honour, and if the House implied the slightest stain on his honour, he would be well aware that he could no longer render effective service as a judge. That was in 1834, with respect to Baron Smith, and it was cited in July, 1890, when a member, Mr. Dillon, having put a motion on the paper to inquire into the conduct of Judge Harrison, in Dublin—in consequence of certain statements which he had made from the Bench in the course of a charge. I think, to the grand jury—Mr. Smith, the leader of the House of Commons, after the judge's answer had been read by Mr. Balfour, insisted that that should close the incident, refusing to grant the committee moved for, even although it had been pressed for not only by Mr. Dillon, but by the Right Hon. Mr. Gladstone; and Mr. Smith refused time and opportunity for discussing the question on the ground that it should be discussed no longer. The same question came before this House on the occasion to which I referred, when I read what took place on the Bothwell election in 1883, and I was glad to notice that there was practically a concurrence of opinion between the leaders of both sides of the House as to what rule should regulate proceedings of this kind against the judiciary. The Right Hon. Sir John Macdonald having stated, in pretty general terms, to which I will refer a little later, as to the latitude that might be taken by a member in reflecting upon the character of a judge, and the remarks seeming to give some colour to the view that after the proceedings were terminated they could be referred to here, Mr. Blake made the following remarks:—

There is no function of higher importance or greater consequence to the public weal than the function that we hold of inquiring into or censuring or dealing with the conduct of the judiciary. Upon the character of the judges rests no doubt to a large extent, that confidence in the masses of the population in their decisions which is essential to the good administration of justice, and that their conduct should come in question in a political assemblage of this kind, and particularly in connection with the discharge of a judicial duty closely concerned with an election, is a circumstance which shows how delicate our relations are to a judge in this particular regard. I am not one of those who at all object to this great, this highest court of all; this great inquest inquiring by proper means into the conduct of the judges. As I have said, I believe that to be our highest, our most important and also our most delicate function. We have had occasion before now in which the conduct of judges of a higher rank, holding their offices by a tenure in one sense more secure than of a county court judge—we had occasion to consider what the procedure should be, what manner of crime or offence it should be that would be properly imputed to a judge in order that his conduct might be here

called in question. I have no quarrel with the statement of the hon. the First Minister in part, when he declared that a judge's conduct ought not to be attacked, at any rate with a view to an inquiry such as this, unless the charge against him be one of serious impropriety—a charge I think the hon. member said, which, if true, would warrant his dismissal from office. That is a just proposition to which I assent.

Further on the hon. gentleman said:

It was not a charge of impartiality, or malfeasance in office—not that the judge erred, for all may err in judgment, but that he degraded his office, betrayed his trust, wilfully and knowingly did a wrong thing, perverted justice and judgment—that is the nature of a charge which could alone make it proper to have been brought here.

Of that there is no allegation in the notice of the motion; of that there was still less statement of fact, and it was not until in the course of his harangue, which was largely devoted to the vindication of the returning officer rather than to the attack upon the judge, that the hon. member stated that there had been some caucus—I think he called it—in the office of the judge, of political parties to decide—or the residence of the judge, to decide what course should be taken. He then proceeded to state that it had been declared upon the street beforehand, the judge had declared precisely the course he was about to take in the court. Now, sir, I maintain that these statements, which are the gravamen of the charge against the judge, which the hon. gentleman has brought forward, ought in common justice, in common decency, to have been stated beforehand, so that the officer might have had an opportunity of making his statement to the tribunal before which the charges were brought. What opportunity has he had? What opportunity is he now to have to make his statement and to clear his character? The hon. gentleman does not state his charge against him; he does not make it public until he springs it in this House in the evening, and in an hour afterwards the motion is to be disposed of, and it is to be disposed of out of this High Court without the judge having an opportunity to say a word.

There is considerable analogy between that position and the position here to-day, when we reflect that this judgment is to be pronounced to be wrong and that the principles of law upon which it is based are to be pronounced to be wrong, without argument, without any one being heard, and without the tribunal itself having the slightest notice that these proceedings were to be taken against this judgment. And Sir John A. Macdonald, following Mr. Blake, made it perfectly clear that what he had said when he spoke previously to Mr. Blake was not to be understood at all as justifying any treatment of the judiciary in any other way. I shall not detain the House by reading at length his remarks, further than to say that the result of them was completely in accord with the sentiments expressed by Mr. Blake, which I have read. I think, Sir, an examination of all the authorities will show that these are the true rules as

regards inquiry by this House into the conduct of the judiciary, and that, apart from the conduct of the judiciary, as to the soundness of their judgment we have no reason or right to inquire here. The only cases which the hon. member for Bothwell (Mr. Mills) could suggest upon which an argument was ever made in the British Parliament, were cases in which it was contended that there was a conflict between the courts of law and Parliament itself as to the exercise of the jurisdiction of Parliament. This resolution relates to no conflict of that kind. It is a resolution undertaking to review a judgment which was pronounced with regard to language uttered in contempt by Mr. Ellis as to the Supreme Court of New Brunswick. The mere fact that at the beginning Mr. Ellis's offence related to an election case, would not give this Parliament any jurisdiction over the proceedings for contempt, or any jurisdiction for interfering with them. It is, therefore, Mr. Speaker, that I have felt bound to express, as one member of this Parliament, my insistence that this resolution is not a proceeding according to the usage of Parliament in any country; but that it is a proceeding that would be a most unsound and undignified departure from our constitutional rules, and our jurisdiction if we undertook to enter upon it. I can understand just as well as I can understand this: that any suitor disappointed in the courts, if he happened to be a member of this House, could come here and upon his bold assertions and his abuse of the judges, could move a resolution here asking the House to reverse the judgment from which he feels he suffered. I can understand just as well as I can understand this: that a party outside of this House, who has not a seat here, could acquire the services of a political or professional friend, who having failed in the courts below could come here, and if he could not reverse the judgment, could at least obtain an insult to the judges from the debate that would take place in this Parliament—if indeed he should not be so fortunate as to succeed in obtaining a resolution censuring the judges who dared to pronounce judgment against him. If parties were reversed, and if hon. gentlemen who moved and support this resolution sat upon this side of the House; then if they are consistent and sincere, as we must suppose them to be: the day of their coming into power would usher in the new system under which a member sitting among the majority has only to stand up and make the assertion that he believes the judgment of a court to be wrong, and undertake to prove it by citations of cases, some of doubtful authority, some of difficult interpretation, some conflicting with others; he has only to do that in order to obtain a decision by this House that the judgment against his client below, or the judgment against himself, was not one that should have been rendered. That would be the legitimate result if this

Sir JOHN THOMPSON.

practice is to become the practice of Parliament. And, if hon. gentlemen who favour it should ever sit in the majority in this Chamber; when that day comes, not only will the judiciary have been degraded by the adoption of that practice, but this House itself would have been degraded, and will have lost all true appreciation of the bounds that ought to be set to its jurisdiction.

Mr. CASEY. Mr. Speaker, I am not aware that the discussion of this case should be limited entirely to lawyers. Indeed, I think it were better that it should not. A Bill was proposed once in this House by a prominent member (Mr. McCarthy) to establish a Railway Commission, and in order to safeguard the public he provided: that one member of this commission should be a lawyer, the other a railway man, and the third a man of common sense. The lawyers have spoken so far on this question; I have heard nothing from a railway man yet, but I intend to make the best effort I can to speak from the standpoint of an ordinary man of common sense. I do not profess to have uncommon sense. I have not a mind of the character possessed by the hon. leader of this House. I have not a mind which by some alchemy peculiar to itself can transmute the issues before the House, even the very facts laid before it, into some thing which appears to be very different from these issues and facts as at first laid before us. I cannot, for instance, take into my intellect the resolution as presented to this House by the member for Queen's, P.E.I. (Mr. Davies), and say, as the right hon. the Premier has said: that this motion is to reverse the decision of the Supreme Court of New Brunswick. Now, Sir, it does not ask us to do anything of the kind. It asks us to express an opinion about the punishment inflicted on Mr. Ellis by the Supreme Court of New Brunswick. It asks us to express an opinion as to the propriety of exercising jurisdiction for constructive contempt in the way it was exercised by that court; but it does not ask us to reverse the decision of that court. The right hon. the Premier says that we are asked to declare the law in opposition to the Supreme Court of New Brunswick. Here is another statement which his alchemic mind has taken hold of and transmuted into something very different. The resolution before us does not ask us to express any legal opinion as to the decision of that court in New Brunswick; but the right hon. gentleman's mind, which is capable of transmuting one statement into another, and one fact into another, takes hold of that resolution and tells us that by it we are asked to declare the law. We are asked to declare nothing of the kind. He says we are asked to decide the points mentioned about the recount and so on. We find nothing of this in the resolution. It was the hon. gentleman's uncommon sense and his uncommon imagination which found this alleged assertion in the motion before the House. Now, Sir, I cannot do all that.

I cannot get any meaning out this resolution except that which an ordinary man of ordinary common sense would get out of it, and that is a very different thing from the meaning which the hon. Premier has attempted to read into it, with the evident purpose of discrediting the motion and its mover before the House. I cannot imitate him in that respect. I cannot even imitate his remarkably judicial manner, his impassivity of countenance, which vainly strives at times to conceal the irritation which evidently possesses him inwardly. It was quite easy to see, during his remarks, that a very slight interruption brought the irritation to the surface, and disturbed the beautiful flowing lines of the impartial countenance which were seen a short time before. I could not pretend to that degree of control over my features. Nor could I assume the pathetic tone he did in describing poor Dunn at the Bar of the House, when he had to request the permission of the House to sit down in a chair because he was very tired. I could not imitate that; but I will try to imitate the coolness and calmness which the hon. gentleman generally adopts in his addresses to the House, but which he has departed from on this occasion. He has accused us of using very bitter and improper language against Mr. Dunn, against the hon. member for Queen's, N.B. (Mr. Baird), against the judges, against lots of people. But, Sir, when he says that Mr. Ellis was guilty of a vile attack, and when the hon. member for St. John (Mr. Hazen) imitated him by anticipation in saying that a foul injustice had been done by the hon. member for Queen's, P.E.I. (Mr. Davies). I do not think there is much to be said on that line. I do not intend to call names as I go along, but I shall inquire, and help the House to inquire, calmly into the question before it. Referring to one part of the hon. Premier's speech, where he said that a great many who were members of the House in 1887 are not now members, I am justified, I think, in going, in some detail, into the matter of Mr. Dunn's examination, for the information of those who, like the hon. member for St. John (Mr. Hazen), were not members of the House on that occasion. It is unfortunate that the defence of Mr. Dunn should have fallen into the hands of an hon. gentleman who was not in the House at the time Mr. Dunn was called before us and examined. It is unfortunate, also, that he adopted the tone he did; I may come to that more particularly later on. I now mention it merely to express my regret that so young and able and pleasant a man should have adopted the tone he did. It can be excused in him on the ground of his youth; more can be excused to the hon. member for Queen's, N.B. (Mr. Baird), but to these excuses the hon. Premier can lay no claim. Now, Sir, the question raised by the hon. member for Queen's, P.E.I.,

(Mr. Davies), is not a question of law, as the hon. Premier said, but a question of fact, and a question of public policy. It may be divided into three heads. It calls for a censure upon an official of this House for the manner in which he discharged or failed to discharge his duties; it calls for an expression of opinion that the jurisdiction in regard to constructive contempt, as claimed by the court in New Brunswick, is hostile to the public interest, and should not be exercised when there is another remedy for the judge who feels himself insulted; and, in the third place, it asks us to say that we think the punishment inflicted on Mr. Ellis was arbitrary, vindictive, and too severe. Now, let me take Mr. Dunn's case first. As to our jurisdiction in this case, nobody has attempted to raise any doubt, least of all, the Premier, who, in 1887, when we had Dunn before the Bar, defended our jurisdiction. It will be remembered by those who were then members of the House that Dunn was called before the Bar on the motion of the hon. member for Jacques Cartier (Mr. Girouard). He appeared there asking to be heard by counsel; and when the first question was put to him, his counsel raised the objection that the House had no jurisdiction over him. That question was then argued, the Premier, then Minister of Justice, giving his opinion, which was, of course, coincided in by this side of the House, that we had jurisdiction, and that his examination must proceed. Now, the hon. Premier, as I say, makes pathetic allusion to the case of Dunn, saying that he had not notice of the present proceedings in the House, that he is not now even called upon to make his defence, and so on, speaking of him in the most lachrymose tone imaginable, almost as if he were to be lamented equally with those fifteen or sixteen members who had departed this House and this life since that memorable occasion. When Dunn was before the Bar to make his defence, as the hon. Premier wittily calls it, what did he do? What impression did he make upon the House? Sir, the impression he made upon the House was that he was a very impudent fellow, refusing to answer any question until he took the advice of his counsel whether it was a proper question or not, and answering it then as scantily as possible, evidently relying upon the powerful support of the hon. gentleman who was then Minister of Justice, who is now Premier, and those who sat at his back, to bear him out, as far as possible, in evading the Order of the House by the nature of the evidence he gave. He admitted in this so-called defence, in the first place, that he had applied for the position of returning officer, being at the time a public school teacher, with no experience in political matters; that he had applied to the hon. gentleman who is now the member for Queen's, N.B. (Mr. Baird), who was then a candidate; that he had rea-

son to believe that this gentleman had applied on his behalf to have him appointed to that position. I have the examination here if anybody cares to hear it read, but I do not want to take up too much time. The hon. member for Queen's, N.B. (Mr. Baird), supplemented this explanation in part by his own statement made in the House at the time. He told us that it was usual in that county to appoint the sheriff as returning officer; that he had reason to believe that the sheriff—I think his name was Henry—was hostile to him; that there had, moreover, been a mistake in the revision of the lists for the county; that some parishes had been revised by an assistant of the revising barrister who was not duly qualified for that position by having been a barrister for five years; and that the lists for these parishes were therefore not legally revised. Mr. Baird, in his speech, said he knew that these lists were not legally revised, and that he was informed that the sheriff intended, if he were the revising officer, not to count the votes given in those parishes because the lists had not been legally revised. That is rather a strange proposition on the face of it, because if the statement as to their legality were true, there were other older lists which had been legally revised and could have been used. So that I do not see how it could have been possible for the sheriff to cut the hon. gentleman out of the vote of those parishes. These were the parishes in which the Conservative party had an advantage, and the hon. member for Queen's (Mr. Baird) said he was told that if the sheriff were the returning officer he would not count the votes of these Conservative parishes, and that therefore he (Mr. Baird) had no hope of getting elected. He said that he was urged to pass by the sheriff and have somebody else appointed. The then Minister of Marine (Mr. Foster) advised him not to do that, but he made up his mind to see the sheriff and be guided by the result of the interview. He drove fifty miles to see the sheriff, but could not find him at home, and he then wrote a peremptory demand to Ottawa to have the sheriff passed over and Mr. Dunn—a man without experience either in politics or the management of an election—appointed in his place. This Mr. Dunn was the secretary of the Conservative association and evidently a close personal friend of the hon. gentleman himself. At all events, the hon. gentleman made the application and was successful. Then we come to a very peculiar proceeding. Mr. King had made his deposit, Mr. Dunn had accepted it, the polling had taken place, and the adding up of the votes, and then came the point at which Mr. Dunn had a distinct duty to perform, laid upon him by the statute, and which he did not perform, namely: the duty of returning as elected the candidate who had the greatest number of votes. Now, the right hon. the First Minister has said that nobody has had the courage to

Mr. CASEY.

attempt to show that the present member for Queen's (Mr. Baird), the then candidate, had any connection with the transaction, by which he got his seat, or that there was anything to show that Mr. Dunn had acted dishonestly. It seems to me that the fact that the sheriff was passed over because he was a Liberal, that the old friend of the Conservative candidate was appointed at his request, that the new appointee was a man without experience and likely to go wrong, if he did not make mistakes intentionally, the fact that this nominee of the Conservative candidate carried out the will of that candidate, and not the will of the people of Queen's County, by returning the man who had the minority of votes, directly in the teeth of the election law,—these facts are sufficient to show that there was something like collusion, or an arrangement, between these two gentlemen or some others on their behalf, that Mr. Dunn should be appointed in order to effect a certain purpose. Mr. Curry, the agent for the hon. member for Queen's (Mr. Baird), approached Mr. Dunn, or met him, at all events, the day before the declaration, and told him that he was going to raise the point about the irregularity of Mr. King's deposit, and that is all Mr. Dunn has told us as to what passed between them. That is part of Mr. Dunn's evidence, as given here at the Bar. Having had notice beforehand that this point was to be raised, he held the declaration meeting the next day, he heard argument on both sides, and decided of course in favour of the man who had nominated him, at his own request, to the post of returning officer. I think that in these facts there is a presumption of unfair and dishonest dealing on the part of Dunn. We go further. We find that Mr. Dunn was served with an order from the county judge to hold a recount of the votes; that he was proceeding to do so when he got a writ under the rule nisi from Judge Tuck, telling him not to recount until the case had been argued before the court. In the face of those two orders—the order for a recount on the one hand, and the order staying proceedings for a recount on the other—without waiting for any decision by the court as to whether a recount should be held or not, without waiting to find out in the proper legal manner who had the final majority of votes, Mr. Dunn made haste to return the minority and defeated candidate, and sent up his return to the Clerk of the Crown in Chancery, without the ballots and other documents he should have sent along with it. He obeyed the injunction of the Supreme Court, in so far as it enabled him to avoid a recount, but he disregarded it when it was convenient to him to make a return of the defeated candidate. In a case of that kind, where the injustice was so glaring, where the breach of the election law was so apparent, it does seem to me that it is asking too much of this House to assume that this man Dunn acted innocently. He had every inducement to act

dishonestly. His conduct bears every appearance of dishonesty on its face. The only defence he made in his own behalf, when he stood here at the Bar, was that he acted on the advice of counsel. We all know, without any disparagement to the legal profession, that one can always get counsel to advise him to act in the way he wishes, unless that be distinctly criminal and might involve the adviser in serious difficulties. Mr. Dunn succeeded in getting counsel, who is now a member of this House (Mr. McLeod), to advise him to send on that return and give the seat to the defeated candidate, and let the other man go to the courts for his remedy, if he chose. That is all the defence that Mr. Dunn made at the Bar of this House. The right hon. the First Minister says that was a defence. I leave it to the House if it was any defence. If Mr. Dunn has no more to say for himself now than he had then, there would be no use whatever in bringing him again to the Bar of this House, and going through the whole tiresome proceeding of wrangling with himself and counsel, and his friends on the other side as to what questions should be put to him and what value should be attached to his answers. We have got through with Mr. Dunn's evidence, and we come to the point to which the First Minister alluded with fine theatrical effect. It would have taken very well on the stage. He asked what was done to this man after being examined by this House. What motion was proposed with regard to him? A motion of censure? No; the hon. gentleman said, and he turned to his party friends at his back as he said it: the motion was "That the witness be dismissed," and the hon. gentlemen behind cheered at the top of their voices as if they thought that had great significance. What are you going to do, Mr. Speaker, with a witness when through with him except to dismiss him? If that motion had not been made, Mr. Dunn would have had to remain here ever since, day and night, during all those years. There must be a dismissal of the witness, and that dismissal is held by the Premier to mean that no fault was to be found with Mr. Dunn or the answers given. Such a contention is childish. It was childish enough on the part of the hon. member for St. John (Mr. Hazen) to use the same argument, but it was absurdly finical and childish on the part of the First Minister. No action was taken that day with regard to Mr. Dunn. What action was taken later? After a day or two taken to consider Mr. Dunn's answer and the whole case, Mr. Weldon, then member for St. John, moved:

That the second report of the select committee on privileges and elections be not concurred in, but that it be resolved: That, in view of the provisions of the Dominion Elections Act and also in view of the facts elicited on the examination of Mr. John R. Dunn, returning officer of the electoral district of Queen's, N. B., it was the duty of the said John

R. Dunn, at the said election to have declared and returned Geo. G. King as the member elected for the said electoral district.

This motion, the House did not see fit to adopt. The hon. gentleman who is now Premier, after discussing it at considerable length, moved an amendment to the motion of Mr. Weldon:

That the House adopts the report of the Select Standing Committee on Privileges and Elections on the case of the election for Queen's County, N. B.

And the feature of the report of that committee which it is important to note, is this:

That the question raised as to the holding of the said returning officer, as respects the candidature of the said George G. King is one cognizable by the Supreme Court in the province of New Brunswick under the provision of the Contested Elections Act, and that no objection has been made to the qualification or eligibility of the said George F. Baird to sit in the House of Commons if he be duly elected for the said electoral district. Resolved, that in the opinion of the committee the House ought not to declare that the said George F. Baird is not intitled to sit in the said House, but should leave the case to be disposed of under the provisions of the Controverted Elections Act, it being the intention, spirit and policy of Parliament that all questions as to the validity of the election of members of the House of Commons should be decided by the ordinary legal tribunals of the country instead of by the House of Commons.

Now, Sir, in the face of the argument used to-night by the hon. Premier that no action had been proposed from our side of the House in regard to Mr. Dunn, and that if there were a case against Dunn it might have been tried in the courts, and in the face of this motion moved by the hon. gentleman himself in 1887 to adopt the report I have read, will it be believed that the hon. gentleman, the present Premier, knew that the day was passed on which Mr. King could apply for the remedy referred to, that the time for petitioning the court was over, and that, by the action of this House in refusing to declare Mr. King elected—a refusal decided upon by the motion of the present Premier himself—Mr. King was deprived of the only remedy he had in the case? And now, the hon. gentleman sneers and says that we took no action in the case of Dunn, and that Mr. King had a remedy in the courts. I think his action at that time can hardly be counted as one of those which do the highest credit to the hon. gentleman since his entry into this House. The hon. junior member for St. John (Mr. Hazen) said the other night that the hon. member for Queen's, P.E.I. (Mr. Davies) had made no motion of censure upon Dunn in connection with this case, after the examination was concluded. Whereupon the hon. member for Queen's, P.E.I. (Mr. Davies) interrupted to say that he had moved a motion. The hon. member for St. John said—I read from the unrevised report:

He was allowed to leave the House uncondemned, and hon. gentlemen opposite never had the courage to move a resolution concerning [I suppose he said censuring] Mr. Dunn for what he did in that election.

Mr. DAVIES (P.E.I.) I moved a resolution myself.

Mr. HAZEN. I am stating what I believe is a fact and what hon. gentlemen who were present then tell me is a fact.

After recess the hon. junior member for St. John, having looked up the matter in the meantime, stated that he had found the resolution made by my hon. friend from Queen's, P.E.I., and he read that resolution to the House. I shall only quote it in part. After reciting the facts, the resolution says :

That the returning officer nevertheless returned the defeated candidate the said George F. Baird as elected, and that it was his duty instead to have returned the said George G. King, who received the said majority of votes, as the member elected ; and the said returning officer (by name John R. Dunn) be forthwith summoned to attend at the Bar of this House.

Mr. WALLACE. For what purpose ?

Mr. CASEY. The motion was also to summon him to the Bar to amend his return accordingly. If it is not a censure to say that an officer of this House has violated his duty, has violated his oath, I do not know what a censure is. Yet with these words before him, the hon. member for St. John overlooks the censure, and sees in this simply a resolution that the returning officer be summoned to the Bar to amend his return. So much as to the examination of Dunn on that occasion, and all the good that it did. It impressed this House with a great respect for Dunn's check, but very small respect for his uprightness as a returning officer. And I doubt if his being called half a dozen times more would make it any better. Let us go back to the point at which I branched off to refer to Dunn's appearance before the House. What reason did he give for declaring the defeated candidate elected ? It was his duty as returning officer to know before he accepted the deposit, before he declared Mr. King a candidate, whether Mr. King was properly nominated or not. He declared that Mr. King was properly nominated, he accepted his deposit, he reminded him of the necessity of appointing a financial agent. But then he turns around on declaration day and says : I did not know what the law was then ; I know better now. I have been looking over some law books ; I have been taking lessons from Mr. Currey, the Attorney for the Conservative candidate, and now I know that the law says that Mr. King, under the circumstances, was not a candidate at all, and therefore Mr. Baird was elected by acclamation. Now, Sir, I think that pretended change of opinion on his part—I can hardly bring myself to admit

that it was a real change of opinion, for Dunn must have had advice all along as good as he had at the close—that pretended change of opinion, taken in connection with his action after the declaration, and taken in connection also with the manner of his appointment, raises the very strongest presumption against the honesty of his course. Add the fact that he was acting in direct opposition to the law, and the case against him is as clear as you can expect a case to be before pronouncing the censure of this House upon any of its officials. If we are told that although he was examined, he had no opportunity to explain, I must remind the House that before the motion to dismiss him was made or agreed to, he was given an opportunity to say anything he wanted to say in defence or explanation of his acts, and he said nothing whatever. Now, in regard to this Dunn case, of course, the jurisdiction is clear, the law is clear, it is only a question on our part as to whether we think that Mr. Dunn was honestly in error, or that he did wrong knowingly. The hon. Premier admits now that he did wrong. It is a pity he had not been willing to admit that in 1887, when he did his best to sustain the action of Mr. Dunn, and carry out the results of his mistake, if mistake it were. But he admits now that he was in the wrong, and it is for us to decide whether he was knowingly or ignorantly in the wrong. I submit, from the evidence before us, that he was knowingly in the wrong, that it was part of a concerted arrangement to obtain the seat in the last resort for the man who had the minority of the votes. I won't say it was all planned before the election, because it was then possible that Mr. Baird might get a majority of the votes ; but when it was found that he had not a majority, some excuse had to be discovered to prevent Mr. King from taking the seat, and this was found by the assistance of Mr. Baird's attorney, Mr. Currey. Now, we come to discuss the question of the action of the judges, and the wide question of constructive contempt, and how it ought to be treated by the courts, and how the action of the judges in connection with it should be treated by this House. This is a question that would probably occupy a great deal of time if it was gone into thoroughly. I will simply refer to some of the points that have been made by the Premier. I suppose the first one to be taken up is the question whether we should discuss this subject at all. He said that our business was legislation, was politics in the widest sense of the word ; that of the judges was law ; that we had no business to interfere with the judges in their law, and they had no business to interfere with us in our legislation. Now, Sir, if politics in the widest sense, as expressed by the Premier, does not include the question of public policy, the question raised in the second paragraph of the resolving

Mr. CASEY

part of this resolution, as to the opinion of the House in regard to this power—if, I say, politics in the widest sense does not involve the question of public policy, whether it is politic or just to allow this power of committal for constructive contempt to remain in vigour; then I do not know what politics mean, then I do not know what the rights of citizens mean, then I do not know what the rights of the press mean. And we cannot shirk the consideration of the rights of the press as if it were a matter of slight importance. The press has, by common consent, acquired for itself in reality that position which was given to it at one time, in a sort of figurative sense, as the fourth estate of the realm. If the Queen, Lords and Commons discuss and legislate, the press no less discusses, and is almost as effective in securing legislation as either of the other three branches. Now, if we are not at liberty to discuss this, I do not see what we are at liberty to discuss. The Premier, waxing irritable and excitable under all his coolness of demeanour, said that if we adopted this resolution or any other in regard to the same question, we should make ourselves the laughing stock of the country, we should reduce ourselves to the level of a debating school. Well, I did think, during a good part of the hon. gentleman's speech, that he was coming down very near to the level of a debating school; and that if this House deliberately renounced the power to express its opinion on questions of this kind, on the action of the judges, on the policy that should be followed in a case like this of constructive contempt, we should deserve to be ranked as a debating school. If we are merely able to talk about things that are of no importance, and are debarred from talking of matters of such importance as this, debating school would be the right name for us. But to imagine that we would be lowering our own dignity by discussing a matter of this consideration, is absurd. Before coming to what he said on this point, I wish to call attention to what I think is the right view to take of the matter, and I will refer to his remarks as I go along. I think that in cases of flagrant contempt in the face of the court, or undue criticism 'pendente lite,' intended to prejudice the jury, the power should be summary and almost unlimited. That is necessary in order to carry out an investigation with a view to justice. But when it comes to hostile criticism after a case has been tried in court, I say it is servile, and slavish, and beneath the dignity of the youngest member of this House, not to mention the man who is leader of the House and Minister of Justice, to say that we have not a right, that the press have not a right, or that individuals have not a right, to criticise the way in which judges have acted. Are we going to put our judges on a pedestal, and the moment they are made judges, to say they

can do no wrong, to say that we will not criticise them? Why, Sir, what are judges made of? They are made of lawyers. And what are lawyers made of? Well, most of them are human beings, I believe. There may be occasionally one or two fit to lead the House, or to preside over a court in New Brunswick, who are angels; but the great majority of the judges are ordinary human beings, and so far from being injured by free public criticism, they are all the better for it in every way. They are not only the better for it in regard to their conduct, but the respect in which they are held by the public will be greater when it is known that they are not administering justice within a cast-iron safe free of attack, on account of the nature of their actions, or even in a wire cage similar to that in which an American naturalist has been camping out amongst the gorillas in Africa to learn their language. Our judges are not demi-gods, they are, and must be subject to public criticism of their acts. Speaking as a common-sense man, it seems to me it is only when criticism passed upon them by outside parties can injure or affect the ends of justice, that they should have summary power to commit for contempt of court. Now, in regard to that, my humble and feeble lay opinion is endorsed by that great authority, Sir George Jessel, who admits, as the hon. Premier insisted on, and as we do not deny—because this resolution does not deny it,—that the courts have power of committal for constructive contempt. Sir George Jessel said:

It seems to me that the jurisdiction of committing for contempt being practically arbitrary and unlimited should be most jealously and carefully watched, and exercised, if I may say so, with the greatest reluctance and the greatest anxiety on the part of the judges to see whether there is no other mode which is not open to the objection of arbitrariness and which can be brought to bear upon the subject.

What are the terms of the resolution now before the House? They are:

That in the further opinion of this House, the jurisdiction claimed by the judges of Superior Courts of Record of punishing by fine and commitment to prison for constructive contempt being practically arbitrary and unlimited and exercised by judges, who are at the same time judges of the law, of the fact, of the intention and of the sentence, and whose decisions are given without the aid of a jury and without being subject to review, is opposed to the genius and spirit of constitutional liberty and ought never to be exercised where any other pertinent remedy can be found or recourse had to any other method of obtaining justice.

These are almost the words of the opinion of Sir George Jessel, who has been recognized by the Premier himself as one of the highest authorities on the subject. The hon. gentleman, however, said that this appeared as a foot note. I submit that the motion before the House is in strict accord with

the highest English authorities, and, in my opinion, the Premier has not improved his reputation as a constitutional lawyer by trying to make hon. members believe that the resolution differs, in any way, from these views, expressed by these authorities. The First Minister said that the House was asked to say that the Supreme Court was wrong on a point of law. Such is not the case. The resolution merely asked the House to express the opinion that the power of the court should not have been exercised except in the way in which the highest British authorities have set out. I suppose that nearly all hon. members, lay as well as legal, are aware that the judges have other remedies than that of commitment for contempt. A judge may apply to a court for permission to enter a criminal information, and then the case is brought up without going before the Grand Jury. But the trial must be held before another judge and before a jury, and a man is called upon to answer with his liberty or property, for utterances in criticisms of a judge, before a jury of his peers, as prescribed by the constitution. The Minister of Justice would have the country believe that such a course would have done Mr. Ellis no good in the present case. He said that the jury would not be the judge of the criminal intent in the case, because when a man is accused of such a charge as violating his oath, the mere proof of the act is taken to be proof of the criminality of the intent. That latter statement is quite true, but the attempt to apply it to the Ellis case is absurd. Mr. Ellis, in making these criticisms on the judge, whether he was right or wrong in making them, was not breaking an oath and was not doing an act in itself criminal, but was expressing an opinion on the conduct of a judge; and before he could be punished in any trial before a judge and jury, the jury would have to be satisfied as to the criminality of the intent, as well as the fact of publication, and also whether the strictures were justified by the facts of the case or not. So that by the course taken by the court, Mr. Ellis was deprived of the protection of an impartial judge and jury in his case. In that respect, this House has a right to censure the court in pursuance of the authority of Sir George Jessel, who said that the summary process should only be adopted as a last resort. If the judge did not wish to adopt the course of a criminal information, he might institute a civil suit for damages. All he should want was to get into court and have the facts established and made clear that he was acting honourably and justly as a member of the Bench, and had not stained the ermine or done violence to his seat. But it seems in this case the court wanted something more. They thirsted, metaphorically speaking, for Mr. Ellis's blood. They could have adopted one or other of the two processes

Mr. CASEY.

I have indicated, if they had not wanted revenge on Mr. Ellis. The First Minister has said that we are trying to get revenge for Mr. Ellis. It seems to me that the severe punishment meted out to Mr. Ellis by the judges looked like revenge too on him. And why? After six years have elapsed, after the matter had been forgotten, after the hon. member for Queen's had begun to sit comfortably and not feel that he was pointed to by the finger of demonstration, not to call it by any other name, as a member who had got his seat in such and such a way, the judges sentenced Mr. Ellis in cold blood to a vindictive punishment. Why was it made a vindictive punishment? That had been explained by the hon. member for Queen's, P.E.I. (Mr. Davies). A short time before the date on which the sentence was given, although it was after the time the court had decided that the articles amounted to a contempt of court, Mr. Ellis published a most violent attack on Judge Palmer, one of the judges of the court. He accused that judge, if I am not mistaken, of having received a heavy bribe for dispensing justice, or dispensing with justice, as Mrs. Malaprop would say. While that attack was fresh in Judge Palmer's mind, and the minds of other judges, this case came up for decision. The Premier said in a very childish way, for I cannot call it anything else, that Mr. Ellis attacked Judge Palmer in the hope of getting a lighter sentence. I suppose Mr. Ellis knew Judge Palmer quite as well as did some of the older members of this House who were acquainted with him when he sat in this Chamber, and if he thought such action, that is to make a charge against the judge of corruption and receiving \$5,000 as a bribe to violate his oath of office, was likely to lead to a lighter sentence, Mr. Ellis was very much mistaken in his man. What did Judge Palmer do? Did he turn round and commit Mr. Ellis for contempt of court, or contempt of the judge, at all events? Did he sue him at law, or did he try to institute criminal proceedings against him? Not at all; there was no action of that kind on the part of Judge Palmer to vindicate himself; but when after all the long-drawn out proceedings had been gone through, and when the Supreme Court decided the court below had a right to pronounce sentence, there is where Judge Palmer got in his work. He and his colleagues punished Mr. Ellis, not so much for the old contempt of court as for the attack which he had recently made on Judge Palmer and which Judge Palmer had not dared to resent in any other manner. You can imagine, Mr. Speaker, under all the circumstances, whether Mr. Ellis was likely to get just treatment from that court. You can imagine whether it was right to leave in the hands of judges who are mortal men, some of them supremely mortal, and some of them superlatively human, the power of passing judgment on others when their

minds are in a state of irritation, as the minds of those judges must have been on that occasion. This motion asks us to declare by inference that it is unwise to leave that power in their hands. I do not see why a judge, after a case is over, when there is no danger of prejudicing the jury or the litigants, should stand in a different position from any other officer. If the Speaker of this House, if the highest civil servant in the land is slandered, he has only one course to obtain substantial rehabilitation of his character, and that is to go to a court of law and prove that the statements made about him are lies. That is all the power a judge should have to vindicate his character, unless where there is danger of intimidating a jury. The right hon. the Premier says that in this case the court might have been intimidated by the articles which Mr. Ellis wrote in public. It is not very likely indeed that the Supreme Court of New Brunswick, which has been described to us in such glowing terms, would have been intimidated by two or three newspaper articles. It is far more likely that the result would have been what did happen, namely: that they would insist on going on to the bitter end, not only with their proceedings in the case itself, but with their proceedings against Mr. Ellis for his criticism of them. The hon. the Premier was very anxious to prove that we were wrong in discussing the conduct of Judge Tuck in regard to the recount. He will, however, observe that we have made no attempt to do that, and that there is no reference in the motion to the action of Judge Tuck or the Supreme Court as a whole in regard to the recount. But the right hon. Premier after pointing out that Judge Tuck is not in the question at all; devoted a large portion of the time of the House, and read three or four pages of quotations to show that Judge Tuck was right in that matter. The hon. member for St. John (Mr. Hazen) did the same thing. They may convince both sides of the House that Tuck was right and that Ellis was wrong; that Mr. Ellis libelled these judges with malice aforethought and with criminal intent, but even though they succeed in that, we are no nearer a conclusion on the subject of the resolution itself. This resolution does not ask us to say that Mr. Ellis was justified in his criticism of the judges, or that Tuck was wrong in regard to the recount. It simply asks us to say that the manner in which this prerogative of commitment for constructive contempt was exercised is contrary to public policy and public interest, and should not have been exercised under the circumstances. I now come to the consideration of the nature of the punishment inflicted upon Mr. Ellis. I am very sorry indeed that the First Minister has done his better self a great wrong in saying that that punishment was too light. He has shown himself in a position in which it were much better for all parties that the Premier of a great country should not show himself. He

has shown himself to be vindictive in his whole treatment of the case, and more especially in his statement that the punishment was too light. The right hon. gentleman says that the House must not accept the statement that there is no parallel for this punishment, just because the member for Queen's, P.E.I. (Mr. Davies), has not been able to find a parallel for it. I say that it does not depend upon the member for Queen's (Mr. Davies) to find a precedent, but that it lies with the Premier and Minister of Justice to show a precedent for such punishment. He has been challenged, and I challenge him again to point to a case where any such punishment was inflicted either in England, or in the British colonies for an offence of this kind. The hon. the First Minister said about the motion: that no such motion as this could be found in Britain or in any of her colonies, or in the United States or anywhere else where the English language is spoken. I hope not, Mr. Speaker, and for the reason that no such occasion for a motion of this kind has ever arisen. There is no case on record in the British dominions where any judge has imposed fine, imprisonment, and costs for one and the same offence. The Premier says that no doubt they have authority to do so. We do not dispute that, but we say that they are wrong in exercising it in that vindictive and arbitrary manner. I say that it was vindictive, because in the first place it was a punishment in part for the original offence, and in the second place it was a punishment on Mr. Ellis for the charges he made against Judge Palmer, and which the judge could not avenge in any other way. I leave it to the apologists for the court and for Mr. Dunn to bring forward a parallel case. Till then we have the best argument of the case, and are able to say that this punishment is totally unprecedented. Now, he says further: Why did not Mr. Ellis follow up this attack on Judge Palmer in law, and prove that he was unfit to take a seat on the Bench? That is a pertinent question, of course. Still, it is a very serious thing for a private individual to try to unseat a judge. The more pertinent question is why has not Judge Palmer proceeded against Mr. Ellis for that attack, and given him an opportunity to prove in open court the truth of his allegations in respect to that judge? Talk about respect for the Bench. Does any one suppose that respect for the Bench is going to be increased in this way, by judges punishing summarily all the attacks upon them which they believe to be unjustifiable, without giving their assailants an opportunity to go into court and prove the charges they make? Is that the way the judges shall obtain respect? No, Sir, that is the way they shall obtain the contempt of the whole country. How can contempt of justice be avoided? Only by the judges themselves meriting the respect and confidence of the community by their actions. I submit that, in criticising their committal of Mr. Ellis, and the severity of the punish-

ment they imposed upon him, in the strongest terms, we are not committing any contempt of justice, although we may feel some contempt for men who would use their position in such a manner. Now, it is also said—and the hon. Premier has again and again harped upon it—that it is too late to consider Dunn's case now; it is so long since it happened. Well, Sir, if the judges, in their overwhelming zeal for their own position, and in order to punish the contempt which Mr. Ellis seemed to feel for them, had not acted so vindictively and bitterly against him, it is highly probable that Mr. Dunn might have been allowed to rest. In saying this I do not mean that we are trying to get any revenge for Mr. Ellis in discussing this matter; but I do mean that it was a matter which, on the part of the judges, had better be let lie, in the interest of Mr. Dunn and in the interest of the hon. member for Queen's County, N.B. (Mr. Baird). But they have ripped it up: they have acted vindictively; they have punished a highly respected citizen of St. John in a way that they evidently meant to be degrading and injurious to him, and they have thus opened up the whole matter and brought on Dunn and his friend who sits in this House this renewed attack and this renewed ventilation of the whole business. I am sorry that the Government should have taken up the matter as a Government question. They were not bound to do so in any way. The attack upon Mr. Dunn did not compromise them in any way whatever, unless they chose to become Mr. Dunn's champions. The expression of opinion in regard to the action of the court did not compromise them unless they chose to be the champions of the judges in their vindictive treatment of Mr. Ellis. They have made themselves the champions of Dunn, whom everybody regards as having been entirely dishonest in this matter; they have chosen to become the champions of the judges in their vindictive action, and they must bear the consequences of the censure which will be passed upon this House in the minds of the public if this House does not see fit to adopt the resolution now before it. The censure will apply to the Ministry as well as to the judges and Dunn, whose champions they have made themselves. Now, the hon. Minister of Justice chose to say—which was also an ill-advised thing on his part—and was evidently said in a moment of irritation—that the hon. member for Queen's, N.B. (Mr. Baird), held his seat by as good a title as I myself or any other member of the House. If my recollections are not all astray, the fact as to whether that hon. member was elected at the last election or not, remains still in doubt. Through misunderstandings or mistakes, or some failure in the legal machinery, the petition against him in regard to that seat never came to trial, and it was never decided whether he was legally elected the member for that riding or not. I think it is not for him, in his place, because he has had the

Mr. CASEY.

good luck to retain the seat, to brag about the confidence which he enjoys among the people there, or for his leader to brag on his account. Upon the face of the actual voting it would appear that the hon. gentleman was defeated then, as in 1887, by a considerable majority; but the court has never given a final decision on the matter, and it had better be allowed to rest, by his friends, at least. Now, Sir, I think, in view of all we have heard to-night, and in view of the absolute failure on the part of the hon. Premier to justify Dunn, or to produce any precedent for the action of the court of which we complain, I am justified in asking the House to support the motion of my hon. friend from Queen's, P.E.I. (Mr. Davies).

Mr. McLEOD. Mr. Speaker, I should not at this late hour attempt to occupy the attention of the House at all, especially as I cannot bring anything new to the discussion, were it not that the resolution which the House is asked to pass upon is one reflecting on the court of my own province. Under these circumstances, I do not feel that I ought to give a silent vote in regard to it. This resolution seeks to do three things: first, it asks this House to condemn Mr. Dunn for his conduct in the election of 1887; second, it asks us to say that the conduct of the judges of the Supreme Court of New Brunswick was wrong when they convicted Mr. Ellis of what is known as a constructive contempt; and third, it asks us to say that, having convicted him of that offence, they imposed too severe a sentence upon him. With reference to the first of these questions, it has been said, and very well said, that so far as Dunn was concerned, he was called before the Bar of this House and tried and examined in reference to the very charges made against him, and was sent away without any resolution of the House having been passed condemning him for what he had done. It does seem to me that to almost any fair-minded man that ought to settle the question. At all events, this is true, and it must be doubly true from the standpoint of the hon. gentleman who has moved this resolution and talked so long and loudly and violently in reference to it, that Mr. Dunn ought not to be tried here, ought not to be condemned here, without first being heard, and that is what this resolution seeks to do. I think that part of the resolution may be dismissed at once. Mr. Dunn has had his trial. Whether he was right or wrong in declaring Mr. Baird to be elected in 1887 is not now the question. This is true, and I think I have a right to say it, that so far as Dunn was concerned, he acted conscientiously. He may have construed the statute wrongly, but he is not the first man who has given a wrong decision, and it has never yet been heard that when a responsibility is placed upon a man to give a decision, and he happens to give a wrong decision, he should be

condemned for it by a vote of Parliament. I know this, that whether Mr. Dunn was right or wrong, he acted according to his best judgment and endeavoured to decide rightly whether he did or not. And that gentleman, as I have already said, has been before this House and has been heard in the matter. With reference to the second part of the question, and it is an important one, because this resolution seeks to condemn the court for what it has done, it is said that the court were wrong in finding Mr. Ellis guilty of constructive contempt. It has been argued that there is no such thing practically known as constructive contempt. But any one familiar with the matter, knows very well that cases like that are continually arising, and it is of the utmost importance that the power should be in court, not to protect the individual members of the court, but the suitors who of necessity must come before it. It is of the utmost importance that a court of justice should have the power to protect those obliged to come before it for the redress of their wrongs. That is all that is claimed on behalf of the judges of the court of New Brunswick. The facts of this case have been very well stated by those who have discussed it from this side; and I am glad that this question has been discussed here, because I think that, after this discussion, there will be less excuse, if there ever was an excuse, for the various misrepresentations of facts printed in the newspapers in different parts of the province. It has been said that Mr. Ellis was tried and condemned by the judge whom he had assailed. That is not the fact. Judge Tuck, in his capacity as a judge, took no part in the matter, in so far as he was concerned, and was not the moving party. He had issued, as it was his bounden duty to do, when application was made to him founded upon sufficient affidavit, a rule nisi, calling on Judge Steadman to show cause why a writ of prohibition should not issue against him to prevent his proceeding with the recount of the votes. It was his bounden duty, when counsel appeared before him with sufficient affidavit, to consider their application, and the court had, in the first instance, to consider whether or not they had jurisdiction to issue that writ. That was the first question they had to consider. The rule nisi having been granted, Mr. Ellis wrote the article complained of. It does not seem to me, on reading those articles, that they are at all a fair criticism, or in any way a criticism of what was done, they simply attacked Mr. Dunn and Mr. Justice Tuck in his capacity as judge. Let me refer to some of the remarks made in those articles. Under the heading: "Government by fraud," Mr. Ellis wrote:

A judge assumes, if he does not usurp, the power to remedy the evil, and the boast is made that two years must elapse before the man chosen by the

majority can take his seat. Can justice and right and principle be trampled down with impunity.

Again:

We ever have confidence that free institutions, if left to themselves, will purify themselves, but the assumption of power by officials and the prostitution of judicial authority for the purposes of party are sufficient to weaken the foundations of the strongest faith in freedom.

Again:

We doubt if Tuck has any power to send such an order as a judge, but he may not have been acting in the capacity of a judge but in some other capacity, when he sent it. While Judge Tuck's order to the county judge is disobeyed, because, as is generally conceded, Tuck went beyond his powers, the effect of his interference is to delay justice and prevent the will of the majority of the people from being carried out.

Those are only some of the extracts from the three articles written. Mr. Baird complained, and properly complained. Mr. Justice Tuck did not complain that there was an attack upon him, because it is not to protect the individual judge but to protect the court and the suitors in the court, in order that justice may be fairly and properly and judiciously administered, that the power of the court to commit for contempt is exercised. Mr. Baird complained of those articles. He said: I am a suitor before the court. I have a cause pending before the court, the question for the court to determine is whether or not a prohibition shall issue to prevent Mr. Justice Steadman from proceeding to a recount of the votes. I am entitled to know whether the court has the right to issue that writ or not. I am entitled to have the question fairly tried. I am entitled to have it heard without fear or intimidation, and Mr. Ellis has no right to interfere. Mr. Baird, therefore, brought the matter before the court. Judge Tuck did not interfere, did not even sit when the case was heard, was not a part of the court that heard the question. That was heard before the Supreme Court, and as has been pointed out by the Minister of Justice this evening, not only was judgment given by the chief justice, but also by Mr. Justice Fraser, now Governor Fraser, and by Mr. Justice King, now a member of the Supreme Court of the Dominion. All of them concurring, and the unanimous judgment of the court was that the language constituted a contempt of court. Now, some hon. gentlemen here have argued that it was not contempt of court. The court held a different opinion, and I must say that I attach more weight to the decision of my own court than I do to the opinion of these gentlemen; and I have this to say with refernece to it—and I say it as a man who has had a good deal of experience practicing before that court—I say, as was said by the hon. member for Albert (Mr. Weldon) last night, that the Supreme Court of New Brunswick is one which we in that

province have always been proud of, and which to-day stands second to no court in the Dominion. In proof of that assertion, I might point to the decisions of the Supreme Court in Ottawa on the appeals from the various provinces, which will show that there are less decisions from the Supreme Court of New Brunswick reversed than from any other province in the Dominion. We, therefore, have a right to speak with some pride of our courts. It has been pointed out that the defence that was made by the mover of this resolution in his violent speech, was not the defence made by Mr. Ellis. His defence was that Judge Tuck was not acting in a judicial capacity, that his order was an order made by a judge in chambers, and that, therefore, the reflections on it were not a contempt of court. All those matters have been passed on. Mr. Ellis did not deny the writing of the articles. He was not tried for any language written by any body but himself, he offered no excuse or explanation, and so the case went on. The delays for six years were caused entirely by himself. The case had gone before all the courts in the Dominion, it had been heard before the Supreme Court at Ottawa, and that court decided that it had no jurisdiction, that there was no appeal it came back to the court of New Brunswick. Mr. Ellis had six years to consider what he had done, and all will agree in the remarks made by Mr. Justice King in giving the judgment of the court, that it was to be regretted that Mr. Ellis, after having had all that time to consider, had not thought fit to make an apology. And here I would like to say that I think it is unfortunate that Mr. Ellis did not let his own better judgment govern him. He himself, at one stage of the proceedings thought that he ought to make an apology and was prepared to offer such an apology as the court were willing to accept. But, owing to an attack made upon him by his own friends—not by those opposed to him, but by the St. John 'Daily Telegraph,' an improper and unfair attack I admit—he decided not to act upon his better judgment and declined to apologize as he himself had thought best to do. And so the matter stood. It having been determined that the contempt of court had been committed and it having been determined—though it is not material to this question—that Mr. Justice Tuck was right in issuing a rule nisi and that a writ of prohibition might properly issue, the court then had to deal with the question of contempt. The only question left was as to the sentence that had been given. It is said that the sentence was too severe, that Mr. Ellis should not have been sentenced to a fine and that he should not have been sentenced to imprisonment. And various reasons for this have been given, among others the fact of the attack upon Judge Palmer, an attack made unfairly and improperly. I say that unhesitatingly knowing the facts referred to in the article. But

Mr. McLEOD.

it is said that because Mr. Ellis attacked Judge Palmer as he did his sentence should not have been so severe. I do not say that the sentence was too severe. But, even admitting that a good many gentlemen here would consider the sentence too severe we must consider the position of the court. It is very well for us to sit here without the responsibility of giving sentence, it is very well for these gentlemen who have not the responsibility of the proceedings of the court, who are not charged with the duty of maintaining the dignity of the court and the respect that is due to the court, to say that the sentence was too severe. But the men who gave sentence were charged with that duty and that responsibility. I may say also, speaking of his honour the Chief Justice, that no fairer man ever sat on the bench of any country, and I repel the insinuation that has been made that his mind had been failing at the time that sentence was given and that he was overborne by the other judges. Such is not the fact: he was in his full vigour and health—I know that personally. I attended the court which he was attending when he was attacked with the disease that now afflicts him. He was at a circuit court in Charlotte County. I was present with others who remarked the good health and the vigour that the Chief Justice then displayed. He was attacked suddenly, but at the time sentence was given he was in good health and in his full vigour, and was not the man who would be overcome by any judge. The editor of another paper, who had not long been a member of the province, and who came before them a few years before for a similar offence, had been sentenced to a fine and imprisonment for two months. The judges felt, and naturally felt, that they should be governed somewhat by precedent. There were no palliating circumstances with reference to the present case. Mr. Ellis had not attempted to apologize for what he had done, but simply defended as long as he could, saying that when he had made the comment he did not know what Mr. Justice Tuck had done, that he had attacked him for doing that which he had not done, for issuing, as he believed he had, a writ of prohibition and preventing the recount from being held, not knowing it to be a rule nisi to show cause why a writ of prohibition should not issue. But whether the court were right or wrong, whether we agree with them as to the sentence they passed upon Mr. Ellis or not, I submit that that is a question that we should not here consider. I regret that this resolution had been moved. I think it is not a resolution that should be brought before Parliament. It does seem to me that, in a case such as this, the court, having the right and being obliged to pass some sentence, whether their sentence is too severe or not, is a question over which we have no jurisdiction and no right to consider. The duty and responsibility was upon the court. Men are certain to differ on

a question of the severity or lightness of a sentence, but the judges who are charged with the responsibility of giving it are in the best position to judge what the sentence should be, and such matters are much better left to them. I wish simply to say further that the course of Mr. Justice Tuck in this matter has been a fair and manly one. He has taken no part in these proceedings. The case was brought before the court; Mr. Ellis was condemned, he offered no extenuation, no retraction or apology. And when the case came for decision, the court did the only thing that they could do, in my opinion, in sentencing him for the contempt he committed. Whether the sentence they gave was severe or not is not a question this House should be called upon to consider. I agree with the hon. member for Albert (Mr. Weldon) that if the rules of the House would permit it, that an amendment should be moved expressing regret that such a resolution has been brought forward. But, as such an amendment cannot be presented, I trust that this resolution will be voted down by a large majority and that this House will express in the strongest manner it can that it will not countenance this attempt—as it seems to be—to intimidate the court in dealing with such important questions.

Mr. FORBES. Will the hon. gentleman allow me to ask him a question?

Mr. McLEOD. Certainly.

Mr. FORBES. I would like to ask the hon. gentleman if he is the person referred to in the evidence given by Mr. Dunn at the Bar of the House as Ezekiel McLeod, Q.C., ex-Attorney-General of the province of New Brunswick, who advised Mr. Dunn to return Mr. Baird as member for Queen's in 1887?

Mr. McLEOD. Yes; I am the person referred to.

Mr. DAVIN. I rise, Sir, not to detain the House at any length, but to make only a few remarks on the question before the Chair. I think that the motion and speech of the hon. learned gentleman who opened this debate illustrates the famous saying of Lord Derby, "The Rupert of debate," who said that a certain act was worse than a crime—it was a blunder. I think the motion of the hon. and learned member for Queen's (Mr. Davies) whether we regard it from the point of view of the public interest or from the point of view of the interest of his own party, was worse than a crime—it was a blunder. Sir, nothing could illustrate more forcibly what a blunder it was, than the fact that a man so erudite, a man so experienced, a man so able as the hon. member for Bothwell (Mr. Mills), when he came to bring up his forces to strengthen the position of the hon. member for Queen's (Mr. Davies), floundered so hopelessly and helplessly as he did. The hon. member for Bothwell

made some quotations to strengthen the positions he took up. One position he took up was that this Parliament was properly employed in discussing the question brought forward by the hon. member for Queen's, and would be, of course, doing the right thing in passing the motion that has been placed before us. In order to substantiate that position he quoted from Lord Russell in the debate that took place on the conduct of Lord Abinger. Now, Sir, the hon. member for Bothwell behaved, as it seems to me, with a singular want of candour. He quoted Lord Russell in regard to that, but he never told you that Lord Russell utterly disapproved of the motion, and that when it came to a vote, the name of Lord Russell is found amongst the large number that voted down that motion. I will not trouble the House by reading in extenso what was said by Lord Russell on that occasion. However, this illustrates the crushing statement made by the Premier, namely, that the cases quoted by the hon. member for Bothwell really proved the opposite proposition from that he was trying to establish. Lord Russell disapproved of bringing such questions before Parliament, but he said: I certainly have to complain that Lord Abinger discussed questions that were calculated to irritate the Chartists, in his charges to the jury. Now, Sir, if the opinions of the most eminent men that the British Parliament has produced, are to weigh with us, I have here the opinions of Lord Palmerston, in Talbot against Talbot. And the language of that eminent parliamentarian may well be pondered by us on the present occasion. He said:

He would not attempt to lay down on the present occasion the functions of the House of Commons, but it was at all times desirable that they should not press these functions to their extreme confines in cases on which doubt might arise, whether they were not transgressing the limits assigned to them by the constitution. Now, an interference in the administration of justice was certainly not one of the purposes for which the House of Commons was constituted. He thought nothing could be more injurious to the administration of justice than that the House of Commons should take upon itself the duties of a court of review of the proceedings of the ordinary courts of law, because it must be plain to the commonest understanding that they were totally incompetent to the discharge of such functions. Even supposing they were fitted for them in other respects, they had no means of obtaining evidence, and taking those measures and precautions by which alone the very ablest men could avoid error. Cases of abuse in the administration of the law might arise, it was true—cases of such gross perversion of the law, either by intention, corruption, or by incapacity, as to make it necessary for the House of Commons to exercise the power vested in it of addressing the Crown for the removal of the judge; but in the present case his honourable and learned friend could not single out any individual judge with regard to whom his observations principally applied as having acted in

his sole and single capacity in pronouncing the judgment of which he complained.

Quotations of that sort might be multiplied indefinitely, but I have not risen to weary the House by useless and superfluous quotations from the books. Now, Sir, I think I will make one reference to my hon. friend the member for Elgin (Mr. Casey). He confines himself to arguing mainly the guilt or otherwise of Mr. Dunn. I think that has been disposed of; but he made one remark which surprised me as coming from a gentleman who occasionally poses as the Nestor of this House. I think I heard him describe the King, Lords and Commons as the three estates of the realm. Sir, it is not a thing to be passed over lightly that in this House of Commons, the second House of Commons in the Empire, so grave a mistake should be made by an old parliamentarian as to say that the three estates of the realm are the King, Lords and Commons. However, that is by the way. Now, it so happens that something like eighteen years ago a great journalist committed precisely the same offence that is charged against Mr. Ellis. Mr. Justice Wilson had made some remarks on what was known as the Brown-Wilkinson case, and thereupon Mr. George Brown assailed him in the 'Globe' newspaper in language wild, vituperous and unwarranted. At first it was thought that nothing should be done, as the court did not take action, and as the Attorney General, Mr. Mowat, did not interfere. But subsequently, on the affidavit of Mr. Wilkinson, the matter was brought before the court and argued, and a judgment was given by Mr. Justice Harrison and one was given by Mr. Justice Morrison. Now, the judgment of Mr. Justice Morrison was quoted by the member for Bothwell, but the judgment of Mr. Justice Harrison was not quoted. Mr. Justice Harrison was as strong and as emphatic as he could possibly be, and he supported his position with a lavish reference to cases, as was his manner, in affirming the propriety of the court taking cognizance of Mr. Brown's misconduct and punishing him therefor. I will not be guilty of the impropriety of explaining why, I think, it was that the ends of justice were not at that time attained; but I will say this, because I was in Toronto at the time, that every judge I knew, every eminent lawyer I knew, held that the view taken by the Chief Justice was the correct view, and that if Mr. Brown had been punished, it would have been in the public interest, and of service to the dignity of the Bench. I hold in my hand the Law Journal, published in Toronto, and apropos of contempt, it contains an article, in which it says:

The judgment of the court of Queen's Bench in the case of the Queen v. Wilkinson, has been the innocent cause of probably the most atrocious and uncalled for libel on the Bench that has ever dis-

Mr. DAVIN.

graced Canadian journalism. Foul abuse has been heaped upon a most impartial, upright and pains-taking judge, and that with a cowardice and reckless disregard of decency which would make even the most bitter partisan cry shame. And not only has this been done, but an attempt has been made to prejudice the public mind in reference to a cause still in litigation. On both grounds the article in the 'Globe' newspaper was utterly indefensible. Events follow each other so rapidly now-a-days, and are so fully and so immediately discussed that it would be a waste of words to detail the legal bearings of a matter with which our readers are already familiar; but a Bar which, as well as the public, is justly proud of its Bench, cannot and ought not to overlook this wanton and shameful attack upon Mr. Justice Wilson. It is not likely that the libeller will be prosecuted.

A subsequent number of the same periodical, contains an article dealing with the same subject, and it concludes as follows:—

The profession will deplore that Mr. Justice Morrison did not take the high ground assumed, and rightly so, by the Chief Justice. He may possibly have felt straitened by what are, we believe, generally thought to have been two great mistakes: firstly, the omission by the Court itself, or the Attorney General on its behalf, to take notice of the insult offered to the Court in the person of Mr. Justice Wilson; secondly, granting the rule nisi at all, if Mr. Justice Morrison's opinion be correct that the application was made too late. And here we may refer to what we respectfully submit was another mistake, though we fully appreciate the motives which therein actuated the learned judges—allowing the delinquent to repeat and add to these insults in the face of the Court itself.

This circumstance—and I was present at the time—led Mr. Christopher Robinson to say that the libel which he thought he would have to deal with when he entered the court, was thrown into the shade completely by the libel committed in the face of the court itself. How was it that the late Mr. Brown escaped punishment on that occasion? I will give my opinion candidly. I believe the reason was that the 'Globe' was a powerful newspaper, and that Mr. Brown was one of the most powerful men in Canada. Those not familiar with Ontario twenty years ago have no idea of the power of the 'Globe,' and the overwhelming influence of Mr. Brown at that time. The importance of upholding the judges in a case like this between the Supreme Court of New Brunswick and Mr. Ellis is, in my opinion, illustrated by the case of Mr. Brown. We had a member from one of the lower province constituencies talking to us about Mr. Ellis having shown courage, and stating that he was a very bold man; and we occasionally hear about a journalist displaying great boldness and being a fearless journalist. There was a time when that language was most appropriate, and as regards those men who laid the foundations of journalism, the great publicists of a hundred years ago, it was great praise to say

of them they were bold men. But the time has long since past when boldness is an epithet you can apply by way of eulogy to a journalist. Bold, forsooth! What boldness does it require for the master of an established paper, possessing a wide circulation, to attack a judge or any person in a high position? Why, Sir, it is a very common thing, and instead of requiring boldness, the truth is we have come upon a time when the press has such overwhelming influence and possesses such a tremendous power that if there is a force in the country that should awe us at all, that certainly should take its place as one of the forces. I consider that we should look to the independence of the courts to be a bulwark, not merely as against too great license in the press, but as against other forces that may rise up, and the hon. member for Albert (Mr. Weldon) said last night that as we were on the eve of a turbulent democracy, the position of the judiciary is most important. We are on the eve of a time when wealth may not be as evenly divided as it is now in Canada. We may come to a state of things in Canada such as prevails in the United States, where wealth is unequally divided and where vast fortunes are in few hands, and we may find that under these circumstances the people would be glad to learn what a bulwark to the freedom of the people generally and to the freedom of the individual is a judiciary highly respected, strong in the confidence of the people, and upholding its ancient power and dignity. My hon. friend who proposed this motion, a motion which I am bound to say was not fully supported by his speech, calls on this House to declare that Mr. Dunn has acted very badly on a certain occasion, and then goes on to say:

That in the further opinion of this House, the jurisdiction claimed by the judges of Superior Courts of Record of punishing by fine and commitment to prison for constructive contempt being practically arbitrary and unlimited and exercised by judges, who are at the same time judges of the law, of the fact, of the intention and of the sentence, and whose decisions are given without the aid of a jury and without being subject to review, is opposed to the genius and spirit of constitutional liberty and ought never to be exercised where any other pertinent remedy can be found or recourse had to any other method of obtaining justice.

Here we have a general proposition pointing to a sweeping change in our judicial procedure. We have here a proposition pointing to the taking away of a power from the judiciary, which is a safeguard to the judiciary itself, and a safeguard to its dignity, and safeguarding that dignity is a safeguard to all the interests of the community, and of the freedom of the community as well. Is it not a most extraordinary circumstance that an hon. member having a seat in this House, and desirous of taking away this ancient privilege—and

it has been shown that it is an ancient power, we know it is an ancient power, and that up to the present time it has not been felt to be contrary to the spirit of the British constitution—that this hon. gentleman who has been twenty or twenty-five years at the Bar, who has been Premier of his province, and is a man of large experience, should have put in this resolution dealing with an event that took place a few years ago, a general proposition like this, instead of which he should surely have brought in a Bill to deal with the matter. No doubt it is intended that we should give our assent to that sweeping general proposition, with a view to condemn the action of the Supreme Court in New Brunswick. Then he goes on to say:

And that the punishment inflicted by the Supreme Court of New Brunswick upon John V. Ellis in the month of October, 1893, for an alleged constructive contempt of court contained in articles published by him on the Queen's County election herein referred to, was arbitrary and excessive.

But when we turn to the speech of the hon. gentleman as reported in 'Hansard,' we find him saying this:

I do not desire to ask the House to pass an opinion as to whether the court of New Brunswick was right or the court of Ontario was right. I am not going to ask the House to sit in appeal in this matter, and to decide in one way or the other.

Why, Sir, that is the very thing he asks the House to do in his resolution, and yet he declares emphatically in his speech that he does not ask the House to do it. Therefore, taking his motion with his speech, and knocking the speech against the motion, whichever is the more hard-headed of the two will have the better chance; and probably it may be a struggle, not in hardheadedness, but of the opposite kind. The hon. gentleman (Mr. Davies) says, again, with reference to punishment of contempt on motion:

I say that this power is unknown to the constitution, is a power vested in no other body, and is a power which may produce the most glaring wrongs.

He says that this power of punishing for contempt of court on motion is unknown to the constitution. Why, Sir, I have "black-letter" law here which shows that it was known to the constitution at the earliest period, and coming right down to modern times we find cases where this power was exercised. I assert that it is a most extraordinary thing to comment on that a man of the prominence of the hon. member (Mr. Davies), should take such a course in this Parliament; a man who, if what the Prime Minister glanced at as a possibility—a possibility getting every day more and more remote—occurred, of parties crossing the floor of this House, would occupy a high position in the country. Why, among all the calamities that might overtake

this country, if parties did cross the floor, I know of no calamity so great, as that the hon. gentleman (Mr. Davies), who made that speech last night, should be Minister of Justice of Canada.

Mr. CHOQUETTE. He is going to be there before long.

Mr. DAVIN. My hon. friend (Mr. Choquette) says he is going to be there before long, but I have noticed that my hon. friend (Mr. Choquette), who used to be as gay as a cockerel in other years, is mighty quiet now, and one of the reasons that he is so quiet is this: that coming events cast their shadows before and have somewhat dampened the ardour of that Gallic heart.

Mr. CHOQUETTE. You are quite mistaken.

Mr. DAVIN. If I am quite mistaken I am bound to say that appearances are deceitful. I may not diagnose the hon. gentleman's political case properly, but the chances are that I have made a correct diathesis, and that the hon. gentleman is really losing heart. I repeat, that if what he says were at all likely to happen, if the hon. member (Mr. Davies) who introduced this subject, that which should have been introduced so judiciously, and who introduced it in the manner as he did last night; it would be a calamity if he should ever become Minister of Justice. I have been in criminal courts, and I never heard a criminal lawyer in his most violent fit of passion act more violently than the hon. gentleman (Mr. Davies) acted last night. It reminded me of Achilles howling and roaring under the walls of Troy; but it must be remembered that Achilles was not making an indictment against the judges of Agamemnon. He was in a state to be highly enraged; he had lost Briseis, and Patroclus, not less dear, and he was determined to have vengeance, and he shouted and roared to bring Hector out. The hon. gentleman (Mr. Davies) outdid Achilles, he out-heroded Hector, he out-Heroded Herod, and he bawled so loud that I thought myself that a drum head must have been boiled in his broth. Now, my hon. friend from Queen's (Mr. Davies) goes on to say that if Judge Tuck felt that his honour or his dignity or his reputation had been unjustly or unfairly assailed, he might have taken a certain course. But, Sir, take the three last paragraphs of that resolution and we are not called upon to deal with Judge Tuck at all. We are called upon to express an opinion about Dunn, we are then called upon to express a wide abstract opinion as to certain powers exercised by the judges, and then we are called upon to express the opinion that the punishment inflicted was too severe. Now, Mr. Speaker, I confess to you that I do not think the punishment was too severe. I consider that it is a very serious thing to do anything

Mr. DAVIN.

that would break down the dignity and authority of our judiciary; and the judges themselves felt that this might be done and that there was danger of it. I have the case here of the King vs. Watson and others, which will bear on several questions raised by the hon. member for Bothwell (Mr. Mills). The side-note is:

This court will not grant a criminal information against the members of a corporation for a misapplication made of the corporation money. An order made by a corporation and entered in their books stating that A B against whom a jury had found a verdict with large damages in an action for malicious prosecution for perjury, which verdict had been confirmed by the court, was actuated by motives of public justice, &c., in preferring the indictment, is such a libel reflecting on the administration of justice, for which the court will grant an information against the members making that order.

Mr. Justice Buller said:

Nothing can be of greater importance to the welfare of the public than to put a stop to the animadversions and censures which are so frequently made in courts of justice in this country. They can be of no service, and may be attended with the most mischievous consequences. Cases may happen in which the judge and the jury may be mistaken. When they are, the law has afforded a remedy and the party injured is entitled to pursue every method, which the law allows to correct the mistake. But when a person has recourse either by a writing like the present by a publication in print, or by any other means to calumniate the proceedings of a court of justice, the obvious tendency of it is to make weaken the administration of justice and in consequence to sap the very foundation of the constitution itself.

Now, Sir, there is the opinion of an eminent judge:

The tendency is to weaken the administration of justice and in consequence to sap the foundation of the constitution itself.

I will call attention, Sir, to a motion that was made in the ninth year of Queen Anne for an attachment against a defendant by affidavit. That being served with the rule of court to show cause why the information should not be filed against him, he said "he did not care a snap of his fingers for the rule of the court." Northey, Attorney General, insisted that he should be first heard to show cause against it. The Attorney General was appearing for this man in the case, yet the whole court held:

He shall answer in custody for it is of no purpose to serve him with a second rule who has slighted and despised the first. It is to expose the court to a further contempt. And accordingly the defendant was brought in, and entered into a recognisance to answer interrogatories.

Now, Sir, Mr. Spencer Walpole has published a very interesting little book entitled, "Todd's Parliamentary Government in England," in which he deals with this question.

In fact, he deals with the whole question of judicial independence, and gives all the references—the references to cases in the books and the references to 'Hansard'; and what does he lay down?

Constitutional usage forbids either House of Parliament from entertaining any question which comes within the jurisdiction of a court of law to determine; or from instituting investigations into the conduct of the judiciary, except in extreme cases of gross misconduct or perversion of the law, that may require the interposition of Parliament in order to obtain the removal of a corrupt or incompetent judge. * * * To the same effect Mr. (afterwards lord chief justice) Denman, stated at the Bar of the House of Commons, when appearing as counsel on behalf of Sir Jonah Barrington, that independently of a parliamentary address or impeachment for the removal of a judge, there were two other courses open for such a purpose.

And he has stated, leading up to that, that the only question that Parliament ought really to discuss is some question that would lead them to take action to remove the judge. Now, Sir, in that connection, let me ask what would be the object of passing this resolution? Does the hon. member mean to remove the five judges from the Bench? Does he intend to do anything more than pass a resolution calculated to cast a slur upon their judicial standing? I remember there was a case brought before the British Parliament about one of the judges, and Mr. Disraeli, who was then leading his party, got up in the House and asked, "What is to be the end of it? What do you aim at? Do you intend to take any action? Or is this resolution to be placed on the books against the judges?" Now, is that the situation here? Is this resolution, if passed, to be placed on our records, to stand against those judges, and we to do nothing whatever? I think I remember in another case that Lord John Russell says it is much better, unless the supreme remedy is to be resorted to, even though the judges should have done something that might possibly challenge discussion and comment, that no action should be taken by Parliament. Says Mr. Walpole:

"The House of Commons, to whom it peculiarly belongs to take the initiative in such matters, should remember the words once addressed to them by Edmund Burke: "We may, when we see the cause of complaint, administer a remedy; it is in our choice by an address to remove an improper judge; by impeachment before the peers to pursue to destruction a corrupt judge; or by bill to assert, to explain, to enforce or to reform the law, just as the occasion and necessity of the case shall guide us. We stand in a situation very honourable to ourselves and very useful to our country, if we do not abuse or abandon the trust that is placed in us."

Now, Sir, I know that one point in a case like this that will appeal to the popular mind is the imprisonment of Mr. Ellis. That

one point evokes at once sympathy for him and a contrary feeling for the judges. Now, I should like to remind the people and remind the Parliament of Canada, that one reason why this House is so careless of attacks upon itself is this, that its members can defend themselves; they can enter into the arena and fight for their own hand. But, Sir, it must be remembered that if the judges are not to be armed with this protection against licentious criticism, they are in this position, that they may be assailed; shot after shot, mud after mud, may be flung at them, and they have no remedy; they cannot go down into the arena; they cannot take off their coats and fight their assailant. And so, if you deprive them of the power that thus inheres in them, as is suggested by my hon. friend in the second paragraph to which I have referred, you leave them perfectly helpless before the country. Mr. Speaker, there has been no case made out by the hon. gentleman who moved this motion. I have pointed out where he contradicted the motion. He states, at page 3799 of 'Hansard':

We have nothing to do with the legal question whether he had the right to issue the writ of prohibition or not, because, in giving their judgment in the court below, the judges declared distinctly that that was a question that did not enter into their consideration.

Now, Sir, my hon. friend from Bothwell argued the case as though we had all to do with the legal question; not only that, but he evidently thought that we should try the conduct of Mr. Dunn, and pronounce an opinion here to-day; that 215 of us, as my hon. friend from Albert (Mr. Weldon) said, should also pronounce an opinion on all the questions arising out of the circumstances that gave rise to the decision of the Supreme Court. Mr. Speaker, I confess to you, as I stated before, that although I have followed as closely as I can the argument of the hon. member for Bothwell (Mr. Mills), it seems to me, instead of strengthening the position of the hon. member for Queen's, to have made it more deplorably weak. The hon. member for Queen's contradicts himself; and the hon. member for Bothwell takes a position contrary to the position taken by the hon. member for Queen's in his speech, and I do not think he adhered very closely to the lines of the motion. For these reasons, Sir, I certainly cannot do other, if this motion comes to a vote, than to record my vote against it. But, Sir, what I would suggest is this. Evidently the hon. member for Queen's has made a gross blunder. His leader is here now, and I would suggest to him that he should advise the hon. member for Queen's to withdraw his motion, which, if it goes to the vote, can only result in covering him with confusion.

Mr. SCRIVER. Oh, dear.

Mr. DAVIN. My hon. friend says "Oh, dear."

Mr. SCRIVER. He is not easily confused.

Mr. DAVIN. I dare say he is not; but, Mr. Speaker, a defeat may be so crushing morally, intellectually and politically, that even my hon. friend from Queen's will feel the confusion, and the confusion will reflect itself upon his whole party. I am perfectly serious when I advise him to withdraw the motion. I say it is for his own dignity, it is for the dignity of the party of which he is a prominent member, and it would be for the dignity of this House, and the country generally, that he should acknowledge having made a great mistake. There can be no doubt whatever that Mr. Ellis made a mistake as Mr. Justice King and the hon. Chief Justice Allen pointed out, when he did not come forward and acknowledge the error, and thus finish the matter, and the man who makes a grave mistake makes a still greater one in persisting therein, because the further he goes the deeper in the mire he gets. No man could give a better advice than I give the hon. member for Queen's, P.E.I. (Mr. Davies) when I urge him to withdraw his resolution—a resolution that is contradicted by his own speech, and which so learned a man as the hon. member for Bothwell (Mr. Mills) was unable in the least to buttress up. And although it is none of my business to give advice to the leader of the Opposition, yet if he cares for a good piece of counsel, the counsel I have thus given him is entirely at his disposal.

Mr. LAURIER. I should not be grateful at all to my hon. friend if I did not thank him for the advice which he has just given me. Out of the abundance of my heart, I shall be thankful for small favours, and therefore thank him very much. But I cannot take his advice, though it is given very seriously. And if I must tell the hon. gentleman the whole of my mind, let me say that I am surprised that he, a member of the profession to which Mr. Ellis also belongs, should give me such advice as he has just tendered. Whatever may be the result of this motion in this House, this effect it must have in the country, that it must vindicate and most effectively vindicate, a man who assuredly, for loftiness and purity of sentiment, for a high sense of honour, is the peer of any man in this House or out of it—a man who for the offence—since offence it was held to be—of having discharged without fear the duties pertaining to the free citizenship of a free country, was visited with cruel punishment. The hon. member for Queen's, N.B. (Mr. Baird) yesterday thought it in good taste to refer to the character of Mr. Ellis. He thought it in good taste to assail Mr. Ellis's career. All I have to say in respect to this is: that the friends of Mr. Ellis do not find that his fair fame has at all been impugned by the stringent re-

Mr. DAVIN.

marks of the hon. member for Queen's, N.B.—not even by the assertion that Mr. Ellis was an annexationist. If it be an offence on the part of Mr. Ellis—and after all that was said of him—to be an annexationist, Mr. Ellis can claim good company in the ranks of the party to which the hon. member who attacked him belongs. Nor do I know that the charge was made any stronger by the chief point made by the hon. member for Queen's, N.B., that Mr. Ellis had been called upon by the St. John 'Telegraph' to resign his seat on account of his so-called opinion. I am not aware that any member of the Conservative party has been called on to resign his seat on account of his so-called opinion. I am not aware that any member of the Conservative party has been called on to resign his seat on that account—not even Mr. White of Essex—even when he proclaimed his annexationist proclivities on the floor of the Ontario Legislature. I think nothing of that. The case is higher than those petty considerations. I say this, that whatever may be the fate of this motion, the result must be that predicted by one of the newspapers which was quoted here yesterday by my hon. friend from Queen's, P.E.I., that the imprisonment of Mr. Ellis is the last that shall ever be pronounced in this country for this offence, which is called a constructive contempt of court. There is a great difference, as all will acknowledge, between a contempt of court and a constructive contempt of court. Whenever an offence is committed on a court, whenever an insult is offered to a court, or whenever the orders of the court are disobeyed, nobody contests that the court has the right and the power and the duty to deal summarily with such an offence. And the reason is obvious. If the offence is not dealt with summarily, the courts of justice would be impeded and blocked. But if the insult is offered outside of the court, the offence is one which does not block the court of justice, but simply reflects on its conduct, and it is an outrage to deal with such an offence in the way the case of Mr. Ellis has been dealt with. It may be law—I do not contest it; but if it be law, it is not the substantial justice we should have in this enlightened age. It may be law, but I refuse to submit to that law. We are here, the legislative power of the country, and if it be law, the time has come when such a law should be removed from our statutes. What are the facts in this case after all? Mr. Ellis is brought before the courts for an offence which is not a contempt of court, but which is simply, by an exaggeration of language, called a "constructive contempt." It is a libel and nothing else. Is there any reason, when a judge is libelled, that the man who has libelled him should be dealt with differently than if he had committed the offence against any other citizen? If a libel is published on any man in the land, let him be ever so high or so low, it is the privilege of the accused to be tried by a jury. Not only that, but it is his

right to offer a defence. Not only that, but he is entitled to plead that the libel is true in every particular, that he was not animated by malice, but simply by the good of the country and for the public benefit. And upon that plea, the jury will be called upon to pronounce. But if the libel is published concerning a judge, the accused is not given the privilege of having a jury, he is not allowed to be judged by his peers, he cannot say that he was actuated by public motives, the benefit of the public. But according to the law laid down in this case by the Supreme Court of New Brunswick, he has to take his choice between an abject apology or abject lies covered by perjury. Let me quote the law, as laid down by one of the judges who passed the sentence on Mr. Ellis. The language used by Mr. Justice Palmer will be found in the case submitted to the Supreme Court on page 26. This is what Mr. Justice Palmer said :

I have heard objection made against this law, that the mode of trial is not fair to the accused, as it deprives him of the right to have a jury pass upon the facts that are alleged against him. But this is not so. In no branch of the law has the humane principle of English jurisprudence been made so manifest as in this very proceeding for contempt. It never was the law that a jury took part in a criminal trial when the party charged confessed the offence, and no person can be punished for a contempt of court unless it is committed in the face of the court itself (when the law authorizes the court to make a record of it), or the party charged confesses it, so that the moment a person charged with contempt denies it on oath the court has no alternative but to acquit him, although they do not believe him or they know he has sworn falsely.

I leave this to the consideration of every man in this House. Could a more monstrous, a more demoralizing doctrine ever be maintained? He is a man charged before the court with an offence of libel, he is given no right to defend himself: he is not given the opportunity of pleading that he was actuated by considerations of public benefit; he is not even allowed to plead that what he said was true. But the option is given him to take one or two courses—to confess and apologize, or if he does not, then to take his oath and deny everything. He can perjure himself in the face of the court, as the judge says. Well, Sir, that he may be law, but if it be law, such law ought to be remonstrated against and purged from the Statute-book of this country. We have been told again and again, yesterday and to-day, that respect for the courts of justice was the very basis of the social order. Sir, I do not deny that proposition. I admit it, fully; I admit everything that is said upon this point by my hon. friend from Albert (Mr. Weldon.) But I have to add this, that if respect for the courts is the basis of the social order, I would call the attention of the hon. gentleman to the fact that respect has never been

wanting for judges who respect themselves. That respect has never been wanting for judges who have a proper regard for their own dignity, and for the sacred duties with which they are entrusted. I say, further, if you want to have the respect which is due to the courts maintained throughout the land, this is to be obtained only by showing no mercy to prevaricating judges, by showing no leniency to those judges who have no regard for the Bench upon which they sit, and who, too often, forget that they are judges. I have this to say, further—judges are men like other men; they are not made of any other stuff than the human stuff; they can err, and, I am sorry to say, they often prevaricate. And we have been told by the hon. member for Albert, we have been told by the Prime Minister, that, even though judges may err, even though they may prevaricate in their office, yet Parliament, which is the inquest of the nation, is to sit dumb, that it has no power to review their actions or censure their decisions. I say that the theory of British Government is that there is no power in the land, judicial or other, that is above the review of Parliament. I confess I do not understand the words of the Prime Minister when, this afternoon, he dared to contradict such a doctrine as this. I quite agree with him that this court will not review the judgment passed by the courts of justice, but I say that if a judge err, or if a judge prevaricate, whether in political matters or in civil matters, or in criminal matters, at all times it has been the theory of British government that Parliament had the right to review, to criticise and to censure the conduct of that judge. Let me, Sir, fortify my statement by a quotation from a standard book upon this question—by the authority of Todd himself. This is what Todd says in volume one of the latest edition, page 571 :

The great function of Parliament has been declared to be the maintenance of the law and the redress of grievances. Thus it is one of their principal duties and functions to be observant of the courts of justice and to take due care that none of them, from the lowest to the highest, shall pursue new courses unknown to the laws and constitution of this kingdom or to equity, sound legal policy or substantial justice. By the theory of our constitution those to whom the administration of justice is entrusted are not responsible to Parliament except for actual misconduct in office. Otherwise they occupy a position of complete independence, and necessarily so, for they are bound to administer the law without fear or favour and it may become their duty to pronounce judgment, and to take proceedings, of which the House of Commons itself may disapprove. The express power which is given to the two Houses of Parliament by the Acts 12 and 13 Will. III. c. 2, and 1 Geo. 3, c. 23, to address the Crown for the removal of judges from office who are otherwise declared to be irremovable, is indicative of the duty that devolves upon Parliament to watch the course of the administration of justice.

Now mark this :

And Parliament has not only the right to address the crown for the removal of a particular judge, but, in cases of misconduct it has the right of exercising control over the manner in which they discharge their duties and to institute inquiries relative thereto ?

Some hon. MEMBERS. Hear, hear.

Mr. LAURIER. What is the cheer for, I should like to know ? "To institute inquiry ?" Is the power of Parliament limited to that only ? Well, I invite the attention of the House to what follows now :—

The judges of the land act under responsibility ; and any misconduct of which they may be guilty may be inquired into, and animadverted upon by either House of Parliament.

And, Sir, the doctrine has been maintained again and again, in the British House of Commons not only in matters of great importance, but, as I shall show, in matters of the most simple moment. Thus I refer the House to the English 'Hansard,' vol. 163, page S23 :

The Earl of Leitrim.—The noble Earl, in presenting the petition, said that the state of things in Donegal was owing, in great measure, to the course pursued by the authorities ; and if among the rest, judges acted as political partisans, he apprehended that there was very little anticipation of peace in any country.

The Lord Chancellor thereupon made the following remark :—

The judges of the land acted under responsibility and any misconduct of which they may be guilty may be inquired into and animadverted upon by either House of Parliament.

Exactly as we are doing in the present case—animadverting upon the conduct of the judge.

An hon. MEMBER. But without inquiry.

Mr. LAURIER. Are not the facts patent ? If there is anything to be brought up, let us inquire into it. But so far as my knowledge goes we have nothing to learn in this matter beyond what we have before us. But this is not all. I will show presently that sentence of judges in the most trivial matters was called in question in the House of Parliament. You will find this in the English 'Hansard,' vol. 175, page 1061 :

Mr. Clay said he rose to ask the Secretary of State for the Home Department whether his attention had been directed to the sentence of ten years' penal servitude passed at Middlesex sessions on a man named White, for an act which, if an offence at all, appears to have been at most attempt at larceny ; and whether also he has noticed unusual severity in the sentences passed not unfrequently at the Middlesex sessions and whether Mr. Payne's tenure of office was 'quam diu se bene gesserit.'

Now, Sir, there was a question put to the Home Secretary upon a most trivial matter

Mr. LAURIER.

—whether a man was properly convicted of larceny and whether the sentence was too severe or not. There is no inquiry there—

Sir CHARLES HIBBERT TUPPER. Was there a resolution ?

Mr. LAURIER. No ; there was a mere question put. But the fact was animadverted upon, the question was asked of the Home Secretary and the Home Secretary at once entered upon a lengthy argument to show that the sentence was not too severe. That is exactly what is done here. What is done by the motion of my hon. friend ? It is to call the attention of the Government to a special sentence and to challenge the opinion of Parliament upon it. My hon. friend is following exactly the lines of the precedents laid down again and again in the British Parliament, affirming the principle, which stands to the present moment, that this Parliament is the great inquest of the nation, and that nothing that is done in any part of the country by a judicial tribunal or any other is above the censure of the review of this House. This was the doctrine long before the freedom of the press was recognized. This was the doctrine when Parliament was the only place where the voice of public opinion could be expressed. However, in this age, in all countries having parliamentary institutions, the power of the press is such that we can hardly conceive how parliamentary government could be carried on without it. The press to-day is considered almost as much a necessity to the working of parliamentary institutions as Parliament itself. We know, however that it was not always the case ; we know that this power of the press is of recent growth. We know there was a time not far distant in the history of the mother land, when even to report the proceedings of Parliament was a misdemeanour punishable by Parliament. But as time went on it has gradually been found out that the publicity given by the press was the best guarantee of good government, that publicity was the best guarantee of the good behaviour of all the servants of the state. The judges are servants of the state, and there is no reason whatever why they should not also be amenable to the tribunal of public opinion, as are the Ministers who sit on that side of the House, as are the members who sit on this side of the House. We are all servants of the public, and I hold that the judges are no more free from the criticism of the press than any one of us. If they err, if they prevaricate, I have yet to learn the reason why they should not be amenable to that tribunal to which Ministers of the Crown are amenable, to which members of the Opposition are amenable, to which all men who hold a trust before the public, have to answer. But the thing is so obvious, the thing is so manifest, that it is conceded to a large degree by the very men who passed sentence upon Mr. Ellis. Hon. gentlemen opposite have been far more guilty in that

respect than the judges who passed sentence on Mr. Ellis. I will quote on this point the opinion of Mr. Justice Palmer as found on page 27 of the printed case :

From what I have said it must not be supposed that I think that the decision of the court or the actions of the judges or other persons composing the court, are not to be discussed ; on the contrary, I would allow the freest criticism of all such acts if done in a fair spirit, only stopping at what must injure or destroy the court itself and bring the administration of the law into disrepute, or be an outrage on the persons whose acts are discussed, or when such discussion would interfere with the right decision of the cause before the courts. It is this last reason that makes it wrong to discuss any case while it is *sub judice*, but when once ended, the latter reason does not apply. I know some judges object to what they have done being called in question, and consider it unfair that they should be called upon to defend their action or be compelled to allow such actions to be misjudged by the public, because only one side of the controversy has been presented ; but I think the right will generally be seen in the end, and if a hard worked judge with sufficient ability to fill his office, does go on doing his duty without seeking approval or fearing censure, he will in the end be rightly judged by the people.

Here, Sir, the judge gracefully concedes that the opinion of judges can be reviewed and criticised. I ask, if the opinion of a judge can be reviewed and criticised, what reason is there why his actions and intentions should not also be reviewed and criticised ? The court maintains the opinion that if a judge has erred he can be criticised, but it draws the line at opinions, and maintains that his actions and intentions cannot be reviewed and criticised. I say that if it be allowed that the opinion of a judge can be reviewed and criticised, there are ten times more reasons why his actions should be reviewed and criticised. If the words of the judgment are liable to criticism, are we to be told that if the judge prevaricates, he shall not be liable to criticism ? I say there is more reason to review his prevarication than simply to criticise his judgment. We were told yesterday by the hon. member for Albert (Mr. Weldon) that the actions of judges are sacred, that they should never be reviewed by Parliament, unless with a view to impeachment. Sir, I take a different view from the hon. gentleman. I say there are cases, and I can point to some cases, where the actions of a judge would not, perhaps, warrant an impeachment, but would warrant the censure of the press. I have a case in my mind that I can quote at the present time. Some sixteen or seventeen years ago a judge was impeached at the Bar of the House. The matter was referred to a committee for investigation. One of the charges against him was that he was in the habit of taking his seat on the Bench under the influence of liquor—certainly a charge sufficient to warrant impeachment, if proved to be true. The judge asked for particulars, and when particulars

were given, the charge in this respect was not that it was a habit, but that on one occasion, on a circuit in the country, the judge had taken his seat under the influence of liquor. Thereupon the committee decided, and decided wisely, in my estimation, that they would hear no evidence at all upon this charge, and the reason they gave was that even if the charge were true, and that on one occasion, and one occasion only, the judge had taken his seat under the influence of liquor, they would not, for that solitary offence, advise his removal from office. I think that was a wise decision under the circumstances. Now, I put this case to my hon. friends on the opposite side of the House. Supposing it had been true that the judge on one occasion had taken his seat under the influence of liquor, though gentlemen opposite would not have been prepared to advise his removal for that single offence, if a paper published in the locality had denounced the judge for that offence—because it was after all an offence against the public—according to the principles laid down by hon. gentlemen opposite, it would have been in the power of the judge to bring the journalist before him, to fine him, to imprison him, and to make him pay the costs. Would not the journalist on such an occasion have been doing his duty to the public and the country in calling the judge to task for that offence ? Certainly he would. But, Sir, what would have been the fate of the journalist according to the law laid down in the province of New Brunswick, nay, according to the law maintained on the opposite side of the House ? The man would have been brought to the Bar, he would not have been allowed to prove that the charge was true, he would not have been allowed to say that he had published his article in the interest of the public, but the judge would have compelled him to make an abject apology, in default of which he would have fined him, imprisoned him, and made him pay the costs. Such is the law which has been maintained by hon. gentlemen opposite. Is that the view which they take of the position judges should hold in this country ? Whatever their view may be, I say that law under which such a thing is possible, should not be tolerated, even if it has been law down to the present time. I will not enter into the many issues of this question as it has been presented to this House. Many things have been imported into the debate which I believe are not conducive to the elucidation of the point we have under discussion. The Prime Minister this afternoon undertook to whitewash Mr. Dunn, the returning officer. I will not attempt to follow him upon this point. If I did, however, I would say this : that the Prime Minister has been very lenient indeed with Mr. Dunn. The Prime Minister said, in exculpation of the conduct of Mr. Dunn, that he had acted to the best of his judgment when he declared that Mr. Baird had been elected by acclamation, that there had been no election at all.

Therefore, though he had received the deposit, though he had received the nomination paper, though he had granted a poll, all that was done was null and void, because there had been an election by acclamation. Now, that was the view of the Prime Minister of the action of the returning officer when he was acting in favour of Mr. Baird; but when he was dealing with his own case, he charged and was paid by the country for his services in an election at every poll in which those illegal votes had been recorded. The returning officer had a certain law for Mr. Baird, but for his opponent he had another law. There had been a contested election and other proceedings. However, I discard all these matters. The case with me involves greater issues. It is not as to the conduct of Mr. Baird, or of Mr. Dunn, or of Judge Steadman, or even of Judge Tuck. I will not even review the question as to whether Mr. Ellis outstepped the bounds of proper criticism, whether Mr. Ellis was guilty or not guilty of a libel. The only point I wish to establish at this present moment is this: if Mr. Ellis was guilty, common justice demanded that he should have been given an opportunity of meeting the charge and making his proof that he did it for the public benefit. Moreover, he should have been tried by a jury of his peers. If we are to preserve our free institutions intact we must brush away all despotic powers claimed by the judges, and let the judges know they are like anybody else, free citizens of a free country, entitled to all the privileges of their office, but also subject to all the responsibilities of their office. The other point I want to establish is this, and to this point I specially call the attention of the House. Let us admit for a moment that Mr. Ellis was guilty of a libel; let us admit that if he was brought before a jury of his peers he would have been found guilty, I put it to the judgment of every fair-minded man in this country that the sentence passed on Mr. Ellis was simply outrageous in its severity—condemned to thirty days imprisonment, a fine of \$200 and costs, which I am told are claimed to be over \$3,000. This is an outrageous sentence in severity. My hon. friend beside me (Mr. Davies) put a question yesterday: what was the cause which prompted the passing of a sentence of such unusual severity? The cause is not far to seek. The reason was simply a desire to gag the press, to make it impossible for any man to review the conduct of the judges, even if they were found to prevaricate, because there are very few men in this country who would be able to pay \$3,000 of a fine and undergo all the cruel punishment to which Mr. Ellis was subjected. The reason, I repeat, was to gag the press, to crush the press, and to make a repetition of Mr. Ellis's action impossible. I am speaking by authority—I am speaking by the authority of Judge Palmer himself. I will quote his own words. Here is what he said—I am not

Mr. LAURIER.

quoting from the sentence, but before the judgment rendered in 1887 or 1888. Judge Palmer said:

All I at present say is that sufficient is shown to make it our duty to bring him into court to answer for the act charged against him, when here it will be the duty of this court to give him an opportunity to fully defend himself, and if it turns out according to his own oath that he has not violated any of the principles I have endeavoured to state it will be the pleasant duty of this court to acquit him; if otherwise it will be our duty, no matter how unpleasant, to inflict upon him the punishment that the law directs, which is just such punishment as will prevent a repetition of the crime by him or by anybody else.

Here is the cause. And by whom was this language used? By the man who, when four or five years later he passed sentence on Mr. Ellis, had been charged with having sold justice, with having \$5,000 in his pocket from a suitor. Judge Palmer, forsooth, could not allow any imputation to rest on the character of Judge Tuck, but Judge Palmer never took any steps whatever to defend his own reputation when he was met not by vague insinuation, but by the charge, made by the very man who had made the attack on Judge Tuck, that Judge Palmer had at that moment in his pocket \$5,000 which he had received from a suitor. This is the man who lays down the doctrine that the punishment according to the law must be such as to deter any journalist for ever from attacking a judge. And Parliament did not dare to say a word, says my hon. friend. No, I beg pardon. There are men in Parliament who dare utter words. When the conduct of Judge Palmer, who is now in receipt of a pension from the Government, was called in question, and the charge was brought against him that he had received the sum of \$5,000 for having sold justice, when that matter was brought before this House there were some hon. members that said that Judge Palmer should not be made the subject of attack. The hon. member for Albert (Mr. Weldon) said yesterday that we were in danger of invasion of democracy in this country. Let me say this to the hon. gentleman: that Liberal as I am, I will lament the day when the democratic practices which prevail in some other countries are introduced here, but if we want to maintain pure and intact the foundation of justice, the first step to be taken is to call to the Bench men who are qualified for the office by their official capacity and integrity, and not as a reward for political favouritism, and the second step to be taken is this: that when a judge is found guilty of malfeasance in office he must be dealt with without mercy, and not rewarded, as has been the case of late.

Mr. McCARTHY. Mr. Speaker, I had not intended to take any part in this debate, as the question has been so fully discussed on both sides of the House; but after the

speech that has been made by the hon. leader of the Opposition, I feel I could not honestly record my vote without giving some reasons for the course that I intend to pursue. The hon. gentleman has addressed the House with his usual ability and eloquence, but I think he has rather forgotten the matter which this House is called upon to discuss, and the question on which we are shortly to vote. We are here, Sir, not to say whether the law should or should not be amended, but we are here called upon solemnly to determine whether we are prepared to record our censure on the court of New Brunswick for a violation of the law as it stands, and there is very great difference, it appears to me, between pronouncing in favour of an abstract proposition, and recording our opinion that the law is capable of amendment, and censuring a Bench and destroying the usefulness of the Supreme Court of a province, because such would be the result of the adoption of the resolution now before the House. Now, what is the matter and what is the charge we are here to investigate? We are not dealing, at least certainly I am not going to deal, nor am I going to record any vote, in regard to the course pursued by the returning officer, Mr. Dunn. That question, I think, ought not to have been brought into this motion at all; I cannot understand its relevancy; I am unable to appreciate what it has to do with the main matter we are called upon to discuss. I was a member of the House when that question was brought before it during the last Parliament, and although I felt then, as I feel now, that the course of Mr. Dunn was quite inexcusable, although I felt then, as strongly as any hon. gentleman can feel, that Mr. Dunn had no justification for the return he made in putting Mr. Baird's name instead of Mr. King in that writ, nevertheless, rightly or wrongly, I came to the conclusion, and I still adhere to that view, that it was our duty to say that we ought not to resume the power and authority to deal with election matters, that on the whole it would be better for us to leave election trials to be disposed of by the courts than to assume that jurisdiction again. I never doubted then, I do not doubt now, that Parliament had full power and authority, if it thought fit, to order that writ to be amended. But I have not been able to find, since the jurisdiction had been given to the courts, that Parliament had ever assumed that power except in a case where the man returned was personally disqualified. Now, that being so, what has that question of Mr. Dunn's conduct to do here in this discussion? Surely this matter is too grave and too serious for us to involve it in the question of the election of Queen's County, or in anything else beyond the plain issue which is presented to us in the concluding paragraph of the resolution. I agree with my hon. friend (Mr. Laurier), who has just addressed the House, that we are to condemn, if proper, the prevarication and misconduct of judges. But

that again begs the whole question. Speaking of Judge Tuck, what prevarication—a word which my hon. friend used over and over again—has he been accused of? What wrong do you attribute to him? Does any lawyer, does any layman, does any man who knows anything of the subject pretend to doubt, that when that judge was appealed to by Mr. Baird's counsel, and asked for that writ, that he was bound to grant it? I do not pretend to sit in judgment upon the Supreme Court of New Brunswick, and to set up the judgment of the court of my own province against it. My own opinion agrees with the court of my own province, and I believe that a writ of prohibition was not a proper writ to go; but surely no person will deny that as the law was then understood, when the hon. gentleman (Mr. Baird) appeared with his counsel before the judge, when he represented to him that in this matter the county court judge was presuming to exercise a jurisdiction which was not vested in him under the circumstances; that Judge Tuck could not have refused a writ particularly when it was not a writ absolute, but an order merely calling on the other side to show cause why the writ should not go. In all the strong language that has been used—and undoubtedly very strong language has been used—in all the assertions that have been made, I have not heard one word to impugn the perfect honesty and integrity of Judge Tuck in granting that writ. Well, that is the whole question; because it was with reference to Judge Tuck that Mr. Eliis published in his paper what no person here has pretended to defend. If that be so, if the judge has been assailed in his honour and in his character; if an accusation has been made against him in the language of this charge so gross, that—as fairly put by the hon. gentleman who leads the House—if true he was no longer fit to sit on the Bench; if such language was used as:

But it is not justice that is wanted, and therefore, Judge Tuck intervenes.

That justice was not what was to be sought, but that when an unjust judgment or an interference with the rights of the people was to be obtained, they were to go to Judge Tuck. If that language was used, I would like to know, in this law-abiding country, whether against a charge made like that there is to be no protection? I do not suppose any person will contend that. But what is contended by hon. gentlemen who support this resolution? It is said: that the course and the practice that was pursued was not one that under the circumstances should have been followed. As I have said before, that may be a very fair and very proper subject to investigate. There might have been good cause and justice for my hon. friend (Mr. Davies), who moved the resolution, to have asked us to decide as an abstract proposition that the law should be changed; but surely it is a very different thing to wind up the charge as in this case, not by an

abstract resolution that the law as it stands is an improper law, but that the conduct of the court :

Was arbitrary, excessive, inimical to the public interest and deserving of censure.

Mr. DAVIES (P.E.I.) That refers to the sentence.

Mr. McCARTHY. That refers to the sentence it is quite true, but the preceding paragraph refers to the jurisdiction.

Mr. DAVIES (P.E.I.) Will the hon. gentleman read the preceding paragraph ?

Mr. McCARTHY. I will read with very great pleasure.

That in the further opinion of this House, the jurisdiction claimed by the judges of Superior Courts of Record of punishing by fine and commitment to prison for constructive contempt being practically arbitrary and unlimited and exercised by judges, who are at the same time judges of the law, of the fact, of the intention, and of the sentence, and whose decisions are given without the aid of a jury and without being subject to review, is opposed to the genius and spirit of constitutional liberty and ought never to be exercised where any other pertinent remedy can be found or recourse had to any other method of obtaining justice.

Now what I say, Sir, is this : that that resolution is condemnatory of the judges, and it means that as the law now stands those judges acted improperly in entertaining the application that was made to commit Mr. Ellis. There is no use discussing in this House propositions of law. One might as well make a statement of what the law is as to cite cases in support of that opinion. I do not think any person will pretend to deny, that as the law stands in England and as the law stands in Canada to-day : it is not merely competent for the court, but that when a matter of this kind is brought to the court, the court are bound—I say that advisedly—the court have no discretion in the matter but are bound to give effect to the law of the land which says that for offences of this kind the parties can be punished in the process and in the manner which was followed in this case. If that be so, then I want to know where the court is to blame. It is not denied that Judge Tuck was slandered, was libelled, and was defamed. The only question that remains is : if he were slandered and defamed, whether the proceeding that was taken was proper, or whether the Court of New Brunswick travelled out of their way to find a new proceeding in order to uphold their supposed dignity, or went out of their way to punish Mr. Ellis and destroy the liberty of the press. It will be remembered that the charge was not brought by the court. For my part I think the court would have done better if they had instituted this charge on their own motion, but they did not do so. The charge was brought to their notice by Mr. Baird, who had a perfect right to make the charge,

Mr. McCARTHY.

because, Sir, contempt consists of—and for that I would like to give an authority in the words of the writers :

A contempt of this kind consists in three matters or may consist: Those which scandalize the court itself; those which scandalize, calumniate, vilify or intimidate the parties concerned in cases before the court, and those which prejudice the public before the case is heard, or the cause itself before the court.

Now this charge of Mr. Ellis violated at least two of these principles. It did undoubtedly scandalize the court in the attack that was made upon the judge. It did undoubtedly calumniate and vilify Mr. Baird. We may all think that Mr. Baird got nothing more than his deserts, but, Sir, Mr. Baird has the right of every citizen of this country to appeal to the law, and in the appeal which he made to the law, the court has a right to protect him as it would have the right to protect any witness or any juror who is called and summoned to assist in the administration of justice. No man is to be abused; no man is to be driven out of court; no man is to be hounded in court, who is simply appealing to the court for protection and for the vindication of his rights. Therefore, in both these matters did Mr. Ellis commit an offence against the majesty of the law. But not only so; if Mr. Ellis had a right to commence this species of newspaper warfare he had a perfect right to keep it up. I would like to know what is the effect upon the Bench. I want to know whether hon. gentlemen think—because if they do, perhaps they have not had the experience that some of us have had—if that kind of thing is kept up, what is the effect upon the judge. Do you suppose he is perfectly impervious to this kind of criticism, and this species of attack? The interest of the public, who desire to see justice done, cannot be obtained or promoted unless attacks of this kind are put down.

Mr. DAVIES (P.E.I.) Was there no other pertinent remedy ?

Mr. McCARTHY. In my judgment there was no other pertinent remedy. But whether there was or not, I do not think that is a fair question. We are called upon now to censure the judge and the court. My hon. friend, with his experience as a lawyer, will not deny that the courts have this jurisdiction, and no case is found in which a judge has said to the man who applied to him: There is another pertinent remedy, and I will not interfere.

Mr. MILLS (Bothwell). Oh, yes; there is an Irish case.

Mr. McCARTHY. Generally there is an Irish case.

Mr. MILLS (Bothwell). There is the case decided by the Master of the Rolls, which is

quoted by Mr. Justice Morrison in re the Brown case.

Mr. McCARTHY. The case the hon. gentleman quoted this afternoon?

Mr. MILLS (Bothwell). No; I did not quote it.

Mr. McCARTHY. I have not seen the case. Certainly there is no English case and no Canadian case. If that be so, is it not going a little too far to ask us to censure the court for its act? I do not at this hour of the night do more than draw attention in these few words to the true question which this House has to determine. I would only add this: this is not a privilege of the judges as men. I agree with my hon. friend the leader of the Opposition when he says that it is sufficient for the judges to have the rights of ordinary citizens of this country as men. But, Sir, when they are sitting in court, they are not representing themselves; but they are representing the majesty of the law; they are representing the body of the citizens, whose agents, whose administrators of the laws of the land, they are. It is in that capacity that we require to have them respected, and it is for that purpose that from the earliest days this power of punishing for contempt has been allowed as a part of the common law of the land. It is not derived from the statute; it has been allowed from the earliest times as a necessary incident of the courts, in order that they may fittingly discharge the high and important duties which devolve upon them, and let me add that if that be so in the old land, it is more important here than anywhere else. What have we to appeal to in this country but our courts? It is not merely the rights of our citizens, but the question of our constitution that has to be determined, and is constantly determined by the judgment of our courts, and it is the duty of the people of this country to uphold the dignity of our courts, and to uphold them in the proper exercise and discharge of their high and important functions.

Mr. DAVIES (P.E.I.) The hon. gentleman occupies such a high position at the Bar that his opinion may have very great weight, not only in the House, but out of it; and I would like to ask him whether in his opinion there were or were not other pertinent remedies which the judge could have resorted to, to vindicate his position and his conduct and his character, rather than to have resorted to the arbitrary one of punishing by summary attachment.

Mr. McCARTHY. I have not the slightest objection to answer the hon. gentleman's question: but the hon. gentleman must always remember that it was not the judge who put this matter in motion at all. My point is this—and I do not think the hon. gentleman will differ from me—that upon the application made to the Supreme Court of New Brunswick by Mr. Baird, who had

a perfect right to make that application, the court had no power, there being a contempt, to refuse to entertain the proceeding and to punish the offender. I will go further. I am quite in accord with the quotation from the judgment of one of the learned judges which was read this afternoon. I cannot imagine it being consonant with the dignity of a chief justice, who has been abused and libelled and defamed in this way, to go down from his high seat of justice and appear before the grand jury, and afterwards go into the witness box and have the case tried in what is called the ordinary way. If it were only a matter of the judge himself, I admit that he stands no higher than any other person; but if it is a matter of the court, then I mean to say that the dignity of the court cannot be upheld in any other way than by this process, and, for my part, if it were an abstract resolution of that kind that was before us, I should not be willing to endorse the proposition that the jurisdiction should be abolished. Now, Sir, while I have said so much—and at this hour I do not propose to do more than state thus briefly the points on which I think the hon. leader of the Opposition has misstated the question before us—I desire to add that I do not agree altogether that we are not to have a certain freedom of speech with reference to the conduct of judges as well as with reference to every other matter. There is this great distinction, however, to be drawn. It appears to me that this is not a competent tribunal to determine whether the judgment of a court is right or wrong. We can easily imagine a judgment so outrageous that Parliament would be able to consider it and be able to assume from it either the incompetency of the judge, or that he had been actuated by improper motives or improper conduct. But take the ordinary case. Take this case, and look at the discussion that has gone on in this House for these two days, in which citations have been made on one side or on the other side, and I appeal to the common sense, to the good sense of the House, which I am quite sure will agree that this is not the tribunal to determine whether the judges have or have not exercised their jurisdiction. On the other hand, it is the conduct of the judge that is impugned. The case in our own Dominion, that was referred to by my hon. friend, as he will see in a moment, was not in reference to the judgment of a judge. In that case a judge was accused of sitting on the Bench while under the influence of liquor. That had reference to the conduct or the misconduct of the judge, not to his judgment, and therefore did form a proper subject of investigation in this House, and a proper subject for discussion in the press. What I say is that with regard to matters of judgment it is not wise or prudent for this House to attempt to review what we have not the power to rectify or set aside, while, on the other hand, we have full power and authority, when the proper case

arises, to investigate, consider, and, if need be, to rebuke, the conduct or misconduct of a judge. Take this case. No charge of misconduct has been made against Judge Tuck. Of the chief justice every hon. gentleman who has spoken in this House has spoken in the very highest terms. Against Judge Fraser, the present Lieutenant-Governor, no word has been uttered. Against Mr. Justice Palmer there have been charges made which, I think, had better not have been made here. Though quite proper to be made and investigated on a fitting occasion, in reference to this particular matter, I do not see their relevancy or their point. But, leaving, that aside, what have we? We have two deliberate judgments, concurred in not merely by those three judges whom I have mentioned, but by Mr. Justice Wetmore on one occasion, and by Mr. Justice King, now of the Supreme Court, on another occasion. They all agreed that there had been a contempt of court and that there ought to be punishment. It is quite true that when the punishment came to be inflicted, Mr. Justice King had then been removed to the Supreme Court, and that the other three judges only took part in the determination of what the sentence should be, but in the main charge on the question now before us, these five judges have all agreed, and against them—four of them at all events—no word has been uttered. I submit, therefore, that under these circumstances, to pass this resolution would be going very far indeed. I will just add that, for my part, without knowing—and I think it is always dangerous, and possibly it were better I did not give utterance to my opinion on the subject—but without knowing all the incidents, my impression is that it would have been better, so far as I know, if the sentence had not been so severe. I can understand Mr. Ellis's feelings, though I can hardly understand his language, with reference to Judge Tuck, but I can understand his feelings sufficiently, and, on the whole, there was great aggravation. We cannot forget either that six years had elapsed before it became the duty of the court to pass sentence, and regard being had to all the circumstances, I do think the discretion of the judges would have been better, more prudently, more wisely exercised, if they had limited the punishment either to a fine or very short imprisonment. I am quite free to say that, so far as I know, is the best opinion I have been able to form from all I have heard. But on the other hand, let us see the position Mr. Ellis took. This long and protracted litigation was very largely owing to Mr. Ellis himself. He fought the case at every point; and although every opportunity was afforded him, he never took back this one sentence containing the reflections he made on Judge Tuck. Now, surely it was not unbecoming any man, no man need be ashamed to admit an error which he has committed, and I do not see

Mr. McCARTHY.

why, because a gentleman is the editor of a newspaper, that it is beneath his dignity to acknowledge his fault. While standing by his accusations against Mr. Baird and Mr. Dunn and holding to all that he said regarding the Queen's County election—which it was all right and proper to stand by—I am unable to understand why he did not feel himself competent to withdraw the charge that he made by error against Judge Tuck. So that we find the litigation going on, disputed at every point, every objection made, everything done to prevent an appeal and final determination, and then in the end we have a sentence, which, notwithstanding all, I think was unduly severe, and which I think on the whole it would have been wiser on the part of the judges to have modified.

Mr. MILLS (Bothwell). I have just sent over to my hon. friend 10th Equity Irish cases, and would ask him to read the concluding paragraph on the right hand page.

Mr. McCARTHY. The reference the hon. gentleman gives me is as follows:—

The master of the Rolls, after referring to other cases of contempt, says page 101: the case therefore comes to this: a libel has been published of the plaintiff pending the pleadings in this cause. The court has no authority whatever to commit for a libel unless it is calculated to obstruct the free course of justice. I am not satisfied that it is so calculated. * * * I think it is much more proper that the plaintiff if he shall be so advised, should proceed by action, information or indictment, in proceedings the party accused would have the benefit of a trial by jury. I shall therefore make no rule on the motion.

Mr. MILLS (Bothwell). The hon. gentleman will see there that the court did not hold it was absolute upon it to grant a writ of attachment.

Sir JOHN THOMPSON. Under the circumstances of that case.

Mr. McCARTHY. I do not quite see the relevancy of it to the point I made. I say that a case of contempt was made out, and the hon. gentleman will find no case in the books in which a court felt itself at liberty to refuse to carry out the law. That is what I understand the law to be, and what I still adhere to, and certainly there are no English or Canadian cases to the contrary.

House divided on amendment.

YEAS:

Messieurs

Allan,
Beausoleil,
Béchar, d,
Beith,
Bernier,
Borden,
Boston,
Bowman,
Brodeur,
Brown,
Bruneau,
Campbell,

Grieve,
Guay,
Harwood,
Landerkin,
Langelier,
Laurier,
Lavergne,
Leduc,
Legris,
Lister,
Livingston,
Lowell,

Carroll,
Cartwright (Sir Richard),
Casey,
Charlton,
Choquette,
Colter,
Davies,
Dawson,
Devlin,
Dupont,
Edgar,
Edwards,
Featherston,
Flint,
Forbes,
Fraser,
Frémont,
Geoffrion,
Gibson,
Gillmor,
Godbout,
Macdonald (Huron),
McGregor,
McMillan,
McMullen,
Martin,
Mignault,
Mills (Bothwell),
Monet,
Paterson (Brant),
Perry,
Préfontaine,
Proulx,
Rider,
Rinfret,
Rowand,
Sanborn,
Semple,
Somerville,
Sutherland,
Tarte,
Vaillancourt.—66.

NATS :

Messieurs

Amyot,
Bain (Soulanges),
Baird,
Baker,
Barnard,
Belley,
Bennett,
Bergeron,
Bergin,
Blanchard,
Boyd,
Boyle,
Bryson,
Burnham,
Calvin,
Cameron,
Cargill,
Carignan,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Carseallen,
Chesley,
Coatsworth,
Cochrane,
Cockburn,
Corby,
Costigan,
Curran,
Daly,
Davin,
Davis,
Denison,
Dezaulniers,
Dickey,
Dugas,
Dyer,
Earle,
Fairbairn,
Ferguson (Renfrew),
Fréchette,
Girouard (Jacques Cartier),
Girouard (Two Mountains),
Grant (Sir James),
Guillet,
Haggart,
Haslam,
Hazen,
Henderson,
Hodgins,
Hughes,
Hutchins,
Ingram,
Jeannotte,
Joncas,
Kaulbach,
Lachapelle,
Langevin (Sir Hector),
Leclau,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
McAlister,
McCarthy,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougald (Cape Breton),
McInerney,
McKay,
McLennan,
McLeod,
McNeill,
Madill,
Mara,
Marshall,
Masson,
Metcalfé,
Miller,
Moncrieff,
Montague,
Northrup,
O'Brien,
Pelletier,
Pope,
Pridham,
Prior,
Reid,
Robillard,
Roome,
Rosamond,
Ross (Dundas),
Ross (Lisgar),
Ryckman,
Smith (Ontario),
Sproule,
Stairs,
Stevenson,
Taylor,
Temple,
Thompson (Sir John),
Tupper (Sir C. Hibbert),
Turcotte,
Tyrwhitt,
Wallace,
Weldon,
White (Cardwell),
White (Shelburne),
Wood (Brockville),
Wood (Westmoreland).—110.

PAIRS :

Ministerial.

Tisdale,
Mills (Annapolis),
Foster,
Onimet,
Wilson,
Corbould,
Kenny,

Opposition.

Scriver,
Christie,
Innes,
Bourassa,
Bain (Wentworth),
Walsh,
Kullock,

Patterson (Huron),
McLean (P.E.I.),
Wilmot.

Fauvel,
Yeo,
Bowers.

Amendment negatived.

Sir JOHN THOMPSON. I shall have to ask that my motion that House go into Committee of Ways and Means be negatived, as, at this hour it is impossible to make any progress.

Motion negatived.

Sir JOHN THOMPSON moved :

That the House again, resolve itself, at the next sitting of the House, this day, into Committee of Ways and Means.

Motion agreed to.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 1.05 a.m. (Thursday).

HOUSE OF COMMONS.

THURSDAY, 7th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MR. TURCOTTE, M. P.

Mr. EDGAR. The report of the Privileges and Elections Committee, which has just been read to the House, shows that two witnesses have been very contumacious, and have on two occasions refused to attend before the committee, although duly summoned to do so ; and the report states that they are material and necessary witnesses. The usual course, I believe, is to move that the witnesses in default attend before the Bar of the House on a certain day to be dealt with. I therefore move :

That J. B. Provost and O. E. Larose, the witnesses named in the second report of the Select Standing Committee on Privileges and Elections submitted to this House this day, do attend at the Bar of this House on Monday, 11th June, 1894, at the hour of three o'clock in the afternoon.

Sir HECTOR LANGEVIN. I hope the Minister of Justice will take cognizance of this report and motion. Let me begin by saying that I do not know these two gentlemen that are mentioned, therefore I speak only in reference to the practice of the House. These two gentlemen were notified by telegraph that the Committee on Privileges and Elections required their presence here before the committee ; they did not come. Afterwards a subpoena, or a docu-

ment of some kind, was sent to them through the sheriff of Quebec, notifying them in like manner to appear here on the 5th or 7th June. That notification was made to them, and they have not appeared to-day. Now, the hon. member for West Ontario (Mr. Edgar) has moved that these gentlemen be brought up before the Bar of the House to answer such questions as may be put to them. In the province of Quebec, when a witness is required to attend before the court, especially when he lives at some distance, his travelling and ordinary expenses are tendered to him by the bailiff who hands him the subpoena. In this case nothing of the kind has been done, not a cent has been tendered, and witnesses are not bound to expend money to come to Ottawa for the purpose of attending before a committee of this House. If it is desirable that they should attend here, their travelling and other expenses should be tendered them, as is customary in all cases in Quebec, and therefore I do not think that these gentlemen should be placed in the position of being brought before the Bar until they are first offered the ordinary allowance for travelling expenses as are other witnesses appearing before the courts. They have done nothing to justify the indignity being placed upon them of being taken into custody and brought here, when their travelling expenses have not first been offered them. I mention these points because it is desirable this matter should be decided once for all, namely, whether witnesses are compelled to come here without first being tendered their expenses. Suppose the Serjeant-at-Arms or the Deputy Serjeant is sent to bring these gentlemen here as witnesses. They would be taken into custody by the Serjeant, and would be conveyed to the train. On board the train they would be asked by the conductor to show their tickets. They would reply that they had no tickets; and then the Serjeant-at-Arms would be obliged to pay for the tickets of his prisoners. Would it not be very much better that the ordinary practice of the court should be followed, and that the expenses should be tendered to the witnesses before compelling them to attend here, as has been suggested? Besides I am pretty sure that those gentlemen on being offered their expenses would come here of their own free will.

Mr. AMYOT. I may say, in support of the remarks of the hon. member for Three Rivers (Sir Hector Langevin), that section 249 of our code provides, as is well known to every lawyer practising in the province of Quebec, that in all cases when parties are summoned they must be offered an amount of money sufficient to defray their travelling expenses at the ordinary rate allowed by the judicial tribunal. No one in the province of Quebec would dream that the Parliament of Canada would force him

Sir HECTOR LANGEVIN.

to borrow money or pledge his goods as security to buy a ticket to come to Ottawa at the pleasure of a member of a committee or even of this honourable House. We cannot presume that witnesses would refuse to comply with an order of the House, if they were placed in a position so to do. But the first step is to send them the money for travelling expenses, and if they then failed to come, I would be the first to ask that the order of the House be complied with. Until their expenses are tendered, it would be unfair to bring them before the Bar of this House.

Sir JOHN THOMPSON. One difficulty in considering this question arises from the fact that the motion is made on the spur of the moment, and hon. members have not an opportunity of looking into the practice and precedents. But it strikes me that witnesses have been summoned in all such cases without being tendered in the first instance their travelling fees, although in all cases the fees have been paid afterwards, and of course a witness could not be treated as subjecting himself to penalties if he failed to come in consequence of his indigent circumstances. But the hon. member for Three Rivers (Sir Hector Langevin) appears to have misapprehended the motion made. It is not that these persons be taken into custody for contempt and brought to the Bar, but it is that they be summoned to appear at a certain day at the Bar. If the House should consider the matter of sufficient importance in this instance, it would be well to allow it to stand over until to-morrow, so that hon. members could examine the practice on the subject; but in the meantime I would ask the hon. members who have spoken on the subject of practice in the province of Quebec whether the rule mentioned applied to witnesses summoned in Crown cases, because I believe in other provinces the practice has not been in such cases to tender them travelling fees, but that such witnesses were obliged to attend.

Mr. LISTER. We pay the witnesses in Ontario, but not until they have come.

Sir JOHN THOMPSON. That is the practice in my own province.

Mr. MILLS (Bothwell.) But the practice in the provinces would not necessarily be followed in regard to Parliament.

Sir JOHN THOMPSON. Quite so.

Mr. LAURIER. There is no necessity, I think, of postponing the case until to-morrow. This is a matter of urgency, and there is no precedent quoted in favour of the position taken by the hon. member for Three Rivers (Sir Hector Langevin). The reason the practice referred to in civil cases prevails is quite obvious, and it is this, that a party may be summoned on behalf of some one who is insolvent and unable to

pay his expenses. The witness has the privilege of refusing to attend until his travelling expenses have been tendered him, but when the Parliament of Canada summoned a witness it is impossible that the witness should be in danger of not being paid his expenses.

Mr. EDGAR. The hon. member for Three Rivers (Sir Hector Langevin) has misapprehended the present practice. In 1891 we had some experience in regard to this matter. At page 454 of Journals of 1891 the case is recorded of André Senecal, in which he failed to attend before a committee. I followed the wording of that motion, "mutatis mutandis." In the present report of the committee the witnesses are described as material and necessary witnesses, whereas in the Senecal case the witness was only an ordinary one. I followed that precedent, and I have never seen or heard of an Order of the House in which an offer was made to pay the witnesses their expenses. Moreover, the witnesses in the present case have been twice duly summoned before a committee of this House and on neither of those occasions have they filed a plea before the committee that they could not attend for lack of money. That has only been suggested by the hon. member for Three Rivers (Sir Hector Langevin) to-day.

Sir HECTOR LANGEVIN. I did not say that.

Mr. EDGAR. The hon. gentleman said they should not be compelled to come unless their expenses were first tendered. But the witnesses themselves never suggested it, and it would be rather trifling with the dignity of the House, especially as at present they are substantially in contempt for not turning up at the order of the committee.

Mr. AMYOT. The precedence and practise cannot be very old in this Dominion, because we are only in Confederation since 1867. Suppose a witness would be called from British Columbia, it would be very hard to compel him to find the money to come here. When the leader of the Opposition speaks of the practice in Quebec, he only refers to our small judicial districts, but it is 300 miles from Quebec to Ottawa, and if these witnesses have not the means to come, shall we subject them to the humiliation of coming before the Bar of this House for not having money? Shall we force them to borrow money to come here? If we have begun with a wrong practice, it is the proper time to change it and make it conform with justice and common sense. We cannot suppose that these witnesses have the money to come.

Mr. LAURIER. Hear, hear.

Mr. AMYOT. The hon. gentleman says "hear, hear," but judging from the speeches of the hon. gentleman (Mr. Laurier), the Dominion is bankrupt and every citizen of

the Dominion is bankrupt, so we cannot presume they have money. I contend that it is our duty to establish the precedent in this case of putting the witnesses in the position to comply with the order of the House, or at least before we bring them to the Bar of the House, we ought to establish that they are in a position to come here.

Mr. CHOQUETTE. It was decided last month in my district by Judge Pelletier, who said he had consulted the judges in Quebec, that the Crown is never obliged to tender any money to a witness, and that this decision was given. In a case of a Mr. McKenzie, collector of Inland Revenue, a relation of the member for Bellechasse, who has just spoken against Mr. Charbonneau, for having sold liquor without a license, witnesses were called before the court and no money was tendered them. On the basis of article 249 of the Code, I objected to a rule nisi being issued against them for contempt, because they did not respond to the subpoena. They were poor people, who lived pretty far away from the court, and had no money to come to court, and I considered that it was a hardship to compel them to come. I pleaded all the reasons my hon. friend has given, but Judge Pelletier, after consultation with the judges in Quebec, decided that the Crown is never obliged to offer a cent to a witness, and the judge fined these people \$20 or thirty days in jail for not having answered the subpoena. That, therefore, is the practice in Quebec now.

Sir JOHN THOMPSON. When I spoke before—the matter coming up so suddenly—I did not remember that there was any rule of the House on the subject, but hon. gentlemen will find that there is a specific rule at page 524 of Dr. Bourinot's work, headed "Payment of witnesses":

By a rule common to the Senate and Commons, the Clerk of either House is instructed to pay every witness summoned to appear before a committee, a reasonable sum for his attendance (to be determined in the Commons by the Speaker), and also for travelling expenses, upon the certificate or order of the chairman of the committee, but no witness shall be so summoned and paid unless a certificate shall have been first filed with the chairman of the committee by a member thereof (or of the Senate), stating that the evidence of such witness is, in his opinion, material and important, and no witness residing at the seat of Government shall be paid for his attendance. Under this rule, it is the practice to pay witnesses their travelling and hotel expenses, but nothing is necessarily allowed for loss of time, even in the case of professional men. Printed forms are provided under the rule and certified by the clerk before payment is made by the accountant. No witness who comes as a witness at the solicitation of parties interested in a private Bill is paid by the House. The rule only applies to those persons who are present in case of public inquiry.

In the case of witnesses, for instance, with regard to a private Bill, inasmuch as they are attending in the interest of the person pro-

moving the Bill and have only him to look to for payment of their expenses, the rule does not apply to them, and they would have the right, I suppose, to require their travelling expenses to be paid before they came. By this rule the practice must be assumed to be settled: that the witnesses' expenses are to be paid after they have attended, and after they have given evidence. There is no practice, I think, which can be found by which witnesses are entitled to expect, in relation to a public inquiry, that their expenses will be tendered them first. That is indeed the practice in all the other provinces—I was not aware before that it was so in Quebec—as to witnesses summoned by the Crown. I would think it better, under these circumstances, not to ask the House to reserve the question until tomorrow, because it might seem to imply a doubt which ought not to exist in view of the authority. I would suggest as a fair precaution that the officer of the committee should telegraph to these persons that their expenses would be duly paid.

Mr. EDGAR. The Clerk of the House.

Mr. LAURIER. Mr. Provost and the other gentlemen are merchants, and it is simply playing with the propriety of the House to say that these men have not enough money to come here.

Sir JOHN THOMPSON. It is evident that these gentlemen, whether their means be much or little, are standing upon what they suppose are their rights, and have assumed that they are not obliged to attend unless their expenses are tendered them. If their attention be called to the rule of the House no doubt they would realize that that does not apply as a reason for not attending.

Mr. AMYOT. Monday is too soon, anyway.

Mr. EDGAR. I think Monday is not too soon. A telegram can go to Quebec this afternoon, and if they are not served with it they won't be expected to come. I would remind the First Minister who was, I think, present a week ago in the Privileges and Elections Committee, that a witness swore that one of these witnesses, Provost, I think, said he would not come until he was forced.

Sir JOHN THOMPSON. I presume he meant by that: unless he were obliged.

Mr. McCARTHY. It does not seem to me right that the House should demean itself by intimating to these gentlemen that their expenses should be paid.

Sir JOHN THOMPSON. I understand the Clerk always does that when witnesses are summoned by the House.

Mr. McCARTHY. It might be well when a witness is summoned that that fact should be mentioned; but these gentlemen are in contempt of the House, and it appears to me that we would demean ourselves by men-

Sir JOHN THOMPSON.

tioning to them that if they be good enough to come their expenses will be paid. I have not the slightest doubt that they have the means of knowing what the law of Parliament is, and that they have contumaciously refused to obey the order of the committee. I think under these circumstances we had better wait until they come to the Bar of the House and give some reasons for their disobedience.

Motion agreed to.

IMPORTATIONS OF GRANITE.

Mr. GILLMOR asked, How many tons of finished red granite or Peterhead granite, in the shape of monuments or ornamental work for buildings, have been imported into Canada during the fiscal year of 1893, and what is the value of such importations?

Sir JOHN THOMPSON. No separate record is kept for imports of red granite or Peterhead granite, whether imported in the shape of monuments or ornamental work for buildings or not. The statistical classification covering a record of imports of such goods is divided into two headings, as follows: "Granite and freestone, dressed, and all other building stone except marble"; "manufactures of stone, n.e.s." The importation under the first heading amounted to 1,063 tons of the value of \$8,901; under the second heading, the importations were valued at \$49,816. The monuments, and doubtless the greater portion of the ornamental work for buildings, would be classified as "manufactures of stone, n.e.s."

KEMPTVILLE POSTMASTER.

Mr. LISTER asked, Have charges been made against the present postmaster at Kemptville? If so, what is the nature of such charges? By whom, and when were they made? Has an investigation been made, and if so, when, and by whom? If an investigation was held, was it open to the public, and was the evidence taken under oath? Was a report made by the officer who investigated the charges? Was the evidence, if any, taken down in writing? Does the report show that the charges are true? Have further charges been made against the same person since the making of such report? Have such further charges been investigated? If not, why not? What action, if any, do the Government intend to take respecting such charges?

Sir ADOLPHE CARON. Charges have been made against the postmaster of Kemptville. The charges were that letters to the address of Mrs. D. Leslie, Kemptville, had been tampered with. They were made by Mrs. D. Leslie, in February, 1891, and September, 1893. An investigation was made by the post office inspector in February, 1891, and again in September, 1893. The investigation was open. On the first occasion the evidence was taken on oath

and reduced to writing. On the second inquiry evidence was not taken on oath and was not reduced to writing. Reports were made by the officer who conducted the investigations. The post office inspector was of the opinion that Mrs. Leslie's letters had to all appearance been tampered with in the Kemptville post office, but if tampered with there was no evidence to show by whom. No other charges against the postmaster are on record in this department. The postmaster was given strict orders not to employ again the assistant who was charged with having tampered with Mrs. Leslie's letters.

INQUIRY FOR RETURN.

Mr. McCARTHY. Before the Orders of the Day are called, I would like to ask the Controller of Customs when I may expect the return to the order of the House made on the 21st of May with reference to the Woodstock Custom-house matter?

Mr. WALLACE. The return will be brought down at once.

SUPPLY—DOMINION LANDS.

House resumed the adjourned debate on the proposed motion of Mr. Foster:

That Mr. Speaker do now leave the Chair for the House to go again into Committee of Supply; and the motion of Mr. Charlton in amendment thereto.

Mr. DALY. Mr. Speaker, as nearly a week has elapsed since I moved the adjournment of the debate on the resolution of the hon. member for North Norfolk, it might be well for me, for the information of hon. gentlemen, to read that resolution, as follows:—

That all the words after the word "That" be left out, and the following inserted instead thereof:—"in the opinion of this House the public lands of this Dominion should be sold to actual settlers only, upon reasonable terms of settlement, and in such areas as can be reasonably occupied and cultivated by the settler; that no sales of public lands to speculators or middlemen should be permitted; that liberal provisions should be made for free homestead grants to settlers; and that land grants to railway corporations have been made by the Government with reckless lavishness, and to the serious detriment of the public interest."

So far as the first portion of this resolution is concerned, I presume that it affirms what the majority of this House will agree with. But the sting of the resolution is in the tail. I do not think there is any difference of opinion amongst the members of this House that it is in the interest not only of the people of the western portion of our country, but in the interest of Canada as a whole that the lands of our Dominion should be reserved for actual settlers only, and upon reasonable terms of settlement. One would imagine from this resolution that this Gov-

ernment and former Conservative Governments that have been in power since the North-west was acquired by Canada, had administered the lands of that great country in a way detrimental to the interests of the settlers and the interests of the country generally. Now, Sir, I am prepared to state as a fact that the Government of Sir John Macdonald that was in power in 1872, and the Government of Sir John Macdonald that was in power from 1878 up to the time of that right hon. gentleman's death, administered that great trust in a way that admits of no such criticism as the motion would imply. On the contrary, I think it will be seen before I have taken my seat, that the administration of that great trust under the Government of which the hon. gentleman was a supporter, from 1874 to 1878, was directly opposed to that which was in vogue prior to that Government coming into power. If there was a time in the history of this country when the lands of this Dominion were not sold to actual settlers upon reasonable terms of settlement, when public lands were sold to speculators and middlemen, and when those public lands were not administered in the way in which the hon. gentleman indicates they should be, it was during the time Mr. Mackenzie's Government was in power. Now, Sir, the first Dominion Lands Act was passed in 1872. In that Act there was the wise provision that any person of the age of 21 years, upon making application, would be entitled to a free homestead of 160 acres upon payment of his entry fee. That Act remained on the Statute-book until 1874, when the Mackenzie Government came into power. In that year it was amended by changing the age at which a person was entitled to make a homestead entry from twenty-one years to eighteen years. But so far as the conditions were concerned, they remained the same. Now, the mode of survey in that country was adopted after the principle that obtained in the United States and Australia, and the policy of granting free homesteads adopted by the Government of Sir John Macdonald in 1872 was similar to the policy that had been adopted in the United States. The age of twenty-one years fixed by the Act of 1872 was the same as that fixed by the laws of the United States, and with the exception of changing the age from twenty-one to eighteen, so far as the homestead entries were concerned, the same law prevailed during the administration of Mr. Mackenzie that prevailed prior to it. And from that day to this, with that exception, the only changes that have been made in the law, were made to suit the changing purposes of the country. The law in this respect remains as it was then. Another important change made by the Mackenzie Government was that, in addition to the homestead rights, a pre-emption right was given. Not only had a man the right to acquire 160 acres as homestead, but to acquire, further, 160 acres as pre-emption, on the payment of a certain

sum of money. In 1890, however, pre-emptions were abolished. My hon. friend has attempted to show that the policy of the United States Government was more liberal towards homesteaders than that of this country. I fail to follow the hon. gentleman in that. I contend that, on the contrary, our policy has been more liberal. In the United States, in order that a man could obtain a homestead, he had to be, in the first place, an American citizen; in the second place, he had to be twenty-one years of age; and in the third place, he was required to have resided five years continuously on the homestead before he was entitled to a patent. And when he became entitled to a patent, he had to give notice of his intention, he had to go with two witnesses before the nearest land agent, and make his application through an attorney. On the contrary, under the laws of Canada that have obtained since 1874, a man simply requires to be eighteen years of age, to have lived upon his homestead for six months in each year during three years, and at the expiration of that period he does not require to give any notice of his application for the homestead, but goes to the nearest land office with his witnesses and applies for the patent; or, if that is not convenient, he informs a land agent that he desires to make an application, and an inspector is sent who, upon the payment of a five dollar fee, at the settler's own homestead, takes the corroborative affidavits of two of the neighbours at hand, and takes the application. The applicant employs no attorney, because the rules and regulations of the department say that no attorney shall be employed. More than that, it is not required that when he makes his application he should be a British subject. It is only when he applies for the patent that he is required to substantiate the fact to the agent that he is a British subject, at the time of making the application, having completed the three years residence required. This short recital of the difference between the laws of the two countries will convince any one that our laws in connection with homesteads are the more fair and liberal of the two, and it does not lie in the mouth of the hon. gentleman or anybody else to state that they are not. The greatest change made by Mr. Mackenzie in the homestead law was that of permitting a man to pre-empt 160 acres, and entitling him to a patent for that, after the expiration of three years, and on the payment of some fees. So far as the condition of things that existed from 1872 to 1874 is concerned, that period was so short that we are not in possession of many facts in relation to the condition of the country then, so far as settlers are concerned. But this is to be borne in mind, that during that time the only means the people had of getting into the country was through the United States or by the Dawson route. The expenses

Mr. DALY.

were great, either by one route or the other, and the people going out had to experience many hardships, so that there was not much chance for speculators from 1872 to 1874. But from 1874 to 1878 it would appear that numerous applications were made for homesteads, and numerous homestead entries were made. It would appear that in 1874, no less than 1,376 homestead entries were made, of which 888 were cancelled in that same year, making 64 per cent of cancellations as compared with the entries. In 1875, the number of entries was 499, of which 60 per cent were cancelled. In 1876, there were 347 entries, and 44 per cent cancelled. In 1877, the number of homestead entries amounted to 845, and the percentage of cancellations was 53. In 1878, the entries numbered 1,788, and the cancellations were 76 per cent. The percentage of cancellations in the following years, after 1878, runs 50, 32, 30, and so on. It is evident from these figures, that, although a number of homestead entries were made from 1874 to 1878, the percentage of cancellations of those entries was greater than at any other period, and the reason was that the entries were made for speculative purposes, and not by men desirous of becoming permanent settlers. From 1874 to 1878, both years inclusive, for every 100 acres homesteaded, there were sold, otherwise than as pre-emptions, 174 acres. From 1879 to 1888, both years inclusive, for every 100 acres homesteaded, there were sold, otherwise than as pre-emptions, 49·8 acres, showing that during the period from 1874 to 1878, the speculator was abroad, and that although during that time the average sales amount to 174 acres, yet from 1879 to 1888, they only averaged 49·8. Between the years 1874 to 1878, the percentage was 3·5 times that of 1879 to 1888; that is, there were three and one-half times more sales of land from 1874 to 1878 in proportion than from 1879 to 1888, showing that if there was a speculative feeling abroad, showing that if lands were being purchased by speculators and not being taken up by settlers, from 1879 to 1888, that evil obtained in greater ratio from 1874 to 1878 than ever since. To show the liberality of the Government of Mr. Mackenzie towards the settlers, to show how they and the party which the hon. gentleman supported at that time were desirous "that the lands should be sold to actual settlers only upon reasonable terms of settlement and in such areas as can be reasonably occupied and worked." I would call the attention of the House to the fact that it was very shortly after Mr. Mackenzie came into power that changes were made with reference to the lands that could be homesteaded or purchased by settlers. We find the following Order in Council adopted on the 26th December, 1874:—

On a memorandum, dated 24th December, 1874, from the hon. the Minister of Interior, stating that

in view of the location of the Canadian Pacific Railway line westerly from the present limits of the province of Ontario, he submits that in all probability during the coming season there will be a disposition manifested on the part of settlers going into the province of Manitoba to squat upon lands along the route, thus possibly embarrassing the Government in carrying out the provisions of the Railway Act of last session, and under the circumstances he recommends that he be authorized to give public notice to the effect that all lands within twenty miles on each side of the line surveyed, and upon which the telegraph is now under construction, are for the present withdrawn from sale or settlement under the Dominion Lands Act, and that no rights of entry upon the said lands by parties who may have settled thereon after the issue of this notice will be recognized by the Government until further notice.

The lands so withdrawn to include also a district twenty miles to the westward of Fort Pelly.

Now, the meaning of the Order in Council of the 26th of December was that for twenty miles on each side of the line of the Canadian Pacific Railway, not then located, but to be located, all lands, both the even-numbered and odd-numbered sections, were withdrawn from settlement. It is within the memory of those who lived in that country at that time, it is within the memory of those who have gone to live in that country since and are there now, that no greater injustice was done to the settlers of that country than by the passing of that Order in Council and no greater grievances existed than those which arose from its working. But the hon. gentleman was not satisfied with withdrawing twenty miles on each side of the proposed line of the Canadian Pacific Railway and preventing people purchasing or homesteading on that strip from Winnipeg to Fort Pelly. By a subsequent Order in Council in 1886, they extended this withdrawal west of Fort Pelly to a point twenty miles west of the mouth of the Battle River. In addition to that, as a means, no doubt of showing their desire that the lands of the country should be held for the settler and not for the speculator, in this same order of the 28th of February, 1876, in addition to the reservation of twenty miles on either side of the line to a point twenty miles beyond the Battle River, it contained the following:—

That in view of the above he recommends that a block four miles square, making in all a block of 16 square miles, be reserved at such a point in the vicinity of the junction of the Battle and Saskatchewan rivers as may be found most convenient for a town site, which may be constituted the future seat of the Government of the North-west Territories.

Then by a subsequent Order in Council, dated 22nd of April, 1876, in pursuance of the policy laid down in the two Orders in Council I have quoted, the following is provided:—

On a memorandum dated 21st April, 1876, from the hon. the Minister of the Interior, stating, with

reference to the question of a withdrawal of lands in the vicinity of the line of the Canadian Pacific Railway from ordinary sale and settlement, to be disposed of at a future period in connection with the construction of the railway, that in view of avoiding possible difficulties with persons taking up land upon or in the vicinity of the line as surveyed, to the westward of Battle River, it is, in his opinion, expedient to extend the reserve authorized by the Order in Council in that behalf, dated the 28th February last, and recommending therefore that the lands for twenty miles on each side of the line of railway, from a point twenty miles westerly of the Battle River to Jasper House in the "Yellow Head" Pass through the Rocky Mountains, be withdrawn accordingly.

Now, the effect of these three Orders in Council is that for twenty miles on each side of the line of the railway, that is for a strip forty miles wide in what was then known as the fertile belt of these prairies, from Winnipeg to Jasper House, the lands were reserved from settlement or sale. And that was the policy adopted by hon. gentlemen who now seek by this resolution to bring odium upon the administration of the lands by the several Conservative Administrations that have been in power since that time. And to show, Mr. Speaker, that the then Minister of the Interior and the Government of which he was a member were alarmed by the representations made by the people as to the harm being done and the great injustice wrought by this reserve, I need only quote an order of the 9th of November, 1877, repealing the first Order in Council. This latter order on the face of it contains a condemnation of the former action of the Government:

On a report dated 30th October, 1877, from the hon. the Minister of the Interior, stating that in consequence of the rapidly increasing demand for land for settlement in Manitoba, and also the continued dissatisfaction at the locking up of the lands withdrawn for twenty miles on each side of the line surveyed of the Canadian Pacific Railway by the Order in Council of the 26th December, 1874, he is of the opinion that it is expedient to effect some amelioration of the conditions of the said Order in Council, so far as relates to the lands within the province.

Mind you, it only provides for the amelioration of the condition brought about by the Order in Council of December, 1874, so far as the lands in the province are concerned. Beyond the province the same twenty-mile reserve existed.

He therefore recommends that the lands in Manitoba withdrawn as above be thrown open to actual settlement, but not for homestead or pre-emption entry, or for entry by military bounty or police warrants, or for ordinary sale. No person to be allowed to acquire more than one half-section, or 320 acres, and such land to be paid for by the occupant at whatever rate and upon such terms as may be fixed therefor by the Government when the remainder of the lands in the province of this class are disposed of.

I would call the attention of the House to the fact that, by way of ameliorating the condition of the people, as stated in the recommendation of the Minister, they did not open these lands for homestead entry, they did not open them so that men could apply a military bounty warrant or a police warrant on the payment for them, or even for sale, so that a man should acquire more than a half-section. It was held at a price and upon terms to be fixed thereafter. Instead of ameliorating the condition of the people, they left them practically in the same condition they were before. And there are hon. gentlemen in this House who were residents of Manitoba at that time and they know the feeling aroused by this action of the then Government. But, further, by the way of ameliorating the condition of these people, the hon. gentleman's Order in Council went on:

He further recommends that persons desiring to acquire such lands shall, previous to settlement thereon, be required to be entered therefor at the nearest Dominion Lands Office, and in order to prove their good faith, the applicants shall be obliged in each case to make a payment in advance at the time of entry of one dollar per acre in cash on account of the purchase and further be required to settle on and commence to cultivate the land within one year from the date of entry, or, in default thereof, the payment so made to be forfeited. No scrip of any kind, or military bounty or police warrants to be receivable in payment of the lands above described.

That was "the amelioration of the condition of the people" in Manitoba at that time. That Order in Council was passed by the Government of which the hon. member who moved this resolution was then a supporter. Yet he would give the House and the country to believe by his resolution that the actions of this Government and previous Conservative Governments have not been in the interest of the settler. I want to know if a greater condemnation can be had of the policy of Mr. Mackenzie's Government and of the action taken by that Government by way of inducing settlement in that country than is to be found within the four corners of the Order in Council I have now read. In order "that the land should be sold to the actual settler on reasonable payments, and in such areas as can be reasonably cultivated," they tie up twenty miles on each side of the proposed railway from one end of the country to the other, and, after keeping it tied up for some years, in order "to ameliorate the condition" of the people, they invite the people to go and occupy these lands, not to homestead them, not to purchase them, but that they may have the chance of purchasing them later at prices and on terms to be subsequently fixed. But, in order to show their good faith—not the good faith of the Government—in carrying out their promises, but the good faith of the people in being willing to be

Mr. DALY.

bound by conditions of this kind—the Order in Council makes it a condition that they must first deposit a dollar an acre and afterwards perform certain duties. And that was done by a Government supported by the hon. gentleman who would give this House and this country to understand by this resolution that he is in favour, and that the Government of that day were in favour, of these lands being held for the settler and being withheld from the speculator. Further, in this Order in Council it is said:

The Minister observes that the withdrawal of the lands in question was effected under section 105 of the Dominion Lands Act, circumstances not permitting the application thereto of the Act 37 Victoria, chapter 14, which provides for the construction of railway, and as no statute exists authorizing the special mode above suggested of disposing of the lands with ground, it will be advisable to confirm the action proposed to be taken as above in that respect by legislation during the ensuing session of Parliament.

When the hon. gentleman ascertained the feelings that existed among the people of Manitoba when this order was promulgated, and proposed legislation, as a matter of fact, although another special mode is suggested: "It would be advisable to confirm the action proposed by legislation during the ensuing session"—no such legislation was obtained. The hon. gentleman and his friends became ashamed of their action, and the adverse force of public opinion in Manitoba was so great that they not only had to withdraw the provisions of this Order in Council of 1877, but they did not carry out the suggestion made here, and did not bring in legislation to confirm it. Now we go on in the history of the administration of the lands of Manitoba and the North-west. After Mr. Mackenzie's Government went out of power and the Government of Sir John A. Macdonald returned, by an Order in Council of 9th July, 1879, the former orders were rescinded. So far as the lands situated along the line of the Canadian Pacific Railway were concerned, it is provided that they should be laid out in certain belts, A, B, C, D, and E, and the prices were fixed by the Order in Council, and the terms upon which these lands could be acquired, thereby saying to the intending purchaser that these lands could be acquired in a certain way, that the sum to be paid was fixed, and that he was not in any way under obligations to the Government, as he had to be under the Order in Council of 1877.

Mr. MILLS (Bothwell). Are they in force still?

Mr. DALY. They are not, and the hon. gentleman knows it. This Order in Council of 9th July, 1879, provided as follows:—

Dominion Lands in belt A shall be absolutely withdrawn from homestead entry, also from pre-emption, and shall be held exclusively for sale at \$6 per acre.

Belt A was composed of five miles on either side of the railway and immediately adjoining the same; belt B, of fifteen miles on either side of the railway adjoining belt A; belt C, of twenty miles on either side of the railway adjoining belt B; belt D, of twenty miles on either side of the railway adjoining belt C; and belt E, of fifty miles on either side of the railway adjoining belt D. As to the lands in belt B, within ten miles of the railway, it is provided as follows:—

The even-numbered sections within the belt shall be set apart for homesteads and pre-emptions, and the odd-numbered sections shall be regarded as railway lands proper. The homesteads on the even-numbered sections to the extent of 80 acres each, shall consist of the easterly halves of the easterly halves, also of the westerly halves of the westerly halves of such sections.

As to belt C the lands were to be sold at \$2.50 per acre; and in belt E, at \$1 per acre.

Mr. CHARLTON. What is the price in belt B?

Mr. DALY. Belt B lands were to be \$2.50 an acre. That Order in Council was in force until October 14, 1879, for a period of about three months. Now, before I go on to this Order of October 14, 1879, anticipating some criticism from hon. gentlemen opposite as to its conditions, I think the first criticism that may be brought against it is that the lands in belt A, five miles on each side of the railway, were held exclusively for homestead and pre-emption. That was done in accordance with the policy that had been pursued by the United States Government in relation to their lands along the lines of railway. The 80-acre homestead provision was also in accordance with the law of the United States as it existed at that time, but has since been changed. Those are the only features of the Order in Council of July, 1879, that I think can be taken exception to; but that Order in Council did not remain in force as long as the objectionable Order in Council of the hon. gentleman that I have previously referred to. More than that, it was less objectionable than the hon. gentleman's Order in Council, in this, that it provided that within six miles of the railway named in belt B, a man could get a homestead entry upon the ordinary terms. This Order in Council of July, 1879, was abrogated by the Order in Council of October 14, 1879, which provided as follows:—

Until further and final survey of the said railway has been made west of the Red River, and for the purposes of these provisions, the line of the said railway shall be assumed to be on the fourth base westerly to the intersection of the said base by the line between ranges 21 and 22 west of the first principal meridian, and thence in a direct line to the confluence of the Shell River with the River Assiniboine.

And the width of the belts is the very same as I have quoted already from the Order in

Council of 9th July, 1874. But it provided further:

The even-numbered sections in each township throughout the several belts above described shall be open for entry as homesteads and pre-emptions of 160 acres each respectively. The odd-numbered sections in each of such townships shall not be open to homestead or pre-emption, but shall be specially reserved and designated as railway lands.

And the railway lands in belt A are to be sold at \$5 per acre; in belt B, at \$4; in belt C, at \$3; in belt D, at \$2, and belt E, at \$1. Now, Mr. Speaker, it will be seen that although the Order in Council of July, 1879, had the objectionable features of withdrawing homesteading within five miles of the railway, and it only provided for 80-acre homesteads, these provisions were removed almost immediately, and within a few months after the passing of that Order, the lands were again opened to homesteading, and from that time to this, the law exists as I have recited it in the Order in Council of October 14, but so far as the price of the lands was concerned, it has been changed in some particulars. Now, by this Order in Council of October, 1879, that I have read, in order that the injury that has been inflicted by the Orders in Council of the Mackenzie Government might be removed, it is provided as follows:—

These provisions shall be retroactive so far as relates to any and all entries of homestead and pre-emption lands or sales of railway lands obtained or made under the regulations of the 9th July, hereby superseded: Any payments made in excess of the rate hereby fixed shall be credited on account of sales of such lands. The Order in Council of 9th November, 1877, relating to the settlement of the lands in Manitoba which had been previously withdrawn for railway purposes, having been cancelled, all claims of persons who settled in good faith on lands under the said Order in Council shall be dealt with under these provisions, as to price of pre-emptions, according to the belt in which such lands may be situate. Where a person may have taken up two quarter-sections under the said Order in Council, he may retain the quarter-section upon which he has settled, as a homestead, and the other quarter-section as a pre-emption, under these provisions, irrespective of whether such homesteads and pre-emption may be found to be upon an even-numbered section or otherwise. Any moneys paid by such person on account of the lands entered by him under the said Order in Council, will be credited to him on account of his pre-emption purchase, under these provisions. A person who may have taken up one quarter-section under the Order in Council mentioned, will be allowed to retain the same as a homestead, and will be permitted to enter a second quarter-section as a pre-emption, the money paid on account of the land previously entered to be credited to him on account of such pre-emption.

Now, those terms are most liberal, those terms are not only liberal, but they were necessary. The people were in such a condition of uncertainty having taken up lands

under the provision of 1877, and the provisions of that Order in Council never having been carried out, that it was necessary that the Government of Sir John A. Macdonald should come to the rescue of these people, and they did come to their rescue by providing, as I have stated, the manner in which they should hold or pay for those lands obtained under the Order in Council of 9th November, 1877. Now, so much for the administration of lands under the Government of Mr. Mackenzie.

Mr. MILLS (Bothwell). You have been discussing the lands under the two Governments.

Mr. DALY. I discussed at some length, and read to the House, the Orders in Council that were passed from 1874 to 1878 during the time Mr. Mackenzie was in power.

Mr. MILLS (Bothwell). But you did more.

Mr. DALY. Yes, I went beyond, and discussed the changes that were made by the Government of Sir John A. Macdonald in 1879, showing that those changes were made in the interest of the settler, and showing to the House and to the country that the Conservative Government of Sir John A. Macdonald had only one idea, and that was to hold and administer these lands in the interest of the settler.

Mr. MILLS (Bothwell). No.

Mr. DALY. The hon. gentleman says "No," but I challenge the mover of the resolution to show the contrary. The hon. member for North Norfolk (Mr. Charlton) made a speech on his resolution. His resolution was framed on general terms and his speech failed to contain any specific charges or embody any specific statements showing in any way whatever that the Conservative Governments which from time to time have administered the North-west lands have not administered them in the interest of the settler and against the speculator. It does not, therefore, lie in the mouth of the hon. gentleman or of the Liberal party to condemn the Government for the administration of those lands in view of the fact that they have failed to make any specific statements or charges.

Mr. CHARLTON. How does the hon. gentleman reconcile that statement with the fact that the Government granted a number of townships at half the regular price to colonization companies?

Mr. DALY. I will come to the question of colonization companies presently, and I will show the liberal terms which hon. gentlemen opposite were prepared to offer in order to secure settlers. In order to substantiate the statement embodied in the present resolution and in the hon. gentleman's speech, and to support the resolution passed by the Reform party in its convention held in the city a year ago in regard to the ad-

Mr. DALY.

ministration of the North-west lands, it would be well that some specific statements and charges should be made, because within the four corners of the resolution there are assertions to the effect that there has been corruption, that the lands have not been properly administered, and in fact this Government, and former Conservative Governments, are charged with maladministration of the lands of the west, and before such serious charges are made by an hon. member holding the position in the House and in his party as occupied by the hon. member for North Norfolk (Mr. Charlton), he should come down with specific statements, and not with general charges such as are contained in his speech and resolution. I now come to the question of colonization lands, to which the hon. gentleman has referred. It is the only subject with which he deals specifically, and in the course of his remarks he said:

We had in 1882 the introduction of a policy called the Colonization Grant Policy, and in one year the Government had received applications from 251 parties, 24 of whom were members of Parliament, and had granted 2,295 townships of land, or 82,520 square miles of the public lands to companies, to speculators, and on easy terms of payment, and also at one-half the price that the Government charged to actual settlers. That was an outrageous act, that was a policy conceived, not in the interest of the settler, but it was a policy designed to forward the interests of the speculators.

That is a very serious charge. The hon. gentleman's statement is that there were 251 applications. He is right, there were that number. He also says further on, that twenty-four members of Parliament applied. He is right: twenty-four members of Parliament did apply. He says 2,295 townships were granted. He means, I presume, that that number was allotted, for they were not granted; as a fact only 64½ townships were allotted and granted. He said that 82,250 square miles were granted. In fact 2,323 square miles were granted. He said 52,640 acres were granted; in fact 1,486,940 acres were granted. The total area actually patented was 463,931 acres, or 725 square miles, or equal to twenty townships. So the hon. gentleman is 11,000 per cent astray in his figures given to the House. I ask the hon. gentleman to stick to the facts and not make general statements, because the details have bombs in them which sometimes explode. This question, however, is not new. The hon. gentleman discussed it in 1882; but as the complexion of the House has changed considerably, a number of the hon. gentlemen who occupied positions here having gone over to the majority or are no longer members of the House, I must ask the indulgence of the House in order that I may be able to combat the statements presented by the hon. gentleman, because former debates may have by this time been forgotten. But so far as the

colonization companies are concerned, the statements made by the hon. gentleman are not borne out by facts. This question may probably be as well taken up now as at any other time, and I may point out on what terms the colonization companies were permitted to acquire lands and under what conditions they were entitled to secure public lands, because it is to be remembered that the Order in Council under which they were given, dated March 25th, 1881, was passed at a time when there was much excitement in the country, when there was a boom in Manitoba and the North-west, when people were flocking to the country to settle, and when, no doubt, many people were flocking there in order to speculate. But before it can be charged against the Government that the colonization scheme was a speculative one and was not in the interest of the country and the settler, it may be well to examine the terms on which those lands were granted. There was plan No. 1, as follows:—

COLONIZATION.

PLAN NUMBER ONE.

8. Agreements may be entered into with any company or person (hereinafter called the party) to colonize and settle tracts of land on the following conditions:

a. The party applying must satisfy the Government of his good faith and ability to fulfil the stipulations contained in these regulations;

b. The tract of land granted to any party shall be in class D.

9. The odd-numbered sections within such tract may be sold to the party at \$2 per acre, payable one fifth in cash at the time of entering into the contract and the balance in four equal annual instalments from and after that time. The party shall also pay to the Government five cents per acre for the survey of the land purchased by it, the same to be payable in four annual instalments at the same time as the instalments of the purchase money. Interest at the rate of six per cent per annum shall be charged on all past due instalments:

a. The party shall, within five years from the date of the contract, colonize its tract;

b. Such colonization numbered shall consist in placing two settlers on homesteads on each even section, and also two settlers on each odd-numbered section.

c. The party may be secured for advances made to settlers on homesteads according to the provision of the 10th section of the Act 44 Victoria, chap. 16 (the Act passed in 1881 to amend the Dominion Lands Act).

d. The homestead of 160 acres shall be the property of the settler, and he shall have the right to purchase the pre-emption lot belonging to his homestead at \$2 per acre, payable in one sum at the end of three years from the date of entry, or at such earlier date as he may under the provisions of the Dominion Lands Act obtain a patent for his homestead.

e. When the settler on a homestead does not take entry for the pre-emption lot to which he has a right, the party may within three months after the

settler's rights has elapsed purchase the same at \$2 per acre, payable in cash at the time of purchase.

10. In consideration of having colonized its tract of land in the manner set forth in subsection *b* of the last preceding clause, the party shall be allowed a rebate of one-half the original purchase money of the odd-numbered section in its tract.

a. During each of the five years covered by the contract an enumeration shall be made of the settler's place by the party in its tract, in accordance with subsection *b* of clause 9 of these regulations, and for each bona fide settler so found therein a rebate of one hundred and twenty dollars shall be credited to the party; but the sums so credited shall not, in the aggregate, at any time, exceed one hundred and twenty dollars for each bona fide settler found within the tract, in accordance with the said subsection at the time of the latest enumeration.

b. On the expiration of the five years, an enumeration shall be made of the bona fide settlers on the tract, and if they are found to be as many in number and placed in the manner stipulated for in subsection *b* of clause 9 of these regulations, a further and final rebate of forty dollars per settler shall be credited to the party, which sum when added to those previously credited will amount to one-half of the purchase money of the odd-numbered sections and reduce the price thereof to one dollar per acre. But if it should be found that the full number of settlers required by these regulations are not on the tract, or are not placed in conformity with subsection *b* of clause 9 of these regulations, then for each settler fewer than the required number or not placed in conformity with the said subsection, the party shall forfeit one hundred and sixty dollars of rebate.

c. If at any time during the existence of the contract the party shall have failed to perform any of the conditions thereof, the Governor in Council may cancel the sale of the land purchased by it, and deal with the party as may seem meet under the circumstances.

d. To be entitled to rebate, the party shall furnish to the Minister of Interior evidence that will satisfy him that the tract has been colonized and settled in accordance with subsection *b* of clause 9 of these regulations.

PLAN NUMBER TWO.

11. To encourage settlement by capitalists who may desire to cultivate larger farms than can be purchased where the regulations provide that two settlers shall be placed on each section, agreements may be entered into with any company or person (hereinafter called the party) to colonize and settle tracts of land on the following conditions:—

a. The party applying must satisfy the Government of its good faith and ability to fulfil the stipulations contained in these regulations.

b. The tract of land granted to any party shall be in class D.

c. All the lands within the tract may be sold to the party at \$2 per acre, payable in cash at the time of entering into the contract. The party shall, at the same time pay to the Government five cents per acre for the survey of the land purchased by it.

d. The party shall, within five years from the date of the contract, colonize the township or townships comprised within its tract.

e. Such colonization shall consist in placing one hundred and twenty-eight bona fide settlers within each township.

12. In consideration of having colonized its tract of land in the manner set forth in subsection e of the last preceding clause, the party shall be allowed a rebate of one-half of the original purchase money of its tract.

a. During each of the five years covered by the contract, an enumeration shall be made of the settlers placed by the party in its tract, in accordance with subsection e of clause 11 of these regulations, and for each bona fide settler so found therein a rebate of one hundred and twenty dollars shall be repaid to the party, but the sum so repaid shall not, in the aggregate, at any time exceed one hundred and twenty dollars for each bona fide settler found within the tract, in accordance with the said subsection at the time of the latest enumeration.

b. On the expiration of the five years, an enumeration shall be made of the bona fide settlers placed by the party in its tract, and if they are found to be as many in number and placed in the manner stipulated for in subsection e of clause 11 of these regulations, a further and final rebate of forty dollars for each settler shall be repaid, which sum when added to those previously repaid to the party, will amount to one-half of the purchase money of its tract, and reduce the price thereof to one dollar per acre. But if it should be found that the full number of settlers required by these regulations are not on the tract or are not placed in conformity with the said subsection, then for each settler fewer than the required number or not settled in conformity with the said subsection, the party shall forfeit one hundred and sixty dollars of rebate.

c. To be entitled to rebate, the party shall furnish to the Minister of Interior evidence that will satisfy him that the tract has been colonized and settled in accordance with subsection e of the clause 11 of these regulations.

Now, I think, Mr. Speaker, it will be seen from the reading of those two plans of colonization, that the conditions laid down by the Government were most onerous, and that if these conditions were fulfilled they would have to be fulfilled by men who had every idea of acting up to their provisions. The lands were not taken up by speculators, and the best answer that could be made to the idea that there was speculation is: that there is not one of those colonization companies in existence to-day. That is a complete answer to the statement that there was any speculation in it. It is a fact that out of the 251 applications that were made, only 28 signed the contract, and only 11 of them went into operation; and of the 24 members of Parliament, 6 of them were Grits, 3 of them Conservatives, 5 were senators, making 11 in all. So that, if according to the charge that was made by the hon. member for North Norfolk (Mr. Charlton), when he discussed this question in the House in 1882, these colonization companies were formed for the purpose of tying up large tracts of land in the hands of favourites of the Government: the figures I have

Mr. DALY.

given show conclusively that it was not the friends of the Government alone who were anxious to enter into this speculation—if there was speculation in it—but others went into it, including the late lamented leader of the Reform party, Mr. Alexander Mackenzie.

Sir RICHARD CARTWRIGHT. I think that is a mistake.

Mr. DALY. The hon. member for South Oxford (Sir Richard Cartwright) thinks it is a mistake, but I have to correct him. It is a fact.

Sir RICHARD CARTWRIGHT. What company was it?

Mr. DALY. I will tell you in a minute. The colonization companies paid \$857,461 in hard cash, and \$30,460.50 in scrip into the treasury. The Saskatchewan Colonization Company alone paid \$156,000 to the Government and expended \$367,932 in roads, seed grain, placing settlers on the land, &c. Notwithstanding these large expenditures made by that company, and notwithstanding the fact of so many applications having been made, not a single colonization company exists to-day that was formed under the provisions of that Act.

Sir RICHARD CARTWRIGHT. Before you leave that point, just find out what particular company you refer to as Mr. Mackenzie being concerned in, because I think there must be some error there.

Mr. DALY. If the hon. gentleman will send for the 'Hansard' of 1886, he will find stated there the name of the company that Mr. Mackenzie was interested in. It was given to the House by the Hon. Thomas White in a speech, which will be found in the 'Hansard' of 1886, at page 1042; if not in Mr. White's speech, you will find in the speech of some other gentleman who spoke in the debate the name of the company that Mr. Mackenzie was the president of. I can say from recollection that Mr. Mackenzie was the president of a company with a capital stock of \$1,000,000, that was formed for the purpose of purchasing lands in the Northwest for colonization and other purposes. I am sorry that I have not my memorandum here, but it can be found as I have said. Now, Mr. Speaker those were the conditions under which these colonization lands were given to settlers. As I said before I think the conditions were very onerous and the best proof of that is, that not one of these companies exist to-day. The facts that I have given to the House show conclusively that before the hon. gentleman (Mr. Charlton) made such broad statements, he should have come to me or to some officer of my department who would furnish him with the facts I have given to the House. It is unfair, and it is not in the interests of the country, that the hon. gentleman (Mr. Charlton) should take the course he did in this matter. It is

not well that the debates of this House should be read by people in other lands, and that the statements made in the speech of the hon. member for North Norfolk (Mr. Charlton) should go to the world uncontradicted. If I have taken up a considerable portion of the time of the House in referring to these matters it is in order that the facts should be known, not only to the people of Canada but to people outside of Canada who take an interest in our country. If the charge of the hon. gentleman be true that we were desirous of promoting speculation, what will be said of the action that was taken by the Government of Mr. Mackenzie in reference to promoting settlement in that country—and I take it that the whole idea underlying this question of colonization companies at that time, was one of settlement. The colonization companies were formed for the purpose of settling the country, and it seems to have been the desire of all Governments since that great territory was acquired by us to pursue every possible means of settling it. But if the terms contained in these colonization agreements that were formulated in December, 1881, were extravagant, as the hon. gentleman has charged, what do we find under the Government of Mr. Mackenzie? On the 31st January, 1876, prior to the member for Bothwell (Mr. Mills) being Minister of the Interior, his predecessor, Mr. Laird, being anxious to formulate a scheme to settle that country promulgated the following:—

On a memorandum dated 30th December, 1875, from the hon. the Minister of the Interior, submitting a letter of Mr. A. Spencer Jones, dated 24th inst., applying for the withdrawal from public sale and the general settlement of townships No. 15, in range 9 and Nos. 15, 16 and 17 in range 10, west of the principal meridian in the province of Manitoba, to be colonized by English and Welsh immigrants, under direction, in accordance with the provisions of the Dominion Lands Act as amended during the session of 1874.

The Minister states that Mr. Jones's application is recommended by the Hon. R. W. Scott, acting in the temporary absence of the Minister of Agriculture, and he, the Minister of the Interior, recommends that the townships indicated be withdrawn from public sale and general settlement, and set apart for colonization by Mr. Jones, upon the conditions set forth in sections Nos. 14 and 15 of the Dominion Lands Act, 37 Vic., chap. 19, that is, to settle 64 families annually in the said townships until half the lands (exclusive of the Hudson's Bay Company and School sections and lands already disposed of) are occupied, and he recommends the sale to Mr. Jones of the residue of the Dominion lands in the said townships at fifty cents an acre when he has fulfilled the said conditions.

Now, these conditions are more liberal than any contained in the colonization scheme of 1881. But Mr. Jones apparently was not satisfied with the liberal treatment extended to him by Mr. Laird. The hon. member for Bothwell, who was then the Minister

of the Interior, was more liberal, and here is what he did for his friend Mr. Jones:

On a memorandum dated 24th July, 1878, from the hon. the Minister of the Interior, reporting that numerous applications were received by his department during last spring from persons wishing information respecting the conditions of taking up land in Manitoba and the North-west Territories, the means of getting there, and in many instances asking also to be aided with a loan towards the expenses of moving their families.

That in all such cases the fullest information was supplied to the applicants in the way of maps, pamphlets, land lists and regulations, but that it was intimated to those who applied for money aid to enable them to remove from the older provinces and settle on Dominion lands, that such policy was not consistent with the views of the Government.

That the very general favour, however, with which such settlement appeared to be regarded in the different provinces suggested to certain private individuals the expediency of engaging in some scheme by which the same might be facilitated, and it was sought to apply the provisions of the Act 37 Vic., cap. 19, sections 14 and 15, which offer a premium in the form of a sale of alternate quarter-sections at a reduced price, for placing settlers on Dominion lands.

That this Act could not be adopted, as its provisions were intended to have reference exclusively to emigrants brought from Europe, and a scheme was submitted to him, the Minister, by which persons desiring to promote the settlement on Dominion lands of families from the older provinces or from the United States, should, by previous agreement with such settler, receive a return therefor, not in money, but in the form of a lien upon or gift of part of the settler's land.

That this position he, the Minister, regarded favourably, for the reasons that it involved no money aid and was consistent with the spirit of the Act above mentioned, intended to promote settlement on the public lands.

That, moreover, evidence was furnished to him that many settlers would avail themselves of such an arrangement, and certain of the persons alluded to above were accordingly advised that they might proceed to place settlers on the terms and conditions following, which would be recommended to the favourable consideration of Council, that is to say:

And here comes the important part of the hon. gentleman's Order in Council:

That for every family which such persons might satisfy the Minister that they had been the means of placing upon the homesteads in townships open for settlement in Manitoba or the North-west Territory during the present season—

Not confined to belt D, but in any portion of the North-west Territories.

—a legal subdivision of 80 acres, a portion of the half-section or 320 acres, which, under the Dominion Lands Act, would include the homestead and pre-emption right of the head of such family, should be conveyed free to such person upon fulfilment of the homestead conditions in respect of the lands so entered, provided that the settler in whose favour such land might be entered, should be a party to the agreement, by which such person should receive the 80 acres in question.

That before any right to receive a patent for such eighty acres could be acknowledged by the department (the homestead conditions having been duly fulfilled, as called for in the next preceding paragraph) the person claiming such 80 acres be required to file with the Department of the Interior a declaratory statement in the form subjoined marked A.

That he now asks the sanction of Council to the above arrangement, authority for which is given in section 105 of the Dominion Lands Act.

Now, Mr. Speaker, the effect of the Order in Council which I have quoted is that 80 acres were to be given free to Mr. Jones or to any other person who might bring in a settler. All Mr. Jones had to do to entitle him to those 80 acres was to get an affidavit from the settler. I think that after reading the Order in Council of the 31st of July, 1878, and the Order in Council of the 1st of January, 1876, and taking into careful consideration the conditions of the country at that time, and after carefully reading those I have quoted relating to the colonization scheme of 1881, any person who is conversant with the subject will come to the conclusion that the terms offered by the Government of Mr. Mackenzie were far more liberal and far less justifiable than the terms of colonization offered by the Government of Sir John Macdonald in 1881. So much for colonization. I see that Mr. White, in answer to the hon. gentleman, said :

I find that one of those members was Hon. Alexander Mackenzie.

He did not state the name of the company, but I may be able to give it to the hon. gentleman before I close. Now, Mr. Speaker, that next charge brought against the Government is in regard to its timber policy. In reference to that, the hon. gentleman says :

Then the Government adopted as another part of its policy the system of giving away timber areas, not inviting competition, not putting them up at auction, not seeking to secure for those properties their actual value, but partitioning out among their favourites tracts of not less than thousands of square miles of the most valuable timber land of this Dominion, and in this way no less than 25,000 square miles were granted by the Government to its favourites at a nominal rate of \$5 per square mile, as I have said, without competition and without regard to actual value.

Now, that statement is as sweeping and general as the statement made by the hon. gentleman in reference to the Government's colonization policy. As a matter of fact, the first Dominion Lands Act, which was passed in 1872, contained the following provision in reference to the sale of timber lands :—

The right of cutting timber on such limits shall be put up at a bonus per square mile, varying according to the situation and value of the limit, and sold to the highest bidder by competition, either by tender or at public auction.

That was the law passed by the Conser-

Mr. DALY.

vative Government in 1872 after we had acquired the North-west Territories. The Liberal party came into power in the fall of 1873, and so desirous was that party of preserving the timber, and disposing of it in a way that would be best for those who acquired it, and would yield the highest revenue to the Government, that they were not satisfied with the provisions of the Act of 1872 requiring that the timber limits should be sold to the highest bidder at public competition; but, extraordinary to say, they repealed that section, and provided as follows :—

Provided further that in cases where application may be made for limits on which to cut timber in unsurveyed territory, the Governor in Council may, on the recommendation of the Minister of Interior, authorize the same to be leased for such bonus as may be deemed fair and reasonable,—such leases to be subject nevertheless to the foregoing conditions of this section, except as to that part of subsection one which provides for the erection of mills, which provision, in respect to limits in unsurveyed territory may, if considered expedient by the Minister of Interior, be dispensed with.

Now, according to the quotation I have made from the timber regulations enforced in 1872, it will be seen that the policy of the Conservative Government was that the timber should only be sold to the highest bidder and by competition. But the policy of the Mackenzie Government changed that. They did not require that the timber should be sold to the highest bidder or that there should be competition, either by tender or by public auction, and if the hon. gentleman is sincere now he must admit that the ideas which he now expresses did not animate the Mackenzie Government at that time. Now, in pursuance of the authority given by the Order in Council of 1874, which I have quoted, the Mackenzie Government, from 1874 to 1878 sold or granted 605 square miles of timber without any competition, and all they received for dues during that time was \$6,160. On the other hand, we received \$98,795.71 in fees in 1893 alone, and since 1878 we have received a grand total of \$1,567,793. In one year we got \$98,000, while in the whole time the Mackenzie Government were in power all that they received from timber dues was \$6,160, and they disposed of their timber limits without competition. They took power to dispose of the timber limits by private arrangement, and yet the present Government and the Conservative party are assailed by the hon. member for North Norfolk (Mr. Charlton) for not selling our timber by public competition, and for not preserving it in the interests of the settler and the people. The average revenue from timber dues during the five years hon. gentlemen opposite were in office was \$1,500 per annum, and the average since has been \$77,120 per annum, and during the past three years the average has been \$105,000 per annum. We had this matter under discussion a short time ago,

and were treated to speeches from the hon. member for North Norfolk (Mr. Charlton), and the hon. member for Bothwell (Mr. Mills), condemning the policy of this Government selling timber by public competition. They say that our timber should not be sold by tender, that it should not be sold in any other way than by public auction, and yet we find that when these gentlemen, who make statements and arguments of that kind and lay down the proposition and principle laid down in the resolution before us, had the opportunity of governing the country and of making regulations for the selling of timber, they did not require that it should be sold by public competition or by tender, but they sold it by private sale to any one who came along. And at this moment, Sir, the policy of the Government and the regulations which govern the sale of timber provide that all licenses for such timber shall be disposed of by public competition. Soon after the Government of Sir John Macdonald came into office in 1878, the regulations made in 1874 were abolished, and we returned to the condition of things that now exists, namely, that no timber can be disposed of except by public competition. So much for the hon. gentleman's charge as to the selling of timber. Then the hon. gentleman brought up the question of grazing leases. He is as extravagant in his language with reference to the policy of the Government in the matter of grazing leases as in relation to the other questions I have discussed. The hon. gentleman said :

The Government at the same time granted millions upon millions of pasture lands on leases, at the nominal price of 1 cent per acre, asking for no competition, inviting no men to bid, but granted those leases to their old favourites at this nominal sum, as it granted those applications for colonization grants of townships to a large extent to its own favourites.

Now, what are the facts? It appears that in 1882, at the time when that country was fast filling up, it was found, on examination by the officers of the Government, that in the far western portion of the country, in the foot-hills of the Rockies, for some distance east, there were large grazing lands, with grass far superior to the grasses of the lands in any of the United States, and it was the opinion of the Government that some effort should be made to get men of capital and means to go in and develop that country by starting the ranching business. Now, the leases which were made of ranches were made under the conditions set forth in the Order in Council of the 6th of May, 1881, which provides as follows:—

Under the authority of the Act 44 Victoria, chap. 16, leases of tracts for grazing purposes may be granted on the following conditions:—

a. Such leases to be for a period of not exceeding twenty-one years and no single lease shall cover a greater area than 100,000 acres.

b. In surveyed territory, the land embraced by the lease, shall be described in townships and sec-

tions. In unsurveyed territory, the party to whom a lease may be promised shall, before the issue of the lease cause, a survey of the tract to be made, at his own expense, by a Dominion lands surveyor, under instructions from the Surveyor General; and the plan and field notes of such survey shall be deposited on record in the Department of the Interior.

c. The lessee shall pay an annual rental at the rate of \$10 for every one thousand acres embraced by his lease, and shall within three years from the granting of the lease, place on the tract one head of cattle for every ten acres of land embraced by the lease and shall during its term maintain cattle thereon in at least that proportion.

d. After placing the prescribed number of cattle upon the tract leased, the lessee may purchase land within his leasehold for a home farm and corral, paying therefor \$2 per acre in cash.

e. Failure to fulfil any of the conditions of his lease shall subject the lessee to forfeiture thereof.

17. When two or more parties apply for a grazing lease of the same land, tenders shall be invited and the lease shall be granted to the party offering the highest premium therefor in addition to the rental.

When it is remembered that at that time there was no railway through the country; that the nearest railway was at Portage la Prairie, hundreds of miles away from these pasture lands, and that the only possible means of getting there was through the United States by overland and steamer journey through Missouri and Montana, and that these men, in addition to taking all that trouble and bringing in their cattle from the south, had to fulfil the conditions laid down here, I do not think any gentleman will come to the conclusion that there was much of a bonanza in the acquiring of a ranch lease on the conditions I have cited—\$10 for every 1,000 acres, or a cent per acre for every head of cattle. That means that ten acres of land is the lowest an animal can do with upon those ranches, and that has been established by experience, and that one cent an acre was more than was being charged by the United States Government for their ranch lands at the time this order was passed. And, Sir, more than that, we have the statements of these ranchmen that they have not been so successful as they had expected to be; and, I think, that if the hon. gentleman could learn the facts, he would find that instead of there being a speculation in these ranch lands, it has been the reverse. If the hon. gentleman were to interrogate these people I think he would find that there has been very hard work and very little profit for them, and that the conditions required of them by the Government in some instances have been onerous. Now, Mr. Speaker, we come to the crux of the hon. gentleman's resolution, namely, the final part of it, which reads:

And that land grants to railway corporations have been made by the Government with reckless lavishness, and to the serious detriment of the public interest.

I know that that portion of the resolution will commended itself to the seconder (Mr. Martin) because I have not the slightest doubt that he can say to the House that the people of Manitoba, at all events, have thought that this Government have not been sufficiently liberal in their land grants to railways. At all events, I think it can be proved that no land grants made by the Government have been made except where they have been required, and only for one purpose—that of colonizing the country. These land grants have not been granted "with reckless lavishness," nor have they been granted "to the serious detriment of the public interest," and I shall say before I sit down that if these land grants were lavish, those made by the hon. gentlemen opposite when in power were doubly so, that their policy was a far more liberal one. I could show further—and this fact can be borne out by the hon. member for Winnipeg—that there has not been a single railway to which a land grant has been given that has been able to finance its enterprise on that alone—every one of them has been obliged to go for aid either to this Government or to the Government of Manitoba. Let us go back to the beginning of our land grants to railways. Let us go back to 1874, when hon. gentlemen opposite undertook to build the Canadian Pacific Railway. First, it is within the recollection of hon. gentlemen who were in the House at that time, that so little, apparently, did Mr. Mackenzie value our lands, or so desirous was he to build this line of railway, that he offered Mr. Foster, the contractor of the Algoma branch, 20,000 acres per mile. And the greatest grant that this Government has ever given to any railway was 12,800 acres per mile, and that was given to the Hudson's Bay Railway Company on that portion of the line outside the northern boundary of the province of Manitoba. By the Act of 1874 it was provided :

That the total sum to be paid to the contractors shall be stipulated in the contract, and shall be ten thousand dollars for each mile of the section or subsection contracted for, and that such sum shall be paid to the contractors as the work progresses, by monthly payments in proportion to the value of the work then actually performed (according to the estimates of the engineers designated for the purpose by the Minister of Public Works), as compared with the value of the whole work contracted for, including rolling stock and all things to be done or furnished by the contractors.

And by section 4 :

That a quantity of land not exceeding twenty thousand acres for each mile of the section or subsection contracted for, shall be appropriated in alternate sections of twenty square miles each along the line of the said railway or at a convenient distance therefrom, each section having a frontage of not less than three miles nor more than six miles on the line of the said railway, and that two-thirds of the quantity of land so appropriated shall be sold by the Government at such prices as may

Mr. DALY.

from time to time be agreed upon between the Governor in Council and the contractors, and the proceeds thereof accounted for and paid half-yearly to the contractors free from any charge of administration or management—the remaining third to be conveyed to the contractors. The said lands to be of fair average quality and not to include any land already granted or occupied under any patent, license of occupation or pre-emption right; and when a sufficient quantity cannot be found in the immediate vicinity of the railway, then the same quantity or as much as may be required to complete such quantity, shall be appropriated at such other places as may be determined by the Governor in Council.

Mr. MILLS (Bothwell). What railway is that ?

Mr. DALY. I am quoting an "Act to provide for the construction of the Canadian Pacific Railway," assented to on the 26th of May, 1874. We find that by that Act Mr. Mackenzie's Government was to give 20,000 acres per mile for each section or subsection contracted for, and also \$10,000 per mile. If we take the mileage from Callendar to Vancouver as 2,562 miles, the cash bonus to be given will amount to \$25,620,000. The Government were also to guarantee interest for twenty-five years. That I did not refer to, but I might as well quote it also—the latter part of section 3 provides :

No further sum of money shall be payable to the contractors as principal, but interest at the rate of 4 per cent per annum for twenty-five years from the completion of the work, on a sum (to be stated in the contract) for each mile of the section or subsection contracted for shall be payable to the contractors, and guarantees for the payment thereof shall be given from time to time to the contractors in like manner and proportion, and on like conditions, as payments are to be made on the principal sum above mentioned.

Thus, in addition to the \$25,620,000, calculated on the present mileage from Callendar to Vancouver, the Government was to guarantee interest for twenty-five years at 4 per cent on sums specified in the Act. In addition, they were to give 20,000 acres per mile, which, on the mileage I have given, would be over 51,200,000 acres of land. It is within the knowledge of every hon. gentleman in this House, and of every person acquainted with Canadian history, that all that the Government gave to the Canadian Pacific Railway Company in 1881 by the contract was \$25,000,000 and 25,000,000 acres of land.

Mr. MARTIN. Surely the hon. gentleman will not say that.

Mr. MILLS (Bothwell). How many hundred miles of completed road did they give ?

Mr. DALY. Of course, the hon. gentleman knows that I did not intend to include everything that was given the Canadian Pacific Railway Company. But I say that, so far as the land grant is concerned, while Mr. Mackenzie's Government were willing to give

over 52,000,000 of acres of land, all that the Conservative Government gave was 25,000,000 acres.

Mr. CHARLTON. Was the land grant to be given by Mr. Mackenzie not to extend from one end of the line to the other, including the mountain section and the worthless sections north of Lake Superior, and would not such a land grant have been much less valuable than the 25,000,000 of acres to be selected in the fertile belt?

Mr. DALY. No. Now, that was the proposition made by the Government of Mr. Mackenzie so far as the main line of the Canadian Pacific Railway is concerned, and it will show that if we are chargeable with a reckless extravagance in giving lands to the people and to the railways, the Government of Mr. Mackenzie is equally chargeable. But, Sir, we find that there were other people at that time who were desirous of building lines of railways, and who had ideas as to how those lines of railways should be built; and we have a many-sided gentleman in this House in the person of the hon. member for Bothwell (Mr. Mills), who put his ideas on record on that subject. The hon. member for Bothwell has told us within these last few days what he knew about hay and timothy; he told us yesterday that he knew about constitutional law; and I have got a document in my hand that will give to the people of this country an idea of what the hon. gentleman knows about building railways. I have in my hand a Bill that was introduced by the Hon. Mr. Mills into this House of Commons in 1878. It was received and read the first time on 27th February, 1878, and the second time on Tuesday, 5th March, of the same year, and I presume it died the same day; because after a discussion on the second reading, the Bill is never referred to again, and it died a natural death. Now, we are charged here with reckless lavishness in our land grants to railways. What does the hon. gentleman for Bothwell propose in his Bill of 1878? It is "An Act to facilitate the Colonization of Dominion Lands by providing for the incorporation of Railway Companies and in aiding the construction of railways traversing such lands." In it we read:

Whereas it is expedient to provide facilities for colonizing and settling the public lands owned by the Dominion; and whereas, the construction of railways will afford the best means for the purpose and it is desirable to facilitate the incorporation of companies with such view, and to afford aid to such works by grants or through sales, as hereinafter provided, of Dominion lands, which may be enhanced in value thereby: therefore, Her Majesty—

And so on. Now, this Bill provides for the formation of railway companies by making and signing articles of association; it provides for capital shares, and so on. In section 6 we find this provision:

Such articles of association shall not be filed and recorded in the department of the Minister of the Interior, until at least 50 per cent of the stock required shall have been subscribed in good faith, and 10 per cent of the amount so subscribed paid to the Receiver General, and there is endorsed thereon, or annexed thereto, an affidavit made by at least three of the directors named in the said articles of association, that the amount of stock required by this section has been subscribed in good faith, and 10 per cent paid, in cash, as aforesaid, and that it is intended, in good faith, to construct, maintain and operate the road mentioned in such articles of association, which affidavit shall be recorded with the articles of association aforesaid.

That will give you an idea of what is contemplated by the provisions of this Bill. Then we find in subsection 8 of section 10, the following:—

Provided that the interests of the public may, until the railway is in operation, be represented on the board of directors of any company formed under this Act by a director who may be appointed by the Governor in Council, and it shall not be necessary for any director so appointed by the Governor in Council to hold stock in the said company.

Then in section 18:

No company shall be incorporated under the provisions of this Act for the construction of any railway having the same general direction as the Canadian Pacific Railway or any branch thereof, at a nearer mean distance than 40 miles.

They were to have colonization railways, but they were not to be nearer the Canadian Pacific Railway than forty miles. Then subsection 2 of section 21 provides:

The directors of the company, by a vote of two-thirds of their whole number, may, with the approval of the Governor in Council, change the route of any uncompleted part of their railway if it shall appear to them that the line can be improved thereby, and in such case they shall make a survey, map or plan, profile, and certificate of such alteration or change.

The railways were not to be built within forty miles of the main line of the Canadian Pacific Railway, and from time to time they may wobble their lines of railway in any direction they choose. Then we find another provision in section 22:

If any company formed under this Act shall not, within three years after its articles of association are filed and recorded in the department of the Minister of Interior, actually begin the construction of the railway, and should the proposed railway be under 100 miles in length, shall not finish the road and put it in operation within the five years of the time of filing its articles of association as aforesaid, its corporate existence and powers shall cease.

Three years to begin and five years in which to finish. Then section 23:

Any company formed under this Act for the construction of a railway over 100 miles in length, and less than 200 miles, shall, within three

years after its articles of association have been filed and recorded in the department of the Minister of Interior, have actually begun the construction of the railway, and shall within seven years finish the road and put it in operation; and if the line proposed to be constructed is over 200 miles in length, the company shall within three years have actually begun the work of construction, and shall finish such road and put it in operation within ten years.

But what I want specially to call the attention of the House to, is in relation to the land grant that this Bill provides for in section 26:

The Governor in Council may, for the purpose of aiding in the construction of any railway to be constructed under the provisions of this Act, reserve every alternate section of ungranted land by odd numbers, to the extent of 10 sections per mile, five sections per mile on each side of the line of the railway, exclusive of the sections which under the Dominion Lands Act, may have been reserved as school sections, or may have been allotted to the Hudson's Bay Company.

Carrying out exactly all the land grants that have been by this or any other Government to the Canadian Pacific Railway and branch lines, or to any other railways that have received land grants from this Government.

Mr. MILLS (Bothwell). Not quite.

Mr. DALY. Exactly, 6,400 acres to the mile, the same as the grant that has been made by this Government, and further on I will point out to you that 6,400 acres to the mile is provided by this section, which says:

And for any line or part of a line of railway west of the 102nd meridian of west longitude, 12 sections per mile, and for any line of railway connected with the Canadian Pacific Railway and extending into the Peace River district, 20 sections per mile; and whenever 25 consecutive miles of any portion of any railway shall have been completed, equipped and in operation, the Governor in Council may convey to the company the lands so reserved, or a part thereof, along the said railway so far as the same is completed, and for each consecutive ten miles of the remainder of the railway, the Governor in Council may, as the same may be completed, convey the lands so reserved along nine miles thereof to the company.

Now, the provisions I have read commit the hon. member for Bothwell, and commit the hon. member for North Norfolk, who spoke on that occasion, to the same policy that has been pursued by the Government of Sir John A. Macdonald, by the Government of Sir John Abbott, and by the present Government, in relation to their land grants.

Mr. MILLS (Bothwell). No.

Mr. DALY. In the first place it provides here for 3,200 acres per mile, in the next place for 6,400 acres per mile, and in the next place for 12,800 acres per mile. The greatest land grant we have given is 12,800 acres

Mr. DALY.

per mile, to the Hudson's Bay Railway, outside the province.

Mr. MILLS (Bothwell). The hon. gentleman will see that there is in that Bill a restriction. There is the controlling influence of the Government over the lands, as to the price.

Mr. DALY. Subsection 4 of section 26 provides:

The Governor in Council may vary or entirely change the mode of disposal of Dominion lands lying within a certain distance of the railway constructed under this Act, as regards homesteads, pre-emptions, sales and bounty land entries from those contained in the Dominion Lands Act, by reducing the quantity of land which may be granted in free homesteads or by withdrawing the homestead right altogether on such lands, and may fix a price for such lands and order that such lands may be sold exclusively for cash, with or without conditions of actual settlement, as may be deemed expedient.

Showing that under the provisions of the Bill those gentlemen could build a line of railway anywhere so long as they did not come within forty miles of the Canadian Pacific Railway, and after they had got it partly started, they could wobble it about in every direction. For the building of that railway they were to get, for some sections 6,400 acres, and for others, 12,800. And then the Government were permitted to withdraw all their lands from homesteads, and to possess them again. But the point I wish to make is that by the Bill introduced by the hon. gentleman in 1878 he permitted his Government—I cannot say he permitted his party, because apparently the Bill was so objectionable to the other members of his party that it never became law—but the Government of which he was a member showed that they were willing to make grants of land similar to those that have been made by the Governments of Sir John A. Macdonald and those that have succeeded them down to this time. In view of the fact that most of the members of this House are young members, it is desirable that the House should know the position which the mover of this resolution (Mr. Charlton) took on that occasion. This hon. gentleman who made such broad statements in his speech introducing the resolution, and who charged the Government with reckless extravagance in regard to land grants. That hon. gentleman the other night took exception in the following words to the land grants given to railways:—

I want to refer to-night to a most glaring instance of incapacity and folly on the part of the Canadian Government with reference to the management of its North-west land trust. Since the year 1880 this Government has granted to railway corporations, 44,242,000 acres of land, representing 442,240 farms of 100 acres each, an extent of land representing somewhat more than 70,000 square miles, an extent of land double the area of the cultivated land of this entire Dominion, an extent of

land capable of sustaining double the present population of the Dominion. Seventy thousand square miles of the choicest lands of the North-west, I repeat, capable of supporting 10,000,000 inhabitants, were granted by this Government to railway corporations, some of them necessary, and many of them unnecessary.

Could any statement made by an hon. gentleman be couched in more extravagant language than that? The hon. gentleman charged the Government with having made lavish grants of lands to railways. What do we find was the hon. gentleman's position in 1878, when speaking on the Bill introduced by the hon. Minister of the Interior, the present member for Bothwell? Speaking in reply to the hon. member for Northumberland (Mr. Mitchell), the hon. member for North Norfolk (Mr. Charlton) said :

He considered this measure, notwithstanding the unmeasured denunciation it had received at the hands of the hon. member for Northumberland, was a statesmanlike measure and embodied a wise policy. It was essential to the development of the North-west that that country should be furnished with railways. The rivers flowing through that region flow to the north, and this region had no natural highway to mark it as was furnished to the Western States by the Mississippi and the great lakes ; and if railways were essential to the development of the Western States, they were tenfold more essential to the development of the North-west. It was useless to think of opening up and settling this country without furnishing it with railway facilities.

Further, the hon. gentleman said :

He recollected paying a visit to Iowa about twenty years ago. Then it had but a few miles of railway, and but a sparse population, chiefly located along the line of the Mississippi ; yet, by means of a liberal railway policy, by subsidizing several lines crossing the state from east to west, it had suddenly risen into an important state, with a population of nearly, if not quite 1,500,000. Some of the railways had perhaps been subsidized more than was necessary, but capitalists would not embark their money unless they had a prospect of a fair return, and it was folly to haggle with them about an unimportant difference when important interests were at stake. The United States Government held the alternate sections, which were reserved within the limits of railway land grants at double the price of lands outside the limits of railway grants, and more distant from railway communication.

Further, the hon. gentleman said :

The question was how that land should be utilized and for that purpose the Minister of Interior had devised a Bill which, in its conception was admirable, and which in his opinion would if carried out attain the object of populating this vast country. The maximum rate but very slightly exceeded the minimum of the United States railway grants, and they must bear in mind that if railways were essential to the opening up of

Illinois, Iowa and Wisconsin, they were far more essential to the opening up of the territory on the upper waters of the Saskatchewan or in the Peace River region ; and the Government could never properly utilize that country or get any adequate return for the money it had expended without adopting a policy of this kind. They had committed themselves to the building of a trunk line through that country. Were they going to do that and make no provision for feeders to bring traffic to that line?

Further, the hon. gentleman said :

If it was necessary to construct lines through the Peace River valley, the Mackenzie valley, the valley of the Saskatchewan valley or any other valley, these lines would be built there. If the aid offered by the Government proved a sufficient inducement to capitalists to embark in these various enterprises. Why under this Bill, the Government were providing for the growth of Canada as a nation ; they were providing for peopling that vast region which now lay in a state of nature, and for developing its resources. They had already lost too much time in developing the resources of Canada.

Further, the hon. gentleman said :

In the North-west they had lands which would give sufficient sustenance for fifteen or twenty millions of people. Let them get inhabitants for it as soon as possible. If they could pour fifty thousand a year into it, those settlers would pay into the coffers of this country in the shape of customs duties \$250,000 per annum, and the Government would derive a far greater revenue this way than from the sale of these lands. The United States Government had never accounted their public domain a great source of wealth from proceeds of sales ; they deemed it of more importance to get settlers on their land than to gain a paltry sum for the sale of them. He held that the only policy to open up and develop these large tracts of country was a liberal railway policy ; and that while it was proper to exercise due caution, it would not be good policy to postpone the building of lines for the sake of saving a few hundred acres to the mile. They could not induce capitalists to embark in a speculation of that kind unless they offer liberal terms.

Further, the hon. gentleman said :

If they built that main line to the construction of which the country was pledged by the right hon. gentlemen they must adopt a liberal policy for the purpose of developing the country ; they must secure the construction of branch lines and feeders, and then they would have a sufficient amount of business brought to the main line to make it pay a dividend.

These quotations I have made from the hon. gentleman's speech commit him indisputably, beyond any chance of cavil, to the absolute necessity on the part of the then Government, or of any other Government, of making large land grants to railways in the North-west in order to secure their construction, and in accordance with the policy adopted by the Government of the United States to which the hon. gentleman referred in his

speech: and yet sixteen years after that speech was delivered by the hon. gentleman, he comes here with a resolution to condemn this Government and the Conservative party for pursuing the very policy which he advocated in such strong language. We find further that the Government of that day were committed to that policy by a speech delivered by the Minister of the Interior. I ask, in view of the speeches made by these hon. gentlemen, how they can condemn this Government for carrying out the very policy which they enunciated at that time. Mr. Mills said:

The Government did not propose to say to the population that they should settle in this or that particular vicinity, or they would be left without railway communication. They knew by the experience of the progressive settlement and development of the adjoining country, especially that section which lay west of the Mississippi River, during the last fifteen or twenty years, how largely railway accommodation contributed to the progress of colonization and settlement.

That is in contradiction to the position taken by the hon. gentleman when he complained that the Canadian Pacific Railway should not be built in advance of settlement; yet here he contends that the proper policy both in the United States and in this country is to build railways in advance of population in a new country. The hon. gentleman, continuing, said:

If railways could be built by the aid of public grants of land or money obtained by the sale of that land, the country could not make a better use of the public lands than thus to open them up for settlement, and to give capitalists the opportunity of investing money there. It was largely by the construction of railways that the lands in the North-west were to be made valuable. Their value depended upon the facilities afforded for the transport of the products of the settlers. By constructing railways through the North-west, reaching to every fertile point where a colony could be established, we would largely contribute to increase the traffic and travel over that railroad, which must, for many years to come, be a single line from Winnipeg, eastward to the shores of Lake Superior.

Now, Sir, if the hon. gentleman (Mr. Charlton) had heard the declarations that were made by the hon. member for Bothwell (Mr. Mills) at that time, he must come to the conclusion that these gentlemen were committed up to the neck in the furtherance of a policy that the then Government, and any future Governments, should give large tracts and liberal grants of land for the building of railways in that prairie country. But, Sir, what are the facts? The hon. member for North Norfolk (Mr. Charlton) has made a speech on this subject since 1882. I find that on 15th September, 1891, the hon. gentleman (Mr. Charlton) spoke as follows ('Hansard' report) in the debate that took place then:—

Mr. DALY.

In 1878 the North-west was without a mile of railway, it was entirely undeveloped, but since that time the Government, by land grants and by giving a bonus of \$60,000,000 has built a railway across the continent and the contrast between that country now and its condition in 1878 is very marked. Now there are three times as many railways constructed in that country as are required by the inhabitants.

I particularly call the attention of the hon. member for Winnipeg (Mr. Martin) to that statement. The hon. gentleman (Mr. Charlton) continued:

Instead of confining ourselves to building railways there, as the population develops and in accordance with the actual wants of the settlers, we have run lines through the various parts of the North-west and have created scattered settlements from Winnipeg to Calgary with great stretches of uninhabited land between them. No one can doubt that 200 miles of railway would have given accommodation for all those settlers, but instead of exercising due caution, we have been making those grants lavishly and extravagantly.

I have no doubt that it amuses the hon. member for Winnipeg (Mr. Martin) to listen to that. I have no doubt but that the Reform friends of the hon. gentleman in the west will be very much amused to listen to language of that kind, in view of the fact that the Reform party there have committed themselves, through the Government of which the hon. gentleman (Mr. Martin) was a member, not only to the policy that they wanted 6,400 acres per mile, but that in addition to that they must have aid from the Local Government. In addition to the lines of railway that have been built through the aid of the land grants that have been given by this Government, the hon. gentleman (Mr. Martin) knows, that other lines of railway have been constructed by substantial money grants made by the Government of which he was a member. In view of these facts, the speech of the hon. member for North Norfolk (Mr. Charlton) will be rather amusing to the Reform friends of the hon. member (Mr. Martin) in Manitoba and the North-west. Now, Sir, let us get at the facts. The hon. gentleman (Mr. Charlton) has made the extravagant statement that 44,000,000 acres of land have been given to aid railways. As a matter of fact, although the Government have committed themselves to give 44,242,298 acres of land, some of the railways to which these land grants were given have not earned them, and there remains 16,718,384 acres unearned. The total area of land grants promised was about 44,242,298 acres, the area to which the companies are entitled is 27,523,914 acres, leaving not yet earned 16,718,384 acres. Now, Sir, in order that the country and the members of this House may have some idea as to the extent of our western territory, I propose to give them some figures. It was estimated that the area fit for agricultural and pastoral purposes at the time

the North-west was acquired by the Dominion Government from the Hudson's Bay Company, was approximately 300,000,000 acres of land in the fertile belt. If you deduct from that, for water areas and arid patches 60,000,000 acres, it will leave 240,000,000 acres approximately within the fertile belt.

Mr. CHARLTON. I would be obliged if the hon. gentleman could give me the number of miles of railway built which earned this 27,000,000 acres of land.

Mr. DALY. Four thousand six hundred and thirty-four, and if on that you take off the Emerson and Sault Ste. Marie branches it leaves 4,388 miles.

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

After Recess.

Mr. DALY. Mr. Speaker, before Six o'clock I was giving to the House a statement showing that there was an estimated area in the North-west Territories fit for agricultural and pastoral purposes, amounting to 300,000,000 acres approximately; less 20 per cent deduction for water areas and arid patches, 60,000,000 acres; leaving for homestead, pre-emption, grazing and other purposes, 240,000,000 acres. Now, from that we have to deduct 6,287,360 acres for Hudson's Bay Company's lands, 13,333,333 acres for school lands; 3,000,000 acres for Indian reserves; 15,555,910 for homesteads, pre-emptions, sales, half-breed grants, and Manitoba Act grants; and 38,687,098 for railway subsidies which have been earned; making a total of 76,863,701 acres to be deducted from the 240,000,000 acres; leaving a balance available to-day of 163,136,299 acres. Of this quantity of land the odd-numbered sections comprise 62,639,668, and the even-numbered sections, 100,496,631 acres. So that, according to this statement, after providing for the Hudson Bay Company's one-twentieth of the lands under the terms of the purchase from them, the school lands, the Indian reserves, homesteads, pre-emptions, sales and grants made in the way of railway subsidies which the hon. gentleman mentioned, we have still left a balance of over 163,000,000 acres, of which over 62,000,000 acres are odd-numbered sections, and over 100,000,000 acres even-numbered sections.

Mr. MARTIN. What latitude does that go up to?

Mr. DALY. Up to the northern boundary of Manitoba and North-west Territories.

Mr. McMULLEN. How far do you go west?

Mr. DALY. We go west to the Rocky Mountains, of course. The hon. gentleman knows, or if he does not he ought to know,

that these 300,000,000 acres were ascertained at the time of the purchase from the Hudson Bay Company to be the area fit for agricultural and pastoral purposes in the territory known as Rupert's Land, then acquired from the Hudson Bay Company.

Mr. MARTIN. Does that include the land grant to the Hudson Bay Railway outside of the province?

Mr. DALY. No, it does not. I was coming to that in a few minutes. In that area we have over 62,000,000 acres of odd-numbered sections still left to grant to railways if necessity requires it, or to sell to those who choose to purchase, and over 100,000,000 acres to be given to those who desire to homestead. In these 38,000,000 acres odd granted as railway subsidies I have not included 5,440,000 acres of land grant given to the Hudson Bay Company, nor 115,200 acres given to the Lac Seul Railway; so that we have 5,555,000 acres over and above what I have mentioned as being available for homesteading and purchase. This statement is given in view of the remarks made by the hon. member for North Norfolk the other night on this branch of the subject. In addition to what I have already quoted, the hon. gentleman said:

I want to compare the results of this land grant system and the magnitude of the grants, with the policy pursued by the United States which, for years, has been admitted in that country to have been a lamentable one. Since 1850, the United States have granted to railways, 58,461,000 acres of land.

I may say, in passing, that the hon. gentleman's figures are not correct; they are entirely within the mark.

These land grants commenced forty-three years ago, and our policy in that respect began about twenty-three years ago. You will observe that the total amount of land grants in the United States is only 30 per cent greater than our own. Their population is twelve times greater than ours, so that our excess of land grants to railway corporations upon the basis of population, is nine times to one that of the United States; or our excess of land grants over that of the United States on the basis of population and time over which these land grants extend, represents a disparity of sixteen to one. We have given on the basis of extent and time, sixteen times as much land to railways as the United States have. These United States land grants promoted the construction of 21,898 miles of railroad. The exact number of our railway miles that our land grants will promote the construction of I am unable to say, but I do venture to think that the American mileage of railway was at least five times greater than the mileage promoted by our land grants in Canada, and consequently that the American grants have been from four to five times more effective in proportion to the acres granted than our land grants have been.

Now, Sir, this is a most important statement for an hon. member of this House to make,

because any one reading that who is not conversant with the facts would come to the conclusion that, in the terms of the resolution which the hon. gentleman has moved, our land grants had been made with reckless lavishness. But, Sir, when we examine into the facts we find that not only has the hon. gentleman not given correct figures to this House, but he has not made that inquiry into the subject which he ought to have made before committing himself to an important statement of that kind. We will take, for instance, by way of comparison, what has been given by the Government of the United States to their railways. In the first place, all the land grants to railways west of the Mississippi, and in Illinois to the east of it, were the odd-numbered sections. According to the way in which we have laid out our lands in the North-west, as you are aware, two sections are reserved for school purposes, and two for the Hudson Bay Company in each township. We have reserved for school purposes two odd-numbered sections, while the reservation for school purposes in the United States are even-numbered sections. So that the land grants for railways given by the United States west of the Mississippi, amounted to 50 per cent of the lands along the lines of railway, while our land grants would not exceed 45 per cent. Now, the width of the area of lands granted to railways in the United States varied. Thus, in the case of the Northern Pacific the limit in states was twenty, thirty and forty miles, and in the territories, forty, fifty and sixty miles on each side of the railway. The area granted was twenty sections per mile in the states and forty sections per mile in the territories. It might be well to state here, what is now known to people outside of his House as well as it is to hon. gentlemen, that our land grant to the main line of the Canadian Pacific Railway is only twenty-four miles on each side of the railway.

Mr. MARTIN. That is scarcely correct, is it? Provided they cannot get sufficient land within that limit, they can go outside.

Mr. DALY. Yes; and the same thing exists in the United States, and the same idea prevailed when the Mackenzie Government gave their first land grant to the Canadian Pacific Railway. Now, in the 'Public Domain,' the United States official report for 1883, on page 268, this statement will be found:

It was estimated that if the lands embraced in limits of grants to railways to 30th June, 1880, were all available, and that the corporations, state and national, built their roads and complied with the laws, it would require 215,000,000 acres of public domain to satisfy the requirements of the various laws.

As against 58,000,000 acres stated by the hon. member for North Norfolk the other night; so that these figures in that respect are as misleading as others. It goes on to say:

Mr. DALY

The estimate of the General Land Office, in 1878, was that it would require 187,000,000 acres, which, in all probability will be reduced by actual selections, forfeitures, &c., to 154,000,000 acres. The present estimate is 155,514,994 acres.

Which will be required to fulfil the obligations of the United States Government to the different railways, as against 58,000,000 acres mentioned by the hon. gentleman. Now, in what may be called the eastern states, those east of the Mississippi, not including Wisconsin and that portion of Minnesota east of the Mississippi, there were given for railway grants the following areas:—

Illinois.....	2,595,053·00
Mississippi.....	935,158·70
Alabama.....	2,931,780·59
Florida.....	1,764,412·03
Louisiana.....	1,072,406·47
Michigan.....	3,229,010·84

making a total of 12,527,821·63 acres given to railways by the different states I have mentioned. That statement will be found in the House Executive Documents 1888-90, volume 10, Report of the Secretary of the Interior, Volume 1, 1888, page 248. Now, for Pacific roads proper, being in the states and territories west of Mississippi, Wisconsin, and that portion of Minnesota east of the Mississippi, there were granted 176,950·780·55 acres for 16,400 miles of railway, at the rate of 10,790 acres per mile. Of that amount, 42,000,000 was granted the Northern Pacific for 2,317 miles of road, being equal to 18,559 acres per mile. The Union Pacific, the mileage of which is 1,783·28 miles, was granted 12,800 acres per mile, and for the balance of their system 227 miles, they got 6,400 acres per mile. The Central Pacific, for their system, amounting to 1,157·66, received 12,800 acres per mile. The Southern Pacific, for their system of 934·70 miles, received 12,800 acres per mile.

Mr. CHARLTON. If the hon. gentleman will allow me. I hold in my hand the Land Office report of the United States up to the 30th June, 1893. According to this report, on page 190, it appears that the land concessions by Acts of Congress to states and corporations for railway and military wagon-road purposes, were as follows. Then follows the statement, and the summary is 58,463,075·22 acres of land grants, of which there were forfeited by Congress 1,387·60 acres, making a net total grant of 58,461,687·62 acres to the 30th June last in the whole of the United States.

Mr. DALY. My figures are taken from the 'Public Domain,' United States official record, and I will back them against the figures of the hon. gentleman.

Mr. CHARLTON. The figures I have given are not mine, but taken from the United States authorities.

Mr. DALY. My figures are not my own, but taken from the public records of the United States, and they show that the present estimate of the total acreage, making all deductions for forfeitures, &c., is 155,000,000. But that does not get over the fact that by the figures I have established, the United States has given, on an average, to all the lines of railway in the states whereas we have never given more than 6,400 acres per mile, except, as I have said. I have mentioned, 12,800 acres per mile, to the Hudson's Bay Railway, outside of Manitoba. And the Union Pacific grant, the Northern Pacific grant and the Central Pacific grant, are all 12,800 acres per mile.

Mr. CHARLTON. The mistake the hon. gentleman has made is in taking the original grants, from which he has not deducted the lands sold and the lands taken at the time the grants were made. Whereas, under our policy, if the lands in the belt are not all of the quality provided, the company need not take them at all from the belt, but can go elsewhere, and the amount I had given is the amount received up to 30th June last for railway purposes.

Mr DALY. The hon. gentleman was not present when I quoted the figures this evening, or he would have known that I said that these were what Congress had granted to satisfy the requirements of the law; but after the deductions were made, the amount was brought down to 155,000,000 acres of land.

Mr CHARLTON. And it was further brought down to 58,000,000.

Mr. DALY. If the hon. gentleman's figures are as reliable as the rest of his statements, the House will know what reliance is to be placed on them. I have given my figures and the hon. gentleman has given his, and we will be able to verify them in course of time. As I have stated, the acreage per mile given to railways in the United States has been greater, in every instance, than that given here. The hon. gentleman's argument the other night was based on the theory that we had gone beyond even the excessive grants made to railways in the United States, whereas, as a matter of fact, we are within the mark in every instance, except, as I have mentioned, with reference to the Hudson's Bay Company. The mileage that was given, under the celebrated Railway Act of the hon. member for Bothwell (Mr. Mills), which I quoted this afternoon, was 12,800 acres per mile, and by Mr. Mackenzie, in his first Canadian Pacific Railway Act of 1874, was 20,000 acres per mile; and if these hon. gentlemen choose to charge us with lavish extravagance in our railway grants, I say that when they make statements of that kind, they are not in accord with the policy the Mackenzie Government pursued when in office.

Mr. MILLS (Bothwell). Does the hon. gentleman remember that there was a Railway Act before the Mackenzie Act, and that it made provisions for land appropriations?

Mr. DALY. Certainly I am, but the hon. gentleman does not appear to be aware of that. He has forgotten that they ever had any legislation in reference to grants to railways, and I am trying to impress upon him that his party adopted the policy of the Macdonald Government of 1872, that they saw that policy and went it two better, and were willing to give 20,000 acres per mile, when we only went to the extent of giving 25,000,000 acres in all.

Mr MILLS (Bothwell). The land appropriations in the Acts of 1872 and 1878 were exactly the same.

Mr. DALY. Taking it for granted that they were, the hon. gentleman only followed in that instance the policy laid down by the late Right Hon. Sir John Macdonald.

Mr. MILLS (Bothwell). As you claim to be following ours now.

Mr. DALY. Well, the hon. gentleman may be a little mixed, but I do not think we are. We followed exactly the line of policy laid down by the hon. gentleman in that celebrated Bill of his which died such a very quick death.

Mr. MILLS (Bothwell). Not quite.

Mr. DALY. The hon. member for North Norfolk (Mr. Charlton) said the other night that when the Americans gave this land grant, they gave no privilege of rejecting lands not fit for cultivation and of going outside the belt to get lands of the required standard. I take issue with the hon. gentleman, and I would call the attention of the hon. member for Bothwell (Mr. Mills) and the hon. member for Winnipeg (Mr. Martin) to the fact that in the provision of the Canadian Pacific Railway allowing them to go outside their belt to get land fit for settlement, we were but following the same lines laid down by these hon. gentlemen in their Pacific Railway Act of 1874. They provided in that Act, subsection 4 of section 7:

The said lands to be of fair average quality, and not to include any land already granted or occupied under any patent, license of occupation or pre-emption right; and when a sufficient quantity cannot be found in the immediate vicinity of the railway, then the same quantity, or as much as may be required to complete such quantity, shall be appropriated at such other places as may be determined by the Governor in Council.

Now, the provisions in the Canadian Pacific Railway grant provided that the land in the belt should be fairly fit for settlement, and that if it be not, the company could get lands elsewhere, and that provision was also in the Mackenzie Act.

Mr. MILLS (Bothwell). No, in that Act the Governor in Council makes the selection.

Mr. DALY. And he will make the selection now under the Canadian Pacific Railway Act. Now, in addition to the enormous land grant made by the United States Government to its railways, we find that bonds were issued to the following roads, and that there was due by the United States Government to those roads the following sums: On the 30th June, 1884, according to the last figures I have been able to get, the Union Pacific road owed the Government \$52,192,000. The Union Pacific received from the Central Government at Washington, \$50,142,090; the Central Pacific received \$46,557,045; the Sioux City and Pacific, \$3,159,178; the Central Branch of the Union Pacific, \$3,076,480, making a total of \$102,934,794 due to the United States, in addition to the 155,000,000 acres of land that had been given up to the 30th of June, 1890. The indebtedness of the Union Pacific was \$50,142,090, and you must add all the interest that has accrued since. So that the statement I read from the hon. gentleman's speech is at variance with the fact. He said:

The policy of the United States which I have referred to has been abandoned for over twenty years, and not a public man in the United States conversant with the question will venture to assert at the present moment that the whole policy was not a gigantic mistake, taking as it did from the settlers of the United States lands that would have been sold to them at \$1.25 per acre, or given to them afterwards under the Homestead law, and putting these lands in the hands of railway corporations that sold them to settlers at any price from \$4 to \$20 an acre. Now, Mr. Speaker, I venture to say that it is time that this country should follow the example of the United States in this respect, and put an end to this policy. We have run the course almost as extensively as they did.

Now, Sir, I am showing you what the United States did for their railways, and if the hon. gentleman, or any hon. member on that side can show to the House or the country that we have been as extravagant in our land grants as the United States Government, if we had run the course almost as extensively as they did, there might be some ground to declare by resolution of this House that these land grants were lavish and extravagant. No land grants have been given by this or previous Governments that were not required in the settlement and development of the country. The Mackenzie Government and those who supported it are committed to that policy by the Bill I read and the quotations I made from the hon. gentleman's speech. We are following out the lines laid down by the hon. gentleman and by Sir John Macdonald's Government of 1872. Now, we come to our own railways. There have been granted as earned

Mr. DALY.

by railways, according to the returns, 27,923,000 acres. The mileage construction—

Mr. DAVIN. Will my hon. friend allow me to interrupt him for a moment? He is quite right in his figures. The figures given by the hon. gentleman from North Norfolk (Mr. Charlton) include grants from states to railroads. I have the figures here and they show that the statement as prepared and given by the hon. Minister is quite right.

Mr. DALY. That is what I asked the hon. gentleman from Norfolk (Mr. Charlton).

Mr. CHARLTON. My hon. friend from Assiniboia (Mr. Davin) has made rather too hasty an examination of the figures. Some railroad grants were made to states for railway purposes, some were made directly to the corporations, and the returns cover both these classes.

Mr. MILLS (Bothwell). The states have no lands; they are not proprietors of the public lands.

Mr. DALY. I said before that the grants in Illinois, Mississippi, Alabama, Florida, Louisiana, and Michigan amounted to 12,527,821 acres, while land grants to railways in the Territories represented a total of 155,000,000 acres. Now, coming back to where I was, the mileage construction upon which we have given the land grants is as follows:—

	Miles.
Canadian Pacific Railway Main line, Callendar to Vancouver.....	2,562
Winnipeg to Emerson	64
Winnipeg to Selkirk, west side	23
do to Stonewall.....	20
do to Gretna.....	69
do to Estevan by Glenboro' ..	290
Rosenfeld to Napinka.....	165
Brandon to Souris.....	24
Pipestone Branch.....	38
Carmen Branch.....	13
Portal to Pasque	160
Sudbury to Sault Ste. Marie	182
Qu'Appelle and Prince Albert.	254
Calgary and Edmonton	192
Calgary to Macleod.	105
Dunmore to Lethbridge.....	109
Lethbridge to Coutts	65
Manitoba and North-western Railway	223
Russell Branch	11
Great North-west Central.....	50
Minnedosa to Rapid City about	15
	4,634
LESS—Emerson and Sault Ste. Marie Branches.....	246
Total mileage	4,388

Now, if we take the mileage I have given and the acreage I have given, we find that the land subsidies granted out of our lands have averaged 6,272 acres per mile.

Mr. MARTIN. Does the hon. gentleman include the portion of the road built by the Dominion Government?

Mr. DALY. Certainly, why should I not include it?

Mr. MARTIN. Why should the hon. gentleman take out the Emerson and Winnipeg line and not the line from Winnipeg to Port William—some four hundred miles.

Mr. DALY. Because that from Winnipeg to Emerson was not a part of the main line and the grant of 25,000,000 of acres was given for the main line from Winnipeg to Vancouver.

Mr. MILLS (Bothwell). But it was not given for those portions that were built by the Government.

Mr. DALY. It was given for the total mileage, and the only way to get the average, is to divide the total mileage into the total acreage. I am simply following out the course pursued by the hon. gentlemen. The hon. member for Bothwell (Mr. Mills) shakes his head. The hon. gentleman looks very wise.

Mr. MILLS (Bothwell). I am not so wise as the hon. gentleman.

Mr. DALY. I think the House will come to the conclusion that we have just as much wisdom on this side, even if it is not as old as the hon. gentleman's, it is probably not so rusty. I think this basis of calculation is a fair one. The Government gave this subsidy of 25,000,000 of acres of land to the main line of the Canadian Pacific Railway, just as the subsidies were given to the American lines by the Government there, and the only way to arrive at the average is by dividing one total into the other, as I say. The subsidies granted out of North-west lands in Canada have averaged 6,272 acres per mile; those granted by the United States Government, admitting the mileage given by the hon. gentleman to be correct, have averaged upwards of 9,800 acres per mile. Those west of the Mississippi, which are similar to our North-west railways averaged 10,790 acres per mile, the Northern Pacific, as I have said, having received 18,559 acres per mile and the Union and Central Pacific 12,800 acres per mile. I would ask the hon. seconder of this resolution if he will say to this House or to his constituents or to any portion of the people of Manitoba that there has been a single line of railway bonused by the Government to the extent of 6,400 acres per mile that was not required by the business of that country. The best evidence that these railways were required, and that these land grants were properly made is that the supporters of hon. gentlemen opposite in the Government of Manitoba augment these land grants by substantial money subsidies and by guaranteeing the bonds of the railways.

Mr. MARTIN. What railway did we guarantee the bonds of?

Mr. DALY. The Manitoba North-western to the extent of a dollar an acre.

Mr. MARTIN. No.

Mr. DALY. Have your own way of it. They guaranteed the bonds of the Manitoba North-western and the Manitoba South-western to the extent of one dollar an acre. And a further evidence of the fact that these gentlemen did not believe that these railways were built unnecessarily, or that there were too many railways in the country is the fact that when they came into power, in Manitoba the first thing they did was to build a line of railway with some branches, first known as the Red River Valley and now the Northern Pacific and Manitoba from Emerson to Winnipeg, with a branch to Portage la Prairie and a branch to Brandon, and they subsidized this railway to a very considerable amount per mile. I do not intend to enter into the discussion of that question.

Mr. MARTIN. How much was that subsidy per mile? The hon. gentleman says "a considerable amount." I would like the House to be able to judge.

Some hon. MEMBERS. Order.

Mr. MARTIN. It was \$1,750 a mile.

Mr. DALY. I do not think the hon. gentleman is anxious to discuss the Northern Pacific and Manitoba Railway question in this House. The only regret I have is that when the hon. member for Bothwell was preparing the Act I quoted, the hon. member for Winnipeg (Mr. Martin) was not the statesman he is now. He was then in embryo, because the hon. gentleman could have given him a pointer, and he might have put in a clause providing for \$500 a mile., &c., &c. Well, the hon. gentleman's ability for building lines of railway is fully appreciated by the people of Manitoba. But the point I was going to make is that in addition to the lines of railway that have been subsidized by this Government, the Local Government have built lines of railway by giving money subsidies. When the hon. gentleman laid down, as he did in his speech that I quoted, made in 1891, that 200 miles of railway would be sufficient for the requirements of the people of Manitoba and the North-west, he said something in which he will not find a single member of his party to agree, not even the seconder of this resolution, in the whole of Manitoba or the North-west Territories. On the contrary, instead of the people being satisfied that we have given them enough aid towards building railways, they are crying for more. Now, what acreage have we given, and to what railways have we given this acreage? I will read the schedule:

Name of Company.	Mileage.	Grant per mile.	Area of Grant in Acres.	
The Manitoba South-western Colonization Ry. Co.	212	6,400	1,396,800	
(Branch Carman to Barnsley).....	6½			
The Manitoba and North-western Railway Company..	456	6,400	2,918,400	
The Great North-west Central Railway Company.....	450	6,400	2,880,000	
The Winnipeg and Hudson's Bay Railway Company. {	475	12,800	8,480,000	
	425			
The Qu'Appelle, Long Lake and Saskatchewan Ry. Co.	254.33	6,400	1,627,712	
The Alberta Railway and Coal Company.....	50	6,400	320,000	
The Calgary and Edmonton Railway Company..	340	6,400	2,176,000	
Canadian Pacific Railway Company (main line).....			18,206,986	
C. P. R. Co. (Kenmay and Melita branch).....	125	6,400	800,000	19,774,986
do (Glenboro' branch)	60	6,400	384,000	
do (extension to La Roche Percée).....	60	6,400	384,000	
The North-western Coal and Navigation Company	109½	6,400	282,240	On account of widening of gauge.
do do do (extension to Crow's Nest Pass).....	100	3,840	418,560	
The Wood Mountain and Qu'Appelle Railway Co.	240	6,400	384,000	
The Medicine Hat Railway and Coal Company..	8	6,400	1,536,000	
The Lac Seul Railway Company.....	18	6,400	51,200	
The Manitoba and South-eastern Railway Company..	98.	6,400	115,200	
The Lake Manitoba Railway and Canal Company... }	17	6,400	627,200	
The Red Deer Valley Railway and Coal Company	125	6,400	102,000	
	55	6,400	800,000	902,000
			352,000	
Total			44,242,298	

Of that total of 44,242,298 acres of land, we find that the areas which the companies are entitled to is only 27,523,914 acres, showing areas not yet earned, of 16,718,384 acres. Possibly a great deal of that 16,718,384 acres will never be given, because some of these lines of railway that are mentioned in the schedule I have read have ceased to exist, others again have allowed the land grants to lapse. But for the 27,523,914 acres, the people of Canada have to show a mileage of 4,634 miles of railway, as against the mileage in the United States, given by the hon. gentleman opposite, of 21,819 miles, for a little over 155 million acres of land. Now, Mr. Speaker, the remarks I made this afternoon have possibly been extended somewhat unduly, but the subject is a large one, and requires to be dealt with fully. When we are dealing with 300,000,000 acres of land, an empire in itself, and dealing with the administration of lands in that vast extent of country during a period extending from the time we acquired them in 1871 down to the present time, a period of nearly thirty years, one must, of necessity, speak at considerable length, and adduce many facts in order to give to the House and to the country a knowledge of the course that has been pursued by the different Governments that have been administering those lands since they were acquired by Canada. I say, Sir, in opposition to the remarks made by the hon. gentleman during his speech the other night, in opposition to what is laid down in the resolution that he asks this House to adopt, in opposition to the platform that has been laid down by the Reform party in the province of Ontario and elsewhere, but

Mr. DALY.

not in the province of Manitoba—I say, as against the statement of the hon. gentleman and as against the platform his party have laid down in reference to the administration of our lands by the Conservative Government, I put the facts and figures I have adduced to this House to-day, and no hon. gentleman who desires to give to those facts and to those figures a proper consideration, can fail to come to the conclusion that so far as that great trust is concerned, it has been well managed by the different Conservative Governments, supported by the Conservative party, from the time those lands were acquired by Canada down to this day. I say more, that not only have the different Conservative Governments well and properly managed those lands, but I say, Sir, and I say it without fear of contradiction, that the management of those lands by the Government of Sir John A. Macdonald from 1872 to 1874, and again from 1878 up to the time of that hon. gentleman's death, and the management of those lands under Sir John Abbott, and under the present leader of the Government, stands out in bold relief as against the management of those lands during the time the hon. gentlemen opposite were in power, from 1874 to 1878. The hon. member for North Norfolk would lead the people to believe, by his resolution, that those lands have been improperly managed by the different Conservative Governments. He would not only lead us to believe that they have been improperly managed, but that they have been corruptly managed, in the interest of the speculator, and not of the settler. Sir, I think the facts I have given to the House this afternoon, and the quotations I have made

from the Orders in Council, and from the Acts passed by the Mackenzie Government, show clearly that these men had no comprehension and no idea of the management of so vast a domain and so great a trust as was put into their hands by the people of this country. Actions speak louder than words, and I am willing to contrast, in this House or out of it, the conduct of this Government or of the former Conservative Governments, with the conduct of the Mackenzie Government, in their management of the Dominion lands. I believe in my heart, and the majority of the people of the North-west believe, that the Reform party have no use for that country, they have never had any use, apparently, for that country; they have never extended that amount of liberality in sentiment and in action towards our people up there, that has been extended by the different Conservative Governments. There was a time, and it was the only time in history since we acquired that country, when it was absolutely necessary for whichever Government was in power, to follow a broad and liberal policy towards that country, and that was from 1874 to 1878. It is in the memory of hon. members older than myself, that the tide of emigration from Great Britain and continental countries, was turned principally towards America during the years from 1874 to 1878, or more properly from 1873 to 1878. At that time thousands of people were pouring into the western states, because those states were being opened up and developed by the Union Pacific, the Northern Pacific and other railway lines, which were necessary for the development of that country. While our American friends, whom the hon. member for North Norfolk admires so much, were going ahead and building railways and giving land grants, hon. gentlemen opposite, who were then in power, were building water stretches from Port Arthur to Winnipeg.

Mr. CHARLTON. Did not the Almighty build the water stretches?

Mr. DALY. I was going on to say that under the policy of the Government of that day they were endeavouring to utilize the water stretches lying between Port Arthur and Winnipeg by building lines of railway to connect them, and they were endeavouring to settle that country by bringing people over that route. It is beyond question that it should have been their policy to have built the Canadian Pacific Railway from Port Arthur to Winnipeg as quickly as possible, so as to give an outlet to that country, and also that settlers flowing into America from the old countries of Europe might have had an opportunity of going in and settling in Manitoba and the North-west in preference to the western states. If that policy had been adopted and followed out, we would have had to-day thousands of people who have gone to Dakota, Iowa and Min-

nesota, settled in Manitoba and the North-west, and we would have obtained at that time those settlers who are now coming to us to-day from those states. I am perfectly satisfied that if hon. gentlemen had properly administered the affairs of the country at that time, instead of our present population in Manitoba and the North-west Territories, we would have had the benefit of a larger population. Who has proved the greatest immigration agent? What means adopted on the other side of the line have proved the most attractive agency in inducing immigrants to settle in the United States? It has been the settler who has taken up land there and written home, and in that way started a stream of immigration to that particular state. If hon. gentlemen opposite had built the Canadian Pacific Railway from Port Arthur to Winnipeg, as it was their bounden duty to have done, we would have had thousands of settlers in Manitoba and the North-west who would have written home to their friends, and a stream of population would have flowed in there as it has done to the western states. But they did not build the railway. They wanted to utilize the water stretches and build little lines of railway, and when they had wasted those four or five valuable years the stream of immigration had set in towards the western states and could not be diverted to this country, especially as the immigrants would have had to travel either by the Dawson route or through the United States, by a long railway journey through St. Paul and afterwards transportation by steamer and cart. There is no doubt that we lost from 1874 to 1878 the brightest and best opportunities the people of Canada ever had to start a proper and efficient immigration to this country. If the country has not filled up since, I unhesitatingly attribute it to the inaction of the Mackenzie Government at that time in not building the railway to which I have referred. I have discussed this question on the public platform in the west, and the best indication that the people of the prairies are not in accord with the Reform party is that from the time we have had representation in this House there has not been more than one Reform representative here from Manitoba and the North-west.

Mr. MARTIN. What about 1882? In 1882 the hon. member for Lisgar (Mr. Ross) now sitting in this House, the hon. gentleman's predecessor for Selkirk, and Mr. Watson, were three members, out of the five members sent by Manitoba, supporting the Liberal party.

Mr. ROSS (Lisgar). I never ran as a Liberal in my life.

Mr. SOMERVILLE. You attended a Liberal caucus after you came here.

Mr. ROSS (Lisgar). I never did.

Mr. SOMERVILLE. I attended the caucuses and I saw you there.

Mr. DALY. It is immaterial whether the hon. member for Lisgar (Mr. Ross) ran as a Liberal or not, but it is material that the hon. member for Winnipeg (Mr. Martin) has denied that he was a Liberal, and it is on record.

Mr. MARTIN. No.

Mr. DALY. I can prove it, and the hon. gentleman wanted to bring an action for libel against the Winnipeg 'Free Press' for calling him a Liberal. Just so soon as a message can be flashed to Winnipeg and I can obtain a reply by mail I can produce his own handwriting that he denied he was a Liberal.

Mr. MARTIN. I denied I was the Liberal candidate, which I was not at that time.

Mr. DALY. At no time in the history of Manitoba have we had more than one Liberal on the floor of this House. The hon. gentleman's answer was that the hon. member for Lisgar was a Liberal, and that my predecessor, Mr. Sutherland, was a Liberal. If they were elected as such, they were like hundreds and thousands of others who became tired of the Reform party and went over and supported the Government of Sir John Macdonald. But whether the Liberals have been represented by two or three Liberals, it is an undoubted fact that the Conservative party has had a majority all along in Manitoba and have presented a united front in the North-west Territories. More than that, I am bound to say that just so soon as the people of Manitoba have another opportunity to exercise their franchise, they will do as they have done before, notwithstanding anything which hon. gentlemen opposite may say. I have endeavoured to show in a speech, that has been probably too lengthy, that instead of this House adopting the resolution of the hon. member for North Norfolk (Mr. Charlton), instead of coming to the conclusions set forth in that resolution, the facts, and indisputable evidence I have adduced, conclusively prove that, instead of condemning this Government for failing efficiently to administer the great public trust in the North-west, it would be well, if such a thing were parliamentary, that we should place on record our condemnation of the conduct of affairs in this country from 1874 to 1878; but it is not necessary to do so, because the people have denounced it by their verdict at the polls, and the people will do so again.

Mr. MARTIN. I certainly do not intend to take up anything like the time of the House which has been occupied by the Minister of the Interior, on the resolution which is now before it. I have a few remarks to make, applicable to the question under consideration, but these remarks shall

Mr. DALY.

be brief indeed compared with the very lengthy and extended dissertation we have listened to to-night. The hon. Minister has devoted the major part of his speech to a consideration of the policy of the Mackenzie Government with respect to Manitoba and the North-west. The hon. gentleman pointed out particularly that at one time a large portion of Manitoba and the Territories had been reserved from non-settlement by the Mackenzie Government, and he also pointed out that within a short time that reserve had been annulled on account of the opposition it had excited in that country. Now, as I say, I do not intend at all to discuss questions connected with the administration of Mr. Mackenzie in that country, for several reasons. The first and principal reason being: that I know nothing at all about it.

Mr. DALY. And you would not second the resolution.

Mr. MARTIN. Yes, I would. I find nothing in the resolution with regard to the Administration of Mr. Mackenzie in Manitoba and the North-west. As I understand it, the resolution refers to the administration of the present, and of previous, Conservative Governments, and while I know nothing as to the administration of Mr. Mackenzie in that country, I do know a great deal as to the administration of the present Government, and its predecessors. Therefore, I shall confine my remarks to the question before the House, which is not the administration of Mr. Mackenzie, but the administration of this Government in the North-west, and as I say, the administration of Mr. Mackenzie occurred before I went to that country, so I know nothing about it. The hon. gentleman (Mr. Daly) has referred to the reservation that was made by the Mackenzie Government which was so soon abrogated on account of the intense feeling it had excited in Manitoba. That being so, from the hon. gentleman's own statement of it, and not discussing whether it is correct or not, it seems very strange, indeed, that, having that experience to guide them, the present Government should have made the same mistake and incurred an equal, if not a greater degree of hostility from the people of that country. I can say that for years after I went to Manitoba, and during the years immediately preceding it, that country was in a state of strong excitement with regard to the land regulations adopted by the Government of the day. After the experience that the hon. gentleman points to, what did the Government of the day do with regard to the reservation of the land? Let us look further and see what was the purpose and what advantage was likely to result to the country from the reservation of which I speak. When the Canadian Pacific Railway was constructed, the Government reserved two miles of the belt from all settlers; abso-

lutely withdrew it from sale or settlement. There was a belt of two miles on each side of the railway, so that there were four miles in which no homesteads could be taken all along the line of railway.

An hon. MEMBER. You are all wrong.

Mr. MARTIN. I may have made a mistake as to that, it may have been two miles. It was either two miles on each side, or one mile on each side. We call it the two-mile belt. The result was that after the construction of the railway, you might go from one end of Manitoba to the other in the portion in which the Government had lands, west of Portage la Prairie, and you would not find a settler; you were not able to see a settler scarcely, because they were not able to get the land.

Mr. DALY. The hon. gentleman is mistaken. It was from the boundary of Manitoba west. It did not obtain in Manitoba at all.

Mr. MARTIN. I am quite sure it did. The railway belt obtained in the Brandon district.

Mr. DALY. Not at all. You can see the Brandon district settled to-day as it was in 1882, all the way through.

Mr. MARTIN. I do not think so. I am quite sure of it. I will investigate that. I am quite certain the same rule applied in Manitoba, and, in fact, I am sure of it. Now, Mr. Speaker, what was the object of that reservation? Was that for the purpose of reserving this land in order that the country might make more money out of it, or anything of that kind? No; it was purely for speculative purposes, not to the country, but to the Canadian Pacific Railway Company. That policy caused a great deal of harm to that country at the time. The hon. gentleman complained that there was likely to be a stream of settlement into that country from 1874 to 1878, and that it was cut off by the failure of the Mackenzie Government to construct proper means of ingress into that country. His statement as to that stream of immigration is entirely suppositious, and entirely in his imagination. It may or may not be correct, but as to the period of which I am now speaking, the years 1881 and 1882 especially, when there were large numbers of Ontario farmers coming up there to spy out the land with the intention of settling in the country—and I may say a considerable number did settle in the country—not only did the Government reserve the land in the manner that I have pointed out, but they did everything in their power to harass and embarrass those intending settlers in obtaining homesteads for themselves. I know to my own personal knowledge that there were large numbers of the very best farmers in Ontario who came up to Manitoba at that time desirous and anxious of making a

settlement in the country if they could get suitable locations, homesteads close to their friends; and dozens and scores and hundreds of them were driven from the country because they could get no satisfaction whatever from the land office. In every possible way, these settlers were harrassed; in every way possible the department was administered in order to drive these settlers from us, and the result was that instead of settling in Manitoba they went to Dakota and other states.

Mr. MACDONALD (Assiniboia). And they are coming back now.

Mr. MARTIN. I may say that I was in the constituency of the hon. gentleman (Mr. Macdonald) just before the meeting of the House, and at three or four meetings that I held there, composed, probably half of Liberals and half of Conservatives, I asked the people in the audience if they could inform me, if there was a single man in the meeting who could tell me that he knew of any considerable number of persons who had returned from the United States into that country, and I was unable at any of these meetings to get the names of those persons who had returned. This statement made now by the hon. member for Assiniboia (Mr. Macdonald) and also by the Minister of the Interior, that there are large numbers of persons who had left Manitoba and the Territories who are now returning to it from the United States, is, so far as I am aware, without foundation in fact. I may say that along the years 1884, 1885 and 1886, a considerable number of settlers left Manitoba—I speak more particularly with regard to Manitoba, because I know more about it—and went to the United States; and a very small percentage of those persons have returned, because they happened to locate in a portion of the state of Dakota which was unfortunate in the matter of rain. But the number of those who have come back to us is so very small as not to be worth mentioning in this House. There has been no large return of settlers. I am satisfied that so far as Manitoba is concerned for every twenty that went out in those years, when Manitoba was suffering very severely from the effects of the boom, not one has returned. I have noticed, from time to time, a very great deal made in Government newspapers of some unfortunate person who has returned to some portion of Canada—in some cases to Manitoba—and has made this extraordinary statement: that he had gone to the United States to settle because he had learned from the Liberal newspapers—it is generally the 'Globe' that is mentioned—that Dakota was a much better country to settle in than Manitoba and had returned to Canada because he had found that Dakota was not the place which it had been represented to be. Now, I venture to say that every one of the persons who have been got to make such statements were Tories of the

worst kind, who probably never saw the 'Globe' newspaper in their lives. What they did see were assertions in the Conservative papers that the Liberal papers had made those statements—that the hon. member for South Oxford (Sir Richard Cartwright) and other hon. members of this House had advised settlers to go to the United States rather than to Manitoba. Why, Mr. Speaker, it is well-known that there has been a very large emigration from the province of Ontario to the western states—a much larger emigration, I am sorry to say, than there has been from that province to the province of Manitoba and the Territories. But I will venture this assertion, that of those who have gone from Ontario to the United States in preference to Manitoba, for every Liberal that has gone there have been five Conservatives. I will take, for instance, the county of Carleton, which adjoins this city, in which it is impossible almost to find a Liberal—where in four elections out of five the Liberals do not attempt to put up a candidate. There has been a very large emigration from that county, and I venture to say that of those who have left it and gone westward as emigrants, not one out of twenty has gone to the province of Manitoba and the Territories, compared with those who have gone to the western states.

Mr. BOYD. Have you got any figures to prove any of those statements?

Mr. MARTIN. I say it of my own knowledge. I have a very good knowledge of the people who have gone from that county. It is not necessary to produce figures here to show the enormous number of Canadians who have gone to the United States. If the hon. gentleman is not convinced of that fact no figures would convince him. Why, I remember the late Consul Taylor making a speech in one of the North Dakota towns, I think it was Grand Forks, before a very large audience on some public holiday—I think it was the 4th of July; and he asked the people what their nationality was. First, he asked how many were from Germany, then how many were from Ireland, then how many were from England, mentioning the different foreign countries, and he got responses by a show of hands to his different questions. But when he came to ask how many were from Canada, a very large majority of the whole meeting held up their hands. Now, this emigration has occurred very largely indeed, not during the period from 1874 to 1878, but during the period since the completion of the Canadian Pacific Railway. The great exodus from Canada to the United States has occurred during the decade preceding the last census—from 1881 to 1891. Of course, a very considerable portion of that exodus took place from the province of Quebec: a very considerable portion took place from the Maritime Provinces; but there was at the same time a very large emigration from the province of

Mr. MARTIN.

Ontario. So that, if the hon. gentleman's argument was of any value, that had there been railway communication between eastern Canada and Manitoba during the period from 1874 to 1878 there would have been a very large immigration into the North-west, because the settlers would have written home to their friends and urged them to come, it ought to have applied to the period after the completion of the Canadian Pacific Railway from Winnipeg to Port Arthur. But we find that it is not so. We find that since that time immigration has been most unsatisfactory. The only time when there was a satisfactory immigration into Manitoba and the Territories was prior to the time of the completion of that line. In 1881 and 1882 there was every appearance of a very large immigration, and there was as a matter of fact a very large immigration to the province of Manitoba; but it came not over a railway through Canadian territory, but over railways passing through the United States. Now, a great deal has been said by the hon. Minister in ridicule of a Bill which was introduced into this Parliament by the present hon. member for Bothwell (Mr. Mills), respecting aid to railways in that country; and as that criticism is most pertinent to the question we have before us for discussion, namely: the manner in which the Government have disposed of the public lands and have applied public lands to the construction of railways, I propose to say a few words with regard to it. While the hon. Minister has ridiculed the provisions of that Bill, and attempted to discredit the hon. member for Bothwell for having introduced it into this House, I have no hesitation in saying that if that measure had been carried out, if the land devoted to railway construction in the North-west had been applied in the manner laid down in that measure, it would have been a great deal better, not only for the Dominion, but for the province which it has been attempted to benefit by these land grants. I do say that the public lands of this Dominion have been recklessly squandered, so far as they have been attempted to be applied to the construction of railways. I do not consider that there is any dispute upon this point, that it was a proper policy for the Dominion to aid railways by means of public lands. That was the policy of the Sir John Macdonald Government prior to 1874, and of the Mackenzie Government from 1874 to 1878. That has been the policy of the Government now in office, from 1878 to the present time, and there is no dispute as to that being the proper policy. The only point in dispute is the manner in which that policy has been carried out. Now, the charge that I have to make with regard to the application of lands to the purposes of constructing railways is this: I say that large land grants have been given, and have resulted, not in the construction of railways, but in simply putting

so much money into the pockets of the favourites of the Government to whom the grants were given. Under the provisions of the Act of the hon. member for Bothwell (Mr. Mills) that would have been absolutely impossible. Every dollar that the land produced, under the restrictions of that Bill would have gone to build the railway up to the sum of \$10,000 per mile; and if the lands brought more than \$10,000 per mile, the surplus would have gone to the Government. Every one could take advantage of that. That was no question of wire-pulling or coming down here in order to obtain a charter for a certain favoured few. There was no question of getting Orders in Council passed from time to time, and renewed from time to time, allocating a certain land grant to a certain purpose. No; it was open to every company to file their articles of incorporation, make their survey, have it approved, build the railway, and get their land grant. And there could be no question of contract brokers or intermediaries taking an undue share of the profits. There was no question of profits. Under the provisions of that Bill, there could be no question as to the land being properly applied to the object for which it was given, the construction of the railway. What has been the history of the railways to which land grants have been made in that province? Take, in the first place, apart from the Canadian Pacific Railway, to which I will refer later, the company to which the most valuable land grant was given, was given in that province—the Manitoba South-western Colonization Company. That was a company which had a land grant of 6,400 acres per mile for a road running in a south-westerly direction from Winnipeg—a land grant which has turned out to be most valuable. The Canadian Pacific Railway became possessed of that charter and built a railway under its provisions, and became entitled to have the grant patented to them, or rather have the land allocated, and have patented to them a large amount of public lands. Now, I am satisfied that the Canadian Pacific Railway, so far as they have disposed of that land grant—and they have sold a great deal of it indeed—have received an average of \$5 an acre. In many instances, they have sold the land as high as \$7 and \$8 an acre, but I am satisfied that the average exceeds \$5 an acre. That means that that company, for the construction of the line which, with the exception of one short portion of it, was an extremely easy one to build, have received from the Government, \$32,000 per mile as a bonus, through these lands for the construction of that railway. Under the provisions of the Bill of the hon. member for Bothwell, which the Minister of the Interior (Mr. Daly) laughs at and derides, the Government would have received out of that \$32,000 per mile, \$22,000 for the public chest, and the railway company would have got \$10,000 per

mile, which, I may say, would have constructed the line, as it has been constructed, with the exception, perhaps, of ten or fifteen miles in the Pembina Valley, where it crosses the Pembina. That is one of the results that would have flowed from the Bill of the hon. member for Bothwell. Then, take the Manitoba and North-western Railway Company. In that case, there was a grant of 6,400 acres per mile; and I have no hesitation in saying that a very large proportion of the profit of that land grant never went to the railway company at all, and the present railway company got no advantage from it whatever. It was appropriated by those fortunate friends of hon. gentlemen opposite, as a reward, I presume for political services rendered by them to the Government when they came to sell the charter. It is a matter of theory that these railway charters are given for the purpose of building railways. There never was a greater mistake. No, Mr. Speaker, not one of these incorporators has the remotest notion of building a railway. They come here to get a charter, not for the purpose of constructing a railway, but in order that they may afterward secure from the Government a land grant. And that land grant is secured for what purpose? For the purpose of constructing a railway? No, Sir. But in order that they may sell the charter and the land grant to those persons who desire to build the road. What advantage is that to the Government? What advantage is it to the Government or the country that there shall be intermediary parties who shall take a large portion of the profits of these land grants, and put it into their own pockets and take that much out of the coffers of the railway company. Because, if the charter owners absorb one-half of the value of the land, then the company, instead of being benefited to the full extent of the land grant, only receive one-half of it. That is precisely what occurred in connection with the Manitoba and North-western railway, which was the recipient of a very large amount of land, something like 1,500,000 acres, to aid the construction of their 200 odd miles of railway. What resulted? The result, partially attributable to the fact that the large portion of their land grant went into the pockets of the promoters instead of into the exchequer of the company, was that the Manitoba and North-western railway company is to-day in the hands of a receiver, unable to pay the interest on the very large amount of money that the company was obliged to raise to construct the road, the land grant having been largely absorbed by those fortunate individuals who were the original owners of the charter. Then again, take another railway company which has been before this House, until, I am sure, the House is sick of it, and all of whose troubles, are, or nearly all of whose troubles are directly or indirectly attributable to

this reckless and extravagant policy, this fallacious policy of the Government in connection with their land grants to railways. As opposed to the proposition of the hon. member for Bothwell (Mr. Mills), under whose Bill none of these things could possibly have occurred, I refer to the Great North-west Central Railway Company. That was another company endowed by this Dominion with a most valuable land grant of 6,400 acres per mile, much of it situated in a very fertile portion of Manitoba and the North-west. The railway, instead of being aided by that land grant, has been retarded. I am in a position to say that a very considerable portion of the road would have been constructed and in operation four or five years ago had it not been for the unfortunate course of hon. gentlemen opposite in placing the charter with its land grant attached, not in the hands of capitalists who desired to build the road, but in the hands of favourites, political favourites of theirs, who were there for the money that was in it without regard to the construction of the road, without regard to the needs of the settlers in that country. These charter-brokers refused to part with the land grant and the franchises unless they received a price which the persons to whom I refer who were prepared to build the road, thought too high. The parties have built 50 miles, but they have ceased operating, and are not going on with it. There the road lies, of no possible use to the country, the land grant tied up, a large amount of capital from England that had got into the road tied up, and of no use to the settlers concerned, of no use to them because the 50 miles which were built are no longer operated. Another road in the same position is the Lake Dauphin line, which has a land grant, and which is at the present moment, unless newspaper reports are to be believed and a sale has been made, in the hands of political favourites of hon. gentlemen opposite who have received that land charter and land grant, not for the purpose of building the road—with no such idea in their minds—but with the idea that they would be able to sell the charter and the land grant to some capitalists who would construct the railway. This Lake Dauphin country is a most fertile country. The settlement that has been made here is some 80 miles from a railway—the Manitoba North-western Railway—but, in spite of that fact, a large settlement has gone into the district, and I believe that this year will see a very considerable augmentation of that settlement. It is most important for the development of the district that this railway should be constructed. As with the Great West Central line, so with the Lake Dauphin line, it would have been fully constructed and in operation three or four years ago had it not been for the unfortunate fact that the charter was in the hands of speculators who demanded a

Mr. MARTIN.

large sum of money from those who proposed to build the road, a sum which those proposing to build it did not think they could afford to pay for the privilege of getting possession of the charter and the land grant. Before the hon. gentleman ridiculed the proposition of the hon. member for Bothwell, under which such a state of affairs could not possibly exist, he must put forward some justification of the policy his Government has adopted of handing over these valuable public franchises to a few friends and favourites of their own, who are very useful to them, no doubt, at election times, but who have no other claim for such favours as these from the country. What would be done in these instances if the Bill of the hon. member for Bothwell were in force to-day or had been at the time when responsible capitalists were, to my personal knowledge, ready to build this line? Those capitalists would not be obliged to negotiate with the Lake Manitoba and Canal Company, which was the name of a company controlling the charter of the Lake Dauphin Railway. All they would have to do would be to survey the line, file the plan, file their articles of incorporation, show that they had paid up 10 per cent upon their capital stock and had subscribed a certain amount, construct the railway, and then demand their land grant, which the Government would then have no power to withhold from them. I know that it may be said that, so far as these land grants are concerned, the Government have adopted such stringent regulations and conditions as to entirely protect the public. Why, Mr. Speaker, the regulations and conditions that have been adopted have no effect whatever in protecting the public. For instance, before the company are entitled to their land grant, it is necessary for them to file in the department a survey of the line. Before they can get their land grant located to them it is necessary for them to satisfy the Government that they are in a financial position to construct the road. What does that mean? It simply means that that land grant is tied up, not until these people make their survey and show their financial ability to construct the line—if that were the condition it would never be done—but until they are able to meet with capitalists who are able to give them for their personal use a sufficient sum of money to induce them to part with their charter. Then these capitalists have to go on and earn their grant by making the survey and showing their financial ability to construct the road. What then have the owners of this charter done that they are entitled to receive a large sum of money? as they did in the case of the Manitoba North-western Railway Company, and the they did in the case of the Great North-west Central Railway Company, and as they either have done or undoubtedly will do in the case of the Lake Manitoba and Canal Company, the owners of the charter cov-

er'ing the Lake Dauphin district? On what ground of public policy can the hon. gentleman defend the course of the Government in handing over these public lands, voted in a proper spirit and upon the sound policy of promoting the construction of railways, not with a view for the construction of the railways, but in order that these incorporators shall be able to put a large sum of money into their own pockets, taking it ultimately out of the coffers of the company which construct the road? Again, take the case of the Manitoba South-eastern Railway. I may say that is the line as to which it is urged at the present time that the local Government should give a very considerable grant. That matter has been discussed in Manitoba, and it is not material to go into it here. But there again is found the same difficulty that I have referred to in connection with these other companies. The Manitoba South-eastern Railway Company has been in existence, I think, for five or six years, and has had its land grant and its franchise. All that was lacking was to file a survey and show its financial ability to construct the line. These charter-mongers, who are in possession of the charter, have been trying all these years—to build a railway? No; but to find some one who was able and willing to build the railway, and at the same time to give them some thousands or hundreds of thousands of dollars for this charter, which they had obtained for nothing, and for which they had done nothing. I know something of the constitution and history of this particular company, and the only thing they have done is to appoint a solicitor; that solicitor was a year in office, and the only thing he did was to draw up a by-law providing that the annual salary of the solicitor should be \$3,000. I say that solicitor drew from the coffers of this company, from the small amount of capital they had representing the small amount paid in by the chief shareholders, \$3,000 for his year's work, consisting in drawing up the by-law by which he was entitled to receive the money. That is a sample of the kind of work that these incorporators do, for which they expect and actually get from the coffers of the country a very large sum of money. Now, this Manitoba and South-eastern Railway is proposed to be built by men who have capital. They have been obliged to go to the owners of this charter and say to them: we want to buy the option of purchasing your line for a certain time: If, within that certain time, they can make their financial arrangements, then they hand over to these original corporators a considerable sum of money. I do not wish to state how much; I do not wish to take advantage of the information I have to say how much, but I say that a very large sum is diverted in this particular instance, as it was in the cases of the other railways to which I have referred, from the coffers of the company into

the pockets of those persons who have given no value for it, who have done nothing whatever for it, whatever they have done to secure the favour of hon. gentlemen opposite. Now, I have this to say with regard to these grants or bonuses in the shape of lands or money to railway companies: that I believe history has shown, certainly it has in our province, that these grants, instead of facilitating the building of a railway, have in every instance retarded it. That follows from the nature of the transaction. A grant is given to persons who have no financial ability to build a road, who never intended to build it. When men come along and desire to build a road, instead of having the right freely to incorporate themselves, as the hon. member for Bothwell would have allowed them to do, and without let or hindrance to go on and build their railway and get their land, they have first of all to negotiate and buy out these fortunate individuals. I know that in this very case to which I have referred, that of the Manitoba and South-eastern, while I was yet in the Government, it must have been fully four years ago, the Duluth and Winnipeg Railway Company, whose road was then in course of construction from Duluth towards Winnipeg, came to Manitoba and endeavoured to get control of this Manitoba and South-eastern Railway charter, with a view of building through Manitoba about 100 miles, and getting the benefit of the land grant, and the price that was asked by these gentlemen was so extortionate, in their opinion, that they allowed it to drop, and did not go on with it. It is not necessary for me to say that the crisis coming on, and times getting harder in the United States, the time has passed by when these people were in a condition to build the road. I believe that at that time, in all probability, if this land grant had been open to them, as it would have been under the provisions of my hon. friend's Bill, they would have held the road, and built, perhaps, 50, or 60 or 100 miles in Manitoba. I may say that that road has since been acquired by the Canadian Pacific Railway—I am speaking of the Duluth and Winnipeg.

Mr. DALY. The Duluth and Winnipeg has no land grant.

Mr. MARTIN. But the Manitoba and South-eastern had a land grant, and the Duluth and Winnipeg Company were desirous of getting it and building the railway. That is the object of the land grant—to build the railway. If they could have got the land grant, they were willing to build the road, but because these individuals were between the land grant and the road which was intended to be benefited by it, and because they asked such a sum as these capitalists thought was beyond their means to pay, the matter was allowed to drop. Another case which the hon. gentleman has used unfairly, and not in the interest of

the public at large, is the case of the land grant that was appropriated for the building of a line down into the Souris coal fields. The Canadian Pacific Railway had extended its line to Deloraine, and they had a land grant for a line of railway from Deloraine extending into the Souris coal fields, some 150 or 200 miles from Deloraine. The North-western Railway, to which the Minister of the Interior has referred, in 1888 and 1889 built some 300 miles of railway in Manitoba. At that time the Northern Pacific Railway were willing to extend their line from its terminus at Brandon, or from some point on the Brandon and Morris branch, down into the Souris coal fields, provided the Government would take away from the Canadian Pacific Railway that land grant and hand it over to them, in order that they might construct the railway. That was a very reasonable thing to do. The land grant was appropriated, not for the benefit of the Canadian Pacific Railway, nor for the benefit of any particular individual or any particular company. The policy of the Government is to appropriate certain portions of land for the construction of railway lines. Here was a company financially able, and ready and willing to construct that line into the Souris coal fields district, the result of which would be to give to the people of Manitoba coal at a largely reduced rate, and the Government here, on being applied to, refused absolutely to transfer the land grant from the Canadian Pacific Railway Company, and give it to the Northern Pacific, or in other words, to say to the Canadian Pacific Railway: if you do not go on at once and construct that line, we will take the grant from you and give it to this other company. There, again, on account of the political support that the Canadian Pacific Railway Company were at that time extending to the Government, they refused to take the course which, under the circumstances, they should have taken, and again, they tied up the scheme and prevented the Northern Pacific from building into that country. There was a case where the existence of a land grant had absolutely prohibited the building of a railway, for if the land grant had not been given, the Northern Pacific Company were prepared to build a line to the coal fields simply on the grant of the Local Government of \$1,750 per mile; but they could not afford to take the risk of building into the country when another company had a grant of 6,400 acres per mile, because the moment the Northern Pacific commenced to build a line to the Souris coal fields, the Canadian Pacific would commence to build there also. As the country was not able to support two railways, the Northern Pacific declared they could not afford to build there in competition with the Canadian Pacific Railway. The result was as I have said, that the existence of the land grant in that particular instance had the effect of preventing the building of that

Mr. MARTIN.

line until years after, when it was constructed by an arrangement made between the Local Government and the Canadian Pacific Railway.

Mr. DALY. How many years afterwards?

Mr. MARTIN. Several years afterwards. That line was not completed until 1892, and those negotiations took place in 1888, so the line was not built until four years afterwards. There is one matter that is connected with this resolution, although not directly in the line of it, to which I should like to refer. Hon. gentlemen opposite, for the reasons I have given, have been guilty of the faults set out in this resolution in regard to the manner in which they administered the lands generally, in the erratic way in which they have treated settlers who desired to come into the country, and in the way in which they have allowed their friends to appropriate to themselves the land grants which were supposed to be for the benefit of companies building railways. There is another matter in which their administration of the land has been very unsatisfactory, and for which they are culpable: I refer to the school lands in the province. Reference has been made in this debate by the Minister of the Interior to the fact that in Manitoba, two sections, sections 11 and 29, in each township, are set aside for a school fund. The Government have taken the course that instead of handing over these lands to the Local Government, which controls the education of the province, and which is obliged to furnish money for the support of education, either directly by grants from the province, or by imposing local taxation on the people, and they have adopted both modes, the Government have given liberal grants and obtained money from the municipalities—instead of handing over, as any one would expect they would do, these two sections to the province, constituted as it is as a fully developed province, capable of managing such matters, the Government have undertaken to manage these lands themselves, because they consider they can do it better in the public interest. Have they, or have they not acquitted themselves well of this trust? The manner in which they have administered these lands is to allow persons to squat on them. Almost every school section in the province of any particular value has been squatted upon. Of course, circulars have been issued from time to time, threatening all kinds of dire punishment on those who would dare to squat on those lands, but the lands have been regularly squatted on in spite of that notice, for the reason that those threats have been made for years and have never been carried into effect. These lands have been offered for sale from time to time. The result, of course, has been that the squatter has, in almost every case purchased the land and has paid a very small proportion of its value.

Mr. DALY. They paid the upset price.

Mr. MARTIN. That was only very lately.

Mr. DALY. Always.

Mr. MARTIN. If they paid the upset price, that price was a very inadequate sum, because, to my personal knowledge, section after section of these lands have been sold for a very small percentage of their value, simply because the Dominion Government allow men to squat on them, and their neighbours refuse to bid against them, and so the squatters were allowed to purchase them at their own price. Not only has this diminution in the value of the lands occurred on account of people being allowed to squat on them, but the lands have been much depreciated in value on account of the facts that they were not properly cultivated, as the people did not know how long they would be allowed to remain in possession.

Mr. DAVIN. Does the hon. gentleman know the price at which they were sold per acre?

Mr. MARTIN. I would not like to bind myself to exact figures in any particular instance, as the prices vary very much. No doubt the Minister of the Interior can furnish that information.

Mr. DALY. The report of the Interior Department will give it.

Mr. MARTIN. In many instances within my own knowledge, the lands have brought much less than they were worth, for the reason to which I have referred, and although it may be said that a very small proportion has been sold, the best have been disposed of. The fact that squatters have been in possession of the lands for years has led to the lands being allowed to become filled with weeds, and besides the lands have not been summer fallowed. Besides, and this applies only to more strictly settled communities such as Portage la Prairie, squatters have been on these two sections in each township for years; they have been in exactly the same position as their neighbours, but they have paid no taxes. The maintenance of the schools is a very heavy burden on many on account of the sparse population, but it has been intensified by the fact that in two school sections in every township there has been land occupied very often by four people who have paid no taxes, either to school district, or the municipality, although at the same time those people enjoyed the advantage of schools.

Mr. DALY. The average price per acre realized for school lands in Portage la Prairie was \$13.80.

Mr. MARTIN. In all probability, the average value of those lands was \$30 or \$40 per acre. The average value of land on the Portage Plans during the time those sales were made, would certainly

range from \$25 to \$40 an acre. Some of the school lands that realized less than that were worth at the time fully \$25 or \$30 an acre. Land on the Portage Plains has reached a very considerable value. I am quite sure that an investigation will show that in every case where school lands have been sold on the Portage Plains, that their proper value has not been received, and that for the reasons I have suggested. I may say that if these lands were administered by the provincial authority, no squatters would be allowed on them. They would be sold at their proper price, and if they were not sold, where they were worth leasing, they would be leased and rents obtained from them and in every instance the occupant would be obliged to pay his school and municipal taxes like any one else. So much for what the hon. gentleman (Mr. Daly) has said with regard to the Conservative Government's administration of land in that country. The hon. Minister has referred to the fact that immigration was not as satisfactory to Manitoba and the Territories in the regime of the Mackenzie Administration as it should have been. I would like to ask the hon. gentleman if he considers that immigration is as satisfactory in that country at the present time as it should be? I would like to ask the hon. gentleman, if, considering the immense sums of money that have been spent by the Conservative Administration in opening that country, expended in surveying Dominion lands and expended in immigration, if the returns are at all satisfactory to him or to the country? The hon. gentleman referred to this fact, and it is the key of the whole situation. He said that if the Mackenzie Government had done its duty there would have been settlers in that country who would have written home to their friends year after year and brought out large numbers of additional settlers. I quite agree with him that if the country was treated as it should be, that if affairs were administered in Manitoba and the Territories as they ought to be; that there should be no need of immigration agents, for the settlers themselves ought to be, and would be, the best immigration agents that could be obtained, because they would write home to their friends and bring them into the country. But the hon. gentleman knows full well, as I know, that the settlers do not so write to their friends, but that they write to them rather advising them that they have not been able to do so well as they expected when they came to this country. If that is the case, why is it the case? It is to a considerable extent on account of the reasons I have adverted to: that the Government has not administered the lands as they should have done, but it is due much more to the facts that have been referred to in other debates, namely, that the trade policy of this Government is not such as to develop Manitoba and the

North-west Territories. It is also due to the fact that under the practical monopoly created by hon. gentlemen opposite in the contract with the Canadian Pacific Railway Company; the freight rates charged by that company are so high that it is impossible to grow wheat—the great staple of the country—at a profit, so as to make the settlers who have gone there in a position to say to their friends, that they are doing well in the new country to which they have come. Yes, Mr. Speaker, the hon. gentleman's principle is the correct one. I will leave it to the hon. member for Bothwell (Mr. Mills) and others to discuss how much and how far the Mackenzie Government violated that principle, and so conducted the affairs of that country as to keep out immigration. I confine myself to a criticism of to-day. I confine myself to the situation as it is to-day. This House cannot improve things that were done in the years between 1874 and 1878. No action of this House can change the misdeeds—if such they were—of the Mackenzie Administration; but action of this House can alter the present situation. While the past is gone, while the Mackenzie Administration is blameable for whatever it did wrong, and while the Conservative Administration is blameable for the things it has done wrong, as I pointed out; that after all is past and gone and we cannot help it. But the future we have before us, and if this Parliament is desirous that Manitoba and the North-west Territories shall indeed become a greater Canada, they must take, and take soon, some measures with a view of making the lot of the settler in that country, a happy and contented one. Those of us who live in that country have confidence in it, and we should be most glad that the condition of the settler there was made happy, contented and prosperous. But before that can be, these conditions must be changed for which this Parliament is responsible, and which this Parliament is in a position largely to change now. I trust that this Parliament will devote their attention to the grievances that exist there, and that they will remove them as soon as possible. If that is done, instead of depression in Manitoba and the North-west, instead of dissatisfaction, instead of retrogression, we will see in that country a large influx of people, we will see an increase of wealth, we will see there a great nation growing up, justifying, as I believe it will in time, the large sums of money that have been expended upon it by the older provinces of Canada.

Mr. DAVIN. Mr. Speaker, I think, Sir, after the speech we have listened to from my hon. friend from Winnipeg (Mr. Martin), that I may congratulate those gentlemen of the Opposition who have from year to year given violent and contradictory views to the country and to this House, and indulged in violent and conflicting criticism on the

Mr. MARTIN.

policy of the Conservative party; on having been reinforced by a congenial supporter. The question before the House has been but very slightly dealt with by the hon. member from Winnipeg (Mr. Martin). He has confined himself in the main to criticising the granting of charters to certain railways. He had not discussed all the questions that were suggested, rather than dealt with, by the hon. member from North Norfolk (Mr. Charlton), nor has he attempted to answer the conclusive and exhaustive speech made by the Minister of the Interior. I ask any of those who listened to the speech of the hon. the Minister of the Interior, which answered completely, exhaustively, effectively, and conclusively, the positions taken up by the member for North Norfolk (Mr. Charlton)—I ask them whether there is a word in the speech of the member for Winnipeg (Mr. Martin) that can be said to have replied to the speech of the Minister of the Interior. Mr. Speaker, I shall not trouble the House at any great length, but I shall, in the first place, ask the House to give me its attention while I deal for a short time (as supplementing the reply of the Minister of the Interior) with the motion of the hon. member for North Norfolk (Mr. Charlton). Now, Sir, the hon. member for North Norfolk, taking the population of the United States at 65,000,000, and the population of Canada at 5,000,000, said: you have granted 44,000,000 acres of land in Canada, while in the United States they have granted only 58,000,000 acres. He then took the number of miles of railway, and the number of possible homesteads, and he seemed to think that he had exhibited a contrasting picture of a very striking character. The hon. Minister of the Interior replied to that statement. What he stated was that a far larger amount had been granted to railways in the United States—that up to 1880 some 215,000,000 acres had been granted, instead of 58,000,000, as the hon. member for North Norfolk made out. I hold in my hand here the Public Domain, an official book issued from the Department of the Interior at Washington, which says:

The estimate of the general land office in 1878 was that it would require 187,000,000 acres of land to meet the land grants, which in all probability will be reduced by actual selections, forfeitures, &c., to 154,000,000 acres; the present estimate—that is, in 1883—is 155,514,994.

So that instead of some 30 per cent more having been granted to railways in the United States, as the hon. gentleman ignorantly said—I do not say he did it designedly; I do not say he did it to deceive this House—

Mr. CHARLTON. If the hon. gentleman will permit me, perhaps I may as well make the correction now as later. In preparing to move this motion, I wrote to the Commissioner of the General Land Office at

Washington a few days ago, and requested him to send me a statement of the date of the first land grant made to railways in the United States, the number of grants that had been made, and the total number of acres of land that railways have received. Of course, these grants were indefinite, because much of the area covered by grants were already occupied by settlers and squatters, whose rights were reserved. There may have been 100,000,000 acres or 500,000,000 acres nominally granted. What I wished to inquire was the number of acres of land which the railways had actually received. I received a letter from the General Commissioner of the Land Office; I received the volume which I hold in my hand; I received from him a note directing my attention to the tables which I have quoted. I received in addition to this volume a statement of all the railways in the United States that have received grants of land, from the grant to the Illinois Central in 1850 down to the last grant that was made, and, notwithstanding the statements of the hon. Minister of the Interior, and notwithstanding the wild and ignorant statements of my hon. friend from Assiniboia (Mr. Davin), I have given the official figures made by the United States Government on the 30th of June last, showing the number of acres of land actually granted, certified and patented to railways in the United States up to 30th June last, namely, 58,463,000, the grants made to states for the purposes of being granted to railways, the grants made to railways in territories—definite and detailed particulars of all these grants. Here is the official statement, and whatever statements may be made by the hon. member for Assiniboia or by the hon. Minister of the Interior, they simply require to set aside the authoritative statement of the Land Commissioner of the United States of America to change these figures.

Mr. DAVIN. Mr. Speaker, the hon. member for North Norfolk is not the Land Commissioner. Will the hon. member hand me that book?

Mr. CHARLTON. No; I will not. You have already had it.

Mr. DAVIN. He is afraid to hand me the book. Now, Mr. Speaker, I have here just as official a document as the hon. member has, and it shows that the figures which he gave were figures of what the State Governments have granted to railways.

Mr. CHARLTON. The State Governments have no lands in the United States. They must receive those lands for that purpose from the general Government.

Mr. DAVIN. The books say that they made those grants. I have seen before now, Mr. Speaker, a convicted person get very angry indeed, and flush up with something that was not quite indignant virtue,

and I know what it looks like: all that sort of thing is lost on me. I do not ask the hon. member to take my word. I read here from a document as authoritative as any document can be, and it states that the estimate of the General Land Office in 1878 was that it would require 187,000,000 acres, which in all probability would be reduced by actual selections, forfeitures, &c., to 154,000,000 acres.

Mr. MILLS (Bothwell). That is an estimate.

Mr. DAVIN. My hon. friend need not be in such a terrible hurry either, because we will drive this nail home so completely that the hon. member for North Norfolk, after I have done, will feel even worse than he feels now.

An hon. MEMBER. He will give you the book, then.

Mr. DAVIN. He will probably give me the book then; it really matters very little. Here we have the areas of the land grants to railways, the number of acres actually patented and certified, the various administrations under which the grants were made, from 1850, under President Filmore's administration, down through President after President. That is to say, the number of acres actually patented to the railways were: 45,647,347 acres, and the amount granted according to the estimate in 1883 was 155,514,994 acres.

Mr. CHARLTON. This statement makes it 58,000,000 acres.

Mr. DAVIN. Exactly, that was the hon. gentleman's mistake, and it is the most merciful thing that can be said of the hon. member that he made the statement ignorantly. He did precisely what would be done if a member of Congress took the number of acres patented and certified by the Department of the Interior of Canada to railways as the amount of land that had been granted to them, and I need hardly say that it would make a ridiculous fraction of the amount of land that has been granted. I have commenced what I have to say by pointing this out, because it is an instance of the extraordinary ignorance that characterizes the disquisitions of the hon. member for North Norfolk when he comes to deal with these matters.

Mr. CHARLTON. Mr. Speaker, I do not intend to rest under the imputation which the hon. gentleman has made, and I repeat that these figures are authentic.

Mr. DAVIN. Give me the book.

Mr. CHARLTON. Certainly, you can have the book—wait till I am through with it. The first grant, as I stated a few moments ago, was made in 1850, and—I speak under correction—the last grant was made a few years ago. The policy of the United States Government with regard to land grants was

reversed a good many years ago, and this statement is brought down to the 30th June, 1893, covering the land certified to railways many years after the land grant was made; and although the amount of land to be certified to roads may not be entirely completed by this statement, yet I assert, what I have asserted before, that this return of the United States Government disposes of the magnificent theory of the hon. member for Assiniboia (Mr. Davin) and the Minister of Finance, and I think we are bound to go by the statement of the United States land office as to the amount of land the United States have granted to railways. My hon. friend can not only take the book but also this statement of the land grant made by Congress to aid the construction of railways, and wagon roads and canals and internal improvements, and he will find in these documents a corroboration of the figures I have given.

Mr. DAVIN. The hon. gentleman stated in his speech that since 1850 the United States have granted to railways 58,461,000 acres of land.

Mr. CHARLTON. Fifty-eight million.

Mr. DAVIN. I have given the figures from American official authorities. It is a history of all transactions connected with the public domain, and so on—Washington Government printing office—issued by the Department of Interior, with statistics; and it says the number of acres granted from 1850 to 1883 was 155,504,149.

Mr. CHARLTON. And that the number of acres certified was 45,000,000 odd.

Mr. DAVIN. Yes.

Mr. CHARLTON. That is a grand total of the transaction, and as I have sent the hon. gentleman one book, will he be kind enough to send me the one from which he has quoted?

Mr. DAVIN. With pleasure; I am not afraid to send it to the hon. gentleman. Now, I want to call the attention of the House to the resolution of the hon. gentleman. He says that the public lands of the Dominion should be sold to actual settlers only, should be sold to them on reasonable terms of settlement, and in such areas as can be reasonably occupied and cultivated by the settlers. Now, that is the first proposition. You see, Mr. Speaker, that it is a complex proposition. And the second is that no sale should be made to speculators or middlemen. I think that the hon. member for North Norfolk (Mr. Charlton) should have shown that public lands were being sold to people who are not actual settlers. I am not aware that that is done. If at present no sales are made to people who are not actual settlers, what is the object of putting a resolution like this on the paper, and what does he mean by talking about selling to actual settlers in a country where we give

Mr. CHARLTON.

away our lands to actual settlers? What is the meaning of talking about selling to actual settlers, and then qualifying this by saying that the land should be sold to them on reasonable terms of settlement? Does he mean reasonable terms as to price, or what does he mean? He must have some reference to duties performed; but if a man performs the duties as settler, he gets his land for nothing. Then the resolution says, "in such areas as can be reasonably occupied and cultivated by the settler." I confess that I fail to understand what the hon. gentleman means by reasonable occupation and cultivation. What would be an unreasonable occupation or cultivation? An unreasonable occupation and cultivation in the case of one man would be quite reasonable in the case of another. So that I must confess I do not exactly understand what the hon. gentleman is driving at. I cannot see what abuse he is aiming at by this, his first proposition. "No sales should be made to speculators or middlemen." Again, I am not aware that sales are made to speculators or middlemen. So far from that being done, I understand our land laws to be framed in such a way as to avoid, as much as possible, allowing lands to go into the hands of speculators or middlemen. Liberal provisions, he says, should be made for free homestead grants to settlers. What more liberal provisions can be made than are made in Canada? The fact is the hon. gentleman is a belated free soiler. He takes us back to the time in the United States when you could not get there a free homestead, and when one of the planks in the platform of the free soilers was free lands for landless settlers. It was a rational plank in their platform until 1862, when a Bill passed Congress enabling people to make settlements. But in what manner? Precisely in the same way as settlers can go to Manitoba and the North-west and settle to-day—by paying \$10, and then performing the settlement duties and getting their lands. "Land grants have been made to railways with reckless lavishness," is the last proposition, and "to the detriment of the public interest." That proposition one can understand. It is practically the only proposition to which the hon. member for Winnipeg (Mr. Martin) directed his attention. The first part of the resolution is absolutely meaningless. The first part, if the hon. gentleman will not think it impolite on my part to say so, is sheer nonsense, just as sheer nonsense as the resolution passed at the Liberal convention which took place in this very city, and which was proposed by the late member for Marquette (Mr. Watson). The gentleman who seconded that resolution, when he came back, made no secret that he had used all his influence to prevent its being proposed, but nevertheless he seconded it. That gentleman was from the North-west and he was here the other day, and he certainly made, as I understand, no bones of letting it be known, when he came

back to the North-west Territories, that he entirely disapproved of the resolution. The resolution before us is a vague nonsensical one, as regards its first part, because you cannot put your hand on a grievance in connection with the land policy of the Government in that respect. It is loosely put together, and, as I suppose, is intended to sound in the ears of the public as if there was something wrong going on in the administration of the land in the North-west Territories. And how is it going to sound, pray, in the ears of people outside? The hon. member for Winnipeg (Mr. Martin) talked a little about immigration, and he spoke of emigration to Dakota. And, Sir, he justified what I said when I commenced to address the House this evening, that he was a congenial confederate for hon. gentlemen opposite, because the moment he spoke of Dakota, there was a tender inflection in his voice that reminded one very much of the way Dakota used to be referred to from those benches in former years. He said, combatting the statement that persons had come back to Manitoba, that he had occasionally read of some unfortunate individual who had gone to a part of Dakota, which, according to him, unfortunately was not so well watered, or something of that kind, as other parts. And, as I say, there was a tenderness when he referred to Dakota. Of course, he did not believe that this person was sent there by means of the 'Globe.' Sir, we need not go into this, because we have proved it often before. But not only the 'Globe,' but Mr. Blake, one of the most illustrious men that the Reform party has produced, in our time any way, when he was in this House, and Mr. Mackenzie also, when he was here, spoke in a manner well calculated to lead people to go to Dakota or Texas, or anywhere else outside of Canada. I have a speech made by Mr. Mackenzie in 1874, when proposing the Bill dealing with the Canadian Pacific Railway. He discusses the difficulty of building the line. He points out that we have not the attractions that are to be found elsewhere. And if this emigrant to Dakota had seen Mr. Blake's speech and read of the attractions of Texas and other places to the south of the line, he might well need no more to induce him to go.

Mr. MILLS (Bothwell). Hear, hear.

Mr. DAVIN. "Hear, hear" comes from the hon. member for Bothwell. With his permission I will read him what was said by his some-time leader. Here is the way he discusses the attractions of Kansas and the difficulty of carrying out any immigration policy in regard to the North-west:

The population of the State of Kansas in 1870, was 360,000, and in 1879, 850,000.

Now, if that great increase took place by reason of immigration from Canada, as the

hon. gentleman made out, the western states were swelling by emigration from Canada. I want to point out to you that from 1870 to 1879—and for four and a half years of that period this country was under the rule of the Mackenzie Government—

Mr. MILLS (Bothwell). Does Mr. Blake say anywhere that these people in Kansas are from Canada?

Mr. DAVIN. I do not think he does; I did not say he did. I am replying to the hon. member for Winnipeg (Mr. Martin).

Mr. MILLS (Bothwell). You are leaving that impression.

Mr. DAVIN. By no means. I would not do that. That would be doing what I have seen done in a certain place, where a gentleman quoted from a debate in order to show that a statesman held a certain view on a question, though that statesman had expressed the contrary view on that subject and had voted accordingly. I would not like to do anything like that, I can assure the hon. member.

The population of the State of Kansas in 1870 was 360,000 and in 1879, 850,000, making an increase of 490,000 in the nine years. In this was to be included a large natural increase, as well as an increase owing to large immigration from the Eastern States. This was not an indication that the population of the North-west would, in ten years, reach 550,000. But the state of things was not equal. What was the position of Kansas at the commencement of the epoch which the hon. gentleman had taken as his starting point? Besides a population of 360,000 it had no less than 1,500 miles of railway in operation, so that at the commencement of the epoch of rapid increase there had been a considerable development of railway facilities, and during that decade those facilities had increased, so that there were 2,300 miles in operation in 1879. In 1866, Kansas ranked twenty-fourth among the States of the United States as a corn-growing state while in 1879 it had gone up so that it was the fourth. In the earlier period it was the twenty-fourth as a wheat grower, while by 1878 it had run up so it was almost the first in that respect, having produced thirty-two millions of bushels. With all these evidences of progress, and all these advantages, with a large natural increase from a population of 360,000 we find but 490,000 added to the population of that state in nine years; and yet we are told that over 550,000 irrespective of the natural increase, would altogether be added to the population of the North-west in ten or eleven years.

Mr. MILLS (Bothwell). What is the point Mr. Blake is seeking to establish in that speech?

Mr. DAVIN. The point is that it will be very difficult for us to people the North-west with the rapidity that we hoped for at that time.

Mr. MARTIN. And was not this prophecy fully borne out by the facts?

Mr. DAVIN. He himself did all he could to fulfil his own prophecy.

Mr. MARTIN. Does Mr. Blake say one word to point out that Kansas is a better country to go to than Manitoba?

Mr. DAVIN. I say, Mr. Speaker, there is.

Mr. MARTIN. Read it.

Mr. DAVIN. I have read what he said. He says that Kansas has gone up from the twenty-fourth in the list as a corn-growing state to the fourth. And from being twenty-fourth as a wheat-growing state it had reached almost the first position.

Mr. MARTIN. Is that anything against Manitoba?

Mr. DAVIN. Does it not indicate that this was a very prosperous place to go to? The first man in the Reform party was doing for Kansas what is sometimes done in order to advertise certain classes of wares, when a man is sent out in the street with a placard on his breast and another on his back bearing in large letters the name of the thing to be advertised. He made himself a walking advertisement for Kansas by that speech. And, so far as the small can imitate the great, the hon. member for Winnipeg, though he represents the capital of Manitoba, with the same extraordinary instinct, the same malign instinct, the same Ichabod-like curse that has rested upon the Reform party, is impelled to speak against the interests of the country. And the railway companies showed that they understood what Mr. Blake was doing, because they took his speeches and put them in their immigration pamphlets, so that every man in the rural districts of Britain who thought of emigrating, was shown these speeches of Mr. Blake, with his greatness as a leader described, and his eulogy of Kansas—

Mr. MILLS (Bothwell). Published at the expense of your party's fund and circulated in the United States.

Mr. DAVIN. That was the statement made by the hon. gentleman, and I believe, like other statements from the same source, without foundation. Mr. Mackenzie also spoke in this manner:

If the hon. gentleman (Sir Charles Tupper) is proceeding on the hypothesis that in Canada alone is there any land available, he will find himself greatly mistaken. We have found it very difficult indeed in Canada to promote settlement, even where the land was given away by the Government. It is still more difficult to send settlers to the far off western country, where they have the initial difficulties of a new country to contend with, not less in amount, though different in kind, than the settlers of our own wooded district.

Mr. DAVIN.

They (the Canadian Territories) have a long winter, absence of lumber and building materials and difficulties of transportation. We must therefore make up our minds, if we are to settle that country, that it will be done only at the expense of a large amount of money to aid settlers in going in and in giving them land free after they get in. That is my conviction.

Now, Sir, the hon. member for Norfolk, in his speech in 1882, dealt at some length with the colonization companies. He referred to them here again in his opening speech in this debate. It is not necessary for me to go into that question, because, as the Minister of the Interior said, the best answer to what the hon. gentleman said about these companies is that, as I believe, not a single colonization company now exists.

Mr. CHARLTON. That, however, did not invalidate the statement that Orders in Council were issued in response to applications for grants covering a very large extent of territory. The fact that these parties failed afterwards to apply for allotments and make payments does not invalidate the statement that the Government had made regulations under which a great number of applications were made, Orders in Council were passed granting these applications, but these parties failed afterwards to fulfil the terms upon which these grants were made.

Mr. DAVIN. Mr. Speaker, could anything be a better answer to himself than that statement? He made his suggestion the other night, and now let me speak of an extraordinary peculiarity of my hon. friend. The other night he refers to these colonization companies, and he blames whom? Is it this Government? If it is a practical attack, it must be an attack on this Government to-day. The only way he can make his attack about colonization companies practical, is either by showing that this Government is inaugurating colonization companies, or is continuing them; not merely carrying out arrangements made by a previous Government, but in some way continuing this policy by branching out in some direction. If he cannot show that, what is the practical use of coming here and making this attack, even if the colonization companies were still in existence? But when the colonization companies have passed out of existence, fancy a man of my hon. friend's experience standing up here and giving us a speech as to the evils of colonization companies, taking up the time of the House in dealing with that which is past and gone.

Mr. MILLS (Bothwell). Hear, hear.

Mr. DAVIN. What my hon. friend means when he says "hear, hear," I do not know, I cannot sound the depths of that philosophic mind. I have watched him—because he is

an interesting person—I have heard him say “hear, hear,” under all sorts of circumstances. I have heard him say it when it may have been a derisive “hear, hear;” I have heard him say it in exactly the same tone when he meant altogether something else. Because, gifted as my hon. friend is, a variety of note and voice is not his supreme endowment. So when he says “hear, hear” meaning to cheer on his leader, and when he says “hear, hear,” meaning derision and mockery of a humble individual like myself, the tone is exceedingly alike. So I do not really know what he means at this time by saying “hear, hear.”

Mr. MILLS (Bothwell). The hon. gentleman's tone is rather melancholy just now for one who is defending the Administration.

Mr. DAVIN. Well, Sir, if I am getting melancholy, I will gradually approach the hon. gentleman, and then we can pair and go down as twin mutes; because if I get like him, I know well that I shall be a good candidate for a mute at a funeral, and we should make an admirable pair. But to my mind there is a long chasm to bridge before I can approach anything so complete and perfect as the hon. gentleman in this respect. Well, Sir, leaving these amenities on one side, let me say that this policy about colonization companies is past and gone. Now, when this policy was propounded, I went through the obligations. I read carefully, with one of the astutest lawyers in Canada, the obligations that were imposed on these colonization companies. He was much more of a business man than I am, a man of great experience, and we both came to the conclusion that no rational man who understood the question, would go into these colonization schemes. Sir, I may tell you that I happen to know when some gentlemen, Grits and Tories—because my hon. friend showed who were the original colonizers—went to Sir John A. Macdonald, and were eager to get hold of the land as colonization companies, he pointed out that they must remember that they would be some twenty odd miles from a railway, that they could not hope to get settlers in unless they could give them advantages equal to having a railway near them because they had to compete with lands within a few miles of a railway. One of the gentlemen, Mr. Cosgrove, of Toronto, said to him: “Why, Sir John, are you going to cry out stinking fish?” “Well,” he said, “I have nothing to do with that; I want merely that you should go into this thing with your eyes open.” I saw Sir John A. Macdonald myself at Stadacona Hall, on some matter of business, after this conversation I have spoken of, and I said to him: “Sir John, is it not a very serious matter, putting all this land into the hands of these men?” He said to me: “Have you read their obligations?” I said I had. “Well,”

he said, putting his hands over his knees, “Davie, they can never make a penny out of it. Every bit of that land will revert to the Government of Canada, as sure as I am speaking to you.”

Mr. CHARLTON. What did he make the regulations for?

Mr. DAVIN. Because they wanted them. “Meanwhile,” he said, “these men will have acted as immigration agents, and will have advertised the country; and as they desire to get them, let them have them.” To my knowledge, he gave them clear warning that there was no bonanza in it, and it has turned out that the right hon. gentleman was perfectly right. Now, we will pass away from that, because I think it is unnecessary to deal with it, as these colonization companies no longer exist, and, therefore, the answer of the Minister of the Interior is complete. The answer given by the Minister of the Interior to the hon. member for North Norfolk in regard to railway grants, that is to say, in regard to his statement as to the amount of land granted, is also complete. Now, one word with regard to middlemen. There are no middlemen, as I understand. I know no middlemen who are buying lands at the present time. But under the regulations that were in existence when the Liberal Administration came in, and while they were in, and which were in existence for some time after they went out. I think middlemen did have some chance of buying lands in general. I think I heard of Mr. M. C. Cameron making a good deal of money out of lands under the regulations made by the Liberal Government. I remember Lord Elphinstone sending his agents here, who bought lands for his tenants, and he got quit-claims from those tenants, and had the lands patented in the name of Lord Elphinstone, and paid for in scrip which, I believe, was then worth about 50 cents in the dollar. The member for Bothwell will remember that. Now, there was a middleman—I am not saying that the hon. member was personally responsible for that, I am not going to blame him; but I say that under his regulations, that was possible; and I am going to refer to those matters in passing, although they have been very fully dealt with by my hon. friend the Minister of the Interior. I say that was possible under the management of the hon. member for Bothwell, and nothing of the sort has occurred under the administration of the Conservative Government. So that my hon. friend from Norfolk, if he is hitting at anything that occurred, must be hitting at some thing that occurred during a Liberal Administration; and if he is hitting at any laws, he must be hitting at laws that existed, and which no longer exist, those arrangements for selling lands which existed under the Mackenzie regime. Now, I want to say one word about the leases. My hon. friend the Min-

ister of the Interior has answered that completely, in my opinion, but I want to make one remark on it. In the first place, when those leases were given when an arrangement was made whereby grazing land might be leased, was there a hoof or a horn in that country? There were no cattle or horses in that country. Now we have plenty of horses and cattle. Let me say to the hon. member who seems to be amused at that remark—

Mr. MILLS (Bothwell). I did not know of what kind of a horn the hon. gentleman was speaking of, when he said there was not a horn in that country.

Mr. DAVIN. I did not know I was speaking of any horn in which the hon. gentleman was interested. An hon. friend beside me says that the hon. gentleman is interested in the horns of the dilemma, on which he is impaled at the present moment. However, I will enlighten him by saying that that was a figurative way of stating that there were no cattle or horses in the country. Let me say, further, that there is nothing to prevent a lease-holder or rancher from allowing his cattle to graze on the public domain, any more than there is to prevent a homesteader's cattle grazing on the public domain, and the only astonishing thing is that the lease-owner ever leased the land. What has happened is that so much money has been gained and men have been induced to go in there, and we have reaped advantage in that way. I ought to have said, when I was speaking of colonization companies, that something was said by the hon. member for North Norfolk (Mr. Charlton) about favouritism. He will find out—because he can find it out from his own friends—that no questions were asked as to a man's politics, but that Mr. Gunn, who had run against Sir John Macdonald, and was a vigorous Grit, was one of the beneficiaries, if they could be so described. I desire to say a word about forest culture. The Secretary of the Interior, I think, in 1885 or 1886, said that a greater fraud than forest culture was never conceived by the brain of man, and that it did not lead to the planting of as many trees as would stop a zephyr. The hon. member for North Norfolk also referred to the North-west as not being supplied with schools, post offices, churches and grist mills to the extent it ought to be.

Mr. CHARLTON. No. I said that the system of homestead grants was one not calculated to permit settlers to have schools, churches, and other privileges as another system would permit if the settlements were contiguous.

Mr. DAVIN. It is, however, a question of fact, how the people in the North-west are served as regards post offices, churches and so on. The following are the figures:—

Mr. DAVIN.

<i>Manitoba.</i>			
—	1881.	1886.	1891.
Post offices	104	310	389
Churches	88	171	291
Flour and grist mills.....		37	50
Public schools.....		422	612
Boarding schools for young ladies.....	5	8	9
Population	62,260	108,640	152,506
<i>North-west Territories.</i>			
Post offices	36	101	182
Churches.....	44	66	144
Flour and grist mills.....		8	18
Public schools.....		59	251
Boarding schools for young ladies.....	1	5	6
Population.....	25,585	48,362	66,799

It would seem as a fact, therefore, that there has been no such poverty in these matters as the hon. gentleman urged should have existed, and no doubt would have existed if his theory had any foundation. The hon. member for Winnipeg (Mr. Martin) in his speech, and in this he followed closely in the track of the hon. member for North Norfolk (Mr. Charlton), and also in the line of his motion, not only assailed the railway policy of the Conservative Government, but he lauded the policy of the Government of Mr. Mackenzie, and especially the Bill for which the member for Bothwell (Mr. Mills) was responsible. He stated that the Bill for which the hon. gentleman was responsible would have prevented speculators getting hold of the public lands, and he actually stated that the Bill would have given to the Government everything over \$10,000 that was received for the grant of land per mile. He said that if 6,400 acres per mile sold at a price of more than \$10,000, the surplus would pass into the hands of the Government. The hon. gentleman was speaking as recklessly in regard to this Bill as he spoke when he assailed the policy of granting lands to certain railways. He was speaking just as recklessly as the hon. member for North Norfolk (Mr. Charlton) spoke the other night, and as recklessly as the hon. member for Bothwell (Mr. Mills) will speak if he condescends to enlighten the House in this debate. What were the facts? Section 26 of the Act provided as follows:—

That the Governor in Council may for the purpose of aiding in the construction of any railway to be constructed under the provisions of this act, reserve every alternate section of ungranted land by odd numbers, to the extent of ten sections per mile, five sections per mile on each side of the line of the railways, if exclusive of the sections which under the Dominion Land Act may have been

reserved as school sections or may have been allotted to the Hudson's Bay Company; and for any line or part of a line of railway west of the 102nd meridian of west longitude twelve sections per mile, and for any line of railway connected with the Canadian Pacific Railway, and extending into the Peace River district twenty sections per mile.

And whenever 25 consecutive miles of any portion of any railway shall have been completed, equipped and in operation, the Governor in Council may convey to the company the land so reserved or a part thereof along the said railway so far as the same is completed, and for each consecutive 10 miles of the line of railway, the Governor in Council may, as the same may be built, convey the land so reserved along nine miles thereof to the company.

That is the first subsection of section 26. That would enable the company to take this land and to get all that it could produce in the market. There is, I grant you, a second subsection. It is alternative. But does anybody suppose that if these men made their company that they would not take good care that they would have all the franchises that the first subsection would give them. You have the alternative provision, saying:

Should the Governor in Council deem it expedient, instead of conveying lands to the company, the company may be paid the money received from the sales of land on the line of, and within six miles of such railway from time to time, until the company shall have received a sum not exceeding \$10,000 per mile, after which the companies claim to any further aid from the sale of such lands shall cease. Provided always, that not more than 90 per cent of the value of the actual work done shall be paid out of the proceeds of any land sales, until the road is finished and equipped and in operation to the satisfaction of the Governor in Council.

Now, Sir, it will be seen that this arrangement not to pay over \$10,000 a mile is an alternative arrangement, and nobody supposes for one minute that any company that would have come in under the Bill of the hon. member would have ever had anything to do with the second subsection.

Mr. MARTIN. They could not help themselves.

Mr. DAVIN. Oh, nonsense. That is perfect nonsense. Take subsection 4:

The Governor in Council may vary or entirely change the mode of disposal of Dominion lands, lying within a certain distance of a railway constructed under this Act, as regards homesteads, pre-emption, sales, and bounty lands entries, from those contained in the Dominion Lands Act, by reducing the quantity of land which may be granted in every homestead, or by withdrawing the homestead right altogether of such land, and may fix the price of such lands and order that such lands may be sold exclusively for cash, with or without conditions of actual settlement, as may be deemed expedient.

Thus, at one fell swoop, all the villages and townsites are pounced upon and clutched for the benefit of the railways.

Mr. MARTIN. No.

Mr. DAVIN. Yes, certainly. Under that subsection 4, that is what would happen.

Mr. MARTIN. No, for the benefit of the general Government. That is where they should go, instead of where they went when the hon. gentleman's friends gave them to the Canadian Pacific Railway.

Mr. DAVIN. I beg the hon. gentleman's pardon. Under that subsection 4 of section 26: the railways would undoubtedly have got the benefit. Now, Sir, in regard to what the hon. gentleman (Mr. Martin) said about the mile belt. The mile belt was reserved by Sir John Macdonald to do the very thing that the hon. member (Mr. Martin) says the Government should aim at, namely: To avoid valuable lands getting into the hands of speculators. I may say, Sir, that I was opposed to the mile belt, and after I went into the country, I urged the Government to do away with it; and in 1883, owing to my action, as Mr. Burgess can testify, it was done away with. But undoubtedly the object of it was to prevent speculation. I always disapproved of the policy. I am not quite sure that it would ever have existed but for the criticism that came from the opposite benches. Here is what Mr. Blake said in 1882:

Now, it does seem to me that the state of things under which it is possible for a railway company to acquire almost the whole of this advantage, the public getting nothing and the real settler getting nothing, or an insignificant fraction is objectionable, and that steps should be taken under the control of the Government that the Government should communicate to the railway company the importance of their being sharers in the enhanced value of the land selected for station grounds or town sites, so that by their being sold, on joint account or in some other way, the right of the public to get the benefit of the enhanced value of the stations and towns being established on the line of railway should be recognized. At the present time, as I have stated, the practical result is that the Railway Company is gobbling up the enhanced values of the Dominion lands as of their own, and are thus to a large extent paying the cost of building the road from public lands of which the public ought receive the benefit.

Now, Sir, here is the then leader of the Opposition advocating precisely what was done by the late Sir John Macdonald in regard to the mile belt, and pleading for the very thing that was done by the Conservative Government in regard to the pooling of townsites. I happened to be with a gentleman from the west who is a strong Reformer, and we were talking with a leading member of the present Government the other day about these townsites. And I said that Mr. Blake forced this on the Government of Canada, and the gentleman seemed to get a little rusty about it, and said: "Oh, you must not put that

on Mr. Blake's shoulders." But the fact is that there it rests. Mr. Blake was thundering against the Government for allowing the lands to be put into the hands of speculators, and it was to avoid that, and to meet the criticism of the Opposition that Sir John Macdonald fell in with the policy of closing up the mile belt. The hon. member for Winnipeg (Mr. Martin) when addressing the House did not seem to know—until I called out to him, "It was one mile,"—anything about this matter. Although by frequently interrupting the Minister of the Interior he posed as if he was thoroughly up in regard to everything in the North-west, so little did he (Mr. Martin) know about it, that he said it was two miles on each side of the line, whereas the mile belt consisted of only one mile on each side of the line. This is what Sir John Macdonald said in response to the remarks of Mr. Blake, which I have read :

That land has been deliberately withdrawn from immediate settlement for the purpose of gaining the end which the hon. gentlemen desires by his motion. I fancy it will answer no purpose for the hon. gentlemen to press his motion.

So that Sir John Macdonald, in the presence of Mr. Blake said that the land had been withdrawn from settlement for the very purpose that Mr. Blake himself wished to effect. Now, Sir, in regard to this extraordinary Bill that has received the endorsement of the hon. member for Winnipeg (Mr. Martin). It is a very curious thing to find him endorsing that Bill now, because when the hon. gentleman with an overwhelming majority at his back, brought in that Bill it could not stand. Such was the criticism that was given it in this House and in the press, that they never dared to carry it out. It is a most ludicrous provision that any fifteen persons could form themselves into a company and by paying a small fraction of money, find themselves able in any place they liked—provided they are forty miles apart, and at a certain distance from the Canadian Pacific Railway, north, south, east or west, to build railways where and when they please. And Sir, when some hon. member, I think it was the late member for Northumberland (Mr. Mitchell), pointed out what a tremendous lot of land would thus come into the hands of railway speculators, this is what the hon. member for North Norfolk said :

If railways were essential to the development of the western states, they were tenfold more essential to the development of the North-west. It was useless to think of opening up, and settling this country without furnishing it with railway facilities. * * * Some of the railways have perhaps been subsidized more than was necessary ; perhaps more land had been given than was advisable ; but capitalists would not embark their money unless they had a prospect of a fair return, and it was folly to haggle with them about an unimportant difference when important interests were at stake.

Mr. DAVIN.

This hon. member, who comes forward here and grows indignant and wailful about the fact that 44,000,000 acres have been granted for railway purposes—not earned, not alienated to the railways yet—although apart from that we still have 100,000,000 acres open for settlement, speaking of the companies to be formed under the Bill :

Under no circumstances can they absorb more than half of the lands.

Well, Sir, if they absorbed half the lands, and if the 54,000,000 acres which the Mackenzie Government was to give to the Canadian Pacific Railway were added to half the 150,000,000 acres available, which would be 75,000,000 acres, there would be only 20,000,000 acres left for settlement. So that, according to the plan that was eulogized in 1882 by the hon. member for North Norfolk, which was fathered by the hon. member for Bothwell, and which is now supported by the hon. member for Winnipeg, we should in all probability, if that plan had been put into force, have been left with only 20,000,000 acres for homesteading purposes. The hon. member for North Norfolk would perhaps say : what difference does that make ? We must have railways. The hon. member for North Norfolk talks of railway builders as speculators. I do not know whether the hon. member for Bothwell is his leader or not ; probably they are co-equal in the ranks of the Opposition. At any rate, they are equally prominent, and the hon. member for North Norfolk, in his speech in 1878, if he remembers it, declared that railway builders were speculators. But the hon. member for Bothwell said, I think in his speech in 1882, that railway builders could not be regarded as speculators. I therefore leave them there ; if the hon. member for Winnipeg and the hon. member for North Norfolk stigmatizes railway builders as speculators, they can settle the matter with the hon. member for Bothwell. Now, Sir, as regards the land grants that the hon. member for Winnipeg denounces as given to railways in his own province, I am not going into each of them ; it is not necessary for me to do so. Will the hon. gentleman in this case do what is not done, I am sorry to say, by any of the hon. gentlemen on the opposite side of the House when they assail any policy of the Government ? When they assail any policy of the Government, I apprehend that they ought to suggest a policy to take its place. But, Sir, the Opposition, led with such brilliancy by my hon. and learned friend to-day, in this year of our Lord 1894, is precisely in the same position as it was when led by Mr. Blake in 1881. I remember in 1881 'Grip' had a picture of Mr. Blake searching his pockets, and somebody asked him what he was looking for, and he said : "I thought I had a policy about me somewhere." That is the position the Opposition are in to-day. The hon. member for North Norfolk broaches

this extraordinary motion, dealing with nearly everything which the Department of the Interior can touch; but he does not suggest a single positive thing that he or the party with which he acts would do. In the same way, the hon. member for Winnipeg, when dealing with these railways in Manitoba, denounces charter sellers. No one will denounce a charter seller, if he behaves improperly, more loudly or vigorously than I will. But the only comparison we can have is a comparison with the Government that preceded the Conservative Government. We have to compare the railway building of this Government with the railway building of the Government of Mr. Mackenzie, or, if hon. gentlemen would give us a policy, we could make a comparison between that and the present policy of the Government. But when an hon. gentleman gets up and denounces charter sellers, his statements may be true or they may not be true, because he does not mention a single case in which improprieties have been committed in regard to these charters. That is akin to all he does in this House. For instance, he denounced the price received for school lands, and when I asked him what price they sold for, he could not tell me. Now, I apprehend that it is a very improper thing for a man to denounce the price that is received for a thing if he has no approximate idea in his mind as to what price that thing fetched. In the same way the hon. gentleman gives the names of four or five railways in Manitoba which he says would have been built if charters and land grants had not been given to them. Is not that a most extraordinary statement for an hon. gentleman to make? He says that a charter and a land grant given to a company actually prevented a railway being built. I understand that one of these lines is in litigation, and that is all that is wrong with it. The hon. gentleman mentioned another line which he said had a land grant from the Dominion Government; but the hon. Minister of the Interior told him that it had no land grant, but that on the contrary it had been subsidized at so much a mile by the Government of the province of which the hon. gentleman himself was a member. And so with regard to every one of the lines he dealt with: we have nothing definite; we have only his statement that something wrong had been done. Now, Mr. Speaker, it is enough to say that not one of these railways could have got a single acre of land until it earned it. No charter is given that will enable a railway company to get land without building the railway. They cannot get a grant until they have earned it and have performed certain works. In what other way, will you build railways? I shall be very glad, and this will bear on the motion of the hon. member for North Norfolk, if the Opposition will support me in urging on the Government to borrow \$20,000,000 to buy back the odd

sections. I will bring forward a motion in the House and will urge it privately on the Government, if the Opposition will support me. But if they will not, in what other way than by land grants will they build railways? Would they subsidize them? If they want a railway in the North-west, will they vote all the money required and not give any land? But that is not the hon. member for Bothwell's (Mr. Mills's) idea of doing things, because, in 1878, he said that the result of his policy would be to make those persons who settle on the land pay for the railways. The hon. member nods his head in assent, and, therefore, I suppose, would not support the hon. member for East Assiniboia (Mr. McDonald) and myself if we were to bring forward a proposal here that the odd sections should be bought back again by the Government and thrown open to settlement. If you are not going to do that, Sir, how else are you going to have lands to accomplish public ends? There are two ways: you can either give the lands in large blocks to a railway or in odd sections. The hon. member for North Norfolk (Mr. Charlton) is always comparing our policy with that of the United States. Well, he knows that the checker-board system of subsidizing railways we have borrowed from the United States. They adopted that course; and I confess that if I am to choose between giving large blocks to railways, whereby we might fail to get a yeomanry into the country, and get into it large estates and men not suitable to our institutions—if we are to choose between that and the checker-board system, with all its defects—and I grant you it has defects—I will choose the latter. What are we to do? We must be practical. We are not living in the republic of Plato. We must get some practical scheme; and if I am to choose between the checker-board system of subsidizing railways and the system of giving them land in large blocks, I echo what would be the opinion of every farmer and settler in the North-west, when I say that I prefer the odd sections. The hon. member for East Assiniboia (Mr. McDonald), who knows the sentiments of his constituents well, and I have talked with him on this subject, says there is not a man in his constituency who would not prefer our present system to that of giving large blocks of land. The hon. member for Winnipeg spoke about the monopoly of the Canadian Pacific Railway and about granting lands to this monopoly. I live in that country, and I know something of Manitoba, and it came with extreme significance to my ears when he spoke of this in connection with our trade policy. Why, the hon. gentleman knows as well as I do that our trade policy has not interfered one iota with the prosperity of Manitoba and the North-west Territories. It is to the knowledge of my hon. friend from Eastern Assiniboia and myself, that that policy made a marked improvement in the

position of the settler compared with what it was in 1879. But the hon. gentleman spoke of this in connection with the Canadian Pacific Railway, and he spoke about the monopoly of the Canadian Pacific Railway. And I suppose he was referring to freight rates. Why did not the hon. gentleman, when he was a member of the Greenway Government and had the chance, strike a blow at that monopoly? He had negotiations with the representatives of the Northern Pacific Railway. He had very extraordinary negotiations with them about bringing in their railway. Why did he not then, as was expected of his Government, fix a maximum rate? Why did he meet the representatives of that company surreptitiously? Why did he afterwards deny that he had met them surreptitiously? And why did he let pass this opportunity, which everybody was looking for, not merely in Manitoba but in all the North-west, of breaking the monopoly, and give railway competition in Manitoba which would have brought about competition also in the North-west? All eyes were then upon him, and yet what is the fact? It is established that he saw the agents of the Northern Pacific Railway surreptitiously, that he afterwards denied having seen them surreptitiously, that he befooled gentlemen who had a right to his confidence, and thought they had his confidence, and the result is that suspicion now attaches to the hon. gentleman of having allowed—for some reason or other into which I do not want to inquire—that opportunity to pass of having a maximum rate fixed on the Northern Pacific. And the fact is, as every man from Manitoba and the North-west knows, that the bringing in of the Northern Pacific has not had the effect of the weight of the wing of a butterfly on the freight rates from outside Manitoba and outside of the North-west. Not the least influence. Yet, Sir, the Legislature of Manitoba and the whole people of Manitoba were befooled into the idea that that would be done. It is in evidence, it is established, that there was discussion on the subject; and it is in evidence that the dark spirit which came over the proceedings was the hon. gentleman who represents Winnipeg in this House. Now, the hon. member for North Norfolk also spoke of timber limits, and I want to say a word about that. The Minister of the Interior disposed of that contention of the hon. member for North Norfolk completely. What I would say is this: Mr. Mackenzie found, as the Minister of the Interior pointed out, that he could only dispose of those lands by auction or tender. I do not believe that the hon. member for Bothwell was in the Government at the time, but, anyway, Mr. Mackenzie got the Act amended to do the very thing of which the hon. member for North Norfolk now complains. And let me say this. In the state of the country at that time Mr. Mackenzie was right. He

Mr. DAVIN.

did the right thing, because it was absolutely necessary that we should get men in there to build mills, and the only way we could get them in was by making it as easy as possible for them to go in. There was no use in making it difficult, and I believe that Mr. Mackenzie adopted the right policy in changing the Act, and so making it facile and profitable for men to go in there and build mills, and the consequence is that to-day in Manitoba and parts of the North-west also, we have these mills. But after the Conservative Government came into power they changed this, and at the present time, and for some years the only way that timber limits can be given to any one is by competition. The rule was changed, I think in 1886. A few moments ago I glanced at what the hon. member for Winnipeg had said about school lands. He complained of the policy of the Dominion Government in keeping the administration of these school lands in their own hands. He complained that men had squatted on these lands. He said also that a sufficient price was not got for the lands. And when the Minister of the Interior said an upset price had been received for them, the hon. gentleman said it was an inadequate price. I asked him how much it was and he could not tell me. Now, how could the Government prevent people squatting upon these lands? And will men squatting depreciate the value of the lands? My experience in the North-west, and all I have heard and read on the subject leads me to believe that when men squat on lands they enhance their value. Whether you call a man a squatter or a settler, he does the same things—he builds a house, ploughs the land and sows a crop. The hon. gentleman did not tell us how he would have prevented squatting. I want to call attention to the prices which have been received and which the hon. gentleman says are inadequate. During the months of January and February, 1892, auction sales of school lands were held at eight different points in Manitoba the result of which was as follows:—

Place of Sale.	Area sold in acres.	Total price.	Average price per acre.
		\$	\$
Morden.....	2,080 00	13,760 00	6 61
Pilot Mound.....	480 00	2,560 00	5 24
Deloraine.....	632 78	4,117 27	6 55
Minnedosa.....	1,607 00	9,251 00	5 75
Portage la Prairie....	956 74	13,212 58	13 80
Brandon.	3,486 50	24,525 50	7 03
Winnipeg.....	2,079 83	12,591 11	6 05
Glenboro'.....	1,280 00	9,488 00	9 41
	12,602 85	89,505 46	7 10

The hon. gentleman indicated that things would have gone much better if the Local

Government had had administration of these lands. He did not explain how the Local Government could have got more than the Dominion Government for them. What does it matter whether the lands are put up for sale by the representatives of the Local Government or by the representatives of the Dominion Government? In the North-west, the trustees of some of our school sections wanted money, and we urged the Minister of the Interior to have certain school lands sold. I believe that local parties were instructed to put them up for sale. What else could the Local Government have done if the lands had been under their administration? I am in the hearing of western men. Nobody will say that lands up there will bring the price stated by the hon. member—\$30 per acre. Take this terrible monopolist that is spoken of so often—the Canadian Pacific Railway. They are selling splendid lands near the railway for from \$3 to \$5 per acre—lands within the mile belt. I do not suppose they are doing that for philanthropic reasons. Do you suppose that if the market price of land was anything like what the hon. member indicated it was, this company would sell their lands at these prices? The whole statement of the hon. member in that respect is precisely the same as his statement in regard to other matters—it is instinct with an utter recklessness. But I must say that the hon. gentleman from Winnipeg is more excusable than my hon. friend from North Norfolk (Mr. Charlton), because the gentleman from Norfolk is an old parliamentarian, while the hon. member for Winnipeg is comparatively a new one. But it is hard to say which of these gentlemen is more reckless in his vituperative assertions. But certainly the hon. gentleman from Winnipeg fails entirely to make good his point. The only question upon which he descended to detail—and upon that he descended to detail only when I forced him—was in regard to these school lands, and there he failed to show that if these school lands were in the hands of the Local Government a higher average price than \$7.10 per acre would have been realized for them. When land was booming in the North-west in 1882, I came down here, and, being asked by the then Minister of Interior, Sir David Macpherson—Mr. Macpherson he was then—the value of land in southern Manitoba, I had to tell him that the average value there then, in that garden of Manitoba, was \$7 per acre. And yet, in 1893, when we have passed beyond the booming days and beyond the booming traditions, the Minister of the Interior realizes upon his sales an average of \$7.10 per acre. The hon. member for Winnipeg does not seem to know that there is a very good reason why the Dominion Government could not part with these lands and hand them over to the Local Government. That reason is that the responsibility with regard to the schools is with the Dominion Government. Even if they were to alienate these lands to the Local Government, they could not at the same time part with their responsibility

in connection with the schools, and they could have no guarantee that these lands would be dealt with in the manner which they deem it their duty to deal with them. So, whether we look at it from the point of view of the duty of the Government to hold these lands as the trustee for the education of the present and future generations, or whether we look at it from the point of view of the prices obtained for the lands that have been sold, we are driven to the conclusion that the hon. member for Winnipeg fails utterly to prove his case. The hon. gentleman said that people were driven from the country in 1881 and 1882 by the land regulation. I was in the country in those years, as was my hon. friend from East Assiniboia (Mr. McDonald), and I am sure that hon. gentleman will agree with me that there was no foundation whatever for the statement made by the hon. member. Again, it belongs to that class of reckless statements that characterized his whole speech. Now, one of the statements made by the hon. member—if I may revert to it again—about the mile belt, was that that was done to enable the Canadian Pacific Railway to get more for its town sites. I have shown that that policy was thrust upon the Government by the criticism from the Opposition; I have shown that the object of the Government was really to keep the land out of the hands of speculators. Now, Sir, I have simply to say this, that the one thing that leading gentlemen on the Opposition remind me of is a story that I heard of a Legislative Council in the Lower Provinces, the members whereof were very old, and in regard to whom a trick was played on a Yankee visitor. A friend took him to the legislative council and said: "Let me take you into our museum." He took him into the legislative council and said: "this is our museum." When they were going out the Yankee said: "I could have taken my oath that some of them were alive." Now, that is really about what can be said, politically, of my hon. friends opposite. Physically, I rejoice to know, they seem to be in pretty good health, but, Sir, politically, what can we say of them? Here is the hon. member for North Norfolk coming forward and denouncing things that are dead and gone, just as if a ghost were to come up and talk about the politics of past years. Here we find the latest acquisition to the ranks of the Opposition in the person of the hon. member for Winnipeg (Mr. Martin), and he himself has caught this tone of belated debate. And so, in fact, with nearly everything in regard to policy, that we hear from those benches. My hon. friends cannot, apparently, conceive or bring forth a new idea, they cannot strike on a new means of attack. Anybody who entered this Chamber when this debate was on before, and heard the hon. member for North Norfolk, would have thought that he was continuing the speech he made in 1882; and on reflecting still further, he might think to

himself: That is very like what I heard from the hon. member in still earlier years. I have little doubt that if the hon. member for Norfolk sits here for ten years more, he will bring forward like motions, and give us like belated utterances. I think myself that we ought to expect something better than that when they have a young leader.

Mr. LAURIER. Sometimes it takes a long while to operate reform.

Mr. DAVIN. Yes; and besides that, 'nos-citur a sociis,' we are known by our company, by which we are sometimes demoralized. But I will say this, and I say it with regret, that I have been watching them, especially this session, and I see no evidence that my hon. friends opposite can escape from the old standpoints, from the old ways, from the old cries, from obsolete and belated utterances; and in fact, when we come to finance, one of the strongest men on that side is an enormous fossil. My hon. friend from Norfolk—well, I won't say he is an enormous fossil, but he is a very palpable and at the same time a very interesting specimen. We could not have better evidence of that than we have had in the motion and in the speeches that we have heard in this debate; and I must say that never, probably, have charges been made or positions taken up that it was so easy to clear away, and that have been so completely destroyed.

Mr. MILLS (Bothwell). Mr. Speaker. I dare say the First Minister is somewhat tired of this discussion, but he must remember that, although the debate was begun shortly after three o'clock, only about forty minutes of the time has been consumed by hon. gentlemen on this side of the House. At first, we had a speech of three hours and a half from the Minister of Interior, and we have had a two hours' speech from the hon. gentleman who has just taken his seat. I think it would be very difficult for any hon. member on that side of the House to say what particular views the hon. member for Assiniboia (Mr. Davin) has been undertaking to defend, or what principles of administrative Government he has been seeking to elucidate. If ever there was a case of an hon. gentleman whose speech has darkened counsel by a multitude of words, it has been the speech which the hon. gentleman has just addressed to the House. He has put almost everything in his speech connected with the North-west Territories except some of the red men. Those have been left out on the present occasion, because, I suppose, the hon. gentleman required the paint that is used to adorn them, for the purpose of adorning the speech which he addressed to the House. Now, Sir, the hon. gentleman has complained that my elocution does not fall pleasantly upon his fastidious ears. There is no doubt the hon. gentleman thinks himself, whether others do or not, a great master of the art of elocution. Why, Sir, it is only necessary to ob-

Mr. DAVIN.

serve the hon. gentleman's gestures, and his genuflexions, and the shrugging of his shoulders, and the expression of his face, to see that the hon. gentleman believes that he is a perfect master of the art of elocution. Well, I am rather old in years to begin now to take lessons in that very useful art; but I must say to my hon. friend in all frankness, that if I were obliged to choose a master in that art, I would hardly go to the hon. gentleman for the purpose of receiving instructions; for although the hon. gentleman may occasionally amuse his friends in this House, I am not sure that the hon. gentleman ever seriously impresses even those who are most inclined to favour him. Now, I am not going to say more with regard to what the hon. gentleman has said, except to refer to one matter, and that is the quotation the hon. gentleman made from a speech delivered years ago by Mr. Blake, and which he has revived on the present occasion with a sort of commentary which hon. gentlemen on that side of the House, who have stooped to make commentaries of this sort, have sometimes addressed to the House. I have heard that address in the last sessions of an expiring Parliament, or upon the platform, but I never knew of any hon. gentleman, even on that side of the House seriously to undertake to put the construction upon Mr. Blake's observations which the hon. gentleman has put upon them to-night. The hon. gentleman said that Mr. Blake, when he was leader of the Opposition, endeavoured to persuade people that Kansas was a better country to go to than the North-west, and that he endeavoured to secure the settlement of that country rather than the settlement of his own, in fact, that he spoke with a view of discouraging the settlement of the Territory belonging to Canada. The hon. gentleman told us about a pamphlet published and circulated by railway corporations in the United States, containing Mr. Blake's speech, and adorned with Mr. Blake's likeness. I remind the hon. gentleman that pamphlet was not published by any railway company on the other side, but was published by hon. gentlemen opposite, that it was published by Mr. Belford, and circulated by him, and paid for by hon. gentlemen who thought they could make political capital out of it at the expense of the Opposition. What did the extract read from the speech show? It showed that Mr. Blake said that in 1866, in the production of corn, Kansas was the twenty-fourth State, of the Union, and in 1879 it was the fourth State; that in the production of wheat in 1866 it was the twenty-fourth State, and in 1879 it was the first State of the Union; and Mr. Blake, pointing out the increase that had taken place in the population of that State, not for the purpose of showing it was admirably adapted for settlement, not that it was well calculated to attract immigration, but he was combating a statement that we in Canada could secure in the North-

west in the same time, an equally large population; he was pointing out that they in Kansas had behind them fifty millions of people, while the North-west had behind it less than five millions. Those were the arguments employed by Mr. Blake to show that the statements made to the House were entirely illusory. What do the facts show? What is the condition at the present time? Has the production in the North-west of wheat for export reached 620,000,000 bushels, and have we half a million of people there as was predicted? The hon. gentleman now says that such is not the case, because of the speech delivered by Mr. Blake in which Kansas was referred to. I am not going to say anything further with respect to this calumny, but that it is precisely of a piece with accusations that have been frequently levelled against hon. members on this side of the House. Having said this much with respect to the remarks made by the hon. member from Assiniboia (Mr. Davin), I wish to say a few words in reply to the very long speech delivered by the Minister of the Interior. The Minister reminds me of a story told in regard to the death of a western man. A friend of the dead man went to the minister and told him his good qualities, what a number of men he could thrash, what quantity of whisky he could drink without staggering, how good he had been to his friends, and at the end of every one of his statements he said, "Cannot you put it in your sermon?" So the hon. gentleman, who has addressed the House, seemed to be disposed to put everything he thought ought to be said in regard to the North-west in his speech to-night. I am not going to follow the hon. gentleman in all his meanderings on the present occasion. He has made a very long speech, he has told us a great deal about what is and what might be. The speech was built up very much after the plan of the Knickerbocker history of New York—the history of the country from the creation to the end of the Dutch dynasty. So the hon. gentleman put into his speech everything which is or was or might happen to be in connection with the North-west and the province of Manitoba. The hon. gentleman said: "Oh, you lost a great many more people in the settlement of the country when you were in power than we have done since, and a much larger number of persons have left." The hon. gentleman is mistaken. He will find that the facts do not uphold that view. What was the condition of the country when we were in power? The American railways at that time did not approach within 150 miles of the boundary; the means of access were very difficult, and it was only during the last two years of our administration that we were able to furnish any facilities to enable settlers to enter the country.

Mr. DALY. The more reason for building the Canadian Pacific Railway from Port Arthur to Winnipeg.

Mr. MILLS (Bothwell). Hon. gentlemen says we are responsible for that condition of affairs. But the hon. gentleman's friends were in power seven years, and what did they do towards the settlement of the North-west? What was the condition of the country in which we found it? We found officers there, but there was nothing for them to do, and it was not likely they would have anything to do so long as those hon. gentlemen controlled the administration. The hon. gentleman further said that the policy of Mr. Mackenzie and his friends was all wrong, that the course adopted was not a wise one; but our defence was this, that the policy which Mr. Mackenzie pursued was the very policy which Sir John Macdonald had adopted before that time, and which had been followed ever since. While the hon. gentleman argued that our policy was all wrong, yet his policy was exactly of the same character. If the hon. gentleman was right in his proposition, I would apply to him the Turkish proverb, "I would rather change every day than to be always in the wrong." If we were wrong, and hon. gentlemen followed in our footsteps fifteen years, it was high time that hon. gentlemen rectified the wrong. I do not admit, however, that the hon. gentleman's statement is correct. The hon. gentleman says that in the beginning—and the years he mentioned as those in which there was the largest number were years before I was a member of the Administration—a number of men entered for homesteads who failed to take possession of them. That was sometimes the case, undoubtedly. Young men went up from Ontario and sought to take up homesteads, and afterwards returned, and perhaps never went back to the North-west. Something occurred which prevented their return. There were occasionally such cases, and there are, no doubt, cases of that sort in a larger number to-day. Unfortunately, however, they did not come back to Canada, but they crossed over the border, and are lost to this country altogether. Let me ask the hon. Minister this: What distinct nationality of Europe are settled in the North-west and Manitoba? The Mennonites from Southern Russia, and the Icelanders from the Island of Iceland. These are the only two national communities that you can find in the North-west.

Mr. DALY. I must take exception to that statement made by the hon. gentleman. There are Swedes and Norwegians in large numbers, as well as people from other continental countries.

Mr. MILLS (Bothwell). The hon. gentleman says they are there in large numbers; I say they are there in very small numbers. Let me say that there are those people mentioned by him scattered over the country in some few places, and they have largely come from Dakota and elsewhere in to the North-west; but you have but

two communities distinct, as regards nationality, belonging to the continent of Europe. Those two are the Mennonites and the Icelanders, and they were brought into that country while Mr. Mackenzie's Government was in power, and you have done nothing to promote settlement from these countries in any appreciable degree during the past fifteen years. The hon. gentleman has referred to our policy with regard to the railway lands, and he says: You adopted a policy in the first instance to exclude people from the railway belt, and afterwards you admitted them upon conditions that were illiberal conditions, and that stood in the way of a settlement of the railway belt. Well, what was the policy of the Government of Sir John Macdonald in 1872 with regard to these lands. It was, as far as possible, that with no increase of taxation, and with no additional sum beyond the \$25,000,000, to build by the aid of a grant of over 50,000,000 acres the railway in that country. It was further agreed upon that the railway should be built through the instrumentality of a company, and should not be constructed by the Government. That was the policy which had been adopted in 1872, and the hon. gentleman will see this: that so far as these lands were concerned, if the Government were to deal with a company for the construction of that road, the Government had to keep its hands free so as to enable the parties who undertook to build the road to have some voice in saying what price should be fixed upon the lands, and upon what conditions they should be settled. Now, Sir, we say this (and we say the same thing with regard to the railway lands generally): that the price put upon the lands is not after all an actual charge upon the lands; but it is a contribution from those who settle in the neighbourhood of the railway to aid in the construction of the road. Therefore, this railway located where it was, intended as a transcontinental road, located with a view of promoting the general interests of the interior of the country, while, at the same time that it made the North-west an accessible country, yet that road was located north of the actual settlements and north of the districts where the people were most inclined to go. I say that, in that very district which the hon. gentleman says we improperly excluded the people from, there are few settlers to-day. There is a large section of the country, which he says it was a grievance not to open up for settlement then, and into which the settlers up to this hour have not gone. The hon. gentleman has altogether failed to make out a grievance in that particular. Then the hon. gentleman said: that in that district we did not permit the parties to pay for the land by bounty warrants received for services in suppressing the North-west rebellion, or for police service. That is true. These lands were to be sold for cash or taken by the railway company at a particular price to

aid in the construction of the road, and if they were made free for actual settlement they could not at the same time be made available for the construction of the road. The hon. gentleman told us how Sir John Macdonald had reserved lands in belt "A," and fixed the price at \$6 an acre, and in belt "B" and fixed the price at \$2.50 an acre. Does that make these lands free? Was that any more liberal than the policy we adopted? We said to them: Gentlemen, you will pay \$1 per acre if you go on these lands; but what further sums you will pay will depend upon the terms of the contract between the Government and the parties who will undertake to construct the road.

Mr. DALY. It might have been \$5 per acre.

Mr. MILLS (Bothwell). It was not likely to be.

Mr. DALY. Oh, yes.

Mr. MILLS (Bothwell). The hon. gentleman says it might be a large sum. Why, Sir, that would depend upon the sum that we thought the road ought to cost. If the road were to cost \$100,000,000, the price of the land would not be fixed at above \$2 an acre, and the hon. gentleman will see that everything depended upon the estimated cost at which the road was to be constructed. But however that might be, it was not until you could change the whole plan or policy of construction that you could change the policy with regard to the settlement of these lands specially reserved to pay for the construction of this road. The hon. gentleman (Mr. Daly) said that if he were younger than I am that he was at all events wiser. That is, that wisdom was not indicated by a man's age. Well, the hon. gentleman may be wiser than I am. I am not pretending to say how much wisdom the hon. gentleman possesses, but I think, Sir, it would have been quite as modest if the hon. gentleman had permitted somebody else to make that estimate, rather than to have made a boast of it himself. Referring, Mr. Speaker, to the observations made by the hon. gentleman and from which I dissented, that lead the hon. gentleman to tell us how much he knew; the hon. gentleman was estimating the amount of lands appropriated for the construction of railways, and in that estimate he included the several hundred miles of road that had already been built for cash. There was the 420 miles of road extending from Port Arthur to Selkirk, and there was a large stretch at the western extremity of the line. Now, Sir, when you look at the Canadian Pacific Railway Company's Act it will be seen that the company and the Government who entered into that contract did not adopt that view of estimating the distribution of the lands. They did not undertake to say: We shall appropriate a portion of this land to aid in the construction of a road that is already built, and built by sums of

Mr. MILLS (Bothwell).

money borrowed and charged against the country. I find that the Government in their contract with the Canadian Pacific Railway Company provided that 900 miles of the road should receive an appropriation of 12,500 acres per mile; that 450 miles should receive 16,666 and 2-3rd acres per mile, and that another section of 650 miles should receive 9,615 acres, and so it will be seen, if these three are added together and the mean taken, that there was in the neighbourhood of 14,000 acres per mile appropriated for the construction of the road.

Mr. DALY. From what is the hon. gentleman quoting?

Mr. MILLS (Bothwell). I am quoting from the Canadian Pacific Railway Act of the session of 1881, under which the road was actually constructed by the present railway corporation. Now, I do not think it is a matter of any consequence whether you appropriate the whole of the lands for the construction of a portion of the road, and build the rest with cash. What we have to consider is: what has been the actual cost of the road. There has been \$25,000,000 in cash first contributed; there were several hundred miles of railway that cost over \$31,000,000 contributed, and there were also 25,000,000 acres of land contributed, and all these have gone to aid in the construction of the Canadian Pacific Railway. I am not saying anything against the propriety of the enterprise. The hon. member for Assiniboia (Mr. Davin) spoke about the resolution of my hon. friend from Norfolk (Mr. Charlton) raising dead issues, but if ever we had a case before this House when matters that belong to history and not to practical politics were discussed, it was in the speech which the hon. Minister of the Interior addressed to the House on the present occasion. The hon. gentleman devoted himself to a discussion of a number of subjects relating to a condition of things that has long since passed away.

Mr. DALY. That you want to be forgotten.

Mr. MILLS (Bothwell). No, we have not forgotten them; it would be quite impossible to forget them. We hear them every session, and we have heard of them every session for the last fifteen years. It the hon. gentleman did not employ them, what would become of the wit of the hon. member for Assiniboia, and what would become of the argument of the hon. Minister of the Interior? There would be neither wit nor argument left to the hon. gentlemen on the Treasury benches or to those who support them. Now, Sir, let me say a word or two with regard to the colonization schemes to which the hon. gentleman referred. He has told us that there is a difference between the allotments and the grants. Why, Sir, we all know that. We know that there were great expectations which have not been re-

alized. We know that those men who were deluded into investing their money in those enterprises, who expected to make large profits, who went into them for speculation, being perhaps over persuaded, have not gained what they looked for. On the contrary, they have lost what they invested, and have had to abandon the speculation. The hon. member for Assiniboia told us what a former Premier, Sir John Macdonald, said to him on the subject. One would suppose, from what the hon. gentleman said, that he was the confidential adviser and special friend of the former Premier as he was the hon. Minister's assistant to-night. The former Prime Minister, who we supposed always relied upon himself, if we are to believe the statement of the hon. member for Assiniboia, relied chiefly upon him, and never saw light until he was illuminated by the brilliancy of the hon. gentleman, when he was able to see clearly the path in which it was his interest and the interest of his party to walk. When you consider the statement of the hon. member for Assiniboia, you will see that Sir John Macdonald did not want to see any person engage in these enterprises; he was afraid they might lose their money. He said, "Davin, the whole of them will lose every cent they put into these speculations." And the hon. member said, "Yes, Sir John, there won't be nary a red left." And so we have the vivid picture given to us of the conversation that took place between the Prime Minister and his most confidential adviser. Well, Sir, those were not the representations that were made throughout the country. Why, Sir, I know men that were written to and encouraged to engage in those speculations. I know of temperance colonization companies being formed; I know of Christian colonization companies being formed; I know of colonization companies of this church and that church being formed. I know that clergymen were persuaded to go into them, and were told how convenient it would be in the settlement of the country to have all those of the same religious faith living together—how much easier and better they could support a clergyman of their own particular views. These were the representations made, and many people subscribed just as people subscribed to the philanthropic enterprise which undertook to bleach the coloured men of Southern Africa in the society described by Tom Hood. Now, Sir, these speculations failed. The hon. gentleman said there was no money made by them; but he says: We are not responsible; there was nothing wrong in the matter; there was no intention to speculate when these parties went into them. It was purely a matter of benevolence and patriotic self-denial; they contributed their money to promote the interest of their country. But to-day there is not one of these institutions left in existence. What a commentary this is on the organization of these institutions! What a commentary it is on the policy of the Govern-

ment! This was one of the means seemingly relied upon to promote the settlement of the North-west; and the result according to the hon. gentleman's own confession, is that the schemes wholly failed, that the grants were insignificant in consequence of those failures, and that to-day there is not a single one of these institutions in existence. Now, let me say a word or two with regard to the timber competition which the hon. gentleman spoke of. The hon. gentleman says they are doing now just what we did with regard to the timber.

Mr. DALY. Not at all; we are doing what you did not do.

Mr. MILLS (Bothwell). The hon. gentleman says they are not putting up the timber at auction.

Mr. DALY. We are putting up the timber by public competition, which you did not do.

Mr. MILLS (Bothwell). The hon. gentleman is mistaken. He knows that the first statute provided for sale at public auction, and that the experiment was tried and failed for the reason you could not get a bidder. What would people in that country cut lumber for? Who was going to invest large sums of money in the establishment of saw-mills? Who was going to go to the enormous expense of taking heavy machinery up there for the cutting of timber? What we had to do was to repeal the Act because it could not be lived under. Those who preceded us succeeded, but they did it in defiance of the statute, and we repealed the law in order that we might secure the establishment of saw-mills in the country.

Mr. DALY. You left out the saw-mill conditions.

Mr. MILLS (Bothwell). The hon. gentleman knows that Messrs Dick & Banning, Mr. Fuller, Mr. Dennis and several other parties went into that country, and went in at the earnest persuasion of the Government; and under these circumstances to talk of not putting up the timber at auction is to talk nonsense. The hon. gentleman argues as if that state of things should continue after the conditions had altogether changed. Why, Sir, the hon. gentleman says they have always put up the timber for sale by public tender, or by public competition, as he calls it, which is a delusive phrase, because it embraces a form of sale which the hon. gentleman declines to follow. Was that the case in regard to Rykert's purchase? Did he not purchase without competition?

Mr. DALY. I never understood that Mr. Rykert purchased anything at all.

Mr. McMULLEN. You are not posted.

Mr. DALY. I am posted. It was Mr. Adams that purchased.

Mr. MILLS (Bothwell). Against whom did Mr. Adams compete? Who were the parties who tendered for that limit? We know that

Mr. MILLS (Bothwell).

there was a Mr. Laidlaw who sought to get a limit in that district, but it was not by competition. The price was the same, no matter who purchased, but it so happened that one had the opportunity to purchase but the other had none at all. No, the hon. gentleman admits that the state of things from 1870 to 1878 was different from what it was at a later period. If I understand him now, he admits that it was impossible to obtain competitors during that period of time.

Mr. DALY. From 1874 to 1878?

Mr. MILLS (Bothwell). Yes.

Mr. DALY. No, I did not admit anything of the kind.

Mr. MILLS (Bothwell). If he does not, he must maintain that the condition of things was the same then as at a later period, and that there was no necessity for repealing the statute, and that the Government was censurable for repealing it. But that is not the fact. I know myself that numerous parties were written to for the purpose of inducing them to make offers for the establishment of mills to manufacture lumber for the people of the Saskatchewan and the Battleford River, and they absolutely declined to build mills in that district. And it was with the greatest possible difficulty that the Government were able to get any one party to undertake to erect a mill in that quarter. But at a later period timber limits were sold to parties who built no mills. The quantity of land allotted was a minimum quantity which would not likely keep a large mill running for more than four or five years; but newspaper men that I could name applied for timber limits and obtained them, and assigned them to parties who desired to get possession of them; and in that way large areas passed into the hands of single men, although it would seem, on the face of the regulations, that it was intended that no one should hold more than a certain limited quantity.

Mr. DALY. Who are these newspaper men?

Mr. MILLS (Bothwell). I can name one. Mr. Farrer obtained a limit and assigned it almost immediately to the party who urged him to apply, and that party was a mill man who had already a limit; and I understand that several others did the same and assigned their interest to that same party, and that, too, at a time when he was editor of the 'Times' in Winnipeg.

Mr. DALY. It is all in the 'Hansard' of 1882.

Mr. MILLS (Bothwell). Now let me say this. The hon. gentleman has referred to the Bill which I introduced and which he said permitted any man—

Mr. DAVIN. Fifteen men.

Mr. MILLS (Bothwell). To build a road anywhere.

Mr. DALY. Wobble all over the country.

Mr. MILLS (Bothwell). There could not be any wobbling done under the Bill. There never was a measure more steady on its legs. The party would have to build the road upon the most convenient lines, the most direct lines, because the company building the road could not make an unfavourable location or undertake to lengthen their line beyond what was necessary, else they would not prevent another company building a competing line and taking away their traffic. There could have been no such speculations as my hon. friend pointed out, under that measure, as have been engaged in since, because the parties had to be substantial parties and contribute a substantial sum before they received a charter at all. There could be no speculative organization without a large contribution of money, and there could be no object in such a speculation because the amount of money was such that the company, while it would be well aided in the construction of the road, would receive nothing which would enable them to carry on railway operations unless the road paid some dividends. I am not going to enter into a discussion of that measure. It was proposed sixteen years ago, and this country is a new country. We are moving with some degree of rapidity, I hope, if we are not in every respect moving satisfactorily; and that being so, it is perfectly absurd not to consider present circumstances when called upon to consider a policy. Why, the hon. gentleman quite forgets that we are fifteen years away from the time he mentions, and that the condition of the country has altered. I believe that if that scheme had been carried out, we would have had a very much larger population—three or four times the present population—with very great railway facilities, and with very much less mileage of road, and we could have concentrated that population in a way that it is not likely to be concentrated for a quarter of a century, at least, to come. But we are to look at what was done, we are to look at the roads already constructed, we are to consider what this immense mileage of road has cost this country in land, and we are to consider whether that has been the wisest use that could have been made of the territories at our disposal. Why, when Lord Clarendon sold Dunkirk to the French, nobody conceived that the sale could be recalled; but everybody was willing to admit that, notwithstanding the fact that the mischief had been done and could not be undone, His Lordship was responsible for the evil he had inflicted upon his country. And my hon. friend, by his motion, does not propose to say that what has been done can be undone, or that we could start out to-day from precisely the position we occupied in 1878, when hon. gentlemen opposite succeeded to office. But we say this, that

the course which the hon. gentleman and his friends have pursued since is not a satisfactory one, and ought not to be persisted in from this time forward.

House divided on amendment of Mr. Charlton :

YEAS :

Messieurs

Allan,	Langelier,
Beausoleil,	Laurier,
Béchar,	Lavergne,
Beith,	Leduc,
Bernier,	Livingstone,
Borden,	Lowell,
Bowman,	McGregor,
Brown,	McMillan,
Bruneau,	McMullen,
Campbell,	Martin,
Carroll,	Migneault,
Cartwright (Sir Richard),	Mills-(Bothwell),
Casey,	Paterson (Brant),
Charlton,	Perry,
Choquette,	Proulx,
Colter,	Rider,
Davies,	Rinfret,
Devlin,	Rowand,
Geoffrion,	Sanborn,
Gibson,	Semple,
Grieve,	Somerville,
Guay,	Sutherland,
Harwood,	Tarte.—47.
Landerkin,	

NAYS :

Messieurs

Adams,	Leclair,
Amyot,	Lépine,
Bain (Soulanges),	Lippé,
Baird,	Macdonald (King's),
Belley,	Macdonell (Algoma),
Bennett,	McAlister,
Bergeron,	McDonald (Assiniboia),
Bergin,	McDougald (Pictou),
Blanchard,	McDougall (Cape Breton),
Boyd,	McInerney,
Boyle,	McKay,
Byson,	McLennan,
Burnham,	McLeod,
Cameron,	McNeill,
Cargill,	Madill,
Carignan,	Mara,
Carpenter,	Marshall,
Caron (Sir Adolphe),	Masson,
Carscallen,	Metcalfe,
Chesley,	Miller,
Cleveland,	Mills (Annapolis),
Cochrane,	Montague,
Corbould,	Northrup,
Corby,	Patterson (Huron),
Costigan,	Pelletier,
Curran,	Pope,
Daly,	Pridham,
Davin,	Prior,
Davis,	Putnam,
Denison,	Reid,
Desaulniers,	Robillard,
Dugas,	Roome,
Dupont,	Rosamond,
Dyer,	Ross (Dundas),
Earle,	Ross (Lisgar),
Fairbairn,	Kyckman,
Ferguson (Renfrew),	Smith (Ontario),
Fréchette,	Sproule,
Gillies,	Stairs,
Girouard (Two Mountains),	Taylor,
Guillet,	Temple,
Haggart,	Thompson (Sir John),
Haslam,	Tupper (Sir C. Hibbert),
Hazen,	Tyrwhitt,
Hughes,	Wallace,
Hutchins,	Weldon,
Ingram,	White (Cardwell),
Ives,	White (Shelburne),
Jeannotte,	Wood (Brockville),
Langevin (Sir Hector),	Wood (Westmoreland)—100.

PAIRS.		
Ministerial.	Messieurs	Opposition.
Quimet,		Christie,
Foster,		Gillmor,
Carling (Sir John),		Godbout,
Grant (Sir James),		Macdonald (Huron),
Coatsworth,		Vaillancourt,
Joncas,		Monet,
Henderson,		Featherston,
Tisdale,		Edgar,
McLean (P.E.I.),		Yeo,
Baker,		Edwards,
Dickey,		Flint,
Stevenson,		Scriver,
Wilson,		Bain (Wentworth),
Calvin,		Dawson,
Ferguson (Leeds),		Bowers,
Grandbois,		Fauvel,
Kenny,		Mulock,
Maclean (York),		Boston,
Simard,		Bourassa,
Smith (Sir Donald),		Delisle,
McKeen,		Innes,
Macdowall,		Brodeur,
LaRivière,		Frémont,
Kaibach,		Forbes,
Moncrieff,		Lister,
Hodgins,		Legris,

Mr. TAYLOR. Mr. Speaker. I desire to call attention to the fact the hon. member for South Norfolk (Mr. Tisdale) and the hon. member for West Peterborough (Mr. Stevenson) have not voted.

Mr. TISDALE. I was paired with the hon. member for West Ontario (Mr. Edgar). Had I not been paired I would have voted against the amendment.

Mr. STEVENSON. I was paired with the hon. member for Huntingdon (Mr. Scriver).

Motion agreed to, and House again resolved itself into Committee of Supply.

Committee rose and reported resolution.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1.10 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 8th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

WAYS AND MEANS—THE TARIFF— CONCURRENCE.

Resolutions adopted in Committee on Ways and Means (May 29th) reported and read the first time, as follows:—

1. *Resolved*, That it is expedient to revise and consolidated the Acts and parts of Acts now in Mr. MILLS (Bothwell).

force respecting the duties of Customs, and that for this purpose it is expedient to repeal the following Acts or parts thereof not heretofore repealed, viz. :—

The Act, Chapter 33, Revised Statutes, intituled: "An Act respecting the duties of Customs."

50-51 Victoria, Chapter 39, intituled: "An Act to amend the Act respecting the duties of Customs."

53 Victoria, Chapter 20, intituled: "An Act to amend the Acts respecting the duties of Customs."

53 Victoria, Chapter 21, intituled: "An Act to amend the Act of the present session, intituled: 'An Act to amend the Acts respecting the duties of Customs.'"

54-55 Victoria, Chapter 45, intituled: "An Act to amend the Acts respecting the duties of Customs."

55-56 Victoria, Chapter 21, intituled: "An Act further to amend the Acts respecting the duties of Customs."

56 Victoria, Chapter 16, intituled: "An Act further to amend the Acts respecting the duties of Customs."

And to provide otherwise by enacting that the following be substituted in lieu thereof:—

1. That unless the context otherwise requires—

(a) The initials "n.e.s." represent and have the meaning of the words "not elsewhere specified";

(b) The initials "n.o.p." represent and have the meaning of the words "not otherwise provided for";

(c) The initials "f.o.b." represent and have the meaning of the words "free on board";

(d) The expression "gallon" means an Imperial gallon;

(e) The expression "ton" means two thousand pounds avoirdupois;

(f) The expression "proof" or "proof spirits," when applied to wines or spirits of any kind, means spirits of a strength equal to that of pure ethyl alcohol compounded with distilled water in such proportions that the resultant mixture shall at a temperature of sixty degrees Fahrenheit have a specific gravity of 0.9198 as compared with that of distilled water at the same temperature;

(g) The expression "gauge," when applied to metal sheets or plates or to wire, means the thickness as determined by Stubbs' Standard Gauge;

(h) The expression "in diameter," when applied to tubing, means the usual inside diameter measurement;

(i) The expression "sheet," when applied to metals, means a sheet or plate not exceeding three-sixteenths of an inch in thickness;

(j) The expression "plate," when applied to metals, means a plate or sheet more than three-sixteenths of an inch in thickness.

2. That the expressions mentioned in section two of "The Customs Act," as amended by section two of "The Customs Amendment Act, 1888," whenever they occur herein, or in any Act relating to the Customs, unless the context otherwise requires, have the meaning assigned to them respectively by the said sections two; and any power conferred upon the Governor in Council by "The Customs Act," to transfer dutiable goods to the lists of goods which may be imported free of duty is not hereby abrogated or impaired.

3. That the whole or part of the duties hereby imposed upon fish and other products of the fisheries may be remitted as respects either the United States or the Island of Newfoundland, or both, upon the proclamation of the Governor in Council, which may be issued whenever it appears to its satisfaction that the Governments of the United States and the Island of Newfoundland, or of either of them, have made changes in their tariffs of duties imposed upon articles imported from Canada in reduction or repeal of the duties in force in the said countries respectively.

4. That whenever it appears to the satisfaction of the Governor in Council that the Governments of France and Spain, or either of them, have made changes in their tariff of duties imposed upon articles imported from Canada, in reduction or repeal of the duties now in force in the said countries, he may by proclamation, order the whole or part of the duty of thirty per centum *ad valorem* hereby imposed upon wines imported into Canada to be remitted as respects importations from the said countries, or from that one of the said countries by the Government of which such change in its tariff of duties has been made as aforesaid.

5. That any goods or packages being the growth, produce or manufacture of Canada, and having been exported therefrom and intended to be returned, may be admitted free of duty on being re-imported into Canada, provided such goods or packages were entered for exportation, and branded or marked by a collector or proper officer of Customs, and are fully identified by the collector or proper officer at the port or place where they are so re-imported; and provided further, that the property in such goods or packages has continued in the same person or persons by whom they were exported, and that such re-importation takes place within one year of the exportation thereof.

6. That all medicinal or toilet preparations imported for completing the manufacture thereof, or for the manufacture of any other article by the addition of any ingredient or ingredients, or by mixing such preparations, or by putting up or labelling the same, alone or with other articles or compounds, under any proprietary or trade name, shall be, irrespective of cost, valued for duty and duty paid thereon at the ordinary market value in the country whence imported of the completed preparation when put up and labelled under such proprietary or trade name, less the actual cost of labour and material used or expended in Canada in completing the manufacture thereof or of putting up or labelling the same.

7. That all medicinal preparations whether chemical or otherwise, usually imported with the name of the manufacturer, shall have the true name of such manufacturer and the place where they are prepared permanently and legibly affixed to each parcel by stamp, label or otherwise; and all medicinal preparations imported without such names so affixed shall be forfeited.

8. That on imported Indian corn, to be kiln-dried and ground into meal for human food, or ground into meal and kiln-dried for such use, under such regulations as are made by the Governor in Council, there may be allowed a drawback of ninety per cent of the duty paid.

9. That any person who, without lawful excuse, the proof of which shall be on the person accused,

sends or brings into Canada, or who, being in Canada, has in his possession, any bill-heading or other paper appearing to be a heading or blank capable of being filled up and used as an invoice, and bearing any certificate purporting to show, or which may be used to show, that the invoice which may be made from such bill-heading or blank is correct or authentic, is guilty of a misdemeanour and liable to a penalty of five hundred dollars, and to imprisonment for a term not exceeding twelve months, in the discretion of the court, and the goods entered under any invoice made from any such bill-heading or blank shall be forfeited.

10. That the export of deer, wild turkeys, quail, partridge, prairie fowl and woodcock in the carcase or parts thereof, is hereby declared unlawful and prohibited; and any person exporting or attempting to export any such article shall for each such offence, incur a penalty of one hundred dollars, and the article so attempted to be exported shall be forfeited, and may, on reasonable cause of suspicion of intention to export the same, be seized by any officer of the Customs, and, if such intention is proved, shall be dealt with as for breach of the Customs laws: Provided, that this section shall not apply to the export, under such regulations as are made by the Governor in Council, of any carcase or part thereof of any deer raised or bred by any person, company or association of persons upon his or their own lands.

11. That regulations respecting the manner in which molasses and syrups shall be sampled and tested for the purpose of determining the classes to which they belong with reference to the duty chargeable thereon shall be made by the Controller of Customs; and the instruments and appliances necessary for such determination shall be designated by him and supplied to such officers as are by him charged with the duty of sampling and testing such molasses and syrups; and the decision of any officer (to whom is so assigned the testing of such articles) as to the duties to which they are subject under the tariff shall be final and conclusive, unless upon appeal to the Commissioner of Customs within thirty days from the rendering of such decision, such decision is, with the approval of the Controller, changed; and the decision of the Commissioner with such approval shall be final.

12. That in the case of all wines, spirits, or alcoholic liquors subject to duty according to their relative strength of proof, such strength shall be ascertained either by means of Sykes's hydrometer or of the specific gravity bottle, as the Controller of Customs may direct; and in case such relative strength cannot be correctly ascertained by the direct use of the hydrometer or gravity bottle, it shall be ascertained by the distillation of a sample and the subsequent test in like manner of the distillate.

13. That subject to the foregoing provisions and to the requirements of the "Customs Act," (Chapter 32 of the Revised Statutes, as amended) there shall be levied, collected and paid upon all goods enumerated, or referred to as not enumerated in Schedule A hereto appended,—the several rates of duties of Customs set forth and described in the said Schedule and set opposite to each item respectively or charged thereon as not enumerated when such goods are imported into Canada or when taken out of warehouse for consumption therein:

(2.) That subject to the same provisions and to the further conditions contained in Schedule B hereto appended, all goods enumerated in the said Schedule B may be imported into Canada or may be taken out of warehouse for consumption therein, without the payment of any duties of Customs thereon :

(3.) That the importation into Canada of any goods enumerated, described or referred to in Schedule C hereto appended, is prohibited, and that any such goods if imported shall thereby become forfeited to the Crown and shall be destroyed, and that any person importing any such prohibited goods or causing or permitting the same to be imported shall in each case incur a penalty of two hundred dollars.

14. That the value of all bottles, flasks, jars, demijohns, carboys, casks, hogsheads, pipes, barrels and all other vessels or packages, manufactured of tin, iron, lead, zinc, glass or any other material, and capable of holding liquids,—and all packages in which goods are commonly placed for home consumption, including cases in which bottled spirits, wines or malt liquors or other liquids are contained, — and every package being the first receptacle or covering inclosing goods for purpose of sale, shall in all cases not otherwise provided for, in which they contain goods subject to an ad valorem duty or a specific and ad valorem duty, be taken and held to be a part of the fair market value of such goods for duty, and shall be charged with the same rate of ad valorem duty as is to be levied and collected on the goods they contain ; and when they contain goods subject to a specific duty only, such packages shall be charged with a duty of Customs of twenty per cent ad valorem, to be computed upon their original fair market value : and all or any of the above packages described as capable of holding liquids, when containing goods exempt from duty under this Act, shall be charged with a duty of twenty per centum ad valorem, provided the contents thereof are not of such a nature that the destruction of the package becomes necessary in order to release the goods,— and all other packages containing free goods and being the first receptacles or inner covering inclosing goods for the purpose of sale, shall be dutiable at the same rate as if imported empty ; but all packages not hereinbefore specified, and not herein specially charged with or declared liable to duty under regulations, and being the usual and ordinary packages in which goods are packed for exportation, according to the general usage and custom of trade, shall be free of duty.

Provided further, that all special packages or coverings unlike those in which such goods as they contain are usually packed for home consumption, and all such packages or coverings as are apparently designed for use other than in the importation of the goods they contain, shall be subject to the same rate of duty as they would be if imported empty or separate from their contents.

2. *Resolved*, That it is expedient to cancel all Orders in Council and all departmental regulations contrary to or inconsistent with any of the provisions of the foregoing resolution or of the Schedules thereto.

3. *Resolved*, That it is expedient to provide that the foregoing resolutions and the alterations thereby made in the rate of duties of Customs pay-

Mr. FOSTER.

able on goods imported into Canada shall take effect from and after the 27th day of March, 1894.

SCHEDULE "A."

Ales, Beers, Wines and Liquors.

1. Ale, beer and porter, when imported in casks or otherwise than in bottle, sixteen cents per gallon.
2. Ale, beer and porter, when imported in bottles (six quart or twelve pint bottles to be held to contain one gallon), twenty-four cents per gallon.
3. Cider, not clarified or refined, five cents per Imperial gallon.
4. Cider, clarified or refined, ten cents per Imperial gallon.
5. Lime juice and fruit juices, fortified with or containing not more than twenty-five per cent of proof spirits, sixty cents per gallon ; and when containing more than twenty-five per cent of proof spirits, two dollars per gallon.
6. Lime juice and other fruit syrups and fruit juices, n.o.p., twenty per cent ad valorem.
7. Spirituous or alcoholic liquors, distilled from any material, or containing or compounded from or with distilled spirits of any kind, and any mixture thereof with water, for every gallon thereof of the strength of proof, and when of a greater strength than that of proof, at the same rate of the increased quantity that there would be if the liquors were reduced to the strength of proof. When the liquors are of a less strength than that of proof, the duty shall be at a rate herein provided, but computed on a reduced quantity of the liquors in proportion to the lesser degree of strength ; provided, however, that no reduction in quantity shall be computed or made on any liquors below the strength of fifteen per cent under proof, but all such liquors shall be computed as of the strength of fifteen per cent under proof, as follows :—
 - (a) Ethyl alcohol, or the substance commonly known as alcohol, hydrated oxide of ethyl or spirits of wine ; gin of all kinds, n.e.s. ; rum, whisky and all spirituous or alcoholic liquors, n.o.p. ; amyl alcohol or fusel oil, or any substance known as potato spirit or potato oil, methyl alcohol, wood alcohol, wood naphtha, pyroxylic spirit or any substance known as wood spirit or methylated spirits, absinthe, arrack or palm spirit, brandy, including artificial brandy and imitations of brandy ; cordials and liqueurs of all kinds, n.e.s. ; mescal, pulque, rum shrub, schiedam and other schnapps ; tafia ; angostura and similar alcoholic bitters or beverages, two dollars and twelve and one-half cents per gallon.
 - (b) Spirits and strong waters of any kind, mixed with any ingredient or

ingredients, as being or known or designated as anodynes, elixirs, essences, extracts, lotions, tinctures or medicines, n.e.s., two dollars and twelve and one-half cents per gallon and thirty per cent ad valorem.

(c) Alcoholic perfumes and perfumed spirits, bay rum, cologne and lavender waters, hair, tooth and skin washes, and other toilet preparations containing spirits of any kind, when in bottles or flasks weighing not more than four ounces each, fifty per cent ad valorem; when in bottles, flasks or other packages, weighing more than four ounces each, two dollars and twelve and one-half cents per gallon and forty per cent ad valorem.

(d) Nitrous ether, sweet spirits of nitre and aromatic spirits of ammonia, two dollars and twelve and one-half cents per gallon and thirty per cent ad valorem.

(e) Vermouth and ginger wine, containing not more than forty per cent of proof spirits, seventy-five cents; if containing more than forty per cent of proof spirits, two dollars and twelve and one-half cents per gallon.

8. Wines of all kinds, except sparkling wines, including orange, lemon, strawberry, raspberry, elder and currant wines, containing twenty-six per cent or less of spirits of the strength of proof, whether imported in wood or in bottles (six quart or twelve pint bottles to be held to contain a gallon) twenty-five cents per gallon, and for each degree of strength in excess of the twenty-six per cent of spirits as aforesaid, an additional duty of three cents until the strength reaches forty per cent of proof spirits; and in addition thereto, thirty per cent ad valorem.

9. Champagne and all other sparkling wines, in bottles containing each not more than a quart but more than a pint, three dollars and thirty cents per dozen bottles; containing not more than a pint each but more than one-half pint, one dollar and sixty-five cents per dozen bottles; containing one-half pint each or less, eighty-two cents per dozen bottles; bottles containing more than one quart each shall pay, in addition to three dollars and thirty cents per dozen bottles, at the rate of one dollar and sixty-five cents per gallon on the quantity in excess of one quart per bottle, the quarts and pints in each case being old wine measure; in addition to the above specific duty, there shall be an ad valorem duty of thirty per cent.

But any liquors imported under the name of wine, and containing more than forty per cent of spirits of the strength of proof shall be rated for duty as unenumerated spirits.

Tobacco, and Manufactures of.

10. Cigars and cigarettes, two dollars per pound and twenty-five per cent ad valorem, the

weight of cigarettes to include the weight of the paper covering.

11. Cut tobacco, forty-five cents per pound and twelve and one-half per cent ad valorem.

12. Manufactured tobacco, n.e.s., and snuff, thirty-five cents per pound and twelve and one-half per cent ad valorem.

13. Opium (crude), one dollar per net pound.

14. Opium, powdered, one dollar and thirty-five cents per pound.

15. Opium prepared for smoking, five dollars per pound.

Animals, and Agricultural and Animal products.

16. Animals, living, n.e.s., twenty per cent ad valorem.

17. Live hogs, one and one-half cents per pound.

18. Meats, n.e.s., two cents per pound, when in barrel, the barrel to be free.

19. Meats, fresh, n.e.s., three cents per pound.

20. Canned meats and canned poultry and game, extracts of meats and fluid beef not medicated, and soups, twenty-five per cent ad valorem.

21. Mutton and lamb, fresh, thirty-five per cent ad valorem.

22. Poultry and game, n.o.p., twenty per cent ad valorem.

23. Lard, lard compound and similar substances, cottolene and animal stearine of all kinds, n.e.s., two cents per pound.

24. Tallow and stearic acid, twenty per cent ad valorem.

25. Beeswax, ten per cent ad valorem.

26. Candles, n.e.s., twenty-five per cent ad valorem.

27. Soap, n.e.s.; pearline and other soap powders, pumice, silver and mineral soaps, sapolio and like articles, thirty-five per cent ad valorem.

28. Soap, common or laundry, not perfumed, one cent per pound.

29. Castile soap, mottled or white, two cents per pound.

30. Glue and mucilage, twenty-five per cent ad valorem.

31. Feathers, undressed, twenty per cent ad valorem.

32. Feathers, n.e.s., thirty per cent ad valorem.

33. Butter, four cents per pound.

34. Cheese, three cents per pound.

35. Condensed milk, three cents per pound.

36. Condensed coffee, condensed coffee with milk, milk foods and all similar preparations, including preserved ginger, thirty per cent ad valorem.

37. Apples, forty cents per barrel, including the duty on the barrel.

38. Beans, fifteen cents per bushel.

39. Buckwheat, ten cents per bushel.

40. Pease, ten cents per bushel.

41. Potatoes, fifteen cents per bushel.

42. Rye, ten cents per bushel.

43. Rye flour, fifty cents per barrel.

44. Hay, two dollars per ton.

45. Vegetables, when fresh, or dry salted, n.e.s., twenty-five per cent ad valorem.

Provided that green or ripe apples, beans, buckwheat, pease, potatoes, rye, rye-flour, hay, and vegetables, n.e.s., or any of them shall

be free of duty when imported into Canada from the country of production, if such country whence any of the above products are imported imposes no duty on the like product or products imported thence from Canada.

46. Barley, fifteen cents per bushel.
47. Indian corn, seven and a-half cents per bushel. Provided that barley and Indian corn shall be free of duty when imported into Canada from the country of production, if such country whence either or both are imported admits both these products free of duty when imported thence from Canada.
48. Dutiable breadstuffs, grain and flour and meal of all kinds, when damaged by water *in transitu*, twenty per cent ad valorem upon the appraised value, such appraised value to be ascertained as provided by Sections 58, 70, 71, 72, 73, 74, 75 and 76 of the Customs Act.
49. Buckwheat meal or flour, one-fourth of one cent per pound.
50. Cornmeal, forty cents per barrel.
51. Oats, ten cents per bushel.
52. Oatmeal, twenty per cent ad valorem.
53. Rice, uncleaned, unhulled or paddy, three-tenths of one cent per pound, but not to be less than thirty per cent ad valorem.
54. Rice, cleaned, one and one-quarter cents per pound.
55. Rice and sago flour and sago, twenty-five per cent ad valorem.
56. Wheat, fifteen cents per bushel.
57. Wheat flour, seventy-five cents per barrel.
58. Biscuits of all kinds, twenty-five per cent ad valorem.
59. Macaroni and vermicelli, twenty-five per cent ad valorem.
60. Starch, including farina, corn starch or flour, and all preparations having the qualities of starch, one and one-half cents per pound; the weights of the package to be in all cases included in the weight for duty.
61. Seeds, viz.:—Garden, field and other seeds for agricultural or other purposes, n.o.p., when in bulk or in large parcels, ten per cent ad valorem; when put up in small papers or parcels, twenty-five per cent ad valorem.
62. Mustard, ground, twenty-five per cent ad valorem.
63. Mustard cake, fifteen per cent ad valorem.
64. Sweet potatoes and yams, ten cents per bushel.
65. Tomatoes, fresh, twenty cents per bushel and ten per cent ad valorem.
66. Tomatoes and other vegetables, including corn and baked beans, in cans or other packages, not elsewhere specified, one and one-half cents per pound; the weight of the cans or other packages to be included in the weight for duty.
67. Pickles, sauces and catsups, including soy, thirty-five per cent ad valorem.
68. Malt, fifteen cents per bushel, upon entry for warehouse, subject to excise regulations.
69. Extract of malt (non-alcoholic), for medicinal purposes, twenty-five per cent ad valorem.
70. Hops, six cents per pound.
71. Compressed yeast, in bulk or mass of not less than fifty pounds, three cents per pound; in packages weighing less than fifty pounds, six cents per pound, the weight of the package in the latter case to be included in the weight for duty.
72. Yeast cakes and baking powders, six cents per pound, the weight of the package to be included in the weight for duty.
73. Trees, viz., apple, cherry, peach, pear, plum and quince, of all kinds, three cents each.
74. Grape vines, and gooseberry, raspberry, currant and rose bushes; also fruit plants not elsewhere specified, and shade, lawn and ornamental trees, shrubs and plants, twenty per cent ad valorem.
75. Blackberries, gooseberries, raspberries, strawberries, cherries and currants, n.e.s., two cents per pound, the weight of the package to be included in the weight for duty.
76. Cranberries, plums and quinces, twenty-five per cent ad valorem.
77. Prunes, one cent per pound, including raisins and dried currants.
78. Apples, dried, desiccated or evaporated; dates, figs, and other dried, desiccated or evaporated fruits, n.e.s., twenty-five per cent ad valorem.
79. Grapes, two cents per pound.
80. Oranges, lemons and limes, in boxes of capacity not exceeding two and one-half cubic feet, twenty-five cents per box; in one-half boxes, capacity not exceeding one and one-fourth cubic feet, thirteen cents per half-box; in cases and all other packages, ten cents per cubic foot holding capacity; in bulk, one dollar and fifty cents per one thousand oranges, lemons, or limes; in barrels not exceeding in capacity that of the one hundred and ninety-six pounds flour barrel, fifty-five cents per barrel.
81. Peaches, n.o.p., one cent per pound, the weight of the package to be included in the weight for duty.
82. Fruits in air-tight cans or other packages, two cents per pound, the weight on which duty shall be payable to include the weight of the cans or other packages.
83. Fruits preserved in brandy, or preserved in other spirits, one dollar and ninety cents per Imperial gallon.
84. Jellies, jams and preserves, n.e.s., three cents per pound.
85. Honey, in the comb or otherwise, and imitations and adulterations thereof, three cents per pound.
86. Tea and green coffee, n.e.s., ten per cent ad valorem.
87. Coffee, roasted or ground, when not imported direct from the country of growth and production, two cents per pound and ten per cent ad valorem.
88. Coffee, roasted or ground, and all imitations of and substitutes for, not elsewhere specified, two cents per pound.
89. Extract of coffee, or substitutes therefor of all kinds, three cents per pound.
90. Chicory, raw or green, three cents per pound.
91. Chicory, kiln-dried, roasted or ground, four cents per pound.

Mr. FOSTER.

92. Cocoa shells and nibs, chocolate and other preparations of cocoa, twenty per cent ad valorem.
93. Cocoa paste, chocolate paste, cocos and cocoa butter, four cents per pound.
94. Nuts, shelled, n.e.s., five cents per pound.
95. Almonds, walnuts, Brazil nuts, pecans and shelled pea-nuts, n.e.s., three cents per pound, and nuts of all kinds not otherwise provided for, two cents per pound.
96. Cocoa nuts, n.e.s., one dollar per hundred.
97. Cocoa nuts, when imported from the place of growth, by vessel, direct to a Canadian port, fifty cents per hundred.
98. Cocoa nut, desiccated, sweetened or not, five cents per pound.
99. Nutmegs and mace, twenty-five per cent ad valorem.
100. Spices, viz.: ginger and spices of all kinds, n.e.s., unground, twelve and one-half per cent ad valorem; ground, twenty-five per cent ad valorem.

Books and Paper.

101. Albumenized and other papers and films chemically prepared for photographers' use, thirty per cent ad valorem.
102. Books, printed, periodicals and pamphlets, n.e.s., not being foreign reprints of British copyright works, nor blank account books, nor copy books, nor books to be written or drawn upon, nor bibles, prayer-books, psalm and hymn-books, six cents per pound.
103. British copyright works, reprints of, six cents per pound and in addition thereto twelve and one-half per cent ad valorem until the end of the next session of Parliament and thereafter six cents per pound.
104. Advertising pamphlets, pictorial show cards, circulars, illustrated advertising periodicals, illustrated price lists, advertising calendars, advertising almanacs, tailors' and mantle-makers' fashion plates, and all chromos, chromotypes, oleographs or artistic work of similar kind, produced by any process other than hand painting or drawing, whether for business or advertisement purposes or not, printed or stamped on paper, cardboard or other material, n.e.s., six cents per pound and twenty per cent ad valorem.
105. Bank notes, bonds, bills of exchange, cheques, promissory notes, drafts and all similar work unsigned, and cards or other commercial blank forms printed or lithographed, or printed from steel or copper or other plates, and other printed matter, n.e.s., thirty-five per cent ad valorem.
106. Labels for fruits, vegetables, meat, fish, confectionery, and other goods, also tickets, posters, advertising bills and folders, whether lithographed or printed, fifteen cents per pound and twenty-five per cent ad valorem.
107. Maps and charts, twenty per cent ad valorem.
108. Newspapers or supplemental editions or parts thereof, partly printed and intended to be completed and published in Canada, twenty-five per cent ad valorem.
109. Paintings, prints, engravings, drawings, building plans, photographs and pictures, n.e.s., twenty per cent ad valorem.
110. Playing cards, six cents per pack.
111. Printed music, bound or in sheets, ten cents per pound.
112. Wall paper, not including borders, printed on plain ungrounded paper and coloured with any material except bronze gilt or flitter, thirty-five per cent ad valorem.
113. All other paper-hangings and borders, per roll of eight yards and under, and proportionately for greater lengths, one and a half cents per roll and twenty-five per cent ad valorem.
114. Paper sacks or bags of all kinds, printed or not, twenty-five per cent ad valorem.
115. Mill-board, not straw board, ten per cent ad valorem.
116. Straw boards, in sheets or rolls, plain or tarred, thirty cents per hundred pounds.
117. Sand-paper, glass, flint and emery paper, twenty per cent ad valorem.
118. Paper, tarred, twenty-five per cent ad valorem.
119. Union collar cloth paper in rolls or sheets, not glossed or finished, fifteen per cent ad valorem.
120. Union collar cloth paper in rolls or sheets, glossed or finished, twenty per cent ad valorem.
121. Paper of all kinds, not elsewhere specified, twenty-five per cent ad valorem.
122. Manufactures of paper, including ruled and border and coated papers, papetries, boxed papers, envelopes and blank books, thirty-five per cent ad valorem.

Chemicals, Oil and Paints.

123. Acid, acetic and pyroligneous, n.e.s., and vinegar, a specific duty of fifteen cents for each gallon of any strength not exceeding the strength of proof, and for each degree of strength in excess of the strength of proof an additional duty of two cents. The strength of proof shall be held to be equal to six per cent of absolute acid, and in all cases the strength shall be determined in such manner as is established by the Governor in Council.
124. Acid, acetic and pyroligneous of any strength, when imported by dyers, calico printers or manufacturers of acetates or colours, for exclusive use in dyeing or printing, or for the manufacture of such acetates or colours in their own factories, under such regulations as are established by the Governor in Council, a duty of twenty-five per cent ad valorem.
125. Glacial acetic acid or acetic acid exceeding the strength of proof, when imported by druggists and other than dyers, calico printers, or manufacturers of vinegar or acetates or colours, to be used in their own factories for purposes of manufacture other than as heretofore excepted from this provision, a specific duty equal to fifteen cents per Imperial gallon of the strength of proof and one cent additional per gallon for each degree of strength in excess of the strength of proof.

126. Acid, muriatic and nitric, and all mixed acids, twenty per cent ad valorem.
127. Acid, sulphuric, four-tenths of a cent per pound.
128. Sulphuric ether, five cents per pound.
129. Acid phosphate, two cents per pound.
130. All medicinal, chemical and pharmaceutical preparations, when compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniment, salves, ointments, pastes, drops, waters, essences and oils, not otherwise provided for; all liquids, fifty per cent ad valorem; and all others, twenty-five per cent ad valorem.
- Provided that this item shall not be held to include drugs and preparations recognized by the British and the United States Pharmacopœia as official.
131. Cod liver oil, twenty per cent ad valorem.
132. Oils, essential, ten per cent ad valorem.
133. Pomades, French or flour odours preserved in fat or oil for the purpose of conserving the odours of flowers which do not bear the heat of distillation, when imported in tins of not less than ten pounds each, fifteen per cent ad valorem.
134. Perfumery, including toilet preparations (non-alcoholic), viz.:—Hair oils, tooth and other powders and washes, pomatums, pastes, and all other perfumed preparations, n.o.p., used for the hair, mouth or skin, thirty per cent ad valorem.
135. Illuminating oils composed wholly or in part of the products of petroleum, coal, shale or lignite, costing more than thirty cents per gallon, twenty-five per cent ad valorem.
136. Oils, coal and kerosene distilled, purified or refined; naphtha and petroleum, n.e.s.; products of petroleum, not elsewhere specified, six cents per Imperial gallon.
137. Lubricating oils, composed wholly or in part of petroleum and costing less than twenty-five cents per Imperial gallon, six cents per gallon.
138. Crude petroleum, fuel and gas oils (other than naphtha, benzine or gasoline) when imported by manufacturers (other than oil refiners) for use in their own factories for fuel purposes or for the manufacture of gas, three cents per gallon.
139. Paraffine wax, two cents per pound.
140. Paraffine wax candles, four cents per pound.
141. British gum, dextrine, sizing cream and enamel sizing, ten per cent ad valorem.
142. Lubricating oils, n.e.s., and axle grease, twenty-five per cent ad valorem.
143. Barrels, containing petroleum or its products, or any mixture of which petroleum forms a part, when such contents are chargeable with a specific duty, twenty cents each.
144. Linseed or flaxseed oil, raw or boiled, lard oil, neatsfoot oil, and sesame seed oil, twenty per cent ad valorem.
145. Olive oil, prepared for salad purposes, thirty per cent ad valorem.
146. Vaseline, and all similar preparations of petroleum for toilet, medicinal or other purposes, thirty-five per cent ad valorem.
147. Blacking, shoe, and shoemakers' ink, and shoe, harness and leather dressing, and harness soap, twenty-five per cent ad valorem.
148. Ink, for writing, twenty per cent ad valorem.
149. Blueing, laundry blueing of all kinds, twenty-five per cent ad valorem.
150. Dry white and red lead, orange mineral and zinc white, five per cent ad valorem.
151. Ochres, ochrey earths, raw siennas, and colours, dry, n.e.s., twenty per cent ad valorem.
152. Oxides, dry fillers, fire-proofs, umbers and burnt siennas, n.e.s., twenty-five per cent ad valorem.
153. Paints and colours, rough stuff and fillers, n.e.s., twenty-five per cent ad valorem.
154. Paints and colours, ground in spirits and all spirit varnishes and lacquers, one dollar per gallon.
155. Turpentine, spirits of, five per cent ad valorem.
156. Varnishes, lacquers, japans, japan driers, liquid driers, and oil finish, n.e.s., twenty cents per gallon and twenty per cent ad valorem.
157. Paris green, dry, ten per cent ad valorem.
158. Putty, fifteen per cent ad valorem.
- Earths, Earthenware, Glassware and Stoneware.*
159. Brick for building and paving brick, twenty per cent ad valorem.
160. China and porcelain ware, also earthenware and stoneware, brown or coloured and Rockingham ware, white granite or ironstone ware, "C.C." or cream-coloured ware, decorated, printed or sponged, and all earthenware, n.e.s., thirty per cent ad valorem.
161. Earthenware and stoneware, viz., demijohns or jugs, churns or crocks, three cents per gallon of holding capacity.
162. Earthenware or stone ink bottles, not exceeding three ounces capacity, twenty per cent ad valorem.
163. Drain tiles, not glazed, twenty per cent ad valorem.
164. Drain pipes, sewer pipes, chimney linings or vents, and inverted blocks, glazed or unglazed, and earthenware tiles, thirty-five per cent ad valorem.
165. Crystal and decorated glass tableware: made expressly for mounting with silver-plated trimmings, when imported by manufacturers of plated-ware, twenty per cent ad valorem.
166. Glass carboys and demijohns, empty or filled, bottles and decanters, flasks and phials, glass jars and glass balls, and cut, pressed or moulded glass tableware, thirty per cent ad valorem.
167. Insulators of all kinds, and lamps, including arc and incandescent; lamp chimneys, side-lights and head-lights, lamps, gas-light and electric-light shades, and globes—for lanterns, lamps, electric-lights and gas lights, thirty per cent ad valorem.
168. Common and colourless window glass; and plain, coloured, stained or tinted or

- muffled glass in sheets, twenty per cent ad valorem.
169. Ornamental, figured and enamelled coloured glass; painted and vitrified glass; figured, enamelled and obscured white glass; and rough rolled plate glass, twenty-five per cent ad valorem.
170. Plate glass, not coloured, in panes of not over twelve square feet each, four cents per square foot; and when bevelled, two cents per square foot additional.
171. Plate glass, not coloured, in panes of over twelve and not over thirty square feet each, six cents per square foot; and when bevelled two cents per square foot additional.
172. Plate glass in panes of over thirty and not over seventy square feet each, eight cents per square foot; and when bevelled, two cents per square foot additional.
173. Plate glass in panes of over seventy square feet each, nine cents per square foot; and when bevelled, two cents per square foot additional.
174. Silvered glass, n.e.s., twenty-seven and one-half per cent ad valorem.
175. Silvered glass, bevelled, thirty-two and one-half per cent ad valorem.
176. Stained glass windows, thirty per cent ad valorem.
177. All other glass and manufactures of glass, n.o.p., including bent plate glass, twenty per cent ad valorem.
178. Spectacles and eye-glasses, thirty per cent ad valorem.
179. Spectacle and eye-glass frames, part of, twenty per cent ad valorem.
180. Show-cases, thirty-five per cent ad valorem.
181. Magic lanterns and slides therefor, philosophical, photographic, mathematical and optical instruments, n.e.s., twenty-five per cent ad valorem.
182. Cement, including Portland or Roman and hydraulic or water lime, forty cents per barrel, including the duty on the barrel.
183. Plaster of Paris, or gypsum, ground, not calcined, fifteen per cent ad valorem.
184. Plaster of Paris, calcined or manufactured, forty cents per barrel of 300 pounds.
185. Flagstones, granite, and rough freestone, sandstone and all building stone, except marble from the quarry, not hammered or chiselled, twenty per cent ad valorem.
186. Granite, flagstones and freestones, dressed; all other building stone dressed, except marble, and all manufactures of stone, n.e.s., thirty per cent ad valorem.
187. Grindstone, not mounted, and not less than twelve inches in diameter, one dollar and seventy-five cents per ton.
188. Lithographic stones, not engraved, twenty per cent ad valorem.
189. Blocks or slabs of marble, sawn on not more than two sides, ten per cent ad valorem.
190. Marble in slabs or blocks, sawn on more than two sides, twenty per cent ad valorem.
191. Marble, finished, and all manufactures of marble not otherwise provided for; also slate mantels, slates and manufactures of slate, n.e.s., thirty per cent ad valorem.
192. Emery wheels and manufactures of emery, twenty-five per cent ad valorem.
193. Slate pencils, twenty-five per cent ad valorem.
194. Slates, slate mantels and other manufactures of slate, n.e.s., school writing slates, and roofing slate, thirty per cent ad valorem, provided that the duty on roofing slate shall not exceed seventy-five cents per square for black or blue slate, and ninety cents for slates of other colours.
195. Mosaic flooring of any material, thirty per cent ad valorem.
- Leather, Manufactures of, and Rubber.*
196. Fur skins, wholly or partially dressed, fifteen per cent ad valorem.
197. Caps, hats, muffs, tippets, capes, coats, cloaks and other manufactures of fur, twenty-five per cent ad valorem.
198. Leather-board and leatheroid, and boot and shoe counters made from leatheroid, twenty per cent ad valorem.
199. Leather and skins not otherwise provided for, tanned: belting leather, and sole leather, fifteen per cent ad valorem.
200. Upper leather including dongola, cordovan, kid, lamb, sheep, kangaroo, alligator and chamois skins, and calf, dressed, waxed or glazed, seventeen and one-half per cent ad valorem.
201. Leather, sole, tanned but rough or undressed, ten per cent ad valorem.
202. Japanned, patent or enamelled leather and morocco leather, twenty-two and one-half per cent ad valorem.
203. Skins for morocco leather, tanned but not further manufactured, fifteen per cent ad valorem.
204. Glove leathers, viz.: kid, lamb, buck, deer, antelope and water-hog, tanned or dressed, coloured or uncoloured, when imported by glove manufacturers for use in their own factories in the manufacture of gloves, ten per cent ad valorem.
205. All manufactures of leather, n.e.s., twenty-five per cent ad valorem.
206. Belting of leather or other material, n.e.s., twenty per cent ad valorem.
207. Harness and saddlery of every description, thirty per cent ad valorem.
208. Whips of all kinds, including thongs and lashes, thirty-five per cent ad valorem.
209. Boots and shoes, n.e.s., twenty-five per cent ad valorem.
210. India-rubber boots and shoes with tops or uppers of cloth or of material other than rubber, thirty per cent ad valorem.
211. India-rubber boots and shoes, and manufactures of India-rubber and gutta percha, n.e.s., twenty-five per cent ad valorem.
212. India-rubber clothing and clothing made waterproof with India-rubber, thirty-five per cent ad valorem.
213. Rubber or gutta-percha belting, hose, packing, mats and matting and cotton or linen hose lined with rubber, thirty-two and a half per cent ad valorem.
- Metals and Manufactures of.*
214. Wrought scrap iron and scrap steel being waste or refuse wrought iron or steel, fit

- only to be re-manufactured, the same having been in actual use, not to include cuttings or clippings which can be used as iron or steel without re-manufacture, and steel bloom ends and crop ends of steel rails, three dollars per ton; and on and after the first day of January, eighteen hundred and ninety-five, four dollars per ton.
215. Iron or steel being pieces, punchings, or clippings of boiler plate or other plates, sheets or bars of iron or steel, whether the same have had the ragged or cropped ends or edges sheared off or not, and crops from iron or steel rails having both ends sawn or sheared off, the same not having been in actual use and being fit for re-rolling or re-manufacture only, four dollars per ton.
216. Iron in pigs, iron kentledge and scrap iron, four dollars per ton.
217. Ferro-silicon spiegeleisen, ferro-manganese, five per cent ad valorem.
218. Iron or steel ingots, cogged ingots, blooms and slabs, billets and puddled bars, loops or other forms less finished than iron or steel bars but more advanced than pig iron, except castings, five dollars per ton.
219. Bar iron or steel rolled or hammered, comprising rounds and squares; shapes of rolled iron or steel, not more than four inches in diameter, and flats not thinner than number sixteen gauge, whether in coils, bundles, rods or bars, n.e.s., ten dollars per ton.
220. Iron or steel plates or sheets, sheared or unsheared, hoop, band, strip and skelp iron or steel, sheared or rolled in grooves, and iron or steel of all widths not thinner than number sixteen gauge, n.e.s., ten dollars per ton.
221. Universal mill or rolled edge steel plate, less than thirty inches wide, and plates or sheets of iron or steel thirty inches wide and over, and one-quarter of an inch and over in thickness, twelve and one-half per cent ad valorem.
222. Iron or steel sheets, hoops, bands, and strips, or other iron or steel of all widths, sheet iron, common or black, smoothed, polished, coated or galvanized and Canada plates, number seventeen gauge and thinner, five per cent ad valorem.
223. Plough plates, mould boards, landsides and other plates for agricultural implements, when cut to shape from rolled plates of steel but not moulded, punched, polished or otherwise manufactured, and being of a greater value than four cents per pound, five per cent ad valorem.
- 223a. Provided that on all iron and steel bars, rods, strips, or steel sheets of whatever shape, and on all iron or steel bars of irregular shape or section, cold rolled, cold hammered or polished in any way in addition to the ordinary process of hot rolling or hammering, there shall be paid one-sixth of one cent per pound in addition to the rates imposed on the said materials.
224. Forgings of iron and steel of whatever shape or size or in whatever stage of manufacture, not elsewhere specified, thirty-five per cent ad valorem, but not less than fifteen dollars per ton.
225. Rolled iron or steel angles, channels and other sections, weighing less than thirty-five pounds per lineal yard, n.e.s., thirty-five per cent ad valorem, but not less than ten dollars per ton.
226. Rolled iron or steel angles, channels and special sections, weighing not less than thirty-five pounds per lineal yard, and rolled iron or steel beams, joists, girders, column sections, trough sections and other building or bridge structural sections, weighing not less than twenty-five pounds per lineal yard, and rolled iron or steel bridge plate not less than three-eighths of an inch thick nor less than fifteen inches wide, and flat eye-bar blanks not punched or drilled, twelve and one-half per cent ad valorem.
227. Iron bridges and structural iron work, thirty per cent ad valorem, but not less than one cent per pound.
228. Iron or steel railway bars or rails of any form, punched or not punched, not elsewhere specified, for railways, which term for the purpose of this item shall include all kinds of railways, street railways and tramways, even although the same are used for private purposes only, and even although they are not used or intended to be used in connection with the business of common carrying of goods or passengers, thirty per cent ad valorem.
229. Railway fish plates and tie plates, ten dollars per ton.
230. Swedish rolled iron rods, under one-half inch in diameter and of not less than one and three-quarters of a cent per pound value, and Swedish rolled iron nail rods under half an inch diameter for the manufacture of horse-shoe nails, fifteen per cent ad valorem.
231. Axles, springs and parts thereof, axle bars and axle blanks of iron or steel for railway or tramway vehicles, \$20 per ton, but not less than thirty-five per cent.
232. Axles, springs and parts thereof, axle bars and axle blanks of iron or steel not elsewhere specified, one cent per pound and twenty per cent ad valorem.
233. Malleable iron castings and iron or steel castings, n.e.s., twenty-five per cent ad valorem.
234. Cast iron vessels, plates, stove plates and irons, sad irons, hatters' irons, and tailors' irons, twenty-seven and one-half per cent ad valorem.
235. Cast iron pipe of every description, ten dollars per ton, provided that the duty shall not be less than thirty-five per cent ad valorem.
236. Boiler tubes of wrought iron or steel, including corrugated tubes or flues for marine boilers, seven and one-half per cent ad valorem.
237. Lap-welded iron or steel tubing, threaded and coupled or not, one and one-quarter to two inches inclusive in diameter, for use exclusively in artesian wells, petroleum pipe lines and petroleum refineries, under

- regulations to be made by the Governor in Council, twenty per cent ad valorem.
238. Tubes not welded, not more than one and one-half inch in diameter, of rolled steel fifteen per cent ad valorem.
239. Wrought iron or steel tubing, threaded and coupled or not, over two inches in diameter, fifteen per cent ad valorem.
240. Other wrought iron or steel tubes, or pipes, five-tenths of one cent per pound and thirty per cent ad valorem.
241. Wrought iron or steel pipe fittings and chilled iron or steel rolls, thirty-five per cent ad valorem.
242. Chains (iron or steel) five-sixteenths of an inch in diameter and over, five per cent ad valorem.
243. Nails and spikes, wrought and pressed, galvanized or not, horse-shoe nails, and all wrought iron or steel and other nails not elsewhere specified, and horse, mule and ox shoes, thirty per cent ad valorem.
244. Composition nails and spikes and sheathing nails, fifteen per cent ad valorem.
245. Wire nails, one cent per pound.
246. Cut nails and spikes of iron or steel, including railroad spikes, three-fourths of one cent per pound.
247. Shoe tacks, one-half ounce to four ounces to the thousand, one cent per thousand.
248. Cut tacks, brads or sprigs, not exceeding sixteen ounces to the thousand, one and one-half cents per thousand; exceeding sixteen ounces to the thousand, one and one-half cents per pound.
249. Screws, commonly called "wood screws," two inches and over in length, three cents per pound; one inch and less than two inches, six cents per pound; less than one inch, eight cents per pound; provided that the duty shall not be less than thirty-five per cent ad valorem.
250. Screws of iron, steel, brass or other metal, not otherwise provided for, thirty per cent ad valorem.
251. Wrought iron or steel nuts and washers, iron or steel rivets, bolts with or without threads, nut and bolt and hinge blanks, n.e.s. and "T" and strap hinges, one cent per pound and twenty per cent ad valorem.
252. Wrought iron or steel nuts and washers, iron or steel rivets, bolts with or without threads, nut and bolt and hinge blanks, less than three-eighths of an inch in diameter, one cent per pound and twenty-five per cent ad valorem.
253. Skates, ten cents per pair and thirty per cent ad valorem.
254. Clothes wringers, twenty-five cents each and twenty per cent ad valorem.
255. Cutlery, not otherwise provided for, twenty-five per cent ad valorem.
256. Celluloid, moulded into sizes for handles of knives and forks, not bored nor otherwise manufactured; "also, moulded celluloid balls and cylinders, coated with tinfoil or not, but not finished or further manufactured," and celluloid lamp shade blanks, ten per cent ad valorem.
257. Knife-blades or knife blanks, in the rough, for use by electro-platers, ten per cent ad valorem.
258. Cast iron table forks, not handled nor ground, or otherwise manufactured, ten per cent ad valorem.
260. Picks, mattocks, grub-hoes, adzes, hatchets and eyes or polls for same, and tools of all descriptions, n.e.s., thirty-five per cent ad valorem.
261. Track tools, wedges, crowbars and sledges, thirty per cent ad valorem.
262. Axes of all kinds, scythes, hay knives, lawn mowers, pronged forks, rakes, n.e.s., and hoes, and other agricultural tools or implements, n.e.s., thirty-five per cent ad valorem.
263. Shovels and spades, shovel and spade blanks, and iron or steel cut to shape for same, fifty cents per dozen and twenty-five per cent ad valorem.
264. Files and rasps, thirty-five per cent ad valorem.
265. Steel needles, n.o.p., thirty per cent ad valorem.
266. Surgical and dental instruments of all kinds, fifteen per cent ad valorem.
267. Safes, doors for safes and vaults, scales, balances and weighing beams, thirty per cent ad valorem.
268. Fire engines and extinguishers, thirty-five per cent ad valorem.
269. Switches, frogs, crossings and intersections for railways, thirty per cent ad valorem.
270. Locomotives for railways, thirty-five per cent ad valorem.
271. Steam engines, boilers and machinery composed wholly or in part of iron or steel, not elsewhere specified, twenty-seven and a half per cent ad valorem.
272. Mowing machines, self-binding harvesters, harvesters without binders, binding attachments, reapers, sulky and walking ploughs, harrows, cultivators, seed drill and horse rakes, twenty per cent ad valorem.
273. Portable machines, portable steam engines, threshers and separators, horse-powers, portable saw mills and planing mills, and parts thereof in any stage of manufacture, thirty per cent ad valorem.
274. Sewing machines, or parts thereof, thirty per cent ad valorem.
275. Pumps of all kinds and wind mills, thirty per cent ad valorem.
276. Type for printing, twenty per cent ad valorem.
277. Type metal, ten per cent ad valorem.
278. Bookbinders' tools and implements, including ruling machines, ten per cent ad valorem.
279. Printing presses and printing machines, such only as are used in newspaper, book, and job printing offices; folding machines and paper cutters, such as are used in printing and bookbinding establishments, — and lithographic presses, ten per cent ad valorem.
280. Plates engraved on wood, and on steel or other metal, and transfers taken from the same, twenty per cent ad valorem.
281. Stereotypes, electrotypes and celluloids for almanacs, calendar, illustrated pamphlets, newspaper advertisements or engravings, and all other like work for commercial, trade or other purposes, n.e.s., and matrices

- or copper shells for the same, two cents per square inch.
282. Stereotypes, electrotypes and celluloids of newspaper columns, and bases for the same, composed wholly or partly of metal or celluloid, three-eighths of a cent per square inch; and matrices or copper shells for the same, two cents per square inch.
283. Birds cages, thirty-five per cent ad valorem.
284. Barbed wire fencing of iron or steel, three-fourths of one cent per pound.
285. Buckthorn and strip fencing of iron or steel, one-half of one cent per pound.
286. Machine card clothing, twenty-five per cent ad valorem.
287. Pins, manufactured from wire of any metal, thirty per cent ad valorem.
288. Wire-cloth of brass or copper, twenty per cent ad valorem.
289. Wire-cloth, n.e.s., thirty per cent ad valorem.
290. Copper wire, fifteen per cent ad valorem.
291. Wire covered with cotton, linen, silk or other material, thirty per cent ad valorem.
292. Wire of brass, ten per cent ad valorem.
293. Galvanized iron wire, No. 12 gauge, when imported by makers of barbed wire for use in their factories, fifteen per cent ad valorem.
294. Wire of all kinds, n.e.s., twenty-five per cent ad valorem.
295. Wire rope of iron or steel, not otherwise provided for, twenty-five per cent ad valorem.
296. Firearms, twenty per cent ad valorem.
297. Manufactures, articles or wares not specially enumerated or provided for, composed wholly or in part of iron or steel, and whether partly or wholly manufactured, twenty-seven and a half per cent ad valorem.
298. Corset clasps, spoon clasps or busks, blanks, busks, side steels and other corset steels, whether plain, japanned, lacquered, tinned or covered with paper or cloth; also back, bone or corset wires, covered with paper or cloth, cut to lengths and tipped with brass or tin, or untipped or in coils, five cents per pound and twenty per cent ad valorem.
299. Gas, coal oil and electric light fixtures, or parts thereof, twenty-seven and one-half per cent ad valorem.
300. Gas meters, thirty-five per cent ad valorem.
301. Bells of any description, except for churches, and gongs, twenty-five per cent ad valorem.
302. Brass and copper nails, rivets and burrs, and manufactures of brass or copper not elsewhere specified, thirty per cent ad valorem.
303. Zinc, manufactures of, not elsewhere specified, twenty-five per cent ad valorem.
304. Rabbit metal, ten per cent ad valorem.
305. Phosphor bronze, in blocks, bars, sheets and wire, ten per cent ad valorem.
306. Lead, bars, block and sheets, sixty cents per hundred pounds.
307. Lead, old, scrap and pig, forty cents per one hundred pounds.
308. Lead pipe and lead shot, four-tenths of a cent per pound and twenty-five per cent ad valorem.
309. Lead, manufactures of, n.e.s., thirty per cent ad valorem.
310. Cans and packages made of tin or other material, containing fish of any kind admitted free of duty under any existing law or treaty, not exceeding one quart in contents, one cent and a half on each can or package; and when exceeding one quart, an additional duty of one cent and a half for each additional quart or fractional part thereof.
311. Stamped tinware, japanned ware, galvanized iron ware, including signs made from these materials, and all manufactures of tin, n.e.s., twenty-five per cent ad valorem.
312. Enamelled iron or steel ware, including signs and letters enamelled on any metal and granite or agate ware, thirty-five per cent ad valorem.
313. Telephone and telegraph instruments: telegraph, telephone and electric light cables: electric and galvanic batteries, electric motors, generators, dynamos, sockets and electric apparatus not elsewhere specified, twenty-five per cent ad valorem.
314. Chrome steel, fifteen per cent ad valorem.

Gold, Silver and Jewellery.

315. Composition metal for the manufacture of filled gold watch cases, ten per cent ad valorem.
316. Britannia metal and German and nickel silver, manufactures of, not plated, twenty-five per cent ad valorem.
317. Nickel anodes, ten per cent ad valorem.
318. Gold and silver leaf, and Dutch or schlag metal leaf, twenty-five per cent ad valorem.
319. Manufactures of gold and silver, and all other articles, not elsewhere specified, commercially known as jewellery, twenty-five per cent ad valorem.
320. Sterling silver tableware and platedware, all other, electroplated or gilt, of all kinds, whether plated wholly or in part, thirty per cent ad valorem.
321. Plated cutlery, namely, knives plated wholly or in part, thirty-five per cent ad valorem.
322. Precious stones, n.e.s., polished, but not set or otherwise manufactured, and imitations thereof, ten per cent ad valorem.
323. Clocks, n.e.s., twenty-five per cent ad valorem.
324. Tower clocks, thirty per cent ad valorem.
325. Watches, twenty-five per cent ad valorem.
326. Watch actions or movements, ten per cent ad valorem.
327. Watch cases, thirty-five per cent ad valorem.
328. Cases for jewels, watches, silverware, platedware, cutlery and other like articles, five cents each and thirty per cent ad valorem.
329. Writing desks, glove boxes, handkerchief boxes, manicure cases, perfume cases, toilet cases and fancy cases for smokers' sets, and similar fancy articles made of bone, shell, horn, ivory, wood, leather, plush, satin, silk, satinette, celluloid, aluminum, fibreware of all kinds, or paper; dolls and toys of all kinds, including sewing machines, when of not more than two dollars in value; ornaments of alabaster, spar,

Mr. FOSTER.

amber, terra cotta or composition; and statuettes and bead ornaments, n.e.s., thirty-five per cent ad valorem.

Minerals.

330. Asbestos in any form other than crude, and all manufactures thereof, twenty-five per cent ad valorem.
331. Plumbago, crude, ten per cent ad valorem.
332. Plumbago, all manufactures of, n.e.s., twenty-five per cent ad valorem.
333. Electric light carbons or carbon points, not exceeding twelve inches in length, two dollars and fifty cents per thousand, and in proportion for greater or less lengths.
334. Salt, fine, in bulk and coarse salt, n.e.s., five cents per 100 pounds.
335. Salt in bags, barrels or other packages, the bags, barrels or packages to bear the same duty as if imported empty, seven and one-half cents per 100 lbs.

Manufactures of Wood ; Vehicles, &c.

336. Cane reed or rattan, split or otherwise manufactured, seventeen and one-half per cent ad valorem.
337. Corks and other manufactures of cork wood or cork bark, twenty per cent ad valorem.
338. Lumber and timber, manufactured, n.e.s., twenty per cent ad valorem.
339. Shingles, wood pulp, twenty per cent ad valorem; provided that either shingles or wood pulp, or both, shall be admitted free of duty into Canada when either or both of these articles are admitted to free entry when exported from Canada into the United States.
340. Hubs, spokes, felloes, and parts of wheels, rough hewn or sawn only, ten per cent ad valorem.
341. Pails, tubs, churns, brooms, washboards, pounders and rolling-pins, twenty per cent ad valorem.
342. Manufactures of wood, n.e.s., and brushes, twenty-five per cent ad valorem.
343. Umbrella, parasol and sunshade sticks or handles, n.e.s., twenty per cent ad valorem.
344. Veneers of wood, n.e.s., not over one-sixteenth of an inch in thickness, five per cent ad valorem.
345. Veneers of wood, not over one-sixteenth of an inch thick, made from woods native to Canada, ten per cent ad valorem.
346. Wood pulp, twenty-five per cent ad valorem.
347. Walking sticks and canes of all kinds, n.e.s., twenty-five per cent ad valorem.
348. Picture and photograph frames, of any material, thirty per cent ad valorem.
349. Mouldings of wood, plain, twenty per cent ad valorem.
350. Mouldings of wood, gilded or otherwise further manufactured than plain, twenty-five per cent ad valorem.
351. Fishing rods, thirty per cent ad valorem.
352. Furniture of wood, iron or any other material, house, cabinet or office, finished or in parts, including hair and spring and other mattresses, bolsters and pillows, thirty per cent ad valorem.

353. Coffins and caskets, twenty-five per cent ad valorem.
354. Billiard tables, with or without pockets, and bagatelle tables or boards, cues, balls, and cue racks, thirty-five per cent ad valorem.
355. Farm and freight wagons, carts, drays and similar vehicles, twenty-five per cent ad valorem.
356. Buggies, carriages and pleasure carts, and similar vehicles, n.e.s., costing not more than \$50, five dollars each and twenty-five per cent ad valorem; costing more than \$50, thirty-five per cent ad valorem; children's carriages, thirty-five per cent ad valorem.
357. Bicycles and tricycles, thirty per cent ad valorem.
358. Railway cars, sleighs, cutters, wheelbarrows, trucks, road or railway scrapers and hand carts, thirty per cent ad valorem.
359. Fibre ware, Kartavert, indurated fibre ware, vulcanized fibre ware and all articles of like material, twenty-five per cent ad valorem.
360. Lead pencils of all kinds, in wood or otherwise, twenty-five per cent ad valorem.

Musical Instruments.

361. Organs, cabinet, thirty per cent ad valorem.
362. Organs, pipe organs, and sets or parts of sets of reeds for cabinet organs, twenty-five per cent ad valorem.
363. Pianofortes, thirty-five per cent ad valorem.
364. Parts of pianofortes, twenty-five per cent ad valorem.
365. Musical instruments of all kinds, not otherwise provided for, twenty-five per cent ad valorem.

Sugar, Syrups and Molasses.

366. All sugar above number sixteen Dutch Standard in colour, and all refined sugars and molasses, n.o.p., of whatever kinds, grades or standards.
367. Syrups and molasses of all kinds, n.o.p., the product of the sugar cane or beet root, n.e.s., and all imitations thereof or substitutes therefor.
368. Glucose or grape sugar, glucose syrup and corn syrup, or any syrups containing any admixture thereof, a specific duty of one cent per pound.
369. Sugar candy, brown or white, and confectionery, including sweetened gums, candied peel, and pop-corn, thirty-five per cent ad valorem.
370. Liquorice paste and liquorice in rolls and stick, twenty per cent ad valorem.
371. Molasses produced in the process of the manufacture of cane sugar from the juice of the cane when imported in the original packages from the district where produced in the country where the cane was grown and which has not been subjected to any process of treating or mixture after leaving the country from which originally shipped. The packages in which imported, when of wood to be free.

- 371a. (a) Testing by polariscope, forty degrees or over, a specific duty of one and one-half cents per gallon.
- 371b. (b) When testing by polariscope less than forty degrees and not less than thirty-five degrees, a specific duty of one and one-half cents per gallon, and in addition thereto one cent per gallon for each degree or fraction of a degree less than forty degrees.

Textiles.

372. Cotton batts, batting and sheet wadding, dyed or not, twenty-two and one-half per cent ad valorem.
373. Cotton warps and cotton yarns, dyed or undyed, n.e.s., twenty-five per cent ad valorem.
374. Gray, unbleached cotton fabrics, twenty-two and one-half per cent ad valorem.
375. White or bleached cotton fabrics, n.e.s., twenty-five per cent ad valorem.
376. Cotton fabrics, printed, dyed or coloured, thirty per cent ad valorem.
377. Collars of cotton, linen, xylonite, xyolite or celluloid, twenty-four cents per dozen and twenty-five per cent ad valorem.
378. Cuffs of cotton, linen, xylonite, xyolite or celluloid, four cents per pair and twenty-five per cent ad valorem.
379. Shirts, costing more than three dollars per dozen, twenty-five per cent ad valorem, and a specific duty of one dollar per dozen.
380. Shirts, n.e.s., thirty-five per cent ad valorem.
381. Corsets, linen, silk and cotton clothing and other articles made from cotton fabrics, thirty-two and a half per cent ad valorem.
382. Lampwicks.
383. Crapes, black, twenty per cent ad valorem.
384. Velvets, velveteens and plush fabrics, n.e.s., thirty per cent ad valorem.
385. Webbing, elastic and non-elastic, twenty per cent ad valorem.
386. Jeans and coutils when imported by corset and dress stay makers for use in their own factories, twenty-five per cent ad valorem.
387. Laces, braids, fringes, embroideries, cords, elastic round or flat, including garter elastic, tassels and bracelets; braids, chains, cords or other manufacture of hair; lace collars and all similar goods; handkerchiefs, lace nets and nettings of cotton, silk, linen or other material; table cloths and curtains, when made up, trimmed or untrimmed, and belts of all kinds, thirty per cent ad valorem.
388. Cotton sewing thread in hanks, black, bleached or unbleached, three and six cord, twelve and a half per cent ad valorem.
389. Cotton sewing thread and crochet cotton, on spools or tubes or in balls, and all other cotton thread, n.e.s., twenty-five per cent ad valorem.
390. Cordage, n.e.s., one and one-quarter cents per pound and ten per cent ad valorem.
391. Twine and cotton cordage, of all kinds, twenty-five per cent ad valorem.
392. Rove, when imported for the manufacture of twine for harvest binders, ten per cent ad valorem.
393. Twine, for harvest binders, of hemp, jute, manilla or sisal, and of manilla and sisal mixed, twelve and a half per cent ad valorem.
394. Canvas, and sail twine of hemp or flax when to be used for boats' and ships' sails, five per cent ad valorem.
395. Boot, shoe and stay laces of any material, thirty per cent ad valorem.
396. Hammocks and lawn tennis nets and other articles manufactured of twine, n.e.s., thirty per cent ad valorem.
397. Damask of linen, including napkins, doylies, tray cloths, sideboard covers, damask stair linen and diaper, twenty-five per cent ad valorem.
398. Towels of every description, twenty-five per cent ad valorem.
399. Sails for boats and ships, twenty-five per cent ad valorem.
400. Bags or sacks of hemp, linen or jute, and cotton seamless bags, twenty per cent ad valorem.
401. All manufactures of hemp, flax, or jute, n.e.s., or of flax, hemp or jute combined, twenty per cent ad valorem.
402. Jute cloth, not otherwise finished than bleached or calendered, ten per cent ad valorem.
403. Silk in the gum, or spun, not more advanced than singles, tram or thrown organzine, not coloured, fifteen per cent ad valorem.
404. Sewing and embroidery silk and silk twist, twenty-five per cent ad valorem.
405. Silk velvets and all manufactures of silk, or of which silk is the component part of chief value, n.e.s., except church vestments, thirty per cent ad valorem.
406. Ribbons of all kinds and materials, thirty per cent ad valorem.
407. Wool, viz., Leicester, Cotswold, Lincolnshire, Southdown combing wools, or wools known as lustre wools and other like combing wools, such as are grown in Canada, three cents per pound.
408. Hair, curled or dyed, twenty per cent ad valorem.
409. Yarns, composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, costing twenty cents per pound and under, five cents per pound and twenty per cent ad valorem.
410. Yarns, woollen and worsted, n.e.s., thirty per cent ad valorem.
411. Fabrics and manufactures composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, n.e.s., thirty per cent ad valorem.
412. Manufactures composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, viz.: blankets and flannels of every description, cloths, doeskins, cassimeres, tweeds, coatings, overcoatings, and felt cloth, n.e.s., five cents per pound and twenty-five per cent ad valorem.
413. Shawls of all kinds; railway or travelling rugs and lap dusters of all kinds, twenty-five per cent ad valorem.
414. Hair-cloth of all kinds, thirty per cent ad valorem.

Mr. FOSTER.

415. Women's and children's dress goods, coat linings, Italian cloths, alpacas, orleans, cashmeres, henriettas, serges, buntings, nun's cloth, bengalines, whip cords, twills, plains or jasquards of similar fabrics, composed wholly or in part of wool, worsted, the hair of the camel, alpaca, goat or like animal, not exceeding in weight six ounces to the square yard, when imported in the gray or unfinished state for the purpose of being dyed or finished in Canada, under such regulations as are established by the Governor in Council, twenty-two and one-half per cent ad valorem.
416. Felt, pressed, of all kinds, not filled or covered by or with any woven fabric, seventeen and one-half per cent ad valorem.
417. Socks and stockings of all kinds, n.e.s., ten cents per dozen pairs and thirty-five per cent ad valorem.
418. Knitted goods of every description, including knitted underwear, n.e.s., thirty-five per cent ad valorem.
419. Carpets, mats and rugs, n.e.s., thirty per cent ad valorem.
420. Carpeting, mats and matting of cocoa, hemp or jute, and carpet linings and stair pads, twenty-five per cent ad valorem.
421. Two-ply and three-ply ingrain carpets of which the warp is composed wholly of cotton or other material than wool, worsted, the hair of the alpaca goat or other like animal, three cents per square yard and twenty-five per cent ad valorem.
422. Treble ingrain three-ply and two-ply carpets composed wholly of wool, five cents per square yard and twenty-five per cent ad valorem.
423. Cloths, not rubbered or made waterproof, whether of wool, cotton, unions, silk or ramie, sixty inches or over in width and weighing not more than seven ounces to the square yard when imported exclusively for the manufacture of mackintosh clothing, under regulations to be adopted by the Governor in Council, twelve and one-half per cent ad valorem.
424. Oiled silk and cloth, India-rubbered, flocked or coated with rubber, n.o.p., twenty-seven and one-half per cent ad valorem.
425. Enamelled floor, stair, shelf and table oil-cloth, cork matting or carpet, and linoleum, thirty per cent ad valorem, but not less than four cents per square yard.
426. Window shade roller, thirty-five per cent ad valorem.
427. Window shades in the piece or cut and hemmed or mounted on roller, thirty-five per cent ad valorem, but not less than five cents per square yard.
428. Gloves and mitts of all kinds, thirty-five per cent ad valorem.
429. Clothing, ready-made and wearing apparel of every description composed wholly or in part of wool, worsted, the hair of the alpaca, goat or other like animal, n.o.p., five cents per pound and thirty per cent ad valorem.
430. Hats, caps and bonnets, n.e.s., thirty per cent ad valorem.
431. Umbrellas, parasols and sunshades of all kinds and materials, thirty-five per cent ad valorem.
432. Braces or suspenders and parts thereof, thirty-five per cent ad valorem.
433. Surgical belts or trusses and suspensory bandages of all kinds, twenty-five per cent ad valorem.
434. Anti-septic surgical dressing such as absorbent cotton, cotton wool, lint, lamb's wool, tow, jute, gauzes and oakum, prepared for use as surgical dressings, plain or medicated, twenty per cent ad valorem.
- Sundries.*
435. Artificial flowers, twenty-five per cent ad valorem.
436. Buttons of hoof, rubber, vulcanite or composition, four cents per gross and twenty per cent ad valorem.
437. Buttons of pearl, vegetable ivory or horn, eight cents per gross and twenty per cent ad valorem.
438. Buttons, pantaloon, and all other buttons, n.e.s., twenty per cent ad valorem.
439. Combs for dress and toilet, of all kinds, thirty-five per cent ad valorem.
440. Fertilizers, compounded or manufactured, ten per cent ad valorem.
441. Fireworks, twenty-five per cent ad valorem.
442. Gun, rifle and pistol cartridges; cartridge cases of all kinds and materials; percussion caps, and gun wads of all kinds, thirty per cent ad valorem.
443. Blasting and mining powder, two cents per pound.
444. Cannon, musket, rifle, gun and sporting powder and canister powder, three cent per pound.
445. Nitro-glycerine, giant powder and nitre and other explosives, four cents per pound.
446. Photographic dry plates, thirty per cent ad valorem.
447. Tobacco pipes of all kinds, pipe mounts, cigar and cigarette holders and cases for the same, thirty-five per cent ad valorem.
448. Trunks, valises, hat-boxes, carpet bags, satchels, pocket-books and purses and tobacco pouches, thirty per cent ad valorem.
449. Ships and other vessels, built in any foreign country, whether steam or sailing vessels, on application for Canadian register, on the fair market value of the hull, rigging, machinery and all appurtenances; on the hull, rigging and all appurtenances, except machinery, ten per cent ad valorem; on boilers, steam engines and other machinery, twenty-five per cent ad valorem.
450. All goods not enumerated in this Act as subject to any other rate of duty nor declared free of duty by this Act, and not being goods the importation whereof is by this Act or any other Act prohibited, shall be subject to a duty of twenty per cent ad valorem.
- Fish and Products of the Fisheries.*
451. Mackerel, one cent per pound.

452. Herrings, pickled or salted, one-half cent per pound.
453. Salmon, pickled or salted, one cent per pound.
454. All other fish, pickled or salted, in barrels, one cent per pound.
455. Foreign caught fish, imported otherwise than in barrels or half barrels, whether fresh, dried, salted or pickled, not specially enumerated or provided for by this Act, fifty cents per hundred pounds.
456. Fish, smoked and boneless fish, one cent per pound.
457. Anchovies and sardines, packed in oil or otherwise, in tin boxes measuring not more than five inches long, four inches wide and three and a half inches deep, five cents per whole box; in half boxes measuring not more than five inches long, four inches wide and one and five-eighths deep, two and a half cents per half box; and in quarter boxes, measuring not more than four inches and three-quarters long, three and a half inches wide and one and a quarter deep, two cents each per quarter box.
458. When imported in any other form, thirty per cent ad valorem.
459. Fish, preserved in oil, except anchovies and sardines, thirty per cent ad valorem.
460. Fresh or dried fish, n.e.s., imported in barrels or half-barrels, one cent per pound.
461. Salmon and all other fish prepared or preserved, including oysters not specially enumerated or provided for in this Act, twenty-five per cent ad valorem.
462. Oysters, shelled, in bulk, ten cents per gallon.
463. Oysters, canned, in cans not over one pint, three cents per can, including the cans.
464. Oysters in cans over one pint and not over one quart, five cent per can, including the cans.
465. Oysters in cans exceeding one quart in capacity, an additional duty of five cents for each quart or fraction of a quart of capacity over a quart, including the cans.
466. Oysters in the shell, twenty-five per cent ad valorem.
467. Packages containing oysters or other fish, not otherwise provided for, twenty-five per cent ad valorem.
468. Oil, spermaceti, whale and other fish oils, and all other articles the produce of the fisheries, not specially provided for, twenty per cent ad valorem.

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SCHEDULE "B."

Free Goods.

469. Articles for the use of the Governor General.
470. The following articles when imported by and for the use of the Army and Navy:—Arms, military or naval clothing, musical instruments for bands, military stores and munitions of war.
471. Articles imported by and for the use of the Dominion Government or any of the Departments thereof, or by and for the Senate or House of Commons, including the
- following articles when imported by the said Government or through any of the Departments thereof for the use of the Canadian Militia:—“military clothing, musical instruments for military bands, military stores and munitions of war.”
472. Articles for the personal use of Consuls General who are natives or citizens of the country they represent and who are not engaged in any other business or profession.
473. Travellers' baggage under regulations prescribed by the Controller of Customs.
474. Carriages for travellers and carriages laden with merchandise, and not to include circus troops nor hawkers, under regulations prescribed by the Controller of Customs.
475. Apparel, wearing and other personal and household effects, not merchandise, of British subjects dying abroad, but domiciled in Canada.
476. Settlers' effects, viz.:—Wearing apparel, household furniture, books, implements and tools of trade, occupation or employment, musical instruments, domestic sewing machines, live stock, carts and other vehicles and agricultural implements in use by the settler for at least six months before his removal to Canada, not to include machinery, or articles imported for use in any manufacturing establishment, or for sale; also books, pictures, family plate or furniture, personal effects and heirlooms left by bequest: provided that any dutiable articles entered as settlers' effects may not be so entered unless brought with the settler on his first arrival, and shall not be sold or otherwise disposed of without payment of duty, until after twelve months actual use in Canada; provided also, that under regulations made by the Controller of Customs, live stock, when imported into Manitoba or the North-west Territories by intending settlers shall be free until otherwise ordered by the Governor in Council.
477. Animals brought into Canada temporarily, and for a period not exceeding three months, for the purpose of exhibition or of competition for prizes offered by any agricultural or other association; (but a bond shall be first given in accordance with regulations prescribed by the Controller of Customs, with the condition that the full duty to which such animals would otherwise be liable shall be paid in case of their sale in Canada, or if not re-exported within the time specified in such bond).
478. Horses, cattle, sheep, swine and dogs for the improvement of stock, under regulations made by the Treasury Board and approved by the Governor in Council.
479. Menageries, horses, cattle, carriages and harness of, under regulations prescribed by the Controller of Customs.
480. Acids used for medicinal, chemical or manufacturing purposes, not specially provided for in this Act.
481. Admiralty charts.
482. Alum, in bulk only, ground or unground.

483. Aluminum, or aluminium sheets and alumina and chloride of aluminum or chloralum, sulphate of alumina and alum cake.
484. Ambergris.
485. Ammonia, sulphate of, sal-ammoniac.
486. Anatomical preparations and skeletons or parts thereof.
487. Aniline salts and arseniate of aniline; aniline dyes and coal tar dyes in bulk or packages of not less than one pound weight, including alizarine and artificial alizarine.
488. Aniline oil, crude.
489. Annato, liquid or solid.
490. Anchors.
491. Antimony salts; antimony, not ground, pulverized and otherwise manufactured.
492. Arsenic.
493. Asphalt or asphaltum and bone pitch, crude only.
494. Barrels or packages of Canadian manufacture exported, filled with Canadian products, when returned, under such regulations as the Controller of Customs prescribes.
495. Bees.
496. Bells, when imported for the use of churches.
497. Bismuth, metallic, in its natural state.
498. Blanketing and lapping, and discs or mills for engraving copper rollers, when imported by cotton manufacturers, calico printers and wall paper manufacturers, for use in their own factories only.
499. Blood albumen, and tannic acid.
500. Bolting cloth, not made up.
501. Bones, crude, not manufactured, burned, calcined, ground or steamed.
502. Books, viz.:—Bibles, prayer-books, psalm and hymn, and books printed in any language other than the English and French languages.
503. Books, embossed, for the blind, and books for the instruction of the deaf and dumb and blind.
504. Books printed by any Government or by any association for the promotion of science, or letters and official annual reports of religious or benevolent associations and issued in the course of the proceedings of said association, to its members, and not for the purpose of sale or trade.
505. Books, not being printed or reprinted in Canada, which are included and used as text books in the curriculum of any university or incorporated college in Canada for the use of students thereof; books specially imported for the *bona fide* use of incorporate Mechanics' Institutes, public free libraries, and university and college libraries and law libraries of any duly organized law association or society for the use of its members, not more than two copies of each book under regulations to be made by Order in Council; and books, bound or unbound, which have been printed and manufactured more than twelve years.
506. Books printed in any of the languages or dialects of any of the Indian tribes of the Dominion of Canada.
507. Bookbinders' cloth.
508. Boracic acid, and borax, ground or unground, in bulk of not less than twenty-five pounds only.
509. Botanical specimens.
510. Brass scrap, and brass in sheets or plates.
511. Brass in bars, rod and bolts, drawn, plain and fancy tubing, not bent or otherwise manufactured, in lengths not less than six feet.
512. Brass in strips for printers' rules, not finished.
513. Brass and copper wire twisted, when imported by manufacturers of boots and shoes for use in their own factories.
514. Bristles.
515. Britannia metal in pigs and bars.
516. Bromine.
517. Broom corn.
518. Buckram for the manufacture of hat and bonnet shapes.
519. Bullion, gold and silver, in bars, blocks or ingots, and bullion fringe.
520. Burgundy pitch.
521. Burr stones, in blocks, rough or unmanufactured, not bound up or prepared for binding into mill stones.
522. Caplins, unfinished Leghorn hats, and Manilla hoods.
523. Casts as models, for the use of schools of design.
524. Cat-gut strings or gut cord for musical instruments; cat-gut or worm gut, unmanufactured, for whip and other cord.
525. Blast furnace slag.
526. Celluloid, xylonite or xyolite in sheets, and in lumps, blocks, or balls in the rough.
527. Chalk stone, china or Cornwall stone, felspar and cliff stone, ground or unground.
528. Cherry heat welding compound.
529. Chloride of lime.
530. Chronometers and compasses for ships.
531. Cinnabar.
532. Citron, lemon and orange rinds in brine.
533. Clays, including China clay, fire clay and pipe clay.
534. Clothing, donations of, for charitable purposes.
535. Coal, anthracite, and anthracite coal dust.
536. Coal tar and coal pitch.
537. Coke.
538. Cobalt, ore of.
539. Cochineal.
540. Coins, cabinets of, collections of medals and of other antiquities, including collections of postage stamps.
541. Coins, gold and silver, except United States silver coin.
542. Coir and coir yarns.
543. Colours, metallic, viz.:—oxides of cobalt, tin and copper, n.e.s.
544. Communion plate, when imported for the use of churches.
545. Copper, old and scrap, and copper in pigs, bars, rods and bolts, in lengths not less than six feet, copper ingots, sheets, plates and sheathing, not planished or coated.
546. Copper seamless drawn tubing.
547. Copper, precipitate of, crude.
548. Cotton wool and cotton waste.
549. Cotton yarns, number forty and finer.
550. Cups and other prizes won in *bona fide* competitions.
551. Curling stones of granite.
552. Cyanide of potassium.
553. Diamonds, unset, diamond dust or bort and black diamonds for borers.

554. Diamond drills for prospecting for minerals, not to include motive power.
555. Domestic fowls, pure-bred, for the improvement of stock, homing or messenger pigeons and pheasants and quails.
556. Dragon's blood.
557. Drugs, crude, such as barks, beans, berries, balsams, buds, bulbs, fruits, insects, grains, gums and gum resins, herbs, leaves, nuts, fruits and stem seeds—any of the foregoing which are not edible and in a crude state and not advanced in value by refining or grinding or any other process of manufacture and not otherwise provided for.
558. Duck for belting and hose when imported by manufacturers of rubber goods for use in their factories.
559. Dyeing or tanning articles, in a crude state, used in dyeing or tanning, not elsewhere specified; berries for dyeing or used for composing dyes, turmeric, nut galls; lac, crude, seed, button, stick and shell indigo, indigo paste and extract of, and indigo auxiliary or zinc dust; persis, or extract of archill and cudbear, terra japonica, gambier or cutch, extract of logwood, fustic, oak and of oak bark; camwood and sumac and extract thereof, tanners' bark, hemlock bark and oak bark.
560. Eggs and egg yolk.
561. Emery in bulk, crushed or ground.
562. Entomological specimens.
563. Felt, adhesive, for sheathing vessels.
564. Fertilizers, un compounded or unmanufactured, including kainite or German potash salts, German mineral potash, bone-dust, bone black or charred bone and bone-ash, fish offal or refuse, guano and other animal and vegetable manures.
565. Fibre, Mexican, and tampico or istle and vegetable fibres, natural.
566. Fibrilla.
567. Fillets of cotton and rubber, not exceeding seven inches wide, when imported by and for the use of manufacturers of card clothing.
568. Fish hooks, nets and seines, and twines to be used in making nets or seines, and fishing lines, not to include sporting fishing tackle or hooks with flies or trawling spoons, or threads or twines commonly used for sewing or manufacturing purposes.
569. Flax fibre and flax tow.
570. Fire bricks, not to include stove linings, for manufacturing purposes.
571. Flint, flints and ground flint stones.
572. Florist stock, viz. :—Palms, orchids, azaleas, cacti, and flower bulbs of all kinds.
573. *Folia digitalis*.
574. Fossils.
575. Foot grease, being the refuse of cotton seed after the oil has been pressed out, but not when treated with alkalies.
576. Fruits, viz. :—Bananas, plantains, pineapples, pomegranates, guavas, mangoes and shad-docks; and wild blueberries, wild strawberries and wild raspberries.
577. Fuller's earth.
578. Fur skins of all kinds not dressed in any manner.
579. Gannister.
580. Globes, geographical, topographical and astronomical.
581. Gold-beaters' moulds and gold-beaters' skins.
582. Gold and silver sweepings.
583. Grass, Manilla, Esparto or Spanish, and other grasses, and pulp of, including fancy grasses, dried but not coloured or otherwise manufactured.
584. Gravels.
585. Grease, rough, the refuse of animal fat, for the manufacture of soap only.
586. Grommits.
587. Gums, viz. :—Amber, Arabic, Australian, copal, dammar, elemy, kaurie, mastic, sandarac, Senegal, shellac; and white shellac in gum or flake, for manufacturing purposes; and gum tragacanth, gum gedda and gum barberry.
588. Gutta-percha, crude.
989. Gypsum, crude (sulphate of lime).
590. Hair, cleaned or uncleaned, but not curled, dyed or otherwise manufactured.
591. Hatters' furs, not on the skin, and hatter's plush of silk or cotton.
592. Hemp, undressed.
593. Hides and skins, raw, whether dry, salted or pickled, and raw pelts.
594. Hoofs, horn strips, horn and horn tips, in the rough, not polished or otherwise manufactured than cleaned.
595. Hoop iron, not exceeding three-eighths of an inch in width and being No. 25 gauge or thinner, used for the manufacture of tubular rivets.
596. Ice.
597. Indian corn of the varieties known as "Southern white Dent Corn" or horse tooth ensilage corn, and "Western yellow Dent Corn" or horse tooth ensilage corn, when imported to be planted or sown for soiling and ensilage, and for no other purpose, under regulations to be made by the Governor in Council.
598. Iodine, crude.
599. Ingot moulds.
600. Iron sand or globules, and dry putty for polishing glass or granite.
601. Iron liquor, solution of acetate of iron for dyeing and calico printing.
602. Iron or steel beams, sheets, plates, angles and knees for iron, steel or composite ships or vessels.
603. Iron or steel masts for ships, or parts of.
604. Iron, steel or brass manufactures, which at the time of their importation are of a class or kind not manufactured in Canada, when imported for use in the construction or equipment of ships or vessels.
605. Ivory and ivory nuts, unmanufactured, and veneers of ivory, sawn only.
606. Junk, old.
607. Jute and jute butts.
608. Jute cloth, as taken from the loom, not coloured, cropped, mangled, pressed, calendered nor finished in any way.
609. Jute, flax or hemp yarn, plain, dyed or coloured, when imported by manufacturers of carpets, rugs and mats, and of jute webbing or jute cloth, and twines for use in their own factories.

610. Jute canvas, not pressed or calendered, when imported by manufacturers of floor oil-cloth for use in their own factories.
611. Kelp.
612. Kyrolite or cyrolite, mineral.
613. Lamp black and ivory black.
614. Lava, unmanufactured.
615. Lead, nitrate and acetate of, not ground.
616. Leeches.
617. Lime juice, crude only.
618. Litharge.
619. Litmus and all lichens, prepared or not prepared.
620. Locomotive and car wheel tires of steel, when in the rough.
621. Locomotive and railway passenger, baggage and freight cars, being the property of railway companies in the United States, running upon any line of road crossing the frontier, so long as Canadian locomotives and cars are admitted free under similar circumstances in the United States, under regulations prescribed by the Controller of Customs.
622. Madder and munjeet, or Indian madder, ground or prepared, and all extracts of.
623. Manganese, oxide of.
624. Manuscripts and insurance maps.
625. Maps and charts for the use of schools for the blind.
626. Marble in the rough in blocks.
627. Meerschaum, crude or raw.
628. Mineral waters, natural, not in bottle, under regulations prescribed by the Controller of Customs.
629. Mineralogical specimens.
630. Mining and smelting machinery imported prior to the sixteenth day of May, 1896, which is at the time of its importation of a class or kind not manufactured in Canada.
631. Models of inventions and of other improvements in the arts; but no article or articles shall be deemed a model which can be fitted for use.
632. Moss, Iceland, and other mosses, seagrasses and seaweed, crude or in their natural state or cleaned only.
633. Musk, in pods or in grains.
634. Newspapers, and quarterly, monthly and semi-monthly magazines, and weekly literary papers, unbound.
635. Nickel.
636. Oakum.
637. Oils, viz.:—Cocoonut and palm, in their natural state; carbolic or heavy oil; olive oil, n.e.s., for manufacturing and mechanical purposes, and oil of roses including ottar or attar of roses.
638. Oil cake and oil cake meal, cotton seed cake and cotton seed meal, and palm nut cake and meal.
639. Osiers.
640. Ores of metal of all kinds.
641. Oxalic acid.
642. Oysters, seed and breeding, imported for the purpose of being planted in Canadian waters.
643. Paintings, in oil or water colours, by artists of well-known merit, or copies of the old masters by such artists.
644. Paintings, in oil or water colours, the production of the Canadian artists, under regulations to be made by the Controller of Customs.
645. Palm leaf, unmanufactured.
646. Philosophical instruments and apparatus—that is to say, such as are not manufactured in the Dominion, when imported for use in universities, colleges, schools and scientific societies.
647. Phosphorus.
648. Pictorial illustrations of insects, &c., when imported for the use of colleges and schools, scientific and literary societies.
649. Pitch (pine), and pine tar in packages of not less than fifteen gallons each.
650. Plaits, chip, manilla, cotton, mohair, straw, Tuscan and grass.
651. Platinum sheets and wire; and retorts, pans, condensers, tubing and pipe made of platinum, when imported by manufacturers of sulphuric acid for use in their works in the manufacture or concentration of sulphuric acid.
652. Plumbago, crucibles.
- 65h. Potash, chlorate of, in crystals, when imported for manufacturing purposes only; potash, muriate and bi-chromate of, crude, caustic potash, and red and yellow prussiate of potash; also ashes, pot and pearl, in packages of not less than twenty-five pounds weight.
654. Precious stones, in the rough.
655. Prunella.
656. Pumice and pumice stone, ground or unground.
657. Quicksilver.
658. Quills in their natural state or unplumed.
659. Quinine, salts of.
660. Rags of cotton, linen, jute, hemp, and woollen, paper waste clippings, and waste of any kind except mineral waste.
661. Red liquor, a crude acetate of aluminium prepared from pyroligneous acid, for dyeing and calico printing.
662. Rennet, raw or prepared.
653. Resin or rosin in packages of not less than one hundred pounds, and rosin oil.
664. Ribs of brass, iron or steel, runners, rings, caps, notches, ferrules, mounts and sticks or canes in the rough, or not further manufactured than cut into lengths suitable for umbrella, parasol or sunshade sticks, when imported by manufacturers of umbrellas, parasols and sunshades for use in their factories in the manufacture of umbrellas, parasols and sunshades only.
665. Roots, medicinal, viz.:—Alkanet, crude, crushed or ground, aconite, calumba, gentian, ginseng, jalap, ipecacuanha, iris, orris root, liquorice, sarsaparilla, squills, taraxacum, rhubarb, and valerian, unground.
666. Rubber, crude, caoutchouc or India-rubber, unmanufactured; hard rubber in sheets, but not further manufactured, and recovered rubber and rubber substitute.
667. Saddle jiggers, stirrups, and saddle-trees of all kinds.
668. Saffron, saffron cake, safflower, and extract of,

669. Salt, imported from the United Kingdom or any British possession, or imported for the use of the sea or gulf fisheries, not otherwise provided for.
670. Saltpetre.
671. Sand.
672. Sausage skins or casings, not cleaned.
673. Scrap iron and scrap steel, old and fit only to be re-manufactured, being part of or recovered from any vessel wrecked in waters subject to the jurisdiction of Canada.
674. Seedling stock for grafting, viz.:—Plums, pear, peach and other fruit trees.
675. Seeds, viz.:—Annato, beet, carrot, flax, turnip, mangold and mustard, and aromatic seeds which are not edible and are in a crude state, and not advanced in value or condition by grinding or refining, or by any other process of manufacture, viz.: cumin, fennel and fenugreek.
676. Beans, viz.:—Tonquin, vanilla and nux vomica, crude only, locust beans and locust bean meal, and cocoa beans, not roasted, crushed or ground.
677. Shells, tortoise and mother-of-pearl, and other, unmanufactured.
678. Shoe buttons, papier maché; metal glove fasteners, eyelet hooks and eyelets.
679. Silix, or crystalized quartz.
680. Silk raw or as reeled from the cocoon, not being doubled, twisted or advanced in manufacture in any way, silk cocoons and silk waste.
681. Silver, German silver and nickel silver, rolled or in sheets.
682. Soda, sulphate of, crude, known as salt cake, barilla or soda ash, caustic soda; silicate of soda in crystals or in solution; bichromate of soda, nitrate of soda or cubic nitre, sal soda, sulphide of sodium, nitrite of soda, arseniate, binarseniate, chloride, chlorate, bisulphite and stannate of soda.
683. Spelter, in blocks and pigs.
684. Spurs and stilts, used in the manufacture of earthenware.
685. Steel bowls for cream separators.
686. Steel for the manufacture of files, when imported by file manufactures for use in their factories.
687. Steel No. 20 gauge and thinner, but not thinner than No. 30 gauge, to be used in the manufacture of corset steels, clock springs and shoe shanks; and flat wire of steel No. 16 gauge or thinner, to be used in the manufacture of corset wire and dressed stays, when imported by the manufacturers of such articles for use in their own factories.
688. Steel, rolled rods of, under half an inch in diameter or under half an inch square, when imported by knob or lock manufacturers or cutlers for use exclusively in such manufactures in their own factories.
689. Steel rails weighing not less than forty-five pounds per lineal yard for use in railway tracks, but this item shall not extend to rails for use in the tracks of railways used or intended for private purposes only, nor shall it extend to rails which are not used or intended to be used in connection with the business of common carrying of either goods or passengers, nor shall this item extend to rails for use in the tracks of street railways or tramways.
690. Steel for saws and straw cutters, cut to shape, but not further manufactured.
691. Steel valued at two and one-half cents per pound and upwards, for use in the manufacture of skates.
692. Steel of No. 12 gauge and thinner, but not thinner than No. 30 gauge when imported by manufacturers of buckle clasps and ice-creepers, to be used in the manufacture of such articles only in their own factories.
693. Stereotypes, electrotypes and celluloids of books, and bases and matrices and copper shells for the same, whether composed wholly or in part of metal or celluloid.
694. Sugar, n.e.s., not above number sixteen Dutch Standard in colour, sugar drainings, or pumpings drained in transit, melado or concentrated melado, tank bottoms, and sugar concrete.
695. Sulphate of iron (copperas); and sulphate of copper (blue vitriol).
696. Sulphur and brimstone, crude, or in roll or flour.
697. Tagging metal, plain, japanned or coated, in coils, not over one and a half inches in width, when imported by manufacturers of shoe and corset laces for use in their factories.
698. Tails, undressed.
699. Tartar emetic and gray tartar; cream of tartar in crystals and argal or argols.
700. Tea and green coffee imported direct from the country of growth and production.
- This item shall include tea and coffee purchased in bond in any country where tea and coffee are subject to customs duty, provided there be satisfactory proof that the tea or coffee so purchased in bond is such as might be entered for home consumption in the country where the same is purchased.
701. Teasels.
702. Tin crystals, tin strip waste, and tin, in blocks, pigs, bars and sheets and tin plates, tin foil and tea lead.
703. Tobacco, unmanufactured, for excise purposes, under conditions of "The Act respecting the Inland Revenue."
704. Treenails.
705. Trees, n.e.s.
706. Turpentine, raw or crude.
707. Turtles.
708. Ultramarine blue, dry or in pulp.
709. Vaccine and ivory vaccine points.
710. Varnish, black and bright for ships' use.
711. Verdigris, or sub-acetate of copper, dry.
712. Whalebone, unmanufactured.
713. Whiting or whitening, gilder's whiting and Paris white.
714. Wire rigging for ships and vessels.
715. Wire, crucible cast steel.
716. Wire of iron or steel, No. 13 and 14 gauge, flattened and corrugated, used in connection with the machine known as the wire grip machine for the manufacture of boots, shoes and leather belting, when imported by manufacturers of such articles to be

used for these purposes only in their own factories.

717. Wool and the hair of the camel, alpaca, goat and of other like animals, not further prepared than washed, n.e.s. ; and noils, being the short wool which falls from the combs in worsted factories.
718. Mohair yarns.
719. Wool or worsted yarns, when genapped, dyed or finished, and imported by manufacturers of braids, cords, tassels and fringes to be used in the manufacture of such articles only in their own factories.

Wood.

720. Logs and round unmanufactured timber, not specially enumerated or provided for in this Act.
721. Firewood, handle bolts, heading bolts, stave bolts and shingle bolts, hop poles, fence posts, railroad ties, ship timber and ship planking, not specially provided for in this Act.
722. Timber, hewn or sawed, and timber used for spars and in building wharfs.
723. Timber, squared or sided
724. Creosoted lumber.
725. Sawed boards, planks, deals, and other lumber, undressed or dressed on one side only.
726. Pine clapboards.
727. Spruce clapboards.
728. Hubs for wheels, posts, last blocks, wagon blocks, oar blocks, gun blocks, heading, and all like blocks or sticks, rough hewn or sawed only.
729. Laths.
730. Pickets and palings.
731. Shingles.
732. Staves of wood of all kinds, wood unmanufactured.

Provided that if any country shall impose a duty upon the articles in this section enumerated, or any of them, when imported into such country from Canada, it shall be lawful for the Governor General in Council, from time to time, by Proclamation published in the "Canada Gazette," to declare that the following Export Duties, or any of them, shall be chargeable upon logs exported into such country from Canada.

Viz :

733. Pine, Douglas Fir, Spruce, Fir Balsam, Cedar, Elm and Hemlock logs, not exceeding three dollars per thousand feet, board measure.

In case of the Export of any of the above-enumerated logs in shorter lengths than nine feet, then a rate per cord may be levied in the same way, not greater than equivalent to the above enumerated rate per thousand feet, board measure.

And Export duty shall be chargeable accordingly, after the publication of such Proclamation.

Provided that the Governor General in Council may by Proclamation published in like manner, from time to time, remove and reimpose such Export Duty.

734. Bamboos, unmanufactured, and bamboo reeds, not further manufactured than cut into suitable lengths for walking sticks or canes, or for sticks for umbrellas, parasols or sunshades.

735. Cane and rattans, not manufactured.
736. Corkwood, or cork bark, unmanufactured.
737. Lumber and timber planks and boards of amaranth, cocoboral, boxwood, cherry, chestnut, walnut, gumwood, mahogany, pitch pine, rosewood, sandal-wood, sycamore, Spanish cedar, oak, hickory, white-wood, African teak, black heart ebony, lignum vitæ, red cedar, redwood, satin-wood and white ash, when not otherwise manufactured than rough sawn or split or creosoted, vulcanized or treated by any other preserving process ; the wood of the persimmon and dogwood trees, hickory billets, and hickory lumber sawn to shape for spokes of wheels, but not further manufactured : hickory spokes rough turned, not tenoned, mitred, throated, faced sized, cut to length, round tenoned or polished.
738. Yellow metal, in bolts, bars and for sheathing.
739. Zinc, in blocks, pigs and sheets, and zinc seamless drawn tubing.
740. Zinc, chloride, and sulphate of.
741. Brass cups, being rough blanks, for the manufacture of paper shells or cartridges, when imported by manufacturers of brass and paper shells and cartridges for use in their own factories.
742. Brass, iron or steel rolled, round wire rods under three-eighths of an inch in diameter, and rolled copper rods one inch or under in diameter, when imported by wire manufacturers for use in making wire in their own factories.
743. Calcareous tufa.
744. Crucible sheet steel, eleven to sixteen gauge, 2½ to 18 inches wide when imported by manufacturers of mower and reaper knives, for the manufacture of such knives, in their own factories.
745. Copper rollers, for use in calico printing, when imported by calico printers for use in their factories in the printing of calicoes and for no other purpose (such rollers not being manufactured in Canada).
746. Elastic rubber thread,
747. Felloes of hickory wood, rough sawn to shape only, or rough sawn and bent to shape, not planed, smoothed or otherwise manufactured.
748. Fish skins and fish offal.
749. Gum Chicle or Sappato Gum in a crude state.
750. Hatters' bands (not cords), bindings, tips and sides, hat sweats and linings both tips and sides, when imported by hat and cap manufacturers only, for use in their factories for the manufacture of hats and caps.
751. Hemp paper, made on four cylinder machines and calendered to between .006 and .008 inch thickness for the manufacture of shot shells, primers for the manufacture of shot shells and cartridges ; and felt board sized and hydraulic pressed and covered with paper or uncovered for the manufacture of gun wads when such articles are imported by the manufacturers of shot shells, cartridges and gun wads, to be used for these purposes only in their own factories, until such times as the said articles are manufactured in Canada: Pro-

vided always that the said articles when imported, shall be entered only at such port or ports as may be named by the Controller of Customs, and at no other place; samples of such articles to be furnished to the Collector of said port or ports by the Customs Department for the guidance of the officer when accepting free entries of such materials.

752. Molasses, second process, or molasses derived from the manufacture of "molassesugar," testing by polariscope less than 35 degrees when imported by manufacturers of blacking, for use in their own factories in the manufacture of blacking, conditional that the importers shall, in addition to making oath at the time of entry that such molasses is imported for such use and will not be used for any other purpose, cause such molasses to be at once mixed in a proper tank made for the purpose with at least one-fifth of the quantity thereof of cod, or other oil, whereby such molasses may be rendered unfit for any other use, such mixing to be done in the presence of a Customs officer at the expense of the importer and under such further regulations as may from time to time be considered necessary in the interest and protection of the revenue, and that until such mixing is done and duly certified on the face of the entry thereof by such Customs officer the entry shall be held to be incomplete and the molasses subject to the usual rate of duty as when imported for any other purpose.
753. Horse hair, not further manufactured than simply cleaned and dipped or dyed, imported for use in the manufacture of horse hair cloths.
754. Lastings, mohair cloth, or other manufactures of cloth, when imported by manufacturers of buttons for use in their own factories, and woven or made in patterns of such size, shape or form, or cut in such manner as to be fit for covering buttons exclusively—these conditions to be ascertained by special examination by the proper officer or Customs, and so certified on the face of each entry.
755. Oleo-stearine and degreas, when imported by manufacturers of leather, for use in the manufacture of leather in their factories.
756. Platinum and black oxide of copper, for use in the manufacture of chlorate.
757. Potash, chlorate of, not further prepared than ground, and free from admixture with any other substance.
758. Rolled iron tubes not welded, under 1½ inch in diameter, iron, 9 and 10 gauge, not over 1½ inch wide, iron tubing, lacquered or brass covered, not over 1½ inch diameter, all of which are to be cut to lengths for the manufacture of bedsteads, and to be used for no other purpose; when imported for the manufacturers of iron bedsteads to be used for these purposes only in their own factories, until such time as any of the said articles are manufactured in Canada.
759. Sawdust of the following woods: amaranth, cocoboral, boxwood, cherry, chestnut,
- Mr. FOSTER.**

walnut, gunwood, mahogany, pitch pine, rosewood, sandal-wood, sycamore, Spanish cedar, oak, hickory, whitewood, African teak, black heart ebony, lignum vitæ, red cedar, redwood, satin-wood, white ash, persimmon and dog wood.

760. Square reeds and raw-hide centres, textile leather or rubber heads, thumbs and tips, and steel, iron or nickel caps for whip ends, when imported by whip manufacturers, for use in the manufacture of whips in their own factories.
761. Steel for the manufacture of hammers, augers and auger bits, when imported by the manufacturers of such articles, for use in their own factories only.
762. Steel of numbers 24 and 17 gauge, in sheets 63 inches long and from 18 inches to 32 inches wide for the manufacture of tubular bow sockets, when imported by the manufacturers of such articles, for use in their own factories only.
763. Steel strip and flat steel wire, when imported into Canada by manufacturers of buckthorns, plain strip or other fencing, and safety barb wire fencing, for use in their own factories in the manufacture thereof.
764. Steel wire, Bessemer soft-drawn spring, of numbers 10, 12 and 13 gauge respectively, and homo steel spring wire, of numbers 11 and 12 gauge respectively, when imported by manufacturers of wire mattresses, to be used in their own factories in the manufacture of such articles.
765. Typewriters, tablets with movable fixtures, and musical instruments, when imported by and for the use of schools for the blind, and being and remaining the sole property of the governing bodies of said schools and not of private individuals, the above particulars to be verified by special affidavit on each entry when presented.
766. Yarn spun from the hair of the alpaca or angora goat, when imported by manufacturers of braids for use exclusively in their factories in the manufacture of such braids only, under such regulations as may be adopted by the Controller of Customs.

Provided that with respect to goods imported for manufacturing purposes that are admissible under this Act for any specific purposes, at a lower rate of duty than would otherwise be chargeable, or exempt from duty, the importer claiming such exemption from duty, or proportionate exemption from duty, shall make and subscribe to the following affidavit or affirmation before the Collector of Customs at the Port of Entry:—

I, (1) the undersigned, importer of the (2) mentioned in this entry, do solemnly (3) that such (4) are imported by me for the manufacture of (5) in my own factory, situated at (6) and that no portion of the same will be used for any other purpose or disposed of until so manufactured.

(1) Name of importer.

(2) Name of the goods or articles

(3) Swear or affirm.

- (4) Name of the goods or articles.
 (5) Name of the goods to be manufactured.
 (6) Name of the place, county and province.

SCHEDULE "C."

767. Books, printed paper, drawings, paintings, prints, photographs or representations of any kind of a treasonable or seditious, or of an immoral or indecent character.
 768. Reprints of Canadian copyright works, and reprints of British copyright works which have been also copyrighted in Canada.
 769. Coin, base or counterfeit.
 770. Oleomargarine, butterine or other similar substitute for butter.
 771. Goods manufactured or produced, wholly or in part by prison labour, or which have been made within or in connection with any prison, jail or penitentiary.

4. Resolved, That it is expedient to repeal so much of the Inland Revenue Act and amending Acts as determines the Excise duties to be levied upon Malt and Vinegar, and to provide that on and after the 28th March the Excise duties thereon shall be as follows ;—

1. Malt, one and one-half cents per pound.
2. Vinegar, eight cents per proof gallon.

Mr. FOSTER moved second reading of resolutions.

13. Opium (crude), \$1 per net pound.

Mr. FOSTER. The House will remember that the intention was to admit free of duty the outer ball or covering, and the committee thought, at the time of the passing of this item, that this reading would do that. But I see by the package clause that where there is a specific duty on an article, the covering of it is dutiable at 20 per cent. Therefore, I wish to move that this item be amended by striking out the word "net," and by adding at the end of the item the words: "the outer ball or covering to be free from duty." Otherwise the intention of the committee will be frustrated.

Sir RICHARD CARTWRIGHT. I do not wish to raise any unnecessary objection; but I think we shall have to go into committee to do that.

Mr. FOSTER. If it had not been the decision of the committee, we might; but this is only carrying out the intention of the committee.

Mr. LAURIER. My impression is that you cannot make the alteration here.

Mr. FOSTER. We cannot raise the duty; but this is a reduction. We could strike the clause out altogether, if we liked.

Mr. LAURIER. My hon. friend is right: we could strike out the clause; but if you wish to amend a resolution, as I understand, you must move that the resolution be referred back to the committee to be amended. You cannot amend it without doing so.

Mr. SPEAKER. The practice is thus laid down in Bourinot:

But it must be remembered that it is always regular to propose an amendment on the report from the committee either for the repeal or reduction of proposed duties, even when those duties are actually below what they had been previously. Neither is it necessary to go back into committee to strike off certain articles from the free list, provided the duty is left as payable under the existing law.

Sir RICHARD CARTWRIGHT. I suppose this is substantially a reduction of duty.

Item, as amended, concurred in.

23. Lard, lard compound and similar substances, cottolene and animal stearine of all kinds, n.e.s., 2 cents per pound.

Sir RICHARD CARTWRIGHT. Is there any other stearine except animal?

Mr. FOSTER. There is vegetable stearine used in soap-making. That will come in at 20 per cent, as it always has, unenumerated.

Item concurred in.

43. Rye flour, 50 cents per barrel.

Sir RICHARD CARTWRIGHT. Is there an extra duty on the barrel? Apparently there will be, as you have seen fit to add the words, in the case of apples, "including duty on barrels."

Mr. FOSTER. Yes, there will be a duty at 20 per cent. It is a specific duty and comes in under the package clause at 20 per cent.

Sir RICHARD CARTWRIGHT. Ought not the same principle be applied as in apples?

Mr. FOSTER. The idea was to charge no higher duty on apples than 40 cents per barrel.

Item concurred in.

46. Barley, 15 cents per bushel.

Sir RICHARD CARTWRIGHT. With respect to this article of barley, which is a matter of considerable importance to us, I would call the attention of the Minister to the fact that under the present revision of the tariff in the United States, an ad valorem duty is proposed which is likely to be considerably less than 15 cents per bushel. If that be the case, it would be more politic for us, I think, to conform to the ad valorem duty rather than leave it as specific duty which, under certain contingencies, might lead to the raising of the duty on our barley going into the United States. The hon. gentleman knows that we buy mighty little barley and sell a great deal, so it is distinctly to the interests of our farmers that no opportunity should be given to the American barley growers to pretend that a heavier rate of duty is imposed by us than is imposed by the United States. Or the hon. gentleman might make a smaller specific duty.

Mr. FOSTER. Barley was made by the Finance Committee 30 per cent. That would be about the equivalent of this.

Sir RICHARD CARTWRIGHT. No; in a good many cases it would be less. They manage to get it in under a lower grade. There is a risk, you see. It is in our interest to give no reason for raising the duty on barley.

Mr. FOSTER. At a market price of 50 cents per bushel, this rate of duty would be exactly the same as theirs. But the trouble of this is we have no knowledge whatever of what their act will be. We have just as good a right to take it for granted that it will be 30 cents per bushel, as it came from the House of Representatives. The duty according to the Bill as it came from the House was 30 cents per bushel of 48 pounds.

Sir RICHARD CARTWRIGHT. I think that must be an error. for I am sure it did not leave the House Committee at 30 cents per bushel.

Mr. CHARLTON. The House Committee put it at 25 cents per bushel, and it was altered to 30 cents in the Senate.

Mr. FOSTER. I see now. There are three different tariffs here combined in one. The barley duty now under the McKinley Bill is 30 cents per bushel. As it came from the House, it was 25 per cent, and the Senate Committee changed it to 30 per cent.

Sir RICHARD CARTWRIGHT. This is a matter that would very likely get into conference, and, if you keep the duty at 15 cents per bushel specific, it will considerably assist those parties who wish to have a higher duty imposed by the United States. We have next to nothing to lose in the matter, because we are certainly not going to buy barley from the United States. Better make it 10 cents per bushel.

Mr. FOSTER. No; but I would have no objection to making it 30 per cent, the same as in the American tariff as at present revised. I move that that change be made.

Item, as amended, concurred in.

47. Indian corn, 7½ cents per bushel.

Mr. McMULLEN. There is a provision in connection with this that I think the Minister should seriously consider. He allows a rebate of 90 per cent of the duty on Indian corn brought in and ground for human food. I think that when corn is brought in and used for animal food and proper certificates are furnished to show that it was imported to be used for the purpose of feeding stock for export, there should be a rebate of the same proportion as when it is brought in to be ground for human food. The hon. Minister will recollect that we had a very extended debate in this House upon the question of corn being brought into the Maritime Pro-

Sir RICHARD CARTWRIGHT

vinces and ground professedly for human food, while, from the enormous quantity brought in, the Minister himself must agree it cannot all be used for human food, and that a large proportion is probably used for feeding stock. In order to encourage the export of stock from this country, which has become a most important thing with the farmers of Ontario, I think this rebate should be allowed on corn used for feeding such stock. I quite agree that when it is imported to come into direct competition with wheat or anything else we have, the Minister might fairly claim that it should pay a tax, but when it comes in for the purpose of feeding stock for export, and we are doing quite an export trade notwithstanding the drawbacks stock is subjected to, the Minister should give the farmers the advantage of the rebate just the same as is given to the people of the Maritime Provinces.

Mr. FOSTER. I do not think we can do that here.

Item concurred in.

65. Tomatoes, fresh, 20 cents per bushel and 10 per cent ad valorem.

Sir RICHARD CARTWRIGHT. What does the hon. gentleman compute that to be ad valorem?

Mr. FOSTER. When the tomatoes are low in the market, the ad valorem equivalent, of course, will be high, but they will not be imported at all at such a season. But when they are imported as a delicacy or luxury, the ad valorem equivalent of duty will be comparatively small.

Item concurred in.

Animals, and agricultural and animal products.

Mr. CARGILL. Before leaving this class, I would like to inquire of the Finance Minister if, in case the American Government should admit eggs from Canada at a lower rate of duty than 5 cents per dozen, say, 1, 2 or 3 cents per dozen, is it the intention of the Government to admit eggs at the same rate?

Mr. FOSTER. That item of eggs belongs to this schedule, but it has not been reached, having been passed at another stage. If the Speaker will allow me, though, I will answer the hon. gentleman. The intention of the Government, as to the extent it would go, has been shown, of course, by the item as passed:

Eggs, 5 cents a dozen; to be free when and so long as eggs exported from Canada are allowed free entry into the United States.

Of course, if the Government were to make eggs free provided the United States made them free, that carries with it reciprocity. If they made them less, and if we were in session at the time, we should be very glad to make them at the same rate; and when

we come to that item, it may be well to provide for that absolutely.

125. Glacial acetic acid or acetic acid exceeding the strength of proof, when imported by druggists and other than dyers, calico printers, or manufacturers of vinegar or acetates or colours, to be used in their own factories for purposes of manufacture other than as heretofore excepted from this provision, a specific duty equal to 15 cents per imperial gallon of the strength of proof and 1 cent additional per gallon for each degree of strength in excess of the strength of proof.

Mr. LAURIER. As no doubt the Finance Minister is aware, the duty on acetic acid is almost 200 per cent. It is a mixed duty, ad valorem and specific. A letter has been placed in my hands by a firm in Montreal, Marrotte, Leblanc & Company, in which they state: There is but one manufactory of acetic acid in the Dominion, and we are called upon to pay \$8 duty on a four-gallon jar, which costs \$4.50 in Germany, or nearly 200 per cent.

Mr. FOSTER. The hon. gentleman will see there are three items with respect to acetic acid. The first takes in vinegar. The duty on vinegar is 15 cents per gallon. Then there is a duty placed on the acid in proportion as the strength increases, and when it comes to a very high strength, like glacial acetic acid, the duty is high. It was put high purposely, in order to prevent, as far as possible, the use of glacial acid in the manufacture of vinegar. Vinegar is made from it. This manufacture is prohibited in some countries, and we do all we possibly can to discourage the manufacture of vinegar from acetic acid. When 15 cents per gallon duty is paid, it must also be remembered that acetic acid when imported for all manufacturing purposes is at a low rate of duty on the whole. The duty is very high undoubtedly on glacial acetic acid, but it is used almost entirely either by manufacturers or by druggists in their work, and for them the duty in the one case has been made very much lower than before, and in the other case it is not higher.

Mr. LAURIER. Two hundred per cent seems very high.

Mr. FOSTER. I do not think it is that rate.

Mr. LAURIER. This firm says so.

Mr. FOSTER. They must have obtained a quantity at a great bargain.

Item concurred in.

130. All medicinal, chemical and pharmaceutical preparations, when compounded of more than one substance, including patent and proprietary preparations, tinctures, pills, powders, troches, lozenges, syrups, cordials, bitters, anodynes, tonics, plasters, liniments, salves, ointments, pastes, drops, waters, essences and oils, not otherwise provided for; all liquids, 50 per cent ad valorem; and all others, 25 per cent ad valorem.

Provided that this item shall not be held to include drugs and preparations recognized by the British and the United States Pharmacopœia as officinal.

Mr. FOSTER. I desire to add after the word "pharmacopœia" the words "and the French Codex."

Mr. BORDEN. It has been pointed out with reference to this class, that constantly there are new remedies being discovered which are used in the practice of medicine, and which still are not included in the pharmacopœias. The pharmacopœias are revised, in the United States at any rate, only once in ten years, and, therefore, many remedies cannot possibly be included among the regular drugs for several years, and in the meantime they come in at a greatly increased rate of taxation. It was suggested that some amendment might be made which would include these remedies.

Mr. FOSTER. We have found a great deal of difficulty in arranging this up to the present time, and I think we would find it a good deal more difficult if we commenced to deal with something which did not exist.

Mr. SPROULE. It would be impossible to provide for things that did not exist and cannot be named or designated in any way.

Mr. BORDEN. At this very moment there are remedies which are being used by the profession and which are not in the pharmacopœias.

Sir RICHARD CARTWRIGHT. The only excuse for your tax is that the less of these patent medicines a man takes the better for him.

Item concurred in.

170. Plate glass, not coloured, in panes of over 12 and not over 30 square feet each, 6 cents per square foot; and when bevelled, 2 cents per square foot additional.

Sir RICHARD CARTWRIGHT. Why is the rather heavy duty of 2 cents per square foot imposed on account of bevelling?

Mr. FOSTER. That has been the law since 1887, I think. It is not a high rate. I remember at that time we went into it very carefully.

Sir RICHARD CARTWRIGHT. It is an addition of one-third to the duty. What is the special reason for it?

Mr. FOSTER. This glass is all bevelled here, except the German plate, of course.

Item concurred in.

263. Shovels and spades, shovel and spade blanks, and iron or steel cut to shape for same, 35 per cent ad valorem.

Mr. McMULLEN. I want to draw the attention of the Finance Minister to a promise he made me when we were on this item, that he would furnish, for the information of the committee, the quantity of those things manufactured in Canada. At

the time he said that he did not have it, but that he would procure it and furnish the quantity to the committee. I would like to know now if he can give us those figures.

Mr. FOSTER. I have not the figures by me. I will make another note of it.

Mr. McMULLEN. Of course, we are quite willing to give him every reasonable opportunity to get possession of the information, but really I think that when a promise of that kind is made, we have a right to expect that it will be adhered to.

Item concurred in.

272. Mowing machines, self-binding harvesters, harvesters without binders, binding attachments, reapers, sulky and walking ploughs, harrows, cultivators, seed drills and horse rakes, 20 per cent ad valorem.

Mr. MACLEAN (York). I would like once more to call the attention of the Government to the sweeping reduction with regard to agricultural implements. I have a letter here from a firm of agricultural implement makers, John H. Grout & Co., of Grimsby, in which they say :

I have good reason, as a manufacturer, to complain of the proposed duty on agricultural implements, that is, the change from 35 per cent to 20 per cent without any change being made in raw material. This virtually means doing away with any protection whatever, calculating on the difference of cost of our raw material, also the change being made when we had on hand all the stock on which the highest duty had been paid for the season's business.

Now, notwithstanding the outcry that has been made against the tax on agricultural implements, and notwithstanding the indiscreet statements that some agricultural implement makers have made, or are said to have made, I say this reduction is altogether too sweeping, and will do more or less damage to a large and growing industry, an industry that ought to be native to this country, and ought to be encouraged rather than injured. I submit that, on the whole, the proposed reduction is altogether too sweeping, and I think it is not yet too late for the Government to give that better consideration.

Mr. McMULLEN. With regard to this matter, the Government has fixed the value of binders, when imported into this country, at \$100, upon which they charge a duty of \$20. Notwithstanding the fact that a man may buy a McCormick binder in Chicago for less than \$70, when it gets to the boundary, the value is fixed at \$100, and he has got to pay a duty of \$20 upon a \$100 binder. Now, the question with regard to the duty paid by the manufacturers of this country on the iron that is used in the binders, was clearly argued out in this House at the time the item was first under consideration, when the Con-

Mr. McMULLEN.

troller of Customs showed that they did not pay quite \$5 altogether of duty upon the iron that is in the binder. Well, everything included, \$5 will cover the entire sum. The Controller shakes his head; I do not know what that means, but I take it to indicate that he challenges the statement I make. But I think if he goes over the items he will find I am right. It leaves the manufacturers of this country a clear protection of \$15 on a binder, or within a few cents of it.

Mr. WALLACE. No.

Mr. McMULLEN. Well, I would like to show that they do not pay more than \$6 on the iron that is in the binder, and that leaves \$14. Now, the Massey-Harris Company manufactured, last year, 40,000 binders, and I believe they sold every one. At \$14 apiece, that makes \$560,000 that they have left for the sale of implements of that kind. Now, I think that should be a satisfactory margin to the implement manufacturers, and I think the farmers of this country are loaded down enough without asking them to consent to an increase. But the point I want to draw my hon. friend's attention to, is this: Every item that enters into the construction of a binder can be procured in Canada as cheaply as it can on the other side, counting the duty off. Is not wood as cheap? Is not labour as cheap? Is not the material that enters into it as cheap? Then, I ask on what grounds do the manufacturers of these binders say they cannot compete? We know that in this country house rents are cheap, living is cheap, and the ordinary articles that enter into every-day use of families are cheap. On all those points, they can afford to compete. I say that the ordinary articles of living are as cheap as they are in the United States at the present moment. Now, in the face of all these facts, I cannot see how these manufacturers can ask for an increased duty on binders.

Mr. DAVIN. I hope the Finance Minister will not listen to the appeal of the hon. member for East York (Mr. Maclean). I agree with my hon. friend from Wellington (Mr. McMullen) that the manufacturers of implements are well enough protected with 20 per cent. I am glad to see that the hon. member for Wellington has not been converted by some of his leaders into sympathizing too strongly with the manufacturers. I think that 20 per cent is ample protection for those gentlemen.

Mr. WALLACE. I think the hon. member for North Wellington (Mr. McMullen) is a little astray in his statement of facts, because he states that we levy a duty on a valuation of \$100 for a McCormick reaper, while they can be bought in Chicago for \$70. Now, the statements of the McCormicks' themselves, which I hold, is that they are selling them for \$100.

Mr. McMULLEN. That is for local consumption. You understand that all right. That is not for export.

Mr. WALLACE. The statement of the McCormicks themselves, given to me, is that the price—

Mr. McMULLEN. Yes; we understand all you are going to say before you say it.

Mr. WALLACE. There are a lot of things you do not know, however. The price is levied on that \$100 in accordance with the Act of Parliament, which says that the price for duty shall be the price in the open market of the country from which the article is exported, and the price in the open market in Chicago for the McCormick binder, in quantities of fifty, and under, is \$100. That is their own statement, and we verified it by actual investigation ourselves, and found it to be correct. And, therefore, in accordance with the law the duty was paid on a valuation of \$100. Further, the hon. gentleman made the statement that duties were paid on all articles entering into the construction of binders. I stated that if the duties were paid on all those articles the amount was \$6.60.

Mr. McMULLEN. The manufacturers did not pay duties on materials manufactured in the country as the First Minister says.

Mr. WALLACE. I take the position that if the articles entering into the construction of the binders were not made in the country, but had to be imported, the duties paid on them would be between \$6 and \$7. When they were made here and sold at a cheaper rate than the imported article with the duty added, as we know is the case in many instances, the duty is not paid by the manufacturer.

Mr. SUTHERLAND. The Controller of Customs must be mistaken in his calculation, when the duty on raw material entering into an agricultural implement is estimated by him at not more than \$6 or \$7. I suppose the Government have had statements furnished them by the different agricultural implement manufacturers throughout the country. I understand the Government have obtained particulars with respect to those implements. But the hon. gentleman must have received representations in a contrary sense, and I do not think the Controller is in a position to dispute the statements submitted to him.

Mr. WALLACE. I had a statement from Noxon Brothers, in Oxford County, in regard to the quality of materials they used for the purpose of manufacturing binders.

Mr. SUTHERLAND. I should like very much if the hon. gentleman would read one of the statements submitted to him by these manufacturers, as it would be of interest to the House, instead of the hon. gen-

tleman giving a statement which I cannot accept as correct, from my knowledge of the business. The hon. member for East York (Mr. Maclean) stated the case very properly. While not personally acquainted with that manufacturing firm, I know of it. The firm is complaining, not so much on account of the high duty, but on account of other imposts placed on the business. There is one point which the hon. Controller of Customs has overlooked, and that is that the great bulk of the expensive machinery they use has to be imported from the other side, and the duty is very high. The proper policy to adopt is to endeavour so that they will not be compelled to reduce the wages of their workmen in the factory in order to pay high duties on machinery required to be imported for manufacturing purposes. That represents a great burden on the manufacturers, and they have represented to the Controller of Customs and to the Government that they will be perfectly satisfied with the present duty or a lower duty if relief can be obtained on the material and the manufacturing machinery they use. I am sure the hon. Controller will not deny that that is the proposition which the manufacturers have made. I have not seen the statement put in by Noxon Brothers, but I know something in regard to the representations made by other manufacturers, and the Controller will not attempt to deny that the proposition is one that was at least suggested or made when the reduction was proposed by manufacturers generally. No doubt the manufacturers were represented here as a class, and no doubt their representatives submitted statements to the hon. gentleman. Those engaged in other industries using machinery which has to be purchased on the other side of the line are in a similar position; this is the case in regard to considerable quantities of iron and steel goods that have to be purchased in other countries. I cannot understand on what principle or theory the Government insists on trying to injure those industries, especially the manufacturers of agricultural implements, because the Controller must know that this business is not in as good a position as it was some years ago, that the different firms are not prospering as they prospered under a low duty and a free market, and that they are handicapped, and if they succeeded it was by reducing the wages of the workmen in their factories. The firm to which the hon. member for East York referred are strong supporters of hon. gentlemen opposite, but they deal with these questions as business men, and in my opinion those representing business interests should receive more attention and their representations should possess more weight with the Controller of Customs and the Government in dealing with trade matters than has been the case hitherto.

Mr. WALLACE. I congratulate the hon. member for East York (Mr. Maclean) on gaining another adherent in the hon. member for North Oxford (Mr. Sutherland).

Mr. MACLEAN (York). I desire to read another letter, and if I am permitted to do so I will not trouble the committee on the next clause.

Mr. SPEAKER. We must adhere to the rules.

Mr. MONTAGUE. The statement made by the hon. member for North Oxford (Mr. Sutherland), that these industries were not as prosperous as they were some years before the high duties were imposed, is to a certain extent true as regards the smaller industries in the country. It was contended when this policy was introduced that home competition would be very keen, and hon. gentlemen know that in this, at least certainly, that promise has been kept as well in regard to the article of agricultural implements as in anything else; and it is a fact to deplore, and yet a fact we appreciate, that the smaller industries throughout the country have to a certain extent been driven to the wall by the large industries, but with this happy result that the price has been so materially reduced under the high tariff by the keen competition that the smaller establishments can no longer compete with the large establishments in supplying goods at cheap rates because of the larger quantities these institutions make. That undoubtedly is the reason why the smaller establishments have become less prosperous than formerly.

Mr. SUTHERLAND. I entirely disagree with the remarks made by the hon. gentleman. As a matter of personal explanation, I may say that the Controller of Customs when he intimated and insinuated that I was advocating an increase of duty, was entirely inaccurate, for I plainly stated that I was not in favour of it, but opposed to it. It was a decrease of duty that I was advocating, and in the interest of the manufacturer.

Sir RICHARD CARTWRIGHT. No member on this side of the House has advocated an increase to the extent of one cent, and I do not think any member on this side will do so. What we say, and I have repeated it many times, is this: that every principle of reason and justice requires that the manufacturer of agricultural implements should get his raw material free, as the vast bulk of other manufacturers are permitted to get in their raw material free.

Mr. MONTAGUE. How about the canned vegetable companies? I think the hon. member for North Norfolk (Mr. Charlton) asked for increased duties.

Mr. CHARLTON. That subject is not before the committee at present.

Item concurred in.

Mr. SUTHERLAND.

273. Portable machines, portable steam engines, threshers and separators, horse-powers, portable saw mills and planing mills, and parts thereof in any stage of manufacture, thirty per cent ad valorem.

Mr. MACLEAN (York). In connection with this item I take the opportunity of reading a letter which is applicable to it, and it answers the objection raised by one of the previous speakers. That hon. gentleman said that all the materials were the same in this country as in the United States. The letter which I have received reads as follows:—

Malleable iron, 1c. per pound more in Canada than in the States.

Pig iron, 65 per cent more in Toronto than it costs the American maker.

Iron pipe costs us, within thirty days, 70 per cent more in Toronto than it costs the American maker.

Bar iron and steel, 50 to 70 per cent more.

When these items are considered upon the gross purchases necessary to make the finished product, and then add coal, coke, machine and fuel oil, files, emery stones, grindstones and everything else that must be purchased in order to make the finished material; and also count out the waste goods, and waste in the various kinds of material, is from 15 to 60 per cent between the kinds of raw material necessary, and the net weight of material that goes into a machine.

I have another letter here expressing the view of one of the largest manufacturing concerns in the country. It reads as follows:—

I am disheartened and feel that the interests of Ontario have been sacrificed for those of some other provinces. I also feel that the special industry with which I am connected has been singled out and made the scapegoat of a popular but false cry. Unless the Government makes some provision in the free list for the importation of materials for agricultural implements at a reduced rate, then our home trade will certainly be shared by American manufacturers. I am convinced that if things remain as now, the largest industry in Ontario, both for home and export trade, will be affected most adversely.

Now, as National Policy men we do not want to see that brought about.

Mr. McMULLEN. The Controller of Customs challenged the statement I made here to-night, and in order to show that he was wrong and that I was right, I beg to read his own remarks from 'Hansard,' which were as follows:—

Mr. WALLACE. If they could not buy it cheaper here they would import it; the fact that they buy it here is sufficient proof that they get it cheaper. But suppose there were in this country no manufactures of pig iron or bar iron, or steel, and that the manufacturers of agricultural implements had to import all their raw material, what would be the result? The duty on 600 pounds of

pig iron, at \$4 per ton, is \$1.20: the duty on 300 pounds of steel, at $\frac{1}{2}$ cent per pound, is \$1.50; the duty on 300 pounds of wrought iron at $\frac{1}{2}$ cent per pound, is \$1.50, making a total on those articles of \$4.20. Say there were other items to be imported, and upon which they would have to pay duty—for instance, canvas, which, however, is made in this country—and counting the duty upon coal and other articles used in the manufacture, but which do not appear in the composition of the article itself—take all these duties and you cannot make up a total of more than about \$6.

Now, when I made the statement the hon. gentleman shook his head and challenged it.

Mr. WALLACE. Yes, when you said \$4 or \$5.

Mr. McMULLEN. The hon. the Controller of Customs is in the habit of getting up and challenging the statements of hon. gentlemen on this side of the House, and it takes considerable trouble to keep him in line. He is in the habit of doing this thing, and I have had to correct him several times. It is to be hoped that he will not repeat that any more in this House. He shook his head when I said it was \$4.50, and he shook his head when I said it was \$5, and he shook his head again when I quoted his own figures and said it could not be more than \$6. It is to be hoped that in future the hon. the Controller will have some respect for the position he occupies, and not risk his reputation by making statements he cannot verify.

Mr. WALLACE. I am afraid I will have to shake my head when the hon. gentleman gets off the track. The very extract which he has read shows that he was wrong. When he quoted me as saying \$4 I think I had the right to shake my head, and in that mild way to set him right.

Sir RICHARD CARTWRIGHT. My hon. friend (Mr. McMullen) must not be too severe on the Controller of Customs, because unless the accounts that reach us are very far astray, even the Minister of Justice has some trouble in keeping the Controller of Customs in line.

Sir JOHN THOMPSON. Oh, no.

Sir RICHARD CARTWRIGHT. Even to the extent of revising his addresses on some occasions.

Mr. TAYLOR. The articles now under consideration, as well as the items preceding it, if I understand the Wilson Bill, are placed on the free list. But at the end of the Wilson Bill there is a clause which, in my opinion, will bar any implement named in their Bill out of their country, because it provides that if the United States manufacturer has his implement registered or has a trade mark, no implement made in a foreign country can be imported. Therefore the fact that they are putting the agricultural implements they have named in the Bill on the free list, does not affect the manu-

facturers of that class of implements in the United States, because every one of them is protected by a trade mark. I think that the Government should consider that question and put a clause in the Canadian tariff Bill before it is through, similar to the clause in the Wilson Bill, to the effect that where a Canadian manufacturer has a trade mark or an article patented, the tariff will apply to similar articles coming in from a foreign country. My own opinion is that we should put our agricultural implements on the free list, provided we have free sale in the United States, but if not, that our tariff should remain as it is. I think it would be well that our Government should consider that clause in the Wilson Bill, because although nominally they put implements on the free list, yet I believe that under that proviso there is not an implement manufacturer in Canada who can sell in the United States, owing to the fact that they have their trade marks registered, so that it will exclude our goods. In reference to the statement made by my hon. friend from South Oxford: that the manufacturers are not as prosperous now as they were some years ago, I can tell him that there is good reason for that. Some years ago I was agent for the Massey Manufacturing Company, when they were located at Bowmanville (just before they removed to Toronto), and I used to sell a binder to the farmers for \$275, that bore no comparison in value or in style or in finish, or that would give as good satisfaction as the binder a farmer can now buy for \$100. The farmer is getting an implement for \$200 to-day superior to what he paid \$275 for at that time. I suppose the manufacturer may be worse off to-day, because he does not make the profit at the end of the year that he did then.

Mr. McMULLEN. The farmers were getting \$1.25 a bushel for their wheat then, and they are getting 65 cents now.

Mr. COCHRANE. A bushel of wheat has greater purchasing value now that it was then.

Mr. TAYLOR. That is the fact at all events, with regard to the implements, and the wheat has nothing to do with it.

Item concurred in.

366. All sugar above No. 16 Dutch standard in colour, and all refined sugars and molasses, n. o. p., of whatever kind, grades or standards, $\frac{1}{16}$ c. per pound.

Mr. CHARLTON. The protection afforded to Canadian refiners by this section is almost exactly five times as great as the United States Congress has seen fit to give the sugar refiners in the United States. Their duty on sugar is 40 per cent and an additional one-eighth cent per pound on refined sugar. This duty is sixty-four-one hundredths cent per pound. I protest, now, as before, against this duty, on behalf of the consumers as being larger than necessary for the refiners and simply arranged

to enable the refiners to put in their pockets very large sums besides the necessary protection required to control the market. I think if this was thirty-one hundredths of a cent instead of sixty-four one hundredths it would give ample protection.

Mr. FOSTER. My hon. friend will find that the American refiners gets more than one-eighths of a cent. The sugar tariff of the United States is the most complex one I have ever seen. I have gone through the discussion in Congress and even there they cannot make out what it amounts to.

Mr. CHARLTON. It is very plain that the duty given to the American refiner is one-eighth cent per pound.

Item concurred in.

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

After Recess.

THIRD READINGS.

Bill (No. 78) to incorporate the Metis, Matane and Gaspé Railway Company.—(Mr. Turcotte.)

Bill (No. 80) to amend the Act to revive and amend the Act to incorporate the Rocky Mountain Railway and Coal Company.—(Mr. Davis.)

Bill (No. 58) to incorporate the Lake Megantic Railway Company.—(Mr. Pope.)

IN COMMITTEE—THIRD READINGS.

Bill (No. 101) to incorporate the Alberta Southern Railway Company.—(Mr. Davis.)

Bill (No. 102) to incorporate the Wolseley and Fort Qu'Appelle Railway Company.—(Mr. Davin.)

Bill (No. 81) respecting the Erie and Huron Railway Company.—(Mr. Cockburn.)

Bill (No. 103) to amend the Acts relating to the Moncton and Prince Edward Island Railway and Ferry Company.—(Mr. McInerney.)

Bill (No. 107) to again revive and further amend the Act to incorporate the Red Deer Valley Railway and Coal Company.—(Mr. Davis.)

Bill (No. 108) respecting the Manitoba and North-western Railway Company of Canada.—(Mr. Taylor.)

Bill (No. 59) respecting the Montreal Island Belt Line Railway Company.—(Mr. Bergeron.)

SECOND READINGS.

Bill (No. 120) for the relief of Joseph Thompson.—(Mr. Northrup.)

Bill (No. 131) to incorporate the Nova Scotia Steel Company.—(Mr. Fraser.)

Bill (No. 132) respecting the Cobourg, Northumberland and Pacific Railway Company.—(Mr. Gullet.)

Mr. CHARLTON.

WAYS AND MEANS—THE TARIFF.

421. Two ply and three ply ingrained carpet of which the warp is composed wholly of cotton or other material and wool, worsted, the hair of the alpaca goat or other like animal, 3 cents per square yard and 25 cents ad valorem.

Mr. CHARLTON. What will be the extreme rate of duty on the lower grades reduced to ad valorem.

Mr. FOSTER. On a 50 cent carpet the duty will be about 30 per cent. Below 50, it will be a little more, and above 50, it will be less.

Mr. CHARLTON. This whole system of combining specific and ad valorem duties is a vicious one resorted to in order to conceal the amount taken from the tax-payer.

Sir RICHARD CARTWRIGHT. I think we knew all that before the hon. gentleman told us. The question was what was the value of the lowest grade which was affected by this particular item. I am inclined to think, though it is certainly very inferior carpet, that some grades of these carpets can be obtained at from 20 to 25 cents per yard.

Mr. WALLACE. Not so low as that.

Sir RICHARD CARTWRIGHT. Wholesale?

Mr. WALLACE. The American carpet manufacturer's price in the United States is not as low as that.

Sir RICHARD CARTWRIGHT. What is the lowest?

Mr. FOSTER. Thirty cents is about the lowest. The duty on that class would be 35 per cent.

Item concurred in.

434. Anti-septic surgical dressing, such as absorbent cotton, cotton-wool, lint, lambs' wool, tow, jute, gauzes and oakum prepared for use as surgical dressings, plain or medicated, twenty per cent ad valorem.

Sir RICHARD CARTWRIGHT. I would ask, as a matter of curiosity, do you put this duty on for revenue purposes or for the protection of home manufactures?

Mr. FOSTER. Oh, for revenue purposes.

Sir RICHARD CARTWRIGHT. What revenue do we get out of this importation?

Mr. FOSTER. That we could not tell, because these articles run into the unenumerated list.

Sir RICHARD CARTWRIGHT. I suppose it is no use to remark that these are very barbarous taxes.

Item concurred in.

453. Salmon and all other fish prepared or preserved, including oysters, not specially enumerated

or provided for in this Act, twenty-five per cent ad valorem.

Sir RICHARD CARTWRIGHT. How do these several items, particularly as regards oysters, compare with the propositions in the United States tariff?

Mr. FOSTER. Anchovies and sardines are arranged in boxes, varying in size, and they have various duties, being, however, higher than ours. Pickled fish, in barrels and half-barrels, is placed at $\frac{1}{2}$ cent per pound; fish, dried and smoked, $\frac{3}{4}$ cent per pound; herrings, $\frac{1}{4}$ of a cent per pound. Taking them all round, their duties are a little higher than ours.

Item concurred in.

473. Travellers' baggage, free.

Sir RICHARD CARTWRIGHT. I would call the attention of the Controller of Customs to the fact that a good deal of annoyance has been caused to people coming to Canada by the very stringent construction that has been placed by some of the Customs officers on this matter of travellers' baggage. For instance, a case was brought to my notice a little while ago in which the department refused to a traveller who had introduced a violincello into the country, and were about to take possession of it for a few weeks. Whether they dreaded the effect of the performance on the nerves of the citizens or not, I do not know; but it did appear to me that it was stretching the regulations of the Customs rather severely to forbid a man who was passing through the country to have an article of this kind in his baggage. The case occurred in Hamilton. I believe quite a considerable duty was attempted to be exacted or demanded from the party for being in possession of an instrument of music.

Mr. WALLACE. Our regulations are most liberal for travellers, and we have made arrangements with the railway companies that are very satisfactory, and cause very little friction. In the case the hon. gentleman alludes to, I believe the article was permitted to go free of duty, although the Collector retained it for reasons that appeared sufficient to him.

Mr. CHARLTON. In justice to the hon. gentleman, I must say that, as I cross the line very frequently, and see something of the manners of our officers and of the American officers, I find our own officers, in courtesy, compare very favourably with those of the American side. I hope the hon. gentleman will take pains to see that that good reputation which they bear will be maintained.

Sir RICHARD CARTWRIGHT. I am not quite certain whether sometimes the officers of the customs-house are not a little more polite to members of Parliament than they are to other individuals.

Mr. CHARLTON. I have noticed their courteous treatment to other people, too.

Item concurred in.

481. Admiralty Charts, free.

Sir RICHARD CARTWRIGHT. I think there are other charts used by seamen, which I presume do not come under the head of admiralty charts. For instance, a chart showing the direction of the prevailing wind. I would suggest that those should also be free of duty.

Mr. FOSTER. I think they all come in free under this head.

Mr. WALLACE. Yes.

Sir RICHARD CARTWRIGHT. Are you quite sure, because my hon. friend (Mr. Langelier), who also comes from a shipping port, thinks they are not.

Mr. FOSTER. I am quite certain about it.

Item concurred in.

570. Fire brick, not to include stove linings for manufacturing purpose, free.

Mr. PATERSON (Brant). I understand from the Controller that these fire bricks, not imported for manufacturing purposes, are dutiable at 20 per cent, but I do not find that specifically mentioned. Does it appear anywhere in the tariff?

Mr. WALLACE. These articles would come in either in the unenumerated class or as "other brick," both of which classes are dutiable at 20 per cent. So whichever ruling is given, these goods come in at 20 per cent.

Mr. PATERSON (Brant). I suppose that the Controller stating that will be the warrant for the different officers to admit these goods at that rate?

Mr. WALLACE. If it is necessary we will send instructions to the officers to that effect.

Item concurred in.

604. Iron, steel or brass manufactures, which at the time of their importation are of a class or kind not manufactured in Canada, when imported for use in the construction or equipment of ships or vessels, free.

Mr. SUTHERLAND. I would ask if the Minister has considered the application to make rolled iron or steel angles free for the use of windmill manufactures.

Mr. FOSTER. I do not see how it can be done.

Mr. SUTHERLAND. I would like the Minister to give us some little satisfaction. If they are to be manufactured in Canada, the object of the Minister, I presume, is to encourage the industry here.

Mr. WALLACE. They get a very large protection.

Mr. SUTHERLAND. If the Minister was correct in that statement, I might agree with

him. When I point out to him that the duty on the raw material, on the steel angles and strips that they have to buy, is higher than the protection given on the manufactured articles, I do not see how he can say that.

Mr. FOSTER. It is a small proportion of the value of the completed article.

Mr. SUTHERLAND. I think the Minister must be mistaken; I know as a fact, that he is. When the object is to encourage manufactures in this country, I think it is quite natural to give some consideration to a trade of this character. It is increasing, and should have some consideration. They are anxious to compete with the American manufacturers, and those of other countries; I understand that they are doing that now, to some extent, and are anxious to extend their operations, especially in South America. I do not see why the hon. Minister does not grant their request. There is no great amount of revenue affected by it.

Mr. WALLACE. On all those articles you speak of, when imported, they would get a refund of 90 per cent of the duty, if the completed articles are exported to other countries.

Mr. SUTHERLAND. That is some satisfaction, but I see by the correspondence that it is not all they want. It would be some satisfaction to them to have a rebate of 90 per cent on the exported article.

Mr. WALLACE. If they are not made in this country, they would be entitled, on making application, to a refund of 90 per cent of the duty that has been paid.

Mr. SUTHERLAND. My statement is based not only on information furnished by the hon. gentleman himself, but from personal inquiry of the manager of the manufactory in Nova Scotia, the only one in the country that produces that kind of material, only they do not make it of that particular size, and the manager told me they did not expect to for some time to come.

Mr. FOSTER. They would get a rebate then, certainly.

Mr. SUTHERLAND. Well, that is some satisfaction. However, I wished to know what the decision was.

Item concurred in.

689. Steel rails, weighing not less than forty-five pounds per lineal yard, for use in railway tracks, but this item shall not extend to rails for use in the tracks of railways used or intended for private purposes only, nor shall it extend to rails which are not used or intended to be used in connection with the business of common carrying of either goods or passengers, nor shall this item extend to rails for use in the tracks of street railways or tramways.

Mr. MACLEAN (York). I would like to ask the Minister of Finance or the Control-

Mr. SUTHERLAND.

ler of Customs, when we may expect a decision in regard to rails used on street railways. The question is now before the court, and if the decision of the court should be that these rails are rails for railroads, then will there be any alteration in the present regulation? I might say that I was interviewed yesterday by representatives of the Scarborough Street Railway Company—they claim to be a railroad company—and they are desirous of having returned to them the duty they paid on rails. If the decision should be that street railroads come under the definition of railroads, would this clause have to be altered?

Mr. WALLACE. This clause is altered. It is not the same as before.

Mr. MACLEAN (York). You do not allow rails for street railways to be free?

Mr. WALLACE. No.

Mr. MACLEAN (York). If the courts should decide that they should be free, what will the result be?

Mr. WALLACE. They might probably be included in this.

Item concurred in.

700. Tea and green coffee imported direct from the country of growth and production.

This item shall include tea and coffee purchased in bond in any country where tea and coffee are subject to customs duty, provided there be satisfactory proof that the tea or coffee so purchased in bond is such as might be entered for home consumption in the country where the same is purchased.

Mr. SUTHERLAND. Before this paragraph is passed, I should like to call the attention of the Minister to the discussion which took place on this item before, when he said that he thought that it would be necessary for tea and coffee imported from the country in which it was grown to come on a through bill of lading. I then pointed out to him the difficulties with regard to that. I do not see any difficulty myself in carrying out the spirit of the resolution without having a through bill of lading. I pointed out at the time, that a merchant in Canada might buy tea or coffee in the country of growth, but he might be unable to have it sent to Montreal or Toronto or to any Canadian port on a through bill of lading. I suppose that the department will arrange that, where it is satisfactorily shown that the importation was direct from the country of growth.

Mr. FOSTER. That is the principle that would rule.

Mr. SUTHERLAND. The hon. Minister will see that this is very important. In many cases the shipments are sent on what are called tramp vessels, and they have no arrangements to give a through bill of lading and would not do so, although it might be a direct importation. I can see that it would be quite easy that regulations could

be made so that the importers in Canada would not suffer while the spirit of this resolution might still be carried out. Has the Controller of Customs considered this matter?

Mr. WALLACE. We intend to make regulations that will cover these points. I think we can provide for a case like that.

Mr. SUTHERLAND. I have no doubt it can be done.

Item: concurred in.

716. Wire of iron or steel, No. 13 and 14 gauge, flattened and corrugated, used in connection with the machine known as the wire grip machine for the manufacture of boots, shoes and leather belting, when imported by manufacturers of such articles, to be used for these purposes only in their own factories, free.

Mr. LANGELEIER. I would call the attention of the hon. Finance Minister to a telegram which I received some time ago from a large manufacturer of boots and shoes, suggesting that this item should be amended by adding after the words, "wire grip machine," the words, "the Champion machine." It appears that the grip machine mentioned here, and also I suppose in the other tariff, is scarcely any more in use, having been almost wholly replaced in large factories which have the latest machinery, by what is called the Champion machine; so that the exemption of duty under this item would be of no use unless it applied to wire used in the Champion machine. That machine uses the same wire that is mentioned here, and it is quite possible that if the matter were brought to the notice of the Controller of Customs, there would be no trouble in getting wire for that machine admitted free; but in many places the collectors of customs might apply the law strictly and refuse to grant the exemption of duty.

Mr. FOSTER. That was already discussed here, and I made a note of it.

Mr. FOSTER moved that the words "chloride and sulphate of" be struck out and the word "salts" inserted instead thereof.

Item, as amended, concurred in.

Eggs, 5 cents per dozen; to be free when so long as eggs exported from Canada are allowed free entry into the United States.

Mr. FOSTER. I desire to add to that, to carry out the suggestion which was made this afternoon, and which seems to be of some importance:

Provided that if the United States imposed a less duty than 5 cents per dozen, an equivalent duty thereto shall be collected on eggs imported into Canada.

Item, as amended, concurred in.

Resolutions read the second time, amended, and concurred in, as follows:—

Resolution 1. Paragraph 1 to 13 inclusive, being read the second time, were severally agreed to. Paragraph 14 being read the second time; the consideration thereof was postponed.

Resolutions 2 and 3 being read the second time, were agreed to.

SCHEDULE "A."

Paragraphs 1 to 12 inclusive, being read the second time, were severally agreed to.

Paragraph 13 being read the second time, was amended by striking out the word "net" and adding after the word "pound" the words "the outward ball or covering to be free of duty," and agreed to as amended.

Paragraphs 14 to 45 inclusive, being read the second time, were severally agreed to.

Paragraph 46 being read the second time, was amended by inserting "thirty per cent" instead of "fifteen cents per bushel", and agreed to as amended.

Paragraphs 47 to 129 inclusive, being read the second time, were severally agreed to.

Paragraph 130 being read the second time, was amended by adding after "Pharmacopœia" the words "and the French Codex," and agreed to as amended.

Paragraphs 131 to 135 inclusive, being read the second time were severally agreed to.

Paragraph 136 being read the second time, was amended by inserting a *comma* instead of a *semicolon* after "refined", and agreed to as amended.

Paragraphs 137 to 164 inclusive, being read the second time, were severally agreed to.

Paragraph 165 being read the second time, was amended by inserting a *comma* instead of a *colon* after "tableware," and agreed to as amended.

Paragraph 166 being read the second time, was agreed to.

Paragraph 167 being read the second time, was amended by striking out "lamps" and inserting "lamp" in the second line, and agreed to as amended.

Paragraphs 168 to 186 inclusive, being read the second time, were severally agreed to.

Paragraph 187 being read the second time, was amended by substituting the word "Grindstones" for "Grindstone," and agreed to as amended.

Paragraphs 188 to 190 inclusive, being read the second time, were severally agreed to.

Paragraph 191 being read the second time, was amended by striking out "also slate mantels, slates and manufactures of slate, n.e.s.," and agreed to as amended.

Paragraph 192 to 197 inclusive, being read the second time, were severally agreed to.

Paragraph 198 being read the second time, was amended by striking out "leatheroid" in second line, and inserting "therefrom" instead of "from," and agreed to as amended.

Paragraph 199 being read the second time, was agreed to.

Paragraph 200 being read the second time, was amended by striking out the first "and" in the second line and inserting a *comma* after "alligator," and agreed to as amended.

Paragraphs 201 to 219 being read the second time, were severally agreed to.

Paragraph 220 being read the second time, the consideration thereof was postponed.

Paragraph 221 being read the second time, was agreed to.

Paragraph 222 being read the second time, the consideration thereof was postponed.

Paragraphs 223 to 240 inclusive, being read the second time, were severally agreed to.

Paragraph 241 being read the second time, was amended by inserting at the beginning of the paragraph "Fittings of" and striking out "fittings" after "pipe," and agreed to as amended.

Paragraph 242 being read the second time, was amended by striking out the *comma* after "diameter," and agreed to as amended.

Paragraphs 243 to 251 being read the second time, were severally agreed to.

Paragraph 252 being read the second time, was amended by leaving out the words "and hinge" in the second line, and agreed to as amended.

Paragraphs 253 to 258, and 260 to 271 being read the second time, were severally agreed to.

Paragraphs 272 being read the second time, was amended by inserting "drills" instead of "drill" in the third line, and agreed to as amended.

Paragraphs 273 to 292 inclusive, being read the second time, were severally agreed to.

Paragraph 293 being read the second time, was disagreed to.

Paragraphs 294 to 319 inclusive, being read the second time, were severally agreed to.

Paragraph 320 being read the second time, was amended by inserting after "Sterling" the words "or other," and striking out "table" in tableware, and agreed to as amended.

Paragraphs 321 to 334 inclusive, being read the second time, were severally agreed to.

Paragraph 335 being read the second time, was amended by adding "n.e.s." after "Salt", and agreed to as amended.

Paragraphs 336 to 338, inclusive, being read the second time, were severally agreed to.

Paragraph 339 being read the second time, was amended by striking out "wood pulp", and agreed to as amended.

Paragraph 340 being read a second time, was disagreed to.

Paragraphs 341 to 365 inclusive, being read the second time, were severally agreed to.

Paragraph 366 being read the second time, was amended by striking out "and molasses n.o.p.," and adding after "standards" the words "the usual packages, in which they are imported, to be free," and agreed to as amended.

Paragraphs 367 to 371a inclusive, being read the second time, were severally agreed to.

Paragraphs 371b to 380 inclusive, being read the second time, were severally agreed to.

Paragraph 381 being read the second time, was amended by inserting "n.o.p.," after "fabrics" in the second line, and agreed to as amended.

Paragraphs 382 to 386 inclusive, being read the second time, were severally agreed to.

Paragraph 387 being read the second time, was amended by inserting "n.e.s.," after "kinds" in the sixth line, and agreed to as amended.

Paragraphs 388 to 425 inclusive, being read the second time, were severally agreed to.

Paragraph 426 being read the second time, was amended by substituting the word "rollers" for "roller," and agreed to as amended.

Mr. FOSTER.

Paragraph 427 being read the second time, was amended by substituting the word "rollers" for "roller" in the second line, and agreed to as amended.

Paragraphs 428 to 444 inclusive, being read the second time, were severally agreed to.

Paragraph 445 being read the second time, was amended by striking out "nitre" and inserting "nitro," and agreed to as amended.

Paragraphs 446 to 468 inclusive, being read the second time, were severally agreed to.

SCHEDULE "B."

Paragraphs 469 to 493 inclusive, being read the second time, were severally agreed to.

Paragraph 494 being read the second time, was amended by inserting "which have been" after "manufacture" in the first line and agreed to as amended.

Paragraphs 495 to 559 inclusive, being read the second time, were severally agreed to.

Paragraph 560 being read the second time was amended by striking out the words "eggs and," was agreed to as amended.

Paragraph 561 to 611 inclusive being read the second time, were severally agreed to.

Paragraph 612 being read the second time, was amended by striking out "Kryolite or cryolite," agreed to as amended.

Paragraphs 613 to 668 inclusive, being read the second time, were severally agreed to.

Paragraph 669 being read the second time, was amended by striking out "not otherwise provided for," and agreed to as amended.

Paragraphs 670 to 686 inclusive, being read the second time, were severally agreed to.

Paragraph 687 being read the second time, was amended by inserting "crinoline or" after "manufacture of" in the fourth line, and agreed to as amended.

Paragraphs 688 to 730 inclusive, being read the second time, were severally agreed to.

Paragraph 731 being read the second time, was disagreed to.

Paragraphs 732 to 739 inclusive, being read the second time, were severally agreed to.

Paragraph 740 being read the second time, was amended by striking out "chloride and sulphate of" and inserting "salts of,"

Paragraphs 741 to 766 inclusive, being read the second time, were severally agreed to.

SCHEDULE "C."

Paragraphs 767 to 771 inclusive, being read the second time, were severally agreed to.

Resolution 4 being read the second time :

Paragraph 1 was agreed to.

Paragraph 2 was amended by striking out "eight" and inserting "six" and agreed to as amended.

The postponed paragraphs were then considered as follows :

Paragraph 14 of Resolution 1 was amended by inserting after the word "sale" in the nineteenth line "and which are not the usual and ordinary outside packages in which such goods as they contain are packed for exportation," and agreed to as amended.

Paragraph 220 was amended by striking out the words "not thinner" and inserting instead the word "thicker" and striking out the word "sixteen" and inserting "seventeen" and agreed to as amended.

Paragraph 222 was amended by inserting after "sheets" the words "iron or steel" and after "strips" strike out "or" and insert "n.e.s., and," and agreed to as amended.

Resolutions adopted in Committee on Ways and Means, 1st June, were reported, and read the first time, as follows:—

1. *Resolved*, That the following proviso be added to the 3rd Resolution of the duties of Customs, as agreed to in Committee of Ways and Means on Tuesday, the 29th ultimo:—

Provided, That the case of goods which are imported or taken out of warehouse for consumption, and on which duty is paid, on or after the said 27th day of March, in accordance with the rate of duty set forth as payable on date of entry on such goods in Schedule A to these Resolutions, or in any subsequent resolution, the duty so paid shall not be affected, nor shall the person paying it be entitled to any further refund or be liable to any further payment of duty, by reason of such rate of duty being altered during the present Session by any resolution subsequent to that in accordance with which such duty is paid.

2. *Resolved*, That the following items be added to Schedule A of the duties of Customs, as agreed to in Committee of Ways and Means on Tuesday, the 29th ultimo:—

1. Builders' hardware, cabinet-makers', undertakers', upholsterers', harness-makers' and saddlers' hardware, including curry combs and curry cards, carriage hardware, locks, butts and hinges, n.e.s., saws of all kinds, and table cutlery, not elsewhere specified, thirty-two and a half per cent ad valorem.
2. Coal, bituminous, sixty cents per ton of 2,000 pounds.
3. Coal dust, n.e.s., twenty per cent ad valorem.
4. Eggs, five cents per dozen; to be free when and so long as eggs exported from Canada are allowed free entry into the United States.
5. Galvanized iron wire, numbers six, nine, twelve and fourteen gauge, when imported by makers of wire fencing, for use in their factories only, twenty per cent ad valorem.
6. Iron or steel hoops, bands and strips, eight inches and less in width, number eighteen gauge and thicker, ten dollars per ton.
7. Rice when imported by makers of rice starch for use in their factories, three-fourths of one cent per pound.

Resolution 1 being read the second time was agreed to.

Resolution 2 being read the second time:

Paragraphs 1, 2 and 3, were severally agreed to.

Paragraph 4 was amended by adding the following proviso at the end thereof: "Provided that if the United States impose a less duty than five cents per dozen, an equivalent duty thereto shall be collected on eggs imported into Canada," and agreed to as amended.

Paragraphs 5 and 6 were agreed to.

Paragraph 7 was amended by inserting after "factories" the words "making starch," and agreed to as amended.

CUSTOMS ACTS AMENDMENT.

Mr. FOSTER introduced Bill (No. 135) to consolidate and amend the Acts respecting duties of Customs and Excise.

Bill read the first time.

Sir ADOLPHE CARON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.15 p.m.

HOUSE OF COMMONS.

MONDAY, 11th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 136) for the relief of Orlando George Richmond Johnson.—(Mr. Metcalfe.)

WORKMEN ON CANALS.

Mr. BERGIN moved for leave to introduce a Bill to further amend the Act respecting the Department of Railways and Canals.

Mr. SPEAKER. I am afraid this motion is contrary to the rules of Parliament, unless there is some very good reason for it.

Mr. BERGIN. It is near the close of the session, and the Bill is for the relief of lockmasters and other labourers employed on the canals. During last year some of these men were obliged to work from 18 hours to 20 hours to the very serious injury of their health, and some of them have been absolutely crippled and ruined for life. That kind of work is beyond what a man is capable of doing in the hot weather.

Mr. LAURIER. What is the Bill?

Mr. BERGIN. When there is very great pressure upon the labourers on the canal, this Bill is to enable the Government by Order in Council to regulate the hours, so that during this part of the season they shall not work more than 12 hours a day.

Mr. SPEAKER. In my opinion, this Bill cannot be introduced now. Rule 31 says:

Two days' notice shall be given of a motion for leave to present a Bill, resolution or address for the appointment of a committee, etc.

Unless this rule is rescinded in regard to this particular Bill, it cannot be introduced.

Mr. BERGIN. I suppose you will consent to allow this to be taken as notice, and I can introduce the Bill the day after to-morrow.

STEAMBOAT INSPECTION ACT.

Sir CHARLES HIBBERT TUPPER moved for leave to introduce Bill (No. 137) to amend the Steamboat Inspection Act.

Mr. LAURIER. What is this Bill ?

Sir CHARLES HIBBERT TUPPER. This Bill introduces nothing novel, but it has been found in going over several Acts that the law is perhaps defective under which some of the present dues are collected. The dues have been always collected, but in the event of the law not being found to go so far as the present practice goes in levying these dues for the inspection of the boilers and machinery of steamers, it has been deemed advisable to introduce a Bill and to move notice of the resolution as if it were a new tax. It is not a new tax, and it is not one that has been objected to by the steamship owners.

Motion agreed to, and Bill read the first time.

FRANCHISE AMENDMENT ACT.

Mr. LAURIER. Before we pass to the Orders of the Day, I would ask the right hon. the Premier to give us some indication as to the probability of when he will introduce the Bill with regard to the franchise.

Sir JOHN THOMPSON. I hope to have it ready to introduce it on Thursday.

IMPORTATION OF TEA.

Mr. DAVIES (P.E.I.) I would like to ask the Minister of Finance, or the Controller of Customs, whether instructions have been forwarded to the different collectors of customs throughout the Dominion, advising them of the passage of the tariff resolution permitting tea imported direct from London to be admitted free? In Charlottetown a large quantity, I am informed, is there awaiting entry and cannot be obtained by the merchants without paying 10 per cent duty, and the collector of customs informs them that he has received no instructions from the department in reference to that point. It is causing a good deal of inconvenience, and the newspapers are commenting on it. I would like to ask if instructions have been sent, or if not, that they will be immediately wired?

Mr. FOSTER. I think they have been sent, but I will send over to the department and inquire.

Mr. DAVIES (P.E.I.) It is stated that on Friday evening last they had not been received.

REPORT.

Report of Unclaimed Balances in Chartered Banks for five years and upwards prior to 31st December, 1893.—(Mr. Foster.)

Mr. BERGIN.

MR. TURCOTTE, M.P.

On the Order,

J. B. Provost and O. E. Larose, the witnesses named in the report of the Select Standing Committee on Privileges and Elections submitted to this House on the 7th day of June, instant, to attend at the Bar of this House, at the hour of 3 o'clock in the afternoon.

The Sarjeant-at-Arms: Mr. Speaker, I have the honour to state that the witnesses named, J. B. Provost and O. E. Larose, are not in attendance at the Bar.

Mr. SPEAKER. I have the honour to inform the House that in obedience to the Order of the House of Thursday last, the 7th instant, the Clerk forwarded a telegram to J. B. Provost and O. E. Larose, informing them of the Order of the House requiring them to attend at the Bar of the House on Monday, the 11th instant, at three o'clock p.m., and that the telegraph company had duly informed him of the personal delivery of the messages to the parties in question. The Clerk also forwarded copies in duplicate to the sheriff of the city of Quebec for service on J. B. Provost and O. E. Larose, and this morning received from that officer certified copies of the service of the order having been duly made.

Mr. LAURIER. Does the right hon. gentleman propose to take any steps upon this?

Sir JOHN THOMPSON. I will, if the gentleman who has been moving in the matter so far is not prepared to do so, which I presumed he would be ready to do. I do not see him in his place.

Mr. LAURIER. The hon. member for West Ontario (Mr. Edgar) is not in his seat to-day.

Sir JOHN THOMPSON moved :

That the witnesses in question, not having attended at the Bar of the House, in accordance with the Order of the House of the 7th day of June instant, Mr. Speaker do issue his warrant for their arrest in order that they may be brought to the Bar of the House at the earliest possible moment.

Motion agreed to.

MANITOBA AND NORTH-WESTERN RAILWAY.

House resolved itself into Committee on Bill (No. 108) respecting the Manitoba and North-western Railway Company of Canada.—(Mr. Taylor.)

(In the Committee.)

Mr. MARTIN. I presume that this Bill has not been amended with regard to the point I took on its second reading. I do not object at all to the extension of time for the completion of the railway. It is not reasonable to expect, in the present depres-

sion, that the Manitoba and North-western Railway Company should be bound to complete their work within the time they are now bound. What I do object to is this, that the Bill gives them an absolute extension for the long period of ten years. What I would suggest as being reasonable under the circumstances is to give them in the meantime the extension, providing that they need not build the twenty miles each year if the Governor in Council see fit during any year to let them off. But it would appear to me that there is no real necessity for practically providing that the railway is not to be completed for the long period of ten years, and I cannot see myself what advantage it is to the company that they should have so long a period. As long as their franchises are not to be forfeited in case they do not build the twenty miles this year, for instance, or the next year, it seems to me that is all they can possibly need. It looks rather like an intimation to the settlers along the line of railway that the land grant which has been appropriated for building the line from the end of the present railway to Prince Albert is to be tied up for the period of ten years, and that no other company is to have an opportunity of building on the strength of that land grant, if this company sees fit not to go on. I would suggest that that portion of the Bill be left out, and the company be simply dealt with leniently for the time being. For instance, supposing, as we all hope, that times get better shortly, and that there is a very strong necessity that the railway should be completed within two years or three years to Prince Albert; this company will be in a position to set the country and Parliament at defiance in the matter.

Sir JOHN THOMPSON. I think the hon. gentleman will see that there is an obligation imposed on the company by the Bill to build twenty miles a year.

Mr. MARTIN. They can be excused from that by the Governor in Council.

Mr. BOYD. I wish to move the following amendment:—

That the rents and revenues of the company, present or future, or both, shall be subject in the first instance to the payment of the working of the company's railway and branches.

Mr. DEPUTY SPEAKER. That amendment cannot be moved without notice being given.

Mr. BOYD. I move that the committee rise and report progress, and ask leave to sit again.

Mr. TISDALE. We have taken a good deal of trouble with this Bill, and that company is one of the few companies in the North-west, which has invested a large amount of money in the country. It is well operated, economically administered, and is

now in the hands of the court, and a receiver appointed for the purpose of operating the road and distributing anything that is left among the bondholders. The object of extending the time in this manner was not to prevent the building of the road, but to expedite it. Surely it is much better to give the company a chance to operate the road than to run the risk of destroying the enterprise altogether. That is what influenced the committee in passing this clause. It is in the interest of the country that the time should be extended, because if that company, which has sunk a very large amount of money and is now getting no return beyond the operating expenses—and it is almost a question whether those are earned—cannot go on and build twenty miles a year, it is not likely any other company will do so. I think the hon. member should have brought up his resolution in the committee and had it discussed there, when we would have been able, possibly, to satisfy both parties. I am quite sure that neither hon. gentlemen has the desire to imperil the construction of the road, but I put it as a business proposition—I know little of the road except in a general way—whether any other company is likely to be formed when the present company have put several million dollars in the work. When the road got in trouble, and a railway expert from Ontario was sent up, Mr. Wragge of the Grand Trunk Railway, who made a long report to the bondholders as to the best scheme of reorganizing the road, it was actually closed down, and had ceased operations.

Mr. MARTIN. No.

Mr. TISDALE. The newspapers said so, and at all events it was in great danger of being shut up. The bondholders then met. The contention arose as to whether they should be allowed to operate the road or a receiver appointed. A receiver was appointed by the court, so as to make sure of the operation of the road. If the law in the Territories is not different, and I am not aware how it can be, from the general law of the Dominion, what the hon. gentleman emphasizes as a first charge, the operating expenses, must be the first charge, and his amendment might interfere with what the courts have ordered. We do not want to interfere with the local rights of the parties as administered by the receiver. I am speaking on general principles that should govern legislation in these matters. If the amendment is pressed, the Bill ought to be sent back to the committee, and some cause shown there for it. The directors of the company have gone away: none of these objections were raised while they were here, and I know nothing of the reasons that influenced my hon. friend in moving this amendment.

Mr. BOYD. I may say that the road is in difficulty, and it is merely to protect the employees. If the statutes cover it, so far

as its general notice is concerned, the only doubt will be about the branches, and I want to make sure of that. I will let the matter pass, and bring it up on the third reading.

Mr. MARTIN. I have not heard any explanation from the hon. member for South Norfolk (Mr. Tisdale) as to the reason the ten year proviso is in. I have no objection to giving this railway company extension of time. I am in great sympathy with it. I think it is a very deserving corporation, which has fought a hard fight against great difficulties, and done very well indeed. The road is run very satisfactorily. But what I object to is this: that unnecessarily for their purposes, there is a proviso that the road need not be completed to Prince Albert for ten years. The hon. gentleman is perhaps mistaken as to the likelihood of another company building this line. There is a company called the Great North-west Central, of which this Parliament has heard a great deal, which has fifty miles built from Brandon running in the same general direction as this company, and there has always been more or less contention between these two companies as to the territory west of Manitoba. If times should improve, and there should be an intention to complete this railway, I do not see any reason, from a public standpoint, why the Manitoba and North-western Railway should be able to say to the Great North-west Central: we propose to hold this land grant in this territory through which your line must go, for ten years, without building the road. I have not heard anything in what the hon. gentleman said to warrant our putting in that extension of ten years. If it were left to the Governor General in Council to compel them to build the twenty miles per year or let them off building that number of miles in any particular year or years, then they are protected, and the Dominion, on behalf of the settlers, have the right to give that territory to another company, if at any time they may think the Manitoba and North-western Company is not prosecuting the work as it should. Why should we give away our control, and what advantage is it to the company? All the company care for is to hold its franchise in the meantime, and not lose it through being unable to build the twenty miles. It is all very well to say we will release you from that condition for this particular year, and perhaps next year or the following year; but why should we give up our control for ten years? Why say that for ten years to come no railway shall have a land grant necessary to complete a line between Yorkton and Prince Albert? The Great North-west Central Company's charter runs right up through the country, and is intended to go to the same point. It is not likely, within comparatively a short period of the future, that two railways will be built from the province of Manitoba to the Prince Albert district. Only one will be built—either the

Mr. Boyd.

Manitoba and North-western or the Great North-west Central. But no argument has been offered here, and I have heard no argument suggested anywhere, why this Parliament should give up its control for the long period of ten years and practically give the Manitoba and North-western Railway a monopoly for that term, enabling it to exclude any other company that may wish to build the line. The Governor in Council can compel them to build twenty miles a year. The distance from Yorkton to Prince Albert is two hundred miles, so this would give the company ten years to complete the road, even if the whole number of miles which they may be compelled to build may be exacted. What I ask is that the question be left in such a position that if times be better and there are other people ready to build in that country, we may have the power to compel the company to build the road, or, if they refuse to do that, to have Parliament left in such a position that we may take away the land grant so that it may be given to another company that shows itself willing and able to build the line.

Mr. TISDALE. As I understood the matter in committee, there was a good reason for the course proposed in the Bill, which, perhaps, the hon. gentleman did not catch. It is to enable the company to finance for the balance of the road, for they are financing largely in the old country and they wanted all these powers so as to insure confidence on the part of the capitalists who are asked to put money in it. If the promoters can see their way to building a hundred miles in one year, they may do it, if the prospects of traffic are such as to warrant them in going on, and yet they want to be assured that their scheme would not be interfered with if they build to a less extent. I am sure the hon. gentleman knows as well as any person how hard it is to get capital to go into railways in a new country like that. I have watched the progress of this road, and I have always felt sympathy with it. They have already built and now have in operation a portion of the road—

Mr. MARTIN. Two hundred and forty miles.

Mr. TISDALE. I believe they have done all that was in their power and that they have secured a large investment in the road, and I believe that the Bill on the lines here proposed will secure the construction of the road quicker than any other possible scheme. The remarks of the hon. gentleman show that, if this is such a desirable country to go into, another company has a charter to go in and take possession. So, if it is such a desirable country for early construction, nothing need stand in the way of railway development. If the company building want to get the land grant away from this concern, they can only do it by showing cause why they should get it and asking for it. The hon. gentleman

must not forget that this matter is under the control of Parliament in any case, except for one year. If the Government do not properly enforce this clause, it is within the power of Parliament next session, or at any subsequent session to take it out of the hands of the Government, which, no doubt, will be done, if good reason is shown for it. The great advantage I see in this proposal is that it will enable the company to solve the financial problem, so that those who are asked to take hold of the scheme or to put more money in it to take care of what they have already invested may feel sure that they cannot be obliged to go on building at a faster rate than reasonable. The fact that the company has struggled so long as it has done so much is creditable to it. If there is reasonable prospects of a return, their own desire to make the most possible out of their road, is a guarantee that they will take advantage of their opportunities. So, while construction may not go on so rapidly as some may desire, still they will build as rapidly as development is necessary. I can see no danger whatever, and that was the view of the majority of the committee.

Mr. MARTIN. All that the Government can compel them to build is twenty miles per year, and at this rate, it will take ten years to build the road to Prince Albert.

Mr. TISDALE. But twenty miles a year is a good deal of road to build in an undeveloped district. The fact that the company went so far as they did shows their good faith, and the fact that they got into trouble is an indication of the difficulties that are in their way, so I think that, under the circumstances, the House ought to grant them this opportunity of showing whether they can accomplish the building of the road in this way.

Mr. DALY. There does not seem to be anything new about the provisions contained in this Bill. The Manitoba and North-western Railway Company's Act, chapter 52, 56 Vic., subsection 3 of section 9, declares :

The company shall construct and complete to the satisfaction of the Governor in Council, not less than twenty miles of railway on or before the 31st of December in each calendar year after the year eighteen hundred and ninety-three, otherwise their powers under this section shall cease as regards so much of the said lines of railway as is not completed by the said date in each calendar year.

I think the mileage completed is about two hundred and fifty miles in round numbers, and about two hundred miles more is necessary to complete the road. Even in accordance with the terms of the Act of last session, this would take ten years. As to the land grant, it does not follow in any way that the grant shall continue to this line of railway if they fail to carry out the requirements of the Act. The land grant may

lapse at any moment—the Governor in Council keep that in their own hand entirely.

Mr. McCARTHY. What are the terms of the land grant, may I ask? That appears to me to be a matter of importance. It does not follow that because the charter is extended, the land grant is to be given if the road is built in accordance with the terms of the charter.

Mr. DALY. I cannot state from memory exactly the terms of the land grant. But it is the usual grant of 6,400 acres per mile for the mileage built, and it is provided that the railway shall be completed within a certain number of years.

Mr. MARTIN. The land grant is located, as I understand it.

Mr. DALY. It is simply scheduled; that is all. That does not mean that they have earned it or that they can get it, or that it is put beyond the control of the Governor in Council or may not be disposed of at any time.

Mr. MARTIN. The objection that I have is to the difference between this Act and the Act of last session. I do not object to the clause in the Bill of last session. I do not want to force them to build with unreasonable rapidity. The hon. member for South Norfolk (Mr. Tisdale) says that the object of this Bill is to enable the company to finance the road, but that if it is found to be unsatisfactory we can change it. I do not see how they can do that. If we make a proposition here that they are to have ten years to build the line and capitalists take hold of it and there is a reorganization of the company on the basis of the legislative concession we are making, we could not take that away from them. It becomes practically a parliamentary contract just as incapable of being changed, once it is concluded, as the contract between this Parliament and the Canadian Pacific Railway Company. So, we must remember that if we pass that clause this session and it is acted upon, we have no more control over it. I doubt if there is a suggestion of any further building. I may say, as a matter of fact, there is a conflict between the bondholders on one side and the shareholders and judgment creditors on the other. There have been propositions and schemes for reorganization, but there is no definite scheme, and I fancy it would not be possible for them to show to this House that there is really anything definite for which this concession is a necessity. Therefore, it seems to me that this is practically giving away our powers and rights in the matter and entirely neglecting and forgetting the necessities of the settlers that are already there. It is a mistake to suppose that this is an unsettled territory. The district between Yorkton and Prince Albert is to a certain extent settled. It is true, they have another outlet by the Regina and Long Lake

Railway, but the distance between Yorkton and Prince Albert—a large portion of it—while not settled thickly, has a considerable settlement; and I know it will be one of the most disappointing things if this House can possibly say to those settlers, many of whom have been there for eight and ten years, that an Act of Parliament has been passed providing that the Manitoba and North-western Railway need not build their line to Prince Albert for ten years to come, and that in the meantime practically this would become the only road going into that territory. It seems to me, therefore, very important indeed in the interests of the country up there that that ten-year proviso should be eliminated. I have heard nothing whatever to show that it is necessary in the interests of the company that that ten-year proviso should be changed.

Mr. DALY. If the hon. gentleman will read subsection 3 he will see that it will be 1903 under the provision made last session.

Mr. MARTIN. I know that.

Mr. DALY. This only fixes ten years from now.

Mr. MULOCK. What is the provision?

Mr. DALY. That the company shall construct and complete to the satisfaction of the Governor in Council, not less than twenty miles of railway a year, from the 21st day of December each calendar year after the year 1893.

Mr. MULOCK. You have repealed that.

Mr. DALY. We have repealed that, and asked that the rest of this section shall be ten years from the passing of this Act.

Mr. MULOCK. Under the proposed Bill the Governor in Council can prescribe not more than twenty miles. It might be twenty feet. "Not exceeding twenty miles a year"; it is entirely repealing that clause. Now, Mr. Chairman, just read that.

Mr. DEPUTY SPEAKER. It is just as the hon. gentleman has said, namely:

The work on the extensions authorized by this section shall be completed within ten years from the passing of this Act, and the company shall complete during the year 1896, and also during each calendar year thereafter, such a portion of its railway not exceeding twenty miles as is from time to time prescribed by the Governor in Council, otherwise the company's powers under this section shall cease as regards so much of the said extensions as then remains uncompleted.

Mr. MULOCK. So it practically repeals the clause in the Act read by the Minister of the Interior which required the company imperatively to build at least twenty miles a year. Under the amendment proposed the company is not bound to build any more than the Government requires. The Government is not pledged to require, and they

Mr. MARTIN.

cannot require any more than twenty miles to be built. I think it is a very vicious system indeed that the Governor in Council shall have power to legislate with regard to these Acts.

Mr. MILLS (Bothwell). It seems to me the difficulty is this: We have a road running from Regina to Prince Albert. It is constructed and in operation. Then you have a projected railway between this road and the one that is in operation, and you have 240 odd miles of a road, 440 odd extending from the Portage to the Prince Albert settlement. Thus you have three important railways of considerable length all terminating in a very small town when they are completed to that point. I apprehend that the difficulty with any company that requires money to carry on this railway company is the crossing that is prevented, a condition of things that must exist when roads are completed, if that completion takes place at an early period. You have 240 miles of completed railway, and in the case of this road running up to Yorkton there is a very considerable extent of territory, of no great distance from a railway, that is still unoccupied. As my hon. friend from Winnipeg says, there is a large extent of territory that will require a large population to give anything like a paying traffic to the three roads that are projected to the same terminal point. It does seem to me that you might embarrass seriously any railway by a proviso that it shall compulsorily undertake to construct a certain number of miles of road each year, and the propriety of that construction may depend entirely upon the progress of the settlement. Yet while you would not want to tie the hands of Parliament, as my hon. friend from Winnipeg (Mr. Martin) points out, and put it out of the House to press for the construction of the railway to its objective point with the progress of settlement, and render such a work necessary to any considerable number of people, it does seem to me that the clause as it now stands in the Bill before the House would have the effect of putting the control for a period of ten years beyond this House, and I do not think that would be a desirable thing to do. At the same time we have got to keep in view the fact that we have already given three charters to three railway companies to proceed to the same point. If they were completed I dare say this road, being the most direct and the shortest route eastward, would be the road that would suffer least by the completion, but I fancy that it would not be in the public interest to compel these parties to construct the road at any particular time to Prince Albert regardless of the progress of the settlement of that section of the country.

Mr. McCARTHY. It is well we should understand that when Parliament grants an extension of time, it is certainly not within the power of Parliament to afterwards interfere. I was astonished to hear the hon.

member for Norfolk (Mr. Tisdale), chairman of the Railway Committee, maintain that this question would still remain under the control of Parliament. If Parliament grants a charter to a railway company, and the time for building the road is afterwards extended, it is certainly not within its power to take away that charter or limit control or affect any of the rights or franchises so granted. I understand the necessity of this legislation is owing to the difficulties in which this company finds itself placed, and by the proposed amendment it is suggested that nothing should be done, either this year or next year. It would be much more satisfactory if we altered section 3 so as to state that it shall not be necessary to construct twenty miles this year or next year, but that in all other respects the obligation shall stand. Then we would have an opportunity by and by, if we found that settlement was not sufficient to warrant the construction of the road, to still further extend the time, and we would be keeping the control of the matter in our own hands. The hon. gentleman in charge of the Bill might well accept the amendment in that sense.

Mr. HAGGART. The object of the Bill is evidently two-fold. The company want to be relieved of building the section of twenty miles this year and next year; and at the same time, they bind themselves to complete the line within one year of the time originally specified.

Mr. MULOCK. Does the hon. gentleman suppose that unless the Order in Council obliged them to build a certain distance of road, they need not do so?

Mr. HAGGART. The company will be obliged to build the whole length of road within the number of years specified.

Mr. McMULLEN. It must be remembered that the company is now in financial difficulties. If that is the condition of the company, it is wrong for us to extend the time, although this might have been done if the company were in good financial standing. I think, under the circumstances, the time allowed should be reduced to five years instead of ten years.

Mr. HAGGART. As the promoter of the Bill is absent, and as the suggestion of the hon. member for North Simcoe (Mr. McCarthy) may be satisfactory, I move that the committee rise and report progress.

Committee rose and reported progress.

IN COMMITTEE—THIRD READING.

Bill (No. 114) to incorporate The Colonial Mutual Life Association.—(Mr. McKay.)

EMPLOYMENT OF J. C. MOORE.

Mr. DEVLIN asked, Is J. C. Moore in the employ of the Government or of any de-

partment? If so, how long has he been employed? When was he first appointed, and in what department was he placed? What, if any, are the duties performed by J. C. Moore? What is the amount of salary paid to him, and how much, in all, has he drawn from the Government since the date of his first appointment?

Mr. DALY. Mr. J. C. Moore is not now in the employ of the Government, nor of any department. He was employed in the Department of the Interior from October 19th, 1893, to March 20th, 1894, as a clerk in the Patent Branch. He has received \$77.50, being one month's pay from October 19th, 1893, to November 18th, 1893, inclusive, and he will receive \$305, being his salary at the rate of \$2.50 a day from November, 1893, to March 20th, 1894, inclusive, when the amount is voted by Parliament.

EMPLOYMENT OF F. D. BARWICK.

Mr. CASEY asked, Is Mr. F. D. Barwick now in the employ of the Government as post office inspector of Toronto district? If not, was he dismissed, and for what cause? Is he employed by the Government in any other capacity? Have his accounts been examined? If so, does the examination show that he is indebted to the Government? If so, to what amount? Does the Government hold any security for Mr. Barwick in the form of bonds, guarantee, or otherwise? If bonds, who are the bondsmen? If guarantee, what is the name of the company? If other security, of what nature? In either case, what is the amount of the security? Have any proceedings been taken to recover any sums Barwick may owe the Government? If so, what, and with what result?

Sir ADOLPHE CARON. Mr. F. D. Barwick is not in the employ of the Government as post office inspector of the Toronto district. He was dismissed for general neglect of his duties, and for detention of certain sums of money which came into his possession in his official capacity. These sums have since been made good by him. He is not employed by the Government in any other capacity. His accounts have been examined. The examination does not show that he is indebted to the Government. The Government does not hold any security for Mr. Barwick. No proceedings have been taken to recover any sums due by Mr. Barwick to the Government, as no sums are due. The sums detained by him were not public revenue, and were made good on demand.

PAYMENTS TO THE HULL 'DESPATCH.'

Mr. DEVLIN asked, How much was paid by the Government to the 'Despatch' newspaper of Hull during the last year, as well as during the two preceding years? What was the work done by the 'Despatch'? To whom was the money paid?

Sir JOHN THOMPSON. The amount paid in 1892 appears at page A—xx of the Auditor General's Report, and the other payments are shown on page 53 (Roman numerals) of the Auditor General's Report, 1893.

Mr. DEVLIN. Will the First Minister please answer the third question, to whom was the money paid?

Sir JOHN THOMPSON. I will allow that part of the question to stand, as I did not observe it.

TERMINUS FOR THE FAST ATLANTIC STEAMSHIP SERVICE.

Mr. GILLIES asked, In their negotiations with Mr. Huddart and others, touching any possible port in Canada to be selected as a terminus for the fast Atlantic service, were the Government influenced by the fact that a special committee of the House of Commons, in the session of 1874, appointed for the purpose of "inquiring into the best and most direct route for the conveyance of passengers and mails between the Dominion of Canada and Europe, and of finding on the shores of the Dominion a harbour accessible both in winter and summer to be the terminus of such shortest route," reported to the House of Commons that the harbour of Louisbourg, Cape Breton, was always accessible, commodious and safe, and nearer Europe by several hours than any other port in Canada?

Mr. FOSTER. The terminus for the fast Atlantic service has not yet been definitely chosen. The Government, however, were not forgetful of the fact that a special committee of the House of Commons in the session of 1874, appointed for the purpose of "inquiring into the best and most direct route for the conveyance of passengers and mails between the Dominion of Canada and Europe, and finding on the shores of the Dominion, a harbour accessible both in winter and summer to be the terminus of such shortest route," reported to the House of Commons that the harbour of Louisbourg, Cape Breton, was always accessible, commodious and safe, and nearer Europe by several hours than any other port in Canada.

Mr. DAVIES (P.E.I.) You have not answered: Has it influenced you? You simply said you did not forget it. I hope the hon. gentleman (Mr. Gillies) will press for that answer.

Mr. FOSTER. When we do not forget it, of course we are influenced by it.

Mr. DAVIES (P.E.I.) It does not follow at all.

MATANE LIGHTHOUSE.

Mr. LANGELIER asked, To whom was the maintenance of the lighthouse at Matane.

Mr. DEVLIN.

in the province of Quebec, intrusted in 1879?

Sir CHARLES HIBBERT TUPPER. Mr. Octave Desjardins.

QUEBEC WEST ELECTION.

Mr. LANGELIER asked, Whether it is a fact that the Prime Minister or any one of his colleagues has stated that they would see that Quebec had a line of fast steamers if a friend of the Government were elected in Quebec West?

Sir JOHN THOMPSON. I have not, nor have any of my colleagues stated that a line of fast steamers will be secured for Quebec if a friend of the Government were elected in Quebec West. We intend to do our best to secure a fast line with Quebec as the point of departure.

TIMBER ON POINT PELEE.

Mr. ALLAN asked, Has the Government sold or given leave to cut any timber on Point Pelee, Ont., during the last two years? If so, to whom? Was it sold for a lump sum or at a price per thousand B.M., or by the piece, or otherwise? What quantity was sold? Was the sale private or by public auction or by public tender?

Mr. DALY. To the first question the answer is, Yes. To the second question the answer is, Mr. Everett Wigle. To the third question, the answer is, For a lump sum of \$400. To the fourth question, the answer is, All the cedars of the dimensions of 5 inches in diameter and upwards, growing outside the limit of the squatters' holdings. The sale was private.

EX-FISHERY OVERSEER FOR ESSEX DISTRICT.

Mr. ALLAN asked, Has the Government taken any steps against Willian Prosser, late overseer of fisheries, Essex district, for the recovery of moneys unduly collected by him and unaccounted for, as recommended in a report of a committee of the Privy Council, approved by His Excellency the Governor General in Council, April 9, 1892? If so, what were the steps, and how much, if any, has been recovered?

Sir CHARLES HIBBERT TUPPER. Before answering the question, I would like to state that there was no Order in Council dated April 9th, 1893, but there was an Order in Council dated 9th April, 1892, passed, under which the services of Mr. Prosser were dispensed with. The Government took no action against ex-Fishery Overseer Prosser for the recovery of moneys; the fees for the licenses issued by Mr. Prosser having been reported as duly accounted for.

IRREGULARITIES AT CIVIL SERVICE EXAMINATIONS.

Mr. BRODEUR moved for :

Select committee of this House to inquire into the irregularities which occurred at the examinations for the Civil Service in November, 1893, and which are mentioned in the report of the examiners laid before this House, and into all the facts and circumstances which preceded, accompanied and followed the said irregularities : with power to the said committee to send for persons, papers and records, and to administer the oath to witnesses examined by them.

He said : I think, Mr. Speaker, that in moving such a resolution, it is my duty to give the reasons why I would ask the appointment of a select committee of this House for this purpose. I do not wish to find fault with the principle of holding examinations for entrance into the civil service. On the contrary, I am of the opinion that in the interest of the civil service and in order to promote its effectiveness and efficiency, that examinations should be held. But we must see that such shall be carried on in a proper manner, and that if frauds in these examinations are discovered they should be punished as severely as possible. I regret to say that so far some frauds which have been mentioned in the report of the Board of Civil Service Examiners have not been inquired into by the Government, and have not been punished. I find the following, dated February 15th, 1894, in the report of the Board of Civil Service Examiners :—

The board regret that being under the necessity of stating that a disposition on the part of some candidates to use improper means of insuring success at the examinations was again markedly exhibited, at that of last November. At two places, attempts at personation were discovered and frustrated, but in another case the fraud was accomplished—though afterwards detected and in some measure punished. The matter, however, is not fully disposed of, but it is in the hands of the Department of Justice for further action, it is now evident that in order to check the evil, the penalties provided by the Civil Service Act should be inflicted.

I presume, Mr. Speaker, that that report refers to what occurred in Montreal in November last, and I may state here in this House, that there is a current rumour, not only in Montreal, but in the province of Quebec at large, that during the examination of November last : at least fifty per cent of the candidates were personated. Out of 100 candidates who presented themselves to be examined, nearly fifty of these, it is said, were personated. But that is not all, unhappily. Not only were nearly 50 per cent of the candidates personated, but we see, also, and I may state the matter from my seat, that at these same examinations of November last, the sub-examiners or the scrutineers who were charged to watch over

the examinations, and to check over the candidates, contributed themselves to that itself. That is to say, Mr. Speaker, that the persons appointed by the Government to deal with these examinations, to watch over these examinations, themselves received bribes, and were paid by the candidates personated, in order that the fraud should not be detected and should not be known. You see, Sir, that two serious charges are now brought before this House. One, that there has been personation during those last examinations in Montreal ; and the other, that those cases of personation were made with the connivance and collusion of the persons appointed by the Government to conduct the examinations. I do not find fault with the Board of Civil Service Examiners. No member of the board was present at these examinations. I understand that the board is composed of three persons, namely, Mr. Thorburn, Mr. DeCelles, and Mr. LeSueur. No one of these gentlemen were at the examinations in Montreal, but I understand that the Government had some of their friends appointed to survey the examination and to watch over the candidates. I am not pretty sure, but I think Mr. Benoit, the chairman of the Conservative Association of Montreal was one of the scrutineers. If Mr. Benoit was not there, I am sure that Mr. Beaulieu and Mr. Desilets, two students of Montreal, were there as scrutineers, and the personaters were almost all students in the same university as those young men. There is no doubt that the personation was made by the knowledge and collusion of the scrutineers and the sub-examiners. Therefore, I think it becomes the duty of the House to investigate whether we should not find some way of preventing the occurrence of similar frauds in the future. I think it is the duty of the House to investigate whether we should not change the law in order that the examiners, or one member of the board at all events, should not be present to watch over the examiners. We want a system which will work effectively ; and, so far as I see, the system we have at present is working so badly that the examinations are only a farce. I do not mean to say that the Government are responsible for the frauds that occurred in Montreal in November last ; but I think we must charge the Government with being greatly guilty in not bringing before the courts persons who have been guilty of those frauds, or have received benefits from them. I had the honour on the 23rd of April last of bringing before this House for the first time the question of these examinations, and I then asked the Government this question :

1. Whether the Government are aware that at the examinations for the civil service at Montreal, in November last, certain candidates were personated ?
2. Is it true that the Government have prosecuted those who personated, without prosecuting at the same time those who were personated ?
3. Is the Government aware that, at the said exa-

minations, one Bourassa was personated? 4. Is it true that the said Bourassa has not been prosecuted for that offence, and that he is, in fact, now in the employment of the Government? Do the Government intend to prosecute Bourassa, and if not, why not?

Mr. COSTIGAN. C. O. Wilson, student, who impersonated Bourassa, a porter in the Montreal post office, and his brother, B. Wilson, who personated Rondeau, a letter carrier in the same office, have been prosecuted and sentenced to a fine of \$50 or two months' imprisonment. Bourassa, being an employee of the Post Office Department, that department has been notified of his offence. Bourassa's certificate has been cancelled as appears in the last 'Canada Gazette.' It is the intention to proceed against all parties against whom sufficient evidence appears available to justify prosecution.

That was the answer given by the Government to my question on the 23rd of April last. This man Bourassa, who was personated, should have been prosecuted; but instead of that, we are now at the 11th of June, and I do not know that any action has been taken against him. We find also that the certificate of Bourassa was cancelled. It is remarkable that the Government, in their answer to my question, did not state whether Bourassa was still in the employment of the Government or not. They said that his certificate was cancelled. That gentleman, I understand, was in the employ of the Government as packer in the Montreal post office for one year, and I suppose it was because he wanted some promotion that he tried to pass the examination; but, as he was entirely ignorant—I do not suppose he knows how to read or write—he went and saw Mr. Wilson, and asked him to personate him at the examinations. Wilson passed the examination, and the certificate was issued—the certificate which has been cancelled, and to which allusion was made in the answer of the Government. But Bourassa was until 23rd of April still in the employ of the Government, though the Government knew for many months that he had been guilty of fraud in having been personated, and he is still in the employ of the Government unless he has been dismissed since I gave notice of this motion last week. This man Bourassa seems to have been unduly protected by the Government, and if the Government are desirous of preventing such frauds as those that occurred in the month of November last, they should prosecute the men who derive benefit from those frauds. They should not at all events keep in their employ men who have rendered themselves guilty of an indictable offence. We have seen that two personators have been prosecuted; but the persons who were personated have not been prosecuted. We have also seen that the men who were most guilty, the scrutineers, who were paid for their services, who received moneys from the persons who were personated, were not brought before the police magistrate to be indicted. Well, Sir, on the 30th of April

Mr. BRODEUR.

last my hon. friend from North Brant put the following question to the Government:—

Mr. SOMERVILLE asked, What are the names of the candidates who went up for examination at the recent civil service examinations at Montreal, who have been disqualified for irregularities; giving the nature of irregularity in each case? What are the names of the scrutineers at said examinations, and is the Government aware that the scrutineers accepted bribes for overlooking irregularities?

Mr. COSTIGAN. 1. Edwin A. Morse, G. U. Rondeau, J. A. Forbes, Alphonse Bourassa, Rudolph T. Germain. The offence proved against each of these men is that of being impersonated by persons whom they employed for the purpose. 2. J. A. Desilets and Joseph A. Beaulieu. Desilets acknowledged that he received money from Rondeau to keep silence. Beaulieu did not appear when called upon for evidence.

This man Desilets was one of the men appointed by the Government, as scrutineers, to watch over the examinations, and here is the declaration made by the Government on the 30th of April last that Desilets received bribes, while in the employ of the Government, to make a false report; and so far no action has been taken by the Government against him. I think it is the duty of the House to inquire into all these facts—to ascertain who are responsible for such frauds, and the manner of preventing similar frauds in the future. It is very much to be regretted that no action has been taken by the Government to punish these guilty parties. The law, however, is very clear on the point. The law provides that not only the personators should be punished, but also the persons who have been personated. Here is article 457 of the criminal code in regard to the matter:

Every one is guilty of an indictable offence and liable on indictment or summary conviction to one year's imprisonment or to a fine of \$100 who falsely, with intent to gain some advantage for himself or some other person, personates a candidate at any competitive or qualifying examination held under the authority of any law or statute or in connection with any university or college, or who procures himself or any other person to be personated at any such examination, or who knowingly avails himself of the results of such personation.

So we see that the law is very clear. The personator must be punished, the person who has been personated must be punished, and the person who, by collusion or otherwise, procures personation must be punished. The law says that the person who procures himself or any other person to be personated must be indicted. Well, in this case we have that man Bourassa getting somebody else to personate him. That fact was to the knowledge of the Government since February last, and so far no action has been taken against him, and he is still in the employ of the Government; or if he has been dismissed, it is only since last week. We have also the fact that the persons

charged by the Government to watch over the examinations, the scrutineers, were paid by the guilty parties to connive at the frauds. I want to know why no action was taken. I wish to know why criminal action was taken only against the two Wilsons. Is it because the two Wilsons are Liberals and that Bourassa is a man who was appointed by the Minister of Public Works? Is it because Desilets is the son of the judge in Three Rivers? Is it because Beaulieu is the nephew of the Minister of Public Works, in the Provincial Cabinet? I do not know for what reason those persons have not been prosecuted; but, at all events, although the Government were informed that nearly fifty persons were personated during those examinations, they prosecuted only two, and these two were Liberals. They left untouched men like Desilets and Beaulieu, because, probably, they are under the protection of some eminent Conservative. It seems that if the Wilsons were prosecuted, it is because they were without protection, and that because Bourassa was not prosecuted because he was a friend of the Minister of Public Works. It has been proven to the Government that Bourassa induced Wilson to personate him, because he (Bourassa) was in great intimacy with the Minister of Public Works. In fact, Bourassa went one day to Wilson's office and asked him to personate him during the examinations which were to be held during the month of November then next, and he said to Wilson: "You need not be afraid. I am a friend of the Minister of Public Works, and if anything goes wrong, I will see that you are protected." More than that, that man Bourassa showed to Wilson a letter advising Bourassa to get himself personated, in order that he might be promoted in the civil service, and Bourassa said that that letter was signed by the Minister of Public Works himself.

Mr. OUMET. Surely the hon. gentleman does not insinuate that I ever, either verbally or in writing, counselled Bourassa or anybody else to get personated. There is a limit to insinuations, and when they come to that point they ought to be stopped. Surely it is against the rules, that not only dishonesty, but fraud should be insinuated, and not only insinuated, but directly levelled against me. I declare that I had nothing to do with that matter, and that I am not open to any charge of that kind. If the hon. gentleman has letters or evidence to that effect he must file them before making such insinuations. That I told Bourassa that he had to undergo his examination, may be all right; but that I told him he must be personated, is not true.

Mr. SPEAKER. I did not quite understand the hon. member for Rouville (Mr. Brodeur) to assert that the Minister of Public Works, or any member of the Govern-

ment, had caused these gentlemen to be personated.

Mr. BRODEUR. I said only this, that the man Bourassa went to see Wilson and showed him a letter purporting to be written and signed by the Minister of Public Works. I did not say that the Minister wrote such a foolish letter, but I say that this man Bourassa induced Wilson to personate him by telling Wilson: You need not fear; here is a letter of the Minister of Public Works, in which he tells me to get personated. I say that this man Bourassa resorted to this rascality to induce Wilson to personate him. I do not say that the Minister of Public Works wrote such a foolish letter or that he would have induced Bourassa to get some one to personate him, but I say that Bourassa—and that that has been to the knowledge of the Government for several months—took such means to induce Wilson to personate him; and in spite of that, although the Government know that this man Bourassa resorted, not only to personation, but to forgery—because he showed a letter of the Minister of Public Works and the Minister denies having written such a letter—the Government have done nothing. It was the duty of the Government to prefer an indictment against that man, not only for personation but for forgery. Government should have seen that action was taken—not only against the two Liberals, but also against the Conservatives, like Bourassa, Desilets and Beaulieu. I wish to know why we cannot have the information which we have several times asked from the Government. On the 23rd May last, the hon. member for Queen's (Mr. Davies) asked:

I heard it was stated in the House that at the last examinations at Montreal some of the scrutineers had accepted bribes from some of the parties being examined. I would like to know if that is so, and who they were.

To this Sir John Thompson replied: "I do not think that was stated." Well, Sir, it was stated on the 30th April last in the House by a member of the Government, that the scrutineers had accepted bribes. Moreover, the hon. Secretary of State said on the 23rd of May:

During the examinations at Montreal proceedings were taken against the persons charged with personating, and fines were imposed upon them by the authorities, except, I think, in two cases, in which the parties had left the country.

But I do not see that actions were taken against all the parties. I state here that fifty persons were personated during these last examinations. That makes at least one hundred guilty persons, because personators and those personated are equally guilty. And yet we see that only two were prosecuted. These men have not left the country; they are still living in Montreal, and consequently they can be prosecuted. But

nothing of the kind has been done. Yet, on the 23rd of May, the Government declared that action had been taken in all cases except two cases, in which the parties had left the country. We see that on this point the Government has made many contradictions, and we see that the law has been carried out in a very unsatisfactory way. Consequently, I think it is the duty of this House to investigate the question in order to see whether we should continue such a system or whether we should make some changes in the law in order to prevent such wrong-doing in the future. That is the reason why I move the motion which I have just placed in your hands, Mr. Speaker, in order that the House may inquire into the irregularities and find a mode by which these irregularities may be prevented in the future.

Sir JOHN THOMPSON. Mr. Speaker, the hon. member has explained to the House what has already taken place with regard to this subject. The discussion which took place on May 23rd was the fullest one, and the hon. member has hardly referred to it; but I presume that, as the discussion is so recent, it is pretty well within the recollection of the House. As the hon. member's observations would indicate, I was at that time under the impression, not having myself read the report of the civil service examiners, that the hon. member for Queen's (Mr. Davies) was mistaken in supposing that the sub-examiners were implicated in these irregularities. But it appears that they were. My colleague, the Secretary of State, will be able to tell the House how far the estimate of the hon. member for Rouville (Mr. Brodeur) as to the number of irregularities committed are accurate. These irregularities, of course, I do not intend to deny, nor do I intend to extenuate them in any way. Personally, I regret very much the lapse of time that has occurred in carrying on the prosecutions. For these delays, various reasons are given which I forbear to mention now. But I can state to the House that instructions have been given to our agents to prosecute in every case where we have evidence to support the charge, including those of the two sub-examiners whose names have been mentioned. I will ask the House, under the circumstances, not to appoint the committee which the hon. member asks for. Indeed, I would ask the hon. member himself not to press for the appointment of the committee under the circumstances, because the investigation which would take place before the committee of this House will be detrimental to the prosecution going on. In fact, the prosecution will stop entirely if the House should undertake to investigate the matter by committee. The practice in all such cases is for the House not to charge itself with the examination by a committee until the Government have ceased all action upon the subject, and the House is satisfied that the

Mr. BRODEUR.

Government does not propose any further steps. In an investigation that requires either scrutiny in a department, or inquiry in the courts, the House, I think, will not undertake to interfere, and to take the matter out of the hands of the Government by the appointment of the committee. I am not in a position now, for various reasons, to state why the delays have occurred, but I am aware that good reasons do exist in the cases which have come under my notice. If I should give the reasons, I should state a good deal which it is important should not be stated until the investigations take place before the court. Under these circumstances, I will ask the House not to decide in favour of the appointment of the committee asked for by the hon. member for Rouville.

Mr. LAURIER. I think the House must agree that my hon. friend from Rouville has put his case in a very clear and temperate manner, and in view of the facts which he has stated, I think the House will regret the announcement which has just been made by the Prime Minister that the intention of the House is not to grant this committee of inquiry. I think my right hon. friend the Prime Minister has not properly apprehended the object of this inquiry now sought for. He has referred only to the cases which have prevented prosecutions taking place. That is only part of the inquiry proposed by the hon. member for Rouville. The hon. gentleman proposes to investigate the whole system under which these examinations are carried out. It seems to me that there is a good deal to say in favour of that proposition. If you read the report of the examiners itself, you find there reasons why Parliament should investigate the subject, not necessarily with a view to finding fault with any officer or with the Government, but simply to find out whether the examinations are properly carried on, whether the system is sufficient, and whether there is room for improvement. Now, let me read to the House the report made by the civil service examiners with regard to the subject in hand:

The board regret being under the necessity of stating that the disposition on the part of some of the candidates to use improper means of insuring success at the examinations was again markedly exhibited at that of last November. At two places attempts at personation were discovered and frustrated, but in another case the fraud was accomplished—though afterwards detected, and in some measure punished. The matter is not, however, fully disposed of, but is in the hands of the Department of Justice for further action. It is now evident that in order to check the evil the penalties provided by the Civil Service Act should be inflicted.

I leave it to the judgment of the House, and to every member of the House, to say whether this report is not quite sufficient, in that it does not give the details which the House would like to have in order to enable members properly to comprehend the subject. I do not want to blame the ex-

aminers. But, in view of the present position of affairs, it seems to me the House has good reason to look into the matters to see if there is not reason for the examiners to change their mode, and to suggest what method should be adopted. I do not want to charge the Government with any improper conduct in this matter. But there is one thing which is apparent, and to which I would call the attention of the right hon. leader of the House, and gentlemen on the other side, and that is that a good deal of party spirit has been introduced in these examinations. Now, Sir, the charge made by my hon. friend is one of which everybody is aware, and which is strongly supported by the character of the scrutineers appointed. It must be evident to all parties that these scrutineers were not appointed by the examiners at all, or, if they were appointed by the examiners they were appointed under political pressure. Mr. Benoit is known to be chief of all the political organizations in the city of Montreal. Now, is it possible that Mr. Benoit would have been selected if there had not been pressure behind the examiners? What were the qualifications behind Mr. Benoit for such an office? I feel that such an appointment must have been under political pressure. The same I would say of the other two examiners. Mr. Beausoleil and Mr. Desilets. They are two law students. I understand, in Laval University. I say that these two law students were not the proper persons to be examiners under such circumstances. These facts alone they are not able to dispute. There is cause sufficient why the House should inquire into the system, because it has been admitted for some time that the system is inefficient. The right hon. gentleman has surrounded the whole question with mystery, which he does not choose to tell or to disclose before the House, but he said there were reasons why it was preferable so much light should not be thrown upon the subject at this moment. I cannot see that. There is something there the force of which we cannot see, but it seems to me, at all events, it is something extraordinary that three classes of offenders have been proved to be guilty in this matter: First of all, the scrutineer, the personator and the personated. It seems to me, of all parties who were found liable for the offence were the personators. Who were they? Two young men named Wilson, two law students, well qualified, intelligent young men, who thought they would turn out not an honest, but a dishonest penny. They were to receive certain sums for appearing before the examiners. I think they were paid \$20. They were the least of all the guilty parties who were personated. Mr. Beaulieu is not prosecuted; Mr. Rondeau is not prosecuted, nor is Mr. Desilets prosecuted, and still less Bourassa, the chief culprit, who could not pass his examination, but hired some one

to pass his examination. Nay, more, it is on evidence that the certificate which he obtained on that occasion under false pretenses has been cancelled. It is a fact that while at the same time the certificate was cancelled, while he was admitted to be the man who had been found guilty of a grave offence against the statute, that man has been kept in the Post Office Department, and, unless he has been recently dismissed within the last week—he is there within the Post Office Department. At all events he was there until last week, although I have seen a statement that he had been dismissed, but his certificate was cancelled three or four months ago, while the man whom he hired to personate him was convicted at least six months ago and the man who hired him has not been brought to justice. Is it possible, under the circumstances, to accept the explanation given by the Prime Minister that it is better not to discuss the matter, but leave it to the Department of Justice? The reason ought to be given to satisfy the House that justice has been done and to show why Bourassa has not been prosecuted, while the man who has been paid for personating him has been prosecuted.

Sir JOHN THOMPSON. Wilson was prosecuted in April.

Mr. LAURIER. It was before April. I don't know the time and place. I know that Wilson was arrested and brought to justice in February last. I don't know when the trial took place, but I know that the man was dismissed in February, and under all the circumstances there is ample justification why the motion should go before the House and be carried into effect.

Sir ADOLPHE CARON. The hon. gentleman has referred to two of the Post Office employees, and has criticised, as he very properly has done, the manner in which they got through their examination. I think that the important point to be considered is whether these men, after the way in which they deserved it, had been dismissed or not. The fact of the dismissal not having taken place just at the particular moment that the hon. gentleman thinks that it should have taken place is not, to my mind, an important point in the discussion of this matter. Regarding the case of Bourassa, as I understand it—I know nothing at all about Bourassa personally. He was recommended in the ordinary way when he was appointed, I suppose—I might say he was appointed as a temporary clerk, and it became necessary for him, before he could get a permanent appointment, to submit to the civil service examination. The fact of his having been personated by Wilson is exactly as the hon. gentleman has related it. Wilson was, I understand, prosecuted in the month of April. Bourassa has been dismissed. There was

some delay from the fact that the Treasury Board could not meet during the session just as often as it might meet in ordinary times, but the fact of his dismissal, as the hon. gentleman has stated, is the best evidence. He has been dismissed. I can say that information is absolutely correct. Rondeau was dismissed immediately after the prosecution of Wilson. I am speaking from memory about Rondeau in reference to the particular day he was dismissed, but it was very shortly afterwards. Now, I see nothing in what has been stated as to the fact of Mr. Benoit being the gentleman in charge of these examinations. I think his reputation stands very high. He is a friend of the Government certainly, and the fact of his being a friend of the Government does not prevent him from being looked upon in Montreal as a gentleman deserving of all the confidence that he is entitled to and which he receives from those who know him. As to the case of Bourassa, I think, as the Prime Minister stated, that he is to be prosecuted, and I fully agree with what he said, that just on the eve of his prosecution being brought before the courts it would be very injudicious to have a committee of investigation upon the facts which have been brought before the notice of the House this afternoon. As to investigating the system, any other time will be just as opportune as the present moment to see whether the system of the civil service examinations is a good system, and if it is a good system, whether it is properly carried out.

Mr. DAVIES (P.E.I.) The explanation given by the Postmaster General as to Mr. Bourassa is very pitiable. The idea that the department should have in its service an official who has been shown not only guilty of dereliction of duty, but of crime, and that the House should be told that the question of his suspension or dismissal from office should depend on the meeting of the Treasury Board, is absurd.

Sir ADOLPHE CARON. He has been dismissed.

Mr. DAVIES (P.E.I.) This is childish. Does not the hon. gentleman know that when evidence was brought to the attention of the Government that certain officials had been guilty of misdemeanour in regard to a celebrated bridge in Montreal, and that when this knowledge was brought to the head of the department he did not wait for a meeting of the Treasury Board to suspend them, but they were suspended at once. We have had the papers before the Public Accounts Committee, and it appears that the head of the department on that occasion at once acted on his authority and suspended the incriminated officers. If Mr. Bourassa was guilty of the offence of inducing another person to personate him, and that person was punished, it is reprehensible that Mr. Bourassa should not have been immediately

Sir ADOLPHE CARON.

dismissed as well. I cannot relieve myself of the belief that there was some very strong influence sheltering the man from condign punishment, which had been awarded to other parties equally guilty with himself. Certainly any doubts that I might have entertained in regard to this matter have been dissipated by the statement made by the Postmaster General, which was a foolish explanation; I do not say it offensively. The explanation of the hon. gentleman has not been in any sense satisfactory. Why was not this person suspended? Surely it was not necessary to have a meeting of the Treasury Board to do that. It is generally admitted that the offences committed were of the most reprehensible character, and if they were not suppressed and the parties punished the proceedings under the civil service examiners would be worse than a farce. I think it is highly undesirable that the House should refuse to appoint a committee to inquire into the whole subject, and for my own part, speaking with reserve and subject to such explanations as may be offered on their behalf, I cannot absolve the civil service examiners from being open to reproach for very gross neglect of duty in regard to this matter. These gentlemen knew not only that there had been personation, but that the very men appointed to conduct the examinations had been guilty of taking bribes to conceal the fact, and they concealed the fact from the Government and also from this House that their own appointees had accepted bribes to conceal the truth in this matter. The scrutineers are as guilty as the men who personated, or the persons who purchased the personators. It appears to have been a mass of corruption all round, and the persons appointed by the civil service examiners appear to have been as guilty as the others, and I cannot imagine that justification can be given on behalf of the civil service examiners who withheld a report on those facts. It appears to me they are shielding or attempting to conceal facts within their knowledge which should have been reported to the Government, and also to the House. There may be some explanation to be offered on their behalf, and, if such proves to be the case, I shall be only too happy to accept it; but when gentlemen occupying the high position held by Dr. Thorburn, Mr. DeCelles, and Mr. LeSueur withhold facts connected with such proceedings there is a necessity for the whole of the facts being investigated by an independent parliamentary committee. I submit that the committee could conduct its investigation without trenching in any way on the duties of those conducting prosecutions, or without prejudicing in any way the success of those prosecutions.

Mr. COSTIGAN. This subject has occupied a considerable portion of the time of the House, and has been thoroughly discussed. Information was asked by the

hon. member for Rouville (Mr. Brodeur), and further information was asked on the same subject by the hon. member for North Brant (Mr. Somerville). I think hon. members will admit that the answers given to those inquiries were very frank, and were as full as could be given. The mover of the resolution to-day has given as a reason why the House should adopt it, that a full and thorough inquiry should be made on the subject of civil service examinations. The hon. gentleman does not charge the Government with any wrong-doing in connection with the examinations, although it is only fair to say that he has complained in regard to delay in the prosecutions. Thus the object of the inquiry would be to investigate into the working of the Civil Service Act, so far as those examinations are concerned. It would be well for the House to consider whether, in view of the repeated assurances that everything is being done that the mover of the resolution could do to instigate legal proceedings in the cases referred to, and not only in respect to Liberals, but quite irrespective of party principles or of individuals interested, any proceedings of this House should be undertaken. What is the cause of the complaint? That personation has taken place in Montreal. The hon. gentleman might have gone further, and said that complaint had been made that irregularities had taken place at Ottawa, and also at St. John, N. B. That is true. In three or perhaps four cases irregularities have cropped into those examinations. Let hon. members consider whether the system should be assailed or condemned on that account alone. These examinations have been going on for a number of years under the Civil Service Act, in fact, from 1882, and therefore for a period of twelve years, two examinations being held every year in different parts of the country, besides at least one promotion examination. Those examinations under the Act, I repeat, have taken place in six or eight places in the Dominion within a period of twelve years, and at least one promotion examination has been held every year in different parts of the Dominion, and the only complaints that have arisen have been two in Montreal, one in Ottawa and one in St. John. The men conducting the examinations were respectable and responsible men, and they were the first to bring under the notice of the Government, which was the proper authority, the fact that they had reason to believe that improper proceedings had taken place in connection with those examinations, and they suggested that some remedy should be applied.

Mr. LAURIER. They suggested scrutineers.

Mr. COSTIGAN. No. They suggested that proceedings should be taken against any person who has violated the law in respect to those examinations. I, as the head of

the department, agreed at once, and the commissioners were authorized to make their report and institute proceedings. That has been done. The hon. gentleman had complained that it was only done in one or two instances in which the parties happened to be Liberals. I do not know whether they were Liberals or Conservatives; I care not what their politics were. That is still the decision of the Government, and the policy which is being carried out.

Mr. BRODEUR. There are no prosecutions going on now.

Mr. COSTIGAN. Yes. I am not, however, the prosecuting attorney who is conducting the cases, and in fact I have nothing to do with them. The Department of Justice has agents in every city. They have their agents in Montreal, and instructions will, I suppose, go to the gentlemen in Montreal to carry the prosecutions on there, the same as they would go to Toronto to carry on prosecutions there. Everything is being done that can be done to investigate this, and to punish every man guilty of these irregularities, because I believe that the Government feels that the system is not worth the paper it is written on, if the public cannot have confidence in the result of these examinations. There is no doubt about that. I will say one word more. If the hon. the mover of this resolution will do me a favour to call at my office, I will show him the whole file in reference to this matter. I will show him the report of the Board of Civil Service Examiners to me. I will show him the reference to the Department of Justice. I will show him the opinion of the Deputy Minister of Justice; I will show him that the whole proceedings have been carried on with a view to prosecuting the guilty party.

Mr. DAVIES (P.E.I.) Have the Civil Service Commissioners made an additional report besides the one that is printed and in our hands?

Mr. COSTIGAN. No. My first answer was: that prosecutions were authorized in all cases where it was thought evidence could be had to maintain a prosecution. The board is meeting in Montreal to get further information in regard to every case of which they have not yet full information. In three or four of the cases referred to by the hon. gentleman, the men have left the country and there is no use taking proceedings against them. If they come back perhaps we could get them.

Mr. BRODEUR. Bourassa is in the country.

Mr. COSTIGAN. Bourassa, I presume, will be proceeded against. Irrespective of the prosecutions, entirely, what I had to do in my department was to see that the certificate of any guilty person was cancelled. That was done immediately in regard to the

case of every officer who was proved to have been personated in this examination.

Mr. BRODEUR. How is it that Wilson has been prosecuted for having personated Bourassa and that Bourassa has not been prosecuted, and at the same time he has been kept in the employ of the Government?

Mr. COSTIGAN. I think myself that is a very reasonable question to ask. I cannot see why a prosecution should not be taken against Bourassa as well as the others. We decided that prosecutions should be taken in all cases. I might have been influenced by the consideration that it might be considered sufficient punishment when a man was dismissed from the service. I admit now that prosecution should go on against him as well as the man who personated him, and I think that the House may rest satisfied that in no case will these parties escape from any penalty that the law imposes. Where proceedings can be taken they will be taken, and are going on.

Mr. OUIPET. After it has been declared that all the prosecutions are going on, and that it is better to allow these prosecutions to take the regular course, I think the House ought to be satisfied that the Government are doing their duty. There is another thing that I hope the House is satisfied of, and that is: that it is quite obvious to every gentleman who has listened to this discussion, that perhaps unwittingly and undesignedly the hon. member for Rouville (Mr. Brodeur) is guilty of what I would think is an injustice to a man, whom I had every reason to believe was an honest man, and a man unable to perpetrate any fraud against the law. I refer to Bourassa. I do not want to excuse myself for having recommended that man for the position of porter which he has occupied for several years, and in which I may say he has given full satisfaction. I may add that Mr. Bourassa is nothing to me. He is not in my county.

Mr. BRODEUR. Yes; he came from your county.

Mr. OUIPET. I do not even know that he is a Conservative, nor do I know that he has a vote. All I know is that when I was first elected for this House, twenty years ago, his father was a resident in my county, and his house was the rendezvous for all the friends of hon. gentlemen opposite. Mr. Bourassa's father was one of the 327 who voted against me in that election. It is true that against these 327 opponents, I had 864 who voted for me, and I suppose I had no reason to feel a grudge against any one who voted against me. It did not do me any harm anyway. When I knew Mr. Bourassa, he was a young man with a large family, willing to work and provide bread for his wife and children and I gave him a recommendation. I was not a Minister at the time. I gave him a recommendation, believing, as I believe yet, that he was an honest

Mr. COSTIGAN.

straightforward man, willing to work for his family, and that he deserved, what we Conservatives give sometimes too lavishly to people who do not belong to our party, or what we give without inquiring whether they do belong to our party or not. These are the facts, Mr. Speaker. Now, I say that this young man has received an injustice at the hands of the hon. member for Rouville (Mr. Brodeur). Every one who has heard and will read the remarks of the hon. gentleman will think that when such remarks fall from the lips of a representative of the people against one of his own countrymen, that there must be really some very great crime committed. If this man, Bourassa, has to go before a jury; perhaps among these jurymen there will be one or two or three Liberals who will have read the remarks of the hon. gentleman (Mr. Brodeur) and who will be convinced in advance that this man is a scoundrel of the first water, who must be punished at all hazards. This is an injustice that we do too many times in this House by trying people in advance, while they are about to undergo a trial outside of this House before the regular tribunals of the land. This is an injustice that we permit in this House too often, and it is a proceeding that perhaps carries with it some very grave consequences for which hon. gentlemen opposite have sometimes reason themselves to be sorry for. The hon. gentleman himself, has admitted that I had no interest in the matter, and I certainly would not be foolish enough to write such a letter as the one that he says has been alleged to have been shown to this young man Wilson. I may say, however, that I do not know these young men, and that I heard to-day for the first time that they were Liberals. If proceedings have been taken against them it is certainly not because they were Liberals, for I am not aware that any member of the Government knew that they belonged to the party of hon. gentlemen on the other side of the House. Now, with reference to Mr. Benoit, superintendent of the examinations, I may say that Mr. Benoit is one of the most honourable citizens of Montreal, and that he enjoys the highest reputation. He is a man of independent means, and is highly educated. The citizens of Montreal will read in to-morrow morning's papers for the first time, that Mr. Benoit can be open to such a charge as the one levelled at him by hon. gentlemen opposite. Because he has acted many times as president of the Conservative Association of Montreal, is that to be held a disqualification, or a cause for suspecting a man of being dishonest and dishonourable.

Mr. LANDERKIN. Hear, hear.

Mr. OUIPET. I know that the hon. gentleman is of my own opinion, and I know that I would fall in his estimation if I were to use that language towards one of his countrymen, or towards one of the principal supporters of his party without having any

evidence put before this House to warrant my charges. Mr. Speaker, never has one word been said by any one against Mr. Benoit, or against his qualifications, or charging him with not having done his duty; and I am sorry to hear such an accusation made for the first time without a tittle of evidence. But nobody will be surprised at that. Those whose convictions cannot be conquered, and whose public importance cannot be affected, hon. gentlemen opposite have tried to bulldoze by accusations of that kind, in order to drive gentlemen of the character of Mr. Benoit out of politics entirely. The struggles of politics are already every day made more unpleasant to everybody outside of active politics; and this is a part of the politics carried on every day by hon. gentlemen on the other side when they cannot otherwise influence the people to cast their ballots in their favour.

Mr. CHOQUETTE. "Le Moniteur de Lévis" talks like that.

Mr. BELLEY. "La Sentinelle."

Mr. MULLOCK. Mr. Speaker, the country will hear with great surprise that the hon. Minister of Public Works, I suppose in the name of his Government, has protested against the unearthing of wrong-doing. The hon. gentleman began by denouncing the hon. member for Rouville (Mr. Brodeur), because he had suggested a wrong against a fellow-countryman. Why, Sir, in Canada a wrong is a wrong, no matter who permits it, and I am amazed that the hon. gentleman should say that there is to be one law for one class and another for another. The hon. gentleman, growing bolder as he stood on his feet, at last declared that the House was doing an injustice to this young man with a large family—how young was he to have a large family? This young man with a large family was to be seriously injured because somebody in this House suggested that after six months it was time for a candidate for the penitentiary to be brought to justice. I would like to know what the hon. gentleman's idea of justice is? I would like to know what is the use of anybody on this side of the House suggesting that any one should be brought to the Bar of justice? It is not very long ago that the Government took the keys of the jail and let out two prisoners. What is the use of our putting in jail people who commit crime? I can well understand the morality of the hon. gentleman when he says that to-morrow it will go to the press of the country that somebody has suggested that forgery and personation and fraud are high crimes. What are they if they are not high crimes? The Minister of Public Works says that the floor of Parliament has been made use of too often in order to bring wrong-doers to justice. Ordinarily, Sir, the courts of justice, in some countries at least, do their work, and it is not necessary for the great high court of Parliament to intervene to set the

wheels of justice in motion; but unfortunately, it has been the duty of the people's representatives here on more than one occasion to set the law in motion; and this, Sir, is a most proper occasion for doing so. No defence has yet been offered why a man charged with a crime last year, and said to be guilty, has been retained in the public service; and the Minister of Public Works is horrified that there should be a discussion here against such a person because he happens to be his countryman. If I were one of his countrymen—and I claim to be a brother—and the hon. gentleman sought to cast a cloak around my doings because of my nationality, I would say he had committed an insult upon the whole people of whom he is one; and I am satisfied that his countrymen will not thank him for asking that nationality be accepted as a defence for wrong-doing, or as a reason for having no investigation to get at the truth.

Mr. COATSWORTH. I would like to ask the hon. gentleman who has just sat down if he applies the same reasoning to the use of false moustaches by certain personaters in Toronto?

Mr. MULLOCK. I say there should be one law in Canada for all classes. I do not care what party they belong to. The hon. gentleman would be greatly improved in appearance if he had a large moustache.

House divided on amendment of Mr. Brodeur:

YEAS:

Messieurs

Allan,	Laurier,
Béchar,	Lavergne,
Bernier,	Lowell,
Borden,	McCarthy,
Boston,	McGregor,
Bourassa,	McMillan,
Bowman,	McMullen,
Brodeur,	Martin,
Brown,	Mignault,
Carroll,	Mills (Bothwell),
Casey,	Mulloch,
Choquette,	O'Brien,
Davies,	Paterson (Brant),
Flint,	Perry,
Forbes,	Rinfret,
Gibson,	Rowand,
Gillmor,	Semple,
Guay,	Sutherland,
Landerkin,	Tarte,
Langelier,	Welsh—40.

NAYS:

Messieurs

Bain (Soulanges),	Lachapelle,
Baird,	Langevin (Sir Hector),
Barnard,	Macdonald (King's),
Bellefleur,	Macdonell (Algoma),
Bennett,	McDougald (Pictou),
Bergeron,	McDougald (Cape Breton),
Blanchard,	McInerney,
Boyd,	McKay,
Bryson,	McLeod,
Cameron,	Mara,
Caron (Sir Adolphe),	Metcalf,
Chesley,	Mills (Annapolis),
Coatsworth,	Montague,
Cockburn,	Quimet,
Costigan,	Patterson (Colchester),
Curran,	Patterson (Huron),
Daly,	Pridham,

Davin,	Prior,
Davis,	Putnam,
Dickey,	Robillard,
Dupont,	Roome,
Dyer,	Ross (Dundas),
Ferguson (Leeds & Gren.),	Simard,
Ferguson (Renfrew),	Sproule,
Gillies,	Taylor,
Grant (Sir James),	Temple,
Haggart,	Thompson (Sir John),
Haslam,	Tisdale,
Hodgins,	Tupper (Sir C. Hibbert),
Hughes,	Tyrwhitt,
Hutchins,	Weldon,
Ives,	White (Shelburne),
Joncas,	Wood (Brockville),
Kaulbach,	Wood (Westmoreland).—68.

Motion negatived.

Mr. TAYLOR. The hon. gentleman for Cardwell has not voted.

Mr. WHITE (Cardwell). I was paired with the hon. member for North Brant, or I would have voted against the motion.

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

After Recess.

LORD'S DAY OBSERVANCE.

Mr. CHARLTON moved third reading of Bill (No. 2) to secure the better observance of the Lord's Day, commonly called Sunday.

Mr. TAYLOR moved the following amendment:—

That the Bill be not now read the third time but be referred back to the Committee of the Whole, with instructions to amend same, so as to provide that religious publications and Sunday school newspapers may be distributed on the Sabbath day.

Mr. CHARLTON. I do not consider that the amendment is necessary. The language of the Bill provides against the sale and circulation of newspapers on the Lord's Day, and I do not think any fair construction of the Bill could make it apply to the distribution of religious literature in churches or Sunday schools. I would deprecate the acceptance of the resolution, because it might imperil the passage of the Bill. If I deemed it at all essential to the operation of the Bill, if I deemed there was any danger, under the provisions of the Bill, that religious literature would not be distributed on the Lord's Day in churches and schools, of course I would accept the amendment, but I do not think it lies open to that objection.

Mr. TAYLOR. As I understood it, the Bill makes it a penal offence to distribute newspapers of any kind on the Sabbath day. Therefore, I think we should go into committee and amend the Bill.

Mr. CHARLTON. These are not newspapers which are distributed in the churches and Sunday schools.

Mr. TAYLOR. A few years ago I was up in the northern part of the country attending a meeting on the Sabbath day, and the missionary there brought an armful of papers,

Mr. MULOCK.

Methodistical publications, the recognized newspaper of the Methodist Church, and distributed them. We have in all our Sunday schools Sunday newspapers, which are brought by the teachers or students and distributed. They are newspapers—not magazines or periodicals. If this Bill passes, any clergyman distributing these papers is liable to be punished for an indictable offence.

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

(In the Committee.)

Mr. TAYLOR. I move that the words "circulate on and distribution" be struck out of the first clause.

Mr. CHARLTON. I beg to move in amendment that the word "secular" be inserted before the word "newspaper," so that the clause shall then read: "whoever shall on the Lord's Day engage in the sale, distribution or circulation of any secular newspapers."

Mr. FERGUSON (Leeds). What do you mean by "secular?"

Mr. CHARLTON. Not religious. The object of my hon. friend in making the motion is to cover the objection he raises that the Bill will interfere with the circulation of Sunday literature in Sunday schools. If the word "secular" is inserted it will do away with all the objection my hon. friend raises, and will not interfere in the slightest degree with the circulation upon the Sabbath of religious literature, Sunday school papers, lesson sheets and religious periodicals.

Mr. MILLS (Bothwell). That would go beyond what you intend. Better add the words "circulation in Sunday schools and churches," otherwise, parties may engage in the circulation of so-called religious papers on the streets.

Mr. MARA. I would ask the hon. member who has charge of the Bill to allow the amendment to pass as it stands. It will then, if I understand aright, allow newspapers in British Columbia to be published on the Lord's Day, but not to be sold on that day, and that will meet the objection I have to the Bill. We do not object to the prohibition of selling these papers, but, as the regular daily newspapers are published on Sunday instead of Monday, we would like it to be clear that papers may be published on Sunday in the ordinary way, but not sold.

Mr. CHARLTON. The object is to prevent the publication, sale and circulation of Sunday newspapers. I do not think it is more desirable to have the Sunday newspaper published in British Columbia than elsewhere. The House has accepted the principle. As promoter of the Bill, I do not wish it to interfere with the circulation of religious periodicals and religious reading matter in the Sabbath schools and churches which it is just as proper to circulate as it is

proper to circulate the books of the Sunday school library. The object is to prevent the publication of the ordinary Sunday newspaper of the character and type of those we find published in the United States, of the character and type which would be followed in this country if Sunday newspapers were published here. I am willing to insert the word "secular," which will meet the case, and will do away with the danger of interfering with the circulation of these religious papers.

Mr. LANGELIER. We have no Sunday schools in the Catholic churches in Quebec, but there is a great deal of literature circulated in the churches that would be prohibited by the Bill in its present shape. It must not be thought that we are all from Ontario; there are some of us from Quebec, where there are no Sunday schools in the Roman Catholic churches.

Mr. CURRAN. There is Catechism.

Mr. LANGELIER. That is not what you call Sunday school.

Sir JOHN THOMPSON. It is only fair to give a word of caution to the hon. gentleman who has charge of the Bill. I think a great deal of difficulty will result from loose expressions like "secular." When you make an offence and use a term so untechnical as that, you will find great difficulty in proving what was the nature of the paper concerning whose circulation the charge is made. I think that if the object is to be accomplished of excepting these publications it will be necessary to pass the prohibition as it is, and add a proviso that nothing herein contained shall prevent the distribution on Sunday of religious publications in churches or Sunday schools.

Mr. CHARLTON. That is perfectly satisfactory, and, if it is the sense of the House, I will move that addition to the section.

Mr. MONTAGUE. I happen to know that the point raised by the hon. member for Yale (Mr. Mara) is rather an important one from a British Columbia standpoint. I think that the effect of the Bill so far as the province of British Columbia is concerned, will be the very opposite of what the hon. gentleman intends. His desire is to stop Sunday labour, as I understand, as well as to stop the publication of Sunday newspapers. In British Columbia, as I understand it, the morning papers are not published on Monday, the object being to give the workmen engaged upon those papers a clear day on the Sunday. But there is a newspaper published and distributed on Sunday morning bearing the date of Sunday, which is practically all printed on Saturday night. Now, the effect of the Bill preventing the distribution of that paper on Sunday will be to encourage the publication on Monday, and thus to compel the men who are engaged in printing that

paper to work on Sunday, which they do not do at the present time.

Mr. CHARLTON. If the hon. member for Leeds (Mr. Taylor) will consent to withdraw the amendment he has offered, I will ask leave to do the same with my amendment, and move the amendment suggested by the hon. leader of the House, as follows:—

But nothing in this section shall prevent the gratuitous distribution of religious publications in churches, Sunday schools or religious meetings.

Mr. LANGELIER. I rise to a point of Order. This cannot be taken into consideration in committee. The House has gone into committee only on that amendment, and we cannot take any other amendment into consideration.

Mr. TAYLOR. My motion, when the Speaker was in the Chair, was that the House go into Committee of the Whole with instructions to amend in such a way as to make provision for that suggestion.

Sir JOHN THOMPSON. We are not bound to adopt the exact words, if we take the same principle.

Amendment withdrawn.

Mr. LANGELIER. The amendment of the hon. member for North Norfolk would not allow the distribution of those religious papers. The amendment says: "At religious meetings or in churches." These publications are never distributed in the church, but in the sacristy. They are not distributed at religious meetings.

Sir JOHN THOMPSON. The church includes the sacristy.

Mr. LANGELIER. No court in the province of Quebec would say that the church is the sacristy.

Amendment (Mr. Charlton) agreed to.

Bill reported.

Mr. SPEAKER. When shall the Bill be read the third time?

Mr. CHARLTON. I hope the House will grant the third reading of the Bill to-night. We might not have another day upon which to take it up. This Bill has received ample discussion, and the House is thoroughly conversant with the principles of the Bill, and with the character of the amendments made to-night. It is unnecessary to defer the consideration of the Bill for another day, and I ask that the third reading be taken now.

Sir JOHN THOMPSON. I understand there are other amendments to be proposed, and I suggest that we should at least dispose of them to-night.

Mr. MARA. I move that the Bill be not now read the third time, but that it be referred back to Committee of the Whole

with instructions to limit section 1 to the sale of any newspaper or journal on the Lord's Day. When the hon. member for North Norfolk introduced his Bill, he laid great stress on the demoralizing effect upon the community of the publication and distribution of papers on the Lord's Day. Now, I have here two papers that are published in British Columbia on Sunday, the 'Daily Colonist,' published in Victoria, and the 'News Advertiser,' published in Vancouver. I may state that they are the leading papers in British Columbia, and they are published in the two principal towns of the province. I would call the attention of the hon. member to those papers, and I can state that they are as enterprising as any papers published in Canada. They are as free from objectionable matter as any papers published in the city of Toronto, or in the city of Ottawa. They occupy, I might say, the same position in those cities that the 'Globe' and the 'Mail' occupy in Toronto, which are published on Saturday, largely for Sunday reading. These papers have not had the effect which the hon. member for North Norfolk states that the publication of papers on Sunday would have. In British Columbia we have a law-abiding and a God-fearing community, a people that observe the Sabbath and attend churches as regularly as they do in Montreal, Ottawa, or Toronto.

Mr. FERGUSON (Leeds and Grenville). Do they pay?

Mr. MARA. I take it for granted that they do pay, and that the people support them, because they are leading papers in the province of British Columbia. The position they take is that by publishing on Sunday instead of Monday, they have the Sabbath as a day of rest. Every man connected with the papers, from the printer's devil to the editor, has a day of rest on Sunday that he would not have if the paper was published on Monday; and why should this House dictate to these people, and say by law that they must work on Sunday instead of working on Saturday? Now, the position I took the other day in this matter was that it was an infringement of provincial rights, and a few moments ago—

Mr. SPEAKER. Perhaps the hon. member will pardon me if I interrupt him for a moment. I have been looking into this matter, and my opinion from the outset was that the question was as to when the House would order the third reading of the Bill. With regard to the third readings of Bills, I find the following laid down in the books:

When the Order of the Day for the third reading has been read, it is competent to move that it be discharged and the bill withdrawn, or that it be re-committed. Formerly it was not unusual, when the motion for the third reading had been agreed to, to add clauses, or make other amendments; but of late years the House has followed the modern practice of the English Commons, which is stated in a standing order. No amendments, not

Mr. MARA.

being merely verbal, shall be made to any Bill on third reading. Whenever it is proposed to make important amendments, it is usual to move to discharge the order for the third reading, and to go back into committee for the purpose.

The House has not yet decided, as I understand, that the third reading is to take place now. I think it would be well for the House first to decide whether the third reading should take place now or upon a future day. If the House decides that the third reading shall take place now, then the motion of the hon. member will be in order, but I think it is not in order until the House decides whether the third reading is to take place now or upon a future date.

Mr. MARA. I understood the First Minister had asked that the Bill be now read a third time, that the House had acceded, and that you had put the motion. Otherwise I would not have moved the amendment I read.

Sir JOHN THOMPSON. I understood the House was willing to take the third reading now.

Mr. MULOCK. Rule 47 says:

The amendment made in committee shall be reported by the Chairman to the House, who shall receive the same forthwith. After the report, the Bill shall be open to debate and amendment before it is made an order for the third reading.

Mr. SPEAKER. Is it the pleasure of the House that the Bill be read the third time?

Sir HECTOR LANGEVIN. If the House says "yes," when the Bill will be read the third time, when will the amendment of the hon. member for Yale come in? Amendments have been made in committee, put to the House, and the House had agreed to them. We are in the same position as when we began, that is to say, on the third reading of the Bill. Then the hon. gentleman comes in with his motion, and if that is carried, we go back into committee again. If that is carried in committee and reported to the House, we begin again until the amendments are all through.

Mr. SPEAKER. The hon. gentleman does not quite understand the point at issue. The order is, first, whether this Bill shall go at once on the Orders for third reading, and the question is whether the Bill shall be read the third time. The question for the House to consider is whether the Bill shall be placed as a motion for third reading immediately. Hon. members in favour of the third reading of the Bill now will say "aye."

Hon. MEMBERS. Aye, aye.

Mr. SPEAKER. The ayes have it. The Order is now for the third reading of the Bill.

Mr. MARA. I now move the amendment, which I have already read. I was about to state that I took the position when this Bill was before the committee on a former occasion, that it was an infringement of provincial rights. I desire to call the attention of the House to the remarks of the hon. member for Bothwell when the Bill was before the House three sessions ago. That hon. gentleman said :

Whether a man shall work in a shop, mill, newspaper office or grocery on Sunday, or not is a matter for the local legislature to decide. They derive their power from the people just as we do, the law of the constitution says that civil rights are under the control of that legislature.

Again, the hon. gentleman said :

So far as our power to legislate criminally is concerned they are exactly alike, but in regard to matters of police which are under local control, I think that there can be no doubt that the particular subject of my hon. friend's Bill belongs clearly to the local legislatures and not to this House. We have a right to close the canals, to regulate traffic on the inter-provincial railways, to close the post offices, to close the departments under the control of this Government on Sunday and to give the government employees a day of rest ; but having done that, I think we have done all we have the power to do constitutionally, and if we go further, I think we are going beyond our powers.

These are the views which were expressed by the hon. member for Bothwell (Mr. Mills) when a similar Bill was before the House in 1891, and I ask hon. gentlemen opposite who are trying to force this Bill against the large majority of the people of British Columbia to consider the position taken by the hon. member for Bothwell (Mr. Mills) before hon. members allow this Bill to be read the third time.

Mr. CHARLTON. The principle embodied in the Bill has been fully discussed by the House. The principle of the Bill has been accepted by the Committee of the Whole : that principle is that the publication of the Sunday newspaper shall not be permitted. The character of the influence exercised by it has been very fully discussed. There may be Sunday newspapers in British Columbia which are of a very innocuous and harmless sort, but in that respect it does not differ from the progenitors of the race in the United States. The first Sunday newspapers there were quite harmless and contained a good deal of religious homily, but they speedily became what they are to-day, and it is to guard against that great evil, as it exists at the present moment in the United States, that the Bill has been framed and accepted by the House. So I do not feel disposed to accede to the request made by the hon. member for Yale (Mr. Mara). As regards the question of provincial rights, that also has been discussed. The Canadian House of Commons

has power to make anything a criminal act ; it has complete jurisdiction in that matter, and that ground has all been traversed in the discussions which have already taken place. It has been shown that the Dominion Parliament controls the mails, the transmission of literature, the importation of literature, and it holds the full control in all these respects, and as the House has already expressed its determination to prohibit the publication of the Sunday newspaper, it is useless to reopen the question and refer the Bill back to committee, and, therefore, I decline to accept the amendment moved by the hon. member for Yale (Mr. Mara).

Mr. MONTAGUE. The hon. member for North Norfolk (Mr. Charlton) has entirely missed the point urged in connection with the amendment of the hon. member for Yale (Mr. Mara). The action of the hon. member for North Norfolk (Mr. Charlton)—and I do not desire to destroy this Bill or to prevent its passage by the House—has explained to the House that the object of the Bill was to preserve the sanctity of the Sabbath. It has, however, been pointed out that the effect of this Bill will be to compel the printers in British Columbia to work on the Sabbath, instead of working on Saturday, to get up the paper distributed on Sunday, which is the ordinary paper, as I personally know, published in that province. I think the hon. member for North Norfolk (Mr. Charlton), when he criticised the amendment, missed the point entirely.

Mr. McMULLEN. I desire to say, in reply to the hon. member for Haldimand (Mr. Montague), and the hon. member for Yale (Mr. Mara), that there is no force whatever in the position they have taken on that point, and I will explain the reason. The hon. member for Yale (Mr. Mara) has stated that the paper is prepared on Saturday night and is distributed on Sunday. The hon. member for North Norfolk (Mr. Charlton) does not intend by any means to prevent the distribution of the paper on Sunday.

Mr. MONTAGUE. That is just what the amendment is asking us not to do.

Mr. McMULLEN. Not at all.

Mr. MONTAGUE. The hon. gentleman does not understand the question.

Mr. McMULLEN. If the people of British Columbia hold their paper and do not distribute until Monday morning, there is no violation of the law.

Mr. MONTAGUE. Will the hon. gentleman allow me to set him right. He is 24 hours behind the time. This paper is now printed on Saturday night and distributed on Sunday morning, which distribution is specifically forbidden by the Bill of the member for North Norfolk (Mr. Charlton).

Mr. McMULLEN. I say distribute the paper on Monday morning. I have caught the hon. gentleman and he does not like it.

Mr. MONTAGUE. You do not understand it at all.

Mr. McMULLEN. The paper is printed on Saturday night, and contains all the news up to Saturday night, and can be distributed on Monday.

Mr. FERGUSON (Leeds). They are not all dead in British Columbia on Sunday.

Mr. McMULLEN. The hon. gentleman (Mr. Haslam), on behalf of the printers of British Columbia, argues that they should not be forced to labour on the Lord's Day, and he says that if the Bill is passed in the direction moved by the hon. member for North Norfolk (Mr. Charlton) they will have to go to work on the Sabbath evening to prepare the paper for Monday morning. If they print their paper on Saturday night they will get all the news. They will get no despatches on the Lord's Day of very great importance, and they can distribute the Saturday night's paper on Monday morning. If that is done you can comply with the law and no injustice will be perpetrated.

Mr. HASLAM. I would ask the hon. member (Mr. McMullen) if that is not trying to beat the devil a little around the bush? The present Bill appears to be doing that all the way through. Here under this provision, the hon. gentleman from North Norfolk (Mr. Charlton) legalizes the printing and the doing of the work of a newspaper on Sunday, but he says it is extremely wrong and illegal to distribute a paper on Sunday that is printed on Saturday night. That is a very curious provision to say the least of it. Under the present system I know that the printers of British Columbia enjoy three times more of the Sabbath than do the printers of Ontario, and I know that there is not a paper offered for sale in the province of British Columbia on Sunday. The only distribution that takes place in that province on Sunday is to subscribers in the immediate vicinity of the printing office, and under this Bill that small moiety of work on Sunday is going to be made illegal. I cannot tell what is the object of this Bill, but the result of it will be, that the morning newspaper printers throughout the whole province of British Columbia, who do not now work on Sunday will be compelled to work on Sunday. They will be compelled to work from 12 to 16 hours on Sunday under the provisions of this Bill, whereas under the present system in that province there are only two or three newsboys working an hour and a half on the Sabbath day. If there was any good sound object in view I would be the first to vote for the Bill, but it certainly seems ridiculous. It makes it illegal for three or four newsboys to work an hour and a half on Sunday while it makes it perfectly legal for a whole newspaper staff to work half the Sabbath day.

Mr. MONTAGUE.

Mr. CURRAN. I think the hon. member for North Norfolk (Mr. Charlton) ought to be satisfied with the great step in advance he has made when he convinced this House that there should be no sale of a Sunday newspaper. The effect of the Bill as it stands now would be to revolutionize the publication of newspapers in the province of British Columbia, without at all advancing the interests that the hon. gentleman has at heart. The position taken by the gentlemen from British Columbia, has a very great deal of force in it despite the remarks of my hon. friend (Mr. McMullen). In the province of British Columbia there is an established rule by which the printing is done on Saturday night and the paper distributed to its subscribers on Sunday. There will be nothing gained in the direction of sanctifying the Sabbath, it appears to me, by forcing the people of that province to change their system, and to printing it on Sunday evening. The British Columbia papers have none of the objectionable characteristics of the American Sunday morning papers which are aimed at by my hon. friend from North Norfolk (Mr. Charlton). They are ordinary papers published from day to day, six days in the week, the same as our Montreal 'Gazette' or Toronto 'Globe,' and they contain no objectionable matter. They are printed on Saturday night, with the very commendable object of not necessitating the compositors to work on Sunday evening, and they are distributed to their subscribers on Sunday morning. There is less work done on Sunday by those engaged in getting out the newspapers in British Columbia than there is under the system which prevails in the other provinces. The effect of the hon. gentleman's Bill will be to force the people of that province to change the system which has existed for years and years with the consent of the whole people of the province, and the result will be: not to lend any more sanctity to the Lord's Day, but to increase the work done upon the Lord's Day. The hon. gentleman (Mr. Charlton) after many years has at last succeeded in convincing the majority of this House, that there shall be no sale of the Sunday newspaper on Sunday, and I think he should rest content with that. He does not wish to prevent the circulation of reading matter which is in no sense demoralizing, and these British Columbia papers, possibly include a good deal of sound, wholesome Sunday reading. The hon. gentleman wishes to strike at what he describes as the objectionable Sunday paper, and he will have the whole House with him if he remains satisfied with that.

Mr. LANGELIER. The discussion which is going on to-night shows that this Bill is a matter which should be left to the Provincial Parliaments to deal with. Here we find the Protestant province of British Columbia as much opposed to this Bill as is the Catholic province of Quebec, and for a similar reason. It appears that in British Col-

umbia the whole work of the papers is done on Saturday evening, and the mere distribution takes place on Sunday. The intention of the Bill seems to be to force all the people of this Dominion to observe Sunday as it is observed in Ontario. It appears that in Ontario no harm is seen in the fact that the Monday papers are entirely printed on the Sunday evening. To my mind, if there is anything objectionable, it would be that part of the publication of a paper, because it entails a great deal of work upon the men employed on the paper. My hon. friend from Wellington says that they will not be compelled to work on Sunday if they do not publish a paper on Monday. If the people want to have papers six days in the week, they will have to do as they do in Ontario, that is, have a paper printed on Sunday evening. If the observance of Sunday is to be so strict as is proposed by this Bill, nothing at all should be done on Sunday. If anything is to be prevented, I would prefer preventing what is done in Ontario to what is done in British Columbia. Even in the minds of the strictest observers of Sunday. I think there is no great harm in simply distributing on Sunday a paper which has been paid for in advance, and which has been printed on a week-day, whereas the mover of the Bill does not see any harm in doing the whole work of the paper on Sunday, or the Lord's Day, as he calls it. Why does he not see any harm? Because that is the practice in Ontario. Everything done in Ontario he finds to be good, while what is done in other provinces he does not find to his taste, and he wants to prevent. The members from British Columbia might just as well insist on passing a law to prevent the printing of papers in Ontario on Sunday, which is permitted by this Bill. All this shows that this Bill deals with a matter that should be dealt with by the local legislatures, and not by this Parliament.

House divided on amendment of Mr. Mara :

YEAS :

Messieurs

Adams,
Bain (Soulanges),
Baird,
Barnard,
Béchar, d,
Belley,
Bennett,
Bergeron,
Blanchard,
Bourassa,
Boyd,
Cameron,
Carroll,
Carscallen,
Casey,
Chesley,
Coatsworth,
Curran,
Davin,
Davis,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Renfrew),

Joncas,
Lachapelle,
Langelier,
Langevin (Sir Hector),
Lippé,
Macdonald (King's),
Macdonell (Algoma),
McDougall (Cape Breton),
McInerney,
McKay,
McNeill,
Mara,
Marshall,
Martin,
Metcalfe,
Mignault,
Miller,
Montague,
Ouimet,
Patterson (Colchester),
Putnam,
Rinfret,
Roome,
Simard,
Tarte,

Gillies,
Guay,
Haslam,
Hazen,
Ives,

Taylor,
Tupper (Sir C. Hibbert),
Tyrwhitt,
White (Cardwell),
White (Shelburne).—60.

NAYS :

Messieurs

Allan,
Bain (Wentworth),
Beith,
Bernier,
Borden,
Boston,
Bowman,
Brodeur,
Brown,
Bryson,
Caron (Sir Adolphe),
Cartwright (Sir Richard),
Charlton,
Choquette,
Colter,
Costigan,
Craig,
Daly,
Davies,
Dawson,
Featherston,
Ferguson (Leeds & Gren.),
Flint,
Forbes,
Gibson,
Gillmor,

Henderson,
Hodgins,
Innes,
Landerkin,
Laurier,
Lavergue,
Livingston,
Lowell,
McAlister,
McDougald (Pictou),
McGregor,
McMillan,
McMullen,
Mulock,
O'Brien,
Paterson (Brant),
Perry,
Ross (Dundas),
Rowand,
Semple,
Somerville,
Temple,
Thompson (Sir John),
Wilson,
Wood (Brockville),
Wood (Westmoreland).—52.

Mr. MCKAY. I beg to call attention to the fact that the hon. member for Bothwell (Mr. Mills) is in the House and has not voted.

Mr. SOMERVILLE. The hon. member for Huntingdon (Mr. Scriver) has not voted.

Mr. SCRIVER. I am paired with the hon. member for East Peterborough (Mr. Burnham).

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

(In the Committee.)

Mr. MARA moved :

That the words "distribution or circulation" be struck out of the first section.

He said: To strengthen the position I am now taking I would like to call attention to the remarks of the hon. member for North Norfolk when the Bill was in committee before. He stated :

The intention of the section is to deal solely with the question of the sale of Sunday newspapers.

That was the intention when the hon. member introduced the Bill, and that is what I would like to see the section limited to now.

Mr. MONTAGUE. I want to call attention to another defect in this Bill. The hon. member for North Norfolk is aware that there is brought into Canada from the United States a class of papers of the very worst possible kind, containing a kind of reading that is not fit to be taken into any home. These papers are published in different United States cities, and are dated on Sunday, but printed a day or two before-

hand, and are sold in our Canadian towns and villages on Saturday night for Sunday reading. A clause should be introduced at a later stage declaring it to be illegal to sell in Canada any paper the day of publication of which is given as the Lord's Day.

Mr. MULOCK. What about the "Sunday World"?

Mr. CHARLTON. I suppose I should be obliged to accept the action of the House in desiring to go into committee on the amendment offered by the hon. member for Yale (Mr. Mara) as indicative of what the action of the Committee of the Whole will be on the matter; and, of course, I must reluctantly bow assent to the decision expressed by the House.

Mr. MARA. I think my amendment will cover the amendment suggested by the hon. member for Haldimand (Mr. Montague).

Mr. MONTAGUE. No, it does not.

Amendment agreed to, and Bill reported.

Mr. CHARLTON moved that the Bill be now read the third time.

Mr. BENNETT. I beg to move in amendment that the Bill be not now read the third time, but be referred back to the Committee of the Whole with instructions to add to section 4, the following subsection:—

The owner of any tug leaving port on Sunday, for the purpose of towing or otherwise, shall be guilty of a misdemeanour and liable to the payment of not less than \$100.

Mr. COATSWORTH. I am afraid I cannot support the amendment of my hon. friend. I do not happen to own any tugs, but I have often had occasion to watch tugs running out of the harbour of Toronto to relieve vessels in stress of weather, and I think it is very important that they should be permitted to do so. I should be willing to support the amendment provided it does not apply to cases where vessels are in stress of weather.

Sir JOHN THOMPSON. It does not prevent the tugs, but only the owners leaving port on Sunday.

Mr. BENNETT. While it is quite true that there might be cases of the nature mentioned by the hon. member for East Toronto (Mr. Coatsworth), and while I do not object to an amendment to cover such cases, my object is to prevent abuses such as happen along the shores of Georgian Bay, where tugs are accustomed to make up rafts and tow them out on Sundays, and the men employed all week have also to work on Sundays, for the benefit of the tug owners. I have in my mind a case where a tug deliberately left the raft, which was in a place of safety, and in order to save time and put a few dollars in the pockets of its owner, came into the port of Midland on

Mr. MONTAGUE.

Sunday in order to drum up a lot of men to coal the vessel. It is wrong. Such a desecration of the Sabbath cannot be defended, and if this amendment be adopted, we will be following the line of advice of a very distinguished gentleman, who preached yesterday in one of our churches in this city, who said:

He noticed with sorrow the fact that many labour organizations influenced by the deal were trying to take from some men their right to this necessary rest. He would much rather see these labourers on the lookout that no single individual should be deprived of his rights on this question.

I am thoroughly in accord with that sentiment, and trust that this clause I propose will be adopted, subject to any amendment which the hon. member for East Toronto may suggest to meet the cases of vessels in distress.

Mr. SCRIVER. I suppose it would not be in order for me to question the sincerity of the hon. gentleman who has submitted this amendment; but, bearing in mind some utterances of his in the past, I do not think it will be unfair to conclude that, after all, what he intends is a sneer at the supposed want of principle on the part of the hon. gentleman who has brought this measure before the House.

Some hon. MEMBERS. No, no. Order.

Mr. SCRIVER. I would ask the hon. gentleman who has just read the extract from the newspaper, giving the utterances of a certain gentleman, whether he would subscribe to those utterances?

Mr. BENNETT. That is the reason I moved the amendment.

Mr. SCRIVER. It is, perhaps, very easy on certain occasions in this House to raise a laugh at the expense of some member, but I doubt whether, after all, any member of this House who attempts in this indirect way, to assail the reputation of an hon. gentleman, adds to the dignity of the House or his own reputation as a member.

Mr. BENNETT. Mr. Speaker—

Some hon. MEMBERS. Order, order.

Mr. BENNETT. Surely the hon. gentleman will allow me to make an explanation? Surely the hon. gentleman will not arrogate to himself and those with him on that side all the morality—

Mr. MARTIN. The hon. gentleman has already spoken. The hon. gentleman cannot make a second speech. He may make a personal explanation.

Mr. BENNETT. It is simply a personal explanation, and I say it without reserve, that it was to the disgust of our townspeople that a large tug came in there—

Some hon. MEMBERS. Order.

Mr. BENNETT. In personal explanation, I have only this to say to the hon. member for Huntingdon (Mr. Scriver), that he has no right to impugn my motives.

Mr. SCRIVER. Is that a personal explanation?

Mr. BENNETT. I am sincerely honest in the desire that there should be an end put to the abuse my amendment is aimed at.

Mr. SPEAKER. The question is on the amendment.

Mr. DAVIES (P.E.I.) I wish to say that I cannot vote for the amendment. The object of the hon. gentleman, as he says, is to prevent tugs going out on Sunday for any purpose whatsoever. The phraseology of the amendment may be open to the exception taken by some hon. gentlemen, but it is quite evident that the object is to punish the owner who allows his tug to go out for any purpose whatsoever. But people in the Maritime Provinces know well that, in many instances, it is necessary a tug should go to the assistance of a vessel in distress, and it would be absurd to prevent her doing so on a Sunday. The Sunday observance law will not be broken by tugs. They only leave port on Sundays in cases of necessity, and this suggested amendment is obviously unjust.

Mr. CHARLTON. Before the amendment is put to the House, I may be allowed to say a few words. I beg the hon. gentleman from Simcoe (Mr. Bennett) to have no doubts as to whether I believe in his sincerity or not. I believe he is very sincere in the object which he has in view, and the malignity with which he has pursued me is an evidence of his sincerity.

Some hon. MEMBERS. Order, order.

Mr. CHARLTON. Mr. Speaker, I am in favour of prohibiting Sunday work for tugs. I am quite willing, so far as I am concerned, to accept the hon. gentleman's motion, absurd as it is. Of course, vessels under certain circumstances, must work on Sunday. If a vessel is on the high seas, it would be absurd to expect her to heave to and lie over for twenty-four hours. There are certain circumstances, best known to navigators, that would prevent the observance of Sunday on all occasions in navigation. I have no objection, so far as my own interests are concerned, to make it an indictable offence for a tug to leave port on Sunday. So far as the insinuations of the hon. gentleman are concerned, I may say that, while I am the nominal owner of a tug, I have never had the management or control of a tug. I presume that the tug he refers to as coaling in harbour on Sunday was one nominally owned by me, and chartered by a company and engaged in towing timber. Over that boat I had no control last summer.

Mr. BENNETT. I did not say last summer.

Mr. CHARLTON. It makes no difference, the same has been true every season. The insinuations made with regard to myself are totally unwarranted, and I am confident the hon. gentleman is well aware that I have had no control of the tug. If the amendment of the hon. gentleman is, in the opinion of the House, a desirable one, I shall raise no objection to it.

Mr. COATSWORTH. I would like to move an amendment to the amendment, and would ask that the amendment be read.

Mr. SPEAKER. The hon. gentleman has already spoken on the subject, and therefore cannot move an amendment.

Mr. HAZEN. I do not wish to take up the time of the House, but I may say that I am entirely opposed to the amendment for the same reason as that given by the hon. member for Queen's (Mr. Davies). If the amendment were passed in the form in which it is at present, the result would not be beneficial to the shipping interest, and not only that, but a great many cases of hardship and disaster might result through tugs not being allowed to put out and tow a vessel into port on Sunday under any circumstances. I hope the amendment will not be accepted by the House.

Mr. MARTIN. The amendment is absurd, because it undertakes to fasten a criminal charge upon a man simply because he is the owner of the tug which leaves port on Sunday.

Mr. BENNETT. They follow his instructions.

Mr. MARTIN. Not necessarily. Supposing a captain undertakes to go out of port on Sunday, and the owner is not there and has nothing to do with it. According to this proposed amendment, the owner is to be held guilty of a crime for the action of his subordinate, who may have acted directly contrary to his instructions. It seems to me it would be absurd to adopt such an amendment.

Mr. TAYLOR moved :

That the amendment be amended by adding to it the following words: Except in the case of a tug leaving a port for the purpose of towing a vessel or vessels into harbour.

Mr. FORBES. I desire to enter my protest against either the amendment or the amendment to the amendment being adopted. They are both childish, and show that the movers have no knowledge of the business to which they relate. They are both most indefinite. There is no law defining a tug. In many of the Maritime ports the ferry boat is used for the purpose of tugging vessels or rafts. Why should you discriminate between a ferry boat, when carrying passengers, and a ferry tugging a vessel

or raft? Moreover, very often a ferry boat or tug is chartered to a third party, and the owner is not in control. This amendment will do violence to the general principle of charters, and is a direct blow at the shipping industry, the tug industry, the ferry industry and all the industries of the shipping ports where small steamers are used. In the province of Nova Scotia we have a moral respect for the Lord's Day, and need no statute law to compel its observance.

Mr. HASLAM. Before this amendment is put I would like to say a few words. I think both the amendment and the amendment to the amendment would be entirely out of place. There are a great many circumstances under which it is absolutely necessary for a tug to put out on Sundays. For instance, in bays or straits, where there is comparatively little sea room, it would work great injury carrying out such a measure as this. In such cases they usually have a lighthouse outside the bay or strait, and the telegraph station sends in word to the tugs and the tugs come out and take the vessels in. If either the amendment or the amendment to the amendment is passed it will work great hardship and injury to the shipping trade all over the Dominion of Canada. The House ought to be very careful before passing such an amendment.

Amendment to the amendment (Mr. Taylor) negatived.

Amendment (Mr. Bennett) negatived.

Mr. LANGELIER moved :

That the Order for the third reading of the Bill be discharged, and that the Bill be referred back to a committee of the whole House with instructions to amend it by adding the following thereto: The present act shall not apply to the province of Quebec.

Amendment negatived.

Mr. LANGELIER. I beg to move :

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

Amendment negatived.

Mr. MACDONALD (Algoma). I move :

That the Bill be not now read the third time, but that it be referred back to the Committee of the Whole with instructions to amend section 3, by striking out the words "or directs empty cars to be removed from station to station within the territory of Canada."

Mr. CHARLTON. I beg to remind the House that section 3 is not under consideration. The only sections of the Bill passed by the House are sections 1 and 2; the others are dropped.

Mr. SPEAKER. Section 3 has been struck out altogether; and of course this amendment will not be in order.

Motion agreed to; and Bill read the third time, and passed.

Mr. FORBES.

BALLOT IN THE NORTH-WEST TERRITORIES.

The Order being read for the House in Committee on Bill (No. 7) to extend the ballot to the North-west Territories.

Mr. MARTIN. As this matter has been dealt with by the Bill of the hon. Minister of the Interior, I would ask that the order be discharged and the Bill be withdrawn.

Motion agreed to.

CRUELTY TO ANIMALS.

House again resolved itself into Committee on Bill (No. 4), to make further provisions as to the prevention of cruelty to animals, and to amend the Criminal Code, 1892.—(Mr. Coatsworth.)

(In the Committee.)

On section 4,

Mr. McMILLAN. This section requires consideration before it is adopted. It is likely to cause trouble if any individual shall have the right on the highway to interfere with any one driving an animal, without just cause, and in my opinion the person should only have the power to lodge an information and should not have power to interfere between the driver and the animal. Under the last section, power is given magistrates to issue an order to destroy any animal. I have myself been present on an occasion when a horse ran away and broke both its hind legs. The horse was then standing in the snow with its shattered bones. This occurred in the night; there was not a magistrate within six miles. Was the animal to be permitted to suffer until a magistrate could be communicated with and order its destruction? I acted as magistrate myself, and destroyed the animal. In my opinion an order from a single magistrate should be sufficient authority to destroy any animal, and I also hold that no person should be allowed to interfere between an individual and his own animal, further than lodging information with a view to subsequent punishment.

Mr. TISDALE. Considerable discussion occurred on this section in 1892, when the criminal code was changed, and it was not then considered necessary to give these extreme powers to individuals. To certain sections of the Bill I do not object in certain respects, but it is a dangerous rule of legislation to adopt when it is proposed to authorize any one to interfere, without the authority of any police officer or complaint whatever, with another person whose judgment may be equally correct in regard to the question to the animal or animals. Who is to decide these questions? One man may think the action cruel while another may think the opposite. Section 4 provides :

Any person may expostulate or interfere to prevent the perpetration or continuation of any act or acts of cruelty done in his presence to any

animal, and any person who interferes with or obstructs or resists any person so engaged shall, on summary conviction, be liable to a penalty not exceeding fifty dollars, or to imprisonment for any term not exceeding three months, with or without hard labour, or to both.

Is not that a clause very liable to provoke a breach of the peace? It means nothing more or less than that one man shall arrogate to himself the right to be judge over another man as to whether the act done is a cruel one or not. In 1890 Parliament passed the criminal code, which had been carefully considered. I submit to the hon. gentleman in charge of the Bill that he would secure a better chance of passing the important provisions if he were to drop the present clause, and also the succeeding one. I do not agree with the idea that even a justice of the peace should have power to order that an animal should be killed unless better evidence was produced than has been evolved here. I strongly object to this principle being introduced into our legislation, that any person on the street may interfere with any individual in such a way that he can drag him before a magistrate without the interference of a police officer, simply by stating that he is cruel. That embodies a very important principle, in this way, that men are apt to be considered cruel who have spent a lifetime in learning to understand animals, in learning to know how to master them, just the same as men and women learn to instruct their children. This is a high point of culture and education. I have protested before, and I protest now, and I will protest until the end of this debate, that the people who wish this legislation are not so well informed as those who have spent their time in rearing, training, using, selling, and caring for animals. I resent this attempted legislation, particularly on behalf of the farmers, and those who have dealt in, trained, bred and bought animals. No case has been made out, no additional evidence has been brought forward, since 1888, 1889, 1890 and 1892, when the criminal code after long discussion and the hearing of evidence before both houses, was adopted, and it was not found necessary to insert these two clauses. I cannot urge too strongly, and I cannot appeal too strongly to hon. gentlemen who care for animals, and who raise animals, against legislation in this direction. I cannot accept the proposed legislation which has not been adopted by any Legislature of any province of the Dominion, or by any colonial Legislature, namely: that one man should be able to go out on the street and without making any complaint, without submitting any evidence, without the assistance of a police officer, should be able to decide as to whether cruelty has been practiced or not. The least that could be done would be to take the offending party before a peace officer, and if the party were adjudged guilty of cruelty, he should be punished. But it is derogatory to the people that such an ex-

treme law as is proposed is necessary, and that without more evidence than has been submitted, especially since the consolidation of the criminal law has taken place, such legislation should be put into effect, for there is no evidence whatever that the people of this country are so cruel on the streets that they should be liable to the interference of bystanders, without offenders being taken before a magistrate, and at all events it should be provided that in every case the alleged offender should be taken before the courts in order to ascertain whether he had or had not been guilty of cruelty. I am not speaking so much individually, as I am in the belief that the Canadian people are, as a general rule, kind to their animals, and that they know how to use and treat them well, and do so. Is this House going to endorse the principle that our people are so cruel to animals that we need to restrain them by such unusual and unprecedented legislation as this. If I have a horse, or a dog, or an animal of mine that I understand how to treat, and a man puts his hand violently on me on the street, and says: you are cruel, would I not resent it? I would consider it an insult, and the man that does not resent an insult is not a man in the true sense. With the knowledge that I have of the people of this country, and with the experience that I have of judging and seeing the people who deal with and handle animals, I say that there is no evidence of any abuse which will justify us in passing such extreme legislation as this.

Mr. FLINT. I think that the promoter of this Bill would do well either to remodel this clause or to drop it for the present. I have had considerable experience in connection with these societies and I know the difficulties in the way of carrying out a clause of this kind. As I understand the law there is nothing to prevent a person from expostulating with another whom he thinks may be cruel to animals.

Mr. COATSWORTH. The hon. gentleman is mistaken so far as this province is concerned at least.

Mr. FLINT. I have never known it questioned that moderate and reasonable expostulation is permissible where a person thinks cruelty is being practiced. If the person expostulated with assaults the other, that, of course, is punishable at the present time. It would be well to provide, that the person who interferes should be a recognized peace officer or official of some kind. In the province of Nova Scotia, the duty is thrown upon certain persons to see that the law in regard to the prevention of cruelty to animals is carried out. It is a very good provision, and amongst other officials, sheriffs, constables, and police officers generally are specially authorized by the Nova Scotia law to see that the Act for the prevention of cruelty is enforced. To allow any person to interfere is, I think, going further than

would be good, because my own personal experience is that a large number of very tender hearted and sympathetic people have not always wisdom with regard to matters of that kind. It requires experience of the world, it requires judgment as to the case of cruelty, and it requires judgment of the men whom you are dealing with. Some people could expostulate and could almost even interfere in a way which would prevent a breach of the peace, but other persons could not do so and ought not be trusted under a clause like this to do it, because worse evils might arise than those we are trying to prevent. I, therefore, think that in that particular the hon. gentleman would do well to recast this clause or to carefully reconsider it. In regard to clause 4, I am very much of the opinion of the hon. gentleman (Mr. Tisdale), that it is asking a little too much that there should be a warrant from two justices of the peace. That also would place persons in a very unpleasant predicament, and perhaps create the very cruelty that we are trying to avoid. I do not think that even such a cumbersome procedure as making a complaint before two justices of the peace should be necessary when a case is clearly made out, such as cruelty to an animal with a broken limb, for instance. I am not prepared to state just what procedure would be necessary, but I think that those interested should take the risk of doing their duty without requiring such an elaborate procedure to protect them. The measure, I think, would be just as well carried out without the adoption of this clause. The ordinary operation of the law and the good sense which is characteristic of most of the communities of this country, will, I think, operate very satisfactorily in carrying out the law without the addition of this clause as at present framed.

Mr. COATSWORTH. I do not think that either of the hon. gentlemen who have spoken have yet quite met the case. The hon. member for South Norfolk (Mr. Tisdale) who was not present the other evening did not hear the statement that was made in reference to one of many cases on which this subsection was based. The most recent case is the one which occurred in the city of Ottawa not very long ago, where a gentleman interfering with an act of cruelty—and I believe the act was conceded to be an act of gross cruelty to a horse—expostulated with the person in charge of the horse. He was assaulted, and he brought his assailant up in the police court, and the police magistrate held that the assault was justifiable as there was no authority for interfering with the treatment of the animal. We have many cases of that kind in the city of Toronto and in other places where an effort is being made to prevent cruelty to animals, and as the object of this is to prevent cruelty to animals, I think my hon. friends are a little inconsistent in the way they look at the two sections.

Mr. FLINT

For instance, in regard to this subsection they say that the formality required in interfering with a person using his animal cruelly are too few, while the formalities required in order to enter on a person's premises and take the life of an animal, they say, are too great. I think my hon. friends are certainly inconsistent on both these points. For instance, any person who takes it upon himself to interfere with another in his use of an animal, takes upon himself the onus of proving that an act of cruelty punishable under this Act has been committed. That is a great responsibility for any person to take upon himself, and unless he takes the responsibility of proving that the man has brought himself within the scope of this Act, and is liable to be punished, then there is no doubt he would be punishable for his interference with the person, and would have no right to interfere with him. There is that protection afforded by the responsibility which the person takes who attempts to interfere with an act of cruelty; and, certainly, as the object of the Bill is to prevent cruelty, I think that hon. members who desire to attain that end ought to allow the subsection to pass. In other words, what is said is this: that an act of cruelty—for instance, driving a horse whose shoulders are so chafed that he is in great pain and suffering—ought to continue for a day or two until the case can be brought before a magistrate and disposed of. We have in Toronto an officer whose duty it is to enforce the provisions of this Act, and I presume there is a similar officer in this city; but they have not the right to interfere and prevent acts of that kind; they are bound to let them go on until they can bring the case before a magistrate. Therefore, where an officer of this kind or any person is prepared to assume the responsibility of saying that the provisions of this Act have been violated, and going into court to prove it, I think the time has come when such a person should be entitled to interfere to prevent gross cruelties. The cases referred to by my hon. friend, such as the overwhipping of a horse that is baulky, are not the cases aimed at by this Act. The cases aimed at are cases where horses are overloaded, or where they are driven when their backs are so chafed that it is a most inhuman thing to continue driving them. With regard to subsection 4, some hon. gentlemen think that it should provide for interference on complaint before one justice of the peace, and others think that there ought to be no such interference. I wish to say that this and all the other subsections have had their origin in practical cases which have come before the magistrates in one place or another. I do not think it would be wise to limit the provision, and say that one justice of the peace should give judgment in a case of this kind, because there are two very important things that the section provides for. In the first place, it provides that the magistrate may give an order to a police constable to enter upon

the premises of another person ; and, in the second place, it gives him the right to order the killing of the animal of another. These are very important powers, which I do not think ought to be given without due consideration. We ought to be very careful not to lodge too much jurisdiction in one individual ; and I think it is only right that those who own the animals should have the advantage of the decision of two justices of the peace. Therefore, I think the subsection should be left as it is. In regard to the necessity of the subsection, it has been found in cases that have occurred under the Act that no police constable now has any right to enter upon the premises of another person for the purpose of destroying an animal. The gist of the section is not really the destruction of the animal but the entering upon the premises of another person for the purpose of destroying it. As I understand, the law now is that a police constable may upon the order of a magistrate destroy an animal. I may be mistaken about that ; but several cases have been brought under my notice by officers under the law of animals having been turned out into fields and left in a sick and dying condition week after week and month after month ; and no power is vested in any magistrate to order an officer to enter upon the premises and destroy them. The object of this provision is : where an animal is in the fields and in such a condition that it ought to be shot, to authorize a police magistrate or any two justices of the peace to make an order giving authority to a police constable to enter upon the premises for the purpose of destroying the animal.

Mr. MILLS (Bothwell). It seems to me that the speech made by the hon. gentleman, and the Bill, show how very improper it was to embrace clauses such as those which he proposes to amend in the criminal law of this country. The whole subject is a matter of police, and is adequately provided for by the police laws of the various provinces, and ought never to have been dealt with as a subject of crime by this Parliament. Just look at what the hon. gentleman is now engaged in. The criminal law is for the protection of life and property—not against the owner of the property, but against violence done by other parties. There is no one who has a greater interest in the protection of property than the proprietor ; but the hon. gentleman assumes that the proprietor is a destructive or cruel man, who is going to do serious injury to his own property, and needs the oversight of his neighbour to prevent him doing so. The hon. gentleman says that it is right and proper that a man should have authority to interfere with another with regard to the treatment to which he subjects the animal which he owns or which may be in his possession. If a man sees another acting harshly or cruelly to an animal, there is nothing in the world to prevent him expressing his opinion of it ; there is nothing

in the world to prevent him remonstrating with the man ; that is the right of everybody. The man may tell him to mind his business ; but if he thinks the man is acting cruelly and harshly, he may go before a magistrate and lay a complaint. But the hon. gentleman proposes that he should have the right to take the law into his own hands ; and if the proprietor offers the least resistance, he will be subject to being seriously punished as a criminal offender, because he prefers his own judgment to the judgment of the person interfering with him. The hon. gentleman says he would not care to give authority for interfering in the case of a man who treats some what roughly a horse that is baulky. How is the hon. gentleman going to distinguish between a horse that is baulky and one that is overloaded, or one that is tired out ? Is he going to classify the cases where interference may take place ? A man may become very warm in trying to get his team on : they will not go on ; it is not because they are overloaded, but it is, perhaps, because they have been badly broken by some other person before they have come into the hands of the present proprietor, and the driver becomes excited and angry and threshes them somewhat severely. There is nothing to prevent a stranger passing by remonstrating, but why give him power personally to interfere and take control of the team, and subject the owner to very serious punishment as a criminal offender if he resents such interference ? If there is wrong done, if the tender heart of the passer by is touched, he can go before a magistrate and lay a complaint and have the man fined. It seems to me that it was most unwise to introduce those ordinary police regulations, that are amply sufficient, as police regulations, into the criminal code of this country, and the hon. gentleman now proposes to go on and tinker and amend that criminal code, and has given us a number of instances when it is right or proper for two magistrates to interfere. The hon. gentleman says that a sick horse may be turned out into a field and the owner may be neglecting it, and he wants the authority of two magistrates to destroy it. He goes up, sees the horse there, finds it in rather poor condition, with the crows sitting on the trees waiting for the funeral, and the hon. gentleman says it is a case of very great cruelty, and he gets the authority of two magistrates to shoot his neighbour's horse. Well, the horse may have been turned out because the owner did not want to shoot it. The owner may have thought that the horse might recover. He may have had the horse for a number of years, and not be willing to kill or allow any one else to kill it, and is willing to bear the expense of the horse's continued existence, on account of past services.

Mr. COATSWORTH. That is not the case aimed at.

Mr. MILLS (Bothwell). It is the case the hon. gentleman's Bill will reach. It gives the power to every business man, who cannot take care of his own property, to interfere with his neighbour's property. That is what the hon. gentleman proposes to do. We should legislate so that people will mind their own business and let other people alone. That is what the hon. gentleman does not propose to do. He might get the support of some goody-goody society for legislation of this sort, but he will find that every owner of property who takes care of his property, will not thank him for it. The time of this House could be very much better employed than in discussing legislation of this sort. This is not the kind of thing we are sent here to legislate upon. There is a constant disposition to encroach upon and usurp functions that are assigned, under our constitution, to our local legislatures. If the hon. gentleman wanted to deal with this subject, he ought not to come here at all; but having come here, if he does anything at all in the matter, he should devote his attention to repealing the clause and permit the local legislatures to take charge of this business, as they had charge of it before, and then let us devote our attention to something more useful.

Mr. McMILLAN. After an experience of fifty years in Canada, and having had stock on my own farm, I can say that I have never yet known of an animal being turned into a field in the condition the hon. gentleman describes. I have known of them turned out on the public highway, but not into any one's field. There is not a farmer in the district where I live who would be guilty of the conduct of turning an animal into a field in that condition. The farmers of Ontario understand that it is through the law of kindness they can best succeed with their animals, and I have seldom seen a farmer commit an act of wanton cruelty upon any animal in his own place. I am convinced that legislation such as this could be made a cause of continual trouble. If I am badly using my horse, and some one comes and remonstrates with me, and I do not stop, is that person going to take possession of my animal? How is he going to do that? These two clauses are not required at all. Our gentlemen farmers and stock owners take good care of their stock, and I have not, in my fifty years' experience, seen an animal abandoned on the field, and have very seldom seen them turned out on the highway, except where an accident may have happened.

Mr. COATSWORTH. I hope I did not give the impression that I meant that farmers did such things. I had no idea of the kind. I have had no case brought to my notice of a farmer committing such cruelty, and I quite agree that farmers do not commit acts of that kind. As the sense of the committee is against the clause, I

Mr. MILLS (Bothwell).

have personally no object in pressing it, and I think it would be better to drop the clause.

Mr. LANDERKIN. Would it not be better to drop the whole Bill?

Mr. TISDALE. I move, in amendment, to add the following clause:—

This Act shall not apply to the keeping or using of any bird—the shooting of which, except by this Act, is not prohibited—for the purpose of being shot at, or the shooting of or shooting at any such bird, on the wing, when or after rising from a trap, as a bona fide test of skill in marksmanship, nor to any person who is present as a party, umpire or judge at any such shooting, or keeps or rents or permits the use of any yard, field or premises for the purpose of such shooting.

And the following subsection:—

Whoever, in keeping, using, or shooting at any bird, under the provisions of the last preceding subsection, causes or inflicts or permits to be caused or inflicted to or upon such bird any cruelty, pain or suffering, other than is the direct result of the shooting during such test of skill in marksmanship, and the killing of any maimed or wounded bird, immediately after the shooting thereof, or fails to kill any bird that has been maimed or wounded during such test of skill in marksmanship forthwith, after the same has been so maimed or wounded, shall be liable on summary conviction, to a penalty of one hundred dollars.

For all time, according to the annals of Great Britain and her colonies and of the United States, this sort of sport has been considered manly. And not only that, but, in my opinion, it is strictly in accord with the proper education of youth. And I protest against any action of this House or of the committee of this House which will put it upon record that such sport as this is cruel. Nobody who has seen the different means used in killing birds otherwise than by shooting them, can deny that death by shooting is as merciful, as sudden and involves as little cruelty as any other. I look upon it as a reflection upon our ancestors, upon as good men, as kind men, as fair men as there are in any country, to pass such a Bill as this. Three years ago this question was discussed and decided. The views of the gentlemen who favour this class of legislation were heard as well as the views of those who opposed it, and after a long discussion, after the fullest evidence from all parties being heard, it was the opinion of this House that such legislation should be rejected. The hon. gentleman who introduced this Bill had no such clause as this in the Bill. If I remember right he was in favour of this form of legislation when the Bill was before the House on a former occasion. But I hold that he is quite consistent in introducing this Bill in the form he did, and I consider it almost unfair to the sportsmen of the country to bring forward this amendment suddenly. The hon. gentleman who now represents the same society that the former

hon. member for Hamilton did, brought his Bill in without any provision against trap shooting. I am obliged to him for doing so, and the sportsmen of Canada are the same. I speak on their behalf, but I do not represent them as I did when this measure came before us three years ago, and when I had the petitions of 15,000 of them asking me to protest against the measure proposed, and against which my amendment is aimed. I have not engaged in such sport as has been referred to; I have never had the time to practice shooting birds out of a trap, but in my old age I love the sports of the field as well as I did in my boyhood. And I say that a boy who is trained to wander through the forest and over fields and marshes as a true sportsman, has a chance for better morals in life than if he is brought up to prefer the luxuries and chance the dangerous vices of the city. I have taken the strongest and dearest responsibilities for my opinion, for I have brought up my sons in the same path. I do not get so much time to fish or shoot as I did, but I repudiate the idea that the men who engage in such sports must be classed as cruel. Also, in making this motion, I am following the course of the great Imperial House, that greater House to which we look so largely for an example. As I have said before, I am glad to say again, both great parties in this country—and they are both great parties—look with pride and pleasure to the Parliament of Great Britain for an example. There the same question was brought up, and while the House of Commons approved the measure, the House of Lords rejected it. And what did they do? They did the logical thing by passing a Bill providing for severe punishment of any one who inflicts unnecessary suffering upon birds when shooting or using them as a test of skill. I am glad to say that we went a step further in standing by the true principle of legislation. We declared in effect: we will not allow to be classed as cruel that which is not cruel. It was alleged untruly and unfairly that cruelties were perpetrated upon the birds by our sportsmen; that their eyes were put out, and that they were subjected to other mutilation. I have now to move an amendment to restore, or rather to add to this Bill the clause—no, I will say restore it, because the hon. member who has charge of it was willing to pass the Bill in this shape—to restore to the Bill a clause declaring that it shall not apply to the class of shooting to which my amendment refers. But, to prevent misunderstanding as to the position of sportsmen of this country, the true sportsmen, I wish to add the clause of the English law. The House of Lords passed this law and the House of Commons accepted it. I am willing you should make the penalty for cruelty \$500, but I think \$100 is better, because it is more apt to cause a sufficient penalty to be imposed. I might give Par-

liament evidence in favour of this amendment, evidence brought before the House when the Bill was up before. But I am not prepared to present that evidence now. From that time to this, this House has heard nothing more of the matter. The people of this country, the members of this House, the members of the Provincial Legislature, because of the record then made and the evidence then produced, have been silent with regard to this question. The best proof of the reasonableness of the proposition is that the hon. gentleman who has charge of the Bill—and I give him credit for it—was ready, after seeing what could be brought forward in support of the contention, to accept this principle as a part of this Bill. I will read one of the petitions presented to this House when the Bill was formerly before us. I do not wish to voice the protest of people who cannot fairly speak for themselves. This petition was a sensible, modest, true and straightforward presentation of the case, and it spoke the sentiments of about 15,000 members of the shooting clubs of this country. This is a protest not only against this class of legislation, but against what seemed even worse to these people, the insinuation that the men who had been trained in the field sports of the old time, when men were strong, but yet had not the advantage of education and refinement such as we possess, were cruel. And I say it will be a bad day for Canada and for England when these sports are disregarded—these sports that have produced the men who have filled England's navy with sailors and her armies with soldiers that have made her unconquerable. These are the sports in which youth should be educated—far better in their results than the refinements or the vices of the cities. Send a young man out into the field or abroad in the forests or on the mountains there to meet the birds or beasts in their own home, to study their habits, get acquainted with their ways, and while giving them a fair show, by superior skill to vanquish them. That is the true training to give youth in order to make men of them, fit for these halls, and fit for the battles on the ocean and in the fields, that have given such renown to Great Britain. Shut off this class of teaching, and you weaken their soldiery instincts. Some gentlemen may think I am enthusiastic, but that is the way I was bred, and that is one of the things I believe in. It is what I teach my boys—who are no better than other boys—but when they have grown up into men I think probably they will follow the ways of their fathers and of their forefathers. I protest therefore against this class of legislation, and I will read one of those petitions, presented when this question was before the House on the former occasion to which I referred, to give you an idea of the reasons that prevailed when this House declined to pass such legislation:

To the Honourable the Senate and House of Commons of the Dominion of Canada, in Parliament assembled :

The petition of the undersigned, residents of the Dominion, humbly shows :

That your petitioners are informed that certain persons are seeking to obtain amendments to the law for prevention of cruelty to animals for the purpose of preventing the shooting of certain birds.

Your petitioners assert that such persons are acting upon a mere sentiment, and without a knowledge of the subject ;

That gun clubs and sportsmen take pains to avoid the practice of any cruelty in regard to birds used in trap shooting and that with modern close-shooting guns birds are usually killed instantaneously, but if wounded are retrieved and killed with the least delay possible ;

That if pigeons are not so used they will rapidly increase and cause great loss and injury to farmers and annoyance to townspeople ; and that sparrows have already become such an injury and nuisance that farmers, gardeners and people of all classes are anxious for their extermination ;

That the use of the birds mentioned for trap-shooting affords the only efficient and comparative humane means of checking their increase ;

That to stop such shooting would be a great and unwarrantable interference with the business of those engaged in the gun trade and manufacturers and dealers in shooting materials.

Your petitioners therefore pray that no legislation may be passed to interfere with or prevent shooting birds from traps.

Here is a letter that was sent criticising the Toronto Humane Society, which gives very strong reasons :

The Toronto Humane Society are trying, among other things, to stop shooting sparrows. Practical men—farmers, gardeners and others—are seeking means to getting rid of them, finding them to be a destructive pest. In my opinion, gun clubs and shooters are doing good work in the interests of the country by making use of sparrows, by supplying one means of thinning out birds that are rapidly becoming an intolerable nuisance. It is reasonable to suppose that if the Toronto Humane Society existed in New South Wales and New Zealand they would oppose the destruction of rabbits, although the Governments there offer £35,000 to any one who will invent an effective means of exterminating them.

In regard to pigeon-shooting there has been in your columns a very sensible letter from Mr. T. C. Paterson. I would like to add on this subject that the sale of pigeons for trap-shooting affords a considerable amount of money to a great many people, which could not be obtained in any other way. It would not pay to keep pigeons for all they are worth as poultry. Then, as pigeons increase rapidly and are largely free commoners, taking possession of barns, lofts, church spires and such places, and feeding in the grain fields whenever they can, they would in a few years, if not kept down by trap-shooting, become a very serious annoyance both in town and country.

I hope the well-meant but ill-advised aims of the Toronto society will meet with the fate they deserve. If the society would confine itself to legit-

Mr. TISDALE.

imate objects they would have enough to do, and a far larger share of public support.

Now, the latter part of that is not applicable to the Toronto Society at the present time, because they abandoned the idea on the showing that was made in this House, and I think it was creditable to them. I wish to say, in conclusion, lest my remarks might lead one to suppose that I am aiming at that society, that such is not my intention. I wish to place on record here my belief that the Humane Society in Toronto, and similar societies in other cities, both in Canada and the United States, have done a great deal of good so long as they kept within their legitimate objects, but when they go beyond I think they do mischief instead of good. But in this particular case, the sportsmen had no idea that they were going to be attacked. However, the society are satisfied, and I think that the evidence was such that they could not help but be satisfied, and I say it is creditable to them in every sense. That being so, I submit that it is entirely uncalled for, and not at all in the interest of the public, that this legislation should be passed, and I submit, therefore, with great confidence that the committee will adopt the amendment I have proposed.

Sir JOHN THOMPSON. From the way the hon. gentleman has spoken, I think the debate is likely to be protracted, and from our past experience of debates on this question, I think it is too late to deal with it to-night. I move, therefore, that the committee rise and report progress, and ask leave to sit again.

Committee rose and reported progress.

ADJOURNMENT—BUSINESS OF THE HOUSE.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. MULOCK. The hour is early yet, and I wish to express the hope that the Minister has no intention of taking the whole time left to private members until, at all events, the Bill I have so often mentioned is disposed of. I do not want to oppose the motion to adjourn, if the understanding arrived at some time ago is still good.

Sir JOHN THOMPSON. There was no understanding arrived at, but I am quite sure the hon. member will have an opportunity of moving his Bill yet. It is true, the hour is not late, but if this debate had gone on, I am sure it would have lasted for three hours.

Mr. MULOCK. I am surprised to hear the right hon. gentleman remark that there was no understanding arrived at. I think the 'Hansard' will show that there is.

Sir JOHN THOMPSON. I will stand by whatever is in the 'Hansard.'

Mr. MULLOCK. I say that eleven o'clock is early to adjourn on a private member's day, especially when the Government have taken all the days of the week, and all Monday except the evening.

Mr. LAURIER. Will the First Minister state what is the business which will be taken up to-morrow.

Sir JOHN THOMPSON. Supply.

Mr. LAURIER. The hon. member for North Norfolk (Mr. Charlton) will move an amendment respecting the Tay Canal.

Motion agreed to; and the House adjourned at 11.05 p.m.

HOUSE OF COMMONS.

TUESDAY, 12th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READINGS

Bill (No. 138) to incorporate the Montreal, Ottawa and Huron Canal Company.—(Mr. Macdonell, Algoma.)

Bill (No. 139) to incorporate the Pontiac and Ottawa Railway Company.—(Mr. Bryson.)

REPORTS.

Report of Canadian Archives, 1893.—(Sir John Thompson.)

Report of the Minister of Agriculture for the year ending 31st December, 1893.—(Sir John Thompson.)

TONNAGE DUES.

Sir CHARLES HIBBERT TUPPER moved that the House resolve itself into Committee to-morrow, to consider the following proposed resolution:—

That it is expedient to provide that a rate or duty fixed by the Governor in Council, and not exceeding ten cents for every ton gross tonnage, shall be paid by the owner or master of every steamboat in Canada.

Motion agreed to.

INQUIRIES FOR RETURNS, &c.

Mr. PERRY. Before the Orders of the Day are called, I would like to know from the

hon. Minister of Railways when I may expect a return to an Order made by the House about a month ago for certain papers in connection with the Prince Edward Island Railway. This is the third time I have asked for it, and it is almost like begging. If the Minister does not intend to give up these papers, I would like to know it; if he intends to give them up, I would like to know why he does not bring them down.

Mr. HAGGART. I gave instructions to have prepared as soon as possible the return the hon. gentleman asks for, and I think it is perhaps in the Department of the Secretary of State now, ready to be brought down to the House. It will not be more than a day or two till it will be brought down.

Mr. McMULLEN. I wish to draw the attention of the House to a matter which I think deserves its consideration. The House will notice that the First Minister has to-day laid on the Table of the House the report of the Minister of Agriculture. Here we are three months from the beginning of the session and within eighteen days of the close of the year ending the 30th of June, 1894, and this report of the most important department of the Dominion is only now laid on the Table. Now, Sir, we had this very experience last year—

Mr. SPEAKER. The hon. gentleman is not in order, if he does not intend to conclude by making a motion. On former occasions I have pointed out the inconvenience of entering into discussions upon the calling of the Orders of the Day. The hon. gentleman cannot make a speech.

Mr. McMULLEN. I wish simply to draw the attention of the House to the delay, and I wish to emphasize that by referring to the case of the previous year. I earnestly hope that this experience will not be repeated.

Mr. FORBES. I would like to ask when I may expect the return to an Order of the House granted on the 25th of April last, seven weeks ago, with regard to the industrial establishments in the counties of Queen's, Shelburne and Lunenburg. I wrote to the Finance Minister on the subject on the 15th of May, and I interviewed him personally on the 29th of May, and at his request I interviewed the Dominion statistician, Mr. George Johnson, on the 30th of May, and I have not yet received any reply, nor has any return been brought down. Can the Minister tell me when the return will be brought down?

Mr. FOSTER. The return has not been prepared. I was under the impression that it had been when I sent the hon. gentleman the information. That appears to have been incorrect. Some other return was meant, not this one. The vote has run out and there is no money with which to pay clerks to prepare this return. We are waiting for a supplementary vote of the House.

SUPPLY—THE TAY CANAL.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. CHARLTON. Mr. Speaker, before you leave the Chair I propose to place a motion in your hands and ask the sense of the House upon the question, which I shall briefly discuss. The subject I refer to is the celebrated Tay Canal—a public work of considerable cost and of not very considerable public utility. I find, in looking up the record, that the first grant was made in the year 1882, on application to the House by Sir Charles Tupper, and that the estimated cost of the canal, as then given by him, was \$132,660, exclusive of certain land damages, which, it was apprehended, might have to be paid in consequence of the flooding of land. In 1883, a second grant was applied for by Sir Charles Tupper, of \$75,000, and it was then said by that hon. gentleman that the lowest tender received for the construction of the canal was \$186,000, but that certain changes had been made which, it was estimated, would cost \$55,556, and that the revised estimate of the cost, owing to these proposed changes, was \$240,000. I find, in the debate upon that occasion, that my hon. friend, the present Minister of Railways justified the expenditure. At page 1072 of 'Hansard,' he is reported as having made the following justification for the proposed expenditure :

There is the traffic of the town of Perth and smelting works will be erected there, which require this canal.

I am not aware whether these smelting works have been erected yet or not. He continued :

In the back section of the country, as we all know, there are the largest deposits of iron ore in Canada, as well as of phosphates of lime. It will also enable freights to be cheapened in the bringing in of coal for the purpose of smelting iron and for other works intended in that section.

It seems that these anticipations of my hon. friend have not been realized, and the smelting works, and the export of iron and the imports of coal for the purpose of smelting, and the trade in phosphate of lime, has failed to materialize. In 1884, Sir Charles Tupper asked Parliament for a third grant, amounting to \$100,000. And in 1887 he asked for \$55,000 more. He then said that the expenditure had been \$256,360, and that the \$55,000 asked for would complete the work, including the basin at Perth. The statement made by the hon. gentleman will be found in the 'Hansard' of that year, volume 2nd, page 838. In 1888, Sir Charles Tupper asked for \$78,000 more, although the previous grant of \$55,000 was to complete the work, basins and all. This was required for the purpose of paying off the balances due contractors, the work being finished, and the total cost, he said, would

Mr. FOSTER.

be \$358,364. In 1889, the present Minister of Finance (Mr. Foster) asked for \$25,000 more, and he would not promise that this sum would be sufficient to complete the canal. The total cost, he said, would be \$364,951. And in 1890, the hon. gentleman asked for \$11,000 more to settle with the contractors and finish the work. This, you will observe, was the fourth final call, the fourth occasion on which a last call was made for the purpose of completing the celebrated Tay Canal. In 1890, a further vote of \$20,000 was asked for, a portion of which it was said to have been a revote. On August 3rd, 1891, the Hon. Mackenzie Bowell, then Minister of Militia, stated, in reply to a question, that the total cost of the canal was \$440,613.21. In 1891, a further vote for the Tay Canal of \$30,000, was placed in the Estimates, making a fifth call upon the treasury, despite the frequent promise that the last call had been made. It was then stated that the work was in progress from Perth basin to Haggart's mill, and that a new iron swing bridge would be constructed, the estimated cost of extension and bridge being \$18,466. This estimate was about as reliable as any of those made hitherto, for I find that when the extension was completed, the cost was computed as follows :—

Paid contractor, as per Auditor	
General's Report.....	\$31,507 55
Expenses of land inspection, engineer, &c.....	4,905 10
	\$36,412 65

Or just about double the estimate for the extension. The Minister of Railways, in 1891, assumed the responsibility for the expenditure on this canal. He said, on the 12th August, 1891 :

As this is a matter which particularly interests me, and which I was the means of inducing the Government to enter into the expenditure for in 1883, perhaps it is necessary that I should make some explanation in regard to it.

I presume the necessity was apparent to some other members besides the Minister of Railways. So he assumes full responsibility, and he is not the man to shirk responsibility. In the same speech, he claimed that the canal had been of great utility to the town of Perth and the country surrounding it. He claimed that 20,000 tons of freight—his language is a little involved; I do not know whether we are to understand him as saying that the 20,000 tons of freight were sent by the canal—but he claimed that, in consequence of the construction of the canal the cost of freight had been reduced to the extent of \$1.50 per ton, and the advantage to the town of Perth, in consequence of this reduction, caused by the canal, was over \$30,000. At the same time the hon. gentleman was making this statement, or a few days before, replies to ques-

tions had been given to the House, which informed the House of the total amount of tonnage upon this canal up to the 30th June of that year, and the amount of revenue. And I think that a very considerable discrepancy will be found to exist between the statement of the hon. gentleman and the return brought down.

Mr. HAGGART. Where does the hon. gentleman find that I said there were 20,000 tons of freight on the canal?

Mr. CHARLTON. I said it was rather involved and difficult to understand whether the hon. gentleman claimed it was carried upon the canal at a less cost, or carried elsewhere at less cost in consequence of the canal having been built.

Mr. HAGGART. The hon. gentleman is leading the House to believe that there is a discrepancy between my statement and the amount of tonnage returns.

Mr. CHARLTON. I believe there is, and will explain why. The hon. gentleman said upon that occasion:

These gentlemen say that there is no benefit derived by the town of Perth from this canal. The fact is that the benefit derived by the town of Perth in regard to the importation and exportation of goods amounts to over \$30,000 a year. The freight exported and imported has been 400 tons a week, or 24,000 tons a year, since the construction of that canal.

What did the hon. gentleman mean? Did he mean to mislead the House? Did he intend to convey the impression that the 24,000 tons were conveyed by the canal, and if not, what influence had the canal upon the cost of the transportation of the freight? If the hon. gentleman did not intend to convey the impression that the language here does convey he should have been more explicit. Here is a list showing the traffic of the canal for the period from October 1, 1890, to June 30, 1891:

Steamer 'John Haggart,' 59 tons, 24 trips; steamer 'John Haggart' (rebuilt), 117 tons, 21 trips; steamer 'Harry Bate,' 144 tons, 12 trips; steamer 'Geraldine' and skiff, 15 tons, 7 trips; steamer 'Firefly,' 8 tons, 4 trips; steamer 'Ranger,' 8 tons, 4 trips; scow (no name), 30 tons, 2 trips; skiff (no name), 1 ton, 1 trip.

Now, that is a record of the business done on the Tay Canal from the 1st of October, 1890, to the 30th of June, 1891. The total tonnage, as shown by multiplying the tonnage of each vessel by the number of trips made by each vessel, is 5,831 tons. And the hon. gentleman claims in his speech that the result of the building of the Tay Canal was to reduce the cost for 24,000 tons by the sum of \$1.50 per ton. Was it carried on the canal at reduced rates or did the competition of the canal oblige the rail-

ways to reduce the rates of freight? If the money expended on the canal was intended for the purpose of controlling freight, it was wholly unnecessary. The hon. gentleman had an easier and a simpler remedy at hand, a remedy which could have been applied without the construction of the Tay Canal, which during this period of time, according to the hon. gentleman, saved the town of Perth \$30,000 a year, while it earned for the Government \$58,311. His remedy will be found in the Railway Act of 1888. He himself is a member of the Privy Council of this country, and here were the provisions of the Act which would have enabled the Government to control unreasonable freight charges by railway and render it unnecessary to expend half a million dollars in the completion of the Tay Canal:

SEC. 237.—No tolls shall be levied or taken until the by-law fixing such tolls has been approved of by the Governor in Council, nor until after two weekly publications in the 'Canada Gazette' of such by-law and of the Order in Council approving thereof; nor shall any company levy or collect any money for services as a common carrier except subject to the provisions of this Act.

And section 228 provides:

Every by-law fixing and regulating tolls shall be subject to revision by the Governor in Council, from time to time, after approval thereof; and after an Order in Council altering the tolls fixed and regulated by any by-law, has been twice published in the 'Canada Gazette,' the tolls mentioned in such Order in Council shall be substituted for those mentioned in the by-law, so long as the Order in Council remains unrevoked.

Thus we see that the Government could easily have prevented the charging of exorbitant freight rates upon the railways passing through the town of Perth or any other railway in Canada, and I repeat it was not necessary to spend this large sum of money to dig a ditch six miles long. Now, Sir, it is absurd to suppose, even upon the contention the hon. gentleman may raise in regard to this matter, that the Tay Canal had any material influence in regulating railway rates from the town of Perth in either direction. This canal connects with the Rideau Canal, which is 5 feet or 5½ feet deep, and the canal is navigated by one skiff, one scow, two yachts and two tugs. The connection is either with Kingston in one direction or Ottawa in the other. Transshipment becomes necessary at either point. In one direction the canal leads away from the markets of the east, and it is not a direct route in any event, and could not compete with the railway companies. So far as regulating railway rates is concerned, the Tay Canal is powerless to produce any result.

As to what is called the Haggart extension, which was built at a cost of \$36,412, what, I should like to ask, was that

made for? Was it made to be navigated by boats? I am told that the only boat that has navigated it since it was completed is Hon. Peter Maclaren's yacht, which has made two trips. Well, it is a valuable franchise for Mr. Maclaren, to be able to take two trips in his yacht at a cost to this country of \$36,412. I am told that before this extension was built there was $2\frac{1}{2}$ to 3 feet of water at the foot of the mill of the hon. Minister of Railways and Canals, and that the back water came up to the wheels of the mill. I am told that since the extension was built there is no back water. I am told that the hon. gentleman had an 8 foot head of water, and he has a head of $10\frac{1}{2}$ feet now, in consequence of this extension. It may be that he has realized no special advantage from this, but if so it is only because he has not made the necessary changes in his mill. If he will lower his mill wheels $2\frac{1}{2}$ feet, he will get the advantage of the additional head of water in the form of power for his mills. I am told that advantage has been taken of this additional head of water, that a power house has been built to supply electric light to the town of Perth and that but for this extension the power could not have been furnished to the power house. The hon. gentleman's property is said to extend below the mill and along the bank of the canal 600 feet. That property, which was formerly low and swampy, is now filled up level with the street. If this extension has been made for the purpose of benefiting Mr. Maclaren, the return has been very inadequate, because his yacht has been up this extension only twice. If anything whatever has resulted, so far as I can learn, it is the incidental benefit that has accrued to the hon. gentleman in consequence of giving him two and a half feet of water more at his mill, in consequence of taking away the back water and in consequence of filling up the property below the mill along the canal. If that was the object—I do not say it was, I do not suppose it was—but if that is the only benefit from the expenditure of this thirty-six thousand dollars odd, it can hardly be said that the money has been judiciously expended. Now, a question was put by my hon. friend to my right (Sir Richard Cartwright) on the 20th of March of this year, from the answer to which it appeared that up to 1st of January last the total cost of construction of the canal was \$476,128.73. The cost of maintenance for the year 1893 was \$2,486. The total receipts from tolls for the year from the 1st of January, 1893, to the 1st of January, 1894, were \$135.76. Now, Sir, the interest on the investment at 4 per cent was \$19,045.14. Add to this the cost of maintenance, \$2,486, and you have a total of \$21,521.14, against receipts of \$135.76. This makes the cost of maintenance and interest on investment 158 times greater—not 158 per cent greater, but

Mr. CHARLTON.

158 times greater—than the receipts. Is not that a magnificent piece of financiering? Is not that a magnificent investment—an outlay, the interest upon which, with the cost of maintenance, is \$21,531.14, to secure a revenue of \$135.76? The cost of the canal is \$476,128.73; and the cost of maintenance, \$2,481, capitalized at 4 per cent, amounts to \$62,150, so that the cost of the canal, with the capitalized cost of maintenance, amounts to \$538,278.73; and \$135.76 represents a return of interest of $2\frac{34}{100}$ th cents on every \$100, not \$6 or 6 per cent, not \$4 or 4 per cent, but $2\frac{34}{100}$ th cents, or, in other words, less than $\frac{1}{40}$ th of 1 per cent. The celebrated Tay Canal yields to the Government of the Dominion, on its original cost and on the capitalized cost of its maintenance, the magnificent return of $\frac{1}{40}$ th of 1 per cent, or $2\frac{34}{100}$ th cents on every \$100 of investment. Now, great credit is due to the hon. member who is now Minister of Railways and Canals, for it is creditable to him that he has taken upon himself the responsibility, for this thing, as he did in 1891; and I think that he is entitled to all the credit that can be derived from this investment made on the Tay Canal. Another reason assigned by the hon. member nearly as good as any other, was stated by him in the course of his speech:

Afterwards, when money was being distributed through the provinces of Quebec, Nova Scotia, New Brunswick and other place, for public works of public utility, I thought that one of the oldest counties in Canada had a claim to some assistance, a county which had contributed as much to the public revenue as any other part of the Dominion, and had never received any return.

So, while the money was being distributed, while millions were being scattered about, the hon. member for South Lanark thought that his riding ought to come in for a share of the spoil, and he secured the expenditure of a round half million dollars in a work that is practically useless, that makes practically no return, and has only served the purpose of expending a few million dollars among his constituents, and lowering the water at Haggart's mill two and a half feet. So far as I can see, these are the principal advantages derived from this work. Now, Mr. Speaker, this Tay Canal is a specimen of the lavish expenditure and the reckless waste of money that has brought the Dominion of Canada financially where it is to-day. We have squandered money, this being a specimen, millions and millions of money, for no practical purpose, and with no adequate results, and the monument is a monstrous debt, a debt of 240 million dollars, with fixed interest charges amounting to nearly 10 million dollars a year, with an enormous cost of management of unproductive works such as the Tay Canal and other canals of a similar character, with the utmost difficulty staring us in the face, of being able

to make any material reduction in the public burdens resting upon this country. This is a very serious question, and if no substantial relief can be secured for the people at the present moment, if my hon. friend is unable to reduce his tariff, after all the flourish of trumpets that was made, to any more than the paltry extent to which he has reduced it, and if, in face of the little reduction he has made, he expects to meet a deficit, I say this unsatisfactory condition of public affairs is due very largely to the reckless, lavish and foolish expenditure of money which has been made in so many instances, with one of which I have been dealing with to-day. I, therefore, move that all the words after "That," in the original motion, be struck out, and that the following be substituted in the place thereof:—

The first vote of \$50,000 for the construction of the Tay Canal was secured from Parliament in the Session of 1882, upon representation made by Sir Charles Tupper that the work would cost \$132,660 exclusive of certain land damages.

That in the Session of 1883, Sir Charles Tupper asked Parliament for a further vote of \$75,000 for the Tay Canal, and stated that the lowest tender received for its construction was \$186,000, but that certain changes had been made, estimated to cost \$55,556, and that the revised estimate of its cost was \$240,000.

That in the Session of 1888, Sir Charles Tupper asked Parliament for \$78,000 with which to pay off the balance due to contractors on the Tay Canal, the work having been finished, and that he then stated that the total cost of the work would be \$358,364.

That the cost of the Tay Canal up to January 1st, 1894, was \$476,128.73, or three and a half times greater than the estimated cost in 1882, and lacking but \$3,871.27 of being double the revised estimate of cost made in 1883.

That the cost of maintenance of the Tay Canal for the year ending January 1st, 1894, was \$2,486.

That the total receipts from tolls for the year ending January 1st, 1894, were \$135.76.

That the interest upon the cost of the Tay Canal at the rate of four per cent per annum amounted for the year 1893 to \$19,045.14; which together with \$2,486 the cost of maintenance for the same year makes the sum of \$21,531.14.

That to meet this charge of \$21,531.14 upon the revenues of Canada for interest upon investment and cost of maintenance for the year 1893, the Tay Canal yielded for the same year a revenue of \$135.76; the charge for interest upon investment and for maintenance being 158 times greater than the returns; and the interest yielded upon the cost of the canal, and the cost of maintenance capitalized at four per cent being $2\frac{1}{4}\%$ cents per \$100.00, or less than one-fortieth of one per cent.

That the amount of business transacted upon the Tay Canal is of insignificant proportions when contrasted with the cost and capacity of the work and that the benefits conferred upon the general public by its construction are comparatively trivial and unimportant.

That this House expresses regret that so large a sum as \$476,128.73 was expended in a way that no

consideration of sound public policy could justify, leaving the country to suffer, not only the loss of annual interest upon the investment; but a considerable annual charge in addition if the nearly useless creation of expenditure is maintained. And that this House is of the opinion that the magnitude of the public debt of Canada is due in no inconsiderable degree to that wasteful and unwarrantable class of expenditures of which the Tay Canal is a type.

Mr. HAGGART. The motion of the hon. gentleman shows clearly to what desperate straits the Opposition, especially the member for North Norfolk (Mr. Charlton), are driven to find material for complaint against the present Government. They are obliged to resurrect old material which we thought had been buried in political graveyards a number of years ago, and the hon. gentleman is forced to introduce almost identically the same motion as was introduced by the hon. member for Huron (Mr. Cameron) in 1891, in order to make a little cheap political capital. At that time I replied fully to the observations made by the hon. member for Huron (Mr. Cameron), and I may be obliged now to trouble the House by repeating a portion of my speech and some of the arguments which I adduced then in favour of, and in defence of the celebrated, as the hon. gentleman calls it, Tay Canal. The first time that this canal came before the House was in 1882. There was a vote taken for it at that time. In 1883 an item of \$75,000 appeared in the Estimates for the purpose of helping forward its construction. There was not a single objection made by any hon. member of the House to the commencement of the scheme or to the expenditure of a sum of money for the purpose of constructing that canal. The only remarks made, and I refer hon. gentlemen to 'Hansard,' were made by the leader of the Opposition of that day, Mr. Blake, who asked if the work was under contract, and what was the extent of the traffic, occupying altogether four lines of 'Hansard.' In 1883 the question came before the House, and I made the statement from which the hon. member for North Norfolk (Mr. Charlton) has quoted, and whose remarks in that connection I will answer after I have gone through the history of the work. In 1884 an item of \$100,000 was placed in the Estimates. All the leaders of the Opposition were in the House at the time, and yet there was not a question asked or a comment made on the vote. In 1886 it came up again, there being a vote asked of \$100,000 towards its construction. The discussion occupied about three lines of 'Hansard.' There was not one word of opposition to the scheme itself, Sir Richard Cartwright simply asking what the work would cost. In 1887, \$55,000 was asked, and a question was put by Sir Richard Cartwright to this effect: How long the canal had been under construction; how much it had cost, and how much it was likely to

cost? In 1888 there was an item of \$78,000 in the Estimates under this head. The only members taking part in the discussion were Messrs. Jones, of Halifax, Casey, of Elgin, and Sir Richard Cartwright as to the total cost, the names of the contractors, and whether the work had been let by public tender, the whole discussion occupying only ten lines. There was no fault found with the undertaking, and not the slightest objection was made to the expenditure. In 1889 an item of \$25,000 appeared in the Estimates. The only question asked in reference to it was by Sir Richard Cartwright, who wanted to know what the total expenditure would be. In 1890 there was an item of \$11,000 in the Estimates, and the only observation in regard to it was by Sir Richard Cartwright, who said that it was a useful work, because it drained the county of Perth, and he asked what the annual receipts were. These remarks occupied ten lines. In 1890 there was an item of \$20,000 in the Estimates. Sir Richard Cartwright again asked whether that vote would complete the cost of draining the county or not, the remarks occupying five lines of 'Hansard.' These were the only observations made in a series of consecutive years as to the expenditure on the Tay Canal. If it were such an objectionable work, if the amounts expended year by year were in excess of the statements made by the Minister of Railways and Canals, who had charge of the work, why did not hon. gentlemen object at that time? Most of that time I was not Minister of Railways and Canals, but a private member, supporting the Conservative Government. From the bottom of my heart I believed that the Tay Canal would be a work of utility, and be for the benefit of the riding I represent. It was petitioned for by the inhabitants of the county, and I venture to say there is not a single person in the south riding of Lanark but approves of the expenditure, and is grateful for the country for carrying out the work. So strongly interested were the people of the county in the building of the work, that private individuals put their hands in their pockets at first to build the canal, not to such a depth as has since been carried out, but so as to secure a channel three feet deep from the Rideau Canal to Perth. It was an object which the people of the county had always had in view—the extension of that important work, the Rideau Canal, to the town of Perth. The hon. member for North Norfolk (Mr. Charlton) has stated that it is no benefit to Perth or the surrounding country. I stated in my speech in 1891 the reason why I considered it was to the benefit of Perth. I did not state that 30,000 tons of freight were conveyed on the canal, because such a statement could easily have been contradicted by the canals returns submitted during the next six months or year. The words I used were:

The fact is that the benefit derived by the town of Perth in regard to the importation and exporta-

Mr. HAGGART.

tion of goods amounts to over \$30,000 a year. The freight exported and imported has been 400 tons of wheat, or 24,000 tons a year since the construction of the canal.

I went on arguing that on account of the construction of the canal, it has so controlled the charges on goods coming to and from the town of Perth and the neighbourhood, that it was a benefit of \$30,000 annually. I had the facts very accurately gone into and calculations made at the time by merchants who were in the habit of importing and sending out goods, and they declared to me that they believed that the benefit to the town of Perth alone from the construction of that canal, was equal to at least \$30,000 a year. The hon. gentleman (Mr. Charlton) has entered into an intricate calculation to show how much per cent of 1 per cent the canal has paid to the inhabitants of this country since its construction. Could not he have drawn a comparison between the Perth Canal and the St. Francis Canal, which the friends of the hon. gentleman (Mr. Charlton) constructed? Could he not have drawn a parallel between it and every public work constructed from one end of the country to the other? Could not he compare it with every wharf constructed in the Maritime Provinces, or with any canal constructed through the hon. gentleman's own county in western Ontario? The comparison would tell just as much in favour of the Tay Canal as in favour of any of the rest of these public works. The action of the hon. gentleman (Mr. Charlton) is not for the purpose of drawing attention to the amount of the receipts on the Tay Canal, or for the purpose of finding fault with the expenditure upon that particular work. The efforts of hon. gentlemen opposite are directed to trying to injure me in the country and in my constituency. Before I entered the Ministry I was doing my duty as the representative of the south riding of Lanark, and I never made a statement in favour of getting a grant for that canal the truth of which I did not thoroughly believe in. I believed then, and I believe now, that the construction of that canal has been of immense benefit to the district I represent, financially and otherwise, and that consequently it has been a benefit to all Canada. I believed that the people of that district, and especially of the riding I represent, were as much entitled to a share of public expenditure as were the people of any portion of the Dominion. This is the only expenditure for public works that was ever made in the south riding of Lanark. The hon. gentleman (Mr. Charlton) has quoted my remarks made in 1890 in a derogatory manner here to-day. I stated in 1890 that the county was an old county: that it had been in existence since 1812, that it had contributed taxes for the building of public works in every part of the Dominion, and especially in western Ontario. All that is very true. At that particular time the revenue of this country was buoyant, there were large surpluses in the treasury, and

I conceived that it was the duty of the representative of that county to secure that, a public work not only of local but of Dominion importance, should receive fair consideration from the Government. These are the facts in reference to the Tay Canal. The hon. gentleman (Mr. Charlton) says: that Haggart's extension up to the mills was for the purpose of increasing the water power at these mills. There is no truth whatever in that assertion. The height of the water level or water fall has not been increased one inch by the construction of the canal. If the hon. gentleman wished to know the facts about this matter he could have gone to the Rideau Canal Office and he would there find levels, measurements and plans which would show him the height of water before the canal was completed, and after it was completed. Before he makes attacks of this kind, and before he attributes motives for the construction of a public work, the hon. gentleman should see that he stands on good ground. He should be more careful in making such statements, but the hon. gentleman before this has not been careful in his statements, and he has committed faults before in that respect, and gone a good way in verifying them on oath when they were found afterwards to be untrue. He could very easily have ascertained the facts about this matter and assured himself whether his statements were correct or not. As to this being done at my request, he will find if he looks at the documents in reference to it, that it was on the petition of the inhabitants of the town of Perth that the extension was made. He will find also that the people themselves contributed a large sum towards that extension, and that it was on the advice of the engineer superintending the canal, and on a statement of his reasons why it was necessary that the extension was undertaken. Perhaps this is the last we shall hear in this House of this celebrated work. It has again been brought forward for the purpose of doing service at the next election, and for the purpose of perhaps influencing a vote or two in the contest which hon. gentlemen opposite expect in a short time. But if hon. gentlemen opposite have not better material for a campaign than resurrecting from old graveyards issues that have been passed upon half a dozen or a dozen years ago, they will long remain in the position they occupy at present.

Sir RICHARD CARTWRIGHT. Mr. Speaker, although we have seen a good many cases of profligate expenditures of public moneys, I doubt whether for a very long time the House has been called upon to pass on a more scandalous waste of the resources of the public than the particular case to which my hon. friend (Mr. Charlton) has now directed your attention. Apparently, according to the doctrine laid down by the Minister of Railways—and a very convenient doctrine it is—if the Ministers of the Crown, with a great majority at their back,

make a series of statements which turn out to be utterly and entirely incorrect, if they allege to us, that particular works are likely to be productive of good; and if under these circumstances—not having any power to control them—we allow themselves and their majority to put through these votes in opposition to our general protest; then, Sir, not the Ministers of the Crown who are responsible to the people of this country and who draw considerable salaries for the purpose of investigating and examining into the propriety of these particular works; not these persons, but the members of the Opposition (according to the hon. gentleman) who have no power whatever to control or prevent these men from carrying out their intentions; are the parties who are to be held responsible because they contented themselves with general protests against the extravagance of the Government. Sir, it is enough to state that position, to convince every man of intelligence or sense in this House how desperate must be the situation of the Minister of Railways and Canals if that is the best defence which he can produce to the indictment of my hon. friend (Mr. Charlton). Now, Sir, I say that with respect to this expenditure there was absolutely no excuse whatever. The condition of the canal of which this is a branch, and with which this communicates, had been well known for many years, and I have been informed that it was at one time in contemplation by the Government that preceded the present Government, whether they would not absolutely shut up the Rideau Canal on the ground of the enormous cost to the public of keeping it up. At this present moment what is the condition of the Rideau Canal? The condition of the Rideau Canal is this, that it yielded an annual revenue last year all told of \$5,491, exclusive of hydraulic rents, and entailed a total expenditure of \$57,640. And with that example before their eyes, with the knowledge that by the progress of events in this country, by the construction of a very complete railway system, the former utility of the Rideau Canal, the main canal of this system, had been almost completely destroyed, we have these hon. gentlemen, at the instigation of the member for the county, embarking in an expenditure which has ultimately amounted, as my hon. friend has truly stated, to very nearly half a million dollars. Now, I intend to imitate my hon. friend and the hon. gentleman in one respect: I do not want to enlarge too much on this matter, because it is my opinion that the bare recital of the facts—if we can only succeed in bringing them before a sufficient number of the electors—is in itself the very best condemnation that can be imagined, of the intolerable extravagance which actuated the hon. member for South Lanark in demanding and the Government of the day in acceding to the expenditure on this work. Sir, a few weeks ago I myself put the question the hon. gentle-

man has referred to, and what were the facts as shown to the House? A capital expenditure of very nearly half a million dollars, an annual charge for maintenance at the moment—because it is likely to be supplemented by numerous bills for repairs—of over \$2,400, and actual receipts to the extent of \$135.60; being, as my hon. friend well and truly said, a cost for each dollar we receive of about \$150 a year. Sir, these hon. gentlemen have reversed the doctrine of the husbandman: good husbandmen sow their seed and sometimes reap a hundredfold; these gentlemen plant their dollars by the hundredfold, and they receive one. Now, Sir, the hon. gentleman has one argument—one argument only—and a very curious argument it is when you come to analyse it. The hon. gentleman does not dare to pretend that there is any traffic either to Perth or from Perth worth the mention on this particular canal. No thanks to him for making that admission at this time of day, because the facts are in his own department, the facts are under our hand, and cannot possibly be disputed. But he tells us that the town of Perth has a trade of 400 tons per week going and coming, and that this canal saves \$1.50 per ton, equal to \$30,000 a year. Now, Sir, these 400 tons per week are, I presume, for the year's work, and one of the very curious functions of the Tay Canal is that it saves \$1.50 per ton, winter or summer, frozen or open. Then, Sir, there is another curious matter. I am not quite as well acquainted with the good town of Perth as the hon. gentleman; but my recollection is—and he can correct me if I am wrong—that it is only about 100 or 110 miles in a due line from Montreal. Now, this 20,000 tons of freight, or the major part of it, I suppose, in the nature of the case, consists of heavy goods as to which we might properly say that their natural point of destination would be tidewater at Montreal; at any rate, that is the point they could most reasonably reach by the Tay and Rideau Canals. Now, a saving of \$1.50 per ton on freight carried 110 miles by railway to Montreal, would, if I am not mistaken, fully and completely dump all the produce at Montreal free of cost, and leave a good deal to spare. Of course, the hon. gentleman is an expert; but I think 1½ cents per ton per mile, even on the Canadian Pacific Railway, would be a pretty good rate for heavy freight—and it is only that class of freight that would be carried on the Tay Canal; but, according to the hon. gentleman, it is as cheap to send these goods—which must go either through Ottawa or through Kingston, probably through Kingston, and the same applies pretty much to Ottawa—around three sides of a square rather than by the short cut to Montreal. I do not know on what authority the hon. gentleman has made that statement; but I do not think there is a business man in Canada, looking at the situation of the canal and the situation of the Canadian Pacific Railway, and looking at the rates

Sir RICHARD CARTWRIGHT.

usually levied on this kind of freight—I do not think there is a business man outside of the town of Perth or outside of South Lanark, who could be found to believe that a saving of 1½ cents per ton per mile could be effected on that 20,000 tons of freight winter and summer. Sir, the hon. gentleman has been good enough—and perhaps it is as well that we should understand where we are—to give us the real reason. The real reason, Sir, was that it was necessary to strengthen the member for that county. The real reason was that the people of the county of Lanark—not perhaps unnaturally, seeing that they were being taxed enormously for expenditures of very little value to them in other parts of the Dominion—clamoured for a share of the pap; and the hon. gentleman, being even then a tolerably influential man, being to a certain extent a kicker, a man whom it was desirable to propitiate—being a man who knew too much, as some of his colleagues subsequently discovered—had sufficient influence with the Government to compel them, for his benefit and for the benefit of his county—which was to that extent for his benefit, to expend half a million dollars to make everything solid in South Lanark, and to gerrymander it, if I am not mistaken, to boot. And, Sir, he did not hurry the work. The hon. gentleman is an old parliamentary hand—he understands these things. He took care apparently to see that this thing should do duty in three elections. The first vote was got a little before 1882, and it was very useful then, though the gerrymander was more useful. The next vote, or the next two votes, came in good time for 1887; and the hon. gentleman was not forgetful even of 1890. Now, being a Minister of the Crown, I do not suppose he requires so much of these little fixings as he did before; but he has undoubtedly erected a fine monument to himself. But, with the exception of the mode in which he and his colleagues manipulated a more notorious work, that is, the Trent Canal, I am not sure that any grants, administered to make things satisfactory in one particular county, have been more effective than the hon. gentleman's vote for the Tay Canal. Now, I venture to say that when the people of Canada come to understand that we have spent half a million dollars of capital, and are subject to an annual charge for maintenance of \$2,400, and an annual charge for interest of \$21,500, for which we receive a revenue of \$135.76 a year, I think that, however the good people of South Lanark may exult in their member, a good many other not equally favoured constituencies—perhaps in the Maritime Provinces more particularly, where works for the improvement of harbours and so forth are really necessary to the life, as well as property of the people—will come to think that the hon. gentleman, in his private capacity at any rate, was a rather expensive luxury. The truth is that this is a worse job even than the Curran bridge, on which a com-

mission recently reported to this honourable House. On that we have lost over \$200,000; but at least we have got a work of some utility in exchange, whereas, here we have spent half a million dollars, and the result is worse than worthless, because it entails a permanent and considerable charge on the people without any return. Now this is, to a considerable extent, as my hon. friend truly said, a typical illustration of the way in which our debt has been run up, and of the extremely small benefit that has accrued to the people. You have in this one instance nearly every item which goes to make a mischievous job. You have, first, a most glaring miscalculation. Instead of telling us, as was the duty of the department, that this would probably cost half a million dollars, we were told that \$132,000, and some small claim for land damages, would see us through. I will pass over the suspicion which most undoubtedly does attach, in every case, to extensions such as those that are known as the Haggart extension, or whatever it is called. It is unfortunate, whether or no any particular benefit results to the hon. gentleman's mill, that a very considerable sum of public money should be spent for a purpose which appears, at any rate, to benefit his individual property. We have lately a very large outlay indeed, because I am not one of those who regard half a million dollars quite as lightly as the hon. gentleman and his friends seem to do. I am inclined to think that a great many good things could be done in this Dominion for that sum. There are a great many valuable harbours and other public works, real boons to the people, which could have been obtained by the expenditure of this amount judiciously and properly, and I may say in conclusion that, so far as I can see, the hon. gentleman, first and last, has wholly failed to bring forward a single sound argument to justify the expenditure of this money or the construction of this work, other than the one I have given, that it was for the purpose of making him safe, for a very considerable period of time, in the county he represents.

Mr. SPROULE. The reasons the Minister of Railways and Canals has given do not, in the estimation of the hon. gentleman who has just spoken, justify the expenditure of such a large amount, and he comes to the conclusion that it was a great mistake. If so, it is to be regretted that all political parties in this country seem to be liable to fall into similar error. If it was a mistake, as it may be—and I am not prepared to admit that it was—it is not the first that has been made by a political party in Canada in the construction of canals. I have in my hand, the memorandum of a very important canal that was started in the district of Thunder Bay, where the celebrated Port Francis locks were built, and I understand that the estimate of the cost of that public work was very much below what it

would likely have cost had it ever been finished. It was commenced in 1875 for the purpose of carrying out the construction of the Canadian Pacific Railway by uniting Port Francis River, Rainy Lake and Lake of the Woods. It was begun by the hon. gentleman and his friends, without even a survey of the work having been made, without asking authority of the House to let this work by contract, and without letting the work by contract. It was given to the political friends of gentlemen opposite, who were to go on and build this important work by day labour, and after considerable expenditure the work had to be stopped. The cost was estimated at \$250,000. In 1875, when Mr. Mackenzie determined to take the Canadian Pacific Railway by the northern route, he abandoned this work, and telegraphed to the contractor to stop proceedings. At this time \$73,940 had been spent, and spent to no purpose. In 1876 the Public Works Department instructed Mr. Sutherland, who was then in charge, to resume the work, and an additional \$176,000 was afterwards spent on it. The work was stopped again, and since that nothing has been done, and at present I understand it is filled up with sawdust and other debris. Up to that time we had expended on the work \$250,000, and it is standing there to-day as one of the monuments of the incapacity of hon. gentlemen opposite. That political parties are likely to make mistakes, no better evidence can exist than this work, which I am sure the hon. gentleman will not attempt to defend. And if this Tay Canal be a mistake, as is claimed—which I do not believe—surely it is no greater than the one made by hon. gentlemen opposite when in power.

Mr. McMULLEN. I desire to say a few words in reply to the hon. gentleman who has just sat down. He has discussed the expenditure of money on canals in the western section of this province. In that case the Government did not come down from year to year, and keep on asking additional votes and sink the money in a public work which is perfectly useless.

Mr. SPROULE. The difference is that they spent it without a vote.

Mr. McMULLEN. The hon. gentleman has not followed the example of the Minister of Railways. The Minister of Railways urged upon the Government that because his constituency was an old one, and had contributed considerably in the way of taxes to the general fund, it was entitled to an expenditure, and that a certain amount of money should be expended there. The hon. member for East Grey (Mr. Sproule) has not taken the cue, because he has had no expenditure of public money in his constituency, although he has been in this House just about as long as the Minister of Railways. The Minister of Railways, in reading over the remarks on this Tay Canal,

quoted the remark of the hon. member for South Oxford (Sir Richard Cartwright), but did not quote what followed. I will quote the passage in full :

Sir RICHARD CARTWRIGHT said: This, I understand, is a really useful work which drains the county of Perth.

Sir JOHN MACDONALD. It drains the public treasury pretty well.

The hon. gentleman did not give us that remark of Sir John Macdonald. Unquestionably the county of Lanark has reaped the advantage. And I suppose the canal has now subsided into a muddy ditch. There has been many a muddy transaction with which the Minister of Railways has been connected as well as the Tay Canal matter. We have had many dark transactions in all parts of this Dominion—railways that, in many cases, are not giving any return, so far as the country is concerned. We know well that in the case of the Oxford and New Glasgow road, which passes through the counties of Cumberland, Colchester and Pictou, these counties were represented by Cabinet Ministers at the time, who unquestionably took the same course as the hon. Minister of Railways. I suppose they concluded that their counties were entitled to some consideration too. Sir Charles Tupper represented Cumberland, Mr. McLelan represented the county of Colchester, and the hon. Minister of Marine (Sir Charles Hibbert Tupper) represents Pictou. They constructed a double line of the Intercolonial Railway, branching off at Oxford and running to New Glasgow, and spent \$1,800,000 on the construction of that road.

Sir JOHN THOMPSON. Mr. Speaker, I would ask you whether the hon. gentleman is obliged to confine himself to the question under discussion or not.

Mr. SPEAKER. In discussing an amendment to a motion for Committee of Supply, the latitude allowed is very wide. Hon. gentlemen may discuss almost anything they please.

Sir JOHN THOMPSON. The hon. gentleman is only about two thousand miles away from the subject now.

Sir RICHARD CARTWRIGHT. This is by way of illustration, Mr. Speaker.

Mr. McMULLEN. I was trying to draw the attention of the House to works of a similar character as the Tay Canal on which the money of this Dominion had been absolutely squandered. Such works are scattered all over the Dominion. As I am reminded by one of my hon. friends, the Chignecto Marine Railway is one of them.

Mr. McMULLEN.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman state how much of the public money was wasted on the Chignecto Railway?

Mr. McMULLEN. The public credit is pledged for the construction, and we shall see the public treasury drawn on for a number of years in order to pay for a foolish and insane undertaking that not a single seaman in Canada has the slightest confidence in.

Mr. FOSTER. The Dominion Government is not pledged to a cent.

Mr. McMULLEN. We have a great many such works as I have described that have been constructed at the expense of the Dominion, and this Tay Canal is one of them. For years, the efforts of hon. gentlemen have been directed, each one, to secure something for his own constituency. It does not appear to matter very much whether the work is needed or not, so long as the money is spent. It may be a canal or railway, or, if nothing else can be thought of, a post office will do. We hope that the end of this kind of thing has been reached, but, in order to draw the public attention to this extravagance and to keep the people informed of what is going on, it is the duty of the Opposition to criticise these expenditures closely. The Minister of Railways has drawn the attention of the Opposition to the fact that very little criticism took place on this expenditure when it was first proposed to the House. He took the opportunity in the Public Accounts Committee this year to say that in the Hard Pan cases very little criticism had been engaged in, and very few questions had been asked when the work was undertaken. It is to be hoped that under these rebukes which the hon. gentleman has administered to the Opposition, they will endeavour to perform their duties by thoroughly and minutely criticising every expenditure proposed by the Government. We of the Opposition have a duty to perform, and perhaps we have been lax in the performance of that duty. But hon. gentlemen have thrown out their challenge. They have thrown the responsibility upon us for these extravagances because we have not thoroughly criticised these expenditures. Hereafter we shall endeavour to discharge our duties. We want the Government to understand that when they bring down items of expenditure and ask quietly that they be allowed to pass, we are bound to see the top and bottom of every item before the House decides, and I hope this rebuke which the hon. gentleman has given the Opposition will be sufficient, and that hereafter they will so discharge their duty as to make such rebuke impossible.

House divided on amendment of Mr. Charlton :

YEAS :

Messieurs

Allan,	Grieve,
Bain (Wentworth),	Guay,
Beausoleil,	Harwood,
Béchar, d,	Innes,
Beith,	Landerkin,
Bernier,	Langelier,
Borden,	Laurier,
Boston,	Lavergne,
Bourassa,	Leduc,
Bowman,	Legris,
Brodeur,	Livingston,
Brown,	Lowell,
Bruneau,	McGregor,
Carroll,	McMullen,
Cartwright (Sir Richard),	Mignault,
Casey,	Mills (Bothwell),
Charlton,	Monet,
Choquette,	Paterson (Brant),
Christie,	Perry,
Colter,	Proulx,
Davies,	Rider,
Dawson,	Rinfret,
Featherston,	Rowand,
Flint,	Sanborn,
Forbes,	Scriver,
Frémont,	Semple,
Geoffrion,	Somerville,
Gillmor,	Sutherland,
Godbout,	Vaillancourt.—58.

NAYS :

Messieurs

Adams,	Lippé,
Amyot,	Macdonald (King's),
Bain (Soulanges),	Macdonell (Algoma),
Baird,	Maclean (York),
Baker,	McAlister,
Belley,	McDonald (Assiniboia),
Bennett,	McDougald (Picton),
Bergeron,	McDougall (Cape Breton),
Blanchard,	McInerney,
Boyd,	McKay,
Cameron,	McLennan,
Cargill,	McLeod,
Carpenter,	McNeill,
Caron (Sir Adolphe),	Madill,
Carscallen,	Mara,
Chesley,	Marshall,
Cleveland,	Metcalf,
Coatsworth,	Miller,
Cockburn,	Mills (Annapolis),
Corbould,	Montague,
Costigan,	Northrup,
Craig,	O'Brien,
Daly,	Quimet,
Davin,	Patterson (Colchester),
Davis,	Patterson (Huron),
Dugas,	Pelletier,
Dupont,	Pridham,
Dyer,	Putnam,
Earle,	Reid,
Fairbairn,	Robillard,
Ferguson (Renfrew),	Roome,
Foster,	Rosamond,
Fréchette,	Ross (Dundas),
Gillies,	Ross (Lisgar),
Girouard (Jacques Cartier),	Ryckman,
Girouard (Two Mountains),	Simard,
Grant (Sir James),	Sproule,
Guillet,	Taylor,
Haggart,	Temple,
Haslam,	Thompson (Sir John),
Hazen,	Tisdale,
Hodgins,	Tupper (Sir C. Hibbert),
Hughes,	Tyrwhitt,
Hutchins,	Weldon,
Ives,	White (Cardwell),
Joncas,	White (Shelburne),
Kaulbach,	Wilmot,
Kenny,	Wilson,
Lachapelle,	Wood (Brockville),
Langevin (Sir Hector),	Wood (Westmoreland).—101.
Leclair,	

PAIRS :

Ministerial.

Messieurs

Opposition.

Dickey,	Gibson,
Pope,	Mulock,
Bergin,	Devlin,
Barnard,	Martin,
Prior,	Tarte,
Bryson,	Edwards,
Wallace,	Préfontaine,
Cochrane,	McDonald (Huron),
Ferguson (Leeds),	Campbell,
Smith (Sir Donald),	Fraser,
McLean (King's, P.E.I.)	Yeo.

Mr. SUTHERLAND. Mr. Speaker, I desire to call attention to the fact that the hon. member for Winnipeg (Mr. Martin) has not voted.

Mr. MARTIN. Mr. Speaker, I was paired with the hon. member for Cariboo (Mr. Barnard).

Amendment negatived, and House again resolved itself into Committee of Supply.

(In the Committee.)

Sir JOHN THOMPSON. Mr. Chairman, allow me a moment to give an explanation which I promised to the committee. First, with regard to an item in Senate contingencies. Two sums were paid, \$100 each for expenses of managing the restaurant in the Senate. It appears that in the session of 1892, \$100 was placed at the disposal of the committee appointed to assist the Speaker in the management of the restaurant, to pay for necessary assistance and supervision. This is shown by the second report of the Contingencies Committee, dated 9th July, 1892. In the session of 1893, \$100 was voted by the Senate for the same purpose—second report of the Contingent Committee, dated 22nd of March, 1893. These amounts were both paid under the vote for 1892-93, in consequence of the session of 1892 extending beyond the 30th of June. Nothing has been paid for the service for the year 1893-94. It seems that the amount is generally paid for the services of some person appointed to supervise and take care of the table furniture of the restaurant. I promised, also, to give the evidence and judgment in the case of Gibson vs. the Queen. I have not obtained the evidence—that is the shorthand writer's transcript of the evidence—because I learned that the cost would be \$60 or \$70. But the judge has been good enough to send me a copy of the notes he took in the trial, and as these notes were pretty full, I presume they will suffice.

Mr. DAVIES (P.E.I.) I suppose the hon. gentleman will lay the papers on the Table?

Sir JOHN THOMPSON. Yes. I find that we were mistaken in discussing the amount of the judgment. The amount awarded for the expropriation was \$19,068, with interest at 6 per cent from the 21st January, 1888. An observation is made by the judge in sending me his notes and evidence which I think I might properly read, although it

was not actually intended for the committee. The judge says :

I also add a word or two on the evidence to show the view I took of it. In doing this, I must disclaim any intention to do more than to put you in possession, without delay, of the information asked for in the House. Although the amount of money involved is considerable, the issue was a simple one—the value, in 1888, per square foot of the 9,534 feet of land at Lévis taken from the suppliant.

The opinion, evidenced for the suppliant, put the value per square foot at from \$3 to \$3.50. Such evidence is, of course, always to be taken with the reserve that it probably represents the views of those of the suppliant's friends and neighbours who place the highest value on the land taken, though in this case, as you will see, there were some support for their views in actual transactions that had taken place. The opinion, evidence of witnesses called for the Crown, placed the value of the lands in question at \$1 to \$1.25 per square foot. They were cross-examined, to show that they had been called in all or most of the cases the Crown has had at Lévis, and that they were paid some \$10 per day for their services as valuers and witnesses. That circumstance has, by one or more judges before whom some of these cases have come, been adversely commented upon ; but I only mention it to add what I have said more than once from the Bench, that it is not in my view a circumstance which, of itself, should detract from the weight of their evidence. The question always is, it seems to me, has the Government selected as valuers men who are competent, fair and impartial, and is the compensation paid to them not more than what is reasonable? We all know that with a view to discredit a witness, he is sometimes asked if he has come to court without being subpoenaed, and paid his witness fees. And if valuers should give their services gratuitously, they would be open to the same reflection, whatever it amounts to. But actual transactions, where we have proof of them, are, it always seems to me, a better ground in these cases than opinion evidence.

Within a year or so of the expropriation of the lands in question, Paradis, Gibson's brother-in-law, bought them at public auction for \$1 per square foot. While he held them he had a business offer of \$2 per square foot for about two-thirds of the lot, which offer he refused, as he did not wish to sell part only. Then he sold to Gibson at \$1.50 per square foot because he was in need of money. The relationship of the parties at once suggested the question as to whether or not the sale was an actual one made in good faith. It was proved that it was. Gibson bought on speculation and paid cash. Then there was the evidence of the purchases made by Hamel of adjoining lands. Hamel bought for the Crown, but his agency was not at that time disclosed. He may have paid too much in some instances. I cannot say as to that. But whether he did or not, the purchases constitute actual transactions, the force of which must be felt in every case until, in the course of time, there are other transactions to show what men will give and take for lands near the station at Lévis. Making allowance for buildings, Hamel paid from \$2 to \$4 per foot for adjoining land. In one case, for part of a street, \$1.25 was paid, but that affords no test, for probably the street could have been taken from

Sir JOHN THOMPSON.

the corporation without compensation. The rule is that it is the value to the owner that is to be found, and generally speaking, a piece of a street has no commercial value to the city or town that owns it.

You will see that the actual transactions, in a general way, and especially the Hamel transactions, supported the claimant's evidence rather than that given for the Crown. There is nothing in the case to suggest, and I know of nothing outside of the case to suggest that the \$2 per foot that was allowed for the lands taken (the balance was interest to which the claimant was entitled) represented anything but a rather close market value for the lands in the year 1888.

These concluding observations, I think, are very important :

The case is strongly in contrast with earlier cases, in two particulars. First, the lands were in the centre of the business part of the town, and not beach lots, or shore front, or lands covered by the water of the harbour. Secondly, the lands were not taken as part of the original expropriation, but in 1888, after additional value had been given thereto by the erection of the station and other buildings, of which additional value the owner was entitled to the benefit.

Mr. CHOQUETTE. What is the Christian name of that Mr. Hamel ?

Sir JOHN THOMPSON. I do not know.

Mr. CHOQUETTE. Was the interest 6 per cent to the date of the judgment?

Sir JOHN THOMPSON. No. The law about expropriations is that 6 per cent is allowed from the time the property is actually taken until judgment, and 4 per cent after judgment. Interest was allowed 6 per cent from 1888.

Mr. CHOQUETTE. I think in the Sançon case, interest was given at 6 per cent until 1889, and after that, 4 per cent. We protested against it.

Sir JOHN THOMPSON. I do not think the Sançon case went to court ; it was settled out of court.

Mr. CHOQUETTE. No, judgment was given.

Archives \$6,000

Mr. MILLS (Bothwell). The House will be glad to know how that money is to be expended, what archives are being copied ?

Mr. FOSTER. It is a part of the general system of archive work which has been going on for a number of years. The vote, as my hon. friend will see, is the same as last year, and this work of collecting archives and statistics has been going on since 1872, in pursuance of the policy of getting copies of documents of historical interest from archives in England and in France which had not been, up to the time of their being copied, available on this continent. The papers contain copies of a great many collections, especially the Bouquet collection,

comprising thirty volumes of manuscript, embracing the years 1757 to 1765 inclusive; the Haldimand collection, comprising 132 volumes, and containing the documentary history of the years 1758 to 1787 inclusive. The office has also in process of being completed, 364 volumes from the state papers of the Colonial Record Office in London, containing correspondence between the English authorities and the Governors and other official personages in Canada from 1760 to 1831. Important documentary evidence is also being collected relating to military operations during the occupation of Canada by the English troops from 1760 to 1767. Important French correspondence relating to the early history of Canada is now being copied in Paris. In England, Mr. Brymner has made the collections, and in France the selections have been made by Mr. Marmette, assistant archivist.

Mr. MILLS (Bothwell). How many volumes yearly are being collected? We are voting a certain sum of money, and I suppose very little is spent on research, but most of the expenditure is for actual copying.

Mr. FOSTER. The whole of the expenditure is for copying. I suppose a part of this expenditure will be for Mr. Brymner.

Mr. MILLS (Bothwell). What is the number of manuscript volumes that are being added yearly to the collection?

Mr. FOSTER. I have not the information here as to the number of volumes.

Mr. MILLS (Bothwell). Because we would be able in that way to see just about what progress we are making.

Mr. FOSTER. I will get that information.

Mr. CASEY. Has a report this year been made yet?

Mr. FOSTER. Yes.

Patent Record..... \$9,250

Sir RICHARD CARTWRIGHT. Why should an increased amount of \$1,250 be required? I have been under the impression that a sum that was sufficient in 1893 would be sufficient in 1894-95.

Mr. FOSTER. This sum is entirely a printing bill, and the increase of \$1,250 over the vote for the previous year is on account of the number of patents issued during the year.

Sir RICHARD CARTWRIGHT. What was the actual expenditure for 1893?

Mr. FOSTER. The average during last year was \$770 per month, so that the last vote was not quite sufficient.

Collection and compilation of
Criminal Statistics..... \$1,800

Mr. FOSTER. This is the usual vote, and the amount is paid according to law to those who collect and return the statistics.

Printing Year-book and Statistical Report \$3,200

Mr. McMULLEN. What progress has been made with the 'Year-book,' and when will it be distributed?

Mr. FOSTER. The 'Year-book' is not issued quite as quickly as some of the other books, for it is in part a compilation of the information gleaned from the departmental reports. It is generally published in July.

Mr. McMULLEN. The Minister will remember that the 'Year-book' was subjected to considerable criticism last year from this side of the House, owing to comments indulged in by the statistician in the preparation and compilation of the volume. I think that as a result of the criticism indulged in last year all comments of a party character should be avoided in this year's volume. Unquestionably the volume last year pointed very strongly in the direction of showing the benefits of protection, and efforts were made to explain away many of the drawbacks and losses to which the country had been subjected owing to the National Policy. I should like to know whether similar comments are to be continued, or whether the criticism evoked last year will be the means of terminating any attempt in the future to indulge in similar criticisms.

Mr. FOSTER. I think that after all the comments made in so large a book stood the test of criticism very well. I do not consider there is anything from a party point of view thrust into the book. There may be some criticisms on one or two points, but the book is devoted principally to statistics. What the book will contain I do not know, not having seen an advance copy, if an advance copy can be seen. I am sure the object is not to make it a partisan book, but a statement of facts, a book which is a statistical record, including, of course, comments by the statistician on the statistics.

Sir RICHARD CARTWRIGHT. That is precisely what is objected to. It is that comments are made by the statistician, who is in the public employ, on recorded facts, and these comments have very little value, as they are prepared to meet the views of the higher officers of the Government, on whom the statistician depends. It was pointed out last year that there was steadily before the eye of the statistician a desire to stand well with the powers that be. There can be no one thing which more thoroughly discredits any statistical work than the introduction of such comments as those to which the hon. gentleman has referred, they having very evidently a party bias. I observe as a reward apparently for what he did then, a considerably larger vote is to be given; \$2,000 was sufficient last year, \$3,200 is asked this year.

Mr. FOSTER. That is not a reward to the statistician. To the hon. member for Oxford (Sir Richard Cartwright), who is thoroughly familiar with statistics, comments are not necessary, but to a majority of people they are necessary as assisting them in understanding statistics, which is more easily done by grouping cognate facts, making comparisons and the like. It would be a very dry book indeed if it consisted simply of rows of figures.

Mr. LAURIER. Statistics are meant to be dry.

Mr. FOSTER. It is always an effort of genius to make them luminous and interesting, and that is what Mr. Johnson is attempting to do. Last year the vote was not quite sufficient for the purpose of printing the edition of 2,900, 400 being in French.

Mr. PERRY. Some of the figures contained in the 'Year-book' are no more to be depended on than are the census returns of 1891. The Government must be hard pressed when they seek to appropriate money to publish statistics in the 'Year-book' which have simply the effect of misleading the people. It is a wrong and an outrage to impose such an outlay on the people, and the people will resent it. The 'Year-book' issued last year preached protection. A large number of copies were issued, and I was indignant when I saw the book. Do hon. gentlemen suppose I could put it in the hands of my electors? No, certainly not. It was an instrument to cut my own throat, and I would like to see the throats of the Government cut first. The Government have no right to propose the payment of money for such a purpose, because such a book is misleading to the country, and the figures it contains cannot be depended on, if we may judge from the census. The census returns show 173 boot and shoe factories in Prince Edward Island, where we have scarcely more than one. How, then, can we depend on the 'Year-book' as a correct public record; and yet we are asked to vote \$1,300 additional as compared with last year. Who are going to get the money? No doubt pets of the Government are going to be employed; I am sure that no poor Liberal will get any share of it; and, therefore, I cannot give my vote for such an appropriation.

Mr. LAVERGNE. I do not wish to oppose this vote, but I desire to direct the attention of hon. members to some facts of a like nature to those stated by the hon. member from Prince Edward Island (Mr. Perry). Last year I was sufficiently curious to endeavour to ascertain how many manufactories we had in the province of Quebec, and also in the section from which I come. I inquired how many there were in my own village of Arthabaskaville, and I was very

Sir RICHARD CARTWRIGHT.

much surprised to find that there were forty-two in that village, with a population of a little over 1,000. I next ascertained the number of hands employed in those forty-two manufactories, and I found the total number was ninety. Going into details of that, I find that there are five boot and shoe manufactories in the village of Arthabaskaville, and there are actually five hands employed in these five manufactories. Now that appears to me as something rather amusing. I find also that we have eleven industries of dress-making, and the number of hands employed in these industries is only twenty-one. Very curious also is the fact that there is one Mrs. Marie Terroux, who is fortunate enough to be at the head of two industries, a knitting establishment and a dressmaking establishment. She is so entered in the census and she has two hands for two industries; presumably her left hand and her right. She is the only person employed in these two industries, and yet they are entered as two separate industries in the village of Arthabaskaville. There is a brick manufactory in that village, which I happen to know something about. It is stated in the census that this industry employed eight hands. That is the case during one year in a period of fifteen years. The brick-yard employs eight hands about every fifteen or twenty years, but yet it is entered in the census as being a permanent industry engaging that many. I think that this mode of making up the census is really a shame. It is not only useless, but is misleading and deceiving the public, and in my opinion no public money should be voted for such a procedure. I will not trouble the House with giving further details of this, but it is the same thing with other industries, said to exist in Arthabaskaville. With regard to other villages in the county, the same misleading statistics are given. In the village of Warwick, in the county of Arthabaska, the number of manufactories set down in the census is twenty-six, and the number of hands employed sixty-nine, the whole population of the village being 850. It is very satisfactory to know that there are a good many industries in the county of Arthabaska, but when we come to analyse the truth of the statement it is very disappointing. For instance, we are said to have six bakeries in the village, and in these six bakeries there are five men employed. In the town of Victoriaville there are forty-nine industries, employing 175 hands, the whole population being 1,300. The industry which employs most is a saw-mill which during a certain season employs sixty. The result of the census shows that there is not one single new industry in the county and that there has been no progress of any kind whatever. The hands employed are the ordinary mechanics that are to be found in any village. It is worse than wasting money to spend it for such statistics as these, because it is only deceiving the people. It makes one inclined

to think that instructions were given to the enumerators to make out the returns in this way for the purpose of getting up an argument in favour of protection and the results of the National Policy. But really when we come to probe to the bottom of these figures, we find that they are all rubbish.

Mr. CHOQUETTE. In regard to my own county, the very same thing happened in the census returns as has been stated by the hon. gentleman (Mr. Lavergne). The scrutineer there is a notary, and a very intelligent man, and he told me that the officer in charge of the census in that district instructed the enumerators to put in the census as many factories as they could find, and in order to make a good show for the province of Quebec, to include as a factory, every blacksmith, shoemaker, and any other artisan. This gentleman, although a political opponent of mine, is a fair-minded man to me. I took the census and I asked him: How can you put down that there are thirty-eight factories in the town of Montmagny when you know it is not true? He said he was quite astonished himself, but that Dr. Fortin, who was superintendent of the census, called the enumerators together in the court-house and gave them special instructions to enter as a factory, a blacksmith, a shoemaker, or any other artisan. More than that. In the parish of St. Paul, the Tory leader told the people at the church door, not to be afraid to give every detail asked by the officers of the Government and to enter upon these reports everything possible to show that the country was prosperous, because it would be beneficial to the Tory party and to the Government. The Tory leader stated that at the church door on Sunday and he was one of the men charged with taking the census in that parish. I do not say that the Government informed their officers to do that, but I do say it shows how the census was taken. As my hon. friend from Arthabaska (Mr. Lavergne) says: it is unfair, and misleading to the country at large.

Mr. BORDEN. One is at a loss to understand what motive the gentleman who has been at the head of collecting these statistics had in inducing those under him to make these extraordinary returns; because I cannot imagine that such returns would have been made unless they had been prompted from the gentleman who is in charge of this branch of the public service. They are so absurd as to betray their absurdity on the face of them and consequently to result in the very opposite to what the gentleman must have had in view.

Mr. FOSTER. Let me interrupt the hon. gentleman for a moment. We are not on the census vote at all. All this discussion refers to the statistics, and not one of them refers to the statistics placed in the Year-book.

Sir RICHARD CARTWRIGHT. If I may correct the hon. Minister, he will find that the last Year-book that was published very fully refers to the census, and he will find claims made that the National Policy had been largely instrumental in increasing the number of manufactories, and I have very little doubt that this will continue to be repeated. I have equally little doubt that in the next Year-book which is to be published, we will not find that the statistician will call attention to the facts which were mentioned this afternoon, and which ought to be done if he is desirous of giving an honest impression as to the facts.

Mr. BORDEN. The line I was taking when I was interrupted was precisely in the direction of that which has been taken by my hon. friends (Mr. Lavergne and Mr. Choquette) with reference to the number of alleged manufacturing establishments in different parts of this Dominion as set down in the last census, and as found also in the Year-book published by the statistician, for which this vote is to be taken. In the town of Kentville, according to the census, the increase in the number of manufacturing establishments between the years 1881 and 1891 was seventy-two. I was interested in following this matter up in order to find how much money was invested in these different industries, to discover how many people were employed in these manufactories, how much wages was paid, the cost of material, and the value of factory products in each individual case, and I have prepared in detail the results of this. I find that the increase in the number of establishments between the years 1881 and 1891, is seventy-two, as I have said, but I find that the increase in the capital invested was \$5,054 for these whole seventy-two establishments, or for each new establishment an average of \$70.20. I find that the number of hands employed in 1881, was 116, and in 1891, 240; and that the total increase for these seventy-two establishments was 124 hands, or that for each new establishment 1.72 new hands were employed. I find that the wages paid in 1881, was \$36,918, and in 1891, \$66,226, or an increase of \$29,308 for the whole seventy-two establishments. For each new establishment, \$407, and for each employee, on an average, \$236.62 per year. I find that the cost of material in 1881 was \$37,830, and in 1891, \$45,126, an increase of \$7,296 for the whole of these seventy-two establishments, or for each new establishment, \$101.

Mr. FOSTER. The raw material is probably a great deal cheaper now.

Mr. BORDEN. The value of the products in 1881 was \$84,000, and in 1891, \$171,250, an increase of \$87,160, or for each new establishment, \$1,210.55. Now, Mr. Chairman, it seems to me to be only necessary to read over these figures to find an answer to the pretense that seventy-two new

manufacturing establishments have been created in the town of Kentville between the years 1881 and 1891. The fact is, there has not been one single new manufacturing establishment started in that town during these ten years. In 1881 there were probably not more than three there—a sawmill, an iron foundry, and a small factory, which manufactured doors and sashes. That was the whole extent of the manufacturing establishments in that town, and yet we are solemnly told that there have been seventy-two new industrial establishments started in the town of Kentville in those ten years. While on this subject, I think I may be permitted to carry the matter a little further, in order to show that not only the statistics given in reference to manufacturing establishments are absolutely unworthy of respect, but that the census enumeration itself is not entitled to the respect to which we had supposed it was entitled. Assuming the enumeration to be absolutely correct, we have the unpleasant fact confronting us that the population of this country has scarcely grown any within the last ten years; that so far as the Maritime Provinces are concerned, their population has not increased at all; that in the provinces of Prince Edward Island and New Brunswick it has remained stationary; that in the province of Nova Scotia it has only increased 10,000; and that in several of the counties of that province there has been an actual decline of population, which was the case in the county of King's, which I represent. According to the census returns, the population of that county was 1,000 less in 1891 than in 1881. Now, it happened that a gentleman in my county had some doubts whether the figures returned by the census as the population of that county in 1891 were correct. He was satisfied that gross misstatements had been made in certain sections of the county, and he took the trouble to investigate the matter by going around and calling upon a number of families and ascertaining who had been enumerated, and whether the persons returned as being then residents of those localities were really so, or had emigrated. Now, I have here the result, or a portion of the result, of that gentleman's investigations. I have a list of some fifty names, as to which I was asked to ascertain whether they were on the list returned by the enumerators for King's County or not. About a year and a half ago I saw the census commissioner here with reference to those names, and asked to be allowed to see the lists. He said he could not show me the list unless I took an oath that I would not divulge anything I there saw. I said that would not meet my purpose. He said: "If you will give me a list of the names, I will ascertain whether they are on the list or not." I gave him the list of names which I have here, and in reply I received from him a letter, dated 8th June, 1892, to this effect:

Mr. BORDEN.

We find all the names you gave me excepting Henry A. Palmer in Medford, and Mrs. Peter Weaver, Blomidon. There are lots of Weavers, but not 'Peter.' She may be down under her own christian name.

GEORGE JOHNSON.

So that out of the fifty names or thereabouts which I submitted, it turned out, according to the evidence of the commissioner himself, that forty-eight were on the list. Now, I will submit a statement, showing where these people are who were returned by the census enumerators in 1891 as residents of King's County at that time. I have here a number of affidavits, which the gentleman to whom I have already referred, Mr. Samuel G. Kerr, obtained with reference to these names. I shall not now trouble the House by reading them, but I think the question is of sufficient importance to justify me in devoting at least a few moments to its discussion, because if the same kind of thing has been carried on generally throughout the Dominion the census returns are utterly worthless. I do not say that it has been confined to the last census. It may have been carried on under former censuses, and if so it is absolutely necessary that the Government and the country should understand it, and that measures should be taken before another census is taken to prevent any such fraudulent returns being made in the future. In the first place, I find a family of six people of the name of Morris, returned as residents of the Dominion of Canada, in the county of King's, who have been absent in the United States, one for six years, another for nine years, another for two years, another for four years, another for four years, and another for two years. The next is a family of five, who have been absent respectively one and a half years, seventeen years, seven years, nine years, and five years—absolutely residing in the United States, and never coming home except for a short visit of one or two weeks in a year, and some not coming back for years. The next is a family of six, living in the United States. One absent ten years, married and settled in Washburne, Maine. Another absent ten years, married and settled in Lubeck. Another absent four years, married and settled in Boston, Massachusetts. Another absent three years, married, living in Acton, Massachusetts. Another absent seven years, married, settled in Ashmount, Massachusetts. Another absent four years, married and settled in Brockton, Massachusetts; of these, four are women, and two men. The next is a family of four, of which the first is a woman, absent twenty-two years, resident of the United States. The next, absent seventeen years, a resident of the United States. The next, absent eleven years residing in the United States, and the last, seven years, and resident in the United States. The next is a family of five. The first one, absent twelve years,

And the names of all these seven children, according to the letter of the census commissioner, were included in the last census of the county of King's.

I beg to state that the enumerator after taking the census of myself and widowed sister, inquired the age of my eldest daughter. I asked him why he wished to know of her, as she had been absent in Stoneham, Mass., for years, the residence of herself and family. He had no right to take her in his census. He informed me that it made no difference about residence; he wished her age, and I gave it to him. He then asked the age of my second daughter. I furnished him it, but continued to protest that he had no right to use her name in his census papers, as she was married to a Mr. Henderson, in Carleton County, N.B.; had been absent seven years. He next inquired the ages of my two sons. I stated they had been absent six years; their uncle in Fredericton, N.B., had taken them to care for, they were then attending the St. Martin's Academy: but he insisted on their ages, even to the fourth and last child, and continued to write during the entire time of the taking place of the dialogue given above. Under the circumstances I protested against giving the ages of each of my four children, as I know not one would ever return to live in this place; and told him so, and I considered the whole thing wrong. When it was concluded that I had to furnish all the children's ages, I furnished him a book in which the family record was kept, out of which he read the last part of my family's ages.

I, Margaret Randolph, do solemnly declare that the foregoing state is correct in all particulars, and I make this solemn declaration conscientiously knowing the same to be true, and by virtue of the "Act respecting extra-judicial oaths."

Declared before me this 24th day of February, 1892, at Canning, N.S.

her
MARGARET x RANDOLPH.
mark

Declared at Canning before me, this twenty-fourth day of February, 1892.

E. M. BECKWITH, J.P.

The names of the persons also, according to the letter I have read from the census commissioner, were included in the list of names enumerated in King's County, N.S.

I hereby certify that my children whose names I give in this document left their native province at the time hereafter mentioned in this paper, and have since permanently resided in the United States of America. The names of my absent children are:

Elizabeth, 36 years of age, absent 14 years, married, resides Hyde Park, Mass.; Wesley, 33 years of age, absent 10 years, resides Boston, Mass.; Gideon, 30 years of age, absent 4 years, resides Montana; Noble, 26 years of age, absent 8 years, resides Boston, Mass.; Agnes, 22 years of age, absent 4 years, resides Hyde Park.

And perhaps not one of them will ever return to reside in the Dominion of Canada.

And I do solemnly declare that the foregoing statement is true and correct in every particular, and I make this solemn declaration knowing the

Mr. BORDEN.

same to be true, and by virtue of an "Act respecting extra-judicial oaths."

Mrs. THOMAS McBRIDE.

Signed and sworn to before me this twenty-second day of June, A.D. 1892, at Canning, N.S.

D. M. DICKIE, J.P.

I hereby certify that my children whose names are given in this document left their native province at the time hereafter mentioned in this paper, and have since permanently resided in the United States of America. The names of my absent children are: William, 35 years of age, absent 1½ years, Boston, Mass.; James, 33 years of age, absent 17 years, Boston, Mass.; John, 29 years of age, absent 7 years, Boston, Mass.; Patrick, 27 years of age, absent 9 years, Hyde Park; Bessie, 25 years of age, absent 5 years, Hyde Park; Richard, 18 years of age, absent 2 months, Hyde Park.

As far as I know not one of those mentioned above ever expects to return to live in the Dominion of Canada.

And I do solemnly declare that the foregoing statement is true and correct in all particulars, and I make this solemn declaration knowing the same to be true, and by virtue of an "Act respecting extra-judicial oaths."

JOHN AHERN.

Declared to before me this twenty-second day of June, A.D. 1892.

D. M. DICKIE, J.P.

I hereby certify that my children whose names I give in this document left their native province at the time hereafter mentioned, and have since permanently resided in the United States.

The names of my absent children are: Stanley, thirty years of age, absent in the United States six years; Theresa, twenty-eight years of age, absent in the United States nine years; Harriet, twenty-five years of age, absent in the United States two years; John, twenty-three years of age, absent in the United States four years; Emily, twenty years of age, absent in the United States four years; Arthur, eighteen years of age, absent in the United States two years.

And as far as I know, not one of those mentioned above ever expect to return to live in the Dominion of Canada.

And I do solemnly declare that the foregoing statement is true and correct in every particular, and I make this solemn declaration knowing the same to be true, and by virtue of an "Act respecting extra-judicial oaths."

JOSHUA MORRIS.

Declared to before me this twenty-third day of June, 1892, at Canning, county of King's, and province of Nova Scotia.

D. M. DICKIE, J.P.

I, Abigail M. Eaton, wife of Abraham Eaton, of Medford, King's County, Nova Scotia, here assert that my daughters Naomi, now thirty-six years of age, left this province twenty-two years ago, married; Malinda C., thirty years of age, left this province seventeen years ago, married; son, Clark H. I., twenty-five years of age, left this province eleven years ago, married; Phedora M., twenty years of age, left this province seven years ago,

single. The four children mentioned above, three of whom have been married for years, all reside in the State of Massachusetts, and there is not the least likelihood of them ever returning to this province again to live. My two married daughters have American citizens for husbands, and my son Clark has taken out American naturalization papers.

I solemnly declare that the above statement is correct in all particulars, and make this solemn declaration conscientiously knowing the same to be true, and by virtue of the "Act respecting extra judicial oaths."

Declared before me this twenty-first day of March, in the year of our Lord 1892.

MRS. ABIGAIL EATON.

Medford, King's County, N. S.

I, John Strong, here assert that my son, John Everett, thirty-two years old, left here six years ago last January, has continuously since that time resided in the United States, has never returned even on a visit, married and has a family in California; my next son absent, Renel Williams, thirty years of age, settled in Pomona, California, absent seven years; Sadie, absent, living in Cambridgeport, Mass., six years married.

I do solemnly declare that the above, statement is correct in all particulars, and make this solemn declaration conscientiously knowing the same to be true, and by virtue of the "Act respecting extra-judicial oaths."

JOHN B. STRONG.

Declared before me this twenty-second day of March, 1892.

E. M. BECKWITH, J.P.

Medford, King's County, N.S.

At the time of the Dominion census enumeration in the spring of 1891, Mr. J. Levis Cox, the enumerator of a portion of Ward One, Cornwallis, called at my house and I gave him the ages of my children. I cannot say whether or not he placed the names of my absentee children on his census paper. But he inquired in detail of each, knowing them to be absent for years.

My absent children's names are: Cloda Matilda, absent 10 years, married, resides at Washburne, Me.; Amanda Sophia, absent 10 years, married, resides at Lubec, Me.; Gould Exmouth, absent 4 years, resides at Boston, Mass.; Owen Lee, absent 3 years, married, resides at Acton, Mass.; Eva Dorene, absent seven years, married, resides at Ashmont, Mass.; Addie Levenia, absent 4 years, resides at Brocton, Mass.

My three youngest children were then at home, (and although one of them since has left for a permanent residence in the United States) had all three a right to be taken in the census.

I, Robert Newcombe, of Delhaven, King's County, Nova Scotia, do solemnly declare that the above statement is correct in all particulars, and I make this solemn declaration conscientiously knowing the same to be true, and by virtue of the "Act respecting extra judicial oaths."

ROBERT NEWCOMBE,

Declared before me this fourth day of May, 1892, at Canning, King's County, N.S.

E. M. BECKWITH, J.P.

Those are affidavits referring to the cases of which I have had the assurance that the names are on the list, and the committee will understand what sort of an enumeration has been made in one portion at least of this Dominion. In this connection it might be instructive to look at the statements made by the census commissioner in Bulletin No. 14, at page 6, in which he says:

First, these returns of the census were taken by the enumerators from the families visited, and it was made by means of a money payment for each name recorded, a matter of dollars and cents to the enumerator to procure the fullest returns possible.

I think, Sir, in that boast of the census commissioner, we have possibly an explanation in part, at least, of this extraordinary enumeration of the people of this country. There was a direct inducement by the system under which the census was taken, to any man who was not strictly honest, to swell the number of names. A man went into a family, we will say, of eight persons, six of whom he knew perfectly well, he could not help knowing, were in the United States; but it was a question of dollars and cents, as the census commissioner says, and so the enumerator, by taking down these extra six names, added ten or sixteen cents, whatever the amount was, per name to the amount of money which he would get for his work in taking the census. I think this point is worthy the consideration of this House and this Government. Now, Sir, I have gone through the list of names which I have proved were improperly included in the census returns for the district of King's County. I may just point out, however, before passing from this branch of the subject, that I find from a careful analysis that in a distance of one mile, out of a total number returned of 157, 25 per cent were absent in the United States and had settled there, and there was not the slightest chance or possibility of their ever returning to this country. If I had been able to get the further returns which I asked for, and have not yet received, I believe they would show that a much larger number than 25 per cent were improperly returned as residents in that section of the country. Now, I come to the next branch of my subject, and that is a consideration of a number of names, some 150, about which I asked information in the same way from the census commissioner as I did with reference to these. I submitted to him last session a further list of 150 names, and I received no response whatever to my inquiry, not even an acknowledgement of the receipt of my letter. This year, after my return to the present session, I called his attention to the fact in this language:

To GEORGE JOHNSON, Esq.,

Statistician, Department of Agriculture.

DEAR SIR,—Last session I had the honour to submit to you a list of names concerning which

I desired to know if they were included in the last census enumeration in King's County, Nova Scotia, as I have submitted a similar list the year before, and received the information, had also had an assurance from you in conversation, that my request would be granted. I am surprised at not having received up to this moment the slightest acknowledgment of my second application. I will be glad to know why.

To that letter I received an official answer in these terms :

SIR,—I have the honour to inform you that by request received from you by the statistician of this department on the 16th inst., for certain information from the census, to obtain this information it will be necessary for you to move for a return of the same to be made to Parliament.

I have the honour to be, sir,
Your obedient servant,

H. B. SMALL,

Secretary Department of Agriculture.

After receiving that, I took steps to move for a return of those names, and I hope that motion may be reached before the end of the session. Now, I have here a list which contains the names of 150 more people, supported by affidavits of the same kind as those I have read ; but I do not propose to read those affidavits, because I do not know positively that those names were included. One of them, however, I will read. This is the affidavit of Sarah Ann Sanford :

This is to certify that my son, Eber A. Sanford, left this province 12 years ago ; has never been in his native province since. He has owned and worked a farm in southern Dakota for years, and never proposes or even intimates that he can return even on a visit. At the time of taking the Dominion census last spring he was in Montana on business. He is 27 years of age.

My younger son, Freeman B. Sanford, had been absent at the time of census taking three years, yet Mr. I. Lewis Cox, the census enumerator, took down his name, and I gave his age at 20 years. At this time he resided with Charles Borden, carriage builder, at Wolfville, N.S., and the Wolfville enumerator took down his name and age at Wolfville census, the young man giving his age at 21 years, being a discrepancy of one year from that given by me.

I, Sarah A. Sanford, wife of John W. Sanford, of Woodside, King's County, N.S., do solemnly declare that the above statement is correct in all particulars, and I make this solemn declaration that the above statement is correct in all particulars conscientiously knowing the same to be true and by virtue of the Act respecting extra-judicial oaths.

SARAH ANN SANFORD.

This affidavit is made in due form, from which it appeared that this same enumerator, in this particular case at least, included the name of a person who had been absent from his district three years, and we have further proof that that same person was included in the census twice in the same county. Now, when I asked for the information with reference to this second list, the question occurred to me : why did not Mr. Johnson—

Mr. BORDEN.

who, although he refused to allow me to see the book, was perfectly ready to tell me whether such and such names were on the list—why did he decline to give me precisely the same information with reference to a further list ? Well, his explanation to me was this : that my hon. friend from Queen's, P. E. I. (Mr. Davies), had made a statement here last session reflecting upon him, and had quoted me as authority ; that my hon. friend had stated that he had endeavoured to get information with reference to the enumerators in the city of Charlottetown, and had utterly failed. So when he happened to meet me, and was discussing the question with me, I said : " I have got more information upon those lines." But as soon as the department discovered that all the names which I had given them, and which they had found included in the census, were improperly there, he refused to give me any further information. That was the statement of which Mr. Johnson complained. I have no recollection of making exactly that statement ; but if I did make that statement, it is borne out by what has happened since, because so soon as Mr. Johnson discovered that those names that he told me were on the list were improperly there, he refused to tell me whether a further list supplied to him was included in the census or not. So that really the fact is, that while I do not recollect him having declined for that reason to give me the names last year, as a matter of fact he has declined to give me them this year, and what was the reason ? What is the fair inference ? The inference to be drawn is this : that those 150 further names I supplied are on that list. Must it not be supposed that Mr. Johnson had curiosity enough to take those names and compare them with his book, and see whether they were on the list or not : and having found them on the list, he is determined to give me the trouble to come to Parliament and ask that the list be laid formally on the Table of the House ? It is fair to infer that not only those fifty names were improperly on the list, for they included people who had lived five and ten years in the United States, but also the 150 further names, which I could read, but with which I will not trouble the House, and in support of which I have affidavits similar to those already read, showing they are improperly in the census returns of this country, if there at all. One is inclined to ask why these census returns are not open to the light of day, at all events what possible objection can there be that the lists of those names contained in the enumeration should be open to members of Parliament to criticise in order to see whether the census was properly taken. Every hon. member is interested in knowing whether or not the statistics for which we are paying out of the public chest are correct and reliable, and there is no one so well fitted and competent to ascertain that fact and make

that criticism as are members of this House. And yet we are denied access to those books, and we are told, forsooth, that we must come to the House and move for a list to be submitted before we can get the information we want. What possible injury could be done? Why should not the lists be published to the world? If the names are correct, the publication of the lists could do no harm. If the names are not on the lists that should be there, we should know the fact, and if there are names on the lists which should not be there, we should also know it. I am informed that in many parts of the Dominion, as well as in the province of Nova Scotia, there is a very strong feeling that the census is grossly inaccurate, that it has been greatly exaggerated and padded. I have received a letter from the eastern part of the province of Nova Scotia, from the county which the First Minister himself represents, a letter from a very prominent man in the county, in which the following language is used: "Even according to the present enumeration over 12 per cent of the population is lost in the last decade, though desperate attempts were made to make this county show up well. A man told me yesterday that he had burnt a kiln of lime on his farm, and he was put down as a manufacturer; and people were enumerated in the census who have been five years in the United States. It appears, however, that no one can get a look at this census. One of the enumerators told me that in any case of doubt the census was to have the benefit. For instance, I said: You see there are 25 empty houses at Tracadie; will you include them in the return?" "Why certainly," said he."

Mr. CAMERON. Name.

Mr. BORDEN. I shall be very happy to give the name privately to the hon. gentleman, and I shall be very happy to give the name to the First Minister; but I do not think I have any right to give the name publicly on the floor of the House, because I have not obtained the sanction of the gentleman to do so.

Mr. CAMERON. It should be done.

Mr. BORDEN. I will give you the name privately. I will say this further respecting this letter, that it was written to me without any intimation from me to refer to the subject. I had written to the gentleman on an entirely different subject, and in the course of his reply he made this statement to which I have referred. I think that a case has been made out against the reliability of the statistical returns, for which this country is paying large sums of money annually. It was perfectly proper that, under the head of statistics, printing the Year-book and the Statistical Record of Canada, this discussion should have been brought up. If the census itself, from which this gentleman makes up his Year-book and statistics is proved to be utterly and absolutely un-

reliable, at all events so far as certain sections of the country are concerned, what would be the use or value of the statistics which we are paying this gentleman to prepare? Many hon. members have moved for returns respecting industrial establishments. They want to know where those industrial establishments exist. An hon. gentleman living in a small country village where there were perhaps two or three establishments, was startled to find that there were fifty or a hundred, and he moved for a return regarding them with a view to discover what they were. That is all very well, but it does not seem to be necessary to take such action. These statements carry their own contradiction on their face. In the case of the village which I mentioned this afternoon, Kentville, there was an increase in the number of industrial establishments of 72, and yet the capital invested in all those industries was \$5,000! It is a 'reductio ad absurdum,' and there is no need to move for returns to show the utter worthlessness of the census. I submit that I have established a good case with respect to the worthlessness of the enumeration that took place. If such is the practice with respect to this particular constituency, and it is not particularly in the district within which I live, but in other districts, and I can show that at least in one-third of the county of King's similar gross inaccuracies exist, we must come to the conclusion that similar inaccuracies prevail throughout the country from one end of it to the other. It is in the interest of this Government, and it is in the interest of the taking of the census in the future that these matters should be ventilated, and that these frauds, if they be frauds, should be exposed so that they may not be repeated.

Mr. CAMERON. I did not catch the exact figures which Mr. Johnson admitted were not given. How many names did he give who were absent although enumerated?

Mr. BORDEN. I gave about fifty that I had proof of.

Mr. CAMERON. You had proof of fifty who were absent?

Mr. BORDEN. Yes, in one small district of the county.

Mr. CAMERON. Yes, and there are 150 about which you have not yet any assurance that they were enumerated?

Mr. BORDEN. Yes.

Mr. CAMERON. Well, Mr. Chairman, I would like to know whether my hon. friend is positive that persons of similar names might not have been in King's County at the time the enumeration was taken?

Mr. BORDEN. Perfectly positive.

Mr. CAMERON. Well, that might be true, but the learned gentleman who had

written him from Antigonish might have made a very much stronger case. I think I myself could make a stronger case apparently, but I doubt very much that the statement would be any more accurate than the statement made by my hon. friend. In eastern Nova Scotia especially—I do not know how it is in King's—we have a very large number of persons of exactly the same name. You take Donald McDonald, and you can get a thousand of them in eastern Nova Scotia, and you can take Donald McDonald, Donald's son, and you can get five hundred of them. You can get of Alexander McDonald a thousand, and if you take Alexander McDonald, Alexander's son, you can, perhaps, get five hundred of them, taking residents for twenty-five years who lived there and left the country, inclusive. I would like to know how my hon. friend (Mr. Borden) could positively say that those who were absent were enumerated, and that those who were at home were those who were not enumerated at all. It is a very difficult thing for the statistician to say, and I can assure my hon. friend that it is a great deal more difficult for him to say it. The hon. gentleman read an affidavit from Sarah somebody, and she solemnly swore that the name of her own dear son was taken down in the district in which she lived, and she swore equally as positively that the name of that dear son was given in another district—only that he was a year younger there than he was where she lived herself. That is the kind of evidence that my hon. friend (Mr. Borden) has been giving to the House by the yard. I would not give a straw for the whole of it.

Mr. LANDERKIN. You do not require it.

Mr. CAMERON. No doubt, but you require it, and such evidence as that is just what takes with my hon. friend (Mr. Landerkin), but he would not state facts when he gets them. I observe also that my hon. friend (Mr. Borden) has affidavits in his possession proving that some residents of King's County left twenty-five years ago and are now American citizens, but notwithstanding all that they are enumerated in the census of King's County. Well, those people left long ago, and their leaving cannot be attributed to the National Policy, because there was no National Policy then. He says that some have left at a later date, he believed, but to my mind it is very doubtful whether they have ever left at all. If we have no better evidence than that given by Sarah somebody, it is evident that a great many had not left. It may be news to my hon. friend that many years ago—just as long ago as he has referred to—a great many people left Canada for the United States, and they are continuing to go. It is also important to know that there is a decrease in the percentage leaving lately, as compared with the numbers who left the country in previous periods. That is an important fact.

Mr. CAMERON.

Mr. LANDERKIN. You do not want any evidence of that.

Mr. CAMERON. It is not necessary to get such evidence as would satisfy my hon. friend (Mr. Landerkin), but still we can get facts that will satisfy public opinion. My hon. friend from Grey (Mr. Landerkin) would rather mislead public opinion, but I would much prefer that the people would get the facts. In 1850, there were 147,000 British North American province people who were born in the British North American provinces resident in the United States. In 1860 there were 240,000, in 1870 there were 493,000, in 1880 there were 717,000, and in 1890, 980,000. Now, we find that the percentage in the decade between 1870 and 1880 was 50 per cent, and that was reduced in the decade between 1880 and 1890 to 37½ per cent. These are incontrovertible facts. These are facts based upon the census of the United States, and there is no hon. gentleman opposite who would for a moment doubt the census taken in the United States, although they invariably doubt the census taken in Canada. The increase of the exodus from Canada during the period of the Reciprocity Treaty was not less than 200 per cent, as compared with the decade previous to that treaty, and the exodus has been decreasing ever since the abrogation of that treaty. But in no decade, according to the American census, was the decrease of the percentage of the Canadians resident in the United States so reduced as during the last decade. These are facts from the American census, and surely my hon. friends opposite will rely on them.

Mr. LANDERKIN. Have you any affidavits?

Mr. CAMERON. If they were all affidavits like that of Sarah somebody, I would not take a bushel of them for one fact. There is not much reliance in such an affidavit as that, where the woman swore that to her own personal knowledge, she was aware that her son was taken in the census in one district and then in another. Such evidence as that might satisfy hon. gentlemen opposite, but I am sure that it will not satisfy any intelligent schoolboy of twelve years of age in any part of the Dominion of Canada.

Mr. FLINT. The statements made by the hon. member for King's (Mr. Borden) are such as ought, at any rate, to startle the people of this country who are looking to the census as a real representation of the growth and development of the country during the last ten years. The discussions in the House since the census has been laid on the Table, and the various bulletins that have been issued from the Department of Agriculture have been such as to prove conclusively that for all practical purposes the statistics are absolutely worthless; and they are worthless not only on account of

the gross partisanship of the men who were employed to take the census, but on account of the false system upon which the taking of the census was based. The very fact that in over two hundred constituencies in the province every man concerned in the taking of the census, from the highest down to the lowest, was a strong and violent partisan of the party in power, and had a personal and party interest in making the returns excessive in every particular, would in the first place throw a grave suspicion upon the accuracy of the statements therein contained. There is no doubt that many of these gentlemen were thoroughly honest persons; but where the whole policy of the ruling party of the day was bound up in making a good showing from the census returns, and where each of the enumerators was to be paid by results, the temptation to overdo the thing on the lines which have been proven by the hon. member for King's, was almost irresistible. I thought my hon. friend from Inverness (Mr. Cameron) had a great deal of difficulty in grappling with the argument of the hon. member for King's. To me that argument seemed, as regards the particular space which he covered to be absolutely conclusive, not merely as to the incompetence of the enumerator, but as to the grave abuse of the trust reposed in him by those who appointed him to that position; and if there were many among the larger number of enumerators throughout the various provinces who were actuated by the feelings, or, to use a milder term, the error of judgment which actuated that enumerator, the discrepancies throughout the whole Dominion must have been very large. Let us see the difficulties which the hon. gentleman had to encounter, and whether he has not made out, as regards that particular case, a complete refutation of the correctness of the enumeration. I agree with him, and I think every hon. member of this House will agree with him, that it is utterly absurd to place such difficulties in the way of the verification of the census returns as are placed in the way either by the law or by the interpretation of the law as given out by the Department of Agriculture. It is easily supposable that it would not be fair or proper that the capital employed by certain manufacturing industries should be revealed to the general public, or that private and personal details in regard to profits and so on, should be given out to the public. These matters are the private property of the individuals who give the information, and we all agree that they should be preserved sacred and inviolate from scrutiny, except in a case of great public emergency. But in regard to the other details of the census, such as the ages and circumstances of the persons enumerated, I can see no reason for secrecy whatever. It appears to me that they should be open and above board, in order that the various statistics gathered by the enumerators should be veri-

fied. Now, let us see the position. The position is this, that no matter how erroneous the statements in regard to the population of the country may be, there is no power short of a repeal of the law as interpreted by the Government that can give these facts to the public. It was only by the most careful and to a certain extent, artful management of the hon. member for King's that he secured the small modicum of evidence which he has given to this House. Through the courtesy of the statistician he ascertained that of a list of names which he handed in, all or nearly all, were contained in the census returns. He goes to the neighbourhood and obtains affidavits of credible persons, persons whose characters are above reproach, that the statements given in those census returns are incorrect, and that in a small section forty-eight or fifty of the persons enumerated have been domiciled in the United States, some fourteen, some ten, some eight, and others four or five years; thus showing, as regards that small strip of territory, that the return is erroneous to a very great degree. Perhaps it might be assuming too much to say that the same percentage might apply throughout the whole Dominion, because it is not to be conceived that every enumerator was actuated by the false notion of the law which actuated the enumerator. But this I will say, that I am perfectly aware that complaints are almost universal that the census returns in regard to the particulars of population have been in most places grossly exaggerated. One instance I will give showing the honesty of an enumerator, because it is pleasant to be able to indicate that here and there there are enumerators who are candid and honest. Previous to the enumeration being taken I heard one enumerator, who was a strong Conservative, among a group of others in my county, speaking very strongly as to the growth and development of a certain section. He was prepared almost to bet that the growth and population in that section was very large. Some doubted it, but the discussion passed over. When the enumeration was published, I had the curiosity to look up the section which the enumerator referred to, and I found his opinion to be entirely astray; showing that, although he was a strong partisan of the Government, and although he believed that there had been a great increase in that section, yet he honestly and fairly performed his duty in making his returns. But from the general circumstances of the case, it is not likely that the same thing would generally apply. Now, I think that the census should be taken by enumerators not chosen on a partisan basis, but chosen entirely without reference to party bias. The very fact that all or nearly all of these enumerators were strong and violent partisans certainly backs up the proof which has been given to us to-night by the hon. member for King's that the census in

these particulars is grossly inaccurate, and is for many reasons of comparison almost completely worthless. But it is when we come to the returns regarding manufactures that the discrepancies in the census are most observable. I will take the case of the town of Yarmouth, the capital town of the county which I have the honour to represent. Although it is very pleasing and gratifying to the residents of that community to have the flattering notices of them which were given in the census bulletins, yet it would be only just and fair to say that they are ridiculously inaccurate, that they do not represent the case at all; although the fault of making these statements does not lie with the statistician, but with the enumerators in the county. Now, let us see what is said about Yarmouth in bulletin No. 12. It says:

Some great changes are to be noted. New Westminster on the Pacific coast and Yarmouth on the Atlantic slope of the Dominion are examples. In the first named, population went ahead at a rate of speed far outstripping manufactures. In the last named, manufactures left population out of sight.

Later on, it is said:

Yarmouth, N.S., has made remarkable progress, having been in 1881 one of the smallest per head in manufacturing, and in 1891 having reached the figure of \$206 per head, the population having in the same time increased 75 per cent.

Now, in the discussion last year, I accounted for the error, and it can be accounted for without attributing any improper motives. It arose partly from the utterly inadequate manner in which the previous census was taken, and partly from the blunders which characterized the taking of the census of 1891. Between the utterly inadequate census of 1881, and the exaggerated census of 1891, the community I have the honour to live in is presented to the world as an instance of most remarkable progress in the Dominion, when the fact is, although we have made reasonable progress, the census gives an entirely false impression. This is where those who are desirous of investigating the character of the progress and development of the country and of seeing where mistakes have been made or good accomplished, would be misled. Yarmouth is represented as having had phenomenal growth in manufactures, and this is done by entering in the record every blacksmith's and every shoemaker's shop, and every seamstress's sewing room as a manufactory, thereby swelling up the grand total to a very high figure. Whereas, the truth is that there has been no increase in the number of manufacturing establishments at all. There was not, in 1891, one manufacturing establishment in the town of Yarmouth—I mean a manufacturing establishment in the ordinary sense of the term, and not in the technical sense of the enumerators—more than in 1881, but the number has been swell-

ed in the way I have mentioned, and we are held up to the world as a remarkable illustration of the benefits of the National Policy. I was amused at the attempts of the hon. member for Inverness (Mr. Cameron) to minimize the effect of the statement of my hon. friend from King's (Mr. Borden), that the people are enumerated in the census as residents of that county, who had been twenty-five years in the United States. My hon. friend's answer to that was: If you admit that they have been in the United States twenty-five years, then they were not driven there by the National Policy. This is a sample of the logic by which the irrefutable argument of my hon. friend from King's is met by hon. gentlemen opposite. In future attempts to take the census, new rules will have to be adopted by the Government. Unfortunately, we are in the position that no matter how erroneous, no matter how exaggerated, may be the statements given by the enumerators, there is no way in which their accuracy can be verified, and those who suspect their inaccuracy, are groping in the dark, and have any amount of difficulty in establishing the correctness of their suspicions. No doubt, a considerable number of the statistics are absolutely correct, but it is very unfortunate that, owing to the suspicions justly thrown upon the record as a whole, we cannot rely upon the returns absolutely in making deductions as to the growth and progress of the country. Another point I would submit is the desirability of omitting the casual remarks and the side observations of the statistician in the Year-book. No doubt that gentleman has a great deal of experience, but the statistics of the country are sufficient to occupy his time, and he would do better to confine himself to furnishing the returns and not mind making observations or deductions. In the Statistical Abstract of the United States, a book of great value, there are no such observations at all. The compiler contents himself with giving the statistics under their various heads, and does not attempt to account for discrepancies, or apparent discrepancies, or to give reasons for an increase in one particular and a decrease in another direction. Take our yearly book, and you find that wherever the figures seem to point in a direction opposed to the contentions of hon. gentlemen opposite, our statistician busies himself devising reasons for this discrepancy, and these reasons almost invariably coincide with the line of argument with which we are favoured from time to time by hon. gentlemen supporting the Government policy. On the whole, it would be better to allow the student to make his own deductions, and not have these statistics interpreted in a manner strongly tinged with political bias. It is unfortunate that wherever we turn with regard to the statistics of Canada, the ruling party desires to indicate that every growth and phase of development is attributable, more

or less, to the policy of the Government. That is always open to argument. There is a growth and development going on in various directions, which is entirely independent of statute or Government policy, and to ascertain the causes of which requires a great deal of careful thought and discrimination. I think the students of this literature should be left to form their own conclusions from the figures set before them without having their minds biased either way by an officer of the Government. On the whole I am not disposed to condemn the book, because the idea of giving, under the various heads, the general statistics relating to the country and to place them from year to year in the hands of all who desire to make use of them for any purpose whatever is a good one, and the book is a useful publication. But there will be a great improvement if these attempts at accounting in various ways that are open to argument for the changes in these figures are abandoned altogether, and the American system adopted of giving a mere statistical statement and allowing each reader to form his own conclusion as to such changes.

Sir RICHARD CARTWRIGHT. I would like the Government to give instructions to permit members of the House to inspect the various rolls of names. I can see no possible reason either as a matter of policy or on any other ground why the rolls of names of persons alleged to be residents in Canada should not be open to every member in the House, more especially those with regard to each member's own constituency. Therefore, after what has been stated by my hon. friend behind me (Mr. Borden), it is utterly impossible for us to avoid the conclusion that, either from deliberate design or from the most unfortunate misconception of his duty on the part of the enumerator, very gross frauds have been committed as regards the particular constituency mentioned. I do not pretend to say that these frauds extend in equal degree over the whole Dominion. I should be very sorry to think that any such thing is possible. But, most unquestionably, an overwhelming case has been made out for at least allowing every member of Parliament to inspect the rolls of names, and I hope the Government will not hesitate to state now, after the declarations made in this House, that they will give instructions that every hon. member who chooses may inspect the rolls. I should like to be assured either by the Minister in charge of this matter or by the leader of the Government that this will be done.

Sir JOHN THOMPSON. What has been stated by the hon. member for King's (Mr. Borden) undoubtedly calls for searching inquiry. But I would rather not give an answer to the question of the hon. member for South Oxford (Sir Richard Cartwright) to-night, because I have given the subject no consideration, and would require time to ascertain what the law on the question is. But I will consider the matter and will give him an answer.

Mr. FORBES. In connection with the remark just made by the right hon. Premier, I may be justified in mentioning a few points which will perhaps assist him in the investigation which he thinks it advisable now to call for. It has long been recognized as a fact in the country that the census returns of population and the industrial statistics were, to say the least, questionable. We have had to-night undoubted proof of the unreliable character of the returns of population. The incorrectness of the industrial returns is also firmly established. Hon. gentlemen will remember that the census returns of population for the province of New Brunswick showed an increase of only 35 in ten years. I find that in four towns in that province there has been an increase of 716 industrial establishments, which, considering the small increase of population, is evidently very incorrect. These figures call for explanation at least. Coming to the province of Nova Scotia, I find that in 14 towns the industrial figures of which I examined, there is a total increase of 1,071 manufacturing establishments, and an increase in the number of hands employed of 6,687, as compared with the figures for 1881. The total increase in population is 9,500 in round numbers in the whole province. That would leave about 2,800 of an increase for all the towns other than those in the list I refer to, and the rural districts. Thus, two-thirds of the increase in population is in these manufacturing centres, if I may use the term. And yet in bulletin No. 18, Mr. Johnson states that the average increase of population has been equal all over the rural and urban districts. These figures alone are sufficient to show the utter unreliability of the statistics as given. In the same connection, I find that the returns for Liverpool, the chief shire town of Queen's County, show an increase of 17 manufacturing establishments over the preceding decade. Even a person who has visited that town in this period, and still more, one who has lived there, must know that such a return has no foundation, except in the imagination of the enumerator. I wish the trade policy of Canada would permit it to be brought about. If this does not account for it, then the statistics must have been deliberately altered, either in the department of the chief statistician or in the Department of Agriculture. Yet the Government says they cannot find money enough to prepare a list of these manufactories to enable the people to find them. There was one remark made by my hon. friend from Yarmouth (Mr. Flint), and only one, with which I could not agree, and that was to the effect that the fault does not lie with the chief statistician. I believe that it does. I have been informed by one of the employees of the department, that when the sheets have been returned to the care and custody of the chief statistician, Mr. George Johnson, he has gone into one of the departments where the details of the various sheets are summarized as returned by the enumerators, for bulletin No. 12, which

is the industrial bulletin, and which bulletin sheets contain six columns, and that these sheets have there made on them pencilled alterations in their columns side by side with the details and totals made in ink by the enumerators. The increases made by these pencilled figures over those in ink, which were supposed to show the true totals of the columns, were 25, 20, 15, and 35 per cent respectively over the returns of the enumerators. Mr. Johnson, I am informed, or some one on his behalf, instructed each of these clerks, whose names I have here in writing handed me by one of the said clerks, that the sheets handed in by the enumerators with reference to manufactures should be changed in a similar manner to the sheets he had handed to these seven clerks. And I am told that these seven clerks, under the instructions of the chief statistician, or of an officer of his department, deliberately altered these sheets so that the bulletins in our hands to-day contain the total of these increases made upon these sheets by the clerks of the Statistical Department, and that if the original sheets are compared with the published bulletins, the totals of the five several columns as pencilled upon these sheets will be found not to correspond with the figures returned by the enumerators in the several provinces of this Dominion. I desire the Government to inquire into this matter. I have here the names of the clerks to whom I have referred: Major, Ryan, Hawking, Payne, Warden, Cameron, Allen and Maynard. These are the clerks engaged upon these sheets particularly and generally in the work of the Statistical Department, as I am informed. Those are the persons engaged upon that work in the statistical department, and if I am wrongly informed as to the manipulations of these sheets by these clerks, I would be glad to make the correction. But as I am at present informed, I believe that the alterations were so made by one or more of those clerks at the suggestion and at the request of the chief, or one of his chief officers. If such is the case, the utter unreliability of the statistics as they refer to industries and manufacturing establishments, will be evident to all, just as the figures which have been reported in the same returns have been proved to be absolutely false by the evidence furnished by the hon. member for King's. I make this statement, and I ask the Government to look into it carefully. I call upon those who have charge of that department to make the most thorough investigation into the matter, because I have been lately informed that one of the clerks in the Department of the Minister of Railways has sent out a circular to several Conservative friends in the province of Ontario and elsewhere, stating that great stress will be laid, during the approaching campaign, upon the statistics furnished by the enumerators and upon the census bulletins furnished by the Department of Agriculture; and that if

Mr. FORBES.

a greater number of those bulletins are wanted for the use of the Conservative party during the campaign, they will be furnished upon application to the Department of Agriculture. I am told that that circular is sent out by the Secretary of the Minister of Railways. Before any demands are made upon the department for a further distribution of those bulletins, it might be advisable for the Government, and for the public who are asking for them and who may learn of the discussion taking place in the House to-day, to substantiate the truth of the statistics contained in these bulletins before they are allowed to be used upon the hustings of this Dominion; and it may be advisable for the credit of the Government and for the credit of Canada that these bulletins, if they are falsely made up, should be withdrawn, in order that they may no longer be used to the discredit of Canada. The vote is now for the Statistical Year-book for the approaching year, and if it is to be worth the money, I would suggest that its publication should be delayed until the correctness of the figures which will be put into it, are verified. I agree with the remarks of the hon. member for Yarmouth (Mr. Flint) that the Year-book should contain nothing but the statistics of the bulletins which are brought down, and let the public draw their own deductions from the figures. We do not want to pay for coloured deductions made by any officers of the Government, or any other person on behalf of the Government. It is no use for a man to get up and quote statistics from a Government Blue-book unless he knows that they are accurate. Figures, as we have heard over and over again, won't lie, but we know that several deductions drawn from the same figures totally differing, have been drawn from the same sets of figures. If the Government officials will be more correct and more fair in the deductions which they draw from the figures furnished by the enumerators of the Government, there may not be so much cause for complaint; but when we see these statements, these little embellishments of returns, coloured on behalf of the Conservative party, naturally we feel annoyed; and we protest against officers of the Government in the several departments so making use of the information which they have in advance of the rest of the country and of this House, and putting forward a construction which it will not at all bear when you come to analyze the figures. If the Government will look into the suggestions made by several hon. members this evening, I think they will decide that this vote had better lie over.

Mr. McMULLEN. I really think it is discourteous to the hon. gentlemen of the House who have addressed the committee, that the Government should attempt no reply to the very serious charges made from

this side of the House. Certainly the committee are entitled to a reply from the Government in regard to the inaccuracies that have been pointed out with regard to these census returns. Now, with regard to the statistical record, the vote for which is under discussion, I think the Government should pay heed to the statement of the hon. member for Yarmouth (Mr. Flint), showing that the American statistical record is a mere compilation of figures, without any deductions or comments whatever. If we are to have a statistical record of any use, we had better start it on a proper basis, and cease publishing comments and arguments in order to bolster up a position that may be taken by the Government of the day. What we want are clear, well-defined and thoroughly reliable statistics as to our trade, every year, and upon those figures let the occupants of the Treasury benches stand or fall in so far as they are responsible for their trade policy.

Cornwall Canal..... \$450,000

Mr. LAURIER. I would call the attention of the Minister of Railways to the fact that he promised a report with regard to Sheik's Island on the Cornwall Canal, and the last time we had a discussion on that question, on the 31st May last, he stated that the report had been on the Table for two or three weeks. The hon. gentleman knows now that he was in error; the report has been brought down since. But I call attention to the fact that it is altogether insufficient, there is nothing in it but a report of Mr. Schrieber, the Chief Engineer, simply stating that the Minister having decided to change the contract, or something of that kind, he has since sanctioned everything that has been done. It was stated by the Minister himself some time ago that two contracts had been given on section 45, and they were cancelled in order to substitute another plan, that is to say, the plan of building a dam at Sheik's Island. But nothing at all is brought down in this report to show what caused him to make so important changes, and I submit that it is impossible to discuss the item of the Cornwall Canal until that report has been completed.

Mr. HAGGART. I brought down all the report there is in the department, except the report of the engineer in charge of the works, Mr. Rubidge. The other evidence which I relied upon are the reports of Mr. Shanley and others, which I mentioned during the debate.

Mr. LAURIER. We have not that.

Mr. HAGGART. I thought all the papers were brought down except the report of Mr. Rubidge. The rest are printed in the Blue-books. I will place Mr. Rubidge's report on the Table now.

St. Lawrence River and Canals. \$30,000

Mr. HAGGART. This sum is required for surveys. There is a suit in the Exchequer Court by Gilbert & Company for \$130,000, and when the judgment of the court is given the amount will be provided for. It is proposed to spend the amount asked on surveys of river reaches for the ensuing year, with a view to ascertain the cost of improving some of those reaches and to enable a judgment to be formed as to whether some of those reaches could be improved rather than enlarge some parts of the canals.

Welland Canal..... \$10,000
do land damages,
Grand River.. \$3,700

Sir RICHARD CARTWRIGHT. I notice that both of these are revotes. Why was not the money expended?

Mr. HAGGART. The first amount is for the construction of a mitre sill wall to gates on the canal. On the Welland Canal the upper and lower gates are the same height, and this sum of \$10,000 is for work at No. 7 lock. In constructing that lock a mistake was made from wrong calculations being obtained, which gave one foot less depth than was expected, and this amount is for the purpose of remedying that defect. With respect to the amount of \$3,700 land damages at Grand River: the level of the Grand River was raised, causing damage to property, for which the Government is held responsible.

Murray Canal..... \$15,000

Sir RICHARD CARTWRIGHT. For what work is this money required?

Mr. HAGGART. For the equipment of the canal, which is a new work. It is to provide seven houses for the canal officers, costing \$7,700; collector's office, \$3,800; range lights, \$2,000, and a beacon, \$1,500.

Mr. McMULLEN. What is the entire cost of this work up to the present time?

Mr. HAGGART. The expenditure up to 30th June, 1892, was \$1,216,631. In 1892-93 the expenditure was \$30,838; from 30th June, 1893, to 1st March, 1894, the expenditure was nil. The total expenditure was \$1,247,470.

Mr. McMULLEN. I observe in the Auditor General's Report, C-97, a long list of items of work performed on the canal, and I notice an item for clearing and grubbing, 119 acres, at the rate of \$50 per acre. These prices seem to be high. Are they contract prices?

Mr. HAGGART. They are the old contract prices. These amounts were paid a couple of years ago. This is the final estimate, giving the total quantities and items.

Mr. PATERSON (Brant). Do lake steamers use the canal on their regular route now ?

Mr. HAGGART. I do not know whether they use it regularly or not, but on going down they very often use it, because I very frequently have applications to allow the steamers to go through on Sunday.

Trent Canal \$73,000

Sir RICHARD CARTWRIGHT. It will be in order for the hon. Minister to give to the committee a statement of the intentions of the Government with respect to the Trent Canal. Some of us had the pleasure of witnessing a very extensive deputation interviewing the hon. gentleman, and to judge from the enthusiastic manner in which his remarks were received it appeared that a satisfactory understanding had been arrived at. I should like to know what the Government intend to do, because the revote of \$73,000 is scarcely, I should think, an adequate response for the encouragement that appeared to be held out to those gentlemen by the Minister, not to say by them to the Minister.

Mr. HAGGART. \$73,000 is a revote from last year, none of the money having been expended. If the hon. gentleman will wait until the Supplementary Estimates for 1894 are submitted, I will promise him a full statement in regard to what the policy of the Government is with respect to the Trent Canal. I am obtaining estimates of the work intended to be done, and I am having prepared a statement respecting the construction of a couple of locks at present needed between Balsam Lake and Simcoe Lake. There will be an item in the Estimates for the next year, in which the hon. gentleman will recognize the intentions of the Government in regard to the Trent Canal, and I will give a full explanation at that time.

Mr. MILLS (Bothwell). Has the Government obtained estimates of the probable cost of the work ?

Mr. HAGGART. Yes, of the entire cost of the work. I have had approximate estimates prepared of the reduced cost on account of changes recommended by the commission. I have estimates of the locks intended to be built, the two locks between Balsam Lake and Simcoe Lake, and the probable expenditure required next year to complete the stretch of navigation between Peterborough and Lakefield. These are the two objective points which it is the intention of the Government to reach and complete, to enable the maximum of navigation to be secured on the canal by finishing those two particular works. The construction will require eight or nine locks between Peterborough and Lakefield, and a like number between Balsam Lake and Lake Simcoe.

Mr. MILLS (Bothwell). Of what depth ?

Mr. HAGGART.

Mr. HAGGART. Five feet on the mitre sill. The length of the locks will be 130 odd feet, and the breadth 33 feet. The locks recommended by the commission are 10 feet narrower, namely, 23 feet. The Government has considered whether it was advisable to adopt that portion of the commissioners' report or not. Locks of the size recommended by the commission would cost in the neighbourhood, taking into consideration the ground as well, of \$17,000 to \$23,000. Locks of the size the Government have been in the habit of building, and which the department recommends, would cost \$27,000.

Mr. O'BRIEN. I shall be glad when the Government bring down their Supplementary Estimates, for I think the House will support the Government in doing something to secure a return for the money already expended on the Trent Canal. Whether the work should ever have been undertaken or not, and whether the promises made should ever have been made is one question. Whether the Government ought to complete the work so far to make what work has been done available to some portion of the country is another question. I think that the House perhaps would be justified in supporting the completion of the work to Lake Simcoe, which would open up very large tracts of inland navigation, and would be of great service, inasmuch as it would relieve the local traffic from the very great imposition of rates now imposed upon it by the Canadian Pacific Railway and Grand Trunk Railway. We have two great railway corporations upon which the whole transport business of that country now depends and there is absolutely no competition. The rates on the two roads are the same, and the local rates are excessively high. If the completion of this work to Lake Simcoe can be done for anything like a reasonable sum, a great benefit would be conferred on the people of a very large district. Of course I am speaking now of the local traffic, and whether this House should undertake a work which could be available only for local traffic, it is now, I think, too late to consider. We have spent a great deal of money there which so far is productive of almost no result. The completion of the intervening portions of the work would bring about good results, and if for a reasonable expenditure the completion of these links can be accomplished then from a local point of view we would derive a very great advantage. I must admit that after the exhibition we had to-day of the dealing of the Government with the Tay Canal—for which I of course am bound to admit my responsibility as a member of the House, and I do not attempt to evade it—one must be exceedingly cautious how he binds himself to accept Government estimates, approximate or otherwise. Viewing the question as one of a practical nature, and assuming that the Government will bring down to us estimates that can be relied upon, and assuming that the cost is not extravagant, then

I think the proposition which will come before this House (as I understand from the Minister that the work shall be carried on so as to complete it to a point at which it will be of some service to the country through which it passes) is a proposition that I think this House ought to favourably consider.

Mr. McMULLEN. I notice in the Auditor General's Report that Charles Wynne took an action for damages at Jones's Point and got \$3,800. What were the particulars of that?

Mr. HAGGART. I am sorry that I cannot give the information just now. The money was paid last year and neither the deputy nor I remember it.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman guarantee that my hon. friend (Mr. McMullen) will not be held responsible hereafter for allowing this item to pass?

Mr. HAGGART. The amount has been paid and the event is past.

Mr. McMULLEN. My object is to try and secure a very rigid inspection of all accounts of this kind that may be presented hereafter. I notice that the man who brought the action was awarded \$3,800, and that the law costs amounted to \$1,934.

Mr. HAGGART. I remember that case now. We contended that we had no right to pay and an action was taken in the Exchequer Court and this amount awarded. As to the law costs, my department is not at all responsible. The Minister of Justice is responsible that the costs were right.

Mr. MILLS (Bothwell). Which you think were very high?

Mr. HAGGART. We always think we are mulcted in damages which we ought not to pay, and that the costs are exceedingly high in most of those cases.

Mr. DEVLIN. I think this would be a good opportunity to repeat a question which I have already put in the House. It is with regard to the lock at Little Rapids on the Le Lièvre River. I do not see that there is any expenditure in connection with that lock in any part of the Estimates or in the Auditor General's Report. I have had an answer that claims have been received with respect to this.

The CHAIRMAN (Mr. Denison). I am afraid you are out of order.

Mr. HAGGART. I will answer the question if it refers to a canal.

Mr. DEVLIN. There may be no other opportunity of reaching the question. I have been answered that claims were received by the Government in respect to damages done the dam along the River Le Lièvre.

When I put the question the Government answered: that such claims had been received and were receiving the consideration of the Government. I would like to know if any decision has been arrived at in regard to these claims.

Mr. HAGGART. I do not remember at present of any such claim. The course that we always pursue is this: We get a report of the engineer in charge of the works as to whether there has been any damage or not. We instruct the engineer to find out by levels whether the water has been backed up on any particular property. If he reports against it we refuse to pay it, and if he thinks there is any damage done, we send the Dominion arbitrator to value it. If the claimants refuse to accept the valuation of the Dominion arbitrator, we give them liberty to go to the Exchequer Court.

Mr. DEVLIN. I do not think the Minister understood me exactly. I said I had already received an answer in the early part of the session from the Government to the effect that a report had been made to the Government, and that the Government were considering that report, and consequently considering the claims that had been received by the Government, and I would like to know now if any decision has been arrived at.

Mr. HAGGART. Are you sure you had that answer from the Department of Railways and Canals?

Mr. DEVLIN. No.

Mr. HAGGART. When I come to think of it; that work was done under the Public Works Department and we had nothing to do with it.

Mr. DEVLIN. That is perfectly true, but I do not see any other item in the Estimates under which I could have asked for this information. There is nothing in the Estimates in connection with this work, and being a lock, I thought the information would perhaps be in this department.

Mr. HAGGART. There is no information in my department, as the work was not constructed by my department, and we had no control over the expenditure.

Sault Ste. Marie Canal..... \$200,000

Sir RICHARD CARTWRIGHT. What is the reason that the hon. gentleman has a revote for \$600,000 put down, and he only asks for \$200,000? Is the expenditure going to be \$400,000 less than his estimate?

Mr. HAGGART. This is merely a revote. It is expected that the canal will be in condition to pass through in July next. The lock masonry is completed, the power-house is well advanced, the culverts are nearly finished, the cutting of rock and earth is nearly completed. The estimated cost of

construction to afford, at the lake entrance, twenty feet of navigation, was \$4,000,000. The expenditure on construction up to the 30th June, 1893, was \$1,475,344, and from the 30th June down to the 1st March, 1894, \$864,902, making a total of \$2,340,246. The building of lock, &c., is under contract to Messrs. Hugh Ryan & Co. No contracts have yet been awarded for deepening from sixteen to twenty feet of navigation, the cost of which is estimated at the upper entrance at \$276,000, and at the lower entrance at \$192,000, a total of \$468,000. The revote of \$600,000 is a typographical error. It should be \$200,000.

Sir RICHARD CARTWRIGHT. What is the total cost likely to be ?

Mr. HAGGART. The total amount expended to the 1st March, 1894, was \$2,340,246. It will take \$1,260,000 to finish the work, from which is to be deducted \$468,000 for deepening above and below. That would leave nearly \$700,000 due to the contractors about the 1st of August.

Mr. McMULLEN. What staff of officials have you up there in charge of this work—how many engineers ?

Mr. HAGGART. There are a resident engineer, two assistant engineers, two or three rodmen, one inspector of masonry, one of ironwork, and two of woodwork.

Mr. McMULLEN. I notice an item of sixteen mooring posts at \$15 each. That appears to me to be a very high price for mooring posts. Are they of iron or wood ?

Mr. HAGGART. They are oak, turned and finished.

Lachine Canal..... \$115,500

Sir RICHARD CARTWRIGHT. What is that for ?

Mr. HAGGART. To build the Lachine sewer, \$5,500 ; to deepen the canal from lock 2 to St. Gabriel basin, to 22 feet, \$60,000 ; to pay for land damages for new lock at the Lachine entrance, \$50,000. Rather than build on the site of the old lock, it is thought better to make a new entrance as per plan, and to use the old channel for dock purposes, and it is proposed to appropriate a piece of land to get over the canal dock which is being built by the harbour commissioners into the canal basin. This will enable sea-going vessels to go up and utilize the Wellington basin. To deepen that lock so as to have twenty feet of navigation on the mitre sills will require twenty-two feet in the canal.

Mr. McMULLEN. I see that there are two or three brick sewers. Are they underground sewers ?

Mr. HAGGART. There is a brick sewer from the town of Lachine, and by an agree-

Mr. HAGGART.

ment with the town of Lachine, there has been an expenditure going on for two or three years along the bank of the canal to carry the sinkage or leakage from the canal along this drain to that little river St. Pierre, which goes under the Lachine Canal and empties into the St. Lawrence.

Lake St. Louis Channel.....\$125,000

Mr. HAGGART. This is proposed to give a channel 300 feet wide, and 16 feet deep from Lake St. Louis. This is for dredging rock and earth. The line has been projected, and the channel thoroughly surveyed and sounded. It is estimated that the quantity of material to be dredged, and the cost of doing the same, are as follows :—

Solid rock, 89,200 cubic yards,	
at \$6.....	\$535,200
Earth, hard pan, 129,100 cubic yards,	
at \$2.50.....	322,750

Total.....\$857,950

The expenditure up to June, 1893, was \$33,968. That is the total expenditure up to 1st March, 1894. This is part of the original plan of deepening the St. Lawrence and tributaries or lakes to the depth required for navigation.

Lachine Canal—reconstruction of workshops, sheds and warehouses, Montreal.....\$10,900

Mr. HAGGART. It is proposed to reorganize the store-keeping, and establish a distribution store in Montreal for the Ottawa Lachine, Beauharnois, Chambly, and St. Ours canals ; also, to have general workshops for these canals at Montreal, more especially for the work to be done during the summer. The buildings in use at Montreal are rotten and dilapidated, and in a tumble-down condition, having fully served their day. Then there is the enlarging of the electric light station at Montreal. Looking over the canal, I found six or seven different places where material was deposited and no check or looking after the material.

Welland Canal—overhauling superstructure piers at Dalhousie, &c.....\$15,000

Mr. HAGGART. The structure of these piers is in a very decayed condition and is being renewed with concrete, a little being done every year ; \$15,000 are required to proceed with this work now in progress. A stretch will be done in each year until the whole is renewed. In addition to the sum now asked, the cost is estimated at \$48,000.

Welland Canal—to clean and deepen back ditch on south side of feeder.....\$3,000

Mr. HAGGART. The object is to prevent the flooding of adjacent lands, by giving a free fall to the water.

St. Ann's Lock—to repair south channel piers \$2,500

Mr. HAGGART. This pier is built of wood, and is decaying, and requires renewal before any serious damage is done, and for this purpose, \$2,500 is asked. Repairs will be required next year to other parts of the pier.

Carillon and Grenville Canal.....\$3,500

Mr. DEVLIN. Is it true that the Government are the possessors of a residence at the entrance of this canal, which they bought from the engineers?

Mr. HAGGART. My deputy is of the opinion that there was one bought some years ago from Mr. Parent.

Mr. DEVLIN. Is it now in the possession of the Government?

Mr. HAGGART. Yes.

Mr. DEVLIN. What price was paid for that residence, and what rental is derived from it?

Mr. HAGGART. I cannot give that, but will have it on concurrence.

Mr. DEVLIN. Better let the item stand.

Mr. HAGGART. That matter does not belong to this year or next year, and has no reference to this item.

Mr. DEVLIN. There is an opinion that the Government paid a pretty fair price for the residence, and are now renting it for the sum of a dollar per year.

Mr. HAGGART. I am not aware of it. It did not occur during my regime.

Mr. DEVLIN. However, the hon. gentleman will not deny that the rental received by the Government does not exceed one dollar?

Mr. HAGGART. I do not know whether it is one dollar or a hundred or a thousand dollars. I never heard of it before.

Mr. DEVLIN. The hon. gentleman cannot tell me, either, how much was paid for it.

Mr. HAGGART. No; this is the first time I heard of the residence. It must have been bought before my time, and the price must appear in the Auditor General's Report at the time. I promise that when the item comes up on concurrence, I will have the fullest information.

Mr. DEVLIN. Of course, I am quite satisfied with the explanation of the hon. gentleman, but I would simply point out that if it is the intention of the Government to remain in possession of this residence, which they bought, as I understand, at a pretty handsome price, from a gentleman employed by the Government, and which they are now renting at a very low price, they should call for tenders.

Beauharnois Canal—to build steel bridge above lock 14, Valleyfield. \$4,000

Mr. DAVIES (P.M.I.) The hon. gentleman is building a canal on the other side, as I understand. Does he intend to keep them both going?

Mr. HAGGART. The Soulanges Canal is only commenced. It is designed to take the place of the Beauharnois Canal in order to give the depth required by navigation. It is not expected to be finished for a number of years, and the Beauharnois Canal is to be used in the meantime.

St. Peter's Canal—towards reconstructing west wall..... \$ 600
To repair mitre sills, gates, lower end lock..... 32,000

Sir RICHARD CARTWRIGHT. This is a good deal of money. What is it required for?

Mr. HAGGART. The west wall has been partially rebuilt; there is still a portion to be rebuilt, and for this the \$600 is asked. The other item of expenditure is made necessary by the fact that an examination by a diver has revealed the fact that the seaworm, the teredo, has so eaten away the woodwork that a thorough overhauling is necessary. The dam has to be built and the lock pumped out. It is for this work that the sum is asked.

Culbute Canal—towards settlement of claims and removing obstructions.....\$5,000

Mr. DEVLIN. What is the nature of these claims?

Mr. HAGGART. There are a great many claims on the Culbute Canal. They are for damage to land, bridges and highways, alleged to have been caused by the construction of the canal work. As the canal is not used, it is proposed to cut away the dams and other obstructions, and for that purpose this sum is required.

Mr. DEVLIN. The claims are of very long standing.

Mr. HAGGART. A great number of them.

Mr. DEVLIN. What is the nature of the obstruction?

Mr. HAGGART. The dam. We are going to cut it away.

Mr. DEVLIN. There is a bridge across the canal. I would like to ask if that is in charge of the Government?

Mr. HAGGART. I am informed that there is a bridge, but I do not know whether it is kept by the Government or not.

Mr. DEVLIN. I would like to know the facts in this matter. I have seen the bridge,

and I believe it to be the property of the Dominion Government, and I know it is in a very precarious and dangerous condition.

Mr. HAGGART. There is a bridge somewhere near there, but it has nothing to do with my department. I believe it was built by contributions from the Dominion Government, the Quebec Government and the Ontario Government. But they have not arrived at a decision yet who are to repair it. I believe it is under the Public Works Department.

Mr. DEVLIN. What steps have been taken to adjust the claims mentioned in this item ?

Mr. HAGGART. The valuator of the Government has been sent out there and has valued all the property. Some of the properties that he valued I considered were not damaged by reason of the dam, and I ordered a re-survey to see whether the water backed up by the dam would overflow these properties. I expect to have a survey soon and be able to ascertain the damages.

Mr. DEVLIN. Who is the valuator ?

Mr. HAGGART. Mr. Wood, I think.

Mr. DEVLIN. Can the hon. gentleman give me any idea of the amount of the claims ?

Mr. HAGGART. They are a little over \$4,000.

Mr. DEVLIN. The Minister states that the valuator is Mr. Wood. Is that Mr. A. F. Wood ?

Mr. HAGGART. The gentleman is a member of the Local Legislature, a representative of one of the Hastings.

Mr. DEVLIN. What is his salary ?

Mr. HAGGART. He is paid \$10 a day and expenses when employed by the Government.

Collection of Revenues—Canals
—repairs and working expenses \$523,650

Mr. McMULLEN. Will the Minister say what reduction has been made in repairs and wages for the last year ?

Mr. HAGGART. We will take up first the Lachine Canal, \$56,547. There is the paymaster's salary, formerly paid out of other appropriations; that necessitates an increase of \$1,400 in the estimate; travelling expenses, \$600; stationery, \$550; lighting, \$6; postage, \$30; clearing office, formerly charged to other appropriations, \$120. These are all increases. Then there is a decrease in travelling expenses, \$50; a decrease in sundries, \$50; draughtsman, formerly charged to other appropriations, and now charged to the canal staff, \$900. Two constables for the bridge, \$560, is an increase. Then there is a decrease of contingencies—superintendent's travelling expenses, \$100; an increase in maintenance and repair of electric lamps, \$200, and sundries, superintendent's office, \$69. The total decreases are \$469. There is an increase of \$3,197, which is principally caused by charging to the canal itself sums which were formerly charged to appropriations on the canal.

Mr. DEVLIN.

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Mr. McMULLEN. When the railways are doing so large an amount of the carrying trade of the country, I think we should try and bring the expenditures connected with canals as much within the limit as possible. The canals surely cannot be doing as much work as they used to do.

Mr. HAGGART. I am trying to make a marked decrease in the expenditure on the canal staff from one end of the country to the other.

Salaries and contingencies, Canal offices; additional pay to persons permanently employed "in the public service," and remuneration to any other persons for services rendered for or in connection with passing vessels through the canals of the Government of Canada from midnight on Saturdays to midnight on Sundays, notwithstanding anything in the Civil Service Act to the contrary. \$58,000

Mr. McMULLEN. Does this apply to the permanent staff ?

Mr. HAGGART. This is the permanent staff. This item has been voted year after year. We pay them extra time for passing vessels through on Sunday.

Mr. McMULLEN. In looking over the amount of shipping done through the Welland Canal, I notice that some 90 per cent of it is done by Americans; we do very little of it ourselves. It is rather hard that we have got to spend such an enormous amount of money to keep up this canal when nearly all the advantages go to a neighbouring country. I suppose under our arrangements with them, we are forced to do it; if so, we should cut down the expenses as much as possible.

Mr. LOWELL. I would be glad if the hon. Minister would bring down the correspondence that has taken place with a man named Stanley, at Port Colborne, in regard to certain charges made two or three years ago about Mr. Samuel Cook. It was certain that he had received money from the Government that he was not justly entitled to. I am told he has made a clean breast of it to the Government, and I would like to know something about it. The charge was that he had been paid certain moneys by the Government for services that were supposed to be rendered by him, but were not.

Mr. HAGGART. I remember the circumstances. I had several letters from Mr. Stanley on the subject, and ordered an investigation to be made by the chief engineer of the Welland Canal. There is a written report upon the subject, which I shall be glad to bring down to the hon. gentleman. If I remember rightly, it relieves Mr. Cook from any serious charge of peculation, or anything of that kind. I will bring it down before the Supplementary Estimates are taken up. There were two or three letters from Mr. Stanley on the subject, and I went to the trouble of referring the matter to the Minister of Justice, who sent up detectives for the purpose of seeing whether the charges made by Mr. Stanley were correct. We went to a good deal of trouble and expense on account of the information Mr. Stanley gave us, and it resulted in finding out that his charges were not substantiated.

Mr. LOWELL. The fact still remains that this gentleman received moneys, which he did not account for. I have in my possession a copy of cheque for \$70 that was paid to Mr. Sherwood, who was sent up by your department, I understand, to investigate this matter. The cheque was refunded. Not only that, but the gentleman under whom this man was working had a still larger amount, which he did not return to the Government; he was not quite so conscience stricken as the other man who returned his money to the Government.

Mr. HAGGART. I would like to get any information the hon. gentleman has on the subject. I will see that this man is punished if he has done anything of the kind.

Mr. DEVLIN. I think the Minister said a few minutes ago that it was the intention of the Government to abandon the Culbute Canal?

Mr. HAGGART. Yes.

Mr. DEVLIN. I find it is specified below this item that it is the intention of the Government to vote again this year \$1,400 in connection with the canal, as follows: \$900 for the staff, and \$500 for repairs.

Mr. HAGGART. Only one man is employed on the whole canal. When the dam is removed, the man will be discharged.

Mr. DEVLIN. Then there is only one man employed, and he receives \$900 a year. What are his duties?

Mr. HAGGART. The hon. gentleman can ascertain exactly from the Auditor General's Report. The amount might not have been expended on the staff. The deputy of the department says that in his opinion the man only receives \$33 per month.

Mr. DEVLIN. Then why does the hon. gentleman ask for this sum.

Mr. HAGGART. I often ask for more than is expended.

Mr. DEVLIN. But the year before you expended \$900.

Mr. HAGGART. It seems there are two parties employed: A. McDonald, lockmaster, \$365; Terence Smith, bridge-keeper, \$365. Then there was a boat for the lockmaster and certain repairs made.

Mr. DEVLIN. So this staff is composed of two men?

Mr. HAGGART. Yes; there is a bridge-tender and a lockmaster.

Mr. DEVLIN. Then it is the intention of the Government to keep up the staff?

Mr. HAGGART. The intention of the Government is when the dam is removed to remove the lockmaster who is at present attending to the locks. The bridge-tender I suppose will be required there.

Mr. DEVLIN. The Government does not profess to have any authority over the bridge. The hon. gentleman has told me that already.

Mr. HAGGART. I do not know there is a bridge on the canal. The bridge to which I thought the hon. gentleman was referring was one that was in dispute some time ago as to the party by whom the expenditure should be made. I remember the circumstances that a certain moiety was voted by the Dominion Government, a certain sum by the Ontario Government, and another sum by the Quebec Government.

Mr. DEVLIN. The hon. gentleman says he does not know there is a bridge there; yet he asks the committee to vote the salary of a bridge-keeper. What is the use of voting the salary of a bridge-keeper if there is no certainty about a bridge being there?

Mr. HAGGART. If the hon. gentleman will pay more attention to my remarks he will grasp the information I furnish. I did not say I did not know whether the bridge was there or not. The only bridge I know of is the one I have described, and I suppose that the person paid for attending to the bridge is the individual who has charge of this particular bridge. I never, however, was in the neighbourhood. I only remember of a request being made for an amount for the purpose of keeping the bridge in repair. The hon. gentleman, who is well acquainted with the country, could perhaps inform me whether there is one bridge or there are two bridges there?

Mr. DEVLIN. I do not suppose there are two bridges there. I know this money is being voted for no purpose at all—there are no vessels passing through the lock. The hon. gentleman is taking the money of the country to pay a gentleman who sits there and does nothing. The hon. Minister has stated that it was the intention of the Government to abandon the canal altogether. Yet

the hon. gentleman asks this committee to vote \$1,400. We are actually asked to vote \$500 for a purpose of which the committee knows nothing, and \$900 for a staff that is not required. I protest against the expenditure and against employing people who do nothing. I have a perfect right to enter my protest against this expenditure. In my opinion the money is squandered.

Mr. McMULLEN. When the Government abandon this canal let the Government also abandon the Tay Canal, which is on a par with it.

Mr. DEVLIN. When does the hon. gentleman expect to dispense with the services of Archibald McDonell, lockmaster?

Mr. HAGGART. I have already told the hon. gentleman that if the dam is abandoned we will discharge the lockmaster and it is the intention of the Government to abandon it.

Mr. HAGGART. It is the intention of the Government to do away with the dam.

Mr. DEVLIN. When does the Government propose doing away with the dam?

Mr. HAGGART. This summer some time; the particular date I do not know.

Post Office—Mail Service.... \$2,125,000

Mr. McMULLEN. There is an increase here of over \$78,000 for the mail service, and we should have some explanation of it.

Sir ADOLPHE CARON. This difference is due to the necessity of providing for the change in the system of paying the Grand Trunk Railway Company for mail service. The change took place on the 1st of January, 1892, and the additional amount required was estimated for last year, but the estimate of last year was not adopted. Last year the amount paid to the Grand Trunk Railway Company was \$379,075.40.

Mr. McMULLEN. I see by the Auditor General's Report that there is an amount of \$5,174 for advertising. What is that advertising for?

Sir ADOLPHE CARON. The advertising is for the accommodation of the public in most of the large centres, and it is becoming more expensive every year. It is for the purpose of indicating to the public the different trains and the different means of transferring the mails. I think that most hon. gentlemen in the House will admit that it is very important that that expenditure should be incurred in the public interest.

Mr. McMULLEN. It cost \$100 for advertising in Montreal, and \$275 for advertising in Quebec. Montreal being a very much larger city I cannot understand why there should be that difference.

Sir ADOLPHE CARON. I cannot from memory tell the hon. gentleman why the

Mr. DEVLIN.

difference does exist, but there must be a reason. It may be that the advertisements in Montreal is distributed over several papers, and perhaps only one paper in Quebec.

Mr. DEVLIN. It must be in more papers in Quebec, because it cost \$275 there, and only \$100 in Montreal.

Sir ADOLPHE CARON. I cannot exactly give the reason to the hon. gentleman, but I am perfectly certain that the reason is perfectly good when I am able to give it.

Mr. DEVLIN. You will find in the Auditor General's Report that it cost \$275 in Quebec and only \$100 in Montreal.

Sir ADOLPHE CARON. Montreal cannot much complain of that. That must be exactly as I have told the hon. gentleman. There may be one paper in Montreal, and there may be two or three in Quebec.

Mr. CHOQUETTE. Which papers are they in in Quebec?

Sir ADOLPHE CARON. The best papers.

Mr. CHOQUETTE. Then I suppose 'L'Electeur' must be one of them?

Sir ADOLPHE CARON. No; I would hardly select that paper as being a very good one.

Mr. CHOQUETTE. If you say the advertisement is put in the best papers, then it must be put in 'L'Electeur.'

Sir ADOLPHE CARON. It may be according to the hon. gentleman's views, but not mine.

Mr. CHOQUETTE. Seriously, had you the advertisement in 'L'Electeur'?

Sir ADOLPHE CARON. No, I had not.

Mr. CHOQUETTE. If this advertisement is for the benefit of the public, then I think it should be in the best papers irrespective of party, and we should not be obliged to subscribe to a particular paper in order to see it. Both parties should have an opportunity of reading it in the newspaper of their choice. To which paper in Quebec was this sum of \$275 paid?

Sir ADOLPHE CARON. The information, of course, hardly comes under this item, and if I had the information for every paper over the Dominion it would cover a very large list of newspapers. But I can tell the hon. gentleman that the advertisements of the post office do not appear in 'L'Electeur.'

Mr. CHOQUETTE. Why not?

Sir ADOLPHE CARON. Simply because, though the hon. gentleman may consider it a paper that should receive the advertisement, I, as head of the department, did

not consider it necessary that the advertisement should appear in 'L'Electeur.'

Mr. CHOQUETTE. I do not think that is a good reason. The hon. Minister says that this money is spent for the good of the public. If so, I do not see how the public can profit, if the advertisement is put only in the Quebec 'Chronicle,' which is an English paper. It is a good paper, more or less, and I do not object to the advertisement appearing in it; but I think it is not fair that it should not also appear in 'L'Electeur,' which is the only Liberal paper in Quebec. I think it should be published in 'L'Electeur,' not as a Liberal paper, but in the interest of the public, because if these advertisements are for the public, I have a right to be able to read them in the paper of my choice, and not be obliged to go to the Quebec 'Chronicle' to see them.

Sir ADOLPHE CARON. The hon. gentleman reads the 'Chronicle.'

Mr. CHOQUETTE. I would like to see it in 'Le Sentinelle,' also.

Sir ADOLPHE CARON. And the 'Courrier du Canada.'

Mr. CAMPBELL. What is the practice in regard to these advertisements? Are they only to be put in Conservative papers?

Sir ADOLPHE CARON. The advertisements are to be given to papers of large circulation in the different centres—papers like the Quebec 'Chronicle,' which has just been mentioned, which is a commercial paper with a large circulation.

Mr. TARTE. A very small circulation.

Sir ADOLPHE CARON. There is no rule laid down with regard to the selection of any of the papers, but if the hon. gentleman consults the list he will find that the papers selected are papers having a large circulation in the different centres.

Mr. MILLS (Bothwell). And which always support the Government.

Sir ADOLPHE CARON. They sometimes do.

Mr. CHOQUETTE. I do not suppose the Minister is serious in mentioning the 'Chronicle' as having a large circulation. What is the circulation of the 'Chronicle'?

Sir ADOLPHE CARON. I could not tell the hon. gentleman. The hon. gentleman is a newspaper man himself, and must know that better than I.

Mr. CHOQUETTE. The hon. gentleman must not say that he gives the advertisements to papers of large circulation, because 'L'Electeur' has three or four times the circulation of the 'Chronicle' in Quebec. That is not a good reason either.

Mr. DEVLIN. I would like to ask the hon. Postmaster General how it comes that, since the object of this vote is to provide the public with a knowledge of the hours of the departure and arrival of the mails, there are only three points in the whole province of Quebec which are considered worthy of receiving this information.

Mr. CHOQUETTE. Four—Montreal, Quebec, Three Rivers and Hull.

Sir ADOLPHE CARON. The hon. gentleman will find that there are more than four points. There are several in Ontario.

Mr. DEVLIN. I am speaking of the province of Quebec. I would like to ask the hon. Postmaster General if under this heading the amount required to pay the Gatineau Valley Railway for the mail service performed by it is included.

Sir ADOLPHE CARON. Yes, all the mail service is included under this vote.

Mr. DEVLIN. I see that the hon. gentleman has also under this heading items providing for advertisements in newspapers calling for mail contracts. I would like to ask him if it is the custom of the department to call for tenders for the carrying of the mails.

Sir ADOLPHE CARON. Certainly it is.

Mr. DEVLIN. Not invariably.

Sir ADOLPHE CARON. No. Under the law we call for tenders for carrying the mails, and some are extended without calling again for tenders. But invariably the contract is given after tenders have been called for by advertisement.

Mr. DEVLIN. The hon. Postmaster General, I am sure, would very much oblige this side of the House if he could give this information: Is the department, by law, obliged to call for tenders for carrying the mails?

Sir ADOLPHE CARON. Yes, under the statute the department is required to call for tenders when the contract exceeds \$200.

Mr. DEVLIN. How comes it that the Postmaster General, replying to a question I put some time ago, in regard to mail service to Lascelles, stated that the Government did not call for tenders, but that the gentleman holding the contract, one Mr. Joynt, was paid, I think, \$365 a year for carrying the mail, and simply held the contract at the pleasure of the Government?

Sir ADOLPHE CARON. Because it was a contract that had been extended, as I have just explained. For the first contract tenders were asked, and as I understand, the Lascelles contract was an extended one.

Mr. DEVLIN. For a number of years?

Sir ADOLPHE CARON. I could not tell the hon. gentleman now. How could the hon. gentleman expect me from memory to tell how many years when there are hundreds of contracts all over Canada?

Mr. DEVLIN. Might I ask whether it is the intention that this contract shall be continued for a very long time?

Sir ADOLPHE CARON. The contract is going on, and when the time comes to renew the contract, it will be time enough for the hon. gentleman to question me, and if I still keep the position I now have, I shall answer him.

Mr. DEVLIN. I put this question in the interest of that portion of my constituency. I have gone to the department and asked that that portion should be treated fairly in this matter. The Postmaster General tells me when the contract expires will be time enough to look into the matter, but when will that time expire? Last year and the year before I inquired about this matter, and I have since applied to the department, and the answer is always the same. The whole fact is this, that the Government gives this gentleman, a favourite of the department, \$365 for performing a service which, I am satisfied, would be done for much less, if tenders were invited. And the present service is not giving satisfaction to the people. It is not for my own pleasure that I am calling attention to this matter, and I should like to know what prospect there is of this contract not being renewed again and justice being done.

Sir ADOLPHE CARON. I have told the hon. gentleman that the contract is going on, and that when the times comes to reconsider it, will be the proper time for the department to declare its policy. The Postmaster General was in his right in continuing that contract. I defy the hon. gentleman to show anything in the statutes—and the Post Office Department is more controlled by statutory law than any other—which prevents the Postmaster General from extending a contract.

Mr. DEVLIN. I am not questioning the statute at all. The hon. gentleman said himself that when a contract exceeds \$200, it is usual to call for tenders. Tenders no doubt were invited for a certain number of years, but when those years expired new tenders were not called.

Sir ADOLPHE CARON. They need not be called.

Mr. DEVLIN. And perhaps will not be called again.

Sir ADOLPHE CARON. I do not know that.

Mr. DEVLIN. I can vouch for it.

Sir ADOLPHE CARON. If the hon. gentleman knows it, he need not question me.

Mr. DEVLIN.

Mr. DEVLIN. I have a perfect right to ask the question.

Sir ADOLPHE CARON. Certainly.

Mr. DEVLIN. The hon. gentleman does not own the Post Office Department, though by his conversation to-night he would seem to indicate that he is the sole proprietor and master. I am simply asking for a little justice and nothing more. These people pay taxes, and more probably than the Postmaster General, and the justice they ask has been denied them year after year. I had the promise from the hon. gentleman himself last session that he would look into the matter, and he never has.

Sir ADOLPHE CARON. I have certainly.

Mr. DEVLIN. What has been the result of the hon. gentleman's investigation?

Sir ADOLPHE CARON. The result is what I have explained. The hon. gentleman is now complaining of that result.

Mr. DEVLIN. What is the result?

Sir ADOLPHE CARON. It was unfortunately not meeting the views of my hon. friend.

Mr. DEVLIN. The result was nothing. The investigation was on par with many other investigations in the hon. gentleman's department.

Mr. BORDEN. I would ask the Minister if I understood him correctly, when he said that all contracts over \$200 might be renewed without calling for tenders.

Sir ADOLPHE CARON. Yes.

Mr. BORDEN. I had a different opinion. I understood that the department had power to renew all contracts under \$200 without calling for tenders, but not over \$200. Then there is absolutely no limit as to the amount of a contract which may be renewed without offering it again to public tender?

Sir ADOLPHE CARON. There is not.

Mr. DAVIES (P.E.I.) Is that the statute law?

Sir ADOLPHE CARON. Yes.

Mr. BORDEN. I understood the Minister to say that it was the custom of the department to offer in the first instance all new contracts, for new services, to public tender.

Sir ADOLPHE CARON. Yes.

Mr. BORDEN. I know of a case in point in which there was a very decided violation of that custom in my constituency. A year ago a new service was established along a line of railway, some fourteen or fifteen miles in length, involving half a dozen new mail routes to and from various stations.

Not one of those mail services was offered to public tender. Not only that, but a gentleman, a politician in my own county, actually went about the county and farmed out these mail contracts to his political friends. That is a fact for which I can vouch. I called the attention of the Minister to it, and I urged that he should offer the services to public tender, and I do not know why he has not done so. I refer to the Cornwallis Valley Railway. To do that was a great stretch of his prerogative; and when the matter was brought to his attention, he should at once have annulled those contracts and offered the service to public tender.

Sir RICHARD CARTWRIGHT. Do I understand the Postmaster General to say that the law authorizes him to renew contracts over \$200 without calling for tenders?

Sir ADOLPHE CARON. Yes; when it is a renewal of the contract.

Sir RICHARD CARTWRIGHT. I should like the hon. gentleman to read the clause of the statute, because that certainly does not correspond with my recollection. I was under the impression that the hon. gentleman was bound to call for tenders, although I think there is some provision in the law which enables him, on taking certain formalities, to decline accepting the lowest tender. I do not think, however, that the law contemplated we should dispense with tenders. The clause in the revised statutes is as follows:—

The Postmaster General, before entering into any contract for carrying the mail involving an annual cost of more than two hundred dollars shall give at least six weeks previous notice by advertisement in such newspaper or newspapers as he selects in each case and by public notice put up in the principal post offices concerned in such contract, that such contract is intended to be made and of the day on which tenders for the same will be by him received.

Then it goes on to provide:

The contract in all cases in which there is more than one tender shall be awarded to the lowest tenderer who offers sufficient security for the faithful performance of the contract, unless the Postmaster General is satisfied that it is for the interests of the public not to accept the lowest tender. Where he does not give the contract to the lowest tenderer, he shall report his reasons therefor to the Governor General for the information of Parliament.

Now, if that be still the law, as I suppose it is, the hon. gentleman is bound in all cases to advertise for tenders for contracts involving over \$200, although he is not bound in all cases to accept the lowest tender, but where, on his responsibility, he declines to accept the lowest tender, then he must report his reasons to the Governor General for the information of Parliament, and they ought to be communicated to Parliament

wherever such a departure from the established rule as the refusal to accept the lowest tender takes place. That is the law as I understand it, and it differs materially from the construction the hon. gentleman was just giving it.

Sir ADOLPHE CARON. I have introduced no change in the practice of the department over which I preside. It has been the invariable practice when hon. gentlemen were in power, and since, to advertise for tenders when a contract was first entered into; but there may be a renewal of a contract without new tenders being called for.

Sir RICHARD CARTWRIGHT. I should say that was very dubious law.

Sir ADOLPHE CARON. I am not going to discuss the question beyond stating to the hon. gentleman that the practice of the department has not varied. When the hon. gentleman rose to put this question, I was about to answer the hon. member for King's (Mr. Borden) who complains of contracts having been entered into to which he called the attention of the department. If the contracts have not been entered into previously, the only reason possible why tenders were not called for must have been that they were under \$200. There could not be any other reason, because the rule is invariable. The officials who submit all these contracts to the Postmaster General are naturally perfectly au fait with the regulations, and when they submit these contracts for his approbation and signature, the conditions have been complied with.

Mr. McMULLEN. I called the hon. gentleman's attention to the renewal of the contract of Patrick Kennedy, of Montreal, for carrying letters from boxes in the city to the post office. The hon. gentleman replied that it had been renewed without tender. This contract involved an amount of some \$4,800.

Sir ADOLPHE CARON. That was a renewal of a contract. When this contract was first made, tenders were called for.

Mr. McMULLEN. It was not advertised when the renewal took place?

Sir ADOLPHE CARON. No; that is the subject matter of the whole discussion. The contract with Mr. Kennedy has not been renewed since I became Postmaster General. But this case merely goes to prove the correctness of my statement that the practice of the department has been, not to advertise when contracts are to be renewed. That has been the practice under all who have been head of the department.

Mr. BRODEUR. I see in the Auditor General's Report an item of \$500 paid to J. M. McDougall for legal services. What was that paid for?

Sir ADOLPHE CARON. I would not be absolutely certain, but I think it was for taking the case against Paquin who had been assistant postmaster at Hull, and who was prosecuted for irregularities—in fact, prosecuted for felony, if my recollection is correct.

Mr. BRODEUR. I understand that that case came before the court of Queen's Bench at Aylmer. Why was not the case put under the supervision of the regular Crown prosecutor? I understand that in the province of Quebec—and it is the same in all the other provinces—there is in each district a Crown prosecutor for conducting such cases. I do not see the necessity for the Government having special counsel in this case, which was one of the regular cases coming before the court.

Sir ADOLPHE CARON. I think that where it is possible the Government invariably ask the Crown prosecutor to look after such cases. But I think the hon. gentleman will admit that they never look after the preliminary examination which takes place in a criminal prosecution, and there must be some counsel appointed by the Government to look after the interests of the department in these proceedings. I have no doubt that this charge represents the fees required to be paid the counsel for looking after this investigation.

Mr. BRODEUR. Do I understand that Mr. McDougall represented the Government at the preliminary examination, or that he represented the Government during the trial.

Sir ADOLPHE CARON. The hon. gentleman seems to take a great deal of interest in this item. No doubt he has followed up the different cases. I believe that Paquin had three trials.

Mr. BRODEUR. But he had only one preliminary examination.

Sir ADOLPHE CARON. I am talking of the three trials which took place. I am speaking merely from memory, but I think Mr. McDougall represented the Government in every one of those trials, besides representing the Government in a military investigation.

Mr. BRODEUR. Will the hon. gentleman give us the exact amount which has been paid, and for what cause?

Sir ADOLPHE CARON. Certainly. I will give the hon. gentleman all the details.

Mr. MARTIN. On this item I would like to say a word or two in regard to the management of post offices in the province of Manitoba. I understand that it is the practice of the Post Office Department to let mail contracts for a period of four years; and I would inform the department that that is a very bad practice in a new coun-

Mr. BRODEUR.

try like Manitoba and the North-west Territories. For instance, in Manitoba, within the last few years we have had the curious spectacle of new railways being built and the stations on those railways being entirely without mail communication for years after the railway had begun running. Take, for instance, the Northern Pacific railway, which built over 300 miles in that province, and it was three or four years before towns growing up along that railway had mail communication oftener than once or twice a week. They got their mails by stage lines, from the old Canadian Pacific railway, and the people were practically out of the world. It had a most discouraging effect upon the progress of the country. For instance, a town like Wawanessa, a lively little town, was opened up, and merchants went in there and endeavoured to do a business, and they had practically to give the express company all their mail matter, and pay 25 cents a letter postage instead of three cents. I suppose that, to a certain extent, the department was bound by prior contracts extending over the period during which these new railways were opened up, and I would suggest that in a new country where railways are being built, there should be a proviso in every contract, allowing the department to cancel, in case a new railway was opened up. But even this excuse cannot always be urged by the Government. The Northern Pacific built a railway from Winnipeg to Portage la Prairie on the south side of the Assiniboine. There is a town on that railway called Oakville, a small place that did not exist before the railway was built, so that there could not have been any previous contract. Unless arrangements have been made within a month or two, that town is still practically without mail communication. The mail comes from Poplar Point on the Canadian Pacific Railway, which runs from Winnipeg to Portage la Prairie on the north side of the Assiniboine, and the Northern Pacific runs on the south side of the Assiniboine, Poplar Point, is about eighteen miles from Oakville. The Assiniboine river runs between the two points, and is a very difficult river to cross during six weeks or two months in the year. For three or four weeks in the spring, and three or four weeks in the fall, the ferry is practically unworkable. In the spring, the river is liable to floods, and the result is that during those portions of the year the people have to wait weeks for their mail. Here is a spectacle of a town situated on a railway where trains are passing every day, and getting their mail only once a week. There is no possible excuse in this case from a prior contract, because this town was brought into existence entirely by the railway. When the post office was established, if the department made a contract at that time to have the mail delivered from Poplar Point, it was very imprudent on their part. These people have been very much put out about it;

they are in a new country, and the Government are supposed to help on the development of a new country; but they permit arrangements by which the people get their mail only once a week, although a passenger train passes twice a day, once in each direction. It seems to me that a little more forethought should be exercised. I do not know whether there has been any favouritism to the Canadian Pacific Railway, and in opposition to the Northern Pacific. At any rate, the Northern Pacific came in there and built 300 miles of railway, and opened up a lot of new towns, and these towns were practically without mail communication for years and years after the building of the railway. This branch line between Winnipeg and Portage la Prairie has been in operation about five years, and during the whole of the time there has been at least one passenger train a day, and unless it has been done within a short time, the Government have made no arrangements for carrying the mail by the railway. It seems to me this is one of the ways in which hon. gentlemen opposite, instead of endeavouring to help the country along, have done all they could to retard the country, and disgust the settlers who have gone in there.

Sir ADOLPHE CARON. This is the first time I have heard any hon. gentleman in the House or in the press accuse the Canadian Government of not giving the best post office accommodations to the people of Canada that is given in any country in the world. I say that the accommodation which is furnished, for the amount of money, which is provided, gives to the people of this country better mail facilities than you can find in the United States, per head of population. We have the most perfect system, and one that helps the country to a greater extent than any other mail system in the world. When the hon. gentleman states from his place that the Government have adopted this means to retard the settlement of that country, he is repeating exactly the same cry which is invariably used by hon. gentlemen on his side of the House to decry the country and to prevent people from going in there.

Some hon. MEMBERS. Hear, hear.

Sir ADOLPHE CARON. Hon. gentlemen may sneer at what I am saying, but just such charges brought by hon. gentlemen on that side of the House have contributed more than the failing of the Post Office Department to give postal accommodation, to prevent people from settling in this country. How can we expect people to come here when they hear of Canadians standing up and running down the country continually?

Some hon. MEMBERS. Oh, oh.

Sir ADOLPHE CARON. I say so, and I mean every word I am saying. It is an

admitted fact that the mail service in this country, according to population, is superior to the mail service of any other country in the world, and I challenge any hon. gentleman to deny what I am stating now. But the hon. gentleman believes it to be his duty because he sits on the left of the Speaker, to level a charge against the Government that will not injure the Government so much as it will injure the country. People will hesitate coming to this country when they hear that the hon. member for Winnipeg (Mr. Martin) says that on account of deficiencies in the mail service, it is impossible for people to settle in that portion of Canada.

Mr. MARTIN. I think the attempt of the Postmaster General to answer me falls very short of meeting a plain charge. I make the specific charge that the hon. gentleman's department allowed the settlers in a considerable number of new towns in Manitoba, to be without post office communications for four years after a railway had been built through those towns. In answer to that, the hon. gentleman says that Canada has the best mail service in the world. I defy the hon. gentleman to point to a civilized country that can show a case similar to that I have mentioned. I undertake to say that the people of the United States would not stand for a moment the fact of a railway opening up a new country, and yet having the mail delivered by means of the old stage route, thereby giving the people instead of a daily mail, to which they were entitled, from the fact that trains were passing their doors every day, a mail once a week. The hon. gentleman says it is unpatriotic for me to come here and expose the maladministration of this department. The hon. gentleman wishes it to be understood that he can manage the Post Office Department, and each of the other Ministers can manage his department, no matter how gross the abuses may be and how unbusiness-like may be their methods. I admit that in a sense it is disloyal and unpatriotic from the hon. gentleman's standpoint to expose here such maladministration. It is thought by him better to make the people from whom we expect to obtain immigrants believe the departments of the Government here were administrated honestly and in a business-like way, and hide from them the fact that such gross abuses as those to which I have referred exist in the North-west. That has been the policy pursued to a certain extent. Hon. gentlemen from the North-west coming here and supporting the Government have pursued that policy. They have said that no matter how bad things may be, and to what extent the Government may misgovern the country, the best thing to be done is to delude the public, and at all events to get people into the country. But the difficulty is that when the people go there, they find these matters out, and instead of any permanent good resulting to the country this system of keeping

everything quiet, and of loyally following the lead of hon. gentlemen opposite in all their misdeeds and misgovernment, has not proved permanently beneficial to the country. I do not propose to be influenced for a moment by the suggestion of the hon. Minister. If I find that the Government are not properly administering the affairs of the country, and especially the province of Manitoba, I propose at all times to rise in my place and tell the people of this country, and of other countries, so far as the record may reach them, the true state of affairs. The hon. Minister will find that his answer will not be accepted by the people of Manitoba, and it is not accepted by me, as one of their representatives. The question before the House and the country is whether my charge is a true one or not. The hon. Minister in his answer admits it is true. The hon. Minister admits that the department has perpetrated this great wrong on that portion of the country.

Sir ADOLPHE CARON. I did not admit anything.

Mr. MARTIN. The hon. gentleman said it was unpatriotic on my part to call attention to such a gross abuse.

Sir ADOLPHE CARON. I never said so.

Mr. MARTIN. I understood the hon. gentleman to say so. What wrong act did I do? If my statement was untrue, then there might have been something in the hon. gentleman's contention. If I maligned the country, then the hon. gentleman has a suitable answer to make. But the hon. gentleman knows that my statement is the exact truth.

Sir ADOLPHE CARON. No.

Mr. MARTIN. Does the hon. Minister say that Oakville is not in the position in which I stated it to be a short time ago, in which it was when I left, and I do not believe there has been any improvement, and that this place gets a mail only once a week, although passenger trains pass it every day? It was ridiculous the way the mail was carried under the Government system. It was taken, I believe from Gretna by stage, across the country to West Lynn. In many instances, particularly at Oakville, the people only get their mail once a week, and during the winter, when the rivers are impassable, the mail reaches them only once in two or three weeks. The hon. Minister says I must not refer to these matters, but all these mistakes and acts of misgovernment on the part of the Government must be kept secret, and that I have not the right to bring them before this committee and mention them. That is the argument adduced. The hon. gentleman is not singular in his suggestion. That has been the policy laid down by hon. Ministers and members supporting them.

Mr. MARTIN.

They have said: It is true the Government have mismanaged the country; that the policy of the Government in many directions is antagonistic to the best interests of Canada; but that it is not good policy to say so, and that it is desirable to keep these matters quiet and delude the settlers. They say: Let us tell them all kinds of lies about the country, in regard to the way it is administered, as regards the railway communication and mail accommodation, and the policy of the Government, and let us at all events get the people into the country. The trouble is, as was stated by the Minister of the Interior the other day, that we must depend largely on the representations and influence of the settlers who have come into the country, we must depend on their experience and recommendations as regards the settlement of the country. The experience of the settlers has not been that the Government have managed matters in their interests. As I said the other day, the Government have managed the land regulations as little as possible in the interests of the country. I do not say that this mail matter is one of the greatest importance, or that the management of the Post Office Department of itself would be sufficient to keep settlers out of the country; but it tends in the same direction. The hon. Minister will not find a parallel in any other country where a new railway was built and new towns established and a stage route was still retained, in consequence of which merchants have been obliged to use express companies to send their letters, and have been compelled to pay 25 cents per letter, instead of 3 cents, the postage rate. I say that this action on the part of the department has added to the discontent, and that the depressing influence of the action of the Government in other respects in that country has prevented settlement. I repudiate entirely the suggestion of the hon. Minister that it is unpatriotic to bring a matter of this kind up in the House. If the Government is wrong, what is best to do? Is it best to say that the wrong does not exist, and to shut the light out from it, or is it best to come before the nation's representatives and to ask to have the evil remedied at the earliest possible moment? If we bring it to light, and make it right, then there will be no more trouble about it.

Mr. PATERSON (Brant). Has the Postmaster General taken any grant to provide for letter carriers in the city of Brantford this year?

Sir ADOLPHE CARON. We have taken no grant for that purpose this year.

Mr. PATERSON (Brant). Is not that an omission on the part of the Minister? Does he not think that it is now time that the service should be extended to that important city? Has the Minister considered it at all?

Sir ADOLPHE CARON. Yes, it has been considered. This year from the changes that have taken place in our tariff, we have reduced the responsibilities of the people to a very great extent, and it is necessary for every department to cut down expenditure as far as possible. I admit the great importance of the town that the hon. gentleman has spoken of, and hope at a later date that it may be possible for us to have letter carriers in Brantford.

Mr. PATERSON (Brant). Next year?

Sir ADOLPHE CARON. I would not like to make any promise.

Mr. FORBES. The Postmaster General has boasted a great deal about his postal service being equal to any in the world. Let me ask him if he has made any provision in this estimate for the carrying of the mails at Port L'Herbert, on the eastern side of Sable river, in the county of Queen's, N.S.? I brought this matter to the notice of the hon. gentleman, and I got the usual courteous reply, but that was the end of it. Will he now promise to extend the mail service in accordance with the requisition of my letter so that these 15 or 16 families may be accommodated? He cannot have his service the best in the world if he does not do that. These people belong to the best class of citizens in the country, the fishermen of the Dominion of Canada, and they have no postal service at all. Once in seven or ten days, they have got to cross the river in a boat of their own, and walk several miles to get the mail, and if the Government would provide that the mail should only go a few miles further they could get it much more conveniently, especially in the winter time. I hope the Minister will take into consideration the details I have laid before him in writing, and find his way clear to extend the mail service along that route.

Sir ADOLPHE CARON. When the hon. gentleman referred the matter to the department, I had it placed in the hands of the inspector, and until I receive a report from him, I cannot give the hon. gentleman an answer.

Mr. FORBES. That is a most indefinite answer, because the inspector had the matter before him many months ago. He will not even acknowledge the letters that were sent to him by the people of that district and by myself. I do not want to charge him with discourtesy, but I do charge him with negligence. I am glad to hear that the matter has got a step further than a year ago, and is now before the department. If the hon. Minister would place it in the hands of some other person than the present inspector of Nova Scotia there might be some hope of having it looked into shortly. I know the inspector of Nova Scotia and the Postmaster General is quite safe in leaving it in his

hands, if he does not intend to carry out the service the people want.

Mr. BRODEUR. Has there been a chief post office inspector yet appointed for the city of Montreal?

Sir ADOLPHE CARON. No.

Mr. BRODEUR. Is the office going to be abolished?

Sir ADOLPHE CARON. No, I do not expect it will be abolished.

Mr. BRODEUR. Mr. King has left that position for six or seven months, and I would like to know from the Government if they intend to put somebody else in his place? Montreal is the most important division in the country, and there should, I think, be an inspector there. We have there, for example, some very bad assistant inspectors, and I refer especially to Mr. Gervais. For my part I would have no confidence in such a man as Mr. Gervais. I believe that he is a man in whom we cannot have any confidence. It has been proven before the courts that this man Gervais has made a false report to the Government, and it has been proved also that he does not care about making investigations so long as his political tendencies dictate that he should not. It is the duty of the Government to appoint some responsible head for that department in order that there shall be more justice done in it than there has been for some months past.

Mr. DEVLIN. I would like to ask the Postmaster General if any steps have been taken to improve the mail service between Montreal and Buckingham? The hon. gentleman will remember that there was considerable discussion in the House last session with regard to this matter, and not only that, but that he was approached by deputation from the county of Ottawa asking for this improved mail service. He will also remember that at this special time he made some improvement in the mail service between Montreal and St. Scholastique. The demand for that improvement was made, I believe, by the hon. member for Two Mountains (Mr. Girouard), and about the same time I approached the Minister and his answer was: That the Government had not had sufficient time to consider the matter, but that they would immediately consider it. It is a considerable time since that answer was given. I now ask the Minister if anything has been done to improve the mail service between Montreal and Buckingham?

Sir ADOLPHE CARON. I hear no complaints about the mail service between Montreal and Buckingham, and as far as the department knows, not only are there no complaints, but the mail service between these two localities is quite equal to anything we have in any other locality. I do not

see what improvement we can make on that line between Montreal and Buckingham.

Mr. DEVLIN. The hon. gentleman will remember that a deputation composed of representative men of the county went in a body and laid the whole case before him, and he promised to take it into very serious consideration.

Sir ADOLPHE CARON. I did.

Mr. DEVLIN. Well, has any decision been arrived at?

Sir ADOLPHE CARON. I have told the hon. gentleman that the service is just as perfect as it can be made.

Mr. DEVLIN. I must take the hon. gentleman's answer as conclusive that St. Scholastique, because it happens to be in a county represented by a supporter of the Government, is to have a better service than Buckingham, although the revenue at the former place is very small, and the revenue at the latter place very large. To come to another question, may I ask the hon. Postmaster General if he has lately received any petitions from the Patrons of Industry of Lascelles and Rupert asking for better mail service for that section, and if any reply to those petitions has been given holding out any hope?

Sir ADOLPHE CARON. As to the conclusion which the hon. gentleman has arrived at, of course I am not responsible for it. The hon. gentleman stated that he had a perfect right to conclude from my statement that St. Scholastique had been treated differently from Buckingham. By what process the hon. gentleman has arrived at that conclusion is of course his affair, and not mine. As to the question of applications being made by the gentlemen to whom he has referred, I am not aware that any application has been made. If any has been made, it has been very recently, and I can say that no answer has been given promising that new accommodation.

Mr. DEVLIN. Very well. I might ask the hon. Minister of Justice if he was the recipient of a petition from the Patrons of Industry of Lascelles on the subject of improved mail service?

Sir JOHN THOMPSON. I do not remember.

Mr. DEVLIN. I was under the impression that both the Postmaster General and the Minister of Justice had been presented with these petitions. This is a long-standing grievance, and I think the Patrons of Industry sent a petition to the Minister of Justice asking him to intercede with the Post Office Department to have it considered. The Postmaster General, in speaking of this very excellent service, said that the only object he had in

Sir ADOLPHE CARON.

view was to promote the public convenience. A few days ago a question was put in this House, I think by the hon. member for Guysboro' (Mr. Fraser) in regard to changes that had recently been made at a point in the county of Pontiac called Vinton, and the answer of the hon. Postmaster General was that the change had been made in order to meet public convenience. The facts of this case, as I understand them, are as follows:—Vinton is a village situated seven miles from Coulonge and four miles from Campbell's Bay—lying between these two places. There is a post office at Coulonge and a post office at Campbell's Bay, and there was a post office at Vinton for many years, perhaps twenty years. The duties of this post office were discharged by a gentleman of the name of Gilchrist. He had occupied that post for a great many years, during which not a single charge was made against him. Recently, almost without notice, and under circumstances of a very trying nature, Mr. Gilchrist was notified by the department that his services would be no longer required, and the post office was closed. Mr. Gilchrist, having occupied the post office so long, could not very well undertake new duties; he was a cripple, having lost one arm many years ago, but he was able to attend remarkably well to the duties of postmaster at Vinton. It is said, but with what truth I do not know, that the friends of Mr. Gilchrist were not entirely in harmony with the political creed professed by the hon. Postmaster General. More than that, there was a building not far distant which belonged to a very prominent friend of the party in power, and which was about to become vacant. The result was that this man who had served the department so long and so faithfully, against whom no charge had ever been made, who was crippled, was discharged in order that the office and the position and its emoluments should be transferred to the building of that political favourite of the Government. The hon. gentleman, when questioned in the House in regard to this some time ago, replied that it was for public convenience. Let us examine and see. Vinton, as I said, is situated seven miles from Coulonge. Between Vinton and Coulonge the people were naturally served by the post offices of Vinton and Coulonge. Now, the hon. gentleman removes the office a little more than half a mile nearer to Campbell's Bay, bringing it only three and half miles from Campbell's Bay and making it seven and a half miles from Coulonge. If I criticise the action of the department, it is not with the intention of decrying my country. I simply criticise it because I think it is deserving of criticism. I would not object to the change if it had been in the interest of public convenience, but it is not. The fact is, the change was made to suit the convenience of a political favourite, and I put the case before the Postmaster General simply to show that after all his department is not administered solely for the convenience of the public.

Mr. CASEY. It is rather too bad to ask us to discuss all the details connected with the public service in one lump item like this. There should have been a separate item for each province and each service, so that we could conduct, in some systematic manner, the consideration of the different questions that have to be brought up. I have some information to ask of the hon. gentleman in continuation of the question I put to him some time ago as regards the St. Thomas Post Office. I asked whether the Postmaster received any allowance besides his salary, and whether the office was managed as a city post office. I was told that the salary was \$2,000, and that there was no allowance. I was told that the assistant postmaster was paid \$1,020, and the rest of the salaries were given in a lump sum. Has the Minister got the details of those other salaries? I understand from other sources that the allowances are very considerably below what you would expect, some as low as \$18 a month. The assistant postmaster (Mr. Boughner) managed the office during several months, and should have been promoted. All the salary he has is \$1,020, an amount which is given to employees of the inside branch of the service here, who are discharging comparatively unimportant functions. I wish to make this criticism in a friendly way. I have always maintained that promotion should be the rule in the civil service, and should be the reward of long service and proved efficiency. This young gentleman, the assistant postmaster, discharged the duties of postmaster efficiently for a considerable period between the death of the former postmaster and the appointment of the present one, and he had the best claim to the promotion. Instead of promoting the assistant postmaster, Mr. William Ingram, brother of the sitting member, was promoted from a position he held in the Customs at \$1,400, to that of a postmaster at a salary of \$2,000. Mr. Ingram had never rendered any particular service to the country before he got his first appointment, or even to the party until the last election. Mr. William Ingram took charge of the preparation of the voters' list at that election, and no doubt rendered very valuable services to his party in seeing that the lists made it much easier for his brother to be elected, and in reward for those services he was given the position of collector of customs at \$1,400 per year. Then the postmastership became vacant. It is alleged that the member for East Elgin (Mr. Ingram) wanted the position of postmaster for himself, but a strong petition was forwarded by Conservatives urging that this should not be done, because it would not do to open the constituency, and besides it would be giving too much to Mr. Ingram's family. As to whether such application was put in, the Postmaster General, no doubt, will know. At all events the constituency was not opened, and the brother of the sitting

member got the appointment. It is becoming too common that members of this House should have their relations appointed to office. A case was brought to the attention of the House the other day in which the son of the hon. member for East Northumberland was appointed to a post office. Now, I want to know if that petition I spoke of was sent in from St. Thomas, and also if there has been a petition asking to have St. Thomas made a city office, and what the intentions of the Government are in that respect, and, lastly, on what basis are the salaries of the assistant postmaster and the other officials in that office settled—are they fixed by the postmaster or by the department here?

Sir ADOLPHE CARON. I wish to say just one word in reference to the Vinton Postmaster. The hon. gentleman made an unjust charge in reference to the change which was made in that post office. I told the hon. gentleman exactly what took place. I stated that Vinton post office was not considered to be in a convenient place. The inspector was sent down there, and it was decided that the post office was not in a convenient place. His report came in. That report is accessible to any hon. gentleman who wishes to look at it. It was decided that the post office had to be changed, and it was changed, and placed in a locality which was more convenient for the public. That is why I stated that it was for the convenience of the public that the change took place. The hon. member for Elgin (Mr. Casey) inquires after the changes that have taken place in the St. Thomas post office. The hon. gentleman knows well, as do the rest of us, that there was a rumour that Mr. Ingram, brother of the present postmaster, wished to be appointed postmaster. These rumours must be taken with all due consideration, but not with too much consideration. The result, as a matter of fact, was the appointment of the brother of the sitting member for East Elgin. The hon. gentleman has asked me as to letters and petitions sent in. I would not be positive upon that point. I did not know that the hon. gentleman desired to get the information, otherwise I should have had it ready for him. I am always anxious to give any information respecting my department that I can consistently with my duty. I would not be sure that any formal petition came in, but I know that letters were written, some recommending one man and some recommending another. However, the result has been as I have stated. From a departmental standpoint, I can say that Mr. Ingram gives perfect satisfaction. The work of the department is carried on just as efficiently as we could desire. When the hon. gentleman questioned me before on this subject I stated that the postmaster's salary was \$2,000 per annum, in addition to which he was allowed \$1,020 for the assistant postmaster. I fully agree with what the hon. gentleman said

about the assistant postmaster. He is a very efficient officer. There is no complaint against him, and, further, there is no reason why there should be.

Mr. CASEY. He acted as postmaster.

Sir ADOLPHE CARON. Just as happens in cases all over the Dominion. When the postmaster dies or is removed, the duties of the office are very often carried on by the assistant until a new postmaster is appointed. The hon. gentleman knows well that not only under the present Government but under the former Government appointments have been made to these positions on the recommendation of friends of the Government. Now, when these recommendations lead to the appointment of a man who is perfectly qualified, I think there cannot be any objection to selection by that method. The hon. gentleman asked me if the postmaster received any commission or allowance. I stated that he received no other commission or allowance above his salary, except the amount mentioned for the assistant postmaster.

Mr. CASEY. How about the payment of the salaries of the other employees? You said something about that, I believe.

Sir ADOLPHE CARON. No; that is my answer, as given in the 'Hansard.'

Mr. CASEY. Can the hon. gentleman tell me about the other assistants, how they are paid?

Sir ADOLPHE CARON. It is not a city post office, so the postmaster would be called upon to pay for assistance, except the salary of the assistant postmaster.

Mr. CASEY. For instance, rent of boxes—does that go to the postmaster or to the department?

Sir ADOLPHE CARON. It goes to the postmaster. Out of that he is supposed to pay his assistants other than the assistant postmaster.

Mr. CASEY. Then I understand that Mr. Ingram gets a salary of \$2,000, and an allowance of \$1,020, and that the revenue of the boxes goes to the postmaster, and he pays his other assistants out of that.

Sir ADOLPHE CARON. Yes.

Mr. CASEY. How does this compare with the system adopted in other places of equal size—Stratford, for example?

Sir ADOLPHE CARON. The system is exactly the same as in other places.

Mr. CASEY. I do not expect the Minister to have, without notice, all the items that are asked for. I am asking for information simply so far as he can remember. The

Sir ADOLPHE CARON.

Minister describes the policy which has been heretofore adopted in Canada, of making these appointments purely political.

Sir ADOLPHE CARON. I did not say that.

Mr. CASEY. But appointments are made on the advice and recommendations of the member for the county, so that these appointments are political patronage. I do not say that has not been the rule under both Governments, but what I say is that it is not the best method. The principle of promotion is a sound principle, and I believe that in this case it would have given more satisfaction had the assistant postmaster been promoted to the position of postmaster. But, even if these appointments are to be made a matter of political patronage, I believe I am expressing the opinions of most of the people in St. Thomas when I say that a more satisfactory appointment might have been made. There are many others, whom it would be invidious to name personally, who had much greater claims on the party than the gentleman who has got the appointment. But that is a matter, of course, for the Government to settle with them.

Mr. PERRY. I want to draw the attention of the Postmaster General to the very inconvenient way in which the mails in summer are carried to the western portion of Prince Edward Island, west of Summerside, where there is a population of over 30,000 people. Would you believe, Mr. Chairman, that it takes four days for a letter to go from Shediac about 40 miles from Prince Edward Island, to the west end of the Island, and get an answer back again? It is the same train and same conveyance that carries the mail from here, and why not have our mails carried from Summerside directly west the moment they are landed and sorted in Summerside? Of course, Charlottetown is much better off, and I presume Georgetown is much better off also. They have special trains to carry the mail from Charlottetown, and the mail is assorted there, but the west end of the Island is left unprovided for. The mails remain in Summerside all night, and the next day they are carried to Tignish; the train only remains 35 minutes in Tignish, so that it is impossible for men doing business in Tignish to open their letters and write answers to send to Shediac, or St. John, or anywhere else across the Straits on the same day. Take St. John, N.B., for instance, with which place a great many of our people do business. It will take four days for a letter written in St. John to come to Tignish, or Port Hill, or Elmsdale, or anywhere west of Summerside. Now, is that fair? Could not the Government, with the assistance of the Postmaster General, take this matter into consideration? We knew the great importance of mail accommodation to people doing business. I dare say this is a new thing. I dare say the Postmaster General has not considered this matter. I know it is

difficult for the Government to consider everything. Perhaps the case has never been put before them; but I am happy to have an opportunity now to put this case before them, and I hope to have redress, if not now, at least by and by, after the session has closed. I hope the Postmaster General will see that the west end of Prince Edward Island is provided with proper mail accommodation. The fact of the matter is that I have heard people up west say that they were going to get up a special mail carrier with horse and wagon to take the mail from Summerside west on the arrival of the boat. The boat gets into Summerside about five o'clock, and there might be an arrangement made that the boat should get into Summerside with the mail about two o'clock, the mail leaving Summerside for Tignish so much earlier, and leaving Tignish a little earlier in the day to come back to Summerside in order to connect with the boat next morning. If that was carried out, the people would have no reason to grumble, but under present circumstances we have serious reason to complain. It is not a complaint of to-day, or of yesterday, it is a complaint of some years' standing, and I hope that the Government will take up the matter and give it their serious and favourable consideration at once.

Sir ADOLPHE CARON. This subject has been already brought under my notice by hon. gentlemen representing the Island; and I can tell the hon. gentleman that the inspector will be instructed to get all the information necessary so that the department can take up the matter and deal with it at the earliest possible moment.

Committee rose, and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1 o'clock a.m. (Wednesday.)

HOUSE OF COMMONS.

WEDNESDAY, 13th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

RELIEF OF ORLANDO G. JOHNSON.

Mr. METCALFE moved:

That Bill (No. 136) for the relief of Orlando G. Johnson be placed upon the Order paper for second reading on Thursday, 14th of June instant.

Motion agreed to.

MR. TURCOTTE, M.P.

The Serjeant-at-Arms. Mr. Speaker, I have the honour to report that J. B. Provost and

O. E. Larose, the witnesses named in the Orders of the Day of the 11th instant are now in my custody.

Sir JOHN THOMPSON moved:

That J. B. Provost and O. E. Larose be now brought to the Bar.

Motion agreed to.

Sir JOHN THOMPSON moved:

That the entries in the Journals of the House of Thursday last, the 7th June instant, and of Monday last, the 11th June instant, with respect to J. B. Provost and O. E. Larose, be now read at the Table.

The entries having been read,

(Extract from Journals of 7th June instant.)

Mr. DICKEY, from the Select Standing Committee on Privileges and Elections, presented the second report of the said Committee, which is as follows:—

The Committee have the honour to report that in pursuance of the reference made to them by the House on the 17th May last, in the matter of A. J. Turcotte, member for the electoral district of Montmorency, they deemed it necessary to summon amongst other witnesses one J. B. Provost, grocer, and one O. E. Larose, grocer, both of the city of Quebec; that on the 29th of May last the said J. B. Provost and O. E. Larose were summoned by telegram in the usual manner to appear on the 31st May, and though the Committee have proof that the said Provost and Larose personally received the said summons they both made default.

On the 31st May in pursuance of a resolution of the Committee the Clerk sent the sheriff of Quebec summonses in writing to the said Provost and Larose to appear before the Committee on the 7th June, with instructions to serve the same personally upon the said Provost and Larose. In pursuance with these instructions to the sheriff, as appears by the bailiff's return forwarded to the Clerk of the Committee, the said Provost and Larose were, on the second day of June last personally served with the said summons, but have again this day made default. As the Committee are of the opinion that the evidence to be given by the said Provost and Larose is material and necessary to the proper discharge of the duties laid upon the Committee, they beg to report the failure of the said Provost and Larose to obey the order of the Committee and request the action of the House thereon.

Mr. EDGAR moved, that J. B. Provost and O. E. Larose, the witnesses named in the second report of the Select Standing Committee on Privileges and Elections submitted to this House this day, be ordered to attend at the Bar of this House on Monday, the eleventh day of June, 1894, at the hour of three o'clock in the afternoon; which was agreed to.

(Extract from Journals of 11th June instant.)

The Order of the Day being read for the attendance at the Bar of the House of Jean Baptiste Provost and Omer Edouard Larose;

The Serjeant-at-Arms reported that they were not in attendance.

Mr. SPEAKER then informed the House, that in obedience to the order of the House of Thursday last, the 7th instant, the clerk forwarded telegrams to J. B. Provost and O. E. Larose informing them

of the order requiring them to attend at the Bar of the House on Monday, the eleventh instant, at three o'clock p.m., and that the telegraph company had duly informed him of the personal delivery of the messages to the parties in question.

The Clerk also forwarded copies in duplicate of the Order of the House, to the sheriff of the city of Quebec, for service on the said J. B. Provost and O. E. Larose, and he received from that officer certified copies of the service of the Order on the said persons.

Sir JOHN THOMPSON moved, That the witnesses in question not having attended at the Bar of the House, in accordance with the order of the House of the 7th day of June instant, Mr. Speaker do issue his warrant for their arrest in order that they may be brought to the Bar of the House at the earliest possible moment; which was agreed to.

Sir JOHN THOMPSON moved that Mr. J. B. Provost be asked the following question:—

Have you any explanation to offer of your disobedience to the summons of the Select Standing Committee on Privileges and Elections of this House requiring your attendance before the committee, and of the Order of the House requiring your attendance at the Bar of the House?

Motion agreed to, and Mr. Speaker put the question.

Mr. J. B. Provost replied:

(Translation.)

May it please this Honourable House:

The reasons which have prevented me, until this day, from complying with the wish of the Committee on Privileges and Elections are the following:

1st. The sister of my partner, Mr. Larose, had been dangerously ill for several days, and he was compelled to be with her day and night. Her illness was of so serious a character that she died on the night of the 11th to the 12th instant. During the absence of Mr. Larose it was absolutely necessary that I should stay at my establishment, and attend to my business, having no one but young clerks in my store.

2nd. Another reason which prevented me from coming here to give my evidence was the repugnance I felt to coming here to testify in a matter in which my relative and former partner was implicated. From what I saw in the newspapers and from what was said in Quebec, I was under the impression that the proceedings before the Committee on Privileges and Elections would not be followed up, and that, therefore, my evidence would not be necessary.

I declare that I respect the authority of the House, and I regret having rendered it necessary for the House to act with severity towards me.

I am here at the disposal of the House and ready to give my evidence on any day and at any hour the House may appoint.

Sir JOHN THOMPSON moved that the following question be put to Mr. J. B. Provost:—

Are you prepared to undertake to the House that you will, if relieved from custody, attend and
Sir JOHN THOMPSON.

testify before the Select Standing Committee on Privileges and Elections at the first meeting of the committee, and at each meeting thereafter, until relieved from further attendance?

Motion agreed to, and Mr. Speaker put the question.

Mr. J. B. Provost. Yes, Sir.

Sir JOHN THOMPSON moved that Mr. O. E. Larose be asked the following question:—

Have you any explanation to offer of your disobedience to the summons of the Select Standing Committee on Privileges and Elections of this House, requiring your attendance before the committee, and of the order of the House requiring your attendance at the Bar of the House?

Motion agreed to, and Mr. Speaker put the question.

Mr. O. E. Larose replied:

(Translation.)

May it please this Honourable House:

If I have not heretofore complied with the desire of the House, and if I have disobeyed its orders, it was for reasons of which the House will not, I feel convinced, fail to appreciate the value.

For several days, one of my sisters, who died at Quebec during the night of the 11th to the 12th instant, was dangerously ill. I had to remain at her bedside, in attendance upon her, day and night, and during that time my partner, Mr. J. B. Provost, was alone at our store attending to our business.

Another consideration which prevented me from coming here to give my evidence before the Committee on Privileges and Elections, was the repugnance I felt in giving evidence in a matter which concerned Mr. Arthur Turcotte, my former employer, with whom I have always been on excellent terms.

I am here at the disposal of the House, and prepared to testify before the Committee on any day or at any hour appointed by the House.

Sir JOHN THOMPSON moved that Mr. O. E. Larose be asked the following question:—

Are you prepared to undertake to the House that you will, if relieved from custody, attend and testify before the Select Standing Committee on Privileges and Elections at the first meeting of the committee, and at each meeting thereafter, until relieved from further attendance?

Mr. O. E. Larose. Yes, Sir; I am ready.

Sir JOHN THOMPSON. Under these circumstances, I move that these two gentlemen be discharged from the custody of the Serjeant-at-Arms.

Motion agreed to.

CANADIAN VOLUNTEERS OF 1837-38.

Mr. McLENNAN asked: 1. Whether the Government is aware that any answer has been returned, and if so, of what nature, to the memorial presented to the late Governor General of Canada, Earl Derby, on July 7th, 1892, by a committee of members of the House of Commons appointed for

that purpose, in which it was submitted that the services of the Canadian volunteers of 1837-38 were rendered in the cause of the British Empire in response to the call of Imperial officers and that some recognition is due to the loyalty and services of the brave men who so nobly responded to the call of duty in upholding and preserving peace and order in our country and in repelling foreign invaders therefrom, to which services we owe to-day a continuance of our nationality as citizens of the British Empire of which we are all so justly proud; and expressing the hope that through His Excellency's good offices Her Majesty would be pleased to bestow a medal on each of the surviving volunteers who was engaged on military duty in defence of Her Majesty's territory in Upper and Lower Canada in 1837-38. 2. What decision, if any, has the Government arrived at with respect to the petition signed by seventy members of the House of Commons, and presented to it in July, 1892, praying that justice be done to the claims of the surviving veterans, who in 1837-38 volunteered for military service and by force of arms defended from invasion and internal disorder Her Majesty's possessions in Upper and Lower Canada, and urging that the Government should grant some substantial recognition in lands or money to each of the surviving volunteers who was then engaged in military duty in defence of Her Majesty's territory? 3. Is it the intention of the Government to give effect to the promises contained in the proclamation dated the 18th or 19th December, 1837, issued by Sir Francis Bond Head, the then Lieutenant-Governor of Upper Canada, calling out the militia to quell the insurrection and repel invasion from the United States, in which proclamation Sir Francis Bond Head in his official capacity promised to those who would enlist, £2 per month during their period of service, together with 100 to 200 acres of land; as set forth in the petitions presented to His Excellency the Governor General in Council by the surviving veterans of 1837-38? 4. Is the Government aware that compensation to the extent of \$4,000 was granted by the Legislative Assembly of the province of Ontario during the session of 1873 to the family of the late Colonel Baldwin, who was instrumental in raising a corps for the defence of this country in 1837, and also that compensation was granted by the said Legislative Assembly of Ontario during the session of 1874 to one John Montgomery, a notorious rebel who took an active part in furthering the rebellion of 1837-38? If so, has any demand or request been preferred by the Government of the province of Ontario to this Government to recoup that province the amounts of said grants of compensation, or either of such grants, and if such demand or request has been preferred by the Government of the province of Ontario, what steps have been taken by the Government of Canada in reference thereto?

Mr. PATTERSON (Huron). Mr. Speaker, a memorial signed by Robert Allan and others was communicated in a letter dated 3rd September, 1892, from Messrs. H. Corby, M.P., and W. B. Northrup, M.P., to His Excellency the Governor General, which was laid before the Governor-in-Council, and upon a report signed by the then Minister of Militia and Defence, the Hon. Mackenzie Bowell, it was stated that this matter had been before the Council upon several previous occasions, and that it had been decided some years previously that the question was a matter which affected the old provinces of Upper and Lower Canada. After that decision, the then Minister of Militia and Defence was unable to make any further recommendation to the Council. The second question has already been answered. It is not the intention of the Government to give effect to alleged promises made by Sir Francis Bond Head. There is no record that those promises were ever made; if made, they should be carried out by the Government of the province of Ontario, which province was responsible for any promises that may have been made by the then Government of Upper Canada. Sir Francis Bond Head's narrative covers the whole period of those troubles, and is very abundant in its details. It contains no allusion whatever to any promises made by him, or by any other persons in authority on his behalf. He speaks of the volunteers as having put themselves at the disposal of the Government upon their own impulsion with "a noble zeal" and perfect devotion to the Crown, and not as being incited by any promises whatever. As regards the governmental action, the records of the Legislature of Ontario show that the sum of \$4,000 was voted to the family of the late Col. Baldwin to compensate them for expenses incurred by that officer in the discharge of his military duties during the troubles of 1837-38. There was further the sum of \$3,000 paid to the family of one John Montgomery, for loss and damage sustained at that time, also authorized by the Government of the province of Ontario. No demand has at any time been made by the Government of the province of Ontario upon the Dominion Government to be recouped for those expenditures on behalf of Col. Baldwin or John Montgomery, and this is taken as an additional ground for maintaining that the Ontario Government is the proper source to look to for recompense to any of the volunteers from that province who served during that period. The Government disclaims any responsibility in the matter, and while they appreciate the noble services of the old veterans, and regret that it is not within their power to ask this Parliament to appropriate any sum in recognition of their very great services to the Crown, still they trust that the veterans will avail themselves of the opportunity afforded and the precedents which have been established to apply to the Ontario Government to be recognized by them, as they should be recognized.

ROBBERIES ON THE INTERCOLONIAL RAILWAY.

Mr. CHOQUETTE asked, Is the Government informed: 1. That considerable robberies have been committed for some years, and especially within the last few days, in the sheds and cars of the Intercolonial Railway at Rivière du Loup? 2. Have measures been taken to discover the guilty parties? 3. If so, what measures, and what arrests have been made? 4. If supposed guilty parties have been arrested, who are they, and how have they been dealt with? 5. Has information been given by any one or more of the old employees of the Intercolonial at Rivière du Loup? 6. Has the Government already paid any claims, arising from the said robberies, which caused losses to the merchants of Rivière du Loup or elsewhere; if so, to what amount; are any claims now pending before the Government in reference to this matter?

Mr. HAGGART. Yes. The Government have been informed that considerable robberies have been committed for some years, and especially of late on the line of the Intercolonial Railway. Measures have been taken to discover the guilty parties. Officers have been appointed to investigate, and upon information obtained, ex-porter G. Dufour, of Rivière du Loup, Léon Dubé, son-in-law of Dufour, and ex-machinist at the same station, were arrested, and large quantities of the stolen goods were found in their possession. They were to be tried on the 11th inst. The officers employed especially to investigate are the persons who made the discovery on which action was taken. Yes. The Government have paid since March last claims amounting to \$252.70 for goods supposed to have been stolen at Rivière du Loup, and claims for \$123 for goods supposed to have been stolen are under investigation.

BORINGS ACROSS THE STRAITS OF NORTHUMBERLAND.

Mr. PERRY asked, Have borings across the Straits of Northumberland between Cape Traverse, Prince Edward Island, and Cape Tormentine, New Brunswick, been commenced for this season? If so, who has the contract? Are all the borings contracted for, and for what sum?

Mr. FOSTER. The contractors, I understand, were to commence the borings yesterday, the 12th inst. McRea & Co., of Ottawa, are the contractors, and all the borings are contracted for. The contract price is \$6,000.

Mr. DAVIES (P.E.I.) Will half of them be done before the elections?

Mr. FOSTER. I hope so.

Mr. PATTERSON (Huron).

ATLANTIC TERMINUS OF THE FAST ATLANTIC STEAMSHIPS.

Mr. CAMERON asked, 1. What, if any, representations have been made to the Government in favour of Terminal City, Strait of Canso, province of Nova Scotia, as the Atlantic terminus of the fast Atlantic steamship service? 2. By whom were such representations made? 3. What special inducements were offered with a view of having that port adopted? 4. Has the Government determined where the terminus of the line shall be? If not, when will this question be decided? 5. Will there be an opportunity given persons interested in that port, for negotiations with the Government and steamship company, before the question is finally decided?

Sir JOHN THOMPSON. Representations have been made to the Government in favour of Terminal City, Strait of Canso, province of Nova Scotia, as the Atlantic terminus of the fast Atlantic steamship service. Those representations were made by petitions presented by Mr. J. G. Forbes. The special inducements offered with a view to having that port adopted were its proximity to Europe, and the facilities it afforded for harbour purposes, and for steamship communication as well. The Government have not determined where the terminus shall be, because that question has to be very largely determined by the company that shall undertake the service. There is always an opportunity to persons interested in any port, when negotiations are open with a steamship company, to press the claims of the port before the question is finally settled.

THE BOARD OF CUSTOMS.

Mr. L'ANGELIER asked, Has the Board of Customs, constituted by subsection 2 of section 4 of the Customs Act, held any meeting previous to the 21st of May, 1894, and has it as such given any decisions on questions or difficulties referred to it by the parties concerned? If so, in what instances?

Mr. FOSTER. To the first question, the answer is, yes; to the second, yes; to the third, there are so many that it would be impossible to enumerate them.

JOHN G. GRANT.

Mr. O'BRIEN (for Mr. McCarthy) asked, 1. Has the landing-walter at Barrie, Mr. John G. Grant, been dismissed? 2. If so, when? 3. Has any person been appointed to fill the vacancy? If so, is it the intention to appoint any person to the position, and what is the cause of the delay in making the appointment?

Mr. FOSTER. John G. Grant, the late sub-collector of Customs at Barrie, has been dismissed. His dismissal dates from the

date of his suspension, namely, 1st December, 1893; the Order in Council is dated 12th March, 1894. Since the date of the suspension of the sub-collector the position has been temporarily filled. The officer who at present fills the position of sub-collector is R. H. P. Brown, by temporary appointment.

THE CENSUS RETURNS.

Sir RICHARD CARTWRIGHT. I may remind the Minister of Justice that he promised to give an answer in reply to a question I put to him on the subject of the census papers.

Sir JOHN THOMPSON. Yes. I spoke to the Minister of Agriculture on the subject, and he is having prepared for me a memorandum with respect to the cases mentioned by the hon. member for King's (Mr. Borden) yesterday. So soon as I receive that memorandum I propose to read it to the House. I shall probably receive it to-morrow or the day after.

SUPPLY—EXPORT DUTY ON LOGS.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. BENNETT. I wish to ask the First Minister a question relative to a matter which is not by any means new to this House, as regards certain phases of it; although the new phase that may be presented to-day is, I think, a new one and one to be deeply and sincerely regretted. The question of the imposition, by the Canadian Government, of an export duty on logs with a view of preventing their shipment from this country to the United States, and with a view to cause their manufacture in this country, has been very fully and very completely discussed by hon. gentlemen on both sides of this House. In that connection the Government, I regret to say, have not seen fit to accede to the wishes of hon. gentlemen who together with myself have asked that such export duty be placed upon logs. In arriving at that decision, I assume and I believe that they have been prompted to do so by reason of representations, statements and facts that have been from time to time placed before the House, more particularly by the hon. member for North Norfolk (Mr. Charlton). On these representations, I regret to say the Government have not interfered, and if to-day I can convince the Premier and his colleagues that those statements are not in the main correct, and if on the evidence of the hon. member for North Norfolk (Mr. Charlton) himself I can contradict and refute those statements; then I would ask the interference of the Government in the line we have suggested. Now, Sir, the United States Government recently and before the changes were made in their tariff that have been

made, caused to be sent throughout the country inquiries as to the proposed changes in the tariff. I hold in my hand a number of inquiries and replies in this respect which have been printed by the United States Government. Among other persons who, in the exercise of the privilege that was afforded them, and in their desire, no doubt, to furnish such information, was the hon. member for North Norfolk (Mr. Charlton), and he presented to the United States Government a memorial, which reads as follows:—

I wish to make a brief communication with reference to the provisions in the Wilson Bill regarding Canadian log export duties. A large trade in the supply of American saw-mills from the Canadian forests now exists. The saw-mills of eastern Michigan, at Saginaw, Bay City, Tawas, Alpena, &c., are largely dependent upon the Canadian forests north of Georgian Bay for their log supply. Canadian logs are also furnished to mills in northern Ohio and western New York. This trade last year amounted, in round numbers, to \$5,000,000. The Canadian Government has shown hostility to the exportation of logs, and an export duty was first imposed in 1866, and was continued until 1890, when, under the statutory offer of the McKinley Bill, which provided that countries not imposing an export duty should receive admission for their lumber into the American market at a lower rate than countries imposing such duty, the export duties were rescinded by the Canadian Government. The Mills Bill contained a provision as follows: "Provided, that if any export duty is laid upon the above mentioned articles, or either of them, by any country whence imported, all said articles imported from said country, shall be subject to duty as now provided by law."

The McKinley Bill also contained, as above mentioned, a similar proviso under the operation of which the removal of the export duty by the Canadian Government was secured. The Wilson Bill is supposed to follow in the same line, but the proviso contained in that Bill will not reach the purposes intended, but if the interpretation of your memorialist is correct, will result in the imposition of American duties upon the article only that Canadian export duties are imposed upon, thereby supplementing the Canadian export duty, and furthering the purpose of the Canadian Government.

It is respectfully submitted that this proviso should read as follows: Provided, that if any export duty be laid by any foreign country upon any of the articles mentioned in paragraphs 672 to 683, inclusive, then all said articles imported from said country shall be subjected to the duties existing prior to the passage of this Act.

Should this proviso be inserted, it will inevitably prevent the imposition of an export duty by the Canadian Government. It is that provision which the entire lumber trade in Michigan, Ohio and New York, dependent more or less upon Canadian supply for logs, is anxious to be inserted in the Bill.

Mr. Charlton accompanied his petition by a memorandum relative to lumber and Canadian importations, in which he stated that the public domain (including timber) is the property of the

provinces in Nova Scotia, New Brunswick, Quebec, Ontario and British Columbia. Licenses for cutting timber in Ontario and in most of the other provinces are sold at auction by the respective Provincial Governments to the highest bidder, subject to the conditions of the payment of Crown duties upon timber cut, which in Ontario is \$1 per 1,000 on all licenses granted prior to 1893, and \$3 per annum ground rent per square mile; and in Quebec, \$1.25 per 1,000 Crown dues and \$3 per square mile annual ground rent.

It is claimed by license holders, said Mr. Charlton, "that the rate of Crown dues and ground rent are a condition of sale and can not be advanced. This view of the case was practically admitted by the Government of Ontario last year, when at a timber sale held in Toronto the Crown dues upon the territory then brought into market was fixed at \$1.25 per 1,000 and all territory previously brought into market was left undisturbed.

The imposition of export duties on lumber is a prerogative of the Dominion Government. Such duties were first imposed in 1866 upon logs and shingle bolts, and were continued, with variations as to amount, until 1890, when, under the statutory offer of the McKinley Bill, providing for the reduction of the pine duty to \$1, in the case of any country not imposing export duties, the Canadian Government abolished the duty.

The reimposition of the duty by the Canadian Government can only be prevented by a similar clause in the future; putting back at the old duty all articles in the wood schedule, if export duty is imposed upon any of them.

The saw-mills of the Saginaw Valley, and other points in eastern Michigan, are now almost entirely dependent upon the forests of Canada for a supply of logs. The importation of logs from Canada for Michigan, Ohio and western New York mills was not less than \$5,000,000 in 1893, and the reimposition of the Canadian export duty would be most disastrous to this extensive American interest."

Now, Mr. Speaker, the hon. member for North Norfolk, as was his right and as was his privilege, not only as a member of this House expressing his own opinion, but interested as he was interested, demanded in this House that no export duty should be levied, for fear that there should be retaliation by the Government of the United States by a return to the increased duty on lumber shipped from this country to the United States. That point has been urged strongly and upon more than one occasion by that hon. gentleman, and as a result the Government have, I believe, refrained up to the present from placing that duty upon lumber. In support of that statement and in support of his contention, the hon. gentleman has argued that the people of the United States are in no manner dependent upon the people of Canada for their supply of white pine lumber, and as reported in 'Hansard,' the hon. gentleman made this statement:

Therefore, it is apparent the American market is a necessity for us, and that necessity is growing greater. It is asserted they must have our lumber,

Mr. BENNETT.

and impose what restrictions we may, that they will come over for our lumber. This is a mistake.

And in support of that statement the hon. member instanced the fact, that the port of Oswego, which is a great distributing point for lumber in the United States, had formerly imported from Canada 60,000,000 feet of lumber, and that by reason of the competition of southern pine, that quantity has been reduced to 20,000,000 feet. Now, in the face of that statement, I am free to admit that the Government were perhaps prudent in refusing to impose that export duty upon logs, but I appeal to the House to ask, which statement of the hon. gentleman (Mr. Charlton) is to be or is not to be considered true. Is his statement that the people of the United States do not want our lumber true, or is the statement made in this memorial to the United States true: that the people of the United States were dependent almost entirely upon the lumber of Canada? Because if they were dependent upon the logs of Canada, it must of necessity follow that the product of the logs was what they really wanted. Now, the hon. gentleman saw what the position of the Wilson Bill was, as he states in his memorial, and it was this, that if the Government of Canada imposed a duty on saw-logs, the result would inevitably be that there would be a duty imposed upon our white pine going into the United States. He saw that if that were all that were done, it probably would pass; and so, in his desperation, he appeals to the American Government—to do what? Not to encourage freer trade relations between the two countries; not to take off spruce lumber the duty of \$2 a thousand that existed; but to have duties placed against all the articles that were enumerated from clauses 1872 to 1883, when it was proposed under the Wilson Bill to admit all these articles free of duty. What was the result? The result was that those interested in the shipment of spruce to the United States were roused up to action, when the hon. gentleman succeeded in inducing the Government of the United States to threaten to impose a duty of \$2 a thousand upon spruce timber, instead of admitting it free. Now, Sir, the remarks I have made here to-day are not made, as the hon. gentleman will doubtless allege, in a spiteful or vindictive spirit. I say that the day has come when the Government should take the hon. gentleman at his word, in this matter, and accept the truth of his statement that the people of the United States must have our lumber; and if the Government are going to regard what the hon. gentleman has said, it must of necessity follow that an export duty will be levied, and that at once. Now, what is the hon. gentleman's position? He stands to-day in this House as a representative of a Canadian constituency. He has, time and again, asserted in this House that his interests

are Canadian, that his aims have always been loyal and patriotic. Time and again hon. gentlemen have heard him assert that on his Washington pilgrimages he has ever endeavoured to do—what? Not to stir up a feeling of hostility on the part of the United States Government against us, but to pave the way for friendly trade relations between these two countries; and yet, in the overtures he was making by this memorial, he was asking that the spruce lumber of this country should have levied against it a duty of \$2 a thousand, and that all the articles enumerated in the schedule should be retained, subject to duty. The hon. gentleman for once was not shrewd. The hon. gentleman is particularly unfortunate. It happens that everything he writes falls into the hands of those who he should wish should not see them. Had the hon. gentleman been as shrewd as most of those who contributed, he would have made the request many of them did, that their names should be suppressed. Perhaps it was the overweening vanity of the hon. gentleman to see his name in print that induced him to ask that the memorial should be published in extenso. I have nothing to say against the hon. gentleman, personally, but I have everything to say against him as a representative of a Canadian constituency sitting in this Parliament for his action in this regard. I say it is a startling disgrace that any of our public men should besmirch the reputation of their country; and to-day the duty devolves upon the leader of the Opposition either to disavow the hon. gentleman or back up the sentiments he has expressed in this memorial. I know it will be an easy task for the hon. leader of the Opposition to taboo the hon. member for North Norfolk, because he, upon his part, certainly owes no kindness, no good-will, to that hon. gentleman. Why, the hon. member for North Norfolk went so far as to stab the hon. leader of the Opposition in one of those most unfortunate letters of his which have fallen into the hands of his opponents. Why, Sir, when the hon. leader of the Opposition was standing before the public, and before his party friends in his endeavour to give strength and reputation to his party, and when the hon. member for West Ontario (Mr. Edgar), who, I will be bound to say, stands higher in the estimation of hon. gentlemen opposite than does the hon. member for North Norfolk—when those hon. gentlemen were doing all in their power to advance the party interests, what was the hon. member for North Norfolk, Judas Iscariot-like, writing about them? This is his letter:

With a French Catholic leader and under the manipulation of such unscrupulous machine politicians as J. D. Edgar et al, I have not the utmost confidence in the immediate future of the Reform party. Excuse my delay in writing you. I have been away from home, and very busy most of the time.

Very truly yours,
JOHN CHARLTON.

Now, Sir, is it not a surprising thing to see a Canadian parliamentarian making approaches to an unfriendly country—because the United States have shown themselves unfriendly in many trade matters—endeavouring to induce the Government of that country to do this country all the harm they possibly can? The hon. gentleman is a reader of American history. I believe, Sir, he admires American great men; and I can only tell him this, that among all the great men of American history, there is only one character that will compare with him, and that is Benedict Arnold. Sir, the hon. gentleman has proved himself false to his leader, false to his party, and false to the country; and I am bound to say that with the record which he has behind him to-day he dare not face his riding. Now, Sir, I say again—and I appeal to the Government—that the time has not yet gone past for taking action in the matter of this export duty. I have shown to-day, conclusively and fully, by the hon. member for North Norfolk, that the time has arrived when the American people must have our lumber; and that being the crucial point in the matter, the time for the Government to interfere is the present. I do not mind what the hon. gentleman may say in regard to myself, as to my being spiteful and vindictive in this matter. Sir, I do not arrogate to myself the right of bringing up this matter in the House to-day, because, had I not done so, I cannot help feeling that, by reason of the respect in which the hon. members of this House hold themselves as Canadians and as representatives of the people in a Canadian Parliament, this matter would have been brought before the House to-day by some hon. member; and if any punishment can be imposed upon the hon. gentleman, it should be imposed. I am pleased to believe that the hon. member for North Norfolk does not voice the sentiments of the great Reform party, and I shall be pleased to-day to see the hon. leader of the Opposition rise in his place and say that he repudiates fully, and in every detail, the doctrines stated in this memorial by that hon. member.

Mr. CHARLTON. Mr. Speaker, I owe the hon. gentleman from Simcoe (Mr. Bennett) thanks for having brought to the attention of the House the article which appeared in the 'Empire' of yesterday, and which he has read, and I shall take the liberty this afternoon, in reply to the hon. gentleman, of reviewing briefly this whole question pertaining to the export duty, as it will be necessary to do, in order to place myself fairly and properly before the House and before the country. The statement made by the hon. gentleman that export duties were first imposed by the Canadian Government in 1866 is correct. From 1866 to 1890 they continued in force, and the condition of the trade in logs was briefly this. We were exporting to the United States a paltry amount of round timber from

Lake Erie, and during the most of that time our export never exceeded 30,000,000 feet a year. It was a class of timber not carried across the lakes for the purpose of being converted into lumber, but of being converted into special building bridge, and other timbers wanted at the points where it was sawn in Buffalo and along the Erie Canal, and while this insignificant trade was aimed at the export duty, we were, during all that time, importing from the United States, down the St. John River, annually, four or five times as much timber as our total export to the United States. This timber afforded employment to Canadian labour from the time it was taken from the stump in the woods and driven down the river until sawn in the mills at St. John. The whole business was done by Canadian labour. Canadian labour took out the timber, brought it down the river, and converted it into lumber in the mills, and for every dollar we lost in labour by timber being exported to the United States, we received ten dollars in return for labour in this branch of the business on the St. John, without reference to any other business whatever. In the business of exporting logs, the Americans merely had the advantage of the saw-mill work. But in the St. John business, the Canadian labourer had the advantage of all the work on the logs, from the time they were taken off the stump until converted into lumber. In my riding, where most of the export business was carried on, during this period, the operation of the export duty worked with particular hardship on the settler. The export duty on logs, shingles, bolts, stove bolts and pail wood was particularly felt by the poor settlers of that country, who had bought land that had been lumbered over, and who could make shingle bolts or pail wood from the refuse. This they were prevented doing, with any great profit, by the operation of the export duty. The export duty was very oppressive and injurious to the interests of the country, where it applied in any way to the business of the country at all. I repeat that we were importing from the United States vastly more timber during all that period than we exported to the United States, and the balance of trade never turned in favour of the United States in this respect until two years ago, so that there was no reason whatever for the existence or continuance of the export duty. The American Government became aware of this condition of things, though not as soon as they might have done. They did not become aware of it until shortly before the introduction of the Mills Bill; and naturally the fact that the Canadian Government imposed an export duty, and the fact that the United States constitution prohibited their imposing an export duty of any kind, so that they were unable to retaliate in kind—the existence of this condition of things naturally led the Americans to provide some means of checking this movement and retaliating for what was actually an unjust imposition, consider-

Mr. CHARLTON.

ing the condition of the trade. The Mills Bill provided that lumber should be placed on the free list, but it made the provision in that connection that no country should take advantage of the reduction which imposed an export duty on logs. That Bill failed to carry; and when the McKinley Bill was brought down from the Committee on Ways and Means, after long discussion in that committee, it provided that there should be conditions imposed with regard to the importation of lumber from countries imposing an export duty that were unfavourable to such countries. I am sorry that the time for raising this question is very inopportune, but I am not responsible for that. It is inopportune in consequence of the progress of matters in the Senate and of the fact that the Wilson Bill has not yet become law. I visited Washington at the time the McKinley Bill was under consideration. I made an arrangement with the lumber king of Wisconsin, Philetus Sawyer, a member of the United States Senate, and the member of the Senate who had charge of the lumber affairs in that House; and by that arrangement it was provided that the Canadian Government would be invited to declare that if the United States Government reduced, under the McKinley Bill, the duty upon lumber to \$1 per thousand feet, the Canadian Government would remove the export duty. I came to Ottawa, and you, yourself, Mr. Speaker, and I had an interview with Sir John Macdonald, and we impressed upon Sir John Macdonald the fact that the lumber trade of Canada was interested in getting this great concession, and that the export duty, under the condition of things, was a duty it was hardly fair for us to maintain, as in no case was the export of logs from Canada greater than the imports. And Sir John Macdonald authorized you, Sir, to put a notice on the Notice paper asking the Government whether, in the event of the United States Government reducing the duty upon lumber, the Canadian Government would remove the export duty. That question was put upon the Notice paper. It was asked in your absence, Mr. Speaker, by the hon. member for Pontiac, and the reply was that the Government of Canada would remove the export duty in the event of the American Government reducing the duty upon lumber to \$1. Now, I am perfectly free to admit that I was in Washington and had something to do with this arrangement, and that if it was a good arrangement I deserve some credit, and if bad, I deserve condemnation. The arrangement was duly carried out, although the American Government, through the influence exerted by the Senators from Maine, was guilty of bad faith in the matter, and did not reduce the duty upon spruce as they should have, but only upon sawn pine, while the Bill obliged Canada to abandon the duty upon pine and spruce logs in order to take advantage of the concession at all. But it was thought proper

by Sir John Macdonald—and, I think, wisely so—to accept the offer in that shape, and the pine lumber of this country received the advantage of the reduction of duties from \$2 to \$1 per thousand feet. That is the history of the McKinley arrangement, and that arrangement is still in force. Lumber still goes to the United States subject to the duty of \$1 per thousand on the condition that this country shall not impose an export duty on logs. If we should impose an export duty, the American duty on lumber will go up to \$2 a thousand feet under the provision of the present law.

The Wilson Bill has been under consideration some time. That Bill proposed to carry out the promises of the Democratic party by giving the United States free lumber, free sugar, free coal, and free iron ore. But by combinations in the United States Senate, where a narrow majority exists, free sugar, coal and iron ore have been lost. Free iron ore was lost through the influence of one solitary senator—Senator Brice of Ohio, the only Democratic representative of the Senate in that state. Ohio was interested in the conversion of ore into pig iron, and Ohio's capitalists were interested in iron mines in the Michigan iron district, and Senator Brice was opposed to the admission of iron ore free, which caused the loss of that provision, and the opposition of the Louisiana Democratic senators caused the loss of the provision with regard to free sugar. Now, the position with regard to lumber was this: If the lumber interest of the state of Michigan, which is the most wealthy and most powerful lumber interest in the United States, could be arrayed in favour of free lumber, we were likely to get it; but if the lumber interest of Michigan was to be arrayed against free lumber, we were almost certain to lose it, just as we lost free iron through the opposition of one Democratic senator from Ohio. The question was, how was the lumber interest of Michigan to be induced to favour the concession of free lumber in the Wilson Bill. They had demanded this export duty provision in the Mills Bill: they had been favourable to the similar provision in the McKinley Bill. But it is certain that if the arrangement demanded with regard to export duty on logs going into the United States were not carried out the Michigan lumber interest would have been thrown against free lumber and free lumber would have been lost. Now, Sir, the arrangement has been made in such a way that the Michigan lumber interest has been arrayed in favour of free lumber, and the influence of that interest has been secured through the provision in the Wilson Bill that any country imposing an export duty upon logs should lose the benefits offered on every article in the wood schedule.

Mr. WHITE (Cardwell). Perhaps the hon. gentleman will allow me to ask him a question?

Mr. CHARLTON. Certainly.

Mr. WHITE (Cardwell). How many of the two senators from Michigan are Democrats?

Mr. CHARLTON. Neither of them. But, Sir, the Michigan lumber interest could have influenced Senator Brice; it could have influenced other senators from the lumber states of the south. I say, and I understand what I am talking about—

Some hon. MEMBERS. Hear, hear.

Mr. CHARLTON. Yes, I understand what I am talking about. I say that the Michigan influence was the key to the situation, and if the Michigan lumber interest threw its influence against free lumber, free lumber could not be carried. The Michigan influence was secured in favour of free lumber through the provision in the Wilson Bill regarding the export duty that if any country imposed an export duty upon any article in the wood schedule, a retaliatory import duty should be imposed upon all the articles in the schedule coming from that country. This was, in point of fact, a trade in which we gave free logs; and we got, what? We got free logs, the same as we gave, free round unmanufactured timber, free firewood, free handle bolts, heading bolts, stave bolts and shingle bolts, hop poles, fence posts, railroad ties, ship timber and ship planking, hewn and sawed timber used for spars and in building wharfs, timber, squared or sided, sawed boards, planks, deals and other timber, pine clap-boards, spruce clap-boards, hubs for wheels, posts, last-blocks, wagon blocks, oar blocks, gun blocks, heading and all like blocks, laths, pickets or palings, staves of all kinds, and wood unmanufactured, which included pulp wood. We got all this and in addition, free, planed lumber. All this we got for a provision which gave the Americans free logs of which to-day we receive almost as many from them as they do from us.

Mr. McALISTER. I would ask the hon. gentleman to what port or place logs are imported from the United States?

Mr. CHARLTON. They are sent down the St. John River from the state of Maine, and sawed on the Canadian side. Also on the Rainy River American logs are sawed in Canadian mills.

Mr. HAZEN. The hon. gentleman will allow me to ask a question—surely he does not regard that as an importation?

Mr. CHARLTON. Certainly.

Mr. HAZEN. These logs are not imported for use in Canada. They are cut on the head waters of the St. John River, sawed and the lumber sent back. The lumber is not used in Canada, and cannot be fairly regarded as a Canadian importation.

Mr. CHARLTON. But if the hon. gentleman will allow me to enlighten his apparent want of knowledge with regard to a matter in his own province, I can tell him that the

timber cut on the upper waters of the St. John River in the State of Maine is cut mainly by Canadian labour. The supplies and material used are mainly Canadian. The logs are rafted down the St. John River by Canadian raftsmen. They are sawed in St. John mills by Canadian labour, and, though the mills may be nominally the property of Americans, they are, in the majority of cases, really Canadian property. There are other points about this business, I might inform the hon. gentleman, that the importation and sawing of American logs confers an advantage upon New Brunswick, which perhaps the trade would not care to have made public, which make this trade on the St. John River of twice as much benefit to Canada, thousand feet for thousand feet, as the free importation of Canadian logs is of advantage to the United States. Canadian logs sent to Michigan mills are taken out by Canadian labour, and the logs cut in Maine to be sawed on the St. John River are also taken out by Canadian labour.

Mr. HAZEN. Perhaps the hon. gentleman will allow me a moment more. The hon. gentleman was making a statement from which it would appear to this House that timber cut in Maine was brought into Canada for consumption in Canada.

Mr. CHARLTON. I am talking about the advantages flowing from the employment of labour and capital. The argument of my hon. friend from Simcoe (Mr. Bennett), and other hon. gentlemen who advocate an export duty on logs is that this export of logs is a loss to Canada, through loss of employment of labour in sawing all these logs into lumber, and they urge that these logs be kept in Canada in order that the work may be done by Canadian mills. Now, if the hon. gentleman will allow me to proceed—the position of the matter is this: Here is an offer, if the Wilson Bill passes, an offer that puts all these articles I have enumerated on the free list in exchange for free logs. Now the question is, is the Government prepared to accept that offer? Is it an offer the Government will entertain with favour? If it is not a good offer, if the Government will not entertain it, if any man who has been instrumental in obtaining this offer has been false to his country, let the Government say they will not entertain the offer and let them put an export duty on logs to-morrow. The Government have refrained from this action, as the hon. gentleman from Simcoe (Mr. Bennett) admits, because they hope that this Bill will pass, and because if this Bill does pass with this provision with regard to an export duty, the Government will gladly avail themselves of the offer it makes, because it will be in the highest degree advantageous to us. A few days ago one of the subordinate heads of departments in this Government put into force the suspended regulation about imposing a duty upon booms—round, unmanufactured logs—and boom-chains. A deputation at once started for Washington from

Mr. CHARLTON.

Michigan, which deputation included two ex-members of Congress, an ex-Governor of the state, and other influential men. But the leader of the Government had wisdom enough, and sense enough, to set aside the order of his subordinate. Why did he do that? Because, Sir, it was clear that this action of the Controller of Customs might prejudice the chances of this country of obtaining the Wilson Bill, and free lumber, and all these things that were to be had in exchange for free logs. Now, Mr. Speaker, if the offer contained in the Wilson Bill will be gladly accepted by the Government of Canada, I want to know what is the sense of abusing any man who has been instrumental in obtaining that offer, whether his influence in the matter has been much or little, whether he has been instrumental in a greater or lesser degree. If he has been instrumental in any degree at all in procuring this offer, an offer which the Government regard as of advantage to Canada, then for an hon. member in the House to rise and attack that man for his share in any such negotiation is illogical and inadvisable.

Mr. COATSWORTH. Will the hon. gentleman allow me to ask him a question?

Mr. CHARLTON. Oh, yes, of course. You know so much about saw-logs.

Mr. COATSWORTH. The statement has been made that the hon. gentleman advised the American Government that their proposition was not sufficiently retaliatory as against this country, and suggested a means by which it could be made more so. Is that the case?

Mr. CHARLTON. I say freely, though it is impolitic for me to draw these matters into discussion, that I used all the influence I possessed to get the Michigan men to consent to free lumber and to throw their influence in favour of it. I went just that far and no further, and whatever influence I may have exerted, the result is shown in the Wilson Bill as it at present stands.

Mr. COATSWORTH. Will the hon. gentleman answer me?

Mr. CHARLTON. I have answered the hon. gentleman. So much for the question as to whether this provision of the Wilson Bill is a satisfactory one to Canada. If it is satisfactory to Canada, why blame any one who has been instrumental in obtaining it? I tell you, Mr. Speaker, that when the commissioners of this Dominion Government went to Washington, they did not accomplish as much in the interest of this country as has been accomplished by private and informal negotiations in connection with this free lumber schedule; and I tell you if that Wilson Bill passes, in so far as it deals with the question of lumber, it will confer a very great boon upon Canada. Now, the hon. member for South Simcoe reads a statement, and he has affirmed that I claimed that this trade amounts to five million dollars a year. Well, the claim

is a preposterous one, whether I have made it or not. A claim of five million dollars would be based, probably, upon an estimate of 500,000,000 feet of logs for export, and the returns show that the export was less than one-half that amount. The article the hon. gentleman has read from the 'Empire,' with the exception of the statement about the amount of exports, contains no statement that I do not indorse. The statements contained in that article are true. As to the authorship of that article, we know this is election time, an election is in progress in Ontario, and it is a good time to beat the drum, to howl about loyalty and to appeal to passion and prejudice. The hon. gentleman asserts that I am the author of the memorial to Secretary Carlisle, and the author of the memorandum. Well, Sir, stating as I do that there is nothing in it that I object to except the statement of the amount of exports, all I have to say about that matter is that it is for the hon. gentleman to prove that I am the author; and I do not propose to be called into court with regard to that matter. I have made in this connection a statement that defines my position. I am in favour of the provisions of the Wilson Bill about lumber, the export duty proviso clause and all, because that was necessary to get the concession. I have done what I could in favour of that Bill, I am ready to do more if my services would be of advantage, and could secure the benefits of that Bill to this country. I consider that the Bill, if passed, will be a great boon to this country, and if it can be shown that I have in any way been instrumental in obtaining that Bill and these concessions, I will be proud of that record. With this statement of the case, I take my seat.

Mr. MACLEAN (York). We have had another exhibition here to-day of that unpatriotic and un-Canadian policy which has been pursued by the hon. gentleman who has just taken his seat. I have been reading this letter that he has written, and he says we have brought it up in election time. The fact is that this letter came out the other day in the Detroit 'Free Press' and was specially addressed to the lumbermen of Michigan, that they might see what a friend they had in the Hon. John Charlton, as they call him, who is a member of the Canadian Parliament. I have also been looking up a speech that the hon. gentleman made here a year ago, in regard to the various missions on which he had gone to the United States. In that speech he took great care to tell the members of this House what his record was as a citizen of this country. He says:

It is asserted that I am a Yankee. Well, Sir, if I happen to have been born in the United States, and if there is anything criminal about that, I do not know that I had very much to do with the circum-

stances. I think my personal responsibility with reference to that matter is small indeed. It is true, I was born in the United States. My parentage is Scotch-English. The name of my family is an old Northumberland name, whose records go back for many centuries. I have very much pride in the history of that family; I have pride in my origin. I have lived in Canada since my boyhood. I have spent forty-four years in this Dominion; but in the estimation of my Tory friends opposite that hardly seems a sufficient length of time to have naturalized me. Sir, I repudiate the charge that the fact that I am an American by birth prevents me from being a loyal and true British subject. I am, in fact, a British subject by birth, a British subject under the law of the realm, a law which provides that every person born of British parents, born in a foreign country, not, at the time of his birth, at war with England, is by birth a British subject; and I have a right to all the privileges of a natural-born British subject to as full an extent as any other British subject.

Now, I say the hon. gentleman, in writing this letter, has un-Briticized himself, if I may say so, and that he has taken a most unpatriotic stand. He then goes on to say:

I have never in any way used my influence by word or act, to do anything that was not, in my opinion, conducive to the best interests of Canada.

The facts are, that we were likely to get all the advantages of the Wilson Bill, we were getting them, and all the Americans had said was this: If you put an export duty on saw-logs, then we will put a tax on your white pine lumber. But he says: Oh, that won't do, there is not enough retaliation in that, go on and give it to them right up to the hilt, and include in the list, spruce, railway ties, hop poles, telegraph poles, hardwood and white pine. In that same speech he told us what he had done further in Washington:

I thought that would be a good time to come down to a point which I conceive to be of great importance, and so I urged on almost every member I met—certainly on every member when I obtained an opportunity to do so—the impropriety of attempting to force Canada into annexation by adopting a policy of restriction.

Here we have the hon. gentleman suggesting and advising them to adopt the utmost policy of restriction in keeping out Canadian products. Further, he goes on to say:

I urged generous treatment on the part of the strong towards the weak.

In this letter he sent to Washington, is there a suggestion of generous treatment towards the weak? It is a man in our own House and in our own country, and who claims to be a Canadian, who suggests the most vindictive attitude towards this country, urging them over there not to treat us generously, but to treat us vindictively. Then he goes on and says:

I urged favourable consideration of a fair proposal for reciprocity. I deprecated unfriendly legislation.

I charge the hon. gentleman here with not living up to those words, and with suggesting the most unfriendly legislation :

I argued especially, and with all the force I could command, that they should not think of adopting a retaliatory policy for the special purpose of playing into the hands of the annexation party.

Towards the close of his speech he says :

I do not want to leave behind me the name of traitor or the name of one guilty of chicanery or fraud.

What has he done here ? What record will he leave behind himself now ? What will be the record handed down to Canadians in regard to the hon. member for North Norfolk ? It will be, as I said before, that he deliberately used his influence, that he wrote letters, that on every occasion he has endeavoured to excite the American public, to excite the American press, he has gone on missions to Washington, and he has written letters to influence the public and the politicians there to do the most unfriendly acts to this country, and to injure our trade by putting retaliatory legislation on their statute-books. In closing he says :

I have not been governed in my course here by any desire to do anything that would not meet with the approval of my own conscience and with the approbation of my disinterested fellow-countrymen. Canada, Sir, is my home : it has been my home for forty-four years ; it commands my services, and I will do anything that lies within my power to promote the interest and welfare of this land which has been mine since boyhood.

All through his speech we find statements like these ; but no matter what his statements have been on the floor of this House, no matter what his statements have been in political speeches in this country, there is the great unpatriotic fact that he suggested the sword in far enough for the Canadians, but that they should put it right up to the hilt, and prohibit not only our sawn lumber, but everything else in the way of manufactured lumber, and thereby make it harder for us to enter their markets. In regard to the power possessed by provinces to deal with this question, I stated in this House the other day that I thought the Legislature of Ontario had it in its power to prevent the exportation of logs. I still maintain that position, and when there is a change of Government in Toronto, and I hope that will soon take place, I trust there will be such legislation enacted as will prevent the exportation of our Ontario logs to the saw-mills of the United States. A strange coincidence has occurred, and I do not know whether there is any connection between the two facts or not, but three days after the statement was made by me in this House, that a Canadian province might pass such legislation, a notice was placed on the Senate paper at Washington

Mr. MACLEAN (York).

by Senator McMillan, of Michigan, that if any province dared to interfere to prevent the exportation of logs, the same redress would be open. I should like to ask the hon. member for North Norfolk (Mr. Charlton) whether he had anything to do with suggesting that clause to the senator for Michigan.

Mr. CHARLTON. I will answer the hon. gentleman if he will give me time to do so. I had nothing to do with that suggestion, but I did write to Senator McMillan, of Michigan, that the proposition was a very absurd one, and one that could never be carried out, as it would simply provide that there should be no further increase in the value of pine in Canada.

Mr. MACLEAN (York). Just as I suspected. And I would add, if the proposition is so absurd, it is strange that this senator should have incorporated it in the resolution. I think the proposition is not absurd, but, on the contrary, that it is good law, and that the province of Ontario can impose such timber dues as they please, and can thus prevent the exportation of Canadian logs. I hope that will be one of the beneficial results following the provincial election on the 26th of this month, and that afterwards we will have a Government in Toronto determined to prevent the exportation of Canadian logs, and to secure that their cutting shall take place in Canadian mills, giving work to our Canadian people.

Mr. WHITE (Cardwell). I venture to submit to the House that the hon. member for North Norfolk (Mr. Charlton) has missed the point of the accusation brought against him in the explanation he made this afternoon. The hon. gentleman stated in the course of his speech that whatever influence he had exercised upon the legislation of the American Congress, the result had been shown in the Wilson Bill, as it now stands.

Mr. CHARLTON. I made no such statement.

Mr. WHITE (Cardwell). Did not the hon. gentleman claim credit for the present lumber clause in the Wilson Bill before the American Senate ? If not, then my hearing must greatly have deceived me, and I took down the hon. gentleman's words at the time. That is the shame of his whole proceedings in connection with this matter. Let us look at the course of legislation in the United States for one moment. We begin with the Mills Bill, that piece of abortive legislation attempted by the Democratic party eight or ten years ago. That Bill contained a provision in regard to lumber and manufactures thereof as follows :—

Provided, that if any export duty is laid upon the above mentioned articles, or either of them, by any country whence imported, all said articles imported from said country shall be subject to duty, as now provided by law.

The legislation of the Democratic party was upon those lines. They proposed to

place on the free list a large number of articles manufactured from lumber; but they said, in order to guard against the imposition of an export duty on logs by the Canadian Government, that if an export duty is imposed by any country, not on all, but on any of the articles mentioned, the then prevailing rate of duty under the then existing tariff shall apply to all manufactures of wood imported into the United States, thus making an effectual barrier against the imposition of an export duty on logs by any foreign country. Then we come to the next legislation, and which had practical effect, namely, the McKinley Bill; and the hon. member for North Norfolk (Mr. Charlton) in this memorial to which reference has been made, says on the subject:

The McKinley Bill also contained, as above mentioned, a similar proviso, under the operation of which the removal of the export duty, by the Canadian Government, was secured.

Then we come to the last measure, that now before the United States Senate, the Wilson Bill, and the hon. gentleman says in his memorial to the American Government:

The Wilson Bill is supposed to follow in the same line, but the proviso, as contained in that Bill, will not reach the purpose intended, but, if the interpretation of the memorialist is correct, will result in the imposition of American duties upon the articles only that Canadian export duties are imposed upon.

So that the position was this: Under the proposed American legislation—and I have the tariff here as reported to the Senate from the Finance Committee, and as it was reported from the House to the Finance Committee of the Senate—it was intended that all articles from items 672 to 683, inclusive, of the tariff, should be placed upon the free list, namely, (the list is somewhat long, but it is all the more worth while reading)—Firewood, handle bolts, heading bolts, stave bolts, and shingle bolts, hop poles, fence posts, railroad ties, ship timber, and ship planking, not specially provided for in this Act; timber, hewn and sawed, and timber used for spars and in building walls; timber squared or sided; sawed boards, plank deals, and other lumber; pine clap-boards, spruce clap-boards, hubs for wheels, posts, last blocks, wagon blocks, car blocks, bun blocks, heading, and all like blocks or stick, rough hewn or sawed only; laths, pickets and palings, shingles, staves of wood of all kinds, wood manufactured." Under the provisions of the Wilson Bill, as reported from the Senate, every one of those articles was placed upon the free list. And there was this proviso:

Provided, that any of the articles mentioned in paragraphs 672 to 683, inclusive, when imported from any country which lays an export duty on the same or any of them, shall be subject to the duties existing prior to the passage of this Act.

There was this flaw in the American tariff

which the hon. member for North Norfolk (Mr. Charlton) discovered. Under the Wilson Bill, the result of the deliberation of the Democratic party in the House of Representatives, and which, it was to be presumed, the Democratic party intended to pass, it was designed to place all the articles I have enumerated on the free list and make this one exception, that if Canada imposed an export duty on any one of those articles, then that article should become subject to the present duty under the McKinley Bill. The flaw which the hon. member for North Norfolk discovered, and which he hastened to point out to the Finance Committee of the Senate, was this:

It is respectfully submitted that this proviso should read as follows:—

"Provided, that if any export duty is laid by any foreign country upon any of the articles mentioned in paragraphs 672 to 683, inclusive, then all said articles imported from said country shall be subjected to the duties existing prior to the passage of this Act."

The hon. gentleman saw that if the legislation was carried out as laid down by the Democratic party in Congress, Canada would be free to impose an export duty on logs, and at the same time obtain free admission to the United States for a large number of forest products, and so he pointed out to the Democratic party that unless they amended their legislation in the direction suggested by him they would lose their power of coercing Canada, and no longer would the Michigan lumbermen be able to get in their logs free from Canada, and at the same time enjoy the monopoly of the American home market. What was the result of the hon. gentleman's action? It is not a matter of speculation, for the consequences of it are seen in its fruits. It was this: that the Finance Committee, after having received this memorial, amended the Wilson Bill, so that the proviso now reads as follows:—

Provided, that all of the articles mentioned in paragraphs 672 to 683 inclusive, when imported from any country which lays an export duty on any of them, shall be subjected to the duties existing prior to the passage of this Act.

If this proposal becomes law, and Canada imposes an export duty on saw-logs, the consequence will have followed from the suggestion of the hon. member for North Norfolk being acted upon by the Democratic majority of the Finance Committee of the Senate, that every one of the articles which were placed on the free list of the United States tariff will become subject to the duties prevailing under the McKinley tariff. That is the gravamen of the charge against the hon. member for North Norfolk (Mr. Charlton), and I submit that in his answer this afternoon he has utterly failed to meet it, and that he has dealt with issues which are not germane or pertinent to the accusation: the very grave accusation, as it seems to me, which has been made against him to-day.

Sir JOHN THOMPSON. I did not intend to have continued the discussion as the members who have spoken on the subject have explained their views in a way that I would not be sufficiently conversant with the business to do. But one observation was made by the hon. member for North Norfolk (Mr. Charlton) in the course of his remarks which I must qualify. That was his statement in relation to action taken as to boom sticks, during the present season. The hon. member gave us to understand that a duty had been imposed by the Controller of Customs upon American boom sticks being used for the towing of logs from Canada into the United States, and that I interfered, and rescinded the order of the Controller. I wish to state what the facts are with regard to that. During last season inquiries were made by the collectors of customs, at the ports where these boom sticks were reported, as to whether they were dutiable or not, and decision upon the question was deferred until this season with the understanding, as I am informed, that during the present season the proprietors who used these boom sticks then being imported from the United States, would provide themselves with Canadian boom sticks. The matter was therefore left in abeyance, and during the present season the boom sticks were towed from the United States into Canada as before, and the question again was raised by the collectors of customs along the route. It was made a matter of consultation between the Controller of Customs and myself. It was made afterwards the subject of remonstrance from persons connected with the lumber interests of Canada, and who were under the impression that a false view might be taken by those in the United States who were concerned in the tariff revision going on there, of the action of the collectors of customs if they taxed the boom sticks. The Controller of Customs has made no order in regard to the matter, so far as I am aware, and I agreed with him in thinking that for the present, at least, it was well to leave that question in abeyance. I am not entitled to the credit of having reversed the Controller's action—if credit would follow such—nor is the Controller of Customs open to censure for having imposed any duty which it was not wise, under these circumstances to have imposed.

Mr. CHARLTON. Mr. Speaker, might I be allowed a personal explanation? I did not intend to be understood in a sense at all different from the statement made by the First Minister. What I intended to state was: That the Government deemed it advisable to postpone the enforcement of this order until we saw the fate of the Wilson Bill.

Mr. LAURIER. The hon. gentleman (Mr. Bennett) who introduced this motion was very emphatic in asking me what was my opinion upon the subject, and from the way

Mr. MACLEAN (York).

in which he asked it I thought he took some peculiar pleasure in thinking that it would be very difficult for me to pronounce upon it. Well, Sir, I may say to the hon. gentleman that it has not been the custom between the two parties in this House to bring up questions without notice. Yesterday we had arranged that we should take up to-day—and I gave due notice of it—the question of the excessive expenditure connected with the superannuation fund. At three o'clock this afternoon the Minister of Finance came over to this side of the House and told us that he was not ready for the question as he had some figures to prepare, and he asked that it should be deferred until to-morrow. According, of course, to the courtesy extended from one side of the House to the other there could be no objection whatever to that. I informed the hon. Finance Minister that such being the case, my hon. friend from South Essex (Mr. Allan) would bring up the question connected with the fisheries on the St. Clair River. No notice was given me that the hon. member for Simcoe (Mr. Bennett) was to bring up any other question, and I cannot imagine that the hon. gentleman brought up the question without notifying his leaders of his intention. If such be the case, I have to complain of a breach of faith not only with regard to the courtesy of the House, but with regard to the administration of the business of the House, which I have a right to resent and which I do resent. Now, Sir, with regard to the question which has been put to me by the hon. member for Simcoe (Mr. Bennett). Evidently he gloated over the position in which he thought I was placed, for not only did he ask me my opinion as to the subject immediately in hand, but he chose to recall certain expressions which have fallen, it appears, from my hon. friend from North Norfolk (Mr. Charlton) as to the fate of the Liberal party being led by a Frenchman. All I have to say to the hon. gentleman from Simcoe (Mr. Bennett) is, that life is too short for me to take notice of such questions at all. I deal generously with friends and foes and certainly I never resented the opinion of my friend when he expressed some apprehension as to the future of the Liberal party having to be led by a French-Canadian. Nor do I see that his apprehensions were altogether unfounded since it has been my fortune and my lot to read over and over again in the Conservative press of the province of Ontario, the leader of the Liberal party referred to as the "French Mr. Laurier." The apprehension of my hon. friend (Mr. Charlton) was not at all without some foundation, and perhaps if he thought that the future of the Liberal party was to be injured by the fact that it was led by one who did not belong to the race of the majority and if he expressed that opinion; the hon. member for Simcoe (Mr. Bennett) is altogether astray if he thinks it in me to quarrel with anybody as to that. With regard to the question immediately

before the House. I do not understand what are the methods of the Conservative party—the right hon. gentleman at the head of the Government may answer for that—but I have to say to the member for Simcoe (Mr. Bennett) this: that the Liberal party is not an inquisitive party; it is not an inquisition after the model of that of Spain. I do not question the private opinion of any member, nor do I question or revise his actions either. Every member is answerable to the country and to the party for the opinion of the party; but, Sir, I certainly would not go into the private life of any member to reproach him with his opinion. My hon. friend here (Mr. Charlton) is answerable for himself and can defend himself, and he has given his explanation to the House, and as far as I understood his explanation, it was this: that anything which he had done, whether it was ill-advised or well-advised, was simply with the object—which I am sure must be shared by hon. gentlemen on the other side—that we should have reciprocity of trade in the great staple of lumber. With regard to that I have simply to say: that upon this occasion and upon all occasions, the Liberal party as it was before and as it is now, are not in favour of reciprocity of tariffs, but in favour of reciprocity of trade.

FISHERY REGULATIONS ON LAKE ERIE.

Mr. ALLAN. Mr. Speaker, I desire to call the attention of the House to the grievance of our fishermen on the great lakes, particularly in the western part of Lake Erie and in the Essex fishery districts. This matter was brought up a short time ago by the hon. member for North Essex (Mr. McGregor) who, with other gentlemen, attacked the policy of the Government relating to our lake fisheries, and although this matter is one of very great importance, no explanation has so far been offered regarding that policy. Petitions largely signed by fishermen and the inhabitants in the fishery districts have been presented to this House. They were also signed by township and county councils remonstrating against the rules and regulations of the department, and praying for their repeal. They complained of the curtailment of the quantity of gill-nets, the reduction of the number of pound-nets, the refusals to license our fishermen, the weekly close season, which extends from six o'clock on Saturday night until seven o'clock on Monday morning, and also, that if while fishing for a particular kind of fish, prohibited fish or fish out of season, are caught, they are liable to have their nets seized and burned. They also complain of an unreasonable close season, and state that they are harassed and hampered by unjust fishing laws, under which it is impossible for them to carry on their fishing industry properly. While these

regulations might meet with approval as regards a large body of water like Lake Superior, although even there they are complained of, yet in reference to the Essex district of Lake Erie they are out of place. Now, I cannot show the House the great importance of these fisheries better than by reading an extract from the census bulletin of the United States, of March, 1892:

The fisheries of the great lakes are the most extensive lake fisheries in the world. Their great economic importance to the states adjacent to the lakes and as a source of national wealth can be readily understood and appreciated by referring to the accompanying tabular statements, in which are shown the large number of persons engaged, the great amount of capital invested, and the enormous quantity and value of the products taken.

There has sprung up an extensive branch of trade entirely dependent on the fisheries, and yet sufficiently distinct to constitute a well-defined occupation. This is the business of buying, freezing, smoking, and otherwise curing and preparing fish and fishery products. For this purpose swiftly moving steamers and expensive storehouses and refrigerators are required, the former to collect the fish and the latter to retain them.

Nor does the importance of the fisheries stop with the mere capture and handling of the fish. Other industries of great extent are more or less related to or entirely dependent on the prosecution and perpetuation of these fisheries, among which may be mentioned salt mining, ice harvesting, barrel and box making, boat and vessel building, net and twine manufacture, &c.

There should also be borne in mind the large and rapidly increasing population which is dependent on the successful operation of the fisheries for a no inconspicuous part of its food supply, the vast area of country over which the products are distributed, and the great amount of railroad and steamboat traffic that is occasioned by this distribution.

Mention should here be made of the wonderful productiveness of the waters of the great lakes so far as the yield of fish is concerned. A careful estimate, based on the known production in 1880, 1885 and 1889, shows that in the decade terminating with the census of 1890 over 1,000,000,000 pounds of food-fish were taken, which yielded the fishermen over \$25,000,000.

Now, I say that while the rules and regulations complained of may do very well for Lake Superior, where the fisheries are remote from the American shores, yet, in the Essex and Lambton district, for a distance of 120 miles along the St. Clair and Detroit Rivers, Lake St. Clair and part of Lake Erie, the shore line of Canada approaches so close to that of the United States that the waters separating the two countries are practically the same, and this valuable industry, in regard to which I have given figures from the American census, so far as Lake Erie is concerned, is practically controlled on both sides of the lake by the Americans. While our fishermen are hampered by unjust laws, and while they are compelled to pay license fees and are subjected to close seasons, immediately opposite they can see their American neighbours carrying on a very large and pro-

fitable business. In order to break the force of this contention, I notice that the report of the Deputy Minister of Fisheries contains this statement :

In the annual report of this department for the year 1891, comparative tables were published showing the variations in the yield and value of the fisheries on both sides of the great lakes. This was done for the purpose of establishing whether the contentions of certain Canadian fishermen that there was an enormous difference in favour of the United States, were founded on facts or not. These tables comprised the years 1880 and 1885. A recent census bulletin, published by the United States Department of the Interior, affords an opportunity of extending these tables by comparing the returns for the years 1885 and 1889, and drawing the conclusions therefrom.

Now, in this statement, a statement for ten years, the total value of the fish is made to be about the same in both Canada and the United States, while the difference in the quantities is as three to one. I have added up the totals of the fish caught in the year 1889, and I will read the figures to the House to show the very great advantage which the American fishermen enjoy over our people :

COMPARATIVE TABLE showing totals of yield of fish on both sides—Canada and the United States—of the great lakes for the year 1889—Lakes Superior, Huron, St. Clair, Erie and Ontario, including the Georgian Bay and River St. Clair to the mouth of the Detroit River.

	Canada.	United States.
	Lbs.	Lbs.
Whitefish.....	6,814,957	9,802,517
Trout.....	5,030,095	5,621,273
Herring.....	11,478,503	44,092,334
Sturgeon.....	848,627	2,186,372
Pickeral and pike.....	2,413,790	17,614,363
All other kinds of fish.....	2,612,387	11,759,765
	29,198,359	91,076,624
Valued in report of Minister of Marine and Fisheries for 1893, at.....	\$1,816,462	\$1,827,248

Here we have a statement made for the purpose of meeting the contention that in the matter of our fisheries the Americans are getting the advantage, and yet, to make this showing, 90,000,000 pounds of fish caught on the American side are put down as equal in value to only about 30,000,000 pounds caught in Canada, and that, too, when nearly all our fish are sent to the American market, and particularly when, so far as Lake Erie is concerned, with a few exceptions, our fishermen are compelled to accept what price may be dictated by two or three fish firms, which control the fishing trade of Lake Erie. I would like the hon. Minister to give some

Mr. ALLAN.

explanation why in a blue-book, published for the information of the people, a statement of that kind is made. For the purpose of making a favourable comparison as to the value caught on both sides of the lake, the hon. Minister values 29,000,000 pounds of Canadian fish as being worth as much as 91,000,000 pounds caught on the other side of the lake, although our fish is sent to their markets. But the Americans caught in the great lakes in 1889, including Lake Michigan, which is just as fair to include as the Georgian Bay and the North Channel, north of the Manitoulin, which are inland waters, 117,008,568 pounds of fish, of which 15,326,488 pounds were whitefish, which at 8 cents per pound, amounts to \$1,221,119 ; 11,201,631 salmon-trout, at 10 cents per pound, \$1,120,163. Thus, at the prices quoted by the Minister of Marine, the American catch exceeded in value the total catch of whitefish and trout alone in Canada of all kinds of fish. That shows the very great advantage which the Americans are getting over us every year with regard to the lakes. The difference that I am complaining about occurs principally, and the great complaint is principally, with regard to Lake Erie. The shore lines of the two countries for a long distance are very close together. For 100 miles the fishermen on our side can actually see the American fishermen carrying on their operations, and if any one will examine the maps he will find that more than half of the American pound-nets are set nearly opposite the county of Essex. There are over 1,800 pound-nets, and more than one-half of them are set opposite Essex, and on a fair estimate of the value of the fish, taking the estimate put upon Canadian fish by the hon. Minister, the American people, immediately opposite the county of Essex, catch not less than \$1,000,000 every year, while our catch in our county last year only amounted in value to \$99,000. It is this great evil that our people are complaining of. It is not a party question, the people are practically unanimous, and if the Minister can show that it is for the good of this country that our fish should be preserved for the people, they are willing to acquiesce, but they want better reasons than are put forward, either in the blue-book or by Mr. Wilriot, who addressed a public audience in Essex on this subject. It is a great outrage that our fishermen should be practically idle, while they can see the American fishermen, on the opposite side, carrying on a very large and profitable trade. And that has been going on for years. I have an extract from an American paper, which I will read, to show that the Americans are still catching large quantities of fish, while our fishermen are idle :

For the past two weeks our fishermen have been having a most phenomenal catch of the finest lake fish, which completely refutes the assertions of the fish commissioners and others that fish are becoming scarce and their breeding grounds depleted. The catch is so large that the fish freezers and

handlers have more than they can care for, and lake trout, dressed, are selling for 3½ cents per pound, and the best "hard" fish at \$2 per 100. A veteran fisherman informs us that the run is the largest in ten years and unusually fine in size and quality, and includes nearly all the varieties. The marshes and small streams are also teeming with game fish and anglers are enjoying very fine sport. Carp are multiplying rapidly and fishermen say that in a year or two more they will be caught by the wagon load. They are found in the deep waters of the lake, and in the marshes and shallow waters along the shores they can be seen at almost any time. They grow to great size, although a 21-pounder is the largest caught this season.

Sir CHARLES HIBBERT TUPPER. What fish is referred to as increasing besides the carp?

Mr. ALLAN. There are large quantities of trout caught. Now, I will read a comparative statement of the great lakes, but the great loss is in reference to Lake Erie. That is where we are suffering greatly, as compared with the Americans, who seem to be reaping almost entirely the advantage of the policy of the Marine Department. This is a statement for the year 1885 of the fish caught on both sides of Lake Erie. Canada whitefish, 186,080 pounds, at 8 cents per pound, which is the value put by the hon. Minister in his estimate—

Sir CHARLES HIBBERT TUPPER. With reference to the extract just read, do I understand the hon. gentleman to argue that the fish in Canadian waters, in the districts to which he has special reference, are increasing?

Mr. ALLAN. I cannot say as to that, but the fact remains that every year the catch of fish is increasing.

Sir CHARLES HIBBERT TUPPER. The extract seemed to imply that on the United States side the fish were increasing. That is not the opinion of the department. Does the hon. gentleman maintain that the fisheries in Lake Erie are on the increase on the Canadian side? Are the fisheries in good condition or bad condition?

Mr. ALLAN. I think that on the Canadian side, from the small quantity of fish caught in Lake Erie, the fishing business is certainly not in a very satisfactory condition. On the American side, the only answer I can give is that although every year we hear about the depletion of the lake, yet every year the difference increases in favour of the Americans.

Sir CHARLES HIBBERT TUPPER. I wish to understand the hon. gentleman's position, because that may shorten the discussion. I approach the question from the standpoint that the herring and whitefish and staple fish in Lake Erie are all on the decline, on the United States side and on the Canadian side. I want to know what the opinion of the hon. gentleman is on that question.

Mr. ALLAN. I can only say that all I can give is the figures before us. I do not know whether the fish are on the increase or on the decrease. That is impossible for me to tell, but I say that every year the catch on the American side is increasing.

Sir CHARLES HIBBERT TUPPER. That is not the question I put, but if the hon. gentleman does not wish to answer, it is all right.

Mr. ALLAN. I am not prepared to say, but judging from that standpoint it is increasing. The following is a statement of catch in both sides of Lake Erie:—

COMPARATIVE TABLE showing the Yield and Value of Fish caught on both sides of Lake Erie, 1885.

	1885.		Value per Pound.	Total Value.	
	Canada.	United States.		Canada.	United States.
	Lbs.	Lbs.	Cts.	\$ cts.	\$ cts.
Whitefish.....	186,080	3,531,855	8	14,886 40	282,548 40
Trout.....		106,900	8		10,690 00
Herring.....	5,935,400	19,354,900	5	296,770 00	967,745 00
Sturgeon.....	459,265	4,727,950	5	27,555 90	283,677 00
Pickarel, and Pike....	702,802		6	42,168 12	
All other fish.....	371,180	23,734,912	3	11,135 40	812,047 36
	7,654,727	51,456,517		392,515 82	2,356,707 76

Though the Minister stated that the value of American fish is less than ours, we find that the total catch on their side had a value of six times as great as that on the Canadian side. And every year the output on the American side is increasing. That is the only answer that it is possible for me to give to the Minister. I have no data to show whether the lakes are being depleted or not. The Americans contend, and this article that I have read declares, that there is no truth in the statement that depletion of their fisheries is taking place. I have here a table, showing the total value of fish caught by Canadians in Lake Erie :

1888	\$446,304
1889	487,607
1892	407,906
1893	339,019

This shows a decrease from 1889 to 1893 of \$148,585. The following figures show the catch of whitefish in Lake Erie by Canadians for the several years given :

	Lbs.
1888	389,836
1889	306,213
1892	311,915
1893	256,240

Showing a decrease in this catch of 133,596 pounds from 1888 to 1893. The total value of the catch of the Lake Erie division was \$339,019, a decrease, as compared with 1892, of \$68,887. In the county of Essex, which is opposite that portion of the United States where fishing is most extensively carried on, the catch of fish has fallen off, as shown by the following table :—

1889	\$239,000
1892	149,615
1893	95,596

In the Detroit River, the decrease in the catch is enormous. On our side, in the Essex fishery district, we have about sixty pound-nets ; on the American side there are almost a thousand pound-nets. In the county of Essex, according to the statement submitted last year, the catch is only of the value of \$99,000, and any fair estimate of the quantities caught on the other side, opposite the county of Essex, must put the figure at over a million dollars. If the hon. Minister could assure our people that in some way they would be benefited by the policy he is pursuing, if they could be assured that he is preserving the fish for the Canadian people, and that it will be to the advantage of this country to continue their policy so far as Lake Erie is concerned, I am sure they would acquiesce. But the fishermen fully believe that, as regards the western part of Lake Erie. The result of this policy is that the American people are reaping almost the entire benefit of the trade, while our men are idle. And, Mr. Speaker, that is not the only grievance of our fishermen.

Sir CHARLES HIBBERT TUPPER. Before the hon. gentleman passes to another

Mr. ALLAN.

branch of his subject, would he favour me with some information upon a point to which he has referred two or three times. The hon. gentleman states that a large number of our men are idle in consequence of the action of the department. Is he able to give the names of any of those who were accustomed to fish in past seasons, and are idle this season ?

Mr. ALLAN. Why, the hon. gentleman himself has refused licenses to fishermen on Lake St. Clair.

Sir CHARLES HIBBERT TUPPER. But has the hon. gentleman the names ?

Mr. ALLAN. I have not the names, but if he has not given licenses the men must be idle.

Sir CHARLES HIBBERT TUPPER. I deny that they are idle, and I shall show why they are not.

Mr. ALLAN. Then you must have changed your policy very suddenly. A short time ago the fishermen of Lake St. Clair were not to be allowed to fish. I presented a petition from the fishermen of Pelee Island upon the subject of the reduction made in the number of pound-nets. The fact that there are only sixty pound-nets along our shore shows that our men must be idle. On the other side they have over nine hundred pound-nets, in fact, the whole coast is lined with them, as many as thirty-three nets being in a string, while, on our side, the hon. Minister will not allow more than one net in a place, except in certain cases. Moreover, Mr. Speaker, if there has not been some change, the fishing industry on our side is practically a monopoly. Our fisheries, as regards Lake Erie, from Buffalo to the Detroit River are practically under the control of American fishing firms. Our fishermen are largely in the hands of these firms. There is the Buffalo Fishing Company, Mr. Tribble, of Buffalo, and Post & Co., of Sandusky. These firms control the fisheries on our side, to a great extent.

Sir CHARLES HIBBERT TUPPER. In what way ?

Mr. ALLAN. I will show the hon. gentleman before I get through that our fishermen are really, to a very great extent, in the hands of these American firms, and we expect that there will be sufficient statesmanship in the hon. gentleman to rescue our fisheries from their present condition, and to secure to the Canadian people their rights in this matter. Not only are the Americans catching most of the fish in Lake Erie, but on our own side they control the fisheries. I have in my hands a return brought down to the House, from which I will read extracts that will establish the statements I have made, and which the hon. Minister will be bound to accept. This is the report from the overseer of fisheries, Mr. Kerr, of 10th December, 1891 :

The principal part of my duty is to ascertain how many nets were really fished during the month of October and the first half of November. This I had some difficulty in establishing, as it was rather late when I was ordered to the ground, and on my arrival there I found that owing to the continued stormy weather most of the twine had been raised and stored away, except the pound-nets fishing on the east side of Rondeau, which is a most sheltered spot. However, as the stakes remained I was enabled to form a pretty correct idea how matters really stood, and with various information received on the spot, I think I shall be able to give you a pretty accurate list of the actual fishermen. I shall also try and show up the tricks of Jas. Post & Co., of Sandusky, and the manner in which the above-named firm is assisted by negligent fishery overseers.

The firm of Post & Co. has a large interest in the nets of this district, and as a consequence, a strong grip and control over the fishermen who make all sorts of efforts and resort to all kinds of dodges to fish as many nets as they can.

1. At Dealtown, Isidore Laroche fishes six nets. Claims to be the only actual fisherman and sole owner. The licenses for these nets are issued in the name of R. J. Lipscombe, insurance agent, T. S. Arnold, auctioneer, and David Woods. This last name presumed to be fictitious. None of the above are bona fide fishermen, and I dare say, never saw the nets. Mr. Laroche says he has been fishing for four years in this locality.

2. John Burton has license for three pounds; was informed he had stakes for eight, but found only six. When asked for explanations he said he kept moving his twine from one set to another, as became necessary according to the run of fish, but that may be true, or it may not. Anyhow, it is a dangerous practice which should not be allowed under any consideration.

3. Moody & Coulson fished three nets. Have license for two. The third net is in Mr. McLean's name, who sold out three years ago to one Lamarche, who in turn sold out to them. They claim to have applied to the overseer to have that net in their own name, but it was not done. This seems fair enough.

4. At Point Pelee there appears to be a good deal of confusion with regard to the bona fide fishermen.

Charles Fisher, an American from Sandusky, fishes three nets licensed in the name of John Mooney, Eth. Mooney, and William Haskins. None of these men fished for years as far as I could ascertain.

5. Geo. Johnson who fishes three nets, has a license for two. The other is in David Johnson's name. The latter is presumed to be a fictitious person.

6. F. Gardner fishes two nets in a string and another in Ezekiah Bickford's name, who has been dead ten years.

6. Adam Oper fishes seven nets; three in his own name, and two in John Loop's and one in Jas. Loop's name. Oper has a license for two nets, and the Loops for three. Excess in the case: two nets. Was unable to ascertain who were the licensees for the remainder.

So I could go on, and show the bogus character of nearly three-fourths, certainly one-

half of the licenses, in the county of Essex, which are controlled, or were controlled, at least, by this firm I speak of. I hope that the same state of affairs does not continue, although I am afraid that, to a certain extent, it does, and that our fishermen are practically in the hands of Post & Co.

Sir CHARLES HIBBERT TUPPER. Perhaps the hon. gentleman will be candid enough to say that the officer in whose district those irregularities occurred, was dismissed from the service.

Mr. ALLAN. I will say that before I get through. Another officer who was very much under the same influence, and the same control, was reinstated.

I experienced a great many difficulties in fathoming the above irregularities; ascertaining names and finding out particulars. All sorts of obstacles were thrown in my way; specially from such of the fishermen as were under Post & Co.'s control. This made it sometimes utterly impossible for me to get accurate or even reliable information in a great many cases, and I must come, therefore, to the conclusion that either Post & Co. own and control the whole fishery from Rondeau, westward, or else that overseers McMichael—

There is another officer, I believe, who has not been dismissed. I believe he is still an officer of this Government.

—and Prosser are in their favour, doing their bidding in every respect, instead of taking the interests of the department, whose paid servants they are.

I will now read from Overseer Kerr's report, dated Hamilton, February 4, 1892:

SIR,—In answer to your request that I should report on the explanations offered by overseers Prosser and McMichael on the charges made against them, I therefore beg to state as follows:—

1. Mr. Wesley Coulson distinctly informed me that he bought his fishery in Essex from one Lamars, who in turn had purchased it from one McLean. When Coulson made application for a license, he wished Overseer Prosser to have it issued in his own name, which Prosser promised to do. This promise, it appears, he neglected to fulfil. Mr. Coulson claims he had a transfer of these fishery privileges. If such be the case, then Prosser had no excuse for issuing the license in the applicant's name instead of recommending the license in McLean's name, who had sold out two years before.

2. Charles Fisher claims he is a British subject. I only reported what I heard, and I believed it to be true at the time Fisher is fishing for Post & Co. Notwithstanding Overseer Prosser's statement that he pulled out the stakes driven in excess of his license, I distinctly understood that these stakes were still there at the close of the fishing season. I may have been misinformed and regret I was unable to get there owing to a heavy snow storm which prevailed at the time.

3. I was creditably informed that Frank Gardner himself fished a pound-net in H. Bickford or Mooney's name. It was either one or the

other. However, it was reported to me that these men had been dead for years.

4. In Adam Oper's case I consider that Mr. Prosser's explanations make things look much worse. According to his version, Oper must have fished eleven nets while I only heard of seven. Most of the men he mentioned in regard to this charge never fished. One in particular never fished a net in his life, viz., Jas. Robson. The truth in regard to this matter is that the nets in question belong to Post & Co., and things have got into such a muddle through Mr. Prosser's anxiety to please Post & Co. that I do not believe that he himself understands how things really stand, as regards names, &c., &c. I therefore consider his answer most unsatisfactory. I can only remark Jos. Post could, if he wished, tell more about the ownership of nets than Mr. Prosser can or will, and I cannot understand how Mr. Prosser could conscientiously recommend the issue of licenses in such a manner if there was not a trick to procure more nets for Post & Co.

General Remarks.—In conclusion, I can only say that Mr. Prosser's division is in a very confused and demoralized state, and should be remedied as soon as possible. This state of affairs has been caused by the overseer himself, in his anxiety to please and to favour Jos. Post & Co., and as things now stand he has got so much in the power of the Yankee firms, his usefulness as a fishery officer is gone. You can readily perceive by the recent reports that he and Post have formed a sort of a combination and endeavour to shut out as many as possible of those men who choose to sell their fish elsewhere. We will take the cases of Wm. Black, David Wilkinson and Bates Bros. : Mr. Post went as far as to threaten these men, telling Bates that for the sum of \$500 or \$600 he would deprive him of his fishing rights. This was done because Bates refused to sell him any more fish. I also found many fishermen afraid to give me the necessary information that I was seeking, on account of threats, &c., made by Prosser and Post of taking away their license, &c.

One old gentleman remarked, after I had taken his sworn statement, that if Prosser knew it he would settle his license for this year.

Now, Mr. Speaker, we will come to a report of the Privy Council, by which the services of this Mr. Prosser are dispensed with. I want to say in passing that this state of things has been going on for years in that district, and is so reported in some of the letters of the fishery overseer. It is certainly a singular state of things that the fishermen in Prosser's & McMichael's district have for so long a time been at the mercy of these American firms, and that such looseness in regard to the issuing of permits, &c., has been permitted to continue for so many years.

Sir CHARLES HIBBERT TUPPER. You do not mean to say that it is continued until this day ?

Mr. ALLAN. What I say is that reports come from the county that Mr. Post is, to a great extent, in possession, and I believe it will take some time to unloose his grasp.

Mr. ALLAN.

Sir CHARLES HIBBERT TUPPER. Have you ever had, or are you now in possession of, the slightest evidence upon which that can be established ?

Mr. ALLAN. I have recently received a letter showing the favourable spots that are being reserved for Mr. Post and his men—

Sir CHARLES HIBBERT TUPPER. I would like to be favoured with it.

Mr. ALLAN—in the district of Essex, where our fishermen have been refused licenses.

CERTIFIED COPY of a report of a committee of the Honourable the Privy Council, approved by His Excellency the Governor-General in Council, on the 9th April, 1892.

On a report dated 2nd April, 1892, from the Minister of Marine and Fisheries, stating, with reference to further inquiries which he caused to be made during the month of November last, relative to alleged violations of the fishery laws, and other irregularities said to prevail amongst pound-net fishermen on Lake Erie, from Port Burwell to Colchester, that the facts brought to his knowledge in this connection are such as to justify him in recommending the dismissal of the fishery officer implicated in such irregularities.

The Minister, after having fully considered all the facts related in the very full report made by Fishery Overseer Frederick Kerr, of Hamilton, who conducted this investigation, a synopsis of which is attached herewith, has no hesitation in saying that Overseer William Prosser has been guilty of gross neglect of duty and of grave irregularities in permitting certain persons to fish in the name of others, for the benefit of American firms, and that the above-named officer also appears to have been in the habit of issuing licenses in the names of parties who have been dead for several years, and that he, moreover, allowed fishing during the close season, and was also in the habit of granting 'permits' to fish pound-nets during the fall, without authority from the Fisheries Department, and without accounting for the fees collected thereon ; the immediate effect of such conduct on the part of a sworn officer being to completely demoralize the fisheries service on this part of the coast of Lake Erie, and to place these valuable Canadian fishing grounds in the hands of American firms.

The Minister, in view of the above fact, recommends that the services of Overseer William Prosser be dispensed with, and that such further steps be taken against him for the recovery of moneys unduly collected by him, and unaccounted for, as the circumstances of the case may seem to demand.

In regard to moneys not accounted for by Mr. Prosser, I put a question on the Notice paper, asking if the Minister had taken any steps for the recovery of the moneys which Mr. Prosser was said to be short. I received the following answer, which I do not think covers the ground :—

Sir CHARLES HIBBERT TUPPER. Before answering the question, I should like to state that there is no Order in Council on the subject dated April 9th, 1893 ; there is an Order in Council dated April 9th, 1892, under which the services of Mr.

Prosser were dispensed with. The Government took no action for the recovery of moneys, the fees for licenses issued by Mr. Prosser having been reported duly accounted for.

My question did not refer to licenses. Mr. Prosser has been in the habit of issuing permits, particularly to American firms, and it has been established on oath that moneys were paid to Mr. Prosser. My question was whether these moneys had been accounted for, and whether the Government, as hinted in this report, had taken any action to collect them.

Sir CHARLES HIBBERT TUPPER. Perhaps I would meet the hon. member's convenience by giving at this point a full explanation. There is no desire to give a partial answer to the hon. gentleman's inquiry. In the ordinary course the papers went from my department to the Department of Justice, and proceedings were ordered, as the answer given the other day intimated, and it was found that the license fees were duly accounted for. But we are in possession of no evidence, as the hon. gentleman will see from Overseer Kerr's report, nor are any papers in our possession to prove the general charge of money being paid to Mr. Prosser for which no account was rendered. All the money which we could trace, or which we had evidence to charge against him was accounted for. In regard to the other accusations, we could make no headway against him without possessing evidence of names, amounts and dates.

Mr. ALLAN. Certain receipts were given.

Sir CHARLES HIBBERT TUPPER. On examination it was found that they were not sufficient on which to base an accusation.

Mr. ALLAN. I will read what the fishery inspector says in regard to this matter :

I need not dwell on this point. As already remarked in my previous reports, the department's books will be the strongest affidavits. If Mr. Prosser paid the money collected for the extra nets used by Mr. Black (\$50) for the years 1886 and 1887, for which Black holds receipts, and for the years 1888 and 1889, which Black swears he paid (\$50 for each year) ; Philip Deslauriers, \$50 for the year 1889 ; Peter Gardner, \$50 for the year 1888, and Frank Gardner for the year 1888, these moneys will surely be entered.

I call the attention of the Minister to the fact that there are several names and that during a number of years moneys were collected, as has been proved under oath and by receipts, and witnesses can be produced to-day to show that the moneys in question were paid. Under the report of the Privy Council instructions were given to take action to have the moneys collected. I continue :

But, as I understand it, they are not, and Mr. Prosser has nothing to show that the money was ever paid ; while a number of the fishermen hold receipts from Mr. Prosser. Mr. Prosser swears in his affidavit that this money was paid over to the department—then why does not he produce the acknowledgment generally received from department, which, according to the rule is invariably given for such things. I apprehend that if Messrs. Wigle and Prosser press this matter too far, and have an open investigation, it will be worse for Prosser in the end, as these witnesses are ready to come forward and give evidence as they gave before.

Sir CHARLES HIBBERT TUPPER. I suppose the hon. gentleman really misunderstands the point, or he would not continue to dwell on this portion of the documents. The portion of the report to which the hon. gentleman now refers was that upon which proceedings were threatened, or were about to be taken, but the amount of this account was sent in. It was in regard to the general charge in support of which there was no satisfactory proof, that we were unable to proceed. In all the cases where there was anything definite or in which receipts had been given the amounts have been accounted for—not before the minute of Council was passed, but afterwards, and before proceedings were instituted.

Mr. ALLAN. That really does not cover the ground.

Sir CHARLES HIBBERT TUPPER. Yes, it does.

Mr. ALLAN. During a number of years Mr. Prosser issued receipts, and I could read further from the evidence where the inspector shows that this practice has been carried on, and there is no telling how many permits have been issued.

Sir CHARLES HIBBERT TUPPER. You cannot hang a charge on that.

Mr. ALLAN. Certain steps should be taken to have such a matter investigated.

Sir CHARLES HIBBERT TUPPER. How many steps ?

Mr. ALLAN. A large number. I will continue to read from the affidavit from which I have already quoted, because it will prove very interesting reading for the people of Essex County.

4th. That not a single license was granted in the name of a dead man, except in the case of Hezekiah Bickford, and John Deslauriers, grandson to the old man H. Bickford. Deslauriers requested him to send for the license as usual, in Bickford's name, which has never made any difference to any person.

This assertion is denied by John E. Deslauriers, who distinctly swears that he asked Mr. Prosser to change the name. Prosser declined, claiming that it would not make any difference. See John

Deslaurier's evidence. He is ready at any time to swear the same thing again.

Mr. Prosser must not forget that many licenses were issued to men who were not fishermen, and to others who never fished at all, as well as to men who were not in the country, viz. : Harry Livingstone, Wallace Scratch, John Loop, sen., William Haskins, James Robson and others. The department is already aware, from my various reports, as well as by the evidence produced, that this was done simply for the purpose of procuring more nets for Post & Co. Mr. Prosser was perfectly cognizant of the position of these men at the time he forwarded the applications. I therefore cannot possibly see how he can clear himself of this accusation. These men are prepared to come forward at any time face to face with Mr. Prosser, and conscientiously give their evidence without fear or favour.

5th. That he always did his duty conscientiously ; that he believes there has been and still is a systematic course of blackmailing against him, simply because he has done his duty, and would not allow certain persons to fish contrary to his instructions.

I do not agree with Mr. Prosser's statement regarding blackmailing, etc., etc. I am very sorry to add that I found Mr. Prosser a very deceitful man, and that his word is not to be depended upon. I must also mention that when I first met him he proved so affable and agreeable, that when I began this investigation I was strongly impressed with the idea that the charges would prove unfounded. But the irregularities were so glaring that there was no difficulty in getting at the bottom of the complaints, with the results already made known.

There is no blackmailing nor any hard feeling against him, nor any attempt to take advantage of him by the fishermen that I am aware of. True, there may be some animosity between him and Black, but Black told me he was quite satisfied with Prosser as an officer if he would only give him the same privileges as the rest of the fishermen, which was all he asked for. And all that Black stated in regard to the charges turned out to be correct.

I must say on behalf of the fishermen of this district that in all my travels I never came across a more respectable, decent, sober, and industrious lot of fellows. They are, I believe, above such a stigma as blackmailers, as Mr. Prosser designates them. All they asked was fair-play and justice from the local fishery officer, and no partiality to any one. My reports and the evidence produced showed that that has not been carried out by Mr. Prosser. Who then can blame these fishermen if they are dissatisfied at the manner in which he has been discharging his duties.

I have shown, Mr. Speaker, that the existing state of things in regard to our fisheries, proves the statement I have made : that not only are the Americans catching four-fifths of the fish on Lake Erie, but that even the small quantity caught in Canada, is so manipulated by the American firms that Canadian fishermen are deriving really very little advantage from it. In the Essex district, the fishery business has been largely controlled by Post & Co., and below that district there is the Longue Point Company, a rich and powerful corporation, composed

Mr. ALLAN.

mostly of Americans, some of whom, I am informed, are millionaires many times over. These people can get a very large number of nets and are carrying on extensive fishing on some system by which they allow the fishermen a sort of share. Below the Point, the fishing is controlled to a very great extent—with here and there an exception—by the fish firms of Buffalo, Treble & Co., and the Buffalo Fish Company. It is, in my opinion, a deplorable condition of affairs that while in one year the American people catch fish valued for \$2,000,000 and in another year they catch fish valued for \$3,000,000, that the catch by our Canadian fishermen amounts to only \$300,000 or \$400,000, and most of that does not benefit our fishermen to any very great extent. It is stated in this report that the Longue Point Company carry on their fishing by a system of shares. The fishermen are probably poorly paid, while, if any one would take the trouble to look at the census returns in connection with the fisheries of the United States, they will find that a large and profitable business is being carried on, and that the men engaged in the industry in the United States are making money. The document I have before me establishes that, but I will not weary the House by reading it. In Canada there are just a few fish firms, and these are mostly composed of Americans. The Longue Point Company is a wealthy sporting company, who should not be in the fishing business, and I think that it is unfortunate that our poor fishermen should be deprived of a double header, or a second pound-net when these fish firms in some way or other—by intrigue and influence—obtain almost every privilege they require. Of course the Minister has relieved himself to a great extent by the dismissal of Prosser. He could not do otherwise than to remove from the service of the department a man who had been guilty of the acts proven against this fishery overseer. I understand, however, that McMichael is still the fishery overseer at Blenheim. I have not heard of his dismissal. This is a very large industry and a very profitable industry, and the Canadian people should have the benefit of it. It is believed that the result of the policy adopted by the Minister has been to throw that important trade almost entirely into the hands of Americans, and so our Canadian people complain of that policy. The theory of the fishermen is that Mr. Wilmot, who is engaged with the hatcheries and believes in the artificial propagation of fish, is anxious to curtail fishing in order to show that there is some result from his methods. The fishermen assert that it cannot be shown that out of the millions of fish fry deposited, there is one single fish that has come to maturity. This statement may be somewhat exaggerated, but the fishermen assert that the policy of propagating fish artificially is a failure. Whether the statement is

well founded or not I am not prepared to say, but it is the belief of the people engaged in this industry that Mr. Wilmot is trying to make out a good case for his hatcheries by curtailing the catch of fish, and they are also of opinion that his advice to the Minister in this direction is responsible for the policy of restriction on the Canadian side of the line which has been pursued by that hon. gentleman. Let me ask: When are we going to be benefited by this policy? It has been in operation for twenty years, and every year we have been told that some reciprocal arrangement will be made with the Americans which will put the fishermen of both countries on an equal footing. The policy of the Minister is no doubt backed up by a few people in Detroit, but the best proof that the Americans do not believe in that policy is that the State Legislature of Michigan adjourned for two years without taking any action whatever upon the recommendation of the fishery commissioners of Detroit. Our Canadian fishermen have been restricted for years in their fishing operations, while all the time the Americans continue to catch fish to the value of two or three millions of dollars a year; and, as I said before, Canadians are only permitted to catch \$300,000 or \$400,000 worth. This is an injustice to our Canadian fishermen, and it is time that the Department of Marine and Fisheries should put an end to it, and adopt another policy.

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

After Recess.

SECOND READING.

Bill (No. 138) to incorporate the Montreal, Ottawa, and Huron Canal Company.—(Mr. Macdonell, Algoma.)

SUPPLY—LAKE ERIE FISHERY REGULATIONS.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, I greatly regret, owing to the importance of the subject, and notwithstanding the time at which it has been brought to the attention of the House, that it will be necessary for me to ask the indulgence of the House for some time while I refer to the points that have been raised by the hon. member for South Essex (Mr. Allen), and particularly to the question upon which he only briefly touched. I know that it is contrary to the rules of the House, and very properly so, to impute motives to hon. gentlemen who ask the attention of this body to any public question; but I was considerably surprised, knowing, as I have reason to know, the very great importance of the preservation of the fisheries of the great lakes of this country, to observe this after-

noon the extravagant language which that hon. gentleman indulged in, accompanied as it was by the most superficial statements that could possibly be made on such a question. Time and again I heard the hon. gentleman, when speaking of the policy that I am carrying out, refer to it as, "a policy of oppression and tyranny"; he spoke of "great outrages"; he stated that our Canadian fishermen on those lakes were practically idle to-day; and declared that there was no explanation or defence in reply to an attack of great moment which apparently had already been made this session, and which the hon. gentleman deemed it necessary on his part to follow up with his fusillade of this afternoon. These were extraordinary expressions, Mr. Speaker, and expressions which, if they had really a true support, would have excited a great deal more attention than the hon. gentleman was able to command on either side of the House, which would have attracted a great deal of attention this evening, and would have demanded the most serious consideration that we could give to them. But, instead of the hon. gentleman supporting those statements by arguments or by an exhaustive review of what the policy of the department really was, I discovered a little later on in his remarks that his real object was to attack, not a policy, but a man; not to criticise a Minister of the department, or the Government of the day, but to attack, in what I consider a most unfair manner, a Mr. Prosser, who apparently lives in the district from which the hon. member for South Essex comes; and although I have no knowledge of Mr. Prosser, apart from the fact that he was once an officer of my department and was dismissed, and that some years ago, yet, from what the hon. gentleman said, I have no doubt whatever that he is, whether rightly or wrongly, a strong man in that district, and a man who is politically opposed to the hon. gentleman. I can conceive of no other reason why the hon. gentleman should have spent the greater part of his time in driving home and repeating again and again the charges against this man, which were investigated as far back as 1891, and which brought about his ultimate dismissal. What does the hon. gentleman want to do with Mr. Prosser? Why does he drag him up before this House in this year of Our Lord 1894, and insist at a rather late period of the session on pounding him in the fashion he did? The hon. gentleman was so anxious to belabour this poor man, that notwithstanding that I endeavoured time and again in the course of his remarks, and for the purpose of economizing the time of the House, to tell the hon. gentleman that all these serious facts had been inquired into, and that all we could do under the laws of this country had been done—that all the laws justified was the removal of the man from office—that this question of not accounting for money had

also been thoroughly sifted, and that on reference to the law officers of the Crown in Canada, it was found that further than we had gone we could not go against Mr. Prosser; yet, the hon. gentleman spent a great deal of his time in reading from a return facts which related only to the year 1891. Well, Sir, with a mild protest against that method of dealing with a man outside of this House—a man who has already been punished, and punished most severely, for any negligence in office, in reference either to his conduct as a fishery overseer or in regard to accounting—I shall at once pass on to the question which the hon. gentleman only lightly touched, and which I recognize as a very important question—a question that was brought to the attention of the House on more than one occasion, and this year by the hon. member for North Essex (Mr. McGregor). The hon. member for South Essex said to-day that that exposure of the policy of the Department of Marine and Fisheries had not been answered—that there had been no explanation or defence offered in reference to what he was pleased to call a criticism or an attack. Well, Mr. Speaker, that hon. gentleman has shown that he has given very little attention either to the subject-matter of his complaint or to the proceedings of this House. The hon. member for North Essex some weeks ago moved, and very properly moved, for all the papers connected with the subject, and on that motion he did enlarge on the question of policy and on the subject to which those papers related. It was my intention at the time, though I do not know that it was necessary according to the rules of the House, or the spirit of our procedure, to have spoken to the motion: but for reasons which it is not necessary to go into, when the debate closed at six o'clock on that day, the motion was carried to another place, on the Order paper. When it was again reached I did not happen to be in the House, and no remarks being made, the motion was carried as a matter of course, and the papers were brought down. But that there has been any disposition on my part either to shirk my duty in tendering explanations to this House on matters of policy connected with my department, or any desire to burk the fullest and freest discussion, I utterly deny. The question is one of public notoriety. Although the hon. gentleman did not advert to them, the reasons for the policy of the department, whether that policy be right or wrong, are pretty familiar to the people along Lake Erie, and the waters to which special reference was made, Lake St. Clair and the St. Clair and Detroit Rivers. Not only have explanations been given in the Blue-book, but answers to all inquiries, whether from fishermen, fish dealers or members of Parliament, have been given. I have stated openly what I believe to be my duty in administering the regulations touching this and the Fisheries Act. I have

Sir CHARLES HIBBERT TUPPER.

sought consultations with hon. gentlemen who did not agree with me politically. I have met in friendly council the hon. members for West Lambton (Mr. Lister), and Kent (Mr. Campbell), and other hon. gentlemen, and explained to them, in the presence of the officers, upon whom I must of necessity, in a great measure, lean, the reasons for the policy in force. It is no narrow principle upon which I stand. The hon. gentleman discussed the matter in a loose and extravagant manner. He mixed up other questions with it, but to put the real grievance in the strongest possible shape from his standpoint, we must confine ourselves to the narrow waters that separate the United States from Canada. It was unnecessary to travel into the great waters of Lake Erie for this purpose, and I submit it is all the more to his advantage to confine the discussion to the narrow waters of the St. Clair and Detroit Rivers, and Lake St. Clair if you like. The most that can be said about our policy is this: that it may be all very well for the Canadian Government to administer severely and rigidly regulations that are right in theory and sound in principle, in these great inland seas where we have complete control, but that it is wrong to enforce those laws on narrow sheets of water, separating us from other countries, because the effect of that—and this I take it is the hon. gentleman's best argument—would be to give to our neighbours advantages we deny to our own people, and because in so doing we would accomplish no good purpose, but entail upon a large number of our own citizens loss and suffering, in the absurd attempt to preserve the fisheries in that way. I think that any person who has followed the discussion of the question will agree that this is the most serious aspect of the case which has been put. But the hon. gentleman was not content with that feature of the case. He quarrelled with nearly everything in connection with the administration of the fisheries. He took various positions. He went on to show for a long time, if figures can show anything, by an elaborate criticism of the statistics in our Fishery Reports of various years, that this idea that there was any danger to the fisheries in the great lakes was entirely a superstition or a fallacy indulged in by the department, and not based on experience. He showed that enormous wealth was drawn by the United States fishermen, on the United States side of these waters, because they were not trammelled by restrictions of any kinds, and that on our side the result had been a diminished catch and great suffering. Challenged on that point, however, as he was by myself, he did not give a straightforward or definite answer. The question I put is one that meets us at the very outset, and that question is: what is the present condition of the particular fishery we are discussing? Whether the regulations or the action of the department be wise or unwise, the first question, in con-

sidering that matter must be: the present condition of the fisheries. Is that condition such as to cause alarm? Or, after the extraordinary inroads have been made that have been made upon the fisheries, is there no sign of diminution in the quantity or the size of the fish caught? I asked the hon. gentleman what his position was on that point, and I am in the judgment of the House when I say that he did not give a straightforward answer, although he was citing evidence to show that the fishery commissioners, who were speaking of the depletion of the fisheries on the United States side, were wrong in their contention. He quoted a newspaper, published in Munro City, which said that there had been an extraordinary catch of fish in the very waters said to be depleted, and the hon. gentleman went on to argue that that catch and the present condition of the fishery showed how absurd these fishery commissioners were when they came to the conclusion that there was reason for alarm.

Mr. MILLS (Bothwell). His statement was that there was an increase in the quantity caught each year.

Sir CHARLES HIBBERT TUPPER. Yes, but any one familiar with fishery statistics or conditions in this country, knows that you can form no opinion as to the condition of a fishery by merely examining the figures published respecting the catches of each season, because there are many circumstances that must be considered in that connection. How much fishing gear was used? What was the number of fishermen employed? What amount of netting was used? What kind of engines were used? And after all is said and done, what was the condition of the fish actually caught? That is a great and crucial test in every inquiry, whether in this or foreign countries—and there are many countries spending enormous sums every year in ascertaining these various points—and it will be found that the great test is not the actual catch, not the money turned over—because very often you will find enormous fish harvests in the years preceding an absolute famine—but what was the average size of the fish caught? Did they show by their small size—as a rule their length—that the fish were running out? That is a great test of the diminution of a fishery. That is the great test of a diminished fishery, so that this argument, in which I am sure the hon. gentleman has no faith himself, is not an argument worthy the attention of this House. There is no man from the Lake Erie district in this House to-day who can rise in his place and say that he really believes that the Lake Erie fisheries are in as good condition as they were, or that they have withstood successfully the extraordinary onslaught made from year to year by the fishermen on either side of the lake. It is notorious, on the contrary, Mr. Speaker, it is within the knowledge of every

fisherman and every man who has looked into the subject for a moment that a complete change in that fishery has already taken place. What was the staple fishery of Lake Erie only a few years ago? It was the whitefish fishery. It was the whitefish that was turned over in the American market, it was the whitefish that brought gold to the fishermen on both sides of the lake. That is a superior fish and a fish of great value. But there is no whitefish fishery on Lake Erie to-day; the staple fishery of that lake at the present moment is the herring fishery. The herring is an inferior fish, and one that cannot be compared for a moment with the whitefish. It is simply because of the extraordinary demand that I have referred to and the efforts of the fishermen in the keen competition that has prevailed that have beaten down regulation after regulation. And in spite of everything they have at last reached a stage when the only fish that can be caught in sufficient quantities to keep up the expense of fishing apparatus and fishing arrangements, run the fishing tugs and so on, are the inferior fish. What is the condition of the lake fishery? It is such as to have caused alarm to every body of commissioners that have inquired into the subject. There have been conventions on both sides of the lake. Our American neighbours, both official and unofficial, have met to deplore the rapid depletion of this great fishery and the decadence of this great industry. They have met both on their own side of the line and on this side to take counsel with their Canadian neighbours, having in view the great, and to some extent the common interest. It is a notorious and it is an exceedingly sad fact that that is the condition of the Lake Erie fishery to-day. But there is more than this, Mr. Speaker, and it is to this point that I call the particular attention, and upon this I ask for the support of the House. The policy that, in spite of many difficulties, difficulties that it would be impossible for me to exaggerate, I have endeavoured to uphold, is that of insisting on a rigid observance of the regulations—which I believe to be necessary regulations—found in the Canadian Orders in Council governing Canadian waters of that lake and region. While there has been a diminution in the fishery, while the fish have fallen off on our side, we have not yet reached anything like the condition of our neighbours. Ruin all round meets them and stares them in the face. I have the official evidence that their capital is moving west, that six or seven hundred thousand dollars in cold cash had been lost in the fishery up to the last season, and that those remaining in the business were endeavouring to save themselves from absolute ruin by moving on to Lake Superior, and, even further west, to the Lake of the Woods, moving westward as so many of our own

fishermen have had to do. I wish, however, at the outset, and before I give to the House some of the reasons for holding the strong opinion I do of the necessity of rigidly enforcing the present regulations, to call the attention of hon. gentlemen to the difficulties which meet a man in my position. The position of Minister of Marine and Fisheries is a particularly difficult one in relation to this question. I have been surrounded by a body of very capable advisers. I have access to the reports covering a long period of years by officers who have served not only under me, but under previous Ministers, including those of the Administration of hon. gentlemen opposite. I find on the one hand from these men one unbroken piece of testimony as to what is happening and as to the way in which worse results than have already attended the prosecution of this fishery may be averted. But, on the other hand, go to the fishermen and you find, as when you consult the fishermen in any part of the world, that there is a complete difference of opinion among them. That is the common experience—for proof we have only to search the records of the English Parliament, where they have had commissions by the thousand to inquire into this question. Every member from a fishing district knows that what I say is correct, that you will find as many opinions as you call witnesses, if you ask the fishermen to come forward and give evidence as to either the conditions of the fisheries or the regulations that ought to be put in force. There never has been unanimity among them, and consequently the department cannot look to them for advice as to any certain line of conduct. We are bound to consult them, we are bound on our responsibility to treat them fairly and to discuss with them—as every Government and every head of this department has done—their statements and their reasons, but, as I say, in the end, the Minister must take the responsibility of deciding. But what happens in this House? Hon. gentlemen rise to address you, Mr. Speaker, on the condition of the fisheries and the policy of the Fisheries Department, and I defy you, Mr. Speaker, or any of your predecessors to find a trace of consistency in the views of the hon. gentlemen who may inadvertently from time to time upon these questions. Upon the very question now raised I could knock the heads together of the hon. member for South Essex (Mr. Allan), the hon. member for North Essex (Mr. McGregor) and the hon. member for West Lambton (Mr. Lister) and show that they contradict each other completely. And it is significant that when an hon. member rises to speak on this question, you will find him in favour of pound-net fishing or gill-net fishing or seine-net fishing, according to what the great fishery of his district happens to be, and each will ascribe all the ruin of the fisheries to the engine used by the fishermen who

do not happen to be in his own particular constituency. I do not mean to say that these hon. gentlemen seek to mislead the House. What I do claim is that, situated as they are they have only the benefit of the experience of the people in their own district and they discuss the question simply from their standpoint. I can show during this discussion contradictory views not only by these members as compared by each other, but by one member, comparing his statements in one part of his speech with those in another. It is true of the member for Lambton and the members for Essex, and I shall refer to a few of their utterances to show that they have not adhered to one principle or sustained line in discussing this question. That is my review of the position of these hon. gentlemen as they enter upon the discussion of this admittedly important question. What have I at my back? I have the opinion of Mr. Wilmot only. Mr. Wilmot is referred to, because for some reason or other, it is supposed that, as he was introducer of fish culture in Canada, he would upon this question give a biased opinion, and that these would simply subserve this great and primary interest that he is supposed to have in view. That, however, is not so. For Mr. Wilmot's opinion I have great respect indeed. He has had an extraordinary experience upon this subject, of great value, and it has proved of great value, in my opinion, to the country. He has given a lifetime to the investigation of this question, and his opinions have always been important. But I find that all men who are supposed to know something of the question, and for that knowledge are paid by this country, agree as to what should be done in dealing with this question. I find that during the administration of the Reform Government, the Commissioner of Fisheries, Mr. Witcher, held very strongly the opinions that my officers hold now, and did all he could to bring them into force and have them moulded into regulations. I find Dr. Wakeham holding the same view, a man whose knowledge of our fisheries is hardly excelled by that of any other man, a man who has served with great credit on the commission that has been issued, in which the United States have appointed a very able man, Mr. Rathburn, one of the fishery staff at Washington, serving with him in the investigation of the various fishery questions in the waters contiguous to this country, and to the United States; also Professor Prince, a gentleman of scientific training, who, although he has only been in our service a little over a year, has already created a most favourable opinion among those who have met him, a man who is not only an educated man in every sense, but who has had a special scientific and practical training in the subject of fisheries, a man who has served on fishery commissions in England, both under Liberal and Conservative Administrations. I find all

Sir CHARLES HIBBERT TUPPER.

these gentlemen holding one opinion, and supporting that opinion by arguments that I have not heard answered in this House, and I do not believe can be answered. I have undertaken to stand by those opinions, and for that reason, some hon. gentlemen, perhaps, may think it a political move. Certainly I do not ascribe that motive to all hon. gentlemen who may differ with me, but we know that some hon. gentlemen think it a good political move to stir up among the fishermen a prejudice against the department and against the Government, and turn it to good political account. The temptation is very great. These fishermen whom we restrict, whose actions we limit, with whose operations we interfere, are a large and influential body of men. They are sensitive every time we move against them, and justly so, for to some extent we make it all the more difficult for them to get a living for the time being. But the advantage of all the fishery regulations is that, while they may for the time interfere with a man's operations, while the fishermen may not like them, in the long run the fishermen are better off, and certainly the regulations are better for the country at large, for they tend to preserve for a longer time than would otherwise be possible, a great and valuable industry that might be destroyed but for these regulations. Now, hon. gentlemen need not contradict me when I say there is a grand opportunity for the political demagogue to enter on the scene when these regulations are being enforced. I know both from friends and opponents how unpopular those regulations are, and I know only too well how difficult it is for any Minister, or for any Government, rigidly to adhere to a system that means the enforcement of those regulations. For instance, every time you punish a man you excite an enormous amount of sympathy in the district for that man. They think that the power of the Government has been hardly exercised upon one who, perhaps, is the least able to bear it. Violations of these regulations are sometimes severely punished, and this is a time, as I say, for the political demagogue, the man who has only a smattering knowledge of these questions, who uses what he calls horse sense, and refuses to look into any of the authorities on the subject, to come to the front and rally at his back the discontented fishermen, and ask for a snap verdict against the action of the department that dares to act in the alleged tyrannical fashion. But sometimes, Mr. Speaker, it suits hon. gentlemen to take another turn. For instance, it suited the hon. member for West Lambton (Mr. Lister), when once dealing with this subject, to upbraid the department for not being severe enough. Now, strange as it may appear, this is the condition: that if there is a strong feeling that there has been neglect on the part of the department, and if a fishery has reached that stage when, after

allowing the regulations to be suspended, ruin is apparent, then is the time for the demagogue to rise and indict the Government for having been recreant to their duty, for having been negligent in not enforcing the law, and so on. The hon. member for West Lambton spoke some time ago upon the cruelty and the oppression of the Department of Marine and Fisheries in enforcing the regulations in this cruel way, confiscating nets, burning boats, and doing all these terrible things. I ask the House to follow the argument of the hon. member on that occasion—he spoke in 1891—in order to appreciate the statement that I make to-night regarding the difficulties that any one has to face who for a moment deals with the administration of these regulations. He was advocating a strict and rigid enforcement of the laws in 1891. He was not pleading, as he did since 1891, for the poor fishermen who depended on this fishing for their livelihood. This is what he said:

I for one hope that the effect of that legislation—That legislation which would allow the fishery officer a moiety of the penalty to be imposed.

—will be an incentive to these officials to act, and will induce them to be more vigilant, and to enforce as far as possible the fishery laws of the Dominion.

Mr. MILLS (Bothwell). They speak of pound-nets.

Sir CHARLES HIBBERT TUPPER. Again, later on he says:

The law is disregarded and every day in the year it is broken, and the result is lost to that section of the community.

Again, speaking of Lakes Ontario, Erie, Huron and Superior and Georgian Bay, he says:

In those great inland waters are to be found whitefish, trout, pickerel and herring, all having great commercial value, and it is but proper and right that every step that can possibly be taken, everything that can be done for the protection of that great national wealth should be done by the Government and by this House.

Coming down to specific complaints he said:

The fishermen complain of fishing with gill-nets and pound-nets in the district, and particularly with gill-nets, and that if the system is continued, it will inevitably lead to the complete and absolute destruction of the fisheries of the country, and it is with this view I have brought the subject up.

Later on, the same speaker said:

It is contended by those engaged in the industry that the pound-nets and gill-nets give the fish no chance to escape. They take in all kinds of fish, they are kept going day and night and the effect of the system has been almost to destroy the seine fishing in Lake Huron and in the other lakes to which I have referred.

Here I would explain, in order to show the

difficulties connected with my position, that the hon. gentleman insists that seine fishing should be allowed. He is an advocate of seine fishing, of that mode of fishing condemned far above and beyond all other fishing engines in the lakes as injurious and destructive, not by politicians, men who get their views from the various districts and from interested parties, but by experts, men of experience and training who are to be found in the Department of Marine and Fisheries, and not only in my time but previously, many of their records extending as far back as 1867, when the department was organized, since which time the department has continued the terrific struggle, first, to have the necessary regulations adopted, and the second, to have those regulations enforced. This hon. gentleman is in favour of seine fishing. But he forgets the poor people interested in pound-net fishing, and gill-net fishing, when he uses the argument of poverty, and although in comparing the number of people interested it is a comparison of thousands to hundreds, the hon. gentleman was willing to throw away the argument he now uses and advocate the interests of the fishery itself, and the interests of the men engaged in it subsequently. He had no qualms of conscience in regard to whom he might strike when he advocated the abolition of pound and gill-net fishing. I take the hon. gentleman's argument, not from any desire to quarrel with him, or to say that he was animated by anything but the best of faith, but his remarks show the enormous difficulties to be overcome in dealing with hon. members who fly at conclusions so suddenly, and who, as occasion serves sometimes, use arguments that are contradictory. Later on the hon. gentleman endorsed the idea held by the department, that our fisheries were in no great danger. In 1891 the hon. gentleman said :

It has been noticed that for five or six years, probably six or seven years our pound-nets increased in number, but the catch of the seine fishermen has been reduced from year to year, until it is safe to say that within the last two or three years the catch of those fishermen has been comparatively very little.

The last statement I believe to be correct, and it is of great importance in the consideration of this question, because hon. members have been led to believe that a splendid business has been struck down, that the men who used the seines made a living out of their use. Most of the evidence I have under my hand, some of which I will place in the possession of the House, corroborates the statement of the hon. member for West Lambton in 1891, that the fishermen have made very little money from seine fishing during the last few years. In the speech to which I have been referring, statements are given from credible people, one from a seine fisherman living in the county of Huron.

Sir CHARLES HIBBERT TUPPER.

His statement is that the seine fishing has been ruined, and he adds that the pound-nets have ruined the seine fishing. The hon. gentleman read the letter, and continued :

The letter I have just read is only one of a large number I have received from different sections, where seine fishermen are complaining that the effect of pound and gill-nets is to destroy the fishing grounds along the shores of the great lakes.

Later, in 1891, this is what the hon. gentleman demanded :

What the fishermen say is that gill-nets should be abolished entirely, while the question of pound-net fishing should be thoroughly investigated and reported on.

Later on he said :

We ask that the number of pound-net licenses should be greatly reduced, that pound-net licenses for Lake St. Clair should be abolished, and the mesh made larger.

Again he said :

We ask that violations of the law in regard to the size of the net and in regard to fishing during the close season should be punished by cancellation of licenses and destruction of the fishing plant, and that Canadians only should have licenses provided they own the necessary appliances.

Why should the hon. gentleman this session upbraid the department because in all these matters we have followed the general principle, the primary principle on which he founded that speech, though we did not adopt his views in toto. We undertook to meet the hon. gentleman, and that is why I refer to him, for we adopted those views, not because they were his views, but because they were the views of the department, and we had to ignore the various individual interests of the fisheries in general, and the fishermen would have to take the risk and adapt themselves to measures for carrying on the business such as the business could stand. Any other principle, while popular at the time, ends only in trouble and dissatisfaction, and is entirely inconsistent with any well-organized attempt for either the adoption or enforcement of fishery regulations. We adopted practically the hon. gentleman's view of ignoring individual interests, and we found that much of what the hon. gentleman said as to pound and gill-net fishing is true, that stationary fishing is not half so dangerous in those waters as is seine fishing, which is movable fishing, which causes destruction to fish that have never matured and never had the opportunity of reproducing their species, that the destroyed fish were never even taken into the seine, but that the seine, handled as it is, over a very large tract of water comparatively shallow, takes within its reach and bounds the smaller fish which have escaped the large fish and have sought those grounds as specially theirs, and in such large numbers are they destroyed by the manipulation of the seine fishermen that within a short time, although the hon.

gentleman has told us about the migratory nature of the fish of the great lakes, the seining grounds have been reduced to utter and absolute ruin. Let me illustrate that one point, and it is significant. I hold in my hand a plan, showing the narrow and lower part of Lake Huron, the St. Clair River, and Lake St. Clair. Point Edward, at the mouth of the St. Clair River, was, some years ago, one of the most valuable and famous seining grounds in Canada. By putting up that ground at auction, the department was able to obtain no less than \$1,000 a year rental from these poor fishermen whose case has been submitted to the House by hon. gentlemen on various occasions. The successful tenderer obtained that fishing ground for \$1,000 rental, while the ordinary license fee is about \$50. The gentleman who has that fishery claimed a reduction of the reduced rent of last year, because of the utter failure of that fishery. Famous as the fishery was, and turning over thousands and thousands of dollars in the season's work, the most satisfactory evidence on oath has been produced that the fishery is an utter and absolute failure and that it has been fished out. One portion of that fishery is the width of the narrowest portion of St. Clair River, the point at which hon. gentlemen have told the House that they have seen the foreign fishermen working on their side of the line. Hon. gentlemen have also told the House that these fish keep to no particular runs or grounds, but that they go back and forth. I have strong evidence here on many points. I have evidence as to the destructive character of the seine as a fishing engine, as to the fact that the fish are local and not migratory, and that you can utterly extinguish a fishery by simply continuing to fish it with a dangerous engine such as the seine. In a statement laid by the licensee before the department recently, this was what was said:

Mr. Steele had paid a considerable sum for Miss Slocum's interest and the right to fish at Point Edward, and I had spent nearly the whole of my life in the fishery, and I had so invested there, that we could not afford to let the fisheries upon which I had spent hundreds and hundreds of dollars fall into other hands. So we took a license at the rental of \$500 a year. The rent up to that had been \$300. Until three years ago, the property was fairly good but for the past three years we have merely paid expenses, and last year we did not pay expenses.

Messrs. Steele and Hitchcock, were the lessees of the fishery, and on that point this is the sworn evidence of one of these gentlemen:

Q. Do you hold an important fishery at the mouth of the river?—A. It is not very important now, although I have paid for it \$500 a year for about five years. Five years ago, it was a fair business. Then we had no reason to grumble, but it is not profitable now, and we are not making a

cent. It has been falling off for the last three or four years. The bottom of the fishery has fallen out, and while it was worth \$500 a year, five or six or seven years ago, it is not worth that now.

Hon. gentlemen will see the importance of that statement. This man, not having any scientific knowledge and not having any particular information on this subject beyond his own natural experience in fishing a place, which is, as I say, on one side of a very narrow sheet of water, shows what the seine has done, and he shows from the experience of a long series of years how local these fish are in their habits. There is abundance of scientific evidence to corroborate all that. But, Mr. Speaker, I deem it important to call your attention to the fact that the hon. gentleman from North Essex (Mr. McGregor) who has given attention to this matter, argued at one time that Canadians should be allowed to fish under the same regulations as the Americans do, and he quoted with approval from the petition of the Essex County Council, the words, "The license system and close season should be abolished." I understand that the American system as advocated by the hon. gentleman refers to a free fishery, and the County Council of Essex evidently had that idea of it. The hon. gentleman (Mr. McGregor) however, did not finish that argument without showing how little importance he gave to the various statements he had brought before the House. I complain that in connection with the attacks made upon the administration of the fisheries in that locality, that, after denouncing all close seasons, and all regulations, the hon. gentleman himself proceeded to advocate a close time, which he fixed at from November 25th to April 15th. I want to know, Sir, whether the department is to be taken by the throat and denounced as tyrannical, and held up as an oppressor of the fisherman, when they, with the full knowledge of the facts, and after inquiry selected a close season as they deemed best in the interests of the fisheries. The hon. gentleman leading the attack gave as his idea of a close season from November 25th to April 15th. What means did he show this House that he had for forming the conclusion that he should cut off that particular portion of the year in the interests of the fishermen, and for the advantage of the fisheries. I would like to mention to the House that on the 25th of November the whitefish have just spawned, and that on April 15th the pickerel begin to spawn, and I take it that the hon. gentleman, if he knew anything of the subject, was familiar with these facts. Surely his advice on this subject cannot be considered of great importance if he proposes to allow fishing up to the time that the spawning is ended in the case of one fish, and to allow fishing again when spawning is about to begin in the other case. Then again, the member for West Lambton (Mr. Lister) told us that the member for

North Essex (Mr. McGregor) did not voice entirely the wishes of the fishermen of Ontario, and yet it is the member for West Lambton (Mr. Lister) and the member for North Essex (Mr. McGregor) and the member for South Essex (Mr. Allan) who lead this attack upon the administration of the department in regard to the fishery regulations. I have shown that one of the hon. gentlemen contradicts himself, that all three contradict each other, and that the member for West Lambton (Mr. Lister) warns me and warns the House, that we are to take what the member for Essex (Mr. McGregor) said with a grain of salt. With the member for West Lambton (Mr. Lister) it is clearly a question of degree. He is against the pound-net as a most destructive engine, and he admits—and it is an important admission—that in hauling in these nets much of the fry or spawn may be destroyed. That is the hon. gentleman's admission, and it is in accordance with the scientific opinion that the handling and the frequent hauling over the fishing grounds of these nets is destructive to spawn, and will, in the end, be ruinous to any fishery where it is practised. In answer to the statement which the hon. gentleman makes that we have caused an enormous amount of suffering and ruin and loss of employment, I am sure it struck the House to-day, when I asked the hon. gentleman, who comes from that district, whether he could give me the names of those who are in this unfortunate and pitiable condition, that he did not and was not able to comply with my request. Now, my officers inform me that applications from the men who held these same licenses have been received and granted largely for pound-nets, that they have turned into the fishing which has been for the time being sanctioned, and that they have not gone to the wall or been ruined by being prevented from following what I have shown in one case to be a profitless business. It is necessary just here that I should caution those hon. gentlemen who care to look into this subject and who care to follow me in the consideration of it, that, while the hon. member for South Essex did not tell us very definitely to-day what his real complaint was, the department has not stopped all fishing. Bear that in mind. The hon. gentleman talked to-day as if we had come down with a heavy hand and said: There shall be no fishing in these Canadian waters, but you shall sit by and see your American neighbours fishing in the waters opposite to you. That is not the case. What has caused the hon. gentleman to bring up the question before the House in this marked way has been the discountenancing of a destructive and ruinous fishing engine, and the stopping at once and sharply of the use of a net that was shown to have already had its deadly effect upon this important interest in the province of Ontario. That was the real reason; and, in order to put the matter in its strongest light, as I have said,

Sir CHARLES HIBBERT TUPPER.

the hon. gentleman dwelt upon a comparatively small strip of water, where very few men have ever been engaged in the fishing business. The amount is a mere bagatelle. That is their strong point, and they bring that up as an evidence of the hardship of the case. I meet them by saying that although the subject came up earlier in the session and we are now in June, yet I have to learn the name of one solitary individual who has been ruined or injured by the enforcement of a necessary and wholesome regulation. Now, hon. gentlemen talk about the absurdity of our supposing that these fish are non-migratory, and that in these narrow waters they are not constantly skipping across from one side to the other; and they say that when we prohibit fishermen from taking them on our side, the chances are ten to one that they are being taken on the other side. I would ask the hon. gentleman how he will explain this to me, that while the United States are spending millions to our thousands in fish culture, yet it was my experience to find a request from the hatchery at Detroit, on the United States side, of that narrow sheet of water, for permission to come into the Canadian waters, in sight of the so-called United States fishermen, to obtain the necessary quota of eggs for their hatchery, stating that they could not obtain them on the United States side? The reason is clear, and it is consistent with all the reports that I have been able to find—that our side of Lake Erie and our side of that river are peculiar, just as every man in the Lower Provinces understands that the tracks of the salmon up the coasts into the estuaries and up the rivers to the spawning beds are peculiar. As every man, woman, and child in a salmon fishing district know, just as they know the best fishing stands, there is a point where it is possible to intercept those fish in their regular path year after year to their spawning beds. They do not go to the right or to the left, or skip about with the breezes, as the hon. gentleman from the lakes have told this House in all seriousness, on the strength of items extracted from newspapers, and written perhaps in a joke. Men who have followed these fisheries will tell them that these fish keep a regular track right along one season with another. And so it is on the lakes. I know myself, with the little experience I have had since 1888, that certain fishing stations are eagerly looked after from one year to another. The fishermen know just where to go for a particular class of fish. Our reports are full of instances of this kind. There is a great deal more room in the Atlantic for the cod to frisk about and to change its habitant than there is for the fish in the lakes; and yet every hon. gentleman knows that so enormous has been the destruction of the cod, and so extraordinary has been the number of men engaged in taking that fish, that at last the different cod banks show signs

of exhaustion, and some famous banks off the coast of Newfoundland are utterly exhausted. The mackerel of course is not a local fish in the same sense; but there are fish in the ocean that are local; and it makes the case fifty times stronger to find in the land-locked seas of the upper provinces, what history shows, that the fish there are far more local in their habits than down on the seacoast; and all this talk about the fishery statistics of United States ports on Lake Erie is nothing but talk, because I have given evidence to show that fisheries in Lake Erie, where people have been allowed to fish ad libitum, unrestricted by Government interference, are already a thing of the past; and when the hon. gentleman reads these statistics, I will tell him how they are made, and I will give him good authority. These statistics are made up of Canadian fish. These fisheries have assumed enormous importance since the passage of the McKinley Bill, and with what result? The hon. gentleman has told us in part. He has told us that our fisheries are largely in the hands of the United States fish-dealers in Buffalo and elsewhere, owing largely to circumstances over which we had practically no control. The McKinley Bill made it worth while to encourage fraud of the worst and vilest kind in connection with this industry, and already a system has been introduced along our inland waters which has worked to the detriment of our statistics, so to speak, and to the detriment probably of many important interests along the great lakes. That system was this, that every man who could swear that he caught in a net owned by a United States fisherman could enter those fish as United States fish in a United States port. And consequently Canadian fish by the ton went in all last summer particularly, and the season before, into United States ports as United States fish. But will the hon. gentleman, coming from that district, seriously tell this House or his own constituents that the condition of the United States side of Lake Erie is as happy and bright as he pretends? When I remind him of this fact, that although the Yankee fisherman is not trammelled by regulations, pays no fees, observes no close season, if the hon. gentleman's information be correct, we seized last season no less than two large fishing tugs which were desperate enough to cross great distances—one as much as thirty miles—into Canadian waters in order to catch our fish? What stronger evidence can he require that their fisheries are on the decline and in an alarming condition, when their fishermen will run away from that happy fishing ground into all the risk that attaches to fishing in foreign waters? I am surprised that these gentlemen, coming from a district that is far more familiar to them than to me, should not deal with the question on broader and fairer grounds. I take no extreme ground, I arrogate to myself no pre-

tense that I must be right, but I have simply given the House the information and the records on which I am acting. I have told them, and repeat now, that pound-net fishing and gill-net fishing have caused great loss and trouble, and threaten worse consequences to the people on those lakes. What I wish to see is such an opinion in this House and on those lakes, before it is too late, that we shall be able to curb, with the support of both sides of the House that feeling which is growing more intense every year, just in proportion as the United States fisheries fall off, to rush in, catch all the fish possible in the season, turn them over into hard cash, and let the devil take the hindmost. It would be an easy thing to bow to the temporary feeling of the people there, let them have their own sweet will, and wreck this splendid industry which may be made a permanent one. But I think myself it is better to ride out the storm and breast this prejudice, and for that reason I have ventured to deal in this way with some of the points before the House. Take the way, again in which the hon. member for North Essex (Mr. Allan) approached this question. He cited Mr. Keyes, from the International Commission which sat in Detroit in 1892, to prove that November fish was alone valuable in this district, and he said that is the fish that we stop. Well, we have shown that November is a breeding season, and for that reason we have stopped the fishing in that month, as we do everywhere where there are regulations. Either regulations must be effective or wipe them out altogether, and they amount to very little if they do not protect the breeding season. But take this authority which the hon. gentleman quotes. On page 30 of the very report from which the hon. gentleman cited, we find that this very authority, which the hon. gentleman paraded before the House as a member attending the conference of international fishery commissioners held at Detroit—this Mr. Keyes said that whitefish—which was the subject of consideration and to which the hon. gentleman referred—do not frequent Canadian waters. I think that opinion is sufficient to dispose of that authority, and it is the only authority which the hon. gentleman gave. There are a great many men in this country, the United States and Europe, who have dealt with the question of the movement of the fish which the hon. gentleman discussed, but the hon. gentleman gave practically Mr. Keyes' evidence only, and I have shown what kind of an expert Mr. Keyes was, who did not know that there were whitefish in Canada. At another point in the hon. gentleman's presentment of the so-called grievance, I am embarrassed by finding that the hon. member for Lambton (Mr. Lister), the hon. member for Kent (Mr. Campbell), and the hon. member for Essex (Mr. Allan), attribute the decline of our lake fisheries to the restrictions of licenses and close seasons and the increase of

the river traffic. Those, of course, are mere opinions, which will go for what they are worth, but they are contradicted by the arguments of these gentlemen themselves, and by the experience of Europe. How can the increase of river traffic have done much to disturb these fisheries if they are in such a sound and healthy condition that the restrictions we are imposing are denounced as unnecessary and unreasonable. I would ask also, if the river traffic disturbs the fish, how is it that on the river Tay, on which is situated large manufacturing cities, such as Dundee and Perth, one of the most valuable salmon fisheries in the world is to be found at present? With the vast shipping on that stream, you have a vast fishery; and this idea of the shipping disturbing the fisheries is an idea monopolized by the three hon. gentlemen to whom I have referred. It is news to all others, in the salt waters, at any rate, who are accustomed both to ships and to fish. But the hon. member for North Essex introduced a political aspect into the question. He wanted to know what Essex had done, as if some sudden blow were aimed at Essex, and both North and South Essex happened to be represented by hon. gentlemen on the Opposition side. If it is any pleasure to those hon. gentlemen, I will tell them that gentlemen who agree politically with me, friends of mine in both those constituencies, used stronger arguments on the merits, put before me every fact that possibly could be urged against the policy I did adopt, and adopted reluctantly, and put before me the political difficulties as well—that intense dissatisfaction would be created, that it would be considered we had no care for the fishermen's interests—and I argued with these gentlemen and put as strongly as I could the reason which led me to adopt the present policy. There should be no politics in the matter. I was not the first to take up this question. It is one, to use the graphic language of the hon. member for North Essex, that used to cause him to implore my predecessor, who was a member of the Reform Administration, to come to his rescue and suspend these obnoxious regulations, because he was getting his jacket warmed by the district. He represented that riding then from 1874 to 1878. These fishermen's interests were being "interfered with" by the Fisheries Department in the same way as now, and he never opened his lips either in going into Supply or in a motion for papers or in any other way. But he sent official letters, that are on record, in which he begged and implored Sir Albert Smith, then Minister of Marine, to suspend these fisheries regulations or not enforce them very rigidly, because he was "getting his jacket warmed" by the people of that district. And while that Minister did yield to some extent only to his prayers, I have not done the same. He has discussed the question with me in a different manner and on different grounds, but I am prepared

Sir CHARLES HIBBERT TUPPER.

to meet him. But I would like to say that this is not a political question, or one the responsibility for which can be hung upon our political pegs. The policy of hon. gentlemen opposite has been, or was originally, in conformity with that I am now endeavouring to uphold. I find that before Confederation, for instance, an Order in Council was passed, dated 9th August, 1866, which prohibited nets, except under license, along the shores of the Detroit River and River St. Clair. There was an entire ignoring of the main principle, for which hon. gentlemen opposite have contended—that in narrow waters these regulations should not be enforced. But again, I find that the hon. gentleman is mistaken in saying that the enforcement of these regulations is of late growth, for a petition is on file in the records of this Parliament, showing that the Act was enforced in 1871, and that requests were made of Parliament in the direction the hon. gentleman now refers to. The subject became a live one in 1876, and a circular was written upon the authority of the then Minister of Marine and Fisheries, combating entirely the view hon. gentlemen are now supporting. This circular was issued under the authority of the Minister, was signed by the Commissioner of Fisheries, who referred to the subject of close seasons for spring-breeding fishes in Lake Erie and Detroit River. The commissioner used the following language, and I would ask the attention of hon. members who are following this subject at all, because this is an important point. And I hope that the discussion of the question will be altogether free from political bias, because I would desire that the question should be considered—I think I can fairly claim that—on its merits:

The operations of these necessary regulations appears to some—and usually to those persons who are at least impatient, if not altogether opposed to any restriction whatever, on their fishing pursuit—to be comparatively injurious to Canadian fishermen, in consequence to their proximity to the United States fishermen, who are said to fish unrestrictedly in the same geographical district. Whenever, therefore, the close seasons adopted, or methods of fishing prescribed, are found to curtail somewhat the operations of Canadian fishermen engaged in these border waters, the cry is raised that we are protecting fish for the benefit of United States citizens: that we not only deprive British subjects of catching the fish in Canadian waters when the market is most profitable, but thereby abandon such market to the exclusive profit of our foreign neighbours. It must be admitted that all this seems at first sight to be very plausible and there is no doubt it is well calculated to attract public notice and enlist local sympathies. But it is not, in a considerable degree at least, fallacious? Every unbiased and observing person, who devotes any attention to this trouble at all knows that the spring and summer fishing of our great inland lakes are attracted inshore and towards the islands in shoals by the two great leading instincts of want of food and reproduction.

The quantity of food and the facilities for propagation are quite as attractive generally on the Canadian as they are on the United States side of the lakes and rivers. Indeed it is pretty well known that, with the sole exception of the shoals around those groups of islands which are situated on either side of the boundary line, the best feeding and breeding places are on the northern shores and in the waters of Canada.

Little later on in the circular, Mr. Whitcher proceeds :

The idea that, in such extensive bodies of water as the great lakes, the local range of various kinds of non-migratory fishes extends across an imaginary water boundary, is not at all a practical one. It has been very industriously cultivated in support of claims made by fishing communities to be exempted from the economical restrictions; but it is so obviously an excuse that the parties using it have always confined themselves to mere assertions.

So, Mr. Speaker, the matter was deemed sufficiently important to be made the subject of a printed departmental circular in 1876. Before I go on, I would like to point out that it is not only the men in that locality who are interested in the policy I am advocating and defending. All the fishermen of these great lakes are interested, for there is none who can dispute that these narrow waters, these shoals and islands, are the great breeding grounds of the fishes of the greater waters. But to show further that there should be no political question in this, I find that in the time of Mr. Mackenzie, the Government did not hesitate to deal with subjects of this kind in a drastic manner, and very properly so. The Government prohibited, for instance, the use of seines in all Canada for the catching of smelts, by Order in Council, of 26th July, 1877. There is not an argument that has been used in this debate, notwithstanding the question of the contiguity of a foreign country, that cannot be met in a fair way by a comparison of the principles involved in this smelt question. The Government prohibited very properly the use of seines for the catching of smelts in that year, and there was no outcry that this was cruel and tyrannical towards the fishermen. Coming nearer to the waters of the Detroit River and River St. Clair, let me call attention to the fact that the same Government, by Order in Council, of March, 1878, prohibited setting nets or seines of any kind whatever in Niagara River, from the Falls to old Fort Erie. Every point that can be made by the hon. gentleman, every statement that he has made in support of his attack upon the action of the department in his particular district, can be met by the particular Order in Council to which I have referred. This is a frequent order passed under the provisions of the Fisheries Act, without any public outcry, where the object is for the general good, though in each case an individual's liberty is restrained of limited. For instance, there is a total prohibition

in Little Lake, off Mitchell's Bay, that I believe is in Lake St. Clair; on March 13, 1879, there was total prohibition of fishing, not merely the restricting of unsuitable fishing engines, in that lake. As I have said, I have with me Mr. Wilmot; I have with me Mr. Whitcher, who had long experience in the department; I have Dr. Wakeham, whose standing no one can dispute, and I have Professor Prince, who gives the result of his examination. Those gentlemen, of course, are all with the exception of Mr. Whitcher, now connected with my department. But let me call into this discussion another man, having no relation with the Dominion Government, a man of undoubted scientific standing, who has given his opinion and advice to the local Government of Ontario, that is, Professor Ramsey Wright, I think, of Toronto University, a man whose standing on this subject is well known to all who are doing scientific work in that part of the country. He has acted in connection with the Ontario Commission, and written a paper in which he refers to the destructiveness of this sort of fishing engine known as the seine. But in order to establish my point, I ask the House to bear with me while I call attention to a document that is very much sought after, but after it is laid upon the Table of the House, I notice it receives very scant attention and very few perusals, and that is the Fisheries Report. I would like to call attention to page 76, in Roman numerals, where one of the commissioners on this international commission, serving with Mr. Rathburn, of Washington, testifies to the decrease of the fisheries in those waters to which I refer :

All evidence points to the facts that in Lake Ontario and Erie as well as in the Detroit River and Lake St. Clair, the fisheries have decreased.

On page 77 again I would call attention to a statement made as long ago as 1872 :

In 1872 the departmental report called attention to the rapid diminution of marketable fisheries in those waters which border on the United States and Canada, particularly between Lakes Erie and Huron.

The history of the whitefish, to which I called attention, bears out the importance of that statement. Now, I would trouble the House with some further and important evidence supporting the argument I have endeavoured to present. This report contains evidence on the question of the non-marketable nature of the fish, and I think it is an authority that some hon. gentlemen require to consider. On page 70 of the Fisheries Report, it is stated :

During the course of the investigation into the fisheries adjoining the international waters by Mr. Rathburn, of the United States Fishery Commission, and Dr. Wakeham, the fishery commissioner appointed by Her Majesty's Government, it is ascertained that the fish which visit our side to

spawn do not all move to the United States waters, but are local in their habits rather than migratory.

Again, on page 75, in a very interesting article on the whitefish close season on the Detroit River, by Professor Prince, he states the facts which he observed on personal examination, going down to the localities in question :

The Canadian side is and always has been the chief resort for the whitefish.

Agreeing with Mr. Whitcher for the reasons given in his circular.

The great fish markets of Detroit and elsewhere look to the Canadian side for their main supplies of whitefish which breed, and are hatched, and are reared in our waters.

That result is confirmed by Mr. Whitcher, the officer in charge of the Wisconsin hatchery, who implored us to send eggs, as they were not able to get them on their own side of the river, for this fishery. Again Professor Prince says :

In these waters, as in other waters, it is certainly not the case that the schools of breeding fish deviate from their usual course and cross from side to side, so that fish caught by American fishermen during our close season would be caught by Canadians were they permitted to fish at that time.

Another reason why our side of the river differs from the other side, he states :

Not only has our side been the chief resort for the spawns, but the pollutions of Detroit city and numerous factories on the American side, as well as sewage and other deleterious matters, have tended to drive the whitefish to the purer water on the Canadian side, and thus increase the schools of spawners in our own waters.

Then again :

The numberless nets, traps, and pounds set in American waters and extending far from shore, intercept the migrating fish, break up the spawning schools, and drive them to our side. Our close season affords them freedom from these disturbances, and encourages them to come to our side.

On page 77, Commander Wakeham, who has gone into this subject with great care, says :

Whitefish and trout do not remain long on the spawning grounds, they come in slowly, but directly they have spawned, they return to deeper water. It is not the case that what are called Canadian fish are taken to any great extent in United States waters, a few may straggle from the schools, but the great mass of the fish that spawn in our waters never get within reach of seines or pounds fished on the other side.

I need not trouble the House much on that point. I regret I have to do so at this length, but the subject is a very important one, and I wish to let the House know the reasons upon which I base my conclusion. At this point let us take a view of the conditions of the waters on the United States

Sir CHARLES HIBBERT TUPPER.

side. I find some testimony on this point in the joint documents containing the seventh report of the Fishery Commission of the state of Michigan. The question is as to whether we are to be allowed to engage at all times and without restriction, in the business of fishing. Now, let us see the condition of the waters on the other side, as a result of a system such as the hon. gentleman seemed to advocate. On page 13 of the document to which I refer, it is stated :

From Port Arthur to St. Clair River little is now done ; the fishing has been destroyed.

And again :

Fishing in St. Clair River is practically a thing of the past. A few seines are in use there, but the catch is light. The whitefish has entirely disappeared.

Mark you, Mr. Speaker, this is testimony as to the condition of the fishery with free fishing. This is the fishery to which our fish with every puff of wind go, for it is alleged that the fish go indiscriminately from one side to the other. But we know that we get the eggs on our side of the river for our hatcheries. The Americans want the breeding fishing from our waters because there are no fishing on their own side at that point. But here is the official evidence that the whitefish have disappeared from the United States side of the St. Clair River. This was in 1886. I can give the House the request of the American Commissioners to secure breeding fish from Canadian waters, because they could not get them on their own side. The report adds :

In the St. Clair River the law prohibiting the use of nets has been violated.

I have accepted the hon. gentleman's statement on which part of his argument was constructed, that the Americans had no effective laws on the subject. There is no law, because there is no power of force sufficient to carry out a law and deal with local prejudices. Again this report says :

Very few fishing grounds are operated in Detroit River. The number is insignificant in comparison with past years.

This is further testimony as to the result and effect of unrestricted fishing.

Mr. MCGREGOR. You will not allow them.

Sir CHARLES HIBBERT TUPPER. I am referring to the United States side of the river and to the testimony of the United States people. I am destroying the main foundation of the hon. gentleman's grievance, and that is that our people on the Canadian side watch with envy their American neighbours taking the fish they are prevented from taking, and I am telling him that when the Americans want whitefish to breed from on their own side they have to come and seek fish on our side. I am show-

ing by the official's report the ruined condition of the whitefish fishing in the waters on the United States side, and yet the fact that seines are used on that side makes our people envious. I refer again to the report for the Americans cast envious eyes on us, and the commissioners refer at pages 15 and 24 to the improved condition of the Canadian grounds. Could a better argument be presented than that in vindication of our policy? On the one side, no restriction; on the other side, restriction much complained of. On the one side the testimony shows that the absence of restriction has led to the ruin of the fisheries, and on the other side that where there is restriction the result has been such as to redound to the credit of that system. I give those facts to the hon. gentleman for his consideration. The hon. gentleman has referred to newspapers. Let me quote from the Winnipeg 'Evening Free Press,' in which a common truth is stated. I quote as follows:

The scarcity of fish in Lake Erie and the somewhat inferior variety is causing something of an exodus of dealers from Lake Erie. The Sandusky Fish Company, which consists of all the firms in Sandusky and vicinity, has decided to remove its entire business to the Lake of the Woods, on the boundary between the United States and Manitoba. Nine car-loads of nets, a tug, etc., were shipped to Duluth en route to the point stated. The Company expects to catch sufficient to meet the demands of trade, and when the rigorous northern winter sets in will go back to Lake Erie and go to work. It is stated that numerous companies along the north coast of Lake Erie will soon follow. Lake Erie supplies nearly all the northern United States with fresh water fish, but excessive netting for several years has almost ruined the business.

The hon. member for North Essex (Mr. McGregor) knows that is true; he knows the financial difficulties experienced by those deep fishing operators who fish without law or license in the United States waters, and in the end have ruined the fishing, and the necessity which has led them to move out and explore other waters. I could give the House further testimony, if such were needed, as to the comparative condition of these fisheries. I hold in my hand an interesting document, it is the latest I could obtain, and was published in 1893, it being the report for 1892 of the Fish Commissioners of the state of Michigan, and it deals with those waters which I have been considering. I ask the House to observe what the commissioners say, and from those statements to judge whether we are proceeding on correct lines. It is not a new thing for fish commissioners in the United States to battle year after year for the protection of the fisheries. The State Legislatures have had many Bills, and useful Bills presented to them for their adoption, but politics of the smallest and meanest character have controlled many a State Legislature, and it is notorious, as these official documents show, that because

the fishermen of the locality do not wish to be interfered with, members of the Legislature have not the courage to meet that prejudice and fight it, and consequently either no law is passed or a totally ineffective law is adopted. These commissioners, who are very eminent men, report first on the necessity of regulation, as shown by their experience. Then they refer to a fact well known to those interested in the subject, but as others are not, perhaps, acquainted with it, it is important that I should read the following remarks:—

The appliances for catching these fish have been so improved and the fishermen are so eager to take and sell all that comes to their nets that but few of the fry planted are allowed to reach anything like maturity.

They state, what is self-evident, that while millions of fish may be produced by artificial hatching they cannot be preserved, except by efficient regulation and protection. Coming down to speak of the Detroit River at page 17, the Commissioners say:

The ova of the whitefish for the Detroit station have been taken principally from the fisheries on the American side of the Detroit River. For the last two years we have handled all the fish taken on this side of the river, and in order to obtain what we required have been obliged to look after the fisheries pretty sharp at times. We have finally arranged to control all these fisheries ourselves, and the past season have hired the fishermen out and out and managed the fishing, directly owning and selling the fish caught.

That is to say that the fishing is controlled, not by independent citizens of the United States who are held up as to the citizens of Canada as holding an enviable position, but the fishermen are in the employ of the Michigan hatching establishment which controls those fisheries itself. The Commissioners go on to say:

No herring of any consequence have been taken on the river for the past three years which seems very remarkable considering the large quantities that have formerly been caught here even at a quite recent date.

The first whitefish eggs were taken in the season of 1890, on November 6th.

I would like to know if hon. gentlemen will say "hear, hear" to that? Part of their argument was that our season was all wrong, but here we have the American experience agreeing with ours on this water as to when these eggs are taken, and I fancy that is about the time that there should be a close season.

The first whitefish eggs were taken in the season of 1890, on November 6th, and were taken on that day on every fishery in the river, and the last eggs were taken on December 11th.

This shows the period over which the spawning continues. Again:

About 15 years ago, whitefish along this shore from Michigan City to St. Jo were abundant.

We used to take them in seines by the wagon load during May and June when running in large shoals in shallow water which is a peculiar habit of the whitefish. Pound-nets, seines, and gill-nets were used here at one time. Gradually and surely the whitefish began to fall off until three years ago, when I sold out all my fishing outfit.

That is the result of free fishing which the hon. gentleman envies. There was nothing to prevent this man fishing, but the want of fish, and when the fish were gone, he sold his outfit.

Sagutuk, which lies at the mouth of Kalamazoo river, was at one time a fishing station, is now of very little importance. Whitefish and sturgeon were the principal varieties. Now all that are left of the fish kind are perch, and they are very plentiful in and about the mouth of the river.

That place was fished out, too, as many a good fishing locality has been exhausted before. I do not think it is necessary to dwell very fully on the question of the condition of fish in the spawning season. That is foreign to the subject immediately under review, and it is rather academical. I take it that the general opinion is that fish at that period are not as valuable an article of diet as in other seasons. I know, of course, that the spawn of certain fish is very valuable, but the fish itself at that time does not bring its best price, and certain kinds of fish are not considered wholesome diet then. If time permitted, which it does not, I could also give valuable information in connection with the inquiry made by the Commissioners, Messrs. Wilmot and Harris, as to the effect of seines in the Detroit River. I wish to say that this theory of the movement of fish as controlled by the wind is a subject that would be exceedingly interesting to discuss. I have looked into that question very carefully, and while I have abundant authority to upset such an idea, I shall reserve it until some authority, other than the mere opinion of gentlemen who have no particular experience with the fisheries, is advanced on the other side of the argument. Let me deal for a few moments with the insinuation which was made respecting the qualification of Professor Prince to deal with these subjects. My own opinion is that Canada is very lucky in obtaining the services of a man of his training. The facts connected with his appointment are these: I found that there had always been but one opinion in the department, and that was, that while we had a great many industrious men, and men of good ability, who had a great deal of experience in connection with fish life, that they had no scientific knowledge as such. Mr. Wilmot and Mr. Whitcher picked up their knowledge from experience, and they had a great deal of experience, but it was believed that it would be of great importance to a country such as Canada if we could back up that experience by an officer having such training as to give him a standing with men like the late

Sir CHARLES HIBBERT TUPPER.

Spencer Baird, and other able men attached to permanent fishery boards, in America and in Europe. In the different States of the United States, and in every great and small European country, such men were in the employment of those interested in the fisheries. Here was Canada, with a famous fishery, realizing \$19,000,000 hard cash every year, with fisheries of great variety and vast extent, famous all over the world, and yet we had not a single man of any scientific standing or training to advise the Government or the people upon this subject. Therefore, having obtained the authority of the Government, I caused inquiries to be made in England as to what suitable man would be willing to come here. I did not, however, take that step until I endeavoured to find a suitable man in our own country. If we had had any man who had given himself to a course of study and scholastic training in this matter, such as Prof. Ramsay Wright, of the Toronto University, it would have been far preferable to have had him to assist the Government as adviser. There was only one man of this class who was brought to my notice after careful inquiry, and that was Prof. Ganong, who, I think, comes from New Brunswick, or, at all events, from one of the lower provinces. That gentleman has won distinction in Harvard University, holds a chair there, and has followed, with great interest, the many phases of the fisheries of Canada, but it was impossible to induce him to give up the position he is now holding. The applications in England were from splendid men, and the great difficulty was in making a selection. They were men who held very important positions, with emoluments attached larger than we could offer, and it seemed almost hopeless, to expect a high-class man for the very moderate salary we felt justified in offering. I was surprised and gratified to find able men from the different fishery commission boards in England, Ireland and Scotland, who were willing to serve the Canadian Government. Their papers, their standing in the profession, and everything was unquestionable, and what turned the scale in favour of Prof. Prince, who was a man of splendid standing in England was his youth. He was the youngest of those who applied, and I thought that that fact, together with his high standing, meant a great deal for Canada. I am not exaggerating when I say that whether hon. gentlemen be on the other side of the House or on this, with whom Professor Prince has come in contact, or whether they were prominent fishermen, there has been but one opinion with reference to the qualifications of Professor Prince for the position, and his sound knowledge of all matters connected with the fisheries. The member for Lambton did not say anything in the slightest degree offensive concerning Professor Prince. But he attempted to minimize the force of his opinion by saying: what did he know

about the Detroit River? and so on. Well, as a matter of fact, he had been there and had investigated this subject very thoroughly, and had made a microscopic examination of the young fish that were admittedly destroyed by the seines—fish which were at one time supposed to be minnows of no commercial importance, but which he found beyond doubt to be the young of the white fish and the herring. Now, I would like to say that Prof. Prince is a fishery expert of large experience. He has been chosen for appointment by both political parties in England; he has served under both Liberal and Conservative Governments, and served with satisfaction. The present Lord Tweedmouth, when Mr. Marjoribanks, selected him for important work on the Scottish Fishery Bait and Shell Fish Commission of 1889. Mr. Balfour, the Conservative leader in the House of Commons, arranged an extensive survey of Irish fisheries in 1892, and Prof. Prince was appointed as the fishery expert on that survey. The Scottish Fishery Board gave him most important work, perhaps as important as was ever undertaken by that splendid board, namely, to begin extensive fishery researches regarding the breeding and life history of salmon and sea fishes. These occupied five or six years, and the results formed the most thorough and extensive publication on food fishes published in any country. Then, the United States Science Fund, called the Elizabeth Thompson Research Fund, gave the only grant ever given for aiding fishery investigations, to Prof. Prince for original researches on fishes. He has lived for many years on the sea coast of Scotland, and has had perhaps as large an experience in reference to its very important and varied fisheries as any living man in the United Kingdom. He has spent months on the rivers and lakes of Scotland, and has studied specially the salmon and other fisheries there. I think it would be difficult to find, even among perhaps abler men, a man of anything like his standing, who has obtained in the same length of time—for he is not an old man, he is what you call a young man—such valuable and widespread experience. Now, Mr. Speaker, I have endeavoured to go—hurriedly, it is true—

Sir RICHARD CARTWRIGHT. No, no.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman says "No, no." He has been reading far more interesting literature. I know. However, I have gone hurriedly over the subject, because it would take hours and days to discuss fully and satisfactorily the numberless and interesting questions that spring up at all points out of a discussion like this. I have been dealing with one line that struck me as the most important, and yet I may have utterly failed to deal with the problems that have been worrying the hon. gentleman who brought this question before the House—that is my embarrassment. But as I saw that hon. gentlemen

were not very anxious to get into Committee of Supply—they always have a motion of some kind ready for the attention of the House—and as, in my humble judgment, there is no subject of greater importance to Canada than the question of the fisheries and the best method of protecting them, I have ventured to put as much as I could in a limited space of the information on which I have been acting in connection with the enforcement of the regulation now complained of, which is the chief subject of complaint that I have heard, that is, the prohibition of seine fishing in these waters.

Mr. MILLS (Bothwell). Mr. Speaker, I am not going to trouble the House for anything like the length of time that has been occupied by the hon. Minister of Marine and Fisheries, and my only excuse for occupying the attention of the House at all on this subject is that there are in my constituency a considerable number of fishermen who are interested in this question, and in the policy which the Government have seen proper to adopt. There is one thing, Mr. Speaker, which must have attracted the attention of the House. The hon. gentleman says that the Opposition have not been anxious to get into committee. Why, Sir, the Opposition, at the request of the hon. Minister of Finance, abandoned on the present occasion, a proposition which they consider of very great importance, in order to give him an opportunity of at once going into committee; but, Sir, no sooner was that done than, it would seem with the sanction of the Minister, an hon. gentleman got up to make a violent attack upon an hon. member on this side of the House, and several hon. gentlemen spoke in succession, until a great portion of the time previous to Six o'clock had been taken up. Then, Sir, the hon. Minister of Marine and Fisheries has himself occupied two hours and twenty minutes in addressing the House in reply to the short speech made by the hon. member for South Essex (Mr. Allan) immediately preceding Six o'clock. So it is pretty clear that for some reason or other the hon. gentlemen who occupy the Treasury Benches are in no great hurry to get on with the public business. Now, Sir, the hon. gentleman has made a series of statements with regard to the views entertained by the officers of his department, and he has given high certificates of character to many of those gentlemen upon whose opinions in this matter he relies. I am not going to say upon what those opinions rest. The hon. gentlemen on the Treasury benches must, of course, in a large degree rely upon the officers of their respective departments; but it is nothing new to say that gentlemen occupying the positions of the officers to whom the Minister of Marine and Fisheries has referred, readily adopt hypotheses to account for many of the facts with which they have to deal, and in proportion as it is difficult to verify these hypotheses, they exhibit re-

lucance in abandoning them. The hon. Minister has read a circular from a former officer of the department, the Commissioner of Fisheries, to show that the opinions entertained in 1876 were precisely those entertained to-day. That of itself is an evidence that when once a theory is adopted in the department the officers of the department are very reluctant to abandon it. Now, Sir, the hon. gentleman has spoken of the destruction of the fisheries by the use of the seine. I do not say that no fish are destroyed in that way; but I do say—and I rely upon the opinion of men who are daily engaged for a considerable portion of the year in fishing, and whose opinion I think is more valuable than of that of any scientific expert who rests his opinion rather upon his theory rather than upon observation—that the views expressed by the Minister are very greatly exaggerated, indeed—that there is no such injury done in that way as the hon. gentleman supposes. Now, the fishermen say—men of large experience and excellent common sense—that fish may be driven from their breeding grounds precisely as you may drive away birds from the rookeries they occasionally occupy. The hon. gentleman said, with regard to the fisheries at the northern extremity of the river St. Clair, which were once very productive, that they are productive no longer, because they have been exhausted. That is not the view of the fishermen. They say: you have disturbed the fish when they have returned there during the spawning season, and they have sought other grounds, so that you will be obliged to look elsewhere for the fish which formerly occupied those particular grounds. So that when the hon. gentleman speaks about certain fishing grounds being exhausted, I think that he is using an expression that is misleading. I have read his report this year very carefully, and seen nothing there to convince me that those gentlemen who made the report have done anything more than ascertain that the fish which were numerous in certain localities at one time are not numerous there any longer—not because they are exterminated, but because they seek other haunts where they are less liable to be disturbed. I remember very well, some years ago, it was said that the mackerel fisheries on the coast of Prince Edward Island and the eastern coast of the Maritime Provinces had been destroyed.

Sir CHARLES HIBBERT TUPPER. You are now dealing with an admittedly migratory fish.

Mr. MILLS (Bothwell). I do not believe there is any fish that is not. Fish, precisely as birds, do return to the same spawning or breeding ground at the proper season, but out of that season they wander all over.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman say that the mackerel returns to its particular spawning ground?

Mr. MILLS (Bothwell).

Mr. MILLS (Bothwell). I say that, in my opinion, just as birds which occupy, in the order of creation, a position very closely analogous to that of the reptiles immediately below them, will return to the same nests, perhaps, for a score of years in succession, and just as the same birds which you find in your garden will be afterwards on the coast of the Gulf of Mexico—so fish, when the spawning season is over, go everywhere. The hon. gentleman says that the fisheries in the United States are being exhausted, and he has also said that the whitefish on Lake Erie in Canada are being exhausted. Why, what has exhausted the whitefish on the Canadian side? Is it because large numbers have been caught? I know myself the locality for fifty years, I can remember it very well, and I say there have been no great fishing operations carried on on the north shore of Lake Erie, and there has been nothing to exhaust those fisheries. If there is an indication of diminution, it is because the fish have been caught, not on the Canadian, but on the American side of the lake. If he shows that there is a diminution in numbers, I say it can be established beyond controversy that the catch on the Canadian side for half a century has not approached within a tith of the natural increase that we should look for, if the fish confined themselves to that side.

Sir CHARLES HIBBERT TUPPER. In the statement I made, the hon. gentleman will find that there is no dispute on the part of any one on Lake Erie of the fact that the whitefish has diminished.

Mr. MILLS (Bothwell). I am not disputing the fact that they have diminished, but I say if that be so, it is because the fish were caught on the American and not on the Canadian side, for I can prove that there have been no fishing operations on the north side of Lake Erie which could have appreciably diminished the quantity. There can be no comparison in the catch on the Canadian side with that on the American side, and yet the hon. gentleman admits there is a diminution on the Canadian side. How is that diminution caused? It can only be accounted for in one way, and that completely refutes the hypothesis put forward by the officers of the department, that these fish are confined to the Canadian waters, and are not found on the American side. I say that in the breeding season they are confined to our waters. I believe that in the spawning season the fish go back to precisely the same ground; but when that season is over, when the eggs are deposited, the fish then wander all over the waters of the lake. The fact that that is the more accurate view is proved by the statement of the hon. gentleman that there is a diminution in the whitefish, on the Canadian as well as on the American side. Our fishermen do not object to restrictions, because the fish of certain varieties are not

fewer in number than formerly, but what they say, is this, that there is a common fishing ground between Canada and the United States, and that so long as one of the parties in possession is permitted to go there and catch the fish, we should enjoy a like freedom. If you want to make regulations, come to an understanding with your neighbours, agree upon common restrictions, and then apply them as you think they ought to be applied, and we are ready to obey them. We are ready to submit to the hardships and the inconvenience, but we see before our eyes every day men in the United States, within a few yards from us, free to engage in catching fish, while we are excluded from those waters, and excluded on grounds that will not bear serious examination. Why, if there was the same opportunity for making an examination into the habits of the fish that there is into the creatures found upon the land, I do not believe that the hon. gentleman's theory—the theory laid down by the experts in his department—would bear three minutes examination. It would be wholly exploded. But there is a greater difficulty in learning the habits of fish than the habits of animals on land, and so an hypothesis which is extremely convenient, which gives little trouble, and is not easy to contradict, serves the purpose of fixing the policy of the department for a long series of years. I am not saying that the hon. gentleman is not honestly and earnestly engaged in administering the laws relating to the fisheries. I am not saying that he is not putting forward efforts earnestly and honestly to preserve the fisheries; but I say that, in my opinion, he cannot succeed until he can get the authorities in the United States, along the borders of our common waters, to agree upon regulations to be applied by both parties alike, and to control those who reside on the American side as well as those who reside on the Canadian side.

Sir CHARLES HIBBERT TUPPER. We have been trying to do that since 1874.

Mr. MILLS (Bothwell). But the hon. gentleman, in my opinion, will not succeed in preserving the fisheries until he succeeds in doing that. And if they are to be destroyed, I am not disposed to put impediments in the way of our own people; I would not seek to prolong the existence of these fisheries for a few years merely in the interests of those who will not consent to be governed by any rules or regulations. Now, Sir, the hon. gentleman should remember that these fishermen are in a very different position from the fishermen upon the sea coast. You do not demand a license of those men upon the sea coast; you do not charge them a large sum for the privilege of fishing.

Sir CHARLES HIBBERT TUPPER. For some fishing we do—salmon, mackerel and all fishing requiring the using of traps.

Mr. MILLS (Bothwell). Then you give these men on the inland waters no bounty. They are simply worried by the officers of the department. We do not agree with them in their views and the regulations enforced are in his opinion unnecessary and cannot be made effective unless those on the other side can be got to join in the undertaking. Now, the hon. gentleman has said that the fisheries were being exhausted, and not by the fish being driven away but by the actual destruction of the fish. I think he is mistaken, and I think so especially for this reason: I myself have observed for a series of years together the operations of those engaged in fishing on the shore of Lake Erie. At certain seasons when the fish return to their spawning grounds, certain varieties could not be found, but when a new fishing ground was prepared five miles away, the same varieties which were absent, as supposed, because of the reduction of their numbers have been caught in immense numbers.

Sir CHARLES HIBBERT TUPPER. Was not that considered extraordinary?

Mr. MILLS (Bothwell). It is not; it happens every year. I believe that where the whitefish have been exhausted if there is a new fishery opened five miles away they are very likely to be caught in great abundance. I speak from what has come under my own observation. These fish seem to be governed by the same kind of instinct observed in migratory birds. They will return from season to season to the same point if they are not disturbed, but if you disturb them in their customary haunts they will soon be found absent, not because they have been exterminated but because they have abandoned the locality.

Sir CHARLES HIBBERT TUPPER. What about the salmon? They are disturbed on their way to their breeding grounds every year. Do you think they can be turned away?

Mr. MILLS (Bothwell). No, I do not say they can be turned away. I am speaking of the case of the fish to which the hon. gentleman has referred, speaking from what has come under my own observation and giving a hypothesis which seems to me to fit in better with all the facts than the one the hon. gentleman mentioned and which he gets from his officer. So, apart altogether from the question of the waters being common to two countries, he will find his regulations are more stringent in regard to seine fishing than they ought to be for the protection of fish, so far as they can be protected while our American neighbours refuse to do anything.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Experimental Farm, maintenance. \$75,000

Mr. McMILLAN. Last year when we voted the items for the Experimental Farm

we found that there was a very large expenditure indeed, but we had not the report of the farm before us. Now, we have the report of the farm. I have gone pretty carefully over the report, and I must say that it is not such a report as should be sent out by an experimental farm that has been in existence so long as this has been. The real benefit of these experimental farms is in showing to the farmers what can be done in raising good crops so as to produce the largest quantity of grain or hay or other food for animals upon given a quantity of land. So far as the experimenting with grain is concerned there is not the least doubt they seem to have experimented to a considerable extent with that. But they have not given the first principle of experimental work. They did not give us the number of acres. I understand that they have a farm marked out and have an exact chart of it. Why do not they give us the number of acres under the different crops? Without this we cannot judge of the success of the experiments that have been made. They give two instances of the amount of grain raised in field crops per acre, and I hold that is a better guide for the farmer of what is being done experimentally, than are the small experimental plots, because those small plots are generally pretty well manured. We find this year, if the report is correct, an expenditure of \$1,840 for manures and fertilizers, a very large sum of money indeed for that purpose. I must say that this is not an example for a farmer to follow on an ordinary farm. A farmer has got to produce manure from his own farm to retain its fertility. I say that the expenditure of such a large sum of money on the experimental farm is not wise; and we may well ask the question whether all the other experimental stations are pursuing a similar course and purchasing large quantities of manure. I notice that the experimental farm at Guelph has only spent \$180 during the year for manure and fertilizers, although that farm has somewhat over five hundred and seventy acres, whereas the Central Experimental Farm has only four hundred and sixty-six acres; so that it cannot be on account of the size of the farm that they require to spend so large an amount of money in the purchase of manure. Now, when a farmer gets hold of the report of an experimental farm, what is the first thing that he examines into? He takes that report and says to himself, How much stock do they keep on this farm? What is the kind of stock? Is it thoroughbred stock or is it common stock? Is it kept for dairy purposes, or is it kept for experimental purposes? I hold that one of the most important things that report should contain is to show the number of horses that are kept and their value; the number of animals that are kept, and their value; the number of animals that are bought, and what is paid for each; the

number of animals sold, and what price has been realized. Then, it should tell us how many animals have been fed in pursuing experiments in feeding, the quantity of the different kinds of food that is given to each animal, the weight of the animal when it came in and so forth. In one of two instances they do give us the weight of the animal, but they do not tell us what was realized for the animal when he was sold. Now, that is not the proper way of reporting the experiments of well conducted experimental farms. The farm at Guelph is conducted in a different manner. Their report gives us the number of horses and their value; the number of animals of all the different breeds, and their value; the number of animals sold and the prices realized for each; the number of hogs sold and the prices realized. Upon the farm at Guelph all the animals sold for experimental purposes are sold by public sale. But upon our farm here at Ottawa, I see no account whatever of any revenue derived from the sale of animals. I wonder what the farmers of Ontario will think when a report like this is laid before them, containing no information whatever about the number of animals that are kept, the number that are purchased, the different breeds of the animals or anything of that sort. It contains no statement whatever by which the farmers can obtain useful information. One of the first things an experimental station should do is to show to the farmers how many animals they can keep upon a given quantity of land. It is true that they did commence an experiment to show how many animals could be kept upon forty acres of land, and they told us they were going to keep forty head of cattle on forty acres of land. Allow me to give the conductors of that farm a little advice for the future when they go into experiments of that kind, not to tell us the full particulars of these experiments until the experiment is well advanced. The time has gone past now to rely upon theory. I was content for some time to see them carry on those experimental farms theoretically, and to tell us what was being done in other countries on similar farms; but that time has passed for the Dominion of Canada. The time has come when they should tell us every thing they have done during the last year. In the report of the Guelph farm there is a statement of every field, the number of acres in each field, and the kind of crop raised upon it. That will give us some knowledge of what is being done there. The report of the Guelph farm states the number of animals of all the different breeds, and the value of these animals; it also states the value of all the implements, giving a regular inventory of everything in connection with the farm. This is what the best farmers in the country do for themselves, and why should it not be done in our experimental stations?

Mr. McMILLAN.

Let us state one of the reasons why I think, perhaps, this is not done. In the Dominion of Canada we have a lawyer as Minister of Agriculture, and in looking over the report how can he tell, unless he has been a farmer also, whether that report contains the kinds of information that the farmers of the country desire to get? Now, on the experimental farm at Guelph they have had for a long time a farmer as Minister of Agriculture. Let me say that the Hon. John Dryden is a credit not only to Ontario, but to the Dominion of Canada. When he was at the Chicago exhibition and a dispute arose with respect to the quality of a certain pen of sheep, he was chosen as umpire, and took off his coat and went into the pen and gave his judgment clearly and decisively, pointing out the best animals, and his judgment was accepted by the people of the United States and Canada as being correct. I think the fact that our Minister of Agriculture is a lawyer, is one of the reasons why this report is not what it ought to be. In the next place, they have as manager of the farm at Guelph, a gentleman who is a practical farmer, who competed for the best kept model farm in the province of Ontario. I may mention that Mr. Rennie, the manager of the farm at Guelph, came very near getting the gold medal for the best kept farm, and the reason he failed was that the judges believed that he had some other way of making money than from the farm alone, and that a considerable amount of money made from other sources, must have been spent upon that farm in view of the improved condition over what it was a few years ago; whereas the man who got the gold medal had made all his money upon the farm, so that all his improvements were made from the profits of the farm itself. Now, I do not want to say anything against the present conductor of this experimental farm at Ottawa. When Professor Saunders took hold of this farm he was doubtless one of the best men they could obtain as a conductor of all the farms, but he has a number of men under him for whose education we have been paying sweetly, they have been learning since they went on. I do not know who conducts experiments here unless it is Professor Saunders himself; on that point we get no statement. But when we come to the Guelph farm we find a Mr. Zauvits, who is a trained experimentalist, and who has been in charge of the department for a number of years. It is a department by itself, and he has been thoroughly successful in conducting it. Let me state that I have not been able to find how many experimental plots are on the farm and the quantity of land that is under experiment. When I take the report of the Guelph Farm, I ascertain that there were 1,600 experimental plots last year. The report of the Ottawa Farm, giving a statement of the labour spent upon the farm, does not

give a statement of the amount of labour for experiments. I find the Auditor General's Report presents a very different statement from that contained in the report of the Experimental Farm itself. In the latter report a proper financial statement is not given, so as to show what the farm costs to the country. According to the Auditor General's Report it cost last year over \$40,000, but according to the farm report it was only some \$20,000. The Farm Report does not give any of the salaries. The Auditor General's Report, however, gives the salaries. The Farm Report should show every department by itself. That system is followed in the Auditor General's Report, which shows the experimental plots, the amount of labour expended on each, and the value of that labour. We require those facts to be contained in the Farm Report. Last year I found fault with the large sum of money expended on the farms at Ottawa, over \$7,000, besides the wages of teamsters and others. I find this year that \$10,007 have been spent, but I cannot tell in what departments that amount has been expended. I have gone over the Auditor General's Report, and I find the amount entered under the general head of labour. Taking the number of days and the amount of money, it appears that \$10,007 has been expended for labourers alone: for teamsters, \$2,147; for cattlemen, \$1,581; for garden, &c., \$1,866; for picking grain, \$190. If the farmers are to be benefited by the reports of the farm, the work done and expenditure made on the Experimental Farm and on the ordinary farm, should be given separately, and at the same time the amount of labour on each of these set out. There are no less than twenty-five men employed the year round on this farm, exclusive of cattlemen and teamsters; of teamsters there are five, and of cattlemen three, all of these men being employed on a farm of 460 acres. I have no fault to find with the number of cattlemen. No doubt on an ordinary farm two men could do the work now performed by three, but undoubtedly visitors take up some of the time of the cattlemen in showing animals. No doubt the same occurs with respect to the experiments in the field, for in the absence of Professor Saunders I notice a certain amount of time is occupied by the men working there in showing round visitors. The expenditure, however, is altogether out of proportion to the benefits we are receiving from the farm. At the Guelph farm \$14,887 were spent for labourers, teamsters and cattlemen, on lawn, on garden and on picking grain (I leave the dairy out of the question). That is a larger farm than the Experimental Farm at Ottawa, and experiments are conducted on a larger scale. There are 1,600 small plots, containing 50 acres of land, and over 1,000 varieties of grain and roots were on hand at the time the report was prepared. What is the reason that we cannot obtain a statement of all

the facts and figures connected with the Ottawa farm as is submitted for the Guelph farm? In the Farm Report at Ottawa even the number of animals is not given. As a farmer, I desire to know all these facts. I refer to the Guelph report every year, and I compare the figures and ascertain whether the stock is increasing or diminishing in value. I can also ascertain whether a falling off has resulted from sales or from a reduction in the value of the animals. There is no such information contained in the report submitted here. At Guelph they are very particular with respect to the feeding of steers and hogs, upon which experiments are being made, and they appear to be equally particular at Ottawa. But the value of the animals when purchased should be stated. The day has passed when all the animals to be experimented on for feeding should not be purchased in the country. Of course, it may be necessary to purchase a few yet, in order to prove whether it is better to raise animals and feed them on the farm, or go outside and buy stockers. I desire all these facts to be embodied in the report. I state positively that we do not obtain such a report as the operations at the farm here require. We have been told that not sufficient money is voted to the farm here, but there is over \$6,000 more expended annually for labour upon this farm of 460 acres than is expended on the Guelph farm, with 530 acres. In the Guelph farm report I find something which I fail to discover in any other report of a similar farm, and it is this: that although the Guelph farm expends a considerable sum less than our farm at Ottawa, and every department is kept separate, and the revenue and expenditure shown on each, there is a statement of unexpended balances for the farm proper and for the experimental part of the farm. I would not have occupied the attention of the committee so long if the report presented had given a full detailed statement, such as should be presented. I hold that the money spent on the Experimental Farm is altogether in excess of the results obtained. It is true that when farmers visit it, they find it is a well-kept and well-cultivated farm—I went out the other day, and everything is in good order. Why should it not be so? Twenty-five men are kept on the farm the whole year, besides six teamsters and three cattlemen. Yet we have no statement submitted as to the work on which the men are employed. The statements are all given in the lump, and if the farm is properly conducted the labour used on the farm proper, on the experimental portion, on the lawn and garden and on the forestry part would be separated; but if the report has been prepared for the purpose of keeping the farmers in the dark with respect to the manner in which the farm is conducted, and as to how the expenditure is distributed, it could not be got up in a better manner. In conducting an experimental farm everything should

Mr. McMILLAN.

be carried out according to certain principles. What will farmers think when they see \$20,000 expended, and not one cent of revenue shown between the covers of the report? Every report should give every expenditure and receipts in detail. With respect to the stock, they say that they have been unfortunate during the last year on account of a certain disease that has kept them from giving a thorough statement of the stock upon this farm. On the Guelph farm the same disease was amongst the stock, and there was just as heavy a loss as has been entailed on the stock here, but nevertheless, in the report of the Ontario farm we have a thorough statement of everything in connection with it. In any statement sent out by an experimental farm, what we want is to get an account of the failures they make as well as the successes they achieve, because the farmers of the country are just as much benefited by a report of the mistakes so that they can avoid them, as by an account of the successes so that they may try to imitate them. Therefore, we should have a full statement in the report of all the experiments, whether they be successful or not. There are some very valuable experiments which have been made on the farm here in respect to the different varieties of grain, and these have been to some extent beneficial. The principal experiments that we can be benefited by all over the country, are experiments in hybridizing grain and experiments with regard to suitable varieties. On an experimental station like this the grain that may succeed the best here, may not succeed best in the western part of Ontario, or in the eastern part of the province of Quebec, so that after all it is really only an example for the farmers who live close by. I intend to state my opinion of everything I have seen in going over that farm. I believe that there is, for instance, too much experimenting with the different varieties of raspberries, and I have felt for a number of years that that has been the case. What they need to do, is not to experiment with all these varieties, but to take a sufficient number in order to tell what variety is the best. They do not want to raise berries to sell them on the market in competition with the market gardeners here, and all the experimenting necessary in this direction could be done with a much smaller area of land. An experimental farm which is to be beneficial to the country at large must be conducted on different principles from this farm at Ottawa. This report should give a full statement with regard to every animal, the estimated value of that animal, and a statement of the price of every animal that is sold, and every animal that is bought. I can hardly go through this report without mixing up the dairy along with the farm, for the simple reason that the accounts of the two branches are mixed up, although there is a special vote for dairying. I cannot tell anything as to the number of cows kept at the experimental farm at Ottawa.

I can tell nothing of the quantity of milk they give, of the quality of milk, or of the quantity of butter or cheese that has been made from the milk of these animals. But when I look at the report of the Guelph Agricultural College I can tell that they have sixteen cows there. I can tell the weight of each animal, I can tell how long it is since the animal dropped its young, and I can tell how many days that animal gave milk during the season. I can tell what the percentage of butterfat is, and the quantity of butter realized from every animal. I can tell that one animal gave milk for 165 days, and another for 163 days, and that the butter at 22 cents a pound, would realize \$52 per head. That is the information which the farmers of this country should get from this experimental farm here. One of the greatest benefits of experimental stations to the farmers, is that they should know the value of the food consumed by each animal and the amount of produce given by that animal in return. A great deal of calumny has been tried to be heaped on the Minister of Agriculture for the province of Ontario in respect to his action with regard to the disease that was amongst the cattle at Guelph. I can state positively in this House, that just as soon as tuberculosis was found amongst the stock, and it was discovered by the officials of that farm, every effort was made to prevent the disease getting amongst the stock. There is an advisory board in connection with the Guelph Farm, and the committee of that board was called together at once to consult as to the best means that could be adopted, and the very best means that could be adopted were adopted. A great deal has been said about one or two calves that were put into a sale, but the man who made the charge forgot that it was just upon the eve of that sale that the experiments with the Koch's lymph commenced to be used, and that they had not had an opportunity of using it. Now, with regard to the disease at the experimental farm here, I can state that the first time that the disease was discovered on that farm was when Mr. Beith, Mr. Davidson and myself visited the farm, and we found there a short-horn animal far gone with the disease, and we came to the conclusion that it was tuberculosis. I told them then that if that animal was not put out of existence, I would call for a committee of inquiry. That is the result of not having competent men to manage the stock. I have nothing to say against the young men employed in that department of the Experimental Farm, for I believe that the stock is properly and well cared for as far as they are concerned, but you want one individual with years of experience to look after cattle. All the book-learning and all the reading in the world will never make a man a thoroughly practical agriculturist. I state here again that this farm is not conducted in the interests of the public in the manner it should be. They ought to give us in this report a full state-

ment of the value of the animal, and of the milk and butter produced from it. We have nothing in this report giving details of this kind now. It is to show the value of the different breeds of animals, and to show what can be done with animals under the most favourable circumstances that these experimental farms are maintained at such expense to the country; but in the case of the experimental farm at Ottawa, we have none of this information. Now, with regard to the manure put on that farm. I speak under correction, but in my opinion since that farm was established there has been between \$6,000 and \$7,000 spent for manure to put on the land. Such a proceeding as that is of no value whatever to the farmers of this country who have to keep up the fertility of the soil through the instrumentality of the produce raised on their own farms. If they can keep 25 head of cattle on forty acres of land—and I hold if they do that they are doing pretty well here considering the quality of the land—they could keep a very large number upon the balance of the farm. It is no interest whatever to the farmers of this country to know that so much was raised on a certain quantity of land, unless they know what it cost acre for acre to keep up the fertility of the soil. I have calculated that there are thirty-five men engaged on that farm during the year, and such a large number of hands ought certainly keep it in first-class condition. I hope there will be no offence taken at my remarks. I am making them in the interests of the country, believing as I stated before, that Professor Saunders is, perhaps, one of the best men that could be appointed as conductor of all the farms of the country; but he is trying to cover too much ground. This report also says that he has charge of the crops and roots. He should not have charge of those, because if they have not got a farm foreman that is capable of taking charge of these things off his hands it is high time they should get one, and allow Professor Saunders to attend to the conducting of the general business of the farm. Now, Sir, I find that we have not had a dairy report for two years; the reports of the two years are combined in one. We have not a single statement showing what has been realized from a cow or any other animal on the farm. I say again that if Professor Robertson attends to the dairying, he has sufficient to do without having also the agricultural department of the farm; and the sooner the Minister of Agriculture and Professor Saunders understand that each branch of the farm should have an independent head, one who is thoroughly posted, the better it will be for the farm. If that farm is to be of benefit to the country, we must have an agriculturist there, who is capable of purchasing stock on his own judgment, as is done by the agriculturist of the Ontario farm; and if he is not capable of doing that, he is not capable of filling that important position. In the matter of ex-

pense there is a considerable difference between the two farms. One reason why the report of the farm does not give as full a statement as the Auditor General's report, is that a good many of the salaries are not stated in it. Those salaries should all be given, and if a portion of them are chargeable to other stations, they should be debited to them proportionally. It is said to be impossible to keep an exact record of the stock, because the stock is taken from this farm and spread over the other farms at intervals. A proper system of book-keeping would credit the animals to one farm and debit them to another, so that we would know what each farm is doing. This is something I want to impress strongly upon both the Minister of Agriculture and Professor Saunders. One reason why the Guelph farm has been so successful for some time is that thoroughly practical men who have learned their business are in charge of it—not men who went there and had to learn their business at the public expense. There was a time perhaps when there were men there who learned their business at the public expense, and who did not give satisfaction; but they had to give way for better men and men of larger experience. The agricultural interest is one of such importance that we cannot afford to have such large sums of money spent and to receive such little information in return. It is true, we get information with respect to the crops and the result of the different varieties of seed; but we do not get all the information that we should get. We have a statement of 130 varieties of oats which have been experimented upon at Guelph—a crop which to-day pays the farmer better than any other serial crop in Ontario. Then, we want to see the quantity of grain that can be raised on each acre of every field. It is no guide to the ordinary farmers what quantity of any grain can be raised when large sums are spent every year in manure. There might be some excuse for that in a part of the farm which had run down; but they should have taken a part of the farm and shown what they could do in restoring that part to fertility by means of what they raise on it—by green manuring, and returning everything to it that could be returned. These are the directions in which that farm could be made beneficial to the farmers of the country, and if these lines are not followed, it is not going to be as beneficial as the large expenditures upon it would warrant us in expecting. Now, I am a little astonished to find that in the Auditor General's Report there is only \$71 put down for dairying, whereas in the farm report there is \$728 charged to the dairy department. I think the Auditor General's Report and the financial statement in the farm report should coincide. When any farmer who chances to have the Auditor General's Report put into his hands, looks at the expenditure of the farm and sees that it shows

Mr. McMILLAN.

an expenditure of \$40,500, while the farm report shows an expenditure of only \$20,798, he must believe that the Auditor General's Report is correct, because its accounts are verified. Then, what confidence can he have in the other statements contained in the farm report, when he finds the result of all its operations to be so misleading? I find also the statement that live stock cost \$299, but we are told nothing about what it is for; that is the whole statement regarding the purchase of live stock. But there is not a cent of revenue mentioned in this report as received on account of the farm. I hold that we should have a statement of every animal sold, every animal that is deceased, and every animal that dies from disease or accident. Animals will become diseased and die, and accidents will happen, but we want to know how far these things can be averted on such a farm as this. We want to know, when certain diseases come, what means can be adopted to cure the animals. We want to know what is being done on every part of the farm. Here is a gentleman named Rossignol, with a salary of \$130 for two months. What was he employed at?

Mr. FOSTER. That was for travelling expenses incurred by this gentleman travelling west and hybridizing grain.

Mr. McMILLAN. I find an item, McLaughlin & Moore, expenses attending test of a carload of wheat and sale of flour. Where was that done?

Mr. FOSTER. It was a carload of wheat taken from the west to Toronto, and is for expenses attendant upon the testing of it, supervising the work, grinding and distributing samples, etc., \$125.76.

Mr. McMILLAN. Had these gentlemen to come from the North-west to Toronto to get their wheat tested?

Mr. FOSTER. The grain came from Prince Albert.

Mr. McMILLAN. Were the millers in Toronto not capable of testing this quantity of wheat? I should think they would be the most capable, and certainly would not have required so large an expense. In the laboratory, I find chemicals and materials, \$206.34. Where are those bought?

Mr. FOSTER. On the Continent.

Mr. McMILLAN. Express and freight charges, \$1,068, what is this for?

Mr. FOSTER. That includes the freight paid on all supplies sent out to all farms.

Mr. McMILLAN. Coming to the poultry department, I find the large amount of 30,000 pounds bran used. Can the hon. gentleman explain that?

Mr. FOSTER. In justice to the poultry department, I am told that the poultry only consumed only about 600 pounds.

Mr. McMILLAN. How comes it to be entered against them ?

Mr. FOSTER. It appears that way in the Auditor General's Report, but that is not the fault of the farm. They would be very voracious fowls to devour that much. The balance went into the cattle.

Mr. McMILLAN. Then it appears the supplies are not bought by each department for itself ?

Mr. FOSTER. The Auditor General has a fashion of lumping things and he did it in this case.

Mr. McMILLAN. I see that we have not less than 505 rose bushes. Was this amount necessary ? If distributed, the amount against each farm should be put down.

Mr. FOSTER. They were distributed to each farm.

Mr. McMILLAN. Each farm should have a separate account.

Mr. FOSTER. Each farm has. The rose bushes were bought by the director and paid for here. They were distributed to the different farms, and as each director got his supply, that was charged against him. The director informs me a large number of other shrubs is included in those rose bushes.

Mr. McMILLAN. Fruit trees, 5,119. I hope these are distributed to the various farms, but it seems a larger number than required. In the North-west, we can only experiment with the hardiest sorts, brought from the north of Europe. Where are those trees bought ?

Mr. FOSTER. From nurserymen in Canada, the United States, England and France. They were experimented with upon the three farms.

Mr. McMILLAN. Each farm should be debited with the number sent.

Mr. FOSTER. That is exactly what was done. The Auditor General is not keeping the accounts for the different branches, but takes the full amount spent on fruit trees as one item. My hon. friend would make the Auditor General's Report so large that the hon. gentleman (Mr. McMullen) ahead of him would not be able to turn over the pages.

Mr. McMILLAN. No doubt there is a difficulty in keeping the accounts where there are so many. But it is only a matter of detail to keep strict account of all these items.

Mr. FOSTER. It is all strictly kept.

Mr. McMILLAN. If they are strictly kept, they are not reported in the same form. Here we have an item of berry bushes, 967 dozen. Were these all for the farm here

or were they bought and then distributed ? Where were they purchased ?

Mr. FOSTER. Both in Canada and the United States. They were bought by the Central Farm, and many of them distributed to the other farms. These include raspberry bushes and other small fruits.

Mr. McMILLAN. This would give about 125 dozen berry bushes for every farm. It seems to me that it is not necessary to get such large quantities. They ought to have been experimenting all these years so that now it should only be necessary to deal with a few varieties and those that have proved most successful on the farm. We find here a charge for 1,088 loads of manure. Was this purchased in Ottawa ?

Mr. FOSTER. Yes ; the manure was purchased in Ottawa, except the artificial fertilizers.

Mr. McMILLAN. Artificial fertilizers form a separate item. What price was paid for the manure ?

Mr. FOSTER. Forty and forty-five cents per large load.

Mr. McMILLAN. Can you tell me how much has been spent on the experimental farm for manure up to the present time.

Mr. FOSTER. An average of about \$1,500 each year.

Mr. McMILLAN. We can all farm well if we buy as much manure as we please, outside of what is produced on the farm. The farm should be so manured as to produce the manure that is required. No farmer, unless he lives near a place like Ottawa, can afford to sell every thing off his farm and buy manure. On the experimental farm, the manure is not properly cared for. It is left in a large yard. It is now recognized that every farm should have a place to keep manure and make it. The best farmers are now keeping manure under cover. I see an item here for a double-barrelled gun and cartridges. I do not know what this can be for. As a rule, farmers are not sportsmen.

Mr. FOSTER. That was to deal death to crows and the winged depredators on the farm.

Mr. McMILLAN. There was a certain quantity of hay bought. How many horses were kept on the farm during the year ?

Mr. FOSTER. Fourteen.

Mr. McMILLAN. As a rule, during the summer, how many teams are working on the farm ?

Mr. FOSTER. Five teams.

Mr. McMILLAN. How many are employed in the experimental department.

Mr. FOSTER. At times all are employed in the experimental department.

Mr. McMILLAN. I see that the quantity of hay bought is 20 8-10ths tons. How many head of cattle were kept on the farm last year?

Mr. FOSTER. About seventy head altogether.

Mr. McMILLAN. Well, if forty acres will keep twenty-five animals, that would leave between two and three hundred acres under crop and keep the other thirty-five cattle.

Mr. FOSTER. The amount of hay bought was very small.

Mr. McMILLAN. A farm such as this should be able to produce enough hay for its own use. I have 450 acres, and I keep 150 cattle. I do not buy a single article and I sell from 40 to 50 tons of hay. One of the most important experiments that can be made now in the interest of the farmers is to learn the number of animals that can be kept on a small quantity of land. Another very important point is the effect of life in the stable upon cattle. To ascertain the facts, a certain number of cattle should be kept in a stable and soiled, and a certain number put on pasture in the summer, and by observing the results he could learn whether it was possible to keep cattle healthy by keeping them in the stable, except for very short intervals. I have noticed that animals are not as healthy as they have been in days gone by in the province of Ontario. One reason for that, in my opinion, is the number of animals kept in the house. This is an experiment that should be taken up by the experimental farm. A certain number of young animals should be put on pasture during the summer, and an equal number kept in the barn, to show us how much cheaper animals can be kept in the barn, and whether they are as healthy and as hardy when they come to maturity. How many acres were under grain last year, besides the experimental plots?

Mr. FOSTER. The report gives the number of acres in each field at about 175 or 180 acres.

Mr. McMILLAN. The report should give the exact number. If this farm is conducted on scientific principles, the books should be kept in such a manner that when a question like that is asked, it should be answered at once.

Mr. FOSTER. I answered it.

Mr. McMILLAN. But he did not answer it correctly. He said so much within five or ten acres. How many acres of hay were cut upon the farm?

Mr. FOSTER. Thirty-five.

Mr. McMILLAN. With thirty-five acres of hay cut, they should not have had to pur-

Mr. McMILLAN.

chase any hay. What is the quantity of hay cut per acre?

Mr. FOSTER. An average of two tons per acre.

Mr. McMILLAN. How many acres were in ensilage last year?

Mr. FOSTER. Twenty-nine acres exactly.

Mr. McMILLAN. How many tons were taken off the twenty-nine acres?

Mr. FOSTER. Forty-five tons.

Mr. McMILLAN. How many cows were kept on the farm? Because the next vote will be the dairy vote, and we cannot separate the one from the other. Let me say here that the one report should contain both the farm and the dairy. The dairy report this year, although it is for two years, contains a large number of speeches delivered over the country. There was a time that it might be necessary to do that, but that time has past. These feeding experiments with animals should also be included in the dairy reports. I pointed that out last year in the Agricultural Committee, and it was decided in that committee that the two reports should be combined in one, because the farm and the dairy are so closely connected that it is impossible to make separate reports. The cows are kept upon the farm, and we do not want reported now all the speeches that are given over the country, but we want an exact report of the experiments made upon the farms, so that the people may get some benefit from it. I find there was a horse hired for five months, what was that for?

Mr. FOSTER. It was hired for a few months when it was needed, to prevent the permanent investment of capital in a horse.

Mr. McMILLAN. I cannot see that a farm of 450 acres should require more than six horses. Then, here is an item of \$411 for blacksmithing and horse-shoeing. Is it possible that on a farm of 450 acres the blacksmithing and horse-shoeing cost that sum of money?

Mr. FOSTER. That includes repairs to the tools, vehicles, implements and the like of that, used upon the farm.

Mr. McMILLAN. It is just twice as much as a farm of that size should require in a year, and I speak from an experience of fifty years in running a large farm. Is there any regular arrangement made for the farm blacksmithing, or is it all done by one man?

Mr. FOSTER. It is done by several blacksmiths in the village.

Mr. McMILLAN. Now, we find \$299 for stock, and we find that \$250 was paid for a short horned bull. Who was he bought from?

Mr. FOSTER. He was bought from the Bow Park Farm. He proved to be a bad stock, and they had to kill him.

Mr. McMILLAN. What was the other \$49 for ?

Mr. FOSTER. Pigs.

Mr. McMILLAN. What is the reason we do not get a statement of all the pigs bought and all the pigs sold ? When so large a number of pigs are raised at this farm they should be sold by public auction. There is a great temptation to give benefits to favourites in sales that may be made, and they should be made in such a manner that no individual should have any advantage over another. If the animal is sold to a farmer at a distance, the Experimental Farm should pay the freight, so that those who come from a distance to purchase may purchase upon the same terms as those who live close by. What is this item of \$43.25 to John Hutton, for livery hire ?

Mr. FOSTER. That was incurred by the Minister in taking visitors from foreign parts over the farm.

Mr. McMILLAN. Here is an item for saddlery and stable utensils. What saddlery was bought ?

Mr. FOSTER. The common supplies of harness and the like of that, halters and belly-bands.

Mr. McMILLAN. I find at the end of the report a statement of contingencies, including \$7.17 for sidewalks. It is not satisfactory for a farmer to know that about \$380 have been sunk in contingencies. What are these contingencies ?

Mr. FOSTER. The items were sent to the Auditor General, who inserted them in a lump sum, and gave the explanation in a line or two.

Mr. McMILLAN. The explanation should be contained in the farm report, because, for every one who sees the Auditor General's Report, five hundred will see the farm report. The fullest statement should be contained in that report, so that the farmers can understand thoroughly what has been produced on the farm, and what has been purchased. What revenue is derived from the farm, and why is no revenue stated in the farm report ?

Mr. FOSTER. The revenue appears in the Auditor General's Report, page F 196, and there the sales made at all the farms are set out, amounting, in the gross, to \$5,546.66. This statement might have been put into the experimental farm report, and will be done after this time.

Mr. McMILLAN. How many cows were there on the farm during the year ?

Mr. FOSTER. About thirty-two milch cows.

Mr. McMILLAN. I observe \$300 for milk, and \$400 for butter appear in the Auditor General's report. If the cows had been

properly handled they should have given a revenue each of \$50. Sixteen cows at Guelph farm produced an average of \$52 worth of butter, and some of them were in milk a short time. This is a very small revenue derived from the Ottawa farm. Particulars should be given as to the cost of raising cows from the time they were dropped, the value of the feed and return derived, quantity of milk given by each animal, number of animals, different breeds, and quantity and value of butter, milk and cheese produced.

Mr. FOSTER. A number of the cows were under suspicion, and did not give milk. That accounts for the comparatively small quantity.

Mr. McMILLAN. Were they isolated at the time ?

Mr. FOSTER. Yes ; they were included in this report.

Mr. GRIEVE. I observe that 236 bushels of oats were purchased. Were they purchased for feeding purposes or for seed.

Mr. FOSTER. They were purchased for feed. The best oats on the farm were distributed for seed, and these were bought for feeding purposes.

Mr. GRIEVE. I notice that \$118 were paid for these oats, or 50 cents per bushel. Oats were not sold at that price during last season, 30 cents to 35 cents being paid throughout the western part of Ontario.

Mr. FOSTER. Oats were high at that time.

Mr. McMULLEN. Really a better explanation should be offered, as oats did not sell at that price. Oats did not realize in the Toronto market over 35½ cents.

Mr. ROBILLARD. I bought oats here at 45 cents. I purchased them from the McKay estate.

Mr. GRIEVE. I sold a carload of oats just before last harvest for 31 cents, and delivered them on board the cars. I cannot understand how the farm paid 50 cents. From whom were they bought ?

Mr. FOSTER. They were bought from dealers here, quotations having been first obtained. They were purchased over a year ago.

Mr. GRIEVE. I observe that 165 bushels of peas were bought for the farm. Were they for feeding or seeding purposes ?

Mr. FOSTER. They were bought for distribution as seed, they were choice varieties of peas and beans.

Mr. GRIEVE. Where were they bought ?

Mr. FOSTER. At Port Hope and Toronto.

Mr. GRIEVE. They were bought at a price of \$1 per bushel. Peas never reached that figure during the last five years. They

have been sold at from 50 to 55 and 60 cents per bushel for the best varieties.

Mr. FOSTER. This price includes freight charges to Ottawa.

Mr. GRIEVE. I observe an item of 50 pounds of cord. Was it binding twine?

Mr. FOSTER. Yes.

Mr. GRIEVE. It was paid for at the rate of 12 cents per pound. Binding twine sold last year at 8½ and 9 cents, and the very best at 9½ cents per pound. The twine that was manufactured by the Farmers' Binder Twine Company of Brantford was retailed to the farmers and the express paid to their stations at 9½ cents per pound. The price charged for the twine made by the Central Prison at Toronto was 8½ to 9½ cents per pound.

Mr. FOSTER. Those prices in the Auditor General's Report refer to twine purchased for the crop of 1892..

Mr. GRIEVE. If that is the case I can understand it. I see they purchased two ploughs for this farm at \$31. I draw the attention of the committee to this, and more especially the attention of the hon. member for Leeds (Mr. Taylor), who made a statement in the House not very long ago with reference to the retail price of implements in Canada and the United States, and if I understood his statement correctly, he said that the retail price for the best ploughs was \$13 each.

Mr. TAYLOR. I did not say the best kind. I said the Frost & Wood pattern.

Mr. GRIEVE. I think it would be wise in future for the department to employ the hon. member for Leeds (Mr. Taylor) to purchase some of the supplies necessary for the farm if he can get things so cheaply.

Mr. FOSTER. Those were bought in 1892.

Mr. GRIEVE. I am not aware that there has been any advance for the last two years in the prices of that kind of agricultural machinery. I know as a matter of fact that the prices are the same.

Mr. SCRIVER. I want to call the attention of the hon. Minister who represents the Minister of Agriculture here, to a matter in connection with the experimental farm. One of the railway companies running into Ottawa has inaugurated a very commendable practice of bringing excursions of farmers to visit the Experimental Farm, and several such excursions have taken place already, one being from the part of the country where I live. A couple of days ago I had occasion to go out to the farm with some of my people and I was present while they were there. I may say that the gentlemen in charge of the farm were exceedingly

Mr. GRIEVE.

courteous and attentive and gave the people who took part in these excursions some very valuable information and advice. But there was one feature in connection with that—not through any fault of those in charge of the farm—which was not quite satisfactory. The railway company not only gave the excursionists transportation of an excellent kind, but they provided them with a lunch at the farm, which was a very wise thing to do, as it was a great saving of time for the excursionists. Owing to the want of accommodation in the shape of a suitable room, furnished with tables in which to eat the lunch, the matter was not quite satisfactory. My suggestion is that the Government should authorize the manager of the farm to have a suitable building erected which could be utilized for the purpose I speak of. It need not be an expensive building. It would only need to be used in the summer time, and of course there would be no necessity for constructing it with reference to heating. I cannot do better than to read for the information of the hon. Minister and those of his colleagues who are here, a communication which I received yesterday from the official of the railway company who has had charge of the excursions so far.

In thinking over the matter of refreshments supplied at the Experimental Farm by the caterer engaged by the Company, it occurred to me that it might be worthy of consideration on the part of the Government that it would be advisable to fit up a suitable dining-room with all necessary furnishings, for entertaining large parties of farmers who are beginning to recognize the importance of the work being carried on at this institution, and who are coming here annually in increased numbers. At the season of the year when farmers can get away it is not always convenient for them to be from home over night, and to come to the farm from any distance and return the same day. No time should be lost in foraging for provisions; hence the necessity for providing refreshments on the premises.

I thought it well to bring this matter to the attention of the Minister and his colleagues, and I trust that something will be done in the direction I have indicated.

Mr. ROWAND. I would like to call the attention of the committee to one item that has been discussed to-night. This experimental farm is in the eighth year of its existence, and we have been spending a very large amount of money on it every year. We keep up a staff of professors who go around the country and tell of their experiments to the farmers, and instruct the farmers on what they ought to do. If there is one point which these professors ought to be able to tell the farmers more than another, it is to show them how they can make their farms self-sustaining, and to pay the expenses of working, and make a profit on their work. That is the great object

which should be kept in view with regard to these experimental farms. I understand that we have been paying \$1,500 a year for manure for this farm. We have been keeping seventy head of stock of one kind or another there, and a very large amount of manure must have been produced outside of what was purchased. Indeed they have consumed all that has been produced on the farm and a good deal more. What our instructors in farming tell us is: that we ought to be able to keep up the fertility of our farm with what we produce upon it. This experimental farm has been running for eight years, and they are not able to do that yet. Manure costs 45 cents a large wagon load, and in my experience of farming we calculate that it requires twenty loads of good manure to the acre. At that rate the purchase of manure for the experimental farm would cover one hundred and sixty-five acres every year, and I presume that the manure produced on the farm would cover another one hundred acres a year. Now, as I understand it, they have not over half that quantity under cultivation on the experimental farm. If we are going to make this farm an example for the farmers of the country to follow, we shall have to adopt some other system. It is not possible for any farmer to spend that amount of money every year in purchasing manure. What we want is to have the farmer so instructed, that he can produce on his farm enough to support him and his labourers, and at the same time to return the produce to the farm in the shape of manure. If nothing better can be done on the Experimental Farm at Ottawa than has been done in the last eight years, with an expenditure of \$1,500 per annum for manure, we had better abandon it. It is not an experimental farm; it is not a farm that can be taken as a guide by any farmer who wants to make a living on his farm. I just rose to call the attention of the committee to this fact, that we are keeping up a useless institution, so far as the farmers of the country are concerned, whatever use it may be for experimenting. I have nothing to say against experimenting in different kinds of grain and fruits; but fifty acres would have done for that as well as 500. If we had a fifty-acre plot with two or three men employed on it, they would accomplish all the work now being done in the way of experimenting, and at a good deal less cost.

Mr. SEMPLE. I notice in the report of the Minister of Agriculture that at the Columbian Exhibition the total awards were 2,721, of which agriculture received 1,016 and live stock 1,175, leaving only 530 awards for all other articles exhibited. This shows at a glance the importance of agriculture. Now, the Government cannot say that factious opposition has been offered to the operations of this farm. I visited it at its commencement, when the land was in poor condition, the soil being what I would call

a hungry soil, which it was hard to get into a state to yield good crops. We see that \$75,000 is asked for the maintenance of the farms and \$25,000 for dairy purposes. \$100,000 in all, and the only revenue received during the year has been \$5,546. I think there should be a better showing than that at this time, after the number of years that the farm has been operated. I believe the country thinks, and will continue to think more and more, that the Minister of Agriculture should be a practical farmer. When we consider that in one province, the province from which I come, the valuation of farms and stock is about \$970,000,000, I think the importance of having a practical farmer as the Minister of Agriculture must be acknowledged, and I should be very sorry to think that among the Liberal-Conservatives, from Essex to the North Pole, there could not be found some one able to fulfil that condition. I know that the hon. Finance Minister is able to grapple with almost any question and is an excellent debater; but I believe he feels that he is in a difficult position to-night. He has to depend on the information he receives, as he is without the practical knowledge necessary for the position, as I think he will acknowledge himself. He can only say, I know so-and-so, because so-and-so told me. Now, I consider that we should have a practical man who will give an undivided attention to the department, and who will not be placed in the Senate either. I think he should be called upon like other Ministers of the Crown to face his constituents every four or five years, and be questioned by the electors and give an account of his stewardship. It is unfair to those who are elected to have a man occupying a prominent position who does not need to go through that trying ordeal. I notice that the Minister of Agriculture and another Minister went to the North-west to instruct the settlers in farming. I read the report of their speeches, which showed that they had been well loaded up. They advised mixed farming, which is good advice anywhere. I think the Minister of Finance has enough to do in the important department he occupies without having the work of the Minister of Agriculture saddled upon him. We remember that the hon. member for London (Sir John Carling) when he occupied that position, was prepared to answer questions in the House, because he knew considerable about farming, having mixed among farmers for many years. By and by the Government thought proper to place him in the Senate, and then information was given to us in the same way as to-night, through a medium. Then, when the hon. member for London was again returned, the Government took his office from him and gave it to a lawyer, who may understand law, and may read Blackstone and other writers, but who knows practically nothing about agriculture. Many young men who have been brought up on the farm go into the city, and become doctors and lawyers, and com-

pete with the best material there ; but the able and capable farmers are not all absorbed in other vocations, and there is an opportunity for a man of experience and of good executive ability, with a knowledge of politics ; and no other man will make an efficient Minister of Agriculture than a thoroughly practical farmer who has been in the business for years, and who has profited by that best of teachers, experience. There is an item under the heading of poultry, which is something like the fifteen tons of bran. There is 123 bags of grinding charged at 8 cents per bag ; but the cost of the grain is not given. I would like a little explanation of that.

Mr. FOSTER. That was grinding feed for cost of the maintenance of the Central Farm since its commencement ?

Mr. SEMPLE. Mistakes sometimes occur, and that is a fair explanation. In visiting the farm, I thought there was too much experimenting with different kinds of grasses. When it is seen that any grasses are of no particular use to any part of the country, I think they should be dispensed with. The last day I was at the Experimental Farm I noticed common clover and timothy and some others did very well, but others were of very little use. I think that time should not be lost in experimenting with useless varieties any longer. I would like also to see a better stock of cattle kept at the farm, because people, when they come from a distance, expect to see the very best to be obtained in the country, and we know that there is no lack of money. No doubt a great deal of good has been done by experimenting with different kinds of grain, but there is plenty of room for improvement in many directions. For instance, I noticed that the drills where the carrots are planted were not as straight as an expert would be expected to make them.

Mr. GRIEVE. What has been the total cost of the maintenance of the Central Farm since its commencement ?

Mr. FOSTER. The statement was made last year and will be found in 'Hansard.' I have not the statement this year.

Mr. GRIEVE. I find an item here for corn, 225 bushels and 23 pounds, \$286.05, or about \$1.27 a bushel. What was this corn for ? It appears to be an extraordinary price to have to pay for seed corn.

Mr. FOSTER. This was a number of varieties for distribution. Some was purchased in Dakota, and other varieties were brought long distances. They aimed at getting the very best varieties.

Mr. GRIEVE. Sixty to 90 cents ought to be the highest price.

Mr. McMILLAN. I find that in salaries at the farms, including Professor Robertson's, there was \$20,370 paid out. Now, the Guelph

Mr. SEMPLE.

Farm costs in salaries \$20,010, or \$300 less, and at the Guelph Farm there is a large staff for the purpose of giving instruction to 180 regular students. There were over 260 students at the college last year. They have to keep a matron, a doctor, and a number of officials, which are not kept at the Experimental Farm, and yet the salaries at Guelph Farm are \$360 less. Compare the expenses of the whole farm and college at Guelph and the expenses at this farm :

Labourers on the farm at Ottawa	\$10,007
Three teamsters.....	2,147
Cattle men.....	1,581
Gardeners.....	826
Picking corn.....	190
Paid for teams.....	136
	\$14,887

So that \$14,887 is paid for labour apart from salaries. I find, according to the accounts of the Guelph Farm that the amount paid for labour was \$2,927 ; in the experimental department, \$3,155 ; in the nursery and lawn and garden, \$1,866, or a total of \$7,948, as against \$14,751 at Ottawa, or \$6,937 more at the Ottawa Experimental Farm than at the farm at Guelph, notwithstanding the fact that the latter has 100 more acres than this. The total cost of the college at Guelph is \$22,000, of the farm proper, \$10,081 ; experiments, \$5,610 ; nursery, forest and gardens, \$4,239 ; mechanical department, \$1,373, or a total of \$43,610. Then there is a revenue derived from that farm of \$7,709, leaving the total new cost of the Guelph College and Experimental Farm, \$35,832. In this institution at Ottawa we find an expenditure of \$40,517, with a revenue of \$3,199, leaving a net expenditure of \$37,318. And if we count Professor Robertson's salary—as he is Professor of dairying—as I have counted Professor Dean's salary, the professor of dairying at the Guelph Institution, the difference between the cost of the Guelph College and Experimental Farm and that of the Experimental Farm at Ottawa is \$4,891 more at Ottawa than at Guelph. It will be a matter for the farmers of this country to consider whether it is wise to spend such a large amount in order to carry on this Experimental Farm, a farm which gives out such a report as that we have criticised to-night.

Mr. COATSWORTH. Do not the students do a considerable share of the work at Guelph ?

Mr. McMILLAN. They do a large portion of the labour, and I thank the hon. gentleman for reminding me of that. The students do the labour, but they must be paid for it, and it is the most costly labour upon the farm. There is more trouble about that than anything else in connection with the farm—they cannot get the same value from students' labour that they do from hired labour. I have a few other comparisons to make. Professor Saunders gets \$4,000 ; Pro-

fessor Robertson is engaged at \$5,000, making a total for the salaries of these two gentlemen of \$9,000. When we look at the Guelph institution we find that Mr. Mills, whose duties are as arduous as those of any officer in connection with this institution, gets \$2,000; Mr. Rennie, the farm superintendent, gets \$1,200; Professor Panton, entomologist, \$1,800; Mr. Shuttleworth, the chemist, \$1,400; Professor Dean, \$1,400; Mr. Zavitz, the experimentalist, \$1,300. So that these six gentlemen together get only \$100 more than the two officers here. And let me say that Professor Mills has to be a teacher as well as to oversee the work of the Experimental Farm, and must also do a great deal of work in laying out the results of the delegations sent out to the farmers' institute throughout the province. Let me say that I believe the salaries here at Ottawa are a little exorbitant, while they have only living salaries at Guelph. Though Professor Robertson is a good man, and a thorough expert in the dairy department, I think his salary is rather exorbitant—I am not going to think one thing and say another.

Mr. FOSTER. Does Professor Mills of the Ontario Agricultural College get simply \$2,000?

Mr. McMILLAN. He gets \$2,000 and a free house.

Mr. FOSTER. Is that all?

Mr. McMILLAN. I think he has his board.

Mr. FOSTER. Are you sure that is all?

Mr. McMILLAN. So far as I know.

Mr. FOSTER. The hon. gentleman ought to be certain before he makes such distinct statements by way of comparison of the two institutions. If he did not know he should have known that Mr. Mills gets \$2,000, he gets his house, he gets the keep of his family, and his servants are paid by the Government, and he considers his billet there is worth \$4,500 to him.

Mr. CASEY. Let me ask the hon. gentleman what Professor Saunders gets.

Mr. FOSTER. He gets \$4,000 and house room.

Mr. CASEY. Not fuel or heating or light?

Mr. FOSTER. No.

Mr. McMILLAN. It seems to me a most extraordinary statement that the privileges Mr. Mills has beyond his salary are worth \$2,500 a year. There is only one servant.

Mr. FOSTER. How many of a family has he?

Mr. McMILLAN. Five or six.

Mr. FOSTER. It costs something to keep five or six of a family.

Mr. CASEY. I am sorry the hon. Minister persists in his resolution to go on with this discussion at this time of the morning. It is now one o'clock. He gives as an excuse for it that the day was taken up with something else, and that no item has been passed. He has to thank one of his colleagues, the Minister of Marine and Fisheries, for a great deal of the waste of time. Then if the hon. gentleman wanted to get an item through, he should have taken a smaller item, and one that would not be likely to arouse so much discussion.

Mr. FOSTER. We will give the hon. gentleman any information he can require, if only he will be reasonable.

Mr. CASEY. The hon. gentleman refuses the proposition to take a smaller item. This is no way to treat a subject of this kind. The hon. gentleman knows that neither he nor I, nor Professor Saunders, who has to coach him, can discuss this matter properly at this time of the day, for it is now one o'clock a.m. But this is a specimen of the manner in which the affairs, particularly affecting the farmers of this country, are treated by this Government. They look upon farmer's interests as matters of very small importance. The farmers will probably remember this as one instance. I do not pretend to be able to do justice to the subject under all these circumstances, but I feel it my duty not to let this pass without some discussion, in addition to what has taken place, even although the discussion is cut short by the Minister's tactics. In the first place, I object to the whole system of experimental farms as now managed. They are certainly costly, in view of the results. Some of them are so situated that the results are not of much use to the provinces in which they are situated.

Mr. MONTAGUE. Which ones are of no use?

Mr. CASEY. In other cases—

Mr. MONTAGUE. Which ones are of no use?

Mr. CASEY. Will you please keep order, Mr. Chairman? In other cases, as in the North-west, where the climate is moderately uniform, they have been duplicated, I think, unnecessarily.

Mr. MONTAGUE. The hon. gentleman said some of them were of no use.

Mr. CASEY. If the hon. gentleman will keep his seat, he will have a better time of it generally. The farm at Ottawa is situated in such a climate and located upon such a soil, that the results obtained there are practically valueless for almost any other part of Ontario. There is no climate like Ottawa, even within fifty miles of it, in the settled parts of Ontario, at all events, and no results of value can be obtained here except in regard

to grains and fruits, which will bear the severest climate to be found anywhere in Ontario. Then with regard to the nature of the soil, as has been mentioned by the hon. member for Huron, and as I know of my own knowledge long before the farm was established, a great part of that soil is of such a nature that I can quite believe it requires the amount of manure that has been bought for it, to bring it into a condition resembling that of an ordinary farm. With all the manure that has been put upon it—and I have watched that farm during the only opportunities we have had of watching it in crop time—I must say that I have seen no crop growing on that part of the farm which lies nearest the city—though I cannot say the same, not having had the same opportunities of observation, of the other low-lying parts of the farm—but on this high sandy part of it which I have seen, no crops grow which any farmer who works for a living, could afford to have on his place. I said some of the farms were unnecessarily duplicated; I refer to those in the North-west where the climate is much more similar, along the line of the Canadian Pacific Railway, than it is between Ottawa and other parts of Ontario. The management of this great system of farms was put into the hands of a gentleman who, previous to that time had a great reputation as a horticulturist and entomologist, but who had not, I believe, had any experience in farming on a large scale. He has had to learn the considerable amount which he now undoubtedly knows about farming, at the public expense on a salary of \$4,000 a year, with expenses paid when he travels. The result has been that he has been led by theorists into experiments which have not been of much advantage to the country, and which have even led farmers into ventures which have not been to their benefit. I may refer in passing to the boom that was raised and attempted to be kept up, in the cultivation of two-rowed barley. I think every practical farmer knows that the two-rowed barley boom was a dead loss to the farmers who were induced to embark in it. A great deal of time and money, and ability were spent in trying to make that a success, when considerations of climate and so on might, I think, have warned the experimenter from going into it. But the attention of the committee has been called by the hon. member for Huron to the fact that we have not a practical farmer at the head of the department. That it is possible to have a practical farmer who has also the necessary qualifications for a Minister, has been shown abundantly in the province of Ontario. I need not go into that any further, but I will add that there are plenty of supporters of this Government who are practical farmers on a large scale, and who are also thoroughly well qualified to be Ministers at the head of a department, and it would undoubtedly have been a much more practical and common sense thing to choose one of these for the position, than

Mr. CASEY.

to take a lawyer from the province of Quebec, who is not required or supposed to know much about farming, and who sits in the House where the farmer's interests are not represented, and where he cannot be called to account and made to explain things as he would if he sat in this House. If we had had a Minister of Agriculture sitting here, and he a practical farmer, we should not have had the kind of debate which has gone on to-night, with constant demands for information which have to be supplied at second hand, and then with an evidently poor comprehension of the effect of the question asked and of the answer given. Now, Sir, let us see what the total cost of all these farms, and the revenue proceeding from them, have been. My hon. friend from Huron appears not to have noticed the accounts of the revenue, but it is worth while to mention them. They are small, but they are still revenue—a simple statement in the Auditor General's Report shows that all the farms cost \$72,259.91, while the revenue was \$5,546.66, leaving the net cost for the experimental farms at \$66,713.25. It has cost just that amount to conduct a series of experiments such as we see carried on at the farm here, and such as are carried on a smaller scale and with inferior appliances, at the other farms in the Territories and in British Columbia. It must be left to the common sense of the people as well as the members of the House, to decide whether we have had \$66,700 worth of experimenting out of all this. It is quite impossible to argue the point here, because you can give no figures, and as to the actual value of the experiments, the people must judge for themselves whether they are worth that much money to the farmers. Now, in ascertaining whether this farm at Ottawa, for example, is economically and successfully managed, we must compare it, to some extent, with that at Guelph, which is the nearest institution of a similar character. As the work here is all of an experimental character, while the work at Guelph includes practical farm work, experimental work and teaching, it is a little difficult to institute an exact comparison between the two institutions. But while I find that the net cost of running the Experimental Farm at Ottawa is \$37,369, the net cost at Guelph for the same kind of work was very much less. I am not able to make a comparison with the figures at Guelph, except for the season before the last, as I have not been able to obtain the documents for the past session; but in the last bound volume I have containing the report of the Guelph Farm, I find that the cost of farm maintenance, including everything except \$2,000 or so for permanent improvements, which should not be counted as part of the cost of maintenance, which was \$17,435, while the revenue derived was \$10,163. So the net cost of the farm at Guelph only amounted to \$7,272. That was for regular farm work. The farm experiments at

Guelph cost \$5,586, but that includes horses and stock \$281, furniture \$362, implements \$246, and other items, of which the value was not exhausted during the year, and should not be estimated to the full extent as cost of maintenance. There was an experimental dairy at Guelph which cost \$10,772: but it included \$1,366 for imported cattle, cows and pigs, and also furniture, which should not have been counted at full cost. However, I have to count these items as they stand for the present, as I have no means of deciding how much of the amount should be counted. That item of \$10,772 also includes a travelling dairy, costing \$6,301, which again should not be calculated in the cost of the farm, because the travelling dairy was not an experimental one, but was a means of instructing farmers in dairying in different portions of the province. The cost of experimental dairying at Guelph should not be placed at more than \$4,171, even including the items for stock, &c., to which I have referred. Then there must be deducted the dairy revenue of about \$1,100, say \$1,000, which would bring the total cost of experimental work at Guelph under \$9,000, while the cost of experimental work at Ottawa was \$37,367, or a difference in favour of Guelph as against Ottawa of about \$28,367. There is other work besides experimental work carried on at Guelph, and I will take the total cost of Guelph College, with farm, college and experimental farm work, and compare it with the cost of the Ottawa farm. The whole net cost of Guelph farm, college and experimental work was \$59,261, of Ottawa farm \$37,637, or a difference of \$21,894. What did that difference represent? At Guelph there is instruction given to a large number of young farmers. The hon. member for Huron has stated the number of students at 180 according to the latest report, but I have had to take the report of a year ago when the number was 159. At the present time there is also a summer school held for the benefit of school teachers. Those 159 students were maintained during the year, were boarded and given a thoroughly good agricultural education, both in theory and practice, at a cost of \$137.50 each. In other words, these young men were boarded and educated at \$107 each, less than the maintenance of the convicts per head in the Kingston Penitentiary. That certainly is something to say for the economical management of the Guelph College, not only as compared with the experimental farm here, but compared with other institutions where people are boarded and trained for less creditable reasons. There is one item with which I cannot make a comparison: \$3,747 is charged for fuel at Guelph College, while I can find no charge for fuel in the Auditor General's Report for the Ottawa farm. Possibly it appears under the head of Public Works, but it should be charged against the farm. I had intended to have gone into the question of salaries and wages paid at Ottawa and

Guelph, but the member for Huron (Mr. McMillan) entered into them very fully. I may mention one or two special cases, where the expenditure in particular departments is very absurdly in contrast with the results. For instance, Mr. Craig, the horticulturist, received a salary of \$1,400, and expenses to the amount of \$171, while the total returns that I find from garden products of all sorts, is \$317, or \$1,253 less than the salary and expenses of the man at the head of the department alone, besides the cost of labour and manure and seeds, and other expenses. The results in the poultry department and others are equally laughable in the way of returns. It may be urged that experimental proceedings of this sort are not intended to give a profit, and are simply for information; but I do not see how the information desired can be obtained, unless it can be shown that the different things can be raised at a profit, and that is not shown here, where there is such an absurd discrepancy as I have alluded to. I might as well give the figures for the other farms:

Expenses of Agassiz Farm.....	\$ 8,604 44
Receipts.....	450 00
Expenses for Nappan Farm.....	5,205 29
Receipts.....	353 00
Expenses for Brandon Farm.....	9,260 00
Receipts	851 00
Expenses for Indian Head Farm.	8,672 00
Receipts.....	740 00

It is worth noticing how the items of the Ottawa Experimental Farm compare with the items at the Guelph Farm. In Guelph we find that the year before last they sold \$3,635 worth of cattle, and at the Ottawa farm they sold \$1,110 worth. Of pigs and pork they sold at the Guelph farm, \$767 worth, and at the Ottawa farm, \$446 worth. Of lambs they sold at the Guelph farm, \$4,960 worth, and at the Ottawa farm, none. Of wheat they sold at the Guelph farm, \$196 worth, and of grain of all kinds the Ottawa farm sold \$66 worth. I notice that at the Ottawa Experimental Farm they both sold and bought hay, which is a queer operation in one year, from a farmer's standpoint. The maintenance of all the stock at the Guelph farms, which brought such large returns amounting to \$9,092, cost for the year, \$4,556. The Guelph farm has at all events shown farmers how to raise stock at a profit. I must confess that the principal lessons to be learned at the Experimental Farm here are as to what the farmers should avoid doing. I think that the practical farmer will learn more what to avoid than what to do by the experiments of this farm, except probably in regard to the dairying business. I believe that sound methods are followed in the dairy department, and that it is well conducted, but as to anything new having been found out, either in dairying or any other department, I have not yet seen any documents to inform us of it. However, in cattle feeding something new has

been discovered apparently, and we have been shown how to obtain a pretty large crop of pneumonia on scientific principles. I do not think the farmers are, however, anxious to learn that lesson. I am quite aware that I have not done full justice to this subject, but I have attempted to do my best to call the attention of the public to the wasteful cost at which fancy experiments are being carried on throughout the Dominion at these farms. I have drawn attention to the fact that no tangible results are obtained, to the fact that this institution is not managed with any tincture of that economy or that sound common sense which are shown in the management of the sister institution at Guelph. The public only require to have their attention called to the subject to see that a great leak is going on here, and then they will take note of what is said in this debate, and draw their own conclusions. I may say that to my mind the experiments carried on at Guelph have been quite as useful and almost as extensive as those carried on at the Central Experimental Farm here, at much greater expense, besides being conducted on a soil and in a climate where their results are of general application.

Mr. GRIEVE. How many cattle and horses are kept on the farm at Nappan ?

Mr. FOSTER. Six horses and twenty-seven head of cattle.

Mr. GRIEVE. How many on the farm at Brandon ?

Mr. FOSTER. Eight horses and thirty head of cattle.

Mr. GRIEVE. How many on the farm at Agassiz ?

Mr. FOSTER. Six horses and twelve head of cattle.

Mr. GRIEVE. Was that the number prior to the getting out of this report ?

Mr. FOSTER. I have not the figures, but they were probably about the same.

Mr. GRIEVE. I notice that during the year there was purchased sixty-eight tons of hay, valued at \$804. There must be something wrong here, because it would be an impossibility for twenty head of horses and cattle to consume sixty-eight tons of hay in one season. I am satisfied that there is not a farmer in this House who will disagree with me as to that. This requires some explanation.

Mr. FOSTER. A certain amount of that was carried over to the next year. The land was not fitted for the raising of hay.

Mr. GRIEVE. It is surely a peculiar way of doing business for a farm to purchase hay and keep it over from one year to the next.

Mr. FOSTER. Recollect that the farm is in an out-of-the-way district, and it happened

Mr. CASEY.

that this year they had an opportunity of buying a certain lot of hay, more than was needed for one year, and the remainder was kept over for the succeeding year.

Mr. GRIEVE. I know it is an out-of-the-way district, but I supposed that on that farm a certain amount of hay would be grown; and certainly there should not be anything like sixty tons of hay consumed by fifteen to eighteen head of cattle and four or five horses. That amount of hay should be sufficient for three years instead of one. It appears to me that there is something wrong about this.

To enable Dairy Commissioner
to promote dairying interests
by advances for making cheese
and butter within the pro-
vinces \$36,000

Mr. McMILLAN. I think that before this item is adopted there should be some explanation of it. Though it may have been necessary at first, when the experimental stations were commenced, that they should pay the farmer a certain amount for the cream they furnished at the factories, until they could put the goods on the market, I think the time has gone by when that should be done. I do not believe in spoon-feeding the farmers any more than any other class. If they are going to establish a certain number of creameries in the North-west, it may be necessary to have a little money to put them on an equal footing with those in the other provinces; but I think it is wrong to take a sum of money to pay to the farmers before the goods can be put on the market. I see that Professor Robertson stated lately that it was the intention of the Canadian Pacific Railway Company to erect creameries in the North-west. I think it is Mr. Van Horne makes the statement: "We will undertake to erect two or three creameries for experimental purposes if certain arrangements are carried through." I think this House is entitled to know what arrangements are to be carried through before the Canadian Pacific Railway will go on and build their creameries.

Mr. FOSTER. This vote of \$36,000 is for new experimental stations, not for carrying on the old ones. It is to be used mostly in the Island of Prince Edward and in the outlying districts of the North-west Territories. This is simply an advance and not an expenditure of money, and it will be in the hands of the Receiver General before the 1st of July. It is simply to facilitate these operations so far as new stations are concerned. The Canadian Pacific Railway, in their proposition, simply lend a helping hand to farmers who will combine for carrying on stations, and it will go to the extent of providing buildings if the farmers will take advantage of their proposition, and the Government are doing just what it would do if the farmers put up the buildings themselves.

The details will be found in the report laid before Parliament at page 160 and in the Auditor General's Report, B-35. By the 30th June every cent will be repaid, and the amount repaid now is about \$33,000.

Mr. McMILLAN. How many new stations are to be established in Prince Edward Island?

Mr. FOSTER. Six new stations, and there are seventeen there already.

Haras National Co., use of six stallions \$6,000

Mr. McMILLAN. Is this the last year of that vote?

Mr. FOSTER. It has one year more to run.

Committee rose and reported resolutions.

FIRST READING.

Bill (No. 141) relating to the Canada Southern Railway Company—(from the Senate).—(Mr. Montague.)

Mr. FOSTER moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1.45 a.m. (Thursday).

HOUSE OF COMMONS.

THURSDAY, 14th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DEBATES OF THE HOUSE.

Mr. WHITE (Cardwell) moved:

That the second report of the Select Standing Committee of the Debates of the House be adopted.

Sir JOHN THOMPSON. Mr. Speaker, I understand that the report is in favour of another officer being employed on the staff. I think it is only with reluctance that the House will accede to that. But the chairman of the committee informs me that a special necessity exists, at this time on account of the illness of one of the regular staff, and that the intention of the committee is that the officer to be employed shall be engaged only temporarily. Under such circumstances I think I would be disposed not to urge the objection I would otherwise feel bound to take. I therefore assume that the employment will be certainly not longer than the remainder of the present session.

Mr. WHITE (Cardwell). I may say that the report is in the sense indicated by the Prime Minister. It simply asks that temporary assistance may be employed when deemed necessary until the end of the present session.

Mr. LAURIER. What are the facts that render the employment of a new officer necessary? Have any additional duties been thrust upon the members of the staff?

Mr. WHITE (Cardwell). The additional assistance is required in the translation of the 'Hansard' from English into French. The French translation is now about 1,000 pages behind the English version, and a good many complaints have been made because the work is not up. The session, as hon. members will admit, has been a very industrious one—

Mr. LAURIER. No.

Mr. WHITE (Cardwell)—the House having sat every night almost without exception until a late hour. However, since this report was agreed to by the committee, the information has been given by the committee from the chief of the translating staff that one of the translators has been stricken down with paralysis, and will be unable to perform his duties for several weeks to come. So that whatever necessity previously existed for additional assistance has been increased by this fact.

Mr. LANGELIER. I do not press any objections to the report of the committee, but I wish to take this opportunity of calling the attention of the House to the backward state of the translation of the 'Hansard' from English into French. If there is no alternative to the present system, we might as well drop the translation altogether. When it takes five or six weeks for debates to be translated, the French version of the 'Hansard' becomes useless—it is only so much waste paper. No member would dare to send to his electors the report of a debate five or six weeks old. This has been a subject of complaint for a long time. I think that the staff of translators is quite sufficient, in number at least, if not in efficiency. The translation should be so carried on that the French copy of the debates shall not be more than from five to ten days behind the English. But it is a matter of public notoriety, at least ever since I have been in this House, that the French translation at this stage of the session has never been less than four or five weeks behind the English report. What is the cause of this? It was stated to the committee in my hearing that two of these translators do not live in Ottawa at all, and they do their work only when they have nothing else to do. They seem to believe that the \$1,000 paid to them nominally for the translation of the debates is a kind of pension which has been granted to them by their political friends to pay for their political services. Some of the translators are employed on newspapers in Montreal and elsewhere, and I am told that some of them are quite incompetent and should never have been appointed; that they do not know French or English either; all they know is political intriguing, through which

they have succeeded in getting on the 'Hansard' staff. If this is to go on it will come to this: that appointments on the 'Hansard' staff will be a piece of political patronage. I do not object to friends of hon. gentlemen opposite being appointed, but let those who are appointed be efficient. There are plenty, even among Conservatives, who would make good translators, but they do not take the trouble to intrigue. They are plain, hardworking men; they do not come here seeking for this work, and other people who know better how to manage get the places. These people come here and succeed in getting on the 'Hansard' staff, but do nothing whatever to earn their money. One of the translators, I understand, has been living in Montreal and another in Hull all session. They are engaged in other work, and only when they have nothing else to do will they undertake the translation of debates. The translators ought to be obliged to stay here and do their work.

Mr. BEAUSOLEIL. (Translation.) Mr. Speaker, for several years past, the French-speaking members have had cause to complain of the translation of the Debates. Ever since I have had a seat in this House, I have heard complaints made, at every session of Parliament, concerning the backward state of the translation. The remarks I offer to-day are prompted by no spirit of hostility; but, so far as I can judge, all the trouble on that head arises either from the fact that the officers on the translating staff are not industrious enough, or else that they are not numerous enough to catch up with their work. I would invite the attention of the French-speaking members to the state of both editions of the Hansard; by referring to the English revised editions of the Debates, they will satisfy themselves that it reaches as high a figure as 3776 columns, the last report having been issued on the 6th of June, while the French edition only shows up to date 2272 columns, being 1500 columns behind the English edition, the last report of the French edition having been issued on the 9th of May last. Under the circumstances, I feel warranted in stating that the French-speaking members have just ground of complaint; so much the more so as, owing to the delay complained of, the translation of debates becomes practically useless. It is no use to them either for reference during the debates of the House, or for sending out to their constituencies for the information of their electors, because other questions, in the interval, come up for discussion, which divert public attention into other channels. I, therefore, felt justified, on the above grounds, in bringing up the question before the Debates Committee, at its last sitting, and the English-speaking members, with characteristic fair play, admitted that our complaints were well-founded. After consulting with the chief of the translating staff, it was agreed to by the committee, that on account of the illness of one of the translators, another officer should

Mr. LANGELIER.

be engaged temporarily; and further, the conclusion was reached of doing away with an abuse which had crept in, namely, the absence from Ottawa of two officers of the regular staff. It was, therefore, agreed to by the Committee that these two translators shall reside at Ottawa, failing which they would be liable to be dismissed and replaced by others who shall reside here. The motion which is now before the House, as also the agreement reached empowering the committee to compel the attendance of the absent translators under pain of dismissal, will result, I trust, in ensuring a proper translation, within reasonable delay, of the Debates of the House.

Motion agreed to.

PUBLIC ACCOUNTS COMMITTEE.

Sir JOHN THOMPSON. Mr. Speaker, a vacancy has been caused in the Committee on Public Accounts by the death of Mr. Hearn. I beg to move the appointment of the Solicitor General to fill the vacancy.

Motion agreed to.

REPORT.

Inland Revenue, Part II, Adulteration of Food, for the year ended 30th June, 1893. —(Mr. Wood, Brockville.)

THE ELECTORAL FRANCHISE.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 143) respecting the electoral franchise. He said: After what I said the other day in indicating the outlines of the Bill, it will not be necessary, I am sure, to express myself at great length this afternoon in order to give the House to understand what the contents of the Bill are. In order, however, to give a brief sketch of them previous to the second reading, I would mention again what I indicated a few days ago, that the principal features of the Bill are these: first of all, in relation to the revision of the present year, we bring into force for the purposes of the revision, the Redistribution Act of 1892; it will follow therefrom that the revision of the present year will be made on the lines of the constituencies as re-arranged in 1892, notwithstanding that the Redistribution Act is not to come into force for electoral purposes until a dissolution of this Parliament. At the same time it is our constitutional duty to see that the constituencies are always in such a position that, in case of an appeal, the electors will be ready with the lists revised and the constituencies so arranged that the general elections may take place. While it is not only possible, but very probable, that the revision of this year will be followed by a revision next year prior to any dissolution, still, acting upon the principle which I have mentioned, we are bound to keep in view the fact that whenever a dissolution shall take place the constituencies will be in a position to have a vote taken according

to the distribution which will then be in force. However, we propose to provide for the case of by-elections taking place in the meantime, by taking care that the polling divisions will be made in such a manner that they will not run from one constituency, as it exists at present, into any new constituency that will exist under the Redistribution Act of 1892; and, therefore, if a by-election should take place prior to dissolution, the list of electors for the constituency in which the election occurs, can be made from the sheets of electors for the polling divisions which are comprised in the constituency as it now stands. Therefore, the two principles can be kept in view in the one revision, the principle of having the polling district so arranged that the list of electors for the electoral district as it now stands, can be formed at any moment out of the revised lists, likewise the principle that the electoral lists for the constituency according to the Redistribution Act, may be accessible at any moment that an opportunity may arise. The change is also proposed in this Bill which I indicated a few days ago, that the questions upon which so much difference has arisen in the past as to the basis of the franchise, shall be adjusted by adopting the franchises of the several provinces. While I admit that this is a new departure, I deny what has been so widely asserted that it is in any important or practical degree a surrender of any principle that we have contended for in times past. The number of differences which exist between the provincial franchises and the Dominion franchise as established by our own Act, are so few as not to be worth the contest and the expense which are involved in keeping them up, and the adoption of a general system which will apply both to the Local and Dominion Legislatures, has recommendations as regards simplicity and facilities for economy, which cannot exist under a dual system such as we have been keeping up for the past few years. It is obviously one of the most desirable features in connection with any system of franchise, and to my mind an essential feature, that the system to be adopted will be such that it can be put into operation every year. While under the system which we now propose considerable difficulty and labour may arise, fully as much perhaps as would arise in a revision under the law as it now stands—while I admit, I say, that considerable difficulties will arise in making the new list, the first list, I do claim for the principles of this Bill and for its detail, that they will introduce into the electoral system a degree of simplicity which will make the working of that system very easy in future revisions; so that I think there can be no doubt that the revision can be expected to take place every year. But I claim, with regard to those difficulties that they would exist in any case in a revision at the present time, seeing that the list which is to be now revised is some three or four years old, and in respect of which the changes, especially in urban

constituencies, are very great indeed in consequence of the lapse of time. For these reasons I think the Bill will commend itself to the House, and that when once we have succeeded in forming a list under the present system, we shall find this annual revision comparatively easy, and I am sure, economical as compared with the present system. We uphold the feature, which I regard as the principal feature of the Franchise Act of 1885, and that is that the revision shall take place by officers under the control of this Parliament and of the Federal Government. The great principle which underlay the Franchise Act of 1885 was the control by this Parliament over matters connected with the franchise. It was contended that control should exist in two branches; in the first place, as regards the laying down of the franchise itself, and, in the second place, as regards the administration of the law by which the franchise was carried out. We have arrived, after the experience of eight or nine years, at the conclusion which I have stated, that it is not worth the effort to keep up the divergences that exist between the two sets of franchises, the franchise as we have it now, and the franchise as it exists in the various provinces; but we adhere to the second branch of the principle of control, namely, that this House and the electors who return members to this House ought not to be under the control as regards the exercise of their franchise of the officers of any other Government or Legislature whatever in the country. And therefore we intend to ask the House to adhere to that principle of Federal control over the Federal franchise. With these remarks, I ask the first reading of the Bill.

Mr. LAURIER. We of the Opposition do not at all find fault with the Bill so far as it goes. The only fault I would find with it—and I will criticise the Bill at a subsequent stage—is that it does not go far enough. However, the Government, I will not say have surrendered, because the word is objectionable to the hon. gentleman, and I desire to hold out the olive branch and not to harrow his feelings by using that expression, but I congratulate him on the fact that he has a good deal diverged from the principles maintained in the past by himself and his party. In the first place, it is with great satisfaction we learn that at last the Government have come to this conclusion, that there should be at all times such a state of things in the country that if an election takes place, whether partial or general, it will be held under such conditions that the vote of the electorate will be recorded, such an electoral vote as exists at the time. The hon. gentleman is aware that this principle has not been maintained in the past, and that in the last general election in 1891 that principle was not maintained and the general election took place, not on the electoral vote as it existed, but upon lists almost three years old. The plan of the right hon. gentleman, which he has not fully enunciated to the House, but which

he says hon. members will find when they examine it to be very simple, if it should prove to be a simple one when it came to be carried out, would be very satisfactory indeed to all parties, not only to members of this House, but to candidates and to the people at large. With respect to the franchise itself, the right hon. gentleman has said that he has surrendered nothing. I will not quarrel with that statement. We contended in 1855, and have contended ever since, that the true basis and the only basis of obtaining the suffrages of the people in every province was by the provincial franchise: we have always maintained that the proper authority to determine the franchise in any province was the local authority and not the Federal authority. This principle is conceded at last, and so far the Bill is very satisfactory. We have no reason to complain in that respect; on the contrary, I rejoice and offer my congratulations to the right hon. gentleman, although I do it with some degree of modesty because they may not be very well received as they may be taken to imply some surrender on the part of the hon. gentleman and his party. But there is a feature of the Bill in regard to which I cannot congratulate the hon. gentleman, and upon which he has made no surrender whatever. The hon. gentleman does not surrender but maintains what is perhaps the most evil feature of the Act to-day, namely, the revision of the list by a revising officer. If we adopt the provincial franchise, I cannot conceive of any good reason that can be advanced as to why this feature should be retained when we accept the provincial list. In Ontario and Quebec those lists are prepared, it is true, under provincial laws, but not under the control of the Provincial Legislatures, because the lists are prepared by municipal officers, that is to say they are prepared by the people themselves through the municipal councils, this being a feature in the province of Quebec, and also, I believe, in Ontario and in Nova Scotia. It is true that in Ontario a new departure has been adopted tentatively with respect to the system of registration carried out in large cities, and I understand from the press that that system is working admirably. This would prove a most convenient reform if it were adopted. The hon. gentleman has told the House that when the details of the Bill are ascertained, the preparation of the lists will be very much simplified. I am sorry to say that I do not think this will be found to be the case: I believe, on the contrary, that so long as the lists prepared are revised by the revising officer all the expenses imposed on members of Parliament and candidates and on the people at large in respect to having the lists revised will be found to be the same as at the present time. The only change will be in the work of the revising officer. Instead of taking the franchise we had adopted by this Parliament, the officers will proceed on the provincial franchise in each province; and as regards the working

of the lists the only difference will be that the revising officer will have to follow the provincial lists, and therefore the expense which every hon. member knows is a most serious one will not be obviated as by the Bill introduced by the right hon. gentleman. However, I will not discuss the point further at the present time. The hon. gentleman has kept silent on that point, he has not told the House what are the new provisions in the Bill which are to make the provisions of the lists more simple, and to that point I will make reference on a future occasion. It has taken six or seven years to change the right hon. gentleman's mind—not to call it to surrender—on the question of the adoption of the provincial lists, and I hope during the time between the first and second readings of the Bill the hon. gentleman may change his mind also as regards the revising officers.

Mr. MILLS (Bothwell). On looking over the right hon. gentleman's Bill there are some features referred to which have not been dealt with in the hon. gentleman's speech. The hon. gentleman has said that the work of revision after the first year will be very much more simple than on the first occasion. I am unable to see how that will be the case, nor why it should be necessary. If the right hon. gentleman adopts the provincial qualification where there is a voters' list, assuming the hon. gentleman deems it expedient to retain the Dominion revising officers, why should not the provincial list be taken just as it is revised and made the basis of the Dominion list? Even though you have a Dominion official it does not seem necessary that the revising officer should prepare the list. There is a provincial list already prepared under municipal supervision by men on the ground. That is the case in Ontario and in the province of Quebec, and I understand it is the same in some of the other provinces. This would save very much trouble and great expense if the provincial lists were taken and were simply supplemented by such further additions as the revising officer found it necessary to put on the list. In Ontario at least the lists are revised by the municipal authority. There he can appeal to the county judge, who practically discharges the duties of revising officer. If the hon. gentleman names the county judge or other party as revising officer, I do not see why it is necessary that there should devolve on him the duty of preparing the list. There is a list already prepared. The hon. gentleman may by his Bill intend to accept the list so prepared as the basis for the work which the revising officer is to do, but I do not see that in the Bill and I did not hear it stated in the observations made by the right hon. gentleman that this system had been adopted. It seems to me that this would save an enormous amount of trouble and a very considerable amount of expense, and in fact the expense could be very much further re-

duced if, where there is a provincial list prepared under a provincial law, such list were taken, and if it were found necessary to strike off names, to print a supplementary list with the names struck off and whatever names the revising officer saw proper to add. The expense would be reduced to a minimum and the trouble to parties who take sufficient interest in the matter to look after the revision of the list, would be enormously reduced if that principle were adopted.

Sir JOHN THOMPSON. I may explain, in answer to what the hon. gentleman from Bothwell (Mr. Mills) has suggested, that there is a provision in the Bill that the local lists are to form part of the material from which the Dominion reviser will make out his list, and when I referred to the difficulties connected with the formation of the list for the present year, I referred to the difficulties which are incidental to the making of a list after such long delay has taken place in the revision, and to the fact, that considering the new basis the present will be the construction of the first list; and in constructing that first list, the reviser has of course to avail himself as far as he can of the local lists. He has to avail himself likewise of the latest assessment roll for the purpose of correcting that local list in so far as it can be corrected. But this will be found to be the case at the outset. It will be found that in several provinces the revisions of local lists have been very carelessly made, and made by officers with nothing like the sense of responsibility and the painstaking which established revising officers have. I apprehend, however, that in succeeding years the simplification which the hon. member for Bothwell (Mr. Mills) pointed to as likely to follow from the adoption of the local lists, will follow as a matter of course from the fact that we shall have established a Dominion list to start with, and that all that will be required in order to correct that will be to take the applications to put on and off in accordance with the usual practice. I cannot acquiesce in the principle that we should start with the idea that the revising officer should take the local lists and simply add to them persons who can show reasons why they failed to apply in the first instance to be put on the local lists. We must not recognize the local lists as in any way conclusive as regards our franchise. We must leave it perfectly open to the revising officer to receive applications from every person who is entitled to vote, even though he failed to seek his right as regards the local lists in the first instance. We have nothing to do with the local lists in that respect. We simply take them as a matter of guidance, as we would the assessment roll. But if any man comes forward and says: I am not on the local list, but I am entitled to be put upon it,

we ought to include him, though he did not get his name inserted in the local list, and even though he failed to be included, or failed otherwise to make his application to be put on the local list. Hereafter when the list is once formed, we shall have the advantage of the lists to start from, that is to say, very recent lists. We shall have the advantage of the more recent local revision, and to my mind these two circumstances together will make the construction of the list from year to year very rapid and very simple, and if I am correct in this assumption we shall succeed in lessening the expense very much indeed.

Mr. MILLS (Bothwell). One of the greatest sources of expense at the present time is to correct the existing lists. If you take the local lists you have new lists every year. Far greater expense is incurred in getting rid of tenants whose time has expired than perhaps from any other cause, and the hon. gentleman, by what he has just suggested, proposes to perpetuate one of the greatest objections that exist to the present system.

Mr. DAVIES (P.E.I.) I would like to ask a question of the hon. gentleman with respect to the districts the boundaries of which have been altered or subdivided. If I understood his explanation correctly with regard to these districts there will be necessarily two lists made. One with reference to the contingency of an election before the dissolution of Parliament, and one providing new lists for the subdivided districts. For instance, my own county at present is represented by two members. That county has been subdivided. I understand from the hon. gentleman's explanation that there will be a list prepared in the case of an election happening before dissolution takes place, in respect to the whole county. Then there will be a second list for each of the subdivisions to take effect after dissolution. Am I correct in that?

Sir JOHN THOMPSON. Only partly so. There will be but one list made, and that will be for the new constituencies. But it is provided that if there shall be a vacancy in an electoral district, for instance that which the hon. gentleman represents, the lists for the by-election will be made out of the lists for these polling subdivisions which form part of the constituency as it now stands.

Motion agreed to, and Bill read the first time.

Mr. LAURIER. I would take occasion to recall to the hon. gentleman a question which I have already put to him once or twice. The hon. gentleman in his remarks has referred to the Redistribution Act of 1892, but he said nothing of a possible contingent Redistribution Bill of which we have heard a good deal for the last few weeks. Without wishing to enter into secrets with

which I have nothing to do, I understand that there was a gathering of gentlemen yesterday in No. 16, and perhaps now the Prime Minister may be in a position to give us some information with regard to this matter.

Sir JOHN THOMPSON. I am afraid that on that subject the hon. gentleman will not be able to congratulate me either, because I know that he was exceedingly dissatisfied with the redistribution of 1892, and it follows from that that he would like exceedingly to have a redistribution this year. Notwithstanding my disposition to meet his wishes on all occasions, and even to make new departures occasionally in order to meet him half-way, I am afraid I shall have to tell him that this matter will have to be postponed until next session.

Mr. LAURIER. I can assure the hon. gentleman that his announcement will not break my heart.

THE HULL 'DESPATCH.'

Mr. DEVLIN asked, How much was paid by the Government to the 'Despatch' newspaper of Hull during the last year, as well as during the two preceding years? What was the work done by the 'Despatch'? To whom was the money paid?

Sir JOHN THOMPSON. The answer I have from the department is this: Cheques for subscriptions are indorsed by W. J. Cuzner, proprietor, and the payments for printing and advertising were most probably made in the same manner, but the vouchers are all at the Public Accounts Committee.

U. S. ALIEN LABOUR LAW.

Mr. LOWELL asked, Whether the Government has entered into any negotiations with or made representations to the American authorities with regard to the application by them to Canadian workmen of the "Alien Labour Law"?

Sir JOHN THOMPSON. No.

GARBAGE IN THE NIAGARA RIVER.

Mr. LOWELL asked, 1. Whether the Government is aware that large quantities of garbage and refuse are dumped into the Niagara River from the city of Buffalo and other places on the American side of the river? 2. Whether the Government has ever made any representations to the American authorities with regard to the same? If not, whether they intend to do so?

Sir JOHN THOMPSON. We have not been made aware of such a fact.

COMMEMORATION OF LUNDY'S LANE.

Mr. LOWELL asked, Have any steps been taken by the Government, as promised by

Mr. LAURIER.

Sir A. P. Caron, when Minister of Militia, to perpetuate the memory of the men who lost their lives in the battle of Lundy's Lane?

Mr. PATTERSON (Huron). Plans and estimates have been prepared for a suitable monument, and it is the intention of the Government to carry out any promises made with regard to the commemoration of Lundy's Lane.

QUEBEC OBSERVATORY.

Mr. GUAY (for Mr. Choquette) asked, 1. Whether the Government have appointed a successor to the late Mr. W. A. Ashe, at the Quebec Observatory? If so, who is the titular of the position; by whom was he recommended; what certificates and evidences of competency did he produce in order to secure his appointment? 2. Who were the other candidates for the position, and did they produce testimonials of competency? 3. Was Mr. Chs. Carpmiel, head of the Meteorological Office at Toronto, authorized by the Government to require certificates and proof of service on the part of applicants for the Quebec Observatory? What report did he make to the Government? 4. Did the Government select the candidate furnishing the best certificates and testimonials as to competency, and affording the best guarantee as regards science? 5. What work has been done at the Quebec Observatory from the date of the appointment of the late Mr. W. A. Ashe up to this date? What are the duties of the present holder of the position? 6. What has been the cost to the Government of the installation of the Quebec Observatory,—instruments, buildings, &c., and of the equatorial constructed by Alvan Clarke? 7. Are the Government aware that the equatorial at the Quebec Observatory is in ruins; that the pieces of clock-work have been taken away or lost; that the objective is now worthless from having been exposed to wind, snow and dust for years? 8. Is it true that the person in charge of the Quebec Observatory is incapable of using and regulating the meridian glass for the time service, and that that work is done by Mr. D. C. Morency, engineer, a former associate of the late Mr. Ashe? 9. Are the Government aware that the time service does not give satisfaction; that there have been errors of 30 and 40 seconds and up to two minutes? Have there not been complaints from the Marine Department at Quebec in the matter? 10. Is it the intention of the Government to raise the Quebec Observatory from its position of inferiority, and to secure the performance of the work done therein in a manner suited to the progress of science and public instruction in this country?

Sir CHARLES HIBBERT TUPPER. The Government appointed a successor to Mr. W. A. Ashe at the Quebec Observatory. They appointed Mr. Arthur Smith, who had been

acting observer at that observatory since 1890. He was recommended by the director of the Meteorological service, Prof. Carpmael, and also by the inspector of the service for the province of Quebec. Those were the certificates and evidences of competency which were accepted by the department. The other candidates for the position were Prof. Roy, of Lévis College; Mr. McCallum, of Quebec; Mr. Proctor, of Quebec; Mr. Evans, of Quebec; Mr. O'Donnell, of Quebec, and Mr. Wurtele, of Kingston. They produced testimonials of competency. Mr. Carpmael, the head of the Meteorological service, was authorized by the Government to inquire into the competency of these various applicants, and he made a report, which I am not able to read to the House in answer to the question, but it will be brought down upon a motion, if made. The Government did select the candidate furnishing satisfactory certificates and testimonials, upon the reports to which I have referred. The duties of the present holder of the position consist of meteorological and astronomical observations. Touching the sixth paragraph of this question, I shall have to ask the hon. gentleman to make a motion for the information asked for, as the answer would involve a research, and cannot be given satisfactorily across the floor of the House. The Government are not aware that the equatorial at the Quebec Observatory is in ruins, or that the pieces of clockwork have been taken away or lost, or that the objective is now worthless from having been exposed to wind, snow and dust for years. Neither am I aware that the person in charge of the observatory is incapable of using and regulating the meridian glass, or that that work is done by Mr. D. C. Morency, engineer, a former associate of the late Mr. Ashe. The ninth question refers to the time service. There is an inquiry going on respecting a complaint that has been made, but I am not in a position yet to give a definite answer to that question, or to say to what extent the time service is not satisfactory. From a preliminary report, I believe it has been satisfactory. There have not been complaints from the Marine Department respecting the matter, but there have been complaints from one of the candidates, Prof. Roy, whose application for that position was not entertained. Those complaints are being inquired into, and I have not received the final report respecting them. The tenth question I cannot answer, as it is based upon hypotheses which I do not admit.

MANITOBA AND NORTH-WEST SCHOOLS.

Mr. LAVERGNE asked, 1. Is it the intention of the Government to cause the petition of the Roman Catholic Archbishops and Bishops of Canada in relation to the Manitoba and North-west schools, presented

in this House by the Prime Minister on the 5th day of May, last, to be printed and distributed to the members of this House? 2. Is it the intention of the Government to grant the conclusions of the said petition at an early date? 3. Will action be taken by the Government in relation thereto before the end of the present session of Parliament?

Sir JOHN THOMPSON. The petition will be treated in the ordinary course, and I presume that the question of its printing will be in the hands of the Printing Committee, and, if not, in the hands of any member of the House who may desire that it should be printed for the information of the members of the House in advance of the ordinary sessional papers. It is the intention of the Government to communicate with the Provincial Governments on the subject of the petition, and to ask the consideration of the petition by the Provincial Governments before undertaking action with regard to it.

PERMANENT MILITIA CORPS.

Mr. CASEY asked, 1. Does the Government intend concentrating two or more units of the permanent militia corps at Lévis, or elsewhere, in the province of Quebec, during the year 1894? If so, what is the object? 2. Has there been any correspondence between the Major-General commanding the militia, or the Militia Department, and any militia officers, in regard to the formation of a cavalry association? If so, what is the object of the association, and what is the result of the correspondence? Will the Government produce it? Has the General Officer commanding approved of the formation of such association? 3. Has there been an association or club formed, composed of officers of the permanent corps? If so, what are the objects of the association or club? Has it the approval of the General Officer commanding? 4. In sanctioning the device "V. R. I." being given to the permanent militia corps, does the Government follow the practice in regard to other colonial forces outside of India? What is the special significance in Canada of the allusion to the Queen as Empress of India? Is there any correspondence with the War or Colonial Office with regard to it? 5. Is there any correspondence between the War Office, or Colonial Office, and the Commandant of the Royal Military College of Canada, or the Militia Department, in reference to the Imperial Government granting commissions in the Army Service corps to graduates of the Military College? 6. Is it the intention of the Militia Department to issue a militia list corrected to 1st January, 1894? If so, when, and what has been the cause of the delay? 7. What is the reason for the delay in presenting the House with the yearly "Establishment List of Militia Corps, for 1894-95," as provided for by Militia General Orders? Will the Establishment List be

presented before the considering of the Militia Estimates ?

Mr. PATTERSON (Huron). In answer to my hon. and gallant friend, I would say that the question of concentrating two or more units of the permanent militia corps at Lévis during 1894 is under consideration. Should it be decided to accede to the desire for such a corps, the object will be the development of a system whereby a larger number of non-commissioned officers and men of the active militia may be put through a course of instruction, qualifying themselves for commissions. 2. There has been correspondence between the department and some cavalry officers with regard to a cavalry association, and the correspondence is at the disposition of my hon. friend. The intention to form the association has been for the present abandoned. The object, I suppose, was to promote efficiency of the cavalry in Canada. The general officer approves of the association within certain lines and within his control. 3. A club of officers of the permanent force has been formed. The object is to promote the spirit of comradeship of present and past officers, and to develop interest in professional subjects by the publication, quarterly, of a small magazine devoted to such matters. Such a club and publication exist in most British regiments. It has been approved. 4. I would read the general order dated 11th August, 1893: "On the occasion of Her Majesty's birthday, the Queen has been graciously pleased to signify her approval of the regiments now composing the permanent militia of Canada, to be henceforth designated as follows:—Royal Canadian Dragoons, Canadian Artillery, Royal Regiment of Canadian Infantry. Her Majesty has been further graciously pleased to authorize the above named Royal regiments to wear on their accoutrements the Imperial cipher V.R.I., surmounted by the Imperial Crown." The significance in Canada of the allusion to Her Majesty as Empress of India, is that Her Majesty's full title is Queen and Empress of India. There has been correspondence on the subject. 5. Application was made to the Imperial authorities inquiring whether any appointments to the Army Service corps would be available for cadets graduated at Kingston, and the last letter received informed the department that it was not anticipated that any appointments to that corps would be made during that period other than those of officers holding commissions in the Royal forces. It is the intention of the department to issue a correct militia list with the least possible delay. The deaths of two clerks in the Militia Department charged with the preparation of the militia list has seriously interfered with its preparation. A revised list is in my hands, and when approved by Council will be submitted to the House. The changes are light and of a character that will commend them to my hon. and gallant friend, and

Mr. CASEY.

I am confident they will raise no objection on his part to the passing of the Estimates.

MONTREAL COLLECTORSHIP OF CUSTOMS.

Mr. DEVLIN. I would like to call the attention of the Government to a question which I am sure hon. gentlemen, especially those from the city of Montreal, will consider of much importance. I refer to the position now vacant of the Collectorship of Customs of the port of Montreal. It will be remembered that—

Mr. SPEAKER. The hon. gentleman is transgressing the rules of order. He may inquire why the collectorship has not been filled, but he cannot make a speech.

Mr. DEVLIN. Perhaps the Government could answer the question why the position has not been filled.

Sir JOHN THOMPSON. The position has not been filled—

Mr. LANGELIER. The hon. member for Cornwall (Mr. Bergin) might perhaps answer.

Sir JOHN THOMPSON. Would the hon. gentleman prefer that he should? The position has not been filled because there is no immediate necessity.

RETURNS.

Mr. MILLS (Bothwell). Before the Orders of the Day are called, I would call attention to the fact that one of the papers mentioned here is not down: "the Committee of the Privy Council have had under consideration a despatch, hereto attached, dated 1st March, 1894." It is not attached.

Mr. DALY. I shall attend to the matter.

Mr. LAURIER. The report of Mr. Rubidge with regard to Sheik's Island has not been brought down.

Mr. HAGGART. I thought it was laid on the Table when the Estimates were brought down. I shall look into the matter.

Mr. LAURIER. I would also call the hon. gentleman's attention to this other fact. He said that, in deciding on the changes made in those contracts, he relied upon the opinions of different engineers, and amongst others that of Mr. Shanly. He said that Mr. Shanly's report had been brought down in a blue-book. I understood the hon. gentleman to mean the blue-book brought down in 1890, in answer to the motion of the hon. member for Cornwall, but the report is not in that book.

Mr. HAGGART. I answered that I was not aware it was not brought down, and I asked my deputy, who said that all these reports were published. After the statement of the hon. gentleman, I will see that it is

brought down before the estimate is got through.

Sir RICHARD CARTWRIGHT. Is the right hon. the Minister of Justice prepared to give an answer in the matter of the census returns?

Sir JOHN THOMPSON. To-morrow.

SUPPLY--MONTREAL CUSTOMS COLLECTORSHIP.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. DEVLIN. Of course I do not wish to take up much time in connection with the question I asked a moment ago. The right hon. the First Minister replied that there was no immediate necessity to fill this position, but it will be remembered that the position is now vacant for two years, the last occupant being the late M. P. Ryan, of Montreal—a gentleman who filled the position with marked ability, credit to himself, and satisfaction to the entire commercial community. At that time, it was said that the position would shortly be filled, but from time to time the appointment has been delayed. I am sorry the Controller of Customs is not in his seat. I have been waiting several days before bringing this matter up, in order that he might be here, but I understand that duties of importance require his presence elsewhere, and that just now he is actively engaged denouncing in pretty strong terms His Grace the Archbishop of Kingston and other gentlemen. There are also, I understand, other reasons why this position is not filled. It is said that there exist in the Government certain divisions in regard to the person who would most suitably fill the office. It is said that our Irish Catholic representatives in the Government are anxious, in view of the fact that the late occupant belonged to their nationality and faith, that his successor should also be an Irish Catholic, whereas, the French-Canadian champions in the Government, who number three, it is said, want one belonging to that nationality appointed. But if we are to believe the newspapers—I do not mean the Liberal press, but the Conservative press of the province of Quebec—there is some disunion even among the French-Canadian Ministers, and on this subject they are hopelessly divided at the present moment. Again, Sir, we know—and it is no secret—that, in connection with this position, the name of the hon. member for Cardwell (Mr. White) has frequently been mentioned. But it is claimed that there are two reasons why he has not received the appointment: first, the dread of opening the constituency of Cardwell, and second, the opposition of the French-Canadian members of the Government to his appointment. I do not know exactly how much truth there may be in these statements, but perhaps it is but fair that light should be thrown upon the subject, and that some substantial

reason should be given why a position of such importance, whose duties require a man of integrity and capacity, should be left vacant so long. But the hon. Prime Minister has just said there is no immediate necessity for filling the position. Perhaps he will tell us that there is no necessity for filling it at all. If the position can conveniently and with satisfaction to the public remain unfilled for two years, it follows that it can remain unfilled altogether. I do not know what the reason for keeping the place vacant may be, but I am simply pointing out some of the causes that may exist. For my own part, pleased as I should be that the successor of the late occupant of the office should be an Irish Catholic—

Some hon. MEMBERS. Hear, hear.

Mr. DEVLIN—yet I would be sorry, indeed, if that was his only claim to the position. I hold that nationality should not be a stepping-stone to any position in the service of this country, but that such position should be given to a man because, as I said a moment ago, he has integrity and capacity to fit him for the discharge of its duties. That is my belief. Yet, because, just now, voicing a feeling in my own heart, I declared that it would give me pleasure if one of my co-religionists and countrymen should be appointed to this office—appointed not because he belonged to my nationality or faith, but because he had the qualifications necessary—hon. gentlemen jeer. That is sufficient to show what their own feelings are; it shows that they are determined that a certain gentleman who has a seat in this House shall be appointed to this position. I can say, Sir, that if that hon. gentleman has the experience and the capacity to fill the position, if he is the best suited for the place, I would be the last to offer a protest. I would be the last to place an obstacle in his way, I would be the first to congratulate him on taking that position. But what I want particularly to point out is this—here is one of the most important positions in the gift of the Government in the province of Québec, which has been left vacant for two years. And why? Because of the divisions existing in the ranks of gentlemen opposite, because of the fear of opening a constituency and the dread of the verdict that might be rendered by the people there.

Sir JOHN THOMPSON. It is true, as the hon. gentleman has stated, that there are several persons whose names have been mentioned who could fill the office quite suitably. Although the time during which this vacancy has remained has not been so great as the hon. gentleman supposes, inasmuch as Mr. Ryan died less than seventeen months ago—yet we, after some consideration further, will probably fill the office by making a selection from among those whose qualifications so eminently fit them for the position. I am sorry that something over twelve months has been allowed to lapse in filling

this office, inasmuch as it seems to have occasioned some inconvenience in the county of Ottawa that the post of Montreal should be without a permanent collector. But the hon. gentleman has given me some reasons for further delay. He has indicated that there are divisions in the Cabinet on this question, and that there are fears about opening a constituency and that terrible antagonisms have arisen between the races on this question. With this information—and I must say that these are new facts—I shall certainly take time to inquire further into the case.

Sir RICHARD CARTWRIGHT. Well, Mr. Speaker, as the Government, we have been assured, are a most economical Government, and as it is tolerably clear that the Administration can get on without paying \$4,000 a year to a collector at Montreal, now is a grand opportunity for the hon. gentleman to save a couple of thousand—

Mr. LAURIER. Four thousand.

Sir RICHARD CARTWRIGHT. Yes, or the whole four thousand. It is quite clear that this office cannot be of paramount importance to the interests of the great commercial city of Montreal, or we should have heard a great deal more about it, especially as Montreal is very nearly represented in the Cabinet.

Mr. LAURIER. Montreal does not receive very much consideration just now.

Sir RICHARD CARTWRIGHT. No; but the time is coming when Montreal will receive consideration. But I rise in the interests of economy. The hon. gentleman tells us that there is no urgent necessity for having this place filled, and I think the logical sequitur of that is that the office may be left vacant, and \$4,000 a year saved. If the hon. gentleman would do that, I think, he would receive, if not the warm commendations of the people of Montreal, at any rate the approval that he is so anxious to get from all fair-minded men, as showing that he is actuated by a desire to avoid needless expenditure.

Mr. COATSWORTH. Probably gentlemen opposite would like the Government to adopt the same plan as the Ontario Government adopts in such cases. They reserve appointments for two years or more, and then appoint two officials instead of one.

Sir RICHARD CARTWRIGHT. They are capable of that, no doubt.

Mr. COATSWORTH. They really are capable of it, no doubt. They divided the office of registrar in Toronto and appointed two registrars; they divided the office of sheriff, and appointed two sheriffs; they divided the office of county crown attorney and appointed two of those officers, whereas in each case one officer could have done

Sir JOHN THOMPSON.

the work at a saving to the province of an immense sum of money.

CIVIL SERVICE SUPERANNUATION.

Mr. McMULLEN. I am a little surprised at the remarks of my hon. friend. What he says shows that the city of Toronto must be growing to require such additional service. Now, Mr. Speaker, I desire to bring before this House a question to which on previous occasions I have drawn its attention, that is the question of the system of superannuations now existing in this Dominion. On previous occasions I have pointed out the vicious features of that system as administered for the last twenty-two years; and I have shown clearly that the manner in which it has been administered has not been in the interest of the country; that the provisions of the statute have been virtually openly violated; that the whole system has been administered for party ends and purposes, and at an enormous annual cost to the people of this country. Last year I presented a statement which showed the number that had been superannuated each year from the inception of the Act down to the last year. I also pointed out a great many names of individuals that had been placed upon the superannuation list, and had been drawing enormous sums, whilst they had virtually paid little or nothing into the fund out of which those who are superannuated would draw their annual allowance. I consider it my duty to keep this question before the House and before the country, with the view of urging it home forcibly and pointedly upon this House and upon the consideration of the Government, until the system is obliterated from the statutes of this country, and until our civil servants are made to understand that they will have to provide for themselves the same as other officials throughout the Dominion. Now, I am not going to make an extended speech upon this question. I am going to present facts and figures, and I shall then leave the members of this House as well as the people of this Dominion to draw their conclusions from those facts and figures, and with regard to which I invite the attention of every Minister as to their correctness, and leave them to judge whether the Act is properly, prudently and economically administered. The Act was introduced in 1871 under the Administration of Sir John A. Macdonald, when Sir Francis Hincks was Minister of Finance. That Act, on its inception, provided for a very respectable reduction being made from the salaries of civil servants in order to produce the sum necessary to meet the demands of those who would afterwards be superannuated. For three years there was deducted from the salaries of civil servants 2½ per cent for all those who received a salary of \$600 and less; and 4 per cent for all those who drew salaries of over \$600. For the first three years of the system the balance was on the right side of the ledger;

but at the end of that period. Sir Leonard Tilley, for reasons best known to himself, for reasons best known to the Government of which he was a prominent member, struck off 50 per cent from the deductions that were made from the salaries of civil servants, reducing the amount very materially. From that day down to the present, the balance has been transferred to the wrong side of the ledger, and an increasing amount has been paid out from year to year, until last year over \$200,000 of the people's money were paid to members of the civil service who have been superannuated, more than they had paid into the fund. Now, I will read the amounts for each year :

Year.	Receipts.	Expen'ture.
1871	\$49,470 50	\$ 12,880 49
1872	53,213 80	38,842 81
1873	54,757 30	53,026 12
1874	34,620 18	64,442 84
1875	36,678 71	71,371 85
1876	38,476 00	101,627 16
1877	40,890 26	104,826 99
1878	41,856 62	106,588 91
1879	41,959 20	113,531 63
1880	43,531 80	116,391 75
1881	44,995 80	147,362 10
1882	46,426 39	160,319 95
1883	46,372 03	186,236 67
1884	51,882 21	192,692 70
1885	52,701 33	203,636 21
1886	57,075 43	200,655 25
1887	62,600 96	202,285 85
1888	62,945 72	212,743 72
1889	63,031 46	218,933 65
1890	61,513 05	241,764 66
1891	62,824 60	241,110 49
1892	63,862 79	253,679 88
1893	64,433 27	263,710 15

Now, in the twenty-two years, the entire receipts were \$1,175,119.41, and the expenditure was \$3,508,661.83, leaving a balance over receipts of \$2,333,542.42 that has been paid out under the head of superannuations, or \$106,070.11 of an annual loss under the operations of the Act. Now, Sir, the next question to which I shall direct attention is that of salaries paid to the inside and outside service. The number of servants in the inside service is 865; in the outside service, 3,543; in all, 4,408, as by a return recently laid on the Table of the House. That includes all who contributed to the superannuation fund. The wages paid are \$3,587,639.36. The average salary of all those in the civil service, inside and outside service, who contribute to the superannuation fund, is \$813.89. The gross salary of the inside service at Ottawa is \$1,025,242, or an average of \$1,185.68, or nearly \$100 per month. In the outside service, which consists of 3,543 officers, the salaries paid amount to \$2,564,397, or an average salary of \$723.79. The

total number on the superannuation list on 30th June, 1893, was 551. Of those superannuated, 173 were under the age of 60; there were 73 under the age of 50. There are on the list 30 under 50 years, 55 under 55 years, and 96 under 60; or in all, 45 per cent of the present superannuated officers are under the age provided by the statute. The statute provides that the superannuated officer shall be 60 years of age, unless on account of illness he is compelled to apply for superannuation, and then he is eligible for superannuation, but there is that number I have mentioned under that age. The Government superannuated last year in the face of the enormous drain on the resources of the Dominion caused by the operation of this Act, and in face of the feeling regarding it, 51 officers more, at an annual cost of \$28,353. These men will continue to draw that sum as long as they live, and it will add to the amount we paid last year, so that very nearly \$300,000 will have to be paid out under the Superannuation Act if a considerable number of those on the list do not drop off before that period. There have been some notable cases of superannuation, and I ask hon. members to permit me to refer to some of them. There is the notable one of Mr. Vankoughnet, who was superannuated at the age of 57. His salary was \$3,200 annually; the allowance given him under the superannuation system is \$2,112, and Mr. Hayter Reed, who was Indian Commissioner in the North-west, has been installed in the position at a salary of \$3,200. I am aware that the Minister of the Interior endeavoured to show that money was saved to this Dominion by the changes he had made with respect to those two officers, but I defy any Minister or any hon. member to prove that by the superannuation of officers money can be saved under the system of superannuation, unless on the principle that when a man obtains employment in this Dominion as a civil servant, the Dominion is bound to provide for him during the balance of his life. That is the only principle on which it can be claimed that a civil servant is entitled to superannuation. I contend that within the four corners of the Act you cannot find any provision from which you can extract such meaning as that a man once in the service of the country as a civil servant can claim to be provided for during the balance of his life. There is another feature to which I wish to draw attention, and that is with respect to the average salary paid to the officers. Hon. members cannot mention any other class as well paid as are civil servants; there is no other class which receives as large an average salary, taking both the inside and outside service. School teachers, who are highly educated, certainly do not receive an average salary of \$800 or \$830, ministers do not get an average salary of that amount, or bank clerks, wholesale clerks or retail clerks. There is not a class

in the Dominion to-day which per capita is as well paid and has as short hours and as easy work as the civil service of Canada. I ask hon. members on what principle can any man undertake to justify a system that is calling on the people of the country out of their means to contribute to a fund to provide a living for men who have been amply paid for their services during the time they have been employed in the Dominion, and have received an ample sum to meet their necessities after retirement from the public service. Of course the superannuation system is an old one in England. I admit that, and it was no doubt transplanted here as a system that has been in force in England for a long time. But hon. members will find that the superannuation system of England does more than sustain itself. It has not been made a drain on the people's resources, the civil service contributes most satisfactorily to keep the balance on the right side. Had the system here been so conducted as to deduct from the salaries of the civil service a sufficient amount to meet the demands on the funds, no one would have found fault; if they liberally contribute to the payment of the superannuation fund there is nothing further to be said; but when the country is called on to contribute such enormous sums as it has been during recent years, it is time in the interests of the tax-payers that we should really consider the whole system and decide that it should be wiped off the Statute-book of the Dominion as a measure that the country cannot afford to support or continue. I desire to point out to the House the objectionable features of the system. I contend it has been grossly abused by the hon. gentlemen opposite. They have taken advantage of the clause of the Act which provides that no man shall be superannuated under sixty years of age except for sickness or similar cause. No doubt the Government are troubled with a number of needy followers, as are probably all Governments, and the Government are desirous of finding those men resting places, and in order to meet their urgent demands a number of men thoroughly capable of performing their duties have been superannuated in order to create vacancies that might be filled by needy heelers of hon. gentlemen during the last fifteen years. Take the case of Mr. Lamothe, postmaster at Montreal. He had served seventeen years. He had received a salary of \$4,000 annually for seventeen years, which represented the respectable sum of \$68,000, and after seventeen years the Government added eight years to his time of service. That was done to enable Mr. Lamothe to draw an increased amount of superannuation allowance. If he had only drawn for seventeen years it would have been only seventeen-fiftieths of his salary, or \$1,360, whereas he received twenty-five-fiftieths by hav-

Mr. McMULLEN.

ing eight years added to his salary. They gave him \$2,000 a year for a retiring allowance. Mr. Dansereau, who was a very intimate and bosom friend, and I dare say politically an advantageous one of hon. gentlemen opposite (particularly of Mr. Chapleau, the Lieutenant-Governor of Quebec), got the office of postmaster in Montreal, and he is drawing \$4,000 a year. Mr. Lamothe is drawing \$2,000, and the result is that \$6,000 is being paid there in place of \$4,000. Then, Sir, let us take the case of Mr. Robert Wallace, formerly a postmaster of Victoria, B. C. We have it on authority that cannot be denied that Mr. Wallace strenuously resisted being superannuated, but the place was wanted for Mr. Shakespeare, who was once a member of this House—and I am casting no slur on Mr. Shakespeare, for he was a very respectable member of the House, and we all liked him when he was here. However, he wanted the place, and in order to find him one Mr. Wallace, who served fifteen years, was superannuated, and eight years added to his service. Mr. Wallace was retired at a pension of \$1,050 a year, and Mr. Shakespeare appointed at a salary of \$2,000. But it appears that Mr. Wallace was not satisfied with his pension, and every year since we have an item of \$240 in the Estimates for that gentleman in order to stop his mouth, I presume, and to entirely console him for the loss of his job. This gentleman is, I understand, living in England, drawing the money of the Dominion, and spending it outside of the country, and there are about twenty of the superannuated officers who are doing the same thing. We have also the case of Charles Thibeault, who was appointed in 1880 to a position in which he had to do nothing, namely, secretary of the Board of Dominion Arbitrators. He held that position for nine years, at \$2,000 a year, drawing \$18,000 for his nine years, and then he was superannuated at the age of 49, getting nineteen-fiftieths of his salary, or \$759.96 a year. He appears to have been a bosom friend of some member of Parliament, or of some Minister, for he exercised a powerful influence, and that influence secured for him the addition of ten years to his time of service. I have not been able to trace Mr. Thibeault's history, but I have not the slightest doubt that if we knew what he is doing now, we would find him discharging duties of very considerable importance to hon. gentlemen opposite as an act of gratitude and thankfulness for the favours bestowed on him, and which he is reaping year after year. There were eighty-seven persons placed on the superannuation list by hon. gentlemen opposite, during the last twelve years, who are drawing over \$1,000 a year. Out of the 551 on the superannuation list on the 30th of June, 1893, hon. gentlemen opposite have superannuated 430 since the year 1882, and from the year 1879, up to the present time, hon. gentlemen opposite have superannuated 483,

which leaves only 68 who have been superannuated by all other Governments, so that this Government is virtually responsible for the entire list as it now exists, save and except sixty-eight names. For the year ending 31st of December, 1893, they have added to that list fifty-one names, and during the year they gave a gratuity of \$750 to one man who was retired, and \$100 to another. The average amount drawn by each one on the superannuation list at the present moment is \$478.60. Now, Sir, I have presented this statement with the view of bringing this whole system prominently before the House and before the country. I charge here that the system has been grossly abused, and that hon. gentlemen opposite have from year to year superannuated men who resisted superannuation. In order to make room for those who are pressing their services upon the Government, they force these men, by means best known to themselves, to apply for superannuation, and today these men are walking about the streets of the Dominion, drawing allowances, when they should be discharging their duties to the country. I contend that the labouring classes in this country, the poor mechanic, who has got to work hard to earn a living for himself and his family, the labouring men and the farmers of this Dominion, who are struggling hard with the difficulties that are now staring them in the face, should not be called upon by the Government, through taxes on every article of clothing that they wear, every article of food they consume, and every implement they use on their farms, to contribute a percentage to keep a horde of 551 men idle, and drawing \$270,000 a year from the public treasury. It is a gross fraud and gross injustice to the tax-payers of this country, to ask them to consent to the perpetuation of this system, and I am quite sure that the people have so woken up to the pernicious character of this system that they will insist upon having the law wiped from the Statute-book. I have no desire to make a party issue of this question at all. I do not deny that during the Mackenzie Government names were placed on the superannuation list, but I say that no matter what Government has assisted in perpetuating this principle of superannuation that the system is wrong, and that the country should be relieved from the burdens imposed upon it by the manner in which this Superannuation Act has been administered for the last twenty-three years. I feel satisfied that the people of this country will demand that this Act be wiped out, and that the civil servants shall be left to provide for themselves. I wish, Sir, to place in your hands the following resolution:—

That Mr. Speaker do not now leave the Chair, but that it be resolved:

That during the last fiscal year the amount collected by the Government from members of the civil service under the Superannuation Act was \$64,433.17, whereas the amount paid by the Government to members of the civil service superan-

nated under the said Act was \$263,710.15: that the enormous discrepancy between the revenue collected and the expenditure incurred under the said Act attests that the same has been administered by the Government in a loose, extravagant and unjustifiable manner, and in the opinion of this House the system of superannuations, as now established and administered ought to be abolished.

Mr. O'BRIEN. Mr. Speaker, the subject which the hon. gentleman has just brought before the House is one of very considerable moment—of such moment that I think it ought not to be dealt with by a motion of this kind. The superannuation system is one to which this House has been committed for a great number of years. It is a system under which it may be said that great vested rights have been established, and it ought not to be dealt with, and cannot be dealt with, in the manner now proposed. I have for one come to the conclusion, having watched the subject during the period that I have been in Parliament, that this system is open to so many defects and is liable to so many abuses, that, while on the one hand it may be said to be very advantageous to the public service, on the other hand the defects in it almost counterbalance those disadvantages; and, speaking on behalf of the civil servants themselves, I think, from inquiries which I have made, that I am justified in saying that they on the whole would just as soon that it were abolished, and that they should be allowed to make their own terms with the various companies and institutions, by which at a lower rate they could obtain advantages which on the whole would be greater than those they now receive. When a man who has been in the service for a great many years happens to die, his family loses all he has paid into the superannuation fund during the period that he has contributed; and if a man should leave the service at any time before his superannuation is due, he also is liable to lose all he has paid. With the many opportunities now open to civil servants in the way of insurance, paid either at death or by endowment after a period of years, they can absolutely secure themselves against any loss such as they are liable to under the present superannuation system. Of course, those few who attain the requisite age, or who, to serve some public or political interest, are superannuated, derive great advantage from the present system; but, taking the whole body of the civil service, from the period they enter until they leave, either by death, by superannuation or by choosing some other mode of life, I think they would prefer to be allowed to spend the money they now pay to the Government in making their own arrangements to provide either for their old age or for their families after their death. But this is not a matter that we can deal with off-hand by a motion of this kind; and while I am prepared on the proper occasion, when the subject can be thoroughly discussed, to support a properly considered measure for either doing away

with or amending this superannuation system, I certainly will not commit what seems to me to be the absurdity of voting for a motion which does not deal in a proper manner with the question. I think the system of bringing in motions of this kind is one that should not be countenanced, and, while agreeing with the intention of the hon. gentleman, I certainly cannot vote for a motion brought forward in this way.

Mr. FLINT. Mr. Speaker, in seconding the motion of the hon. member for North Wellington (Mr. McMullen), I desire to refer to the favour which it has received, as regards its principle, from the hon. gentleman who has just taken his seat, but who objects to it mainly as a matter of procedure. I think that on a resolution of this kind the principle of system attacked could be very well discussed; and the claim that the Act has been administered in an improper manner by the Administration seems to me to be a sufficient plea on which to base a resolution in amendment to going into Committee of Supply. That the Act has been administered in a loose and improper manner has been demonstrated both in Parliament and in the press for a great many years. Almost every year we have had discussed in this House or in the press, the cases of individuals who have been superannuated against their will and under circumstances, which to say the least, were a straining of the law. No one proposes to disturb any vested rights which may have been established by the contract entered into between the present members of the civil service and the Government of the country. I hope the time is long distant when any member of this House will support any proposition affecting the vested rights or interests of any civil servant or any other person in this Dominion. Those who favour the abolition of the present system of superannuation propose to leave entirely undisturbed those in the civil service who desire to continue under the provisions of the Act; but under any reasonable legislation that may be introduced here, it will be open to them voluntarily to surrender their rights under that Act, and to accept some compensation, thus relieving themselves from its encumbrances as well as its advantages. Not long since, in a discussion of the subject it was claimed by the First Minister that in reality the Act was a measure of economy. Certainly we would have considerable curiosity to see how that could be made out, in the face of the calculations presented to the House by the hon. member for North Wellington, not only this session, but last session. He has shown, and the public accounts show, that since the institution of this superannuation system, the receipts from the civil servants have been \$1,175,119; and had those receipts, with a reasonable amount of compound interest, been returned to them, equitably and fairly, no one could possibly object to such an administration of an Act providing for the old

Mr. O'BRIEN.

age or the ill-health of the public servants. When we find that in addition to that sum the Government has supplied to these individuals from the ordinary sources of revenue, the additional sum of \$2,333,542, it becomes a serious question for every taxpayer to consider as to whether that money is reasonably or otherwise expended. It becomes his duty to inquire into the economic or moral effect of an expenditure of this large sum of money, either with regard to the better administration of the Government service or the effect upon the political morals of the members of the Administration or the members of the civil service. Last year the total sum of superannuation allowances paid was \$263,710, and the receipts, through the deductions made from the salaries of civil servants, amounted to \$64,433.37. But in addition to these sums paid under the Civil Service Superannuation Act, we must remember that Parliament provides annually for a considerably large payment in the way of pensions to judges and other pensioners on the public purse. In every instance, except in the case of the judges, these pensions are for special services rendered to the commonwealth, and we all recognize the propriety of rewarding eminent public servants, or of compensating those who have suffered on behalf of the public, by some special consideration. The question as to the pensions of the judges may be open to discussion upon other grounds. The high position they occupy, the dignity with which they ought to be surrounded during their term of office, would render it extremely inconvenient and improper that, through failing in worldly circumstances, they should afterwards be subjected to the indignity of extreme poverty. As a protection to public dignity and honour—to men occupying so exalted a position—the question of pensions to judges would perhaps not come under the invidious remarks which may be made with regard to pensions to ordinary civil servants. We have in the Dominion over five hundred superannuated civil servants. If they were drawing from the state an equitable sum divided upon equitable terms, perhaps so much objection could not be raised; but as has been pointed out by the hon. gentleman who preceded me, these sums are divided up without regard to any law and on the most inequitable principle possible. Take a civil servant who has worked faithfully for ten or fifteen years and who, for some trifling offence, is suspended or dismissed—and we must take into consideration in discussing this question not merely the letter of the law, but human nature and the circumstances of our political life; and it is useless for any hon. gentleman to deny that those circumstances form a powerful lever in the prosperity or otherwise of civil servants. A civil servant who is known to be hostile to the party in power lives under apprehensions which are not felt by his fellow-officials who are known as strong

supporters of the policy of the Administration; and, as has been practically admitted, an offence which would not call for censure or dismissal, in the case of the one, would cause, if made in the case of the other, instant dismissal. Let us look at the penalty which the latter is made to suffer by the administration of this law, an administration which can be scarcely called into question owing to the difficulty of procuring evidence. An offence is committed, which, in the case of an indulgent administrator, would be passed over with a slight censure; but if the offender is marked out for vengeance, or his place is wanted for some hungry supporter of the Administration, that light offence is punished by dismissal. Not only is the dismissal from present employment the penalty for an offence, which, if committed by another, would not be considered of consequence, but the offender loses all that has been deducted from his salary, during his long service, for the superannuation fund. Take another case, that of a public servant who has served faithfully and well, but whose place is required. The law contemplates, in the opinion of any person who reads it in the spirit in which it was intended, that all civil servants should be undisturbed, and should have the feeling that they would be undisturbed, so long as they were able to fulfil their duties. The spirit of the Act, I contend, was to enable the Government, when a civil servant reaches the age of sixty years and shows signs of breaking up or inability to perform the duties of his office, to superannuate him at his own request or at the option of the Government. But to meet cases where the age of sixty had not been attained, but where ill-health had evidently prevented the individual from fulfilling faithfully and well the duties of his office, the Government are allowed a certain latitude, and this is just the portion of the law which has been administered by the Government contrary to its spirit. We have a case before the House at present, in addition to those alluded to by the hon. member for North Victoria. We have the case of one of the most eminent officers of the Crown in the Dominion, in which case the correspondence has been laid before the House, and we find that this gentleman, who was distinguished for his ability, the late Assistant Superintendent General of Indian Affairs, was superannuated against his wish, upon grounds against which he protested. The Government was deprived of his valuable services, while he was still able to render them, and another officer appointed to fill his place at the same salary, and he was superannuated on a salary of over \$2,000 per year. This shows the manner in which the spirit of the law is evaded, although the letter is kept. I will read the correspondence with regard to this dismissal, as a sample of a large quantity of the correspondence, which, if

produced before this House, would show a very similar state of affairs existing with regard to other officers whose places are required for some reason or other. The late Deputy Superintendent General was discharging the duties of his office last summer, when he received the following letter from the Government, through the Superintendent of Indian Affairs, who happens to be the Minister of the Interior:—

DEPARTMENT OF INTERIOR,
OTTAWA, 28th June, 1893.

DEAR MR. VANKOUGHNET,—In watching closely the affairs of the Indian Department and the management of its branches for some time past, I have come to the conclusion that some radical changes are needed, and I have contemplated making such changes as will reduce the staff and consequently the expenses. Now, while thinking these matters over, I cannot help stating that I have for some time also noticed that your health is failing and that you have no longer the vigour of intellect which has characterized you in the past. I may say that hitherto, when the question of your superannuation was mooted, I took care to speak of you as you deserved, in as fair and friendly a light as I could, for that you have been a most zealous, faithful officer no one who knows you well can deny; but I am now forced to the conclusion I have come to after a very calm and full review of the whole circumstances as regards the Indian Department.

Your long services entitle you to full superannuation, and I know Council will willingly grant the same. In making this intimation, I desire to say that our relationship has been most cordial, and I reciprocate your kind offices to me since my occupancy of the position of Superintendent General. I really think that what I now write you is in your own interest, and that, especially from a health point of view your retirement from office will be beneficial to you. I must say that my convictions are firm in this matter, and not arrived at without mature consideration. In stating, therefore, in this friendly and private way that I am prepared to accept your request for superannuation, I am quite sure you will not disturb our cordial relations by refusing to act in accordance with my wishes—a course which would really be of no benefit to you. I also desire to say that I would like you to take the necessary steps in the matter with as little delay as possible, and whatever memoranda to Council are necessary I would be glad if you would have prepared at once. Again assuring you that this letter is not dictated with any hostile feeling or unfriendliness, and trusting that you will regard my request in a right spirit,

Believe me,

Dear Mr. Vankoughnet,

Yours faithfully,

T. MAYNE DALY.

Now, Mr. Speaker, if ever there was a piece of impudent bulldozing of a public official who is guaranteed by the laws of this country and by the spirit of our institutions to remain undisturbed in his office until some legal difficulty arises because of which he can be properly dismissed, or until he himself voluntarily applies for superannuation,

it is to be found manifested in this document. Every line of it reads threateningly, and, when I read to you the reply of the gentleman whose office was wanted, you will see how he repudiates in the strongest terms the imputation of failure of intellectual powers contained in this letter. This letter shows that the civil servants are completely under the control of the members of the Government in these matters, that they do not, in fact, hold their office during good behaviour, but that they may at any time be disposed of, and the people of the country suffer through their being disposed of in this way whenever their offices are wanted. This letter bears upon the face of it the declaration of the fact that the place was wanted and that the reasons given here were not the real reasons which actuated the Government in this matter. I have looked carefully over the report of the Department of Indian Affairs, which I see was closed about the middle of January of this year, and neither in that report nor in what I have heard of the proceedings of this House is there any intimation of any extensive changes in that department necessitating the removal of this superintendent. However, perhaps, when the estimates for this department come up, we can ascertain to what extent the department has been reorganized that this change was made necessary. Mr. Vankoughnet replied to this letter as follows:—

OTTAWA, June 29th, 1893.

DEAR SIR,—Yours of the 28th inst. received and contents fully considered. In reply, I would state as respects any measures which you may consider it advisable, in the interests of economy, to adopt in the future management of this department, I shall be happy to assist you. With regard to your statement that for some time you have noticed that my health was failing, and that I had no longer the vigour of intellect which characterized me in the past, I have to say that I never was in better health than I am now, and have been for the past nine months—since, in fact, I returned to duty last autumn after an absence of sick leave, the same having been only the second of such absences during the long term of thirty years service. The vigour of my intellect is amply proven by the immense volume of work that receives attention at my hands daily, as well as by the numerous reports on important matters made to you by me, also by the many reports made by me for your signature, addressed to His Excellency in Council. Moreover, the general management of the department, both in the outside and inside service of it, of which I challenge fair criticism, shows that a vigorous intellect must be the possession of the one who is the presiding genius over it. As far as age is concerned, I am only in my fifty-sixth year, being therefore four years short of the age for superannuation. And as for service I have had but thirty-two years and four months, being two years and eight months less than the term required by the Act to admit of superannuation. I could not, therefore, truthfully apply on the grounds of impaired physical or intellectual condition, age, or length of service, for superannuation

Mr. FLINT.

—even were I otherwise disposed to make such application. I must, therefore, respectfully decline to comply with your request. I reserve for myself the liberty of making such use of this correspondence as circumstances may seem to me to justify.

Yours sincerely,

L. VANKOUGHNET,
Deputy Supt. General of Indian Affairs.

Hon. T. MAYNE DALY,
Supt. General of Indian Affairs.

Now, what was the reply of the Minister to this repudiation of his demand? Here is an officer who has given thirty-two years' service to the country, an officer recognized throughout the length and breadth of the country as primus inter pares of those engaged in the public service, and in the full vigour of health and strength. Did the Minister reply that, notwithstanding this protest, he was certain the officer's health had broken down or his intellectual powers had become impaired? Did he reply that his services to the country were not well performed; that he had violated any of the rules of the department; that he had committed any errors or mistakes; that he had acted improperly in political matters or become a violent partisan of those opposed to the Government? Did he give any good grounds for thus unceremoniously dismissing this capable official? The Minister's reply was an Order in Council upon a memorandum of the Minister, which memorandum I will read and which, it will be seen, drops entirely out of consideration the reason which the Minister laid before this gentleman to induce him to apply for superannuation:

The undersigned has the honour to state, for the information of Your Excellency in Council, that Mr. Lawrence Vankoughnet, Deputy of the Superintendent General of Indian Affairs, was appointed to the public service of Canada on the 13th of February, 1861, as a clerk in the Indian Branch of the Department of State for Canada; that he became Deputy Superintendent General of Indian Affairs on the death of Mr. Spragge in July, 1874, and was appointed Deputy Minister when the Department of Indian Affairs was separated from the Department of Interior in July, 1880. He has been in the public service for 32 years, and it has become necessary in view of impending changes in the department over which he presides, and in the interests of public economy and efficiency, that he should now be retired.

Not on account of ill-health or impaired mental powers.

The undersigned has therefore the honour to recommend that three years may be added to Mr. Vankoughnet's present term of service, and that he may be superannuated under the provisions of the 11th section of the Superannuation Act.

(Signed) T. MAYNE DALY,
Supt. Gen. of Indian Affairs.

To the Honourable
The Governor General in Council.

The 11th section provides :

If any person to whom this Act applies is removed from office in consequence of the abolition of his office for the purpose of improving the organization of the department to which he belongs, or is removed or retired from office to promote efficiency or economy in the Civil Service, the Governor in Council may grant him such gratuity of superannuation allowance as will fairly compensate him for his loss of office, not exceeding such as he would have been entitled to if he had retired in consequence of permanent infirmity of body or mind, after adding ten years to his actual term of service.

The phrase "to promote the economy and efficiency of the public service" is such an extremely broad one that it would cover almost any possible idea the Minister might have ; it is so broad as to amount to scarcely anything as an excuse. The real reason for this action is not to be sought for in the terms of the Order in Council or in the terms of this correspondence. The real reason must be sought for—as must be apparent from this correspondence—entirely outside. What those reasons are I do not know ; I do not care to inquire ; I have no reason to inquire, because I produce this correspondence, not for the purpose of bringing this particular matter before the House for investigation, but with a view to throwing a flood of light, as I think this does, upon the manner in which the Civil Service Act has been administered by this Government. If this is done in the case of a person of the eminence of Mr. Vankoughnet, much more will they find inferior officers in the public service ready to waive their inclinations, if their places are wanted for others. The correspondence in the report of the Minister of Agriculture shows that Mr. Vankoughnet is superannuated with an allowance of \$2,112. The spirit of the Act is that if a person has attained the age of sixty years, or is in ill-health, he may apply for superannuation ; or if the Government are of the opinion that in consequence of incapacity to perform the duties of the office, it is in the interest of the public service that he should be retired, they have power to do so. Now, the large number of civil servants who have been superannuated against their wish, in the full enjoyment of health and vigour, and under the age of sixty years, is another prima facie proof of the loose manner in which the Act has been administered. I have not time nor could I, even had I the material at hand, to go back to 1871 and cover all the time up to the present ; but I find from 1881 to 1891 these facts in regard to the number who have been retired :

Year.	Retired.	Payments per annum.
1881.....	79	\$27,207
1882.....	74	34,392
1883.....	64	29,224
1884.....	53	22,000
1885.....	49	18,360
1886.....	38	16,081

Year.	Retired.	Payments per annum.
1887.....	62	28,748
1888.....	65	27,750
1889.....	81	32,989
1890.....	37	15,486
1891.....	65	38,099
1893.....	67	32,689

Of the 551 now living, 173, or about one-third, were retired under the age of sixty, either on their own application, or through force put upon them by the Administration ; and one-eighth were retired under the age of fifty. The argument from the inequitable division of this fund is so apparent that it scarcely needs to be enlarged upon. In all matters pertaining to the payment and the distribution of money for the public or any other service, equitable considerations ought to weigh very heavily ; but we find that owing to the fact that some live longer than others, owing to the fact that some retire comparatively early in life, and others after they attain a greater age, we find that payments for superannuation are very unequal. I take a few samples from the list so carefully prepared by the hon. member for North Wellington last session, to show the great discrepancies between the amounts which these people have paid by way of deductions from their salaries, and the large amounts they have received during their lifetime when they were doing nothing for the service of the country. I know nothing of the gentlemen who are mentioned here, and I do not desire that my remarks should be at all construed as invidious to them personally ; but as regards the official aspect of the case, certainly the Government of the country, or the Treasury of the country, has been treated invidiously. I will read a few cases :

Officers on Superannuation List.	Date of Superannuation.	Amount paid by each to fund.	Amount paid to each to June 30, 1892.
Geo. Futvoye....	Jan. 11, '75..	420 00	38,018 93
J. H. Himsworth..	Mar. 1, '80..	367 50	13,838 00
R. Kimber.....	May 1, '85..	275 71	18,004 00
Jno. Langton....	Aug. 1, '78..	847 00	37,803 00
Joseph Lesslie...	Feb. 13, '79..	584 34	32,777 00
E. A. Meredith...	Nov. 1, '78..	639 25	34,440 00
F. M. Passow....	May 19, '79..	69 33	20,149 00
H. B. Paulin ...	do 1, '81..	461 00	12,810 00
Alfred Patrick...	Dec. 1, '80..	.....	27,568 00
J. P. Rubige....	July 1, '71..	96 00	34,322 00
L. Russell.....	do 1, '84..	632 33	12,399 00
A. Woodgate....	do 1, '75..	324 00	23,780 00

Now, while I make no attack upon these gentlemen for the position which they occupy, I do say that it is extremely inequitable that they should be treated in this manner, when we know that in the case of many gentlemen who have served the Government dur-

ing the same period and who have died, their families receive no benefit whatever from the sums which they have paid into the superannuation fund. In this particular the present arrangement of the superannuation allowance does seem to me to work great hardship to the families of those who died one or two years after leaving the Government service, or who died in the Government service. With the exception of the gratuity which is generally given to the families of those who die under these circumstances, their families receive nothing, and consequently sums aggregating a very large amount have been paid into the superannuation fund by civil servants, which do not go to their families, but help to swell the amount out of which large sums are paid to the survivors. It is a sort of bogus system of insurance, operating inequitably in every direction. The evils which might arise from the lack of any superannuation fund, or of any pension fund, have been greatly exaggerated by those who support the present system. Of all the Governments in the Dominion, the Dominion Government is the only one which treats its civil servants in this way. The Local Governments have civil servants of great ability, and their service is as well performed as is any service in the Dominion Government. Many of them occupy positions of equal dignity to that of any civil servant of the general Government; and yet in no one of the provinces would any Prime Minister or any Government attempt to establish a superannuation allowance for its civil servants. Throughout all the provinces of the Dominion, every servant of the Provincial Government recognizes the fact that is recognized by every other wage-earner or salary-earner in the country, that out of his annual income he must put aside in some way, either in a savings bank or in an insurance fund, money to provide for his old age, or to provide for his family in case of his death.

Mr. COATSWORTH. Can the hon. gentleman know that the amount earned by the sheriff of Toronto, is over \$7,000 yearly?

Mr. FLINT. I am aware of it.

Mr. COATSWORTH. Can the hon. gentleman name any civil servant who receives such an amount of salary?

Mr. FLINT. That is not apropos to the present question, for the sheriff of Toronto has not the advantage of a superannuation fund.

Mr. COATSWORTH. The provincial officers get it in salary.

Mr. FLINT. He must provide for his family and his future maintenance.

Mr. MCGREGOR. Does the hon. gentleman want to start the Ontario fight? If so, we will drop the present question, and go at it.

Mr. COATSWORTH. We are ready.

Mr. FLINT.

Mr. FLINT. The servants of the Local Government have no superannuation fund to draw on, nor is any fund of that character proposed. In the cities and municipalities of the Dominion there are officials of the highest talent and intelligence, and possessing the greatest possible degree of efficiency, but they have no superannuation fund. It can hardly be said that this fund has arisen from the necessity of providing for civil servants in their old age on retirement from office. It was an unfortunate step taken in the history of the Dominion when the Civil Service Superannuation Act was placed on the Statute-book. As the Act exists, certain vested interests have grown up, and no one will seek to disturb those interests. We say, however, that in the future let us come down to plain common-sense business principles; let us say to every civil servant that the Dominion will provide him with a good salary, will guarantee that he shall not be dismissed at the whim of his superior, but that so long as he discharges efficiently his duties, whether he is fifty or sixty years of age or more, he shall remain undisturbed, but that every civil servant must take advantage of the resources of civilization and provide for himself and his family out of his savings and by insurance, and in various other ways, and the Government shall not charge itself with his maintenance out of a general fund. Under the present system prizes are undoubtedly drawn by some civil servants who live to old age and receive large sums as superannuation allowances, while in the case of men who die shortly after they are superannuated, their families are unprovided for, and the sum contributed by the husband is entirely swept away. The Finance Minister has stated that this is an economical system, and prevents men who are incapable of remaining in the service, and thus the country has the advantage of more efficient service rendered by new appointees. The hon. gentleman seems to fear that if the superannuation scheme were abolished the public departments would suffer from civil servants who are broken down in health being retained merely for the sake of enabling them to support themselves and their families and thus the Government departments would be overloaded with supernumerary and useless officers. Although there may be a shade of truth in this argument, yet when we understand the actual facts of the case it will be obvious that these results do not occur in municipalities, cities, or under the Provincial Governments. The hon. member for North Wellington (Mr. McMullen) showed that men who are efficient and in good health, and are anxious to serve the country, are superannuated for reasons which cannot be given in public, and that others are called on to fill their places, and thus the Government pay for the services of an officer and also the superannuation of a former officer. The abolition of the Superannuation Act would tend to bring about a more healthy

administration of public affairs; it would remove from the civil service the apprehension and fear among civil servants that they are constantly liable to be removed; it would tend to remove inequalities of payment for services, and it would tend to increase public morality in the administration of those offices. It is unfortunate that any public officer should be deprived of his office for any reason other than that of inefficiency, and by the adoption of this Act and by its peculiar administration there has been introduced into the public service the opportunity of exercising political influence, which is very undesirable. This undoubtedly is an outrageous system. I do not believe until these discussions occurred in the House, one man out of 500 in Canada knew that the Government was paying out of the general fund into the superannuation fund. Until a few years ago I was under the impression that the money deducted from the civil servants was in some way compounded, and they were simply receiving back in another shape the money they themselves had contributed, and which the Government took the liberty of withholding until they retired from the service. If the amount added was small, there would not be so much to complain of, but when we find that during the period of twenty years the excess has been over \$2,000,000, and that the proportion in which it has been distributed has been unfair and unequal, that those who have died have lost large sums, which by right and in equity belonged to their families, I do not think it is fair for the Government any longer to make contributions to the superannuation fund compulsory. If any civil servant is convinced that he can administer his own funds satisfactorily he should have the option of retiring from the superannuation scheme and of drawing out the money he has paid in, together with interest at the regular rate, and of adopting methods to promote his own financial interest in some other way. This would tend to increase circumspection on the part of civil servants, and to place them on the same footing as salaried officers elsewhere. The tendency of the present system is to produce an official class, a tendency which in this new country we do not want to encourage. In the mother country they are accustomed to various grades and classes, which would not be tolerated here, and the fact that an enormous number of citizens are partners with the Government in this superannuation scheme, and are looking to the Government for their future living after they have retired from the public service, is not pleasant either to themselves or the Government generally. Let us abandon the superannuation system as rapidly as possible. Let us place civil servants on their own foundation. The sums invested in the fund would be very much better invested in various associations, such as life insurance companies. For every dollar paid to a reliable endow-

ment or insurance association, they will receive the fullest amount possible under the probabilities of life as calculated by the most competent actuaries. Under the present system, if an official is forced out of the service of the country that a friend of the Administration may succeed to the position, or if he be punished by dismissal for some fancied offence, then we find that he loses all the money that he paid into the fund, in the one case, or in the other case, he draws public money for many years, money to which he is not entitled, and which he has never earned. I approach the subject from an entirely non-political point of view. Expect as regards the administration of this fund, which is a political subject—because the Government become open to attack wherever they have abused the powers given them by the law—there can be no political question involved in this. Before this system is fastened irrevocably on the country, I think the time has come to call a halt, and if the gentlemen who occupy Government offices are not sufficiently paid—and some of them, I know, are not sufficiently paid—then let us increase their salaries. Let us apply this \$2,333,000, or the sum which, in the future would represent that, to the advantage of these officials in an honourable manner, while they are in office. It is one of the faults of our civil service system that we find some men receiving very large incomes who are performing a very small amount of work, who have, in fact, a soft thing in official life, while others are labouring in season and out of season in the service of the country, and who have far more responsibility resting upon them, are very inadequately paid. I have in my mind one or two classes of public servants who are doing most valuable work for the people of this country at a salary of from \$800 to \$1,000 per annum, and who are performing services which would be remunerated in some other department at the rate of \$2,000 or \$3,000 a year. I think the time has come when there must be a complete revision of the whole salary system of this Government. It is monstrous to think that some 200 or 300 men are receiving from the Government salaries averaging from \$2,500 to \$3,500 per annum, and who are doing less work than many hundreds of equally gifted and much more industrious public servants who receive, perhaps, \$800 or \$1,000 a year. I would suggest that those officials who are really doing the work of the public service should be given a substantial living and a guarantee that so long as they perform the duties of their office they will not be disturbed. Diminish the salaries of those officers who have very little to do, and increase the salaries of the more hardworked and more efficient public servants. In this way, you will contribute much more to the efficiency of the public service, to the morale of the public servants, and to the morality of men

in public life than you will by leaving the Superannuation Act on the Statute-book, which places it in the power of the administrators to force men out of office who are thoroughly competent to perform their duties, and to promote political friends to positions in the service. In no other department of our public or private life do we find such a system in existence, and that is a strong argument in favour of doing away with it in the Federal service. If the system were thought necessary to the dignity or the welfare of the public service, we would find a demand for it in almost every other sphere of life. We would find it imitated in our municipal and local governments, but no public man would venture for one instant to propose such a system in other spheres of life as we have now in our civil service. Last session the Minister of Finance proposed some modifications of the Superannuation Act. It was passed through this House after a long argument, and after a lengthened declaration by the Finance Minister as to the advantages which he deemed might be derived from its adoption; but I believe that no one has taken advantage of it, and that the civil servants do not wish to have themselves bound down by any new legislation of the kind. Give the public servants salaries proportionate to the work they are called upon to do, proportionate to the responsibilities of their office, and leave it to themselves to do the same as other citizens do, to economize in the best manner possible, to put by their savings for themselves and their families, and not bring the Government any longer into partnership with them as a specially favoured official class in the community.

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

After Recess.

Mr. CAMPBELL. Mr. Speaker, the motion which has been placed in your hands by the hon. member for North Wellington (Mr. McMullen) reads as follows:—

That Mr. Speaker do not now leave the Chair, but that it be resolved:

That during the last fiscal year the amount collected by the Government from members of the civil service under the Superannuation Act was \$64,433.17, whereas the amount paid by the Government to members of the civil service superannuated under the said Act was \$263,710.15; that the enormous discrepancy between the revenue collected and the expenditure incurred under the said Act attests that the same has been administered by the Government in a loose, extravagant and unjustifiable manner, and in the opinion of this House the system of superannuations as now established and administered ought to be abolished.

You will see, Sir, that this motion in the first place recites certain facts; then it makes certain assertions; and, thirdly, it calls upon the House and the Government for certain

Mr. FLINT.

redress. Now, if these facts and assertions can be established, I do not see how any member of this House can refuse to vote for the abolition of this system. As for the statement that the expenditure under this Act during the past year has been \$263,710, while the receipts have been only \$64,433, there can be no doubt; the public accounts show it beyond question. There is no disputing the fact that under this Act, as it has been carried on during the past year, the people of this country have paid in round numbers \$200,000 more to the civil servants who have been superannuated than they have received. The public accounts further show that since the time this Act has been in force we have paid out for superannuations more than we have received, \$2,333,000. Now, the recital of these facts in itself is sufficient to startle the House and the country, because nobody anticipated, when this Act was put upon the Statute-book, that such results would follow; and we may imagine what is going to be the end of it. We find that during the first three years that this Act was in force the receipts equalled the disbursements; but as the years have gone by, the disbursements have largely increased, while the receipts have not increased in the same proportion; so that, as matters stand to-day, we are actually losing over \$200,000 a year. Now, what will be the result, if this is allowed to go on? We find that during the last year there has been an increase in the expenditure under this Act of over \$28,000. There are on the civil service list to-day, a very large number of persons, somewhere up in the thousands, who are eligible for superannuation; and if we allow this matter to go on as it has been going on for the last ten or fifteen years, the inevitable result will be that within a few years the loss under the Act will increase to \$300,000 or \$400,000 a year. Therefore, I think the bare recital of these facts is sufficient to call the attention of the House and the country to the necessity of seeking some remedy for this state of things. Then, if we go on and examine the second part of this resolution, which declares that the administration of this Act has been loose, extravagant and unjustifiable, what proof have we of that assertion? Why, we have only to look at the public accounts to find that they prove conclusively to every person of an unbiassed mind that this assertion is true. When this Act was first placed on the Statute-book, it was never intended that men in the prime and vigour of life should be placed on the superannuation list. It was only intended that men who had long and faithfully performed the duties of their office, who had grown old in the public service, should in their old age have some allowance to retire upon. But we find in the working of the Act that this intention has not been realized. We find that men have been superannuated in the prime of life, in their best days, not for the purpose of increasing the

efficiency of the service, not on account of any inability or inherent weakness on their part to perform the duties of their office; but simply and solely for the purpose of providing soft places for some needy supporters of the Government. Why, Sir, you cannot look over the list of those who have been superannuated without coming to that conclusion. Let me read a short list of superannuations to show how this Act has been administered. We find that Mr. George Taylor, general freight agent of the Intercolonial Railway, with a salary of \$2,400, was superannuated at the age of 60 years, and now draws, and will continue to draw for the rest of his natural life, no less than \$1,200 a year of the money of the people of this Dominion. We find that Mr. Trudeau, Deputy Minister of Public Works, with a salary of \$6,000 a year, was superannuated at the age of 66 years, and draws \$3,756 every year from the people of this country.

Mr. CURRAN. He is dead.

Mr. CAMPBELL. Then that is saved; but he drew that for a number of years; it does not alter my argument at all. Then, Mr. H. A. Whitney, mechanical superintendent of the Intercolonial Railway, with a salary of \$3,200 a year, was superannuated at the age of only 58 years, and he drew every year \$1,280. Mr. A. S. Busby, passenger agent of the Intercolonial Railway, with a salary of \$2,400, was superannuated at the age of 54 years, and draws \$1,008 every year. Mr. John Tilton, Deputy Minister of Fisheries, with a salary of \$3,200 a year, was superannuated at the age of 55 years, and draws \$1,536 a year. Mr. Thomas Ross, accountant of contingencies, with a salary of \$2,600 a year, was superannuated at the age of 66 years, and draws \$1,820 a year out of the people of this country. Mr. Joseph Lesslie, postmaster of the city of Toronto, with a salary of \$3,500 a year, was superannuated at the age of 65 years, in the prime of life—an active, stirring, enterprising man—a man who for many long years was able to perform the duties of that office—was superannuated against his wishes and without consultation, and he draws, and will continue to draw every year for the rest of his natural life, \$2,450 from the people of this country. Mr. James Johnson, Commissioner of Customs, with a salary of \$4,000 per year, was superannuated at the age of 76 years, and draws \$2,800 a year from the people of this country. Then another case, with which I am perfectly familiar, is that of Mr. J. G. Pennefather, collector of customs in the town of Chatham, a man who was only 67 years of age when he was superannuated, who had been performing the duties of that office for many years, who was in the prime of life and the best of health, and able still to perform the duties of that position. Yet on the 1st of April, 1892, he was notified that he had been superannuated. He was not consulted, there was no reason given, but

another needy supporter of the Government wanted the position, and he was superannuated, and draws \$850 a year of the people's money. So I might go on with many other instances to show that men have been superannuated without reason, in the prime of life, and other men appointed to those positions at the same salary. In this way, this enormous charge is heaped up on the people. Look through the list, and what do we find?

	Age.	Per Year.
		\$ cts.
G. H. Armstrong, superannuated at.	47	666 96
F. P. Austin, do ..	53	990 00
R. M. Baxter, do ..	55	1,365 00
A. Cary, do ..	46	624 00
Thos. Dunn, do ..	48	242 00
J. B. Edgar, do ..	42	499 00
H. Ferguson, do ..	35	240 00
Thos. Foot, do ..	44	1,228 00
G. W. Grant, do ..	31	450 00

Is there any doubt about the manner in which this Act had been administered? Can there be any doubt, when you find men at the ages of 31, 42, 45, 50 and 47—men in the prime of life—superannuated and drawing large amounts from the people and other men performing the duties those superannuated were well able to discharge, that the administration of this Act has been loose in the extreme, extravagant and unjustifiable. The enormous charges entailed upon the people prove conclusively that my statement is correct. If this be the case, is there any reason why we should not provide some redress? The motion now in your hands, Mr. Speaker, does not propose that the civil servants now superannuated should be cut off their allowance. That would be very unfair. But it is proposed that some remedy should be applied. We can stop the evil now better than later on. Every year the evil is growing worse. Last year there were fifty-five persons superannuated, and \$28,000 additional charge imposed upon the people; and in all probability there will be \$30,000 more next year, and \$40,000 the year following. Where is it going to end? Are you going to let the burden become so heavy that the people cannot bear it, before you apply your remedy? Why not apply the remedy now and stop the evil before it goes further? The motion before you, Sir, is that the Act, as now administered, should be abolished. I am heartily in favour of the motion. I believe the time has come when we should lighten the burdens of the people as much as we can. At a time like this, when the cry has gone forth from every municipality and city that expenses should be cut down, are you going to sit idle and not take any step to crush out this evil which is growing to such an enormous extent? I

am surprised the Government has not proposed some remedy by which this evil could be minimized or abolished. I have had a seat in this House eight or nine years, and do not remember a session in which this matter has not been brought forward, or in which the Opposition have not pressed it upon the attention of the Government. But the Government seem blind to the state of affairs, they have not moved one hand or finger to stop the evil, and I think my hon. friend for North Wellington (Mr. McMullen) deserves the thanks, not only of this House, but of the whole country, for bringing up this matter. I was somewhat amused at the position taken by the hon. member for Muskoka (Mr. O'Brien). He admits that this matter is becoming a great evil, but refuses to vote for the abolition because it has been proposed in the way it has. I wonder how the hon. gentleman would like to have it introduced in the House. The Government seems blind and impotent. They do not take one step to redress or remove the evil that is fastening itself upon the people, and therefore it is all the more to the credit of the hon. member for North Wellington that he has brought this matter forward, that he has pointed out the enormous evil which is increasing under this Act, and has called upon the House for redress. I think it is the bounden duty of this House to pass the motion now in your hands, Sir, and leave to the Government of the House to suggest some remedy. The hon. member for East Toronto (Mr. Coatsworth) interrupted the hon. member for Yarmouth (Mr. Flint), when my hon. friend from Yarmouth was referring to a most flagrant case. Take the case of Mr. Lesslie, ex-postmaster of the city of Toronto, who had been superannuated against his will in order to make place for Mr. Patterson, a Tory heeler, and late editor of the 'Mail' for the great services he had rendered during the campaign of 1878. When my hon. friend pointed out that Mr. Vankoughnet was superannuated, at a salary of \$2,112 per year, the hon. member for East Toronto asked if he was not aware that the sheriff of Toronto was in receipt of a salary of \$7,000 a year. But let me call the attention of the hon. member to this fact, that if the position were divided among two or three sheriffs, that would not lighten the burden of the people.

Mr. COATSWORTH. We want two or three sheriffs made into one.

Mr. CAMPBELL. The sheriff is paid by fees, and it is a positive fact that not 4 per cent of the people of Ontario pay a dollar towards the salary of the sheriffs and registrars.

Some hon. MEMBERS. Oh, oh.

Mr. CAMPBELL. You may say "Oh," but it is a fact, and I defy you to contradict it. The salaries of the sheriffs and registrars in Ontario are paid by fees, and it would not make any difference if there were half a dozen sheriffs, the people would not pay any

Mr. CAMPBELL.

more. The hon. gentleman is very sensitive, but he had not a word to say against the sheriff of Toronto as long as a good old Tory had the place, but when Mr. Mowat was appointed he began to find fault. I am glad to say, however, to the credit of Mr. Meredith and all the Conservatives of the Lower House that every one urged that appointment upon the Government of Ontario. There was not a single man in the Legislature of Ontario that did not urge Sir Oliver Mowat to make this appointment, and it was only at the earnest solicitation and request of the whole party that he appointed him. And, Sir, it is to the credit of Mr. Meredith and his friends in the Legislature that they took the position they did. They recognized the services of that grand old man, who has done more for the province of Ontario than any man in Canada to-day. Where would the province of Ontario have been to-day had it not been for the grand old man, Sir Oliver Mowat? Sir, he has had to fight the enemies of Ontario, not only in the House, but out of the House. The hon. member for East Toronto (Mr. Coatsworth) was loud in his denunciations of the course pursued by Sir Oliver Mowat. But it was only by persistent fighting in the courts, from tribunal to tribunal until the Privy Council itself was reached, that Sir Oliver Mowat secured for Ontario 97,000 square miles of territory, which the Conservatives would have taken from our province. And, not only that, but after the courts had decided that the jurisdiction over this territory lay with Ontario, Sir John A. Macdonald, with the approval of every Conservative in the province, declared that not a single pound of ore, not a single stick of timber in that territory should ever be owned by our province.

Mr. DEPUTY SPEAKER. Order.

Mr. CAMPBELL. Mr. Speaker, I am attempting to show the inconsistency of the hon. member for East Toronto. He would strain at a gnat and swallow a camel. He denounces the action by which the sheriff of Toronto gets \$7,000 a year, but he has not a solitary word to say against Mr. D. O'Connor getting \$20,000 a year.

Mr. DEPUTY SPEAKER. Order.

Mr. CAMPBELL. I am referring to the argument of the hon. gentleman, and I seek to show his inconsistency. Mr. O'Connor does not get superannuation, I think, and I am showing that though Mr. O'Connor receives nothing from the superannuation fund, he got \$20,000 last year from the Dominion Government, and yet the hon. member for East Toronto does not say a word about it. Nor does he say a word against Mr. Choate receiving \$25,000.

Mr. DEPUTY SPEAKER. Order, order.

Mr. CAMPBELL. Well, Mr. Speaker, I bow to your decision.

Mr. CHARLTON. I rise to a point of order, Mr. Speaker. It seems to me it is quite pertinent to discuss these matters, in answer to the speech of the hon. member for East Toronto. In going into Supply, we are allowed wide latitude of debate.

Mr. CAMPBELL. The hon. member for East Toronto is very ready to interject remarks, especially when he thinks he can make a point in his own favour. I remember the hon. gentleman speaking here very loudly for prohibition, and then voting against it. It was a moment of weakness. I dare say. He is subject to those moments of weakness. He had them this afternoon, when he interrupted my hon. friend from Yarmouth (Mr. Flint). But, Sir, the importance of this question, involving such large sums of money, and involving also the wise and just administration of the civil service of this country, can hardly be exaggerated. The present administration of this system adds enormously to the burdens of the people, and the evils now existing call loudly for redress at the hands of this Government and this Parliament. And I believe that, if the Government do not take steps to abolish this iniquity and reduce the expenses of Government, and thus lighten the burdens of the people, the people themselves, when they have an opportunity, will condemn this Government, and place in power those who will lighten the burdens of the people. I have great pleasure in supporting the motion now in your hands.

Mr. DAVIN. Mr. Speaker, I do not intend to delay the House, but I want to say one or two things about this motion. I complain that so important a motion is brought forward in this manner. If my hon. friend from Wellington (Mr. McMullen) meant business, if he meant to do anything in the way of economy, would he bring this motion forward in such a form that every Conservative in the House must vote on it as a want of confidence motion? I denounce this motion as a piece of buncombe, and the action of the hon. member for Wellington as the action of a political mountebank. Now, Mr. Speaker, let me point out—

Mr. LAURIER. Order, order.

Mr. DAVIN. That is not out of order. Let me point out—

Mr. LAURIER. I call the hon. gentleman to order. Surely he is not allowed to use such expressions.

Some hon. MEMBERS. What did he say?

Mr. LAURIER. He called the hon. member a political mountebank.

Mr. DAVIN. If I am unparliamentary, I will withdraw, but I did not say the hon. gentleman was a political mountebank. What I said was that his action was the action of a political mountebank, and I submit that there is a perfect distinction be-

tween the two. Now, Mr. Speaker, I wish to—

Some hon. MEMBERS. Order, order.

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

Mr. DEPUTY SPEAKER. I think the hon. gentleman had better withdraw the words.

Mr. DAVIN. Mr. Speaker, I will withdraw the words. I will say this: that my hon. friend from Wellington is not a political mountebank—and I hope the House and the country will agree with me. Now, Sir, the hon. member for Wellington has a Bill on the paper providing, actually, for the continuation of the superannuation system, the funds being taken from the civil servants as they are taken now, and handed back to them when they leave the service. And yet he brings forward a motion asking for the abolition of the whole system, a system which he seeks to continue by means of a Bill on the paper. I do not know whether the language I used before was parliamentary or not, but I wish I could invent some language that would be parliamentary and would fittingly characterize conduct of that kind. I am with the hon. member for Wellington or with any other hon. gentleman in this House in favour of any reasonable course in the direction of economy. At this time, I think we ought to do all in our power to lower the expenses in every direction we can consistently with the best interests of the public service. If the hon. member had put a motion of this kind on the paper, and brought it forward as an ordinary motion, we might have considered it, and who knows but we might have voted with him? But instead of that he comes forward with a motion that is intended to sound in the ears of the people like a motion for economy, but he puts it in such a form that it is really a want of confidence motion, and unless we are to place the administration in the hands of such as the hon. member for Wellington et hoc, we have to vote against this motion in order to keep the control of affairs in the hands of the present Government. There is no step, in my opinion, that can be taken at present in the direction of economy, that we should not be ready to take. I am in favour of cutting down the expenses in all directions in the management of our inside and outside civil service, and I will go to any length with any man on either side of the House in limiting the expenses of carrying on the affairs of this country. I am sorry, however, that my hon. friend for North Wellington (Mr. McMullen), who poses here, forsooth, as a reformer and an economizer, has put a motion on the paper for no other purpose than to delay us at this late period of the session, flaunting before the eyes of certain portions of the

people a bogus resolution. Is that unparliamentary?

Mr. LAURIER. I think it is.

Mr. DAVIN. Well, if the hon. gentleman thinks so, I will withdraw it. But anyway, Mr. Speaker, there is no word, bogus or otherwise, that I think will translate in a manner sufficiently strong what will be the sentiment of the country in regard to bogus resolutions of hypocritical reformers such as the hon. member for Wellington.

Mr. MILLS (Bothwell). It is not my intention to delay the House more than a few minutes. I am not going to make any observations in reply to the hon. member who has just addressed the House. There are certain facts stated in that resolution which, in my opinion, are not likely to be controverted. The one is that the contributions to the superannuation fund by the parties interested, amount to something over \$60,000 a year, and that the charges upon the fund amount to somewhat over \$260,000 a year. It is well known to every hon. gentleman in the House that when the superannuation system was introduced in this country, the House was assured that the deductions made from the salaries of those on whose behalf this fund was established, would be adequate to meet the charges that were required for retiring parties whom it was necessary to retire from the public service. Now, Sir, there is nothing in the resolution which declares that no provision for the superannuation of parties is necessary; it does not say that some other alternative scheme may not be submitted to Parliament. On the contrary, my hon. friend who has introduced this resolution and who has submitted it to the consideration of the House, has also proposed to Parliament a Bill making provision for those in the public service, which Bill is, in my opinion, and in the opinion of many hon. gentlemen in this House—I may say, I believe, in the opinion of all the hon. gentlemen who belong to the Opposition—a preferable mode of providing for parties whom it is necessary to retire from the civil service, to the one which is now in operation; and it would charge upon those who are specially benefited, the burdens that would be necessary to maintain some public provision for those engaged in or retired from the public service. But, Sir, I did not rise for the purpose of discussing this measure at this late period of the session. We shall to-morrow enter upon the fourth month of this session, and hon. gentlemen know how very little has been submitted to our consideration, that in fact the whole session has been taken up with the consideration of the tariff measure, which withdrew taxes imposed upon the people of the country, and reimposed those taxes again. Now, I am certain that no hon. gentleman can say that failure to progress with the work of the

Mr. DAVIN.

session, has been due to anything that has transpired on this side of the House; and under other circumstances I would not trespass upon the indulgence of the House upon this occasion. But I wish to call the attention of the House to a party who has been retired under the provisions of that statute which my hon. friend has attacked by his resolution; I invite the attention of the House for a few minutes to the superannuation of the recent Deputy Superintendent of Indian Affairs, Mr. Vankoughnet. I moved some time ago for a return, and that return has been brought down, and has been read, I believe, by my hon. friend from Yarmouth (Mr. Flint) this afternoon. Now, if the correspondence submitted to the House and read by my hon. friend, was a complete statement of the case of Mr. Vankoughnet, I would not trouble the House with any observations on the present occasion; but it is because it is not a complete return of the correspondence that took place between Mr. Vankoughnet and the Government, that I invite the attention of the House to the subject. Mr. Vankoughnet complained to the predecessor of the present Minister of the Interior, after he had had a serious attack of the grip, that his health was somewhat impaired, that he was troubled with dizziness, and by momentary unconsciousness, or semi-unconsciousness, which alarmed him. He consulted two eminent physicians of this city, Sir James Grant and Dr. Church, who advised him that complete rest for some little time was necessary for his restoration to health. They informed him, after careful examination, that he was not suffering from any organic disease, but that he was overtaxed by work and severe mental labour, and that absolute rest for some little time was necessary for his restoration to health. These facts were stated to Mr. Vankoughnet's superior, the Superintendent General of Indian Affairs, and according to the correspondence placed in my hands, Mr. Vankoughnet asked the Superintendent General for leave of absence for a period of four months. It seems to me that that was not an unreasonable request on his part, because, although he had been in the public service for upwards of thirty years, during those whole thirty years he had obtained leave of absence on only one occasion, and I believe at that time I was myself Superintendent General of Indian Affairs. I may say that Mr. Vankoughnet went for, I think, a period of three or four weeks down to the Maritime Provinces, and although he went upon leave of absence, he discharged important duties connected with the department; he made inquiries into various Indian reservations that had been held under the Governments of Nova Scotia and New Brunswick, ascertained their extent and so on, reported that to the department, and brought them for the first time after the union under departmental control. Now, after Mr. Vankoughnet applied for

leave of absence, he did not receive any answer from the Government or from his chief, as to what action the Government had taken with regard to the matter. And so after again speaking to the Superintendent General of Indian Affairs on the subject, he received a written statement from Mr. Dewdney as to the actual circumstances. Mr. Dewdney said :

There is, I find, some hitch in your application for leave of absence. It was taken up by the Treasury Board and held over, and on inquiry from members of the board, I was told that it was thought from the state of your health, you should send in your application for superannuation. I thought I would let you know where the delay was.

Yours sincerely,
E. DEWDNEY.

From that statement it is pretty clear, although it is not expressed in so many words, that the Treasury Board was not likely to come to such a conclusion respecting a public officer who had been for a long series of years faithfully engaged in discharging public duties, a request based on ill-health, and unquestionably a well-founded request, unless the Superintendent General himself had been rather disposed to concur in the view expressed by the Treasury Board; yet it is not stated in this communication that any such desire existed on the part of Mr. Dewdney for the superannuation of Mr. Vankoughnet. To that note Mr. Vankoughnet made the following reply:—

June 8th, 1892.

DEAR MR. DEWDNEY,—Thanks for your note of this date informing me that the members of the Treasury Board had told you, on your making inquiry of them, relative to my application for leave of absence, that it was thought that from the state of my health I should send in my application for superannuation. In reply I beg to state that I shall certainly not apply for superannuation, as my medical adviser is of opinion that I only require change of air and rest for a few months and I then shall be restored to health.

My age is only fifty-three years and eight months, being three years and four months short of the age at which I would be eligible for superannuation.

I have retained a copy of this letter.

I remain, dear Mr. Dewdney,

Yours sincerely,
L. VANKOUGHNET.

So it will be seen that at that time Mr. Vankoughnet had no desire to be superannuated, and from the advice given to him by his physician it was, so far as his health was concerned, wholly unnecessary, and that all that was required was rest in order to restore him to his ordinary good health. Subsequently it seems that Mr. Vankoughnet in discussing the question with Mr. Dewdney was advised by Mr. Dewdney to take his leave of absence, to go to Europe as he had been advised to do, and that he would again submit the matter to the Government and obtain for him the leave of absence which he

had requested, and which Mr. Dewdney professed himself to favour. Mr. Vankoughnet had gone to England, and had been away, I think, something short of two months, he received from the Government, or at least from his chief, a telegram as follows: "Two months leave of absence from 7th June," the period at which leave granted was expiring, and just as Mr. Vankoughnet was leaving England for the continent this telegram was placed in his hands. It had been sent to the care of Sir Charles Tupper at London, and was forwarded by him to Mr. Vankoughnet. Mr. Vankoughnet telegraphed back to Dr. Church to Ottawa, stating that he was slowly improving, that he had had several relapses, that the Government had granted the two months instead of four months, and he asked Dr. Church to see Mr. Dewdney, his chief, with respect to the matter. From Switzerland that telegram was sent on 3rd August. On 20th August, Mr. Vankoughnet wrote Mr. Dewdney the following letter:—

August 20th, 1892.

DEAR MR. DEWDNEY,—Your cable message informing me that two months leave from 7th June was granted me was forwarded from the office of the High Commissioner to the "Hotel Grand," London, where I had been staying, and from there to me. I cabled Dr. Church on the 3rd inst., as he is the medical examiner of the Civil Service, and had likewise attended me when I had a severe illness after two attacks of the grip, of which I have now is also the result, that although slowly improving I have had several relapses; and to see you with a view of having the original leave applied for granted.

Doctors Church and Grant recommended mountain air and a sea voyage. The latter I had in crossing the Atlantic. It was too cold this season in the Highlands of Scotland to go there, I therefore came on to Switzerland under medical advice. I am thankful to say I am improved and am improving in health and expect to return quite restored and able to resume my duties.

I do not see why there should have been, or should be any hesitation in granting me the four months leave after my length of service (thirty-one years), more especially when over one year's leave was granted to Mr. O'Reilly, Indian Reserve Commissioner for British Columbia, whose term of service was comparatively short; and Dr. Power, late Indian Superintendent for British Columbia, was also granted a lengthy leave.

Yours sincerely,
L. VANKOUGHNET.

Mr. O'Reilly had not been in the public service three years at the time that long leave of absence was granted. Yet here was a public servant against whom no charge had been made of dereliction of duty, who after thirty-one years of service had been advised to leave Ottawa by his chief because leave asked for would be granted, and after he was on the other side of the Atlantic he was informed that his leave of absence was within four days of its expiration. Hon. gentlemen will thus see how Mr. Vankoughnet

was dealt with; I am not now speaking of the present Minister of the Interior, but of his predecessor. I need not refer to the medical opinion obtained in Mr. Vankoughnet's case. Dr. Taylor, of London, and others who concurred with them stated that Mr. Vankoughnet was not afflicted with any organic disease unfitting him for the public service, but that he was suffering from severe mental exhaustion due to being overtaxed in the discharge of his duties and that a little longer rest would completely restore him to health. There was opinions expressed also by Sir James Grant and Dr. Church—I will not trouble the House by quoting all these opinions—who concurred in the opinion expressed by Dr. Taylor as to Mr. Vankoughnet's ailment and they all go to show that Mr. Vankoughnet was not suffering from any mental decay and that he was not any less qualified for the discharge of his duties apart from over-exhaustion than what he had been at any previous period of his life. On 22nd October, 1892, there was submitted the following report:—

The Treasury Board has under consideration a memorandum from the Honourable the Superintendent General of Indian Affairs recommending that Mr. L. Vankoughnet, Deputy Superintendent General of Indian Affairs, be, on the ground of ill-health, granted a further leave of absence for a period of ten months, dating from the 7th August, 1892.

The Treasury Board regret that they are unable to submit the memorandum for favourable consideration of Council.

Although Mr. O'Reilly after three years service was given twelve months leave of absence, Mr. Vankoughnet after thirty-one years of service was only given two months leave of absence; and although his physicians reported that his health was improving and that it would be assured with a little further rest (not to the extent of ten months, but to any period whatever) that was refused him altogether.

Mr. MARA. The hon. member for Bothwell (Mr. Mills) has stated twice that Mr. O'Reilly was only in the service three years. I think the hon. gentleman is in error. Mr. O'Reilly was in the Dominion service since Confederation, and in the provincial service before that some ten or fifteen years; about thirty-five years altogether.

Mr. MILLS (Bothwell). I do not know how long he may have served the Local Government. Mr. O'Reilly may have been a police magistrate in the district, but he was not given leave of absence as such. Mr. O'Reilly comparatively had no duties to discharge, until after 1879 when he was appointed for the first time as a member of the staff connected with the Indian Department, and I am perfectly well aware of what I am speaking when I say so. He was appointed by Sir John Macdonald, after Sir John Macdonald became Premier in 1879.

Mr. MILLS (Bothwell).

Mr. MARA. Yes; but will the hon. gentleman allow me for one moment. When British Columbia entered Confederation, Mr. O'Reilly occupied the position of stipendiary magistrate, and he was then appointed county court judge and acted as such until these judges were abolished. He was then in receipt of a pension of two-thirds of the amount of his salary, but upon receiving an office under the Indian Department his pension of course ceased. He was in receipt of, I think, nearly \$2,000 under his pension, and he only received a thousand a year additional when he entered the service of the Indian Department.

Mr. MILLS (Bothwell). I am not discussing the question as to what duties, other than as an officer of the Indian Department, he had. I know that as an officer of the British Columbia Government after British Columbia came into Confederation, his duties were next to nothing. We had that question discussed and it was universally admitted, not only by the representatives of British Columbia, but by the Ministers of the Crown at the time, that he was pensioned under an arrangement made with the British Columbia Government at the time British Columbia entered the union. Subsequent to that he was appointed an officer in the Indian Department. His appointment was as distinct from any office that he held before as if it were given to any other party, and I am calling attention to the fact that he received that long leave of absence shortly after he entered upon the duties of that office in which his duties were not at all onerous; while a faithful servant of a public department after thirty-one years service was denied anything like a similar concession. Now, Mr. Speaker, next follows, on the 28th June, 1893, the letter which my hon. friend (Mr. Flint) has read, but which I will read to the House again, as a necessary part of this transaction. This is the letter by the present Minister of the Interior to Mr. Vankoughnet. The hon. Minister says:

After watching closely the affairs of the Indian Department and the management of its branches for some time past, I have come to the conclusion that some radical changes are needed, and I have contemplated making such changes as will reduce the staff and consequently the expense.

Now, Mr. Speaker, nobody would complain of the Minister undertaking to accomplish that end. The question is as to the means by which that end was to be accomplished, and whether it is better to dismiss an old officer, upright in the discharge of his duties, against whom no charge of misconduct at all events had ever been made; or whether there could have been better dispensed with the service of officers who have been appointed to offices the propriety of whose existence in the first place may have been questionable, and the continuation of which was admittedly unnecessary. The Minister continues:

Now, in thinking these matters over, I cannot help stating that I have also for some time noticed that your health is failing, and that you have no longer the vigour of intellect which has characterized you in the past.

According to this statement of the Minister of the Interior, Mr. Vankoughnet had been once possessed of a vigorous intellect, but that vigorous intellect was no longer his.

Mr. DALY. Exactly.

Mr. MILLS (Bothwell). Well, Sir, the physicians were of a different opinion.

Mr. DALY. They were in the office with him every day and knew all about him.

Mr. MILLS (Bothwell). And the Minister further writes :

I may say that hitherto when the question of superannuation was mooted, I took care to speak of you as you deserved.

To whom did he speak ? I suppose to the hon gentleman's colleagues at the Treasury Board who refused the leave of absence.

I may say that hitherto, when the question of your superannuation was mooted, I took care to speak of you as you deserved, in as fair and as friendly a light as I could, for that you have been a most zealous and faithful official no one who knows you well can deny. But I am now forced to the conclusion I have come to, after a very calm and full review of the whole circumstances as regards the Indian Department. Your long services entitle you to full superannuation.

Well, Mr. Vankoughnet did not get full superannuation. Why he did not the hon. Minister will be able to explain, but as I understand it he did not get it because he did not acquiesce in this proposition :

Your long services entitle you to full superannuation, and I know Council will willingly grant the same.

I suppose the hon. gentleman knew it because it had been discussed. It had doubtless been said that if Mr. Vankoughnet would retire, the number of years necessary to give him full superannuation would be added to the time of his service.

In making this intimation, I desire to say that our relationship has been most cordial, and I reciprocate your kind offices to me since my occupancy of the position of Superintendent General. I really think that what I now write is in your own interests, and that especially from a health point of view, your retirement from office will be beneficial to you. I must say that my convictions are firm in the matter, and that arrived at without mature consideration. In stating therefore in this friendly and private way that I am prepared to accept your request for superannuation, I am quite sure you will not disturb our cordial relations by refusing to act in accordance with my wishes,—a course which would really be of no benefit to you.

And it is shown by the fact that full superannuation was not accorded.

I also desire to say that I would like you to take the necessary steps in the matter with as little delay as possible, and whatever memoranda to Council are necessary I would be glad if you would have prepared at once. Again assuring you that this letter is not dictated by any hostile feeling or unfriendliness, and trusting you will regard my request in a right spirit.

I do not remember, Sir, ever having read a letter by a superior which was of a more threatening character than the letter I have just read. From beginning to end the hon. gentleman says in effect : Now, Mr. Vankoughnet, take care ; don't you offend me ; you know I am your friend just now, and don't you delay in this matter ; hurry up and tender your resignation at once ; a few years will be added to your time ; I know my colleagues will make no objection, and if you have any regard for your own interest, comply with my wishes ; I have been your friend as much as Codlin ; but if you expect to keep me your friend, just do as I request you. Mr. Vankoughnet was not disposed to be bullied in that way, and to this threatening letter on the part of the Minister he writes the following letter, dated the 29th of June, the next day :—

DEAR SIR,—Yours of the 23th inst., received and contents fully considered.

In reply, I would say that as respects any measures which you may consider it advisable, in the interests of economy, to adopt, in the future management of this department, I shall be happy to assist you.

With regard to your statement that, for some time you have noticed that my health was failing, and that I had no longer the vigour of intellect which characterized me in the past, I have to state that I was never in the enjoyment of better health than I am now, and have been for the last nine months—since, in fact, I returned to my duties last autumn, after absence on sick leave ; the latter having been only the second of such absences during the long term of thirty years' service.

The vigour of my intellect is amply proven by the immense volume of work which receives attention at my hands daily, as well as by the numerous reports on important matters made to you, also by the reports made by me for your signature to His Excellency the Governor General in Council ; moreover the general management of the department both in the outside and inside service of it, of which I challenge fair criticism, shows that a vigorous intellect must be the possession of the one who is the presiding genius over it.

I am only in my fifty-sixth year as far as age is concerned, being four years short of the age for superannuation.

And as for service, I have had but thirty-two years and four months, being two years and eight months less than the term required by the Superannuation Act.

I could not, therefore, truthfully apply on the grounds of impaired physical or intellectual condition, age, or length of service for superannuation, even if I were otherwise disposed to make such application.

I must, therefore, respectfully decline to comply with your request to do so.

I reserve to myself the liberty of making such use of this correspondence as circumstances may seem to me to justify.

Now, Sir, when that letter was written, the hon. Minister of Trade and Commerce, I think, was acting Premier. Sir John Thompson was absent in Europe, and the subject seems to have remained in abeyance until the First Minister's return. On September 30th, 1893, the present Minister of the Interior wrote to Mr. Vankoughnet the following letter:—

DEAR SIR,—I have to inform you that to-day Council adopted the report of the Treasury Board, passed at its last sitting, and by which report I find you have been superannuated. By the same report and minute of Council, Mr. Hayter Reed, Indian Commissioner, has been appointed as your successor.

As I leave for Montreal early Monday A.M., I thought it only right you should get the information first through me.

I presume the duties of your office ceased to-day.

Yours truly,

(Sgd.) T. MAYNE DALY.

On the receipt of that letter, Mr. Vankoughnet, it seems, addressed to the hon. Minister of the Interior this communication, dated October 2nd, 1893:

I received this morning your note of the 30th ult., informing me that an Order in Council had on that day been passed superannuating me, and appointing Mr. Hayter Reed in my place, and that you presumed the duties of my office ceased on the day you wrote. I have to state that after the receipt of your note I ceased to occupy my position as Deputy Superintendent General of Indian Affairs.

The Order in Council, signed by the Clerk of the Privy Council, it is not necessary that I should read. But I have brought to the attention of the House the various steps that were taken before the present hon. Minister of the Interior accepted office, with the view of removing Mr. Vankoughnet, and no doubt making those changes which the hon. Minister now occupying that position subsequently carried into effect. But, Sir, I call the attention of the House to this fact, that a public officer of good standing, who long occupied the position of Deputy Minister, and who for a long series of years was connected with the Indian service—one who from his position, apart from any abilities which he may have possessed, and from his long experience, must have been in the nature of things better qualified to undertake the ordinary duties of the office than any newer incumbent could possibly be—was forced to retire. Now, Sir, the ground given for the removal of Mr. Vankoughnet was impaired health. Mr. Vankoughnet denies that his health was impaired. He maintains that after his return to office he was as well qualified to discharge his duties as he was before; that he was never better qualified to discharge his duties than he was at the time he received the notice that he had been superannuated; and that so far was he

Mr. MILLS (Bothwell).

from being in arrears with any work in the department that there was absolutely nothing that had been brought under his attention that had not been dealt with and disposed of before that notice was received. And so the changes which the hon. gentleman has made, which are being excused on the ground of economy, have all been changes growing out of necessary appointments in that department. I am not saying that these unnecessary appointments were made by the hon. gentleman himself; but I say that they exist. I take the case of the retirement of Mr. Sinclair: I understand that he readily acquiesced in his superannuation, but he did not ask for it.

Mr. DALY. He did.

Mr. MILLS (Bothwell). Perhaps he was asked in the same way as Mr. Vankoughnet; perhaps there was an intimation made to him.

Mr. DALY. Not at all.

Mr. MILLS (Bothwell). The hon. gentleman has appointed nobody in Mr. Sinclair's place except Mr. Scott.

Mr. DALY. By promotion.

Mr. MILLS (Bothwell). But Mr. Scott was taken into the department before. Has Mr. Scott had any one appointed to succeed him? The hon. gentleman could have had no necessity for Mr. Scott until the retirement of Mr. Sinclair, and when Mr. Sinclair was retired, of course there was a place existing for Mr. Scott. But if Mr. Scott had not been pressed into the public service before, in all probability Mr. Sinclair would not have been on the retired list to-day. I think that the facts connected with this case, which I have mentioned—and I might have said much more with regard to it, but I do not wish to trespass upon the time of the House—go to show that the Superannuation Act has become, as it is now carried out, an excrescence in our system of Government, and a nuisance that must be abated, because every day persons are driven out of the departments and put upon the pension list, when, if they are not worthy to remain in the public service, they should have been retired in some other way.

Mr. DALY. In reply to the hon. gentleman who apparently holds a retainer for Mr. Vankoughnet, and has been loaded up by that gentleman from his side of the question, I will not take up the time of the House at any great length in replying to some of the statements made by the hon. gentleman. In the first place, as to the question of superannuation, it is in the recollection of hon. gentlemen who were here a year ago, that the Minister of Finance made a very exhaustive speech then, and showed to the House and the country what had been done by the several Governments which had been in office since Confederation. And in that speech my hon. friend, the Minister of Finance, proved

conclusively that hon. gentlemen opposite did not practice what they preached. It is one thing to be economical when out of office, to pretend to do all sorts of things when out of office, but when these hon. gentlemen get into office, they take an entirely different course. I will commence at where the hon. gentleman left off—the superannuation of Mr. Sinclair. The hon. gentleman says—with what knowledge I cannot understand—that Mr. Sinclair did not apply for superannuation. I reply that Mr. Sinclair did apply for superannuation. His superannuation was entirely brought about at his own request; and the reason he gave was that he could no longer remain in the department under Mr. Vankoughnet, on account of the irascible temper of that gentleman and the way he treated all his subordinates. In fact, I am informed, they led a dog's life. As to Mr. Vankoughnet's health, the hon. gentleman read my letter, which is couched in as friendly terms as possible under the circumstances, and he quoted Mr. Vankoughnet's reply, to the effect that his health was as good as ever it was. The hon. gentleman also quoted the doctors' report, to show that Mr. Vankoughnet's health was as good as ever. Possibly Mr. Vankoughnet might have been able to eat three square meals a day, and his health was apparently good; but his health, so far as his temper was concerned was very much impaired indeed. And in addition, I am prepared to show, what I have stated in my letter, that Mr. Vankoughnet's intellect was not as bright as it was. More than that, I could establish if necessary, to the satisfaction of this House, that, apart from the question of economy, it was in the interest of the public service that Mr. Vankoughnet should be removed. And there has been no removal of any public official, in my knowledge, that has given such universal satisfaction to the members of the House and the people who had to do business with the department. I will clinch the matter by saying that if I had known as much of the administration of Mr. Vankoughnet as I have learned since he was superannuated, I would have recommended his dismissal, and he would have been dismissed instead of being superannuated. Mr. Vankoughnet is not satisfied with being treated as a gentleman, and getting his superannuation, but he comes here and loads up the hon. gentleman for Bothwell with his grievances. All I can say is that it might have been well for Mr. Vankoughnet to leave the matter as it was. The reason given in the Order in Council for his superannuation was that it was required on the ground of efficiency and economy. I have shown by the figures I gave, which it is not necessary to repeat, that we have effected a large economy by superannuation.

Mr. McMULLEN. You cannot prove it.

Mr. DALY. When we effect an economy, we are berated for doing so. There is no means of satisfying hon. gentlemen opposite,

but I say that we have effected an economy amounting in round numbers to \$12,445.

Mr. McMULLEN. I say you have not.

Mr. DALY. You do not know anything about it.

Mr. McMULLEN. I do.

Mr. DALY. The hon. gentleman exhibits the same ignorance in this as he does in every matter he discusses in this House.

Mr. LANDERKIN. You have inherited Mr. Vankoughnet's temper, I fear.

Mr. DALY. I have effected that economy; and in addition the department is now conducted in a way indeed that reflects credit, not only on the gentleman who occupies Mr. Vankoughnet's position, but also on the officers under him. No doubt this question will be gone into again when we come to the Estimates, and it is unnecessary to enlarge further except to say that Mr. Vankoughnet's superannuation was not brought about for the purpose of placing Mr. Reed where he is, but simply because Mr. Vankoughnet was not conducting the affairs of the department in the way they should have been. And as I have said before, if I had known as much as I have learned since, by investigation, of the manner in which Mr. Vankoughnet had conducted his department, instead of recommending his superannuation I would have recommended his dismissal.

An hon. MEMBER. Why?

Mr. DALY. Before I sit down—

Mr. DAVIES (P.E.I.) The hon. gentleman is not going to make that statement and leave it there?

Mr. DALY. I am, and I am going to leave it there. If Mr. Vankoughnet, through his counsel, wants to find out the reason, I will give it.

Mr. MILLS (Bothwell). Order.

Mr. SPEAKER. It is hardly fair to accuse the hon. member for Bothwell of being the counsel for Mr. Vankoughnet.

Mr. DALY. I apologize for the expression—

Mr. CASEY. The hon. member has no right to use language which implies that the hon. member for Bothwell is in any sense an advocate or counsel for Mr. Vankoughnet.

Mr. SPEAKER. The hon. member has apologized.

Mr. DALY. I was going on to say that I had forgotten one fact. According to the letters read by the hon. gentleman from myself to Mr. Vankoughnet and his reply, that correspondence took place in June. The superannuation took place in October, if I remember aright, and the reason as mentioned by the hon. gentleman was the correct one, that the then acting Premier did not feel

like acting in the matter until the Premier returned. Just as soon as the Premier returned, the matter was taken up by the Treasury Board and Mr. Vankoughnet was superannuated.

Sir RICHARD CARTWRIGHT. I am extremely sorry to hear the language used by the Minister of the Interior with respect to Mr. Vankoughnet. It is a most grave thing, particularly after an officer has left the service, for the Minister in charge of his department—and a Minister of no very long standing—to state of an officer, who, we believe, had discharged his duties faithfully and well, who for the matter of that, the Minister himself admits had discharged his duties faithfully and well for nearly a quarter of a century, that he is now of the opinion that he would have dismissed Mr. Vankoughnet with ignominy from the service, if he had known as much about that gentleman as he does now.

Mr. DALY. Not about the gentleman, but about his mode of conducting affairs. I have nothing to say personally about Mr. Vankoughnet at all.

Sir RICHARD CARTWRIGHT. If the hon. gentleman intended to say nothing personally against Mr. Vankoughnet, he has taken a very unhappy mode indeed to convey his intention to the House. It is the duty of the hon. gentleman—having made such a statement publicly against a man who is not in this House, who had been held, so far as we have heretofore heard, a very faithful servant—to state explicitly on what grounds he made that very extraordinary statement, in order that the party accused may have, as is his right, an opportunity when his former chief makes such a charge against him, of giving such answer in his own defence as he sees fit. And I trust, in the interest of the public service, and in the interests of the Minister himself, that he will not be so far false to the duties of his office as to rise in his place and make a charge without at the same time giving, in reasonable detail, his reasons for making it.

Mr. CASEY. If the hon. Minister wishes to make any statement—

Mr. DALY. No; I do not.

Mr. CASEY. I understand the hon. Minister to say that he does not intend to make any further reference to the matter. Then I think the Minister will find himself in a very unfortunate position before all those who value straightforward and fair treatment of a prominent and long-trying public official. When the hon. Minister makes such a statement as he has made and says he will leave it there without further consideration, he is taking advantage of his position as a member of this House, to shelter himself from the consequence of a statement which is libellous if not warranted by the

Mr. DALY.

facts. He made a statement likely to damage the character of Mr. Vankoughnet as much as it is in his power to damage it by any statement. And he makes that statement knowing that the privileges of this House protect him from any proceedings on the part of Mr. Vankoughnet, and yet he refuses to make any explanation that would justify that angry remark of his. Now, Sir, his whole speech can hardly be said to have been characterized by the good temper and spirit of fair play with which a matter of this kind, affecting a leading public official, should have been discussed. He begins by insulting the hon. member for Bothwell (Mr. Mills) by saying that that hon. gentleman held a brief for Mr. Vankoughnet and had been coached by Mr. Vankoughnet for his speech.

Mr. DALY. I stated what I knew to be true.

Mr. CASEY. The hon. Minister says that he stated what he knew to be true.

Mr. DALY. I might say in explanation that I saw Mr. Vankoughnet talking with the hon. member for Bothwell for some considerable time in the library. I think that is fairly good evidence of the truth of the statement I made.

Mr. MILLS (Bothwell). I do not think that is any evidence that I was either Mr. Vankoughnet's counsel or his advocate. I have certain public duties to discharge. In order to assist me in discharging them I moved for a return, which return was ordered by this House. The hon. gentleman brought down a return, but it contains only part of what was ordered. Many of the documents in this case that ought to have been brought down were not in the return. The hon. gentleman disobeyed the order of the House.

Mr. DALY. I think I have the right to explain. I did not disobey the order of the House. I brought down all the papers that related to Mr. Vankoughnet's superannuation. The papers from which the hon. gentleman has read I never heard of before. They have been given him by Mr. Vankoughnet.

Mr. CASEY. It appears that there was an Order in Council among these papers which the hon. Minister says he never heard of before. That is a very peculiar state of things.

Mr. DALY. That order was passed long before I took office.

Mr. CASEY. Perhaps the hon. Minister is not familiar with all the letters he himself has written on the subject, and, therefore, may not have seen some of these papers which were brought down and which any one would imagine he must have known all about. At all events, my hon. friend

from Bothwell, in his criticism here to-night, made use, for the material parts of his speech, only of documents brought down by the order of this House and independent of any coaching he could have received from anybody. The attempt to discredit the motives of my hon. friend from Bothwell for the reason that he had been seen in consultation with Mr. Vankoughnet is simply part and parcel of the misguided course, to call it by no harder term, the hon. Minister has pursued. This case, Sir, even if the answer to the attack in regard to it had been conducted in the proper spirit and with the ordinary decency of debate, would have remained an epitome of the very worst evils connected with the superannuation system. It is proven beyond the shadow of a doubt that a man in good health and of good intellect was removed arbitrarily from his office to make room for a favourite of the new Minister of the Interior, a gentleman whose experience will not compare for one moment with that of the man whom he replaced and who is open to criticism in other respects, or was open to criticism a few years ago, in connection with some matters discussed after the late rebellion in the North-west. But as these matters would compel allusions to a form of clothing more appropriate to cold weather than this, I will not make the House uncomfortable by dealing with that any further. At all events, the new broom in the person of the Minister of the Interior made a clean sweep of the most experienced official he had in his department in order to take a new and inferior man in his place. The hon. Minister says that he has shown or intends to show that there was an economy of \$12,000 to the country through this superannuation. If he can show that from the public figures, he will show himself a real conjuror with figures. He has not shown it yet; we shall see what transmutation of figures he can compass in the future. But, apart from the unfortunate tone the hon. Minister has managed to import into the debate, we should discuss the question of superannuation coolly and calmly, and I shall try to do so, notwithstanding the hon. gentleman's attempt to give the debate a different tone. I do not intend to go into the question fully, because sufficient has been said, I think, by those who preceded me to show that the system of superannuation as it now exists ought to be abolished, as called for by the terms of the motion. While I agree with my hon. friend from Wellington in saying that the present system should be abolished, I do not mean to say that any gentleman in the service should be deprived of any rights he may have acquired under the Superannuation Act. I am satisfied that my hon. friend from Wellington (Mr. McMullen) does not mean any such thing, as he has given proof of his good faith in that respect by introducing a Bill for the treatment of civil

servants in case the system should be abolished. I will read a clause or two. After providing that the Superannuation Act shall not apply except as hereinafter provided, the Bill proceeds to enact:

Any person now in the permanent Civil Service of Canada and having contributed to the superannuation fund shall be entitled to elect whether he shall retain his right to superannuation under the provision.

Mr. SPEAKER. The hon. gentleman cannot discuss any item on the Order paper that is not before the House.

Mr. CASEY. Mr. Speaker, I submit that I am merely adducing this as proof of my argument on the question before the House. However, I am aware—from what source is immaterial—of the views of the hon. member for Wellington on this subject. Those views are that members of the civil service who have contributed to the fund should be allowed to choose, within twelve months, whether they will accept the provisions of a different system or retain the privileges they already have. His opinion is that it would be better for the country and the service generally if, instead of the present superannuation system, the representatives of any public servant, at his death, or himself, on superannuation, should be paid the amount of the deductions made from his salary, with interest at 5 per cent, and that for the future the deductions should be made as at present from the salaries of all new nominees, and should be retained and repaid at superannuation with interest at 5 per cent, instead of the present provision made in that regard. I do not intend to discuss, in detail, whether those views are altogether the best; but I do agree with the hon. member in saying that the present system, as administered, is not wise or economical. It is not good for the public servant, it is not good for the public treasury. Let us consider, for example, the condition of a gentleman placed as Mr. Vankoughnet was placed, on the approach of the age when he might be superannuated without cause, who is at the same time subject to arbitrary superannuation without cause, and in defiance of the law, at the caprice of the Minister. The state of mind of such a public servant, feeling that the least passing attack of illness, the least fit of ill-temper, as alleged in the present case, or the least obstruction to his ordinary activity as a public servant, might subject him to an immediate and arbitrary superannuation, and subject his family to the loss of income on which they depend—his state of mind under those circumstances could be nothing but mental torture, and must often lead to the development of serious illness, and incapacity from a slight attack. Now, that alone, it seems to me, is a reason why superannuation should not be left in this position of uncertainty and dread, dependent upon the caprice of the head of the depart-

ment. That dependence is hurtful to the discharge of public duty. The man who feels his dependence strongly, who has given numerous hostages to fortune in the shape of a considerable family depending upon him, may, if he be not a very strong, independent man, become the mere tool and slave of the head of his department, contrary to the public interest. On the other hand, the pretense that any economy can be produced for the benefit of the public treasury by a system of superannuation, is shown to be absurd by the figures already given from official sources during this debate. These facts appear to have impressed themselves upon the minds of the Government a year ago, when they introduced as a partial substitute for the present system, an Act to provide for Government insurance of civil servants. That Act provides that the Minister of the department may enter into a contract of insurance with any public servant, of course on the usual conditions as to health, &c., and that a table of rates should be compiled by Her Majesty's Institute of Actuaries in Great Britain. Now, it was especially with regard to this Act that I intended to speak. I wanted to ask the Minister of Finance, who probably has this in charge, what progress has been made in putting this Act into force. I see the Act provides that the superintendent of insurance should report each year to the Minister how many such contracts had been made, and all particulars in regard thereto. I want to ask, in the first place, whether the necessary tables and other arrangements preliminary to entering into the insurance business, have been compiled; whether the regulations governing the insurance of civil servants have been authorized, and to what extent the Act has been taken advantage of. As the law provides that this report of the superintendent should be made within three months after the 1st of July, it is probable that not a great many contracts had been entered into before that time, if any; but it is very likely the Minister, having had notice of this motion coming up, would have applied to the superintendent for information up to date, although his annual report would not contain much information on the subject. I have no doubt that, in view of the discussion, he has provided himself with something to that effect. Then, Sir, with regard to this system of Government insurance, there may be room for discussion as to whether it is wise for a Government to enter into competition with other insurance companies in this business, or whether they should, instead of insuring public employees themselves, demand that their employees should take out a policy in the regular insurance companies, and deduct the fees for such policy from the salary of the employees in question. But the Government have chosen to offer themselves a cheap form of insurance to their employees, and I do not question

Mr. CASEY.

that that is perfectly regular and proper. I do think, however, that the contract, instead of being permissive, as it is under the Act, should be made compulsory in the case of all nominees henceforth to the public service, and that it should take the place entirely, of the present arrangements for superannuation in the case of all entering the service since the date of that insurance Act. Besides securing to civil servants in this way provision for old age or against sickness, this process would ensure, to the benefit of the public, the general good health and soundness of constitution of those who enter the service. That is a point on which, I think, we cannot be too particular. We do not want to be loaded up with numberless invalids in the civil service, as used to be the case in the old country, and has, perhaps, at some periods, been the case here and elsewhere. We ought to select young men for our public service, who will, in all probability, live out a long and useful life in the service. In this way, the requirement of entering into a contract of insurance, and the consequent medical examination and certificate, would be a great protection to the public as well as an advantage to the civil servants themselves. I would, however, suggest that the range for policies for contracts framed by the Act, is rather small. The minimum is \$1,000, and the maximum \$2,000. If the calculations on which the tables are based are correct, the maximum might be put as high as the civil servant's resources would allow him to make it, without any risk of loss to the treasury. Again, there is no provision in the Act as to what will happen in case the assured leaves the service for any reason other than that of misconduct. I am at this moment considering this Act as a substitute for superannuation. The general answer made to all proposals to abolish superannuation is: if you do that, there is no provision for the civil servant in his old age. The hon. Finance Minister has himself provided a substitute, and I am inquiring as to its working. I do not think these contracts in regard to insurance should terminate on the civil servant leaving the service. Something also might be carried out in the nature of endowment, the amount to be paid at a certain date or at death. I am particularly anxious to know what has been done in regard to this matter, as it may prove a solution to the whole question, and I intimated to the Minister in the course of the afternoon that I intended to ask him on these points. I do not know whether he is able to give the information or not, but I shall be glad to obtain all the information available.

Mr. SCRIVER. Before this question is disposed of, I ask permission to say a few words. I was a member of this House when the law providing for this fund was introduced; I may say I took some brief part in the discussion which preceded its enactment, and I remember very well some arguments

that were used in support and in defence of the measure at that time. I remember one thing said was : that the fund would not be a source of expense to the country, that the contributions under it to be exacted from civil servants would provide for the charges upon it in behalf of those civil servants. Well, how lamentably, after a period of twenty years or more, the predictions made with respect to the law in that respect have failed to be realized has appeared in the statements which have been made to-day. Instead of the contributions meeting the charges, those contributions are now only \$60,000, while the charges are \$250,000, and from what has taken place during the last few years we have every reason to suppose that this deficiency will become more and more exaggerated as time progresses. In that respect I think the law is very faulty. But I thought then, I think now, that the law is exceedingly faulty in another respect. I felt then, as did many other members of the House, that we should go further in this legislation than we did, that instead of merely providing for the civil servants themselves, we should do something for their families. I remember with what eloquence, I may say pathos, this view of the question was urged by Hon. Mr. Joly, with an eloquence and force peculiarly his own. He argued at every stage of the measure in favour of such a provision as this being made, and I think it was a mistake that it was not made. I remember the main defence for making the law what it was made, that it was not intended as a fund for the benefit of families of civil servants, but was intended for the civil servants themselves. I remember hearing the late Sir John Macdonald repeat that statement more than once, not only when the Bill was introduced and became law, but at subsequent periods when it came under discussion in the House. The opinion I entertained then has been strengthened by some incidents in my experience as a member of this House and as a representative of a constituency in this Parliament which have taken place since then. I have known of some instances of great hardship, some instances that have appealed to my own sympathies, and no doubt to the sympathies of my fellow-members in the history of civil servants, who have died prematurely and died without making provision for their families, instances that have come within my observation. I have known families that have lived years in comparative comfort left by the death of the head of the family without any resources. I know it is quite common to sneer at civil servants; I will not say sneer, but to say, as I have heard many say, that those men should make provision for their families, that they are generally in the receipt of comfortable salaries, and if gifted with that prevision and caution they should be gifted with, they would make provision for their families, apart altogether from any consideration with respect to the

fund which provided for themselves individually. But I have seen in my experience here enough of the peculiar influences that surround civil servants from their earliest years until their latest ones to make great allowances. I need not detain the House by going into any particulars with respect to this matter. There is no member of the House, who has been a member, as I have been, for a quarter of a century, but who must have had his attention called to those peculiar features in the life of civil servants which lead us to feel a good deal of sympathy with them, and to be disposed to make a good deal of allowance for their failure to lay up provision for the future of their families. I would repeat that I still feel, as I felt when this measure first became law, that a mistake was made in not extending it further than it was extended. Before I take my seat I desire to say a few words with respect to another feature of this discussion, the superannuation of Mr. Vankoughnet. I was sorry to hear the Minister of the Interior indulge in the tone he used with respect to that gentleman. I have the fortune, good or ill, to represent a constituency in which there is a tribe of Indians. Well, on the whole it is perhaps a piece of good fortune to have Indians in the constituency which a member represents, for while it entails a good deal of trouble on him it gives him an opportunity to do good, and there is something after all interesting in representing a body of people whose history goes back so far, and who are descendants of the earliest settlers and dwellers in this broad land of ours. At all events, that has been my feeling, and while this position that I speak of has entailed a good deal of trouble upon me, I have always felt pleasure in discharging duties arising from those appeals from my dusky constituents to myself from time to time, and I have had pleasure in discharging those duties. This is merely preliminary to saying that this fact has entailed on me the necessity of conferring very frequently with Mr. Vankoughnet, and even up to the period of but a short time previous to the date when his superannuation took place, I found that gentleman with an intellect just as clear and bright as it was when more than a quarter of a century ago, I first became acquainted with him. It was surprising to me to hear from the hon. Minister of the Interior that Mr. Vankoughnet was so irascible that it was even the feeling of the members of this House that he deserved the treatment he has received. Well, I can speak for one member of this House, and I can positively and unhesitatingly say that in all the intercourse I had with that gentleman, I never saw from him one manifestation of impatience or bad temper. Now, if I were permitted to draw a contrast between what I have seen of the hon. Minister himself and what I have seen of Mr. Vankoughnet, I would have to say that Mr. Vankoughnet was an

infinitely more amiable man than the hon. Minister who presides over that department. I have found Mr. Vankoughnet always able to attend promptly and intelligently to the business which it was my duty to bring before him, and more than that, I found him always manifesting a sincere interest in the welfare of these poor men whose affairs I had to bring to his attention. I cannot, therefore, allow the remarks of the Minister of the Interior to pass without recording my protest against them. So far as I can understand the case—and I think I have made myself pretty familiar with it—I believe that Mr. Vankoughnet was treated in a very harsh manner; let the responsibility rest where it may, and, of course, it rests with the Government. I am surprised that men whom I believe to have hearts in their bosoms, and to have some sympathy and some regard for the welfare of an old servant, should have dealt with Mr. Vankoughnet in the comparatively hasty and harsh manner in which he has been dealt with.

Mr. FOSTER. Mr. Speaker, after the lengthy and, in some respects, interesting discussion that we have had, mostly from members on the other side of the House, it would scarcely be fair to let the subject drop without a remark or two from myself. I do not propose to make an exhaustive speech upon this question. I would like, however, just to notice this: that last year the question was brought up by the hon. gentleman (Mr. McMullen) and he dealt with it on the very same lines as he has dealt with it this year, giving the statistics up to that year, and to-day he has simply advanced them one year further. I took the trouble, when introducing the new Superannuation and Insurance Bill to make a statement with reference to superannuation in general, and that is to be found on the pages of 'Hansard' last year. If any member of this House has the curiosity to pursue the subject further, he will see there a brief but, I think, very fair statement of the whole case of superannuation from 1870 up. I draw the attention of hon. gentlemen to that fact, and I do not propose to travel over the same ground. Now, with reference to superannuation in general and as to how far it should go, there may be differences of opinion. The hon. gentleman (Mr. Scriver) mentioned one phase which draws a great deal of sympathy; it is as to making some provision by which the families of civil servants shall have the wherewithal to help themselves when the head of the family, who has been a civil servant and had paid into the superannuation fund, dies. My hon. friend knows that this subject was discussed in 1870, and the House at that time was of opinion that no provision could be made in that way. The House has not altered its opinion in that regard since. If it be a burden to have a superannuation such as we have, to insure a man who has given his

Mr. SCRIVER.

services to the country something during the period of debility or when he is laid aside by old age from active service—if that has been found burdensome, the House would immediately find it to be infinitely more burdensome if it were proposed to graft upon that a system by which the families of deceased civil servants could be taken care of as well. If we were to do that by endowment it would take a great deal of money, and if we were to do that by a charge upon the civil servant it would be a very heavy charge on him, if he would make anything like an adequate provision for his family. Therefore, that would but increase the difficulty. That was the difficulty that presented itself in 1870, and Parliament came to the conclusion that it would take up one branch of the question, and one only. The hon. gentleman who last spoke says that the predictions which were indulged in that the system of superannuation as at that time passed into law, would not prove self-sustaining, have been proven by the course of events. He is right and he is wrong in that. I believe that if the abatement had been kept at 4 per cent for salaries over \$600, as was fixed by that law, then, under the management of the law as it has been carried out, I believe it would have been found to be self-sustaining. But the whole difficulty arose when Parliament, in a fit of good humour and extra sympathy, two or three years after that, came to the conclusion that it would not burden the civil servants so much but that it would burden the country more, and reduced the abatement fully one-half in the case of salaries over \$600, and nearly one-half in the case of salaries under that. Parliament did that with its eyes open, and from that time up to this there has been no movement in this House of Commons that I know of from present memory, to have that inadequacy of abatement remedied, until last year the Government introduced a measure which would have operation from the time of its being passed, and which would provide against the inadequacy of the abatement from that period for all new civil servants. I just wish to draw the attention of the House to that. It was this fact, and another fact which I ought to add, which created the difficulty. The system of superannuation established in 1870 had initial difficulties to contend with, which no system of superannuation introduced freshly under different circumstances would have to contend with. The system commenced in the year 1870. The civil servants who had been brought up from the old provinces were old servants, and in 1870, when the system was put upon the country, all the old servants who had been in the employ of the Provincial Governments were loaded upon this superannuation list. They were men who had spent many years in the service, men who paid nothing, or almost nothing, into the fund, but yet they became participants in

all the benefits arising from it, and consequently you had man after man and score after score of persons superannuated—and rightly so, by reason of age or infirmity, but superannuated, and drawing all the benefits of superannuation, when they had contributed hardly anything to the fund. Many of them drew on it for years and years, when they had contributed, perhaps, only \$50 or \$60 or \$100 or \$200. That loaded the superannuation fund down heavily at the beginning and made it impossible for any fair comparison to be made, and made it much more impossible when the abatement which was considered necessary by the Government when it introduced the measure, was reduced shortly afterwards by one-half. A great deal has been said as to the intentions—I am just taking up the points piece-meal as they come—of the mover of this motion before the House. The House can vote only on the motion. My hon. friend (Mr. Casey), who is not in his seat, who comes in and makes his speech and goes out, has stated certain things from interior information which he has, as to what is stirring in the breast of the hon. gentleman who moved the motion. There may be a great many things stirring in his breast, a great many things running through his mind, but the House only knows his proposal which we have to vote upon, and that is to abolish the whole superannuation system. Mind you, it came to be noted on this side of the House, as well as on the other side, that this system was burdensome; the Government looked into the matter a year or two ago, and decided that this burden must be removed as far as possible, and from the time the Act then passed went into force to the present, and for future years, persons entering the service have a superannuation system to take advantage of, which will not become burdensome to the country. The system is so arranged that it will not be burdensome to the country beyond the simple 2 per cent of interest between 4 per cent and the 6 per cent which is allowed on the amounts that are paid in. That is the sole contribution which the country makes to the new superannuation system. It is not overloaded at the commencement as the old one was. That slight aid and the abatement are sufficient to carry it through. And there is another good point in it which was wanting in the old system. Whereas in the old system, under both Governments, men for various reasons, were appointed at an age which was not on the sunny side of twenty or thirty, but far up in the forties and fifties and sixties, and were still able to take the benefits of superannuation; under the new system, any person appointed over the age of forty-five does not become a participant in the superannuation system with the idea of overloading it by drawing benefits from it after only a short term of service. So that the hon. gentleman's motion would not only deprive of those benefits the civil servants who have

entered the service of this country under the pledge which Parliament has given them by establishing that system, who have made provision for their old age by paying their superannuation abatements every year, and have been rearing their families and modelling their lives upon the faith of that pledge of Parliament—it not only proposes to abolish that—

Sir RICHARD CARTWRIGHT. I do not so understand the motion.

Mr. FOSTER. That is the motion; the whole system is to be abolished. He proposes also to abolish the new system, which was introduced two years ago. And I suppose he would also abolish the system of cheap insurance which the Government has provided, by which civil servants at the cheapest possible rate can insure themselves against old age, and make provision for their families in the event of their death. The whole thing is to be abolished. But the hon. gentleman who spoke a few moments ago said that in the innermost recesses of the hon. gentleman's mind there is being evolved a system by which he is going to mitigate that. We know nothing of that, and if we did, we do not know that the House would adopt it. The cart is certainly being put before the horse in the proposal before us, which is to abolish the whole superannuation system entirely. Now, hon. gentlemen have tried to make a great point out of this: the superannuation system, bad as it has been, has been made infinitely worse, because it has been badly managed by the Tory Government and the Liberal-Conservative party. Now, I do not suppose there is much to be gained by the tu quoque argument; but it is refreshing once in a while to call attention to certain facts, and I will just state broadly what may be gleaned from those facts: that if there ever was a period when the Superannuation Act was abused—and the moving monuments of that abuse are to be found in this country to-day—it was during the five years while gentlemen opposite were in power. Let me just give you one point as to that—one out of many, because I do not wish to take up the time of the House. We have heard that one great abuse of the Act by this Government was to add to the time of people who were superannuated. It is strange the inconsistencies of the arguments on the other side. The whole talk of this afternoon and the first part of this evening was that we were adding time; but when the hon. member for Bothwell (Mr. Mills) got on the Vankoughnet matter, his chief grievance was that Mr. Vankoughnet was allowed to go out without having had the whole of his time, and that he had not a larger amount to draw from the superannuation fund, and thus add to the burdens of the country. Let us look at the time added under the Government of hon. gentlemen opposite, from 1874 to 1878. In 1874 sixty-two years were added; in 1875

forty-eight years were added ; in 1876, forty-six years were added ; in 1877, the necessities were growing strong, and eighty-one years were added ; in 1878 all had been pretty nearly exhausted, and there were but thirty years added. If you take all the years together, you will find that there was an average in each of the five years of fifty-three years of added time given to persons retired from the service. Now, take the last five years under the Liberal-Conservative Government, and what do you find ? In 1889, thirty-nine years were added ; in 1890, five years ; in 1891, twenty-four years ; in 1892, twenty-four years, and in 1893, eight years: an average of twenty years added in each year, against an average of fifty-three years by the Government of hon. gentlemen opposite.

Mr. MILLS (Bothwell). What was the average time of the parties' service in each of those periods ?

Mr. FOSTER. I do not see what that has to do with it. I am giving the average time added. I have not the information the hon. gentleman asks for, but if it were got it would be no more favourable to him than the comparison I have just made. The hon. gentleman who moved this motion last year gave a list of fifty-eight persons who were superannuated and were drawing large superannuation allowances, and whose heads were still above ground—who were walking about as a standing rebuke to this superannuation system, and the manner in which it was being carried out by the Conservative Government, and yet of those fifty-eight persons it is surprising that nearly one-half were superannuated in the very short term that hon. gentlemen opposite held power between 1874 and 1878. The number of persons who are drawing superannuations to-day is said to be about 550, and there is this point also to the credit of the Government: that of those 550 about 150 belong to the classes of people who have since been struck off the list of those eligible for superannuation, such as light-keepers, lock-tenders, and so forth. That also tended to overload the system, and has been cleared off. Now, I do not want to take up the time of the House by pursuing this subject further. There is not much to be gained by trying to put all the blame on one party, and that the party in power. You can take the superannuation system all the way through, and you will find that political necessities have driven hon. gentlemen opposite—and I think very willingly too—while in power to an extent which they have not driven even the Liberal-Conservative Government, which is alleged to be more amenable to them. The evidence of that fact stands out in the records, and very oddly enough in the very record which the hon. gentleman himself adduced wherewith to damn the superannuation system entirely. Now, it has been said that this expense is growing and will continue to grow. The

Mr. FOSTER.

converse is true. I think it has passed its period of growth. It has reached its culmination, and from this time forward I believe that the tendency of the superannuation system, on the present line, will be to diminish the disparity between receipts and expenditure, because of these things I have stated. Those who were loaded upon the system in its early stages—many of them now men of very advanced age—drawing large superannuation allowances, will fall out in the course of nature. In the case of the younger ones coming in, their period of contribution is larger, and under the system now in vogue, the burden will not be so great so far as they are concerned, upon the country. The House, I am sure, whatever they may think as to the extravagance of a system of superannuation at all, would not be unjust enough to attempt to abolish a system which has been in vogue for twenty-five years, and upon which the whole civil service of the country has grown up, and the defects of which have been entirely taken away, so far as the new additions to the civil service are concerned, by the Act which was passed a year ago.

Mr. DAVIES (P.E.I.) Whatever doubt may have existed in the mind of any hon. gentleman as to the evils which underlie the present system of superannuation, must have been entirely removed by the speech of the hon. gentleman himself. He has not attempted to defend that system, either as originally framed or as carried out by his own Government. The utmost extent of his argument was that the manner in which it was used by the Liberal Government was as bad, if not worse, than the manner in which it has been used by this Government. But the system itself he did not attempt to defend. He told the House that when it was introduced there was a provision in the Act that sufficient should be charged to make the system self-supporting, but that afterwards Parliament—and one would gather from his statement that Parliament did this of its own motion and not at the instance of the Government—undertook to reduce the percentage which was to be paid by the service, and consequently the system has been non-paying for years. The hon. gentleman might as well have stated the facts. He might as well have said that the Conservative Government in 1870 came down and recommended Parliament to reduce the percentage paid by the civil servants and introduced a Bill with that object. And the superannuation system was thus reduced to the non-paying basis of to-day, with receipts \$63,000 and payments \$263,000. The hon. gentleman cannot escape from the position we take of condemning the system, by saying that Parliament did this so many years ago. Parliament did what the Government of the day asked them to do, and Parliament was misled and

acted under misconception. We are not to determine to-day what were the motives which induced Parliament to do this many years ago. The hon. member for Huntingdon (Mr. Scriver) has described them very clearly. We know that the Parliament of the day was misled, and adopted a system which the hon. gentleman himself has not the heart to defend, which he knows to be indefensible. Now, he turns around and says: Although the system is indefensible, I will endeavour to show that it was as much abused by the Liberals as by this Government. What are the facts? If the hon. gentleman turns to the accounts, he will find that the receipts during the four or five years the Mackenzie Government were in power averaged about \$40,000 a year.

Sir RICHARD CARTWRIGHT. A little better.

Mr. DAVIES (P.E.I.) A little better, as my hon. friend says. And the payments were under \$100,000 a year. Whereas, under the hon. gentleman's management, the receipts amount to some \$62,000 and the payments to \$260,000.

Mr. FOSTER. You unloaded your men on to us.

Mr. DAVIES (P.E.I.) It is because the hon. gentleman has mismanaged the Act so that there is a deficit of \$200,000 a year, that my hon. friend introduced his resolution asking Parliament to condemn the system. I do not think the Finance Minister was right in asking his followers to vote against this resolution, because he did so on a ground not tenable. He tried to make them believe that this resolution involved an attack on certain vested rights. It makes no such attack. No such attack is contained in the resolution itself, and every speech in its support explicitly disavows any such intention. What is condemned is the system and the manner in which the present Government carried it out, and there is not a word to lead anybody to suppose that the vested rights we all desire to respect would be taken away or interfered with.

Mr. McNEILL. Read the words of the resolution.

Mr. DAVIES (P.E.I.) It has been read several times in the House, and I will be very glad to send it to my hon. friend.

Mr. McNEILL. Let my hon. friend read the resolution.

Mr. DAVIES (P.E.I.) I will be very happy to do so, but it has been read two or three times already; and if my hon. friend wants to study it, he can do that better by reading the resolution himself. If I read it to him, I might be accused of laying some undue emphasis on some words.

Mr. McNEILL. We could not accuse you of that.

Mr. DAVIES (P.E.I.) And the hon. gentleman can more readily digest the resolution and understand it better by perusing it himself. I merely rose to point out that the Finance Minister attempted to mislead the House in stating that we were aiming at any vested rights which any civil servant possesses under the Act. Even if the hon. gentleman could show that an Act, bad in itself, had been mismanaged by both Governments, that is no answer to a resolution asking us to repeal it. The country is sick and tired of this tu quoque argument—this argument that if we are bad, you were no better. Where there is a clear and distinct blot found in our statutes, a blot which the Finance Minister himself admits cannot be defended, Parliament should rise to the occasion and record its condemnation of the system.

House divided on amendment of Mr. McMullen:

YEAS:

Messrs

Beausoleil,	Landerkin,
Béchar, d,	Langelier,
Beith,	Laurier,
Bernier,	Laverne,
Boston,	Leduc,
Bowers,	Legris,
Brodeur,	Livingston,
Brown,	Lowell,
Bruneau,	McGregor,
Campbell,	McMillan,
Carroll,	McMullen,
Cartwright (Sir Richard),	Martin,
Casey,	Mignault,
Charlton,	Mills (Bothwell),
Christie,	Monet,
Colter,	Paterson (Brant),
Davies,	Perry,
Edwards,	Proulx,
Fauvel,	Rider,
Featherson,	Rinfret,
Flint,	Rowand,
Forbes,	Sanborn,
Geoffrion,	Scriver,
Gillmor,	Semple,
Godbout,	Somerville,
Grieve,	Sutherland,
Guay,	Tarte.—55.
Innes,	

NAYS:

Messrs

Amyot,	Langevin (Sir Hector),
Bain (Soulanges),	Leclair,
Baird,	Lippé,
Barnard,	Macdonald (King's),
Bergeron,	Macdonell (Algoma),
Blanchard,	Malean (York),
Boyd,	McAlister,
Boyle,	McDonald (Assiniboia),
Calvin,	McDougald (Pictou),
Cameron,	McDougall (Cape Breton),
Cargill,	McInerney,
Cargnan,	McKay,
Carpenter,	McLennan,
Caron (Sir Adolphe),	McLeod,
Carscallen,	McNeill,
Chesley,	Mara,
Corbould,	Marshall,
Corby,	Metcalfe,
Costigan,	Miller,
Craig,	Mills (Annapolis),
Curran,	Montague,
Daly,	Northrup,

Davin,	O'Brien;
Davis,	Quimet,
Denison,	Patterson (Huron),
Desaulniers,	Pridham,
Dickey,	Prior,
Dugas,	Putnam,
Dupont,	Robillard,
Dyer,	Rosamond,
Earle,	Ross (Dundas),
Bairbairn,	Ross (Lisgar),
Foster,	Simard,
Fréchette,	Sproule,
Gillies,	Stevenson,
Grandbois,	Taylor,
Haggart,	Temple,
Hazen,	Tupper (Sir C. Hibbert),
Hodgins,	Tyrwhitt,
Ingram,	Weldon,
Ives,	White (Cardwell),
Jeannotte,	White (Shelburne),
Joncas,	Willmot,
Kaulbach,	Wood (Brockville),
Kenny,	Wood (Westmoreland).—91.
Lachapelle,	

<i>Ministerial.</i>	PAIRS:	<i>Opposition.</i>
	Messrs	
Henderson,	Welsh,	
Tisdale,	Frémont,	
Roome,	Allan,	
Madill,	Bain (Wentworth),	
Bergin,	Davin,	
Bryson,	Harwood,	
Baker,	Choquette,	
Burnham,	McDonald (Huron),	
Cleveland,	Bourassa,	
Cochrane,	Dawson,	
Ferguson (Leeds and Gren.),	Edgar,	
Girouard (Two Mountains),	Delisle,	
McDonald (Victoria),	Fraser,	
Wallace,	Préfontaine,	
Moncrieff,	Lister,	
Smith (Ontario),	Bowman,	
McLean (P.E.I.),	Yeo,	
Belley,	Vaillancourt,	
Thompson (Sir John),	Mills (Bothwell),	
Smith (Sir Donald),	Mulock,	
Carling (Sir John),	Gibson.	

Amendment negatived, and House again resolved itself into Committee of Supply.

(In the Committee.)

Quarantine—Salaries and contingencies of organized districts.. \$40,500

Sir RICHARD CARTWRIGHT. Is this amount to be paid wholly in salaries, or are there special items in it? There ought to be, and I think there used to be fuller details given in these items. This fashion of lumping these items together is objectionable.

Mr. FOSTER. These details will be given in explanation.

Sir RICHARD CARTWRIGHT. They used to be given in the Estimates themselves, which was considerably more convenient. We can understand the explanation a good deal better when we have the memorandum as well, and I would recommend the hon. gentleman, in preparing other estimates, to return to the old practice, and give details.

Mr. FOSTER. This is for the organized quarantine districts at Grosse Isle, Halifax, St. John, British Columbia, and so on.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman state what sums are going to these several districts.

Mr. DAVIES (P.E.I.)

Mr. FOSTER. Halifax quarantine, \$6,400; St. John quarantine, \$2,500; Pictou, \$800; Port Hawkesbury, \$300; Chatham, \$800; Charlottetown, \$1,000; Sydney, \$3,204; Victoria, B.C., \$8,575; Grosse Isle, \$28,337; general expenses, \$14,461.

Sir RICHARD CARTWRIGHT. That makes more than \$40,500.

Mr. FOSTER. This is the expenditure last year on these several quarantine stations, and the proportion in which the proposed vote will be expended for the coming year will be the same.

Sir RICHARD CARTWRIGHT. It is as well that we should have some detailed explanation as to what was done with the money voted last year. We ought to be told how far the requisitions made by the superintendent and medical officers who brought the matter under the attention of the Government and the country have been complied with. In fact, we would like to know what position the quarantine at Grosse Isle is now in. We escaped last year, but the people would like to know how far, in the case of an outbreak of cholera or other epidemic, the establishment at Grosse Isle is fitted to cope with the danger.

Mr. FOSTER. I understand that Grosse Isle is one of the most perfect sanitary stations in the world. The requisitions of Dr. Montizambert and the recommendations of the medical men have been carried out to the satisfaction of these gentlemen. All the newest and best appliances have been placed there. The quarantine has been inspected by American health officers, and has been pronounced perfect in every way, and I have no doubt that it deserves that opinion. There is at Grosse Isle a disinfecting apparatus and building. The building is 70 by 40 feet, containing three disinfecting chambers, eight feet six inches by eight feet six inches by twenty-four feet, vacuum pump tank for bichloride of mercury and twelve needle shower baths. However, I suppose it is not necessary to read all these details.

Sir RICHARD CARTWRIGHT. What we want is a reasonably full statement of what has been done.

Mr. FOSTER. There are complete arrangements for supplying water, potable, and for lavatory purposes. There is a detention building for first-class passengers which was erected in 1893 and which is fitted with all appliances for fairly comfortable keeping of first-class passengers when they are detained, for the length of time which is the average required of such passengers. The length of the building is 142 feet, with a verandah along the entire front of the ground floor. The building is fitted up with all the necessary appliances for keeping the people as when on board ship. There is an intermediate passenger

detention house, and a medical assistant's residence, commenced in 1892. An artesian well was sunk to the depth of 1,450 feet, but the results were not satisfactory. There are two steam pumps in the shelter building, and two thirty-thousand gallon tanks, with mains to the several buildings. There is a distilling and heating apparatus with tanks for distilled water. New wells have been sunk and water found. The steamer 'Challenger' does the steamship work. The di-oxide blast is now on the steamer 'Druid,' which has been fitted up for the service. Then, as an almost necessary part of the Grosse Isle equipment, there is at the Louise embankment, at Quebec, a disinfecting apparatus of a similar character and size to that at Grosse Isle. It is placed in the shed built for emigrants, a very commodious building. It is used to disinfect the luggage of immigrants from infected countries. Also, on the other side of the river at Lévis there is a similar apparatus for the benefit of the Grand Trunk Railway system. I think this summary gives a very fair general idea of the Grosse Isle station.

Sir RICHARD CARTWRIGHT. If it be deemed necessary to retain the passengers of any of these ocean vessels, how many people can be accommodated at Grosse Isle?

Mr. FOSTER. The first-class passenger detention building has a length of 142 feet. That gives some idea of its size. The accommodation for passengers is ample for the average traffic. Of course, it would be impossible to erect a building which would be sufficient for the passengers when there is a rush of vessels, should it happen at any time, but if it should take place, it will be in the summer season, when the present accommodation can be supplemented with tents.

Mr. McMULLEN. I notice that among the quarantine items, Dr. Montizambert gets \$3,000; Dr. F. W. Church, assisted for eight months, and received \$1,277.42, license allowance, \$230; hotel allowance and sundries, \$33.50. Then I see that Dr. E. Playter gets a salary of \$300 for two months.

Mr. FOSTER. That was simply temporary.

Mr. McMULLEN. Then Dr. J. B. Coté gets \$365 for two months and thirteen days. Why is he paid more than any of the others?

Mr. FOSTER. Dr. Coté is now an assistant to Dr. Montizambert, and he gets \$150 a month. The extra \$65 is for the thirteen days over two months.

Mr. McMULLEN. Are those doctors hired by the chief superintendent during the months that he chooses to hire them, and when they attend, is he supposed to give them a certificate that they have been in attendance during that time?

Mr. FOSTER. They are employed by the department the same as any other officer. They are there all the time of the season of

navigation. They are not kept cooped up all winter.

Public Health in other unorganized districts \$10,000

Mr. FLINT. I understood the Minister to say that the assistant surgeon's dwelling at Grosse Isle was completed. What was the cost of it?

Mr. FOSTER. Four thousand dollars was the cost of the medical assistant's residence.

Cattle Quarantine \$22,000

Mr. McMULLEN. We want some explanation with regard to the cattle quarantine stations between Canada and the United States, and what regulations are in force on the boundary for the prevention of the importation of disease.

Mr. FOSTER. The regulations are exactly the same as they were last year. The vote for cattle quarantine is expended at what you may call the fixed stations, namely: Halifax, St. John, Charlottetown, Lévis, Montreal, Sarnia, Emerson, McLeod, and Victoria, B.C.

Mr. CASEY. Are cattle only allowed to be imported through those stations?

Mr. FOSTER. Only at those stations. There are two stations in southern Manitoba, a station at McLeod, and some stations on the frontier, and from there through to the Mountains. There is one station on the frontier in the Kootenay district.

Sir RICHARD CARTWRIGHT. Is Dr. McEachran still in the employ of the Government?

Mr. FOSTER. Yes, he is superintendent.

Sir RICHARD CARTWRIGHT. I want to call the attention of the Minister to a matter which has some bearing on the present unfortunate position of our cattle in England. I have noticed—and I am bound to say that it is just one of those things which will tend to prejudice our position in England, and, therefore, to injure our chances of getting the quarantine removed—I have noticed in the discussions which took place in the English Parliament and elsewhere on that subject, that a good deal was made of the fact that our chief superintendent of cattle quarantine, Dr. McEachran, was himself a ranch proprietor and largely interested in cattle speculations. Now, if that is the case, I am bound to say that I think the Government have committed a grave error in allowing an officer who is largely responsible for the maintenance of the cattle quarantine to be carrying on another business in which his interest might conflict with his duty as cattle inspector. It is just one of those things which puts a formidable weapon into the hands of those persons in England who desire particularly to prohibit the entrance of our live cattle. A great deal, perhaps more than the thing deserves, has been

made of it, and the thing in itself is objectionable. My impression is that if this gentleman is to remain in the Government service, he should do nothing else. It is not at all desirable that the person placed in that position should be allowed to carry on a mercantile business which may put his interests in direct opposition to his duties.

Mr. FOSTER. My hon. friend has raised a question which is perfectly legitimate, and there may be very good grounds for the opinion he has expressed. I do not think, however, that the fact of Dr. McEachran being engaged in the ranching business has had much influence on that question in England. Dr. McEachran is a well-known authority, I think he is probably the most skilled man we have on that question. He is interested, or has been interested, in a ranch in the North-west. I do not think, however, that that fact would take much from his value as an authority on this matter, because if he had any selfish interest at all, his interest would be rather in having the schedule retained than having it removed, because he deals with cattle which are fit for the market, and not in stockers. There is, however, a good deal to be said in favour of having an inspector who is simply an inspector and has no selfish interests either way with respect to the cattle. Prof. McEachran has up to this time I think been rather loath to dispose of his interest there, which I believe is a valuable one, but I know the Minister is in communication with him, and I am told he is now disposing of his interest in that ranch. The Minister has the matter in hand, and so far as I am concerned, and so far as the Government is concerned, they would much prefer to have a man who has no other interest than that of being their inspector, so that no cavil could be raised as to his being an interested person in giving judgment one way or another.

Sir RICHARD CARTWRIGHT. The hon. gentleman perhaps does not see the point made in England. The point was this: The English Government were relying on the opinion expressed by experts on this side, and notably by Prof. McEachran, that our cattle were free from disease. He himself being a cattle breeder and being largely concerned in our cattle had a direct and personal interest of the very strongest kind in maintaining that our cattle were free from disease. The hon. gentleman must surely see that point, and that was the fact that was brought out in the English House of Commons and elsewhere as detracting from the weight which would otherwise be attached to the certificates given by the professor that our cattle were not diseased. The hon. gentleman will see that it was a very important point, and one likely to have very great weight with the English authorities, and the fact that Prof. McEachran is personally and particularly interested in declaring our herds free from disease detracts

Sir RICHARD CARTWRIGHT.

from the value of his testimony in the minds of the English authorities. That is quite clear. The hon. gentleman appeared to suppose that I was concerned with the professor's anxiety to keep the American cattle out.

Mr. FOSTER. No; I appreciate entirely the point.

Sir RICHARD CARTWRIGHT. The hon. gentleman must see that the value of the professor's evidence as an expert may be made to depend entirely, in the minds of the English authorities, on the view that he is an independent officer and has no interest in stating anything except exact facts. I have no prejudice whatever against the professor, and except on general principles I would not have brought the matter up, but every one knows that very great exertions are being made by interested parties in England to prevent the English Government accepting the statements made by our people, and they have pointed out very strongly the position that the professor occupies as being one entirely discrediting his testimony.

Mr. McNEILL. I entirely agree with the remarks which the hon. member for South Oxford (Sir Richard Cartwright) has made on this subject so far as regards the advisability of having the chief Government authority entirely disassociated from any connection with the cattle trade. But it is only right I think to say, that so far as this particular allegation is concerned, that, rightly or wrongly, Prof. McEachran has been of the opinion that the removal of the embargo so far from being an advantage to his cattle business, would have been a great disadvantage. That is the statement he has made. Whether he is right in making that statement is a matter of doubt I think, but at all events that is his view. His opinion is that the embargo has been an advantage to his ranch, and therefore any evidence he has given so far from its being discredited from the fact of his being connected with the cattle trade, should really, under the peculiar circumstances, have more value. I quite admit, it can scarcely be gainsaid, that in the minds of the English people it will be to some extent discredited by the fact of his being connected with the cattle trade at all. Still he says the removal of the embargo, so far from being an advantage, would be a disadvantage to the business in which he is concerned. It is only fair to Prof. McEachran that that should be stated, and made in England, that it should be distinctly stated that that is the professor's view. It is only fair, I think, to the case we have. While referring to that matter, there is another subject to which I should like to call the attention of the Government, and it is one that I do not think has been sufficiently brought out, and it is this: that the report of Prof. Brown, the authority on whom the Imperial Government have chiefly depended,

so far from being a proof that infectious pleuro-pneumonia existed in Canada, is a report that proves exactly the opposite, because Professor Brown states that the condition of the lungs of the animals which were supposed to be affected with pleuro pneumonia is clearly different from the condition of lungs affected with infectious pleuro pneumonia such as he knows in England. And that is not all; but he goes on to endeavour to establish this proposition, that the— he uses the definite article—North American infectious pleuro pneumonia is of the kind exemplified in this particular case which he has been examining and investigating. This animal shows in its lungs a certain condition, one colour. The infectious pleuro pneumonia shows dark blotches and other differences. The professor admits that our animals have not these dark blotches and not those other peculiar conditions which distinguish infectious pleuro pneumonia in England, and also Europe; but he goes on to say that this is the pleuro pneumonia of North America. Now, that is absolutely inaccurate. The infectious pleuro pneumonia of North America shows precisely the same characteristics as infectious pleuro pneumonia on the other side of the Atlantic shows, and therefore this report prepared by Prof. Brown is definite and absolute proof that the witness on whom the Imperial Government has chiefly relied admits that our cattle are not infected with the only infectious pleuro pneumonia disease. I think that is a point which should be distinctly brought to the notice of the Imperial authorities, and I do not see it has been brought particularly to their attention so far.

Mr. McMULLEN. The statement which the hon. gentleman has made is somewhat important. He has said that Prof. McEachran has stated that the embargo placed on Canadian cattle entering the English market is virtually advantageous to the ranch of which he is chief manager. It is unfortunate that we should have a chief veterinary whose interests in the company of which he is manager come directly in conflict with the interests of this Dominion, particularly the older provinces. It is generally understood throughout the other provinces that it would be decidedly advantageous to have the embargo removed. The hon. gentleman states that Prof. McEachran has expressed the opinion that so far as regards the interests of the company of which he is chief manager it would be advantageous to have the embargo maintained. We should not have our chief veterinary placed in that position.

Mr. McNEILL. I do not desire to be understood as saying that we should have a veterinary who is connected with the cattle trade.

Mr. McMULLEN. I quite agree with the hon. gentleman that that is not desirable. It is very unfortunate that the inspector of our cattle occupies that unfortunate position.

We know perfectly well that the animal that was supposed to be infected with pleuro pneumonia was shipped on the steamer 'Winnipeg,' and was taken from Pilot Mound, Manitoba. We know that on the strength of the investigation held in regard to the disease from which the animal was supposed to be suffering, our cattle were scheduled in England. That has been a very unfortunate arrangement, and it is to be regretted that our Government, instead of dilly-dallying with the whole business, did not make a greater effort to prevent us from being in the position we are now in with regard to our cattle in the English market. Every man of experience who ships cattle from the province of Ontario or Quebec will unhesitatingly say that the scheduling of our cattle is a decided loss. We know that since it has been imposed the people of the older provinces have had to take a less price for their cattle, and there is not a farmer in the country who feeds stock who is not looking forward with anxiety to its removal. I would like to see our Government take such steps as would secure that confidence on the part of the English veterinarians and the Board of Agriculture, which would secure in time—and it has taken a very long time now—the removal of that embargo. This cattle trade is a very important one for the country. It should not be hampered; it should be facilitated in every way; but my hon. friend from North York (Mr. Mulock) has been unsuccessfully endeavouring for several weeks to impress upon the House the necessity for passing his Bill with regard to the shipment of cattle, which we believe to be a means to facilitate that trade. In the case of the animal that is supposed to have been diseased in England, a sample of its lungs was sent to this country. The sample was about an ounce and a half weight, and it was so carelessly put in the bottle that when it got to Canada the spirit in which it was to be preserved had completely evaporated, and this insignificant portion of the lung was so decomposed that it was unfit for any careful investigation as to whether disease existed or not. With Sir Charles Tupper in England, with all his large staff, and with his professed earnestness in attending to that particular business, it is exceedingly regrettable to think that our cattle are allowed into the English market only on the same conditions as the cattle of the United States, where disease is known to exist very extensively. I believe that we should have a veterinarian in the Dominion completely separated from any outside interest which would in the slightest degree interfere with the English Board of Agriculture accepting his testimony as thoroughly reliable. The hon. member for South Oxford (Sir Richard Cartwright) has stated that the English Board of Agriculture were suspicious, and that the fact that Dr. McEachran was interested in a North-west ranch neutralized

the weight of his opinion as to our cattle being free from disease. My hon. friend opposite (Mr. McNeill) admits that the existence of that embargo on our cattle is an advantage to the ranche of which Dr. McEachran is chief manager.

Mr. McNEILL. No, no.

Mr. McMULLEN. You said it was no loss to the ranch at all, and that confirms the view of the English Board of Agriculture. I do not challenge the standing of Dr. McEachran. He is a man of good ability, extended experience and high character I believe, but the veterinary surgeon of the Dominion should be absolutely and entirely disassociated from any connection which would in the slightest degree jeopardise in England the value of the opinion he expresses with regard to the freedom of this country from cattle disease. It is late in the day to make this move now, but I think it should be done at once.

Mr. McNEILL. My hon. friend (Mr. McMullen) has misunderstood what I said, or else I have misunderstood what he said. I think that every one who knows Dr. McEachran will admit that he is an honest and honourable and straightforward man, and I know that many hon. gentlemen on the other side of the House will corroborate that statement, and accept Dr. McEachran's opinion in good faith. What I stated was: that Dr. McEachran believed that the removal of the embargo instead of being an advantage to the ranch would be a disadvantage. If it was a disadvantage to him, then his evidence that the embargo should be removed, evidence contrary to his own interests, should have all the greater weight with the authorities in the mother country. I know very well that my hon. friend from South Huron (Mr. McMillan) is of opinion that Mr. McEachran is incorrect with regard to his opinions as to the position of his ranch in that respect; but at all events, that has been Mr. McEachran's view, and therefore we cannot suppose that he was in any way influenced in favour of his ranch in the report which he made. On the contrary, he was making a report which, in his opinion, was the very opposite of the report which he would make if he were trying to benefit his own ranch. From that point of view, therefore, his evidence ought to be all the more valuable. I agree that it would be much better that this officer of the Government should be disassociated from the cattle trade altogether, but I cannot admit that the embargo on our cattle has anything in the world to do with Mr. McEachran's position. It was only the other day that any question was raised as to that. We know perfectly well that for a long time past this matter has been agitated in England, and it is only, comparatively speaking, within the last few hours that the question has been raised in the English House of Commons as to Mr.

Mr. McMULLEN.

McEachran's connection with a ranch in the North-west.

Sir RICHARD CARTWRIGHT. Although the question has only been recently raised in the English House of Commons, I am afraid that the fact was perfectly well known before to Mr. Gardner, the President of the Board of Agriculture.

Mr. McNEILL. We have no evidence of that whatever, and I think it must be only supposition on the part of my hon. friend.

Sir RICHARD CARTWRIGHT. No, it is not.

Mr. McNEILL. We never heard anything of it before.

Sir RICHARD CARTWRIGHT. I will explain to the hon. gentleman. It is quite true that the question has only recently been raised in a public fashion with respect to Dr. McEachran, but there is no doubt that disparaging opinions as to our Canadian experts have been entertained for a very long time.

Mr. McNEILL. Disparaging opinions might have been expressed.

Sir RICHARD CARTWRIGHT. And that was one of the reasons.

Mr. McNEILL. That is one view of the matter, but a very different view of the matter is the one which is presented to the Imperial House of Commons with regard to Mr. McEachran being connected with the ranch. If that had been known in England before, we would have had it ringing through the press there. Those men who have been fighting (on the ground of protection) in England, the admission of Canadian cattle, would have brought the matter up; and protection is the sole ground of opposition in England to the admission of our cattle. It is because the people of England are going back to the policy of protection.

Some hon. MEMBERS. Oh.

Mr. McNEILL. My hon. friends may laugh.

Sir RICHARD CARTWRIGHT. I am quite aware that English cattle dealers would be ready to do it.

Mr. McNEILL. My hon. friend may laugh at my statement, but those who know the facts, know that it is a political question in England, and the whole difficulty we have to contend with is because it is a political question. The whole difficulty we have to contend with is due to the fact that it is a political question, and that both parties in England are bidding for the farmer's vote. That is simply the whole explanation of the difficulty. It is simply because each party desires to hold out the boon of protection to the English farmer that we have any difficulty to-day in this matter, and when the hon. member for

North Wellington endeavours to fasten on the Government some responsibility for the trouble in England, I must say I think it is unfair. He says that with greater care they might have avoided the sending of this animal across the Atlantic. Now, I venture to ask the hon. member for South Huron (Mr. McMillan), who I see is about to address the committee, whether he thinks that any amount of care could have prevented the development of such a complaint as the one we have to deal with now. If we can accept the statement of the experts, it is a disease which arises in transitu, by reason of exposure during the voyage. It was quite impossible for any expert to tell that the animal would be affected by that disease, and it was quite impossible with any amount of care to prevent such an animal being landed in England. If the disease was infectious pleuro-pneumonia, the case my hon. friend has made out might to a large extent be well founded; but as this was not a case of infectious pleuro-pneumonia at all, but simply the effect of cold taken in transitu, the case my hon. friend has made against the Government is not well founded. I venture to say that every expert in Canada will be prepared to state that no amount of inspection and no amount of care could prevent the landing on the other side from time to time of animals affected as this animal was.

Mr. McMILLAN. I would just say that Dr. McEachran was before the Committee of Agriculture to-day. There was a report published in Great Britain on this subject, of which I have a copy; and if you want to see whether any blame should be attached to the Government or not, you have to consider what was the first idea that struck the people of Great Britain. It was this, that the cattle were continually going into the North-west from the United States, upon inspection only, and not upon quarantine. I think it is in the memory of every hon. gentleman in this room that I myself put a question to the Government, asking if it was true that settlers' cattle were allowed to go into the North-west on inspection, and not on quarantine; and the hon. Finance Minister replied that quarantine regulations were in force. That was on Monday; and when the hon. leader of the Opposition asked him how long those regulations had been in force, he said they had only been in force since the previous Saturday. So the idea that prevailed in Great Britain was that cattle were being allowed to come into Canada from the United States, where pleuro-pneumonia was known to exist. Now, with respect to Dr. McEachran's statement that he was benefited by the embargo being kept up, I cannot agree with him, for the simple reason that if he is benefited by such a state of things, every man who ships cattle from Canada is benefited in the same degree; because he stated that

lean stockers from the North-west could not be taken to the English market and sold there in competition with others. We all believe that shippers of cattle were injured by the embargo, and Dr. McEachran was injured to the same extent. The only plea he could offer was that his cattle were from North-west ranches and could not be taken to the interior after being landed. That was not the case. Cattle brought from the North-west and put on ship-board and fed there and taken across, could be put on the cars and taken into the interior, as well as our common cattle from Ontario. So that that plea will not hold good, with any one who knows the condition of the cattle trade. Dr. McEachran, in respect to his interest in the ranch he represented, was injured to the same extent that others were who shipped fat cattle to the old country. About Dr. McEachran, I will say that I have known him intimately since 1884; I believe him to be an honest and honourable gentleman, and I believe that everything he has done, he has done in the true interest of Canada. But, at the same time, the impression in regard to our cattle has gone abroad in Great Britain, and my hon. friend is not correct in saying that it has not gone abroad. If it had not, why was the Governor General telegraphed to, to send back a report whether Dr. McEachran was connected with the Waldron ranch or not? He sent back a telegram stating that he was connected with it, but what his relation to it was he could not tell. There is not the least doubt that this had an influence in the old country. I believe the time has arrived when it is the duty of the Government to maintain the most stringent regulations between Canada and the United States, not with reference to pleuro-pneumonia alone, but also with reference to tuberculosis. This disease already exists to a certain extent in this country; and we have been told that it exists to such an extent in the old country that it is almost impossible to stamp it out of the flocks and herds there. I believe the time has arrived when it is the duty of the Government to adopt more stringent measures to stamp out that disease, and the sooner it is done the better it will be for this country. I believe the time is even approaching when a great many of the herds of Great Britain will have to be destroyed in consequence of the prevalence of tuberculosis as well as pleuro-pneumonia; and if measures are taken to stamp out that disease in Canada, and we can get a clean bill of health, then I think not only will our cattle trade stand a good chance of being renewed, but our animals will be in demand to renew the flocks and herds of Great Britain. I believe the Agriculture Committee is going to deal with the matter and make a report upon it, and I hope the Government will take measures in the line I have suggested. If they do, I have only to say that their medical adviser

in the matter, whoever he may be, should have no connection, directly or indirectly, with the cattle trade of Canada.

Mr. McNEILL. The hon. gentleman and I differ very little in our views with regard to this matter, but when he was making this statement with regard to Dr. McEachran's ranche, I thought it was only right to call his attention to one fact which he was overlooking, namely: that Dr. McEachran stated that his ranche was not exporting cattle to the old country. My hon. friend stated that Dr. McEachran was just as much interested as any one else exporting cattle to the mother country. Dr. McEachran told us, however, that his ranche was raising cattle for sale in Canada and not for export, and he said that since the year 1882-83, when the ranche was established, they have only exported 1,300 cattle, whereas the average export per year was over 1,600 or 1,700. I thought my hon. friend would only wish, in justice to Dr. McEachran—who, I think, is a political friend of his—and of whose character he has spoken so strongly to-night, to have that fact stated, and let it go, at all events, for what it is worth.

Mr. LANDERKIN. Did His Excellency get the telegram?

Mr. McNEILL. I was just about to refer to that. My hon. friend said that I was entirely wrong when I said the impression had not gone abroad that Dr. McEachran was connected with this ranche. I did not make any such statement, and when my hon. friend takes upon himself to quote what I said, I hope he will do justice, in the same way as I would like to see him do justice to Dr. McEachran, to so humble an individual as myself. I did not make any such statement. What I said was that the impression had gone abroad only very lately; and the discussion between my hon. friend for South Oxford (Sir Richard Cartwright) and myself was as to whether there had been lately an impression abroad, or whether that impression had existed for a considerable time. The telegram from the Governor General had reference to the impression which had lately gone abroad, and to which attention had been called in the House of Commons.

Mr. SPROULE. I would like to say a few words on this subject because it is one of very great importance. The objection raised to Dr. McEachran on account of his connection with the Waldron ranche could very easily be got over. It engaged the attention of the Agricultural Committee last year, and was talked over with Dr. McEachran the year before. He said that the salary he got for this work from the Government was not sufficient, and he was obliged to engage in other lines, but that if he were permanently employed and put at the head of a health branch, under the Agricultural Department, he would close up his connection with the ranche at any time. No doubt he would have done so last year had he re-

Mr. McMILLAN.

ceived sufficient compensation for his labour and employment the year around. The importance of the cattle industry in Canada is very great at present and is increasing every year. It is a known fact that a certain disease exists among our animals—tuberculosis, which is found occasionally amongst herds, and no effort has been made to stamp it out. We have a Contagious Diseases Act in our statutes, which only requires to be acted on by the Governor in Council, but there appears to be no one to carry it out. I think it unfortunate that it should remain in that condition. It is unfortunate that we have not some person at the head of a branch of that kind, to devote his whole attention to it and employ others under him, and by giving them a little instruction he could make them comparatively experts, so that they would be available in different sections, wherever needed, on short notice. A disease broke out in my section of country last year. It was reported to the inspector at Montreal, who reported to the department, and the department reported to Dr. Smith at Toronto. Dr. Smith answered that he had heard something about it previous to getting the letter, and did not think it was of very great importance, but that after he got through the examination of his school he would go and attend to it. I do not think there should be that delay. The people were losing their cattle by what was afterwards demonstrated to be a disease due to feeding a class of provender containing ergot rye. It was rather gangrenous ergotism, through feeding these cattle too long on that kind of food. But the indifference displayed was very annoying to the people. The veterinary surgeon in the vicinity did not seem to know what was the matter, and yet the cattle were sick, some farmers having four or five heads sick, and others more. After several letters passed, and after correspondence in the papers, Dr. Smith, I think, sent Dr. Cowan to examine and report. But the report was about a month or a month and a half after the first letter was sent. That delay was entirely too long and might have been avoided if we had had a person like Dr. McEachran at the head of the health branch. There is nothing more urgently required than to set aside an amount of money for the purpose of paying those parties whose animals have to be slaughtered when found to be affected. Take the disease of tuberculosis. Every medical man and veterinary surgeon knows that the meat of an animal affected by tuberculosis is not entirely healthy. It has been demonstrated beyond doubt that the milk from such cows is unhealthy, and yet it is being fed to children and adults all over the country. It is to be wondered at that greater efforts are not put forth to stamp out a disease which could be easily stamped out by the expenditure of a very moderate sum. Dr. McEachran says that less than half a million dollars would stamp it out in Canada. That

would be a very small sum to use for such a purpose. The Government should appoint Dr. McEachran as permanent officer and pay him sufficient compensation the year around. I understand that he is likely to sever his connection with the ranche, so that whatever objections there might be on that score at present, they are not likely to exist in the future; but if not employed permanently, he may drift off to another line where he can make more money, and the services of one of the best men in the country will not then be available. The hon. member for North Wellington (Mr. McMullen) complained of the laxity of the quarantine regulations in the North-west Territories. He tried to show that, somehow or other, the embargo on cattle to-day was due to that laxity, and he gave as an evidence a fact that one of the supposed diseased animals had been traced back to Pilot Mound. He must have forgotten that, although there was one traced back to that point, there was one traced back to the locality of Kingston and one to Port Perry. And these were thought to be as important cases and as affording strong evidence of the existence of disease among our cattle, according to the veterinary surgeon in the old country, as the one from Pilot Mound. So, if the disease was found in cattle from here, it could not be due to failure to enforce the quarantine regulations in the North-west, because these cattle from the North-west were not brought and kept here, but were sent through to be disposed of in the British market. There was another consideration that should not be lost sight of, and that is that when the Board of Agriculture said that the quarantine regulations were not enforced with sufficient stringency, we established a quarantine to the satisfaction of the Board of Agriculture, and although it is a year since that time, I understand there has been no complaint in the way it has been carried out ever since. So that whatever objections might have been raised before that time, those objections could not be urged since. I understand that the regulations are as strictly enforced as in bringing cattle across the lines to any other part of Canada. It seems to me that the whole contention of the people of England is not tenable. It cannot be tenable if pathological examination demonstrates anything. There is a diversity of opinion among the veterinary experts as to the disease that was discovered in our cattle. Some of the ablest veterinary surgeons say it is only common pleuro pneumonia. That disease may be set up through exposure of the cattle on board ship, or it may be set up even by bringing an animal from a warm stable into the cold, producing inflammation of the lungs and of the pleura. There is a great difference between this disease and contagious pleuro pneumonia. The best veterinary surgeons outside of those employed by the Board of Agriculture, I believe, say that these are

merely sporadic cases, and that the diagnostic symptoms characteristic of contagious pleuro-pneumonia were absent in these cases. Those experts who made an examination on this side report the same thing. That was the report of Dr. McEachran, and also of Dr. Adami, of McGill College. It does seem to me that there is some ulterior object held in view by the Board of Agriculture there, and that their aim is to keep that embargo on, and, for this purpose, they are endeavouring to fortify their position with every argument they can possibly advance. There is no doubt that it is very difficult to satisfy people who will not be satisfied. Every contention that they have set up has been demonstrated to be unsound, but as soon as one is disproved, they set up some other. The last difficulty is shown in the inquiry whether Mr. McEachran is connected with the Waldron ranch. And his connection with it, no doubt, would be urged as a reason why his judgment must be biased. But every one who knows Mr. McEachran knows that such considerations would not affect his judgment: that he was endeavouring to bring out the facts for the information of the people of England. Another reason why I think they are determined to keep on this embargo, is that when the offer was made to them to send out their own veterinary surgeons, that we would associate experts with them and pay all expenses, leaving them to examine the cattle in any way they pleased in any part of the country, and satisfy themselves whether this disease existed in the country, they refused to accept. If they were really anxious to get the information, why should they refuse? Even if they were not satisfied with our experts, surely they should have been willing to trust their own. Another reason is: that while they were slaughtering our cattle, we asked to have our veterinary experts look after the interests of Canada in these cases, and that was denied on the ground that if it was acceded to us every other country would want the same privilege. But, even if they did, was there anything wrong about it? Would not their action show a disposition to give us the height of fair play? Taking everything into consideration, I believe they are not disposed to raise the embargo, and that they will find some excuse for keeping it on, no matter what we may do.

Mr. McMULLEN. I am surprised to hear an hon. gentleman, who proclaims himself to be so loyal as does the hon. gentleman, charging the people of England with a determination to maintain this embargo on Canadian cattle, even though there is no reason for it. I am not going to follow the hon. gentleman in the speech he has made. He travelled from John O'Groats to Land's End, and I do not care to follow him so far. But I wish to reply to the hon. member for North Bruce (Mr. McNeill). That hon. gentleman stated that I had made a charge

against Sir Charles Tupper by declaring that proper care had not been taken to see that the animals that went to England on the steamer 'City of Winnipeg' were properly inspected, and that no careful effort had been made to prevent the scheduling of our cattle. I am not going to ask the hon. gentleman to take my words, but I will quote from the report of Dr. McEachran :

In my letter to the Deputy Minister, of 1st November, I asked him to cable Mr. Colmer, secretary to the High Commissioner, to "have several pounds of the suspected lung properly put up, and sent to us for examination by Prof. Adami and myself." Instead of this being done, bottle I contained a portion of lung, 4 inches long, 1 inch wide, less than $\frac{1}{2}$ inch thick, weighing $1\frac{1}{2}$ ounce: the cork of which was tightened by paper, was not sealed, fitted loosely, and as a consequence, the spirit had leaked out or evaporated. Fortunately, however, the morsel was in a sufficient state of preservation to answer the purpose of examination both necroscopic and microscopic, as far as such a specimen could be used for the purpose.

Now, I do not say whether Sir Charles Tupper is responsible for his chief secretary, Mr. Coleman, or not. But I say that this report proves distinctly that gross carelessness characterized what was done in connection with this whole business. Sir Charles Tupper is there for the purpose of attending to this business. The Deputy Minister telegraphed to him for several pounds of the suspected lung, properly put up, and they received an ounce and three-quarters in a bottle so carelessly corked that all the spirit had leaked out or evaporated, and the specimen was in such a condition that no proper examination could be made. Is that evidence of care on the part of Sir Charles Tupper and his staff? I do not think it is. Are we not justified in finding fault with the manner in which they treated this whole business? The whole affair has been mismanaged. Sir Charles Tupper neglected his duty in connection with that thing, and his officers neglected their duty, and the result is that the embargo is on our cattle to-day. We see in the report that when Dr. McEachran asked for some two or three pounds of the lungs to be properly put up and sent out here for investigation, he gets an ounce and three-quarters put into a bottle and fastens the cork with a bit of paper, and when the bottle gets here the spirits are all gone. Now, are we not justified in saying that he has neglected his duty. We are paying a High Commissioner in England to attend to the affairs of the people of this country, and particularly to the cattle trade, and we have to-day the fact that our cattle are scheduled in England in consequence of the neglect of the High Commissioner. Now, the hon. member for North Bruce said I was not justified in saying that there had been any neglect. I contend I was perfectly justified in saying it, and I have proved my contention. I am exceed-

Mr. McMULLEN.

ingly sorry that neglect has characterized the efforts of those people who were supposed to represent us there, with the result that our cattle are scheduled in England to-day, and the poor farmers of this country have got to suffer from the carelessness of those men.

Mr. SPROULE. I am afraid the hon. gentleman is more anxious to make capital against Sir Charles Tupper than to get correct data about the nature of the disease. The very opinion he has given strengthens the suspicion that existed in my mind with regard to the lack of desire of the English people to do justice to us; because, when we made a request to have a veterinary expert of our own there in order to guard against carelessness, they refused that request. Sir Charles Tupper could not be held responsible for that refusal. I think the information that the hon. gentleman has given confirms the idea that we have not been dealt with as fairly as we ought to have been, because when they were going on slaughtering at different places, they did not allow us the privilege of having a veterinary surgeon present to look after our interests.

Mr. MCGREGOR. I think the Minister of Agriculture is not treating us fairly. This matter has been discussed for some days before the Agricultural Committee, and his highness, the Minister of Agriculture, cannot spare time to give even five minutes to the committee. Now, this question is being argued in this House, and he is not here, or near here. That is not fair. He could assist us to clear up these things. There is another trouble. While I think a great deal of Mr. McEachran, and think he is just the man for the place, I think the Government should at once increase his pay to such an amount that he could quit the Waldron ranche at once. If there are any difficulties between us and the old country owing to his connection with that business, surely we should have them removed. Our people are suffering and the Government should move at once. When Dr. McEachran says that it makes no difference to the people of this country whether the embargo is on or off, he surely does not understand the question. If cattle are high in the old country, their value is increased in the Dominion of Canada, and his cattle are increased in value as well. If there is an embargo on our cattle in England, of course the price of our cattle is affected correspondingly.

Mr. FEATHERSTON. He sells to the Indians.

Mr. MCGREGOR. There are a great number of people selling to the Indians who cannot sell to the old country. I say to the Government that they should make some arrangement so that the Minister of Agriculture should have a seat in this House. That is not a position for a lawyer. They should pick out the Minister of Agriculture from amongst their best material on that side of

the House. There are hon. gentlemen on that side of the House who understand the agricultural interests of this country, and who could take that position with honour to themselves and honour to the country; and I would advise the Government to make a change.

Mr. PATERSON (Brant). If that subject has been sufficiently discussed, I want to refer to another matter. It has to do with the quarantining of swine that were sent to the Chicago Exhibition. When returning from there they were quarantined at Point Edward, or at Sarnia, and hog cholera developed among them, and several died. I want to ascertain just what position the Government take with reference to compensation to the parties who suffered loss thereby. I find in the report of the Minister of Agriculture, that Mr. Westell, the officer in charge, under date 31st October, 1893, says:

SIR,—I beg to submit my annual report of cattle and swine received into the Ontario Cattle Quarantine for the year ending 31st October, 1893.

I may state that there has been a slight decrease in the number of cattle imported, and also that they were of an inferior class in comparison to those of former years.

The import of swine was fair, and many of them were of excellent quality and breeding.

In addition to cattle and swine imported for breeding purposes, we have now in quarantine the Canadian cattle and swine which were returned from the World's Columbian Exposition.

The cattle are in excellent health and condition, but I regret very much to state that in fifteen days after the swine were received into quarantine we had a serious outbreak of hog cholera. However, up to the time of writing, we have only lost ten animals diseased, the balance of the herd remaining healthy as yet, and owing to the prompt isolation of those discovered and also those that were exposed, together with a free use of disinfectants, fumigation, &c., the disease has made no further advance, and I am strongly of the opinion that we will not have much more trouble, although this disease is of an insidious nature and demands the most careful attention for some considerable time.

I may state that there is but little doubt that those pigs came in contact with the disease germ when being shipped from Chicago, as they were driven over a platform subsequent to a herd of American swine which was believed to be affected with cholera—of the presence of which I am satisfied that the owners of the Canadian swine had no conception of at the time.

Mr. Westell gives a table of the Canadian swine returned from the Columbian Exhibition, from which it appears that thirty-eight belong to Mr. Joseph Featherston, Springfield, Ont., twenty-four to Mr. J. E. Brethour, of Burford, Ont.; two to John Bell, of Amber, Ont.; and three to James Calvert, of Thedford. It is with the case of Mr. Brethour that I am more particularly concerned. The report I read is dated at Sarnia on 31st October, and he speaks up to that date only; but I have a copy of some cor-

respondence that passed with the department, and which shows that the disease was not confined to the animals mentioned there. Mr. Westell, the appraiser, gives a list of swine that were slaughtered, together with the age and appraised value of each animal. I see here that some seven hogs belonging to Mr. Brethour were there, three of which were slaughtered and four of which died. I understand that the department have not seen their way clear to compensate him, as I think they are in duty bound to do. There may be a little difficulty. I am not sure that there is any difficulty in making compensation for those that were slaughtered; but the contention is that the animals being in charge of the Government, Mr. Brethour having sent those valuable animals to Chicago at the request of the Government, and they having brought honour to Canada—I may say, notably, this gentleman's herd, and I believe Mr. Featherston's also—when they are brought back and quarantined by the Government, and are under the control of the Government, disease breaks out and the loss is incurred. Probably if the hogs had been slaughtered more promptly, or some more of them had been slaughtered, the others might not have died. At all events, it was when they were in charge of the Government and had been sent there at the request of the Government this loss occurred, for which a claim for compensation is made, and even if power under the Contagious Disease Act might technically not permit payment for those animals which died, not having been slaughtered, the case stands in an exceptional position, and they, having been sent there at the request of the Government, the Government being anxious that Canada should take as high a position as possible. This loss having been sustained while the hogs were in the Government charge, it is a case that might be dealt with even if there might be some technical difficulties in dealing with it under the Contagious Act. I can hardly expect that the Minister of Finance who is carrying through the Estimates of the Minister of Agriculture, is conversant with the case, but I should like to obtain some expression of opinion from him, and ascertain what view the Government take of the question. I think it is a matter of considerable importance, and I trust the Government will endeavour, under the circumstances, to do what they can in regard to it, and that they will not find themselves wholly trammelled by small technicalities, this being a case involving not the usual circumstances, but exceptional circumstances under which the animals were being returned to this country.

Mr. INGRAM. I am very glad the hon. member for North Brant (Mr. Paterson) has brought this question before the House. Hon. members have heard much fault found with the present Minister of Agriculture because he is a lawyer, and is said not to un-

derstand agriculture. If any credit can be given in regard to this matter which has been brought before the committee, it must be given to the Minister of Agriculture, who happens to be a lawyer. I understand that when stock sent from Canada to the Chicago fair were being returned to this country, the Minister of Agriculture was requested by Mr. Dryden, Minister of Agriculture for Ontario, to modify the quarantine regulations. The Dominion Minister refused to modify them. What was the result? Several hogs died of hog cholera. Had Mr. Dryden's advice been carried out, very serious losses would undoubtedly have occurred to the people of the Dominion. I understand that Mr. Dryden wished to bring them in without quarantining them, but, owing to the course taken by Mr. Angers, the loss of hogs was reduced very greatly indeed. However, with respect to the position of the claim made, I do not think that the damages could be claimed from the Dominion Government, alone, but that the Ontario Government, should be called upon to pay some of the claim: at all events, if the claims are to be paid, they should be paid jointly.

Mr. FEATHERSTON. The Canadian exhibitors of hogs did not want to bring them back in less time than that provided, which was twenty-one days. The original regulation was ninety days. This was considered by many breeders and by Mr. Dryden, too long a period, because our cattle were in a very healthy condition, and it was on that account that application was made that the regulation should be relaxed. With respect to the hogs, Mr. Brethour, myself, and others, did not want to take the risk of bringing them in within twenty-one days, because we knew that if they had contracted disease it might not appear until fifteen or sixteen days. Hog cholera broke out. I was there, and I had a couple of hogs die, and some of Mr. Brethour's hogs were very sick. The veterinary inspector wanted to slaughter them, but this was prevented by the Deputy Minister, who said the hogs were too valuable to be slaughtered, and we would have to take the risk of endeavouring to keep them alive and see if they could not be cured. We isolated a great many of the healthy animals, and spent much time with them, and we doctored them and prevented the disease from spreading very far. For those that died, the Government are just as responsible as if they had been slaughtered. By not slaughtering them, a large sum of money was saved to the Government.

Mr. SPROULE. As the Animals Contagious Act provides that animals affected with contagious diseases must be slaughtered, as those animals might have been slaughtered according to the provisions of the Order in Council, and as a veterinary inspector recognized that disease was present, I think the animals should be paid for. Another reason is that the stock here ought not to

Mr. INGRAM.

bear that expense, but it should be borne by the Government, as would have been done under the Order in Council if such instructions were given by the veterinary inspector.

Mr. FOSTER. The hon. member for Brant (Mr. Paterson) has asked me a question with respect to hogs. I know nothing in regard to the matter. I think it has been entirely departmental, and all I can do is to inquire and ascertain what will be the decision of the department and the Government in the matter. I think it is desirable that the committee should rise, as this subject seems to be interminable. This week we have been for two days trying to get through six items in the Estimates, and we have sat here until 2.30 and 12.30, and after this perhaps we had better come to the conclusion to adjourn early and sit through the summer. I do not want to abridge any right of discussion, but we have not made any progress with the estimates during the last two days. My understanding was that when certain technical information had been given we would make some progress. I move that the committee rise and report progress.

Mr. PATERSON (Brant). I trust the hon. gentleman does not apply his remarks to me.

Mr. FOSTER. No.

Mr. McMULLEN. More time has been occupied by hon. gentlemen opposite than by hon. members on this side.

Mr. PATERSON (Brant). I had hoped that I might perhaps obtain a more clear expression of opinion in regard to this matter. I judge, however, that the Minister is not in the position to make a further announcement, but I thought the subject would be of interest to the committee, because the case is different to one of ordinary importation of stock.

Sir RICHARD CARTWRIGHT. I just take the liberty of remarking to the Minister of Finance that so far as yesterday's proceedings were concerned, the delay of public business was due wholly and entirely to gentlemen on his side of the House and to nothing else. As regards what has passed to-night, I do not think he has much right to complain. I do not want to pretend that hon. gentlemen on the other side have not the right to interfere in discussions, but I do say this: that as a rule the Estimates would be better got through if gentlemen on that side of the House—it is their own choice of course to do so—would allow their Ministers who are especially charged with these matters to conduct the discussions.

Mr. FOSTER. I think gentlemen on this side of the House have some right to discuss these questions.

Sir RICHARD CARTWRIGHT. I do not pretend to deny that, but I do pretend to say that in the matter of promoting public business, it is usually more convenient for the Ministers themselves to reply to the questions asked, and not for the more irresponsible members of the party to do so.

Mr. FEATHERSTON. I just wish to state to the House, that the inspector made a valuation of these animals and the valuation placed on some of mine was not half what I would take for them. All that we are allowed for those killed is two-thirds of that amount, and for those that die we are not to be allowed anything. I want the Government to consider that.

Mr. CAMPBELL. I rise to mention a circumstance which occurred, I think two years ago. A certain number of hogs were diseased in the county of Kent and the Ontario Government inspectors came on the ground first and ordered them to be killed. Later on the Dominion inspector came and ordered a number more to be killed. The Dominion Government were willing to pay their proportion of the cost of those that their inspector had ordered to be slaughtered, but they refused to pay for what the Local Government had ordered to be slaughtered. The matter came before Sir John Carling, then Minister of Agriculture, and after considering it thoroughly he reported in favour of paying for all the hogs that were slaughtered, whether by order of the Dominion or Ontario Governments.

Committee rose and reported resolutions.

FIRST READING.

Bill (No. 140) to amend the law relating to conspiracies and combinations in restraint of trade—(From the Senate).—(Mr. Sproule.)

Mr. FOSTER moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.40 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 15th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

LIBRARY OF PARLIAMENT.

Mr. MILLS (Bothwell) moved that the second report of the joint committee of both Houses on the Library of Parliament, be concurred in.

Sir CHARLES HIBBERT TUPPER. That report refers to a very interesting historical event, and to the services of gentlemen who have taken great pains to commemorate it,

namely, the fact that the first steam vessel to cross the Atlantic Ocean was a Canadian built ship. I hope the House will indulge me for a moment while I bring to their attention of the services of a gentleman in connection with that subject, that have not been specially referred to in the report. In July, 1893, the Nova Scotia Historical Society, at a special meeting held at Halifax, adopted the following resolutions:—

Resolved, that this society respectfully second the recommendation of the Canadian Institute that the Government of Canada should adopt some means of commemorating the fact that the first vessel propelled by steam through the entire voyage across the Atlantic, was the 'Royal William' built at Quebec, and owned in Canada, and which made the pioneer voyage from Pictou to London in 1833.

And further resolved, that this society suggests the expediency of having the evidence proving the pioneer ocean steamship to have been a Canadian vessel, properly collated and published in pamphlet form under the auspices of the Government.

And further resolved, that the members of Parliament and senators from Halifax and Pictou be requested to present these recommendations to the Dominion authorities.

Subsequent to that, the subject having been referred to the Department of Marine and Fisheries, it was my good fortune to receive an offer of gratuitous services in this connection from Captain F. C. Wurtele, honorary librarian of the Literary and Historical Society of Quebec, and I wish to state to the House the great care and thoroughness with which that gentleman undertook this very interesting review, in which he prepared and collated all the facts and circumstances connected with the building of that ship in Quebec, and her outfit and departure from the port of Pictou, which is situated in the county I have the honour to represent, and her voyage across the Atlantic Ocean. That paper of Captain Wurtele's was considered by the Governor in Council, and on the 28th February last, the following minute was adopted:—

On a memorandum, dated 20th February, 1894, from the Minister of Marine and Fisheries, submitting herewith a pamphlet prepared by Capt. F. C. Wurtele, honorary librarian of the Literary and Historical Society of Quebec, free of charge, in which evidence is collected establishing the fact that the 'Royal William' was the first vessel propelled by steam to cross the Atlantic, and recommending that the same be referred to the Secretary of State for publication, or for such other action as may be by him deemed advisable.

The Minister also recommends that he be authorized to convey to Capt. Wurtele the thanks of the Government of Canada for his services in this matter. The committee submit the same for Your Excellency's approval.

I simply wish to add that the Secretary of State has been good enough to see that this interesting document shall not remain among the records of the Department of Marine, or become musty through being simply filed

away there, but has taken steps to have it printed and put within reach of all who care either to commemorate this interesting event or to study the naval history of the country.

Motion agreed to, and Report concurred in.

FIRST READING.

Bill (No. 142) to amend the Act respecting the incorporation of Boards of Trade.—(Sir John Thompson.)

INQUIRIES FOR RETURNS.

Mr. PERRY. I desire to inquire from the Minister of Marine and Fisheries when the order respecting trips made by the steamer 'Stanley' will be brought down?

Sir CHARLES HIBBERT TUPPER. No time has been lost in overtaking the returns asked for by my department, but the demand has been very heavy. Some of the returns are exceedingly voluminous. I have brought down quite a number already, and there are some in course of progress. That long return is in course of preparation. The return for which the hon. gentleman has now asked is, however, not a very lengthy one, and I hope to be able to give him a definite answer soon.

Mr. PERRY. I desire also to call the attention of the Department of Railways and Canals to a return which was promised a few days ago, and which was ordered by the House in the early part of the session. That return has not yet been brought down.

Mr. DAVIES (P.E.I.) I desire to call the attention of the Minister of Marine and Fisheries to two returns moved for in the early part of the session, one relating to repairs made to steamers, and the other respecting ss. 'Petrel.'

Sir CHARLES HIBBERT TUPPER. The first is a very long return, which is almost completed. The other is also a lengthy return. They are, however, both under way; the first one is nearly ready, and the second one is in course of preparation, but it was only moved for two weeks ago.

Mr. DAVIES (P.E.I.) I really think the hon. member for Prince (Mr. Perry) is hardly being treated fairly in regard to the return he seeks to obtain from the Department of Railways and Canals. It is a short return, and was ordered early in the session.

Sir JOHN THOMPSON. The Minister of Railways and Canals is not here, but I will see that he is informed of the matter.

Mr. LANDERKIN. A return ordered of the amount of goods imported from the United States by the Government last year for the service of the Government has not yet been brought down. It cannot be a very long return, because the Government are too loyal to import from the United

Sir CHARLES HIBBERT TUPPER.

States when they can get goods from the mother country. I hope there will be no delay in bringing it down. The Controller is not here, but probably the Ministers will be able to find him.

Sir JOHN THOMPSON. I thought it was a return the hon. gentleman wanted.

An hon. MEMBER. It is the return of the Controller.

Sir JOHN THOMPSON. He will be back pretty soon.

SUPPLY—SALE OF THOUSAND ISLANDS.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Sir RICHARD CARTWRIGHT. Before you, Mr. Speaker, leave the Chair, there is a matter which requires rather prompt action on the part of the House, and to which I desire to call the attention of the Government. The papers connected with it, or most of them, have reached me only this morning, but the matter is one which will not require a very lengthy discussion on my part, and I have no doubt the Government will see the reasonableness of the proposition I intend to make. It has reference to a matter which was before the House on one or two occasions last year. I noticed in the 'Citizen' a few days ago the following advertisement, respecting the sale of a portion of the Thousand Islands:—

SALE OF PORTION OF THOUSAND ISLANDS IN THE RIVER ST. LAWRENCE.

The Department of Indian Affairs offer for sale the Islands opposite the townships of Leeds, Lansdowne, Escott and Yonge, in the River St. Lawrence.

Terms: Cash, or one-quarter cash and the balance in three equal annual instalments with interest at 6 per cent; not more than two islands to be sold to one purchaser. Although applications will be received no sales will be made before 2nd July, 1894.

Information as to the Islands can be obtained from, and applications to purchase made to,

Mr. JOHN ORMISTON,
Gananoque, Ont.;

Mr. JOSEPH COOK,
Rockport, Ont.;

and the undersigned,

HAYTER REED,
Deputy Superintendent General
of Indian Affairs.

Department of Indian Affairs,
Ottawa, June, 1894.

Now, Sir, in connection with this, I may mention to the House that last year it was proposed to sell those islands, though I think not exactly the same way; and that on the knowledge of the Government's intention being given to the public, the press and a number of influential individuals on both sides of politics remonstrated so strong-

ly against this proposed disposition that the Government for the time being suspended the operation of their order. Since that a good deal of correspondence has passed between the Ontario Government and the Dominion Government on this subject, and I find from a return brought down and laid on the Table of the House, moved for by my hon. friend beside me, that certain propositions were made by the Ontario Government—I am furnished with a copy of them, I may say, by the Ontario authorities—and the return contains a report of the Privy Council, approved by His Excellency on 21st May, 1894, communicated in reply to a letter received from the Provincial Government under date 26th April, 1894. In this communication, which was made on 26th April last, the Ontario Government submitted three propositions for the consideration of the Dominion Government: first, they proposed that the Dominion Government should retain those islands as a public park; second, they proposed if that was not acceptable to the Dominion Government, that to save expense to the Dominion the province should pay one-half and the Dominion pay one-half, the islands to be reserved as a public park; third, that if the Government did not see their way to accept either of those propositions, they should name a price and allow the Ontario Government the option of purchasing this whole property for the purpose of reserving it for the benefit of the whole people of Canada. There is a considerable portion of this letter taken up with complaints that, owing to some misunderstanding, the Dominion Government did not give the Ontario Government such information as they required with respect to the price that would be accepted for all those islands in sufficient time to enable the Provincial Government to submit a proposition looking to the purchase of the whole for the purpose of a public park to the Legislature recently dissolved. In reply to that communication, the Dominion Government on 21st May passed the following Order in Council:—

The Committee of the Privy Council have had under consideration a despatch dated 26th April, 1894, from the Lieutenant-Governor of Ontario on the subject of the sale of islands in Thousand Island group in River St. Lawrence.

The Superintendent General of Indian Affairs, to whom the matter was referred, states:—

“First: That as to the suggestion that the Dominion Government might appropriate to the benefit of the Indian owners of the islands the value or assessed value thereof, and maintain them as a national park, instead of disposing of them to private purchasers, he cannot recommend that Parliament be asked to vote the money necessary for the purchase, as he does not consider that the reserving of the islands as a public park would be in the general public interest, nor can he, for the same reason, recommend that Parliament be asked to appropriate money for the payment of part of the value of the islands, the Government of Ontario

to pay the remainder, with a view of their being held jointly, with the Dominion and Ontario Governments, as a public park, as suggested in His Honour's despatch. The Department of Indian Affairs has already reserved and limited the islands for sale.

Secondly: That the information asked for by the Ontario Government as to the lowest price which would be accepted for the islands has been already given in the Order in Council of the 31st of March last, a copy of which is being transmitted to the Lieutenant-Governor of the province. The Minister cannot see his way to recommend that a price less than the value placed on the islands and set forth in the above mentioned Order in Council should be accepted for them, as the Government of Canada is bound as trustee to the Indian owners to secure for them the full value of the islands, regardless of what the desire of other classes of the community may be with respect to the reserving of the islands as a public park.

Third: The Minister further states that as to the concluding part of the despatch, it was thought that the information transmitted to the Ontario Government respecting the islands was what was asked for in the despatches from that Government, and was such as to convey the views of the Dominion Government as to the disposal of the islands. He regrets that it should have been found unsatisfactory, but he cannot on that ground recommend that the islands be withdrawn from sale until there is an opportunity for negotiation and a subsequent reference to the Legislature, as the Indians are anxious to have the islands sold, and their interest demands that there should be no delay in realizing upon them. The Committee on the recommendation of the Superintendent General of Indian Affairs, advise that a certified copy of this minute, if approved, be forwarded to the Lieutenant-Governor of Ontario in reply to his despatch of the 26th April, 1894.

(Sgd.) JOHN J. MCGEE,
Clerk, Privy Council.

Well, Sir, this which is dated on the 21st of May, could not have reached, of course, the Government of Ontario until some days thereafter, and I think after the period that the Ontario Legislature was prorogued, although I am not quite sure on that point. It must have been after it was prorogued or in the very last days of the session. I am bound to say that I think on the whole that it is probable that the Government have acted, looking at the date of these despatches, without due consideration inasmuch as probably at the time that these Orders in Council were penned their attention was likely to have been very much occupied with other matters. But I desire to point out to them: that the proposed action is inexpedient to be taken at this present moment on every conceivable ground. I am not at all disposed to quarrel with the admirable doctrine laid down by the present Superintendent General of Indian Affairs: that the Government of Canada is bound as trustee for the Indian owners to secure the full value of the islands and all other such property as well. I have pointed out time and again

on the floor of this House that Government—not only with respect to these islands, but with respect to all the property of the Indians—is acting as a trustee, and is bound to do its best for its wards. I am not going to quarrel, therefore, with the Government for the declaration of their intention for the future to secure the best value for the Indians for all their property. I only wish that predecessors of the hon. gentleman had been as zealous as he appears to be to secure full value for the Indians with respect to all their property. But, Sir, I want to submit to the Government, that in the interests of the Indians themselves, the Government cannot take a worse course to secure a full value for these properties than to attempt to dispose of these islands at this date, and in the way they propose to do. I am very well acquainted with these islands, which lie almost at my own door, and I know perfectly well that not for many years has there been so extremely unfavourable a time as at this present moment to sell the islands, whether by public auction or by private tender. It is to my knowledge that the Government a few years ago, and I fancy also in a very few years after this present date, would be able to secure ten purchasers or ten tenderers for the one that they can secure today. Every one who knows anything of the position of affairs generally in Canada, and in that part particularly, knows that now is an extremely unfavourable time to bring any real estate of any kind to sale, and more especially in the case of property which is likely to be acquired for purposes of recreation and pleasure. If, therefore, the object which is inducing the Government to carry on this sale is the interests of the Indians, I protest on their behalf in the strongest possible manner against selling this property now, on account of the extremely unfavourable condition of the real estate market, especially in that locality. But, Sir, wholly apart from that I submit that this is an extremely bad way to attempt to sell. What the Government are proposing to do is not to put these islands up to public competition where every man knows what his neighbour is bidding, and can outbid him if he pleases; but they propose to accept private tenders. It was by mere accident that this advertisement came under my notice, although I am naturally considerably interested in the disposal of these islands, and I am aware that very few persons knew of what the Government were proposing to do. More than that, there is no chance of getting the legitimate value of these islands if the sale is to be done by a series of letters addressed to the department where no man will know what price has been offered by another for the property in question. There is another very grave objection and it is this: You cannot take a step more likely to put these islands—which ought to be regarded, I think, as a national park—you cannot take a step more likely to put the most valuable and most

Sir RICHARD CAETWRIGHT.

select and very choicest of these islands into the hands of a few greedy speculators, than to dispose of them as they are now being disposed of. If this process is had recourse to for the sale of the islands, a very few persons who know the localities will be able to secure at almost nominal sums, or at sums probably very considerably below their value, the choicest of these islands, which they will in all human probability, proceed to retail within a very few weeks or months to wealthy American citizens who may choose to purchase them. The result will, therefore, be that the Indians will lose a large amount of the money that might otherwise have gone to the credit of their fund—if it be the object of the Government to protect them—and a certain very limited number of persons having special local knowledge will have an opportunity, at the cost of the Indians, of making a very respectable profit. I, therefore, object in the strongest possible manner to the proposition that these islands should be sold in this way by private tender, and not with an upset price by public competition as they should be. Then, Sir, in the last place, I protest strongly against the proposition to sell the remainder of these islands now in our hands, amounting to between 700 and 800 islands, when there is a fair opportunity of disposing of them en bloc to the Legislature of the province of Ontario to be held for a public park. Sir, I say that every one who knows these islands well is aware that it is perhaps an extremely desirable thing that the present nominal ownership of the Indians should be brought to an end in some way or other, and for this reason: the islands are not, I admit, at this present moment at all properly looked after or properly protected. Year by year—in fact, I might say almost month by month or week by week—very beautiful islands are being devastated by vandals from the main shore for the sake of obtaining a few cords of wood; and, not content with that, after destroying the timber, they are in the habit of setting fire to the islands, and reducing what were exceedingly picturesque objects to heaps of blackened rocks on which for years to come no living object will be seen. I have seen that time and again; and I would be disposed to assist the Government in any reasonable steps they might take to put an end to that state of things, and to retain these beautiful properties as an ornament to the country and the St. Lawrence. But I think there is every possible ground for considering, and considering favourably, the application made by the Ontario Government to keep these islands for the general benefit of the population of Canada. The St. Lawrence is one of the most magnificent waterways in the world; and I must say—although I have not been very greatly in the habit of indulging in high-flown doctrines as to the exclusion of American citizens from competition in all reasonable ways—that I would for my part

dislike very much to see, what will be the inevitable result if this project is carried out, the six or seven hundred islands, or the best part of them, placed at the disposal of worthy citizens of Boston, New York, and other American cities, and not to be able to travel down the St. Lawrence for forty miles without being regaled with the sight of the American flag flying on both sides of the river. At this moment, although the owners have displayed great taste in laying out their grounds, the islands on the American side have been converted, from being the people's playground, into the private property of wealthy Americans; and the same result is going to follow on our side if we carry out the project proposed. By the return in my hand I see that propositions are made by a number of American gentlemen to purchase these properties, and they will most assuredly become the possessors of a great number of those islands; and the people who have been in the habit of using them to a very great extent as a summer playground, will be absolutely debarred from all such use of them for the future. Now, for the sake of the paltry \$3,000 or \$4,000 a year, which is all that is involved in this matter—inasmuch as I see that the Government valuation of the islands does not exceed \$80,000 all told—I do not think it is worth our while to allow 700 of these islands, which are now the property of the public, to be converted to the uses which I have described, or even to become the property of some of our own wealthier citizens. In this country, during the summer, the water is the natural resource for amusement and recreation of a very large number of our people; and I think it would be a very great mistake indeed to allow the people, from Montreal to Kingston, and much farther up, to be deprived of all access to these islands, as they must necessarily be, if they go absolutely into private hands. Now, Sir, we on this side of the House did not object to the appropriation, although it was a very considerable one, which was made for the national park at Banff. I forget at this moment what the cost of that park was; but I think I am not far wrong in saying that \$200,000 or \$300,000 has been sunk from first to last upon it. At any rate, a considerable sum has been spent, and a considerable annual charge incurred. I think that money was not ill spent, although I remember at the time that it was spent without the formality of consulting Parliament, and I objected to that. But of our present population not one in a hundred will have the opportunity of participating in the benefit of the Banff Park, whereas, from the situation of the Thousand Islands, if they are made into a national park, a very large percentage of our population will have an opportunity of deriving some benefit from the reservation. Moreover, Sir, the Government will note that there can be no possible injury done to the Indians by delaying action in this

matter. On the contrary, they will benefit to the extent of many thousands of dollars by this sale being put off to an appropriate time; and, after the Ontario Government have explained as they have done at length why, not being able to obtain the information they desired, they were not able to submit to the Legislature a proposition for the purchase of this property, in case the Government refused their other offers. I think it is only reasonable and fair, as a matter of common courtesy between the two Governments, as a matter in which a very large number of the people of Ontario are personally interested—because there is an immense number of them who are in the habit of making a holiday among the Thousand Islands—I think it is asking a little thing to ask that the action of the Government should be suspended until such time as the Government of Ontario may have an opportunity of making up their minds on the matter, and submitting a proposition to the Local Legislature. Now, I am not going to move this motion as a motion of want of confidence, but for the purpose of putting my own views in good time on record; and I may say that, if the Government after considering the matter choose to give a reasonable time for the Government of Ontario to take action, then I would have no objection to take their word, and withdraw the motion. But if, unhappily, the Government should take another view, then I shall be compelled to move:

That all the words after the word "That" be left out, and the following inserted instead thereof:—"this House has learnt with surprise that it is the intention of the Government to dispose forthwith of the remainder of the Thousand Islands by private tender."

That in the opinion of this House the present is not an opportune time for disposing of the said Islands, and further, that in view of the proposition submitted by the Government of the province of Ontario to purchase the same for the purpose of converting them into a public park for the benefit of the people of Canada, it is expedient that no further action be taken.

Mr. DALY. Mr. Speaker, I regret that the hon. gentleman had not seen the advertisements that have appeared in the different newspapers, in his own town of Kingston as well as in other places, in reference to the proposed sale of the Thousand Islands, which would have informed him, as well as other people who read the newspapers, that it is the intention of the Government to carry out the provisions of the Order in Council to which the hon. gentleman has referred. Now, I understand that the hon. gentleman's chief objection to the sale of these islands at the present time is that owing to the depression in real estate—

Sir RICHARD CARTWRIGHT. Not my chief objection; one of the chief.

Mr. DALY. One of the hon. gentleman's chief objections was that owing to the de-

pression in the value of real estate in the province of Ontario the return for these islands would not be as great as would otherwise be the case. The hon. gentleman has evidently overlooked the memorandum of Council to which he referred, dated the 31st March, 1894, conveying the information asked for by the Ontario Government, that the islands were valued at \$73,230, and that the islands were not to be disposed of at auction, but that by the Order in Council of the 18th of November, 1893, authority was given for the disposal of the same by private sale, without any condition as to settlement or improvements, at upset prices, to be fixed in accordance with the valuation made by the Department of Indian Affairs, not more than two islands to be sold to any one purchaser, and so on. The hon. gentleman will see by the return that these islands were all valued a year ago last January, that they were well and carefully valued, and that the prices set opposite them are said, by parties, not only who are in the neighbourhood and conversant with the values of the islands, but others who are in the habit of visiting those islands, to be really beyond their value. The position of the Government is simply this, as stated in that memorandum. We are trustees for the Indians; they have repeatedly expressed the desire to the department to sell the islands, they want the benefit of the money to be realized by the sale. What the Government propose to do, in order to carry out the desire of the Indians, is to sell the islands, not at a sacrifice, as the hon. gentleman says, but at the upset prices placed in the return sent down, and at a valuation that will give a return to the Indians equal, in every instance, to the value of the islands. It may seem strange, and has not possibly occurred to the hon. gentleman, that the Government of which he was a member disposed of a number of the islands at a far less valuation than that placed on them by Mr. Beatty last year. At that time, neither the hon. gentleman nor his party had the same desire to preserve those islands for a public park as at present, and it may be interesting to know that in a valuation made by Mr. Unwin for the Mackenzie Government in 1874, he valued these same islands, which are now valued at \$73,000, at \$10,000.

Sir RICHARD CARTWRIGHT. That gentleman knew very little of what he was doing.

Mr. DALY. That may be, but he was an officer of the hon. gentleman's Government at the time. But it may be that the difference is due to the fact that Mr. Unwin omitted to value 130 of the islands, which have since been discovered by Mr. Beatty to have been overlooked by him. These islands have been valued at \$73,000, an increase of \$62,500 over the valuation made by Mr. Unwin. I will give some valuations which will show some of the discrepancies. Mr. Unwin

Mr. DALY

valued Hog Island at \$80, and Mr. Beatty valued it at \$120. Wood Island, Mr. Unwin valued at \$100, and Mr. Beatty at \$500. Pine or Dashwood Island, Mr. Unwin valued at \$25, and Mr. Beatty at \$325. Island No. 88, Mr. Unwin valued at \$20, and Mr. Beatty at \$300. Fowler Island, Mr. Unwin valued at \$150, and Mr. Beatty at \$303. There are a number of other instances I might give, where the valuation made by Mr. Unwin was 50 per cent less than that placed on the islands by Mr. Beatty, and there is no reason given by the hon. gentleman, or by the newspapers which opposed the sale of the islands last year, why the Government, as trustees for the Indians should not proceed to sell these islands at the prices fixed. The whole desire of the Government is to get what money there is in the islands for the Indians. We have had a careful valuation made, and none of the islands will be sold at a dollar less than the valuation placed upon them, and in many instances we will get a larger sum. As to the correspondence had with the Ontario Government, it appears that some time elapsed between the despatch by the Ontario Government and the Governor General's memorandum in reply. There was no intentional delay on the part of this Government, but, owing to other press of business, these memoranda were not dealt with by Council probably as quickly as they should have been. But I contend that all the information required by the Local Government was given in the Order in Council of the 31st March, which reads as follows:—

The Committee of the Privy Council have had under consideration the despatch hereto attached, dated 1st of March, 1894, from the Lieutenant-Governor of Ontario, respecting the sale of islands in the Thousand Island group in the St. Lawrence, and in which it is stated that the minute of Council of the 8th of February, 1894, does not contain the information asked for, namely:—

1. The lowest aggregate price for all the unsold islands; and
2. The price of those of them which were to be sold at the auction, and the aggregate acreage or estimated acreage.

The Superintendent General of Indian Affairs, to whom the matter was referred, states that there are 764 unincumbered islands in the River St. Lawrence, between Kingston and Brockville, under the control of the Department of Indian Affairs, containing an area approximately of 560 acres, valued at \$79,914; that by the Order in Council of the 15th of June, 1893, authority was given for the sale by auction of 686 islands situated opposite the townships of Leeds, Escott, Lansdowne and Yonge, estimated to contain 515 acres, valued at \$73,230; that the said islands were not disposed of at auction, but that by the Order in Council of the 18th of November, 1893, authority was given for the disposal of the same by private sale, without any condition as to settlement or improvements, at upset prices to be fixed in accordance with the valuation made by the Department of Indian Affairs, not more than two islands to be sold to any one purchaser; and by Order in Council of the 8th of Feb-

ruary, 1894, it was directed that in the event of the Government of Ontario desiring to purchase more than two of the aforesaid islands, the condition in the Order in Council of the 18th of November, 1893, restricting the purchaser to two islands should be relaxed.

The committee, on the recommendation of the Superintendent General of Indian Affairs, advise that a certified copy of this minute, if approved, be forwarded to the Lieutenant-Governor of Ontario in reply to his despatch of the 1st of March instant.

The Ontario Government got all the information required, not only in this memorandum of the 31st March, but by Order in Council of the 8th February. They were advised that in the event of their desiring to purchase more than two of the aforesaid islands, the condition of the Order in Council, which had been transmitted to them, would be relaxed, showing to the Ontario Government that if they were desirous of carrying out their intention, this Government were prepared to deal with them. The mere fact of our going to sell these islands, according to the advertisement read by the hon. gentleman, does not preclude the Ontario Government coming forward and purchasing them. But neither they, nor any one else can get them a dollar less than they are valued at, and they will have an opportunity between now and then of stating whether or not they are desirous of carrying out the proposition made by them.

Sir RICHARD CARTWRIGHT. Between now and the 2nd of July?

Mr. DALY. It does not say in the advertisement, nor is it the intention, that on the 2nd of July, if the Ontario Government still desires to purchase those islands, that the offers will be accepted. In fact, the whole delay in the advertisement appearing was occasioned by the desire on the part of this Government to wait the action of the Ontario Government. The islands would have been advertised months ago were it not for that fact. Now, whether they be sold by auction or not, so long as there is an upset price, it makes no difference—

Sir RICHARD CARTWRIGHT. Oh, yes.

Mr. DALY—I do not see why the hon. gentleman shakes his head at me. We have had an upset valuation fixed by competent men, which is larger than that of the hon. gentleman's officer, and, as far as the Indians are concerned, they will get every dollar of value in the islands. It makes no difference—

Sir RICHARD CARTWRIGHT. It makes an enormous difference. A number of men may combine.

Mr. DALY. The hon. gentleman overlooks the fact that we had auction sales in 1891, and put the Indians to the expense of advertising the auction sales, and in all some fifty islands were put up, and only some eight or ten purchased. All the expenses of advertis-

ing, &c., were charged against the Indian fund, and all the sales we could make were of eight or ten islands.

Sir RICHARD CARTWRIGHT. The conditions were very different.

Mr. DALY. Only as to settlement.

Sir RICHARD CARTWRIGHT. Aye, very different conditions.

Mr. DALY. That was not the objection raised by the purchasers, but an attempt to sell them by auction which failed. At that time, when there was a proposed sale and that sale was advertised, why did not the hon. gentleman take the course he does now; why did not the Ontario Government take the course it does now? It seems to me that this whole agitation has arisen from a misunderstanding of the manner in which these islands are held by the Government. From letters and editorials that appeared in certain newspapers last summer—which I had no opportunity of reading at that time, but which I read afterwards—the people would be led to understand that the Government were the owners of these islands and could dispose of them as they saw fit, while the fact is that the islands are owned by the Indians and the Government are only trustees. The Government are doing their best, as trustees, to get full value for these islands. I am quite prepared, if the hon. gentleman or anybody else will go to the islands and make a valuation and will establish before any fair tribunal that they have placed a fair value upon them, I will undertake to show that we have never been ready to sell them under these figures, but that our policy has always been one that would yield to the Indians every dollar that there was in the property. It is a matter of sentiment whether there shall be a park there or not. If there is to be a park, it is not for this Government to establish it, but rather for the Ontario Government. I do not think that the representatives in this House of other parts of Canada desire that the money of this Government should be spent in providing a park for the province of Ontario. The hon. gentleman has referred to the National Park. But that is a different case altogether. The land there was the property of the Dominion of Canada, while this is not, the Dominion only holding it in trust for the Indians.

Mr. MILLS (Bothwell). Is there any real difference between acquiring land for a park and spending a large sum of money for park purposes on property which is already in the Government's possession?

Mr. DALY. There certainly is.

Mr. MILLS (Bothwell). I am unable to see it.

Mr. DALY. The Banff Park is almost self-sustaining at this time, as can be shown

by the figures, and any expenditure made upon that park is being recouped by fees and other receipts in connection with the park itself. The Government could not acquire the title to these islands until they pay the \$73,000, and on those terms it can be acquired by the Ontario Government or anybody else. I regret, so far as I am personally concerned, that there has been any delay in reference to the correspondence of this Government with the Government of Ontario. It was not intentional, but we withheld the advertising of these lands to suit the action of the Ontario Government.

Sir RICHARD CARTWRIGHT. Until the most inconvenient time for the Ontario Government.

Mr. WELDON. If the hon. member for South Oxford had not moved his motion as an amendment on going into Supply, and if to support his motion would not take the colour of voting a want of confidence in the Government, I should be glad to vote for it. For my part—and I take the responsibility of speaking for a constituency twelve hundred miles away from these islands—I would support the hon. member's request, and I rise to speak in favour of it, though I may have to vote the other way. I may say that I am heartily in favour of the position he took that the Dominion of Canada should recognize the fact, the simple geographical fact, that this river is the national river of Canada, and one of the great rivers of the world—indeed many of us who have seen other great rivers believe that this is the finest river on the earth. If the question were only one of four or five thousand dollars a year, I take the responsibility of saying that, though representing a county so far away, I should have pleasure in supporting the hon. member's policy, and to say also that I should feel considerable regret if the opposite policy were pursued. I see no difficulty in the way of extinguishing the Indians' title and establishing a national park on these islands. I may say that I have never heard our people complain of the appropriation for the Banff National Park. I have heard the matter discussed, but I have not heard the policy of the Government in that case objected to. Where one from our provinces can go to Banff, a hundred will find their way to the St. Lawrence, and I very much wish that my remonstrance could have some weight with the Minister. I very much wish that even at this late stage, he would reconsider the question and not be too much impressed with the hostility he believes he would find in the votes and feelings of gentlemen from distant provinces. I have heard more than one member of the House from the Maritime Provinces speak on this subject, and I know that they feel as I do. At this busy hour, did I not feel warmly interested in preserving our control over these islands, I would not have spoken.

Mr. DALY.

Mr. MILLS (Bothwell). I think the proposition submitted by the Local Government to the Department of Indian Affairs was entitled to more consideration than the hon. Minister has been disposed to give to it. Whether this property should be acquired from the Indians at the expense of the Dominion of Canada or at the expense of the province of Ontario is an arguable question, but it seems to me that the proposition that a portion of the expense might fairly be charged to the province of Ontario, because the property is situated within that province, and a portion charged to the Dominion as also having an interest, because it represents all the provinces, is one that might be fairly accepted. The hon. gentleman says that these islands have been valued much more highly recently than they were some twenty years ago—it was in 1874. I think, that the valuation to which he has referred was made. I dare say that the valuation then and the valuation made more recently represented fairly the value of the islands at these respective times. A large number of the islands in the vicinity of the American side of the river have been disposed of since the first valuation and cottages have been erected upon them. So that the islands which remain on the Canadian side have become more valuable than they were a few years ago. There is another reason for an increase in value—the people are taking a greater interest in the establishment of parks and summer resorts now than they did ten years ago. Why, Sir, within the last three years two large parks have been established in the province of Ontario, one in Rondeau in the southwest portion of the province, and the other in the Muskoka region. It was natural, I think, that the people residing in the eastern part of the province should seek to have a park established where the population from the surrounding district—that portion of the province lying east of Kingston—might have a proper summer resort. Now, I think the reason why the Local Government of the province of Ontario did not apply sooner for the purchase of these islands is perfectly obvious. It is that no steps were being taken in any portion of the province five years ago for the purpose of establishing such parks. But when land to the extent of four thousand acres was set apart at Rondeau Bay for the purpose of a park, it was quite natural that the representatives of the province of Ontario in eastern sections should look about them to see whether a suitable location for a summer resort could not be found, and it was equally natural that the Thousand Islands should be the place fixed upon for such a purpose. The hon. gentleman has said, that, as trustee, he is anxious to obtain a fair price for these islands on behalf of the Indians. That is right and proper, and no one will at all complain because of the hon. gentleman's desire in that respect. But

it does seem to me that if the hon. gentleman should consider an immediate sale necessary, it would be quite proper to extinguish the Indian title and regard these lands as lands still vested in the Crown, subject to the price required for the extinguishment of that title, and then hand them over to the Local Government upon the payment of the necessary sum or that portion that would be a fair contribution on the part of the province of Ontario, if it was thought the province of Ontario should also defray a portion of the expense. It seems to me that it is not unreasonable to say that a portion of this charge should be borne by the Dominion. These islands are nearer Montreal than any other great city; they are as likely to become a summer resort for the population of that city as for any portion of the province of Ontario; and being outside the province, it would not be unreasonable to say that a portion of the expense necessary for the extinguishment of the Indian title or claim for these islands, should be borne by the Dominion Government as representing a population interested in establishing there a national park for a population lying beyond the limits of the province. Then we have this consideration: if these islands pass into the hands of private parties, they will in most cases pass into the hands of the most wealthy portion of the population who have little difficulty in acquiring for themselves pleasant summer resorts anywhere they may be disposed to go. But with regard to the great mass of the population of Canada who may desire to spend a few days away from home, unless such places of resort are provided at the public expense, none are likely to be available to them. Therefore, I would suggest to the hon. Minister the propriety of acquiescing in the proposition of the Local Government, and securing those islands as a Dominion acquisition on behalf of the whole population of Canada, as a summer resort. It may be that very many people in distant portions may not be able to avail themselves of this resort, but in so extensive a country as this, that is true of any resort that you may establish in any portion of the Dominion. That is true of Banff, it is ten times as true of Banff as it is of the Thousand Islands; and therefore I suggest to the hon. Minister and to his colleagues the propriety of retaining these islands by entering into negotiations with the Local Government as to the terms on which they are to be held and the portion of the burden that each has to bear; or if the hon. gentleman thinks that all should be borne by the Local Government, I am not making any serious objection to that, although I think the other proposition would be the more equitable one. But I would be very sorry indeed to see these islands pass into private hands, and that a very important place of recreation should be taken away from a large class of the population who would otherwise have no such place available.

Sir JOHN THOMPSON. There are several interests to be considered in relation to this matter. One of them is the question whether the Dominion of Canada is to undertake for the first time—I say for the first time, notwithstanding the allusion to Banff—to establish a system of national parks throughout the country. Now, we had a tract of land in Banff situated entirely within our own territory, a tract of land possessing peculiar natural characteristics to so great an extent that it was impossible to deal with that tract of land in the manner that was applicable to the rest of the territory. It was unsuited for settlement, and if we parted with any of the tract in which the celebrated sulphur springs or other characteristics of that kind, exist, we should be putting into private hands that which eventually was likely to be of great general benefit. We, therefore, reserved a large tract of land around these peculiar natural characteristics, and we called it a national park, and spent a sum of money to put it in order. There were not many objections to that; I think there were practically no objections to it in this House. Some comments were passed on the expense which was likely to be incurred, but there were no practical objections. There would have been an intense objection if it had been supposed that an argument would be drawn from that for the establishment of a national park in every part of Canada; and how we can establish a national park in the province of Ontario and not establish a national park in other provinces where the scenery is quite as beautiful, and access to it for the inhabitants of the particular province, would be much more easy than it would be at the Thousand Islands, I fail to see. I think if we establish this as a national park, we ought certainly to establish a national park in every part of Canada. There is another consideration involved, and that is the interests of the Indians, who have been pressing to have the islands sold for some time. The islands were advertised last summer, and there was a great clamour, and a great many people thought that was the very worst time at which the islands could be brought to sale. In consequence of the want of time and opportunity to consider the great objections raised, the matter was allowed to stand over until this year, and an advertisement is issued once more. There is likewise the interest of the inhabitants of the vicinity to be considered. The inhabitants of the vicinity are inclined to think that it was a very satisfactory circumstance that the Indians desired these islands to be brought to sale, because it was far more beneficial to their interests that these islands should go into private hands, and be improved, beautified and occupied than to be left to the depredations which the hon. member for South Oxford has described, and under which they are apt to become eyesores instead of spots of beauty. When we

look at the other side of the St. Lawrence, we see all these islands beautified, we see them adorned, we find residences on them occupied by a wealthy people, people of leisure, who have the means to improve them in that way; and the inhabitants of the surrounding district find advantage from the improvement which has taken place, added to the great attractions of those islands. But on our own side everything is bare and unoccupied, because these are Indian lands, and because hitherto we have not been willing to part with them except on such conditions of settlement as were very burdensome, at any rate, to the people on our own side of the line, for the means of people who are willing to buy them are more limited; and the inhabitants of the vicinity have joined their request to that of the Indians that we should open these to settlement, improvement and population. I was not at all aware that there would be such extreme objection to the Stars and Stripes being seen on any of these islands on a summer day; least of all did I suppose such an objection would come from the quarter from which it has come. But if that is very objectionable, let us put in a condition that the Stars and Stripes shall not be allowed to fly. But is it carrying that feature of loyalty, so lately cropping up, to an extreme to say that we should rather have these islands remain in a savage condition, and liable to be not only plundered but reduced to an unsightly condition, lest perchance somebody should exhibit a foreign flag upon them? I think that is taking and urging upon this House rather an extreme view. Now, the other circumstances that ought to be taken into consideration, I submit, are these: The Ontario Government is disposed, it would seem, from the negotiations that have taken place, to adopt a very reasonable view of the situation. They are not so unreasonable as to expect that we should jump at their offer of reserving these islands at the cost of the people of Canada, and develop them into a public park for the benefit of the people of the vicinity; but they have proposed as an alternative to that, an alternative which we are prepared to carry out if they are prepared to go on with it, that they shall occupy those islands as a public park themselves; and why we should, under these circumstances, stop now and insist that other people shall pay for it when the province of Ontario is the province interested, and has abundance of means to improve the park and make it such as the people of Ontario would desire to make it—why we should stop now and insist on bearing the expense ourselves, with the disadvantages I have pointed out regarding the result of the adoption of the policy of establishing public parks for Canada, I cannot understand. Now, what is proposed with regard to this is that in the month of July tenders shall be received with regard to these islands, but not all of them. The islands that are reserved for the action of

Sir JOHN THOMPSON.

Parliament, if Parliament should be pleased to adopt the idea of public parks in Canada, comprise seventy-six large islands of this group.

Sir RICHARD CARTWRIGHT. What is the acreage?

Sir JOHN THOMPSON. I do not know the acreage.

Sir RICHARD CARTWRIGHT. I can tell the hon. gentleman that what is proposed to be sold contains nineteen-twentieths of the area of the islands.

Sir JOHN THOMPSON. That may be, and a very large area it is. Still there would remain 76 large islands, which would constitute a public park of large dimensions.

Sir RICHARD CARTWRIGHT. The whole area is not 600 acres.

Sir JOHN THOMPSON. That would be sufficient to satisfy the eye of the hon. member for South Oxford (Sir Richard Cartwright) for landscape beauty, which is an important consideration. Let the Ontario Government make their proposal. When tenders are received this Government is by no means obliged to accept them, and if it be found at that stage that the Ontario Government is disposed to go on with its proposal for making those islands a public park, the tenders of other purchasers will not be accepted, that is to say, if the Ontario Government give what is established to be a reasonable price for those islands; because it is the principle which has been acted on by this Government, and insisted on by the other side of the House, that we are bound to get a reasonable and fair price, indeed the best price we can, for the Indians.

Sir RICHARD CARTWRIGHT. Timber limits always excepted.

Sir JOHN THOMPSON. Timber limits and everything excepted when the criticism comes from the hon. member from South Oxford (Sir Richard Cartwright); but what his criticism is worth, considering the disposition in which he proceeds to discuss all public questions before the House, I need not detain the House by describing, because it is too well known. I would support myself the policy of dealing in the most liberal way with the Ontario Government, if they propose to go on with their project of a public park, and if their tender shows they are disposed to take those islands, all of them, or many of them, or few of them, or just as many as they please, providing they arrange with us to give us a price the acceptance of which we can justify when we come to settle with the Indians. The Ontario Government, I presume, will purchase them only for park purposes, and we will only be justified in dealing with them on a large scale on that principle. It has been suggested that we are taking the Ontario Government at a disadvantage, because the Ontario Legislature has been dissolved. That

is not the case at all. We do not desire to make any hard terms with the Ontario Government; we do not exact any payment from them; if their offers are such as we can accept as the basis for the purchase of a public park, that offer will be treated as the conclusion of the sale, and ample opportunity will be given the Ontario Government to deal with the Ontario Legislature, and obtain its ratification of the bargain.

Mr. LAURIER. I think the House generally will be disposed to regret the temper in which this question has been approached by the Minister of the Interior and the Prime Minister. Everybody must agree that the hon. member for South Oxford (Sir Richard Cartwright) has presented this case in a very moderate way indeed, not with any view of making political capital out of it at all.

Sir JOHN THOMPSON. Oh, no.

Mr. LAURIER. I repeat it; and the right hon. gentleman has no reason to insinuate that there was a word or a sentiment in anything said by my hon. friend to indicate that he desired to make any political capital out of it. If the hon. gentleman wants proof of this, let him have it from the benches on his own side of the House, for he will find it in the language of the hon. member for Albert (Mr. Weldon). That hon. gentleman only re-echoed what is the well-known public sentiment of the country, that these islands should be turned into a public park, whether a national park for Canada or a park for Ontario matters little, but that they should be purchased for the people of the country, and certainly the hon. member for Albert (Mr. Weldon) simply re-echoed what is the universal opinion of the people. The hon. Minister of the Interior stated he was not in the province while there was an outburst in different parts of the country respecting the question, shortly after a portion of the Thousand Islands had been advertised for sale. If the hon. gentleman had been here at that time he would have observed the indignation that prevailed, when a strong appeal and remonstrance to the Government was made that the islands should not be sold but converted into a public park. If the hon. gentleman had been here at the time he would have known that the appeal came not from the ranks of any political party, but from people holding different political opinions. I should have preferred that the Government, instead of approaching this subject in the temper manifested by hon. gentlemen opposite, had listened to the remonstrances of the hon. member for Albert (Mr. Weldon), who approached the question from a broad national point of view. It is undoubtedly the sentiment in the country, at all events it is that which prevails in certain sections of Quebec and Ontario, and I am glad to say the feeling extends also to the Maritime Provinces, that these islands, which are exceptional in themselves, and which have not

their counterpart probably in the world, should be allowed to remain in their natural state, not even being adorned by the hand of civilization, but kept as nature made them. That is the view which prevails and the sentiment which obtains everywhere. The Prime Minister says that Canada will not enter into that business. Very well, I will not enter into dispute as to that matter. But if the Government of Canada are not disposed to retain these islands for the purposes of a park, the Government of Ontario asks to enter into negotiations with the Dominion Government for the purpose of acquiring them for park purposes, for that is public opinion throughout the country. I call the attention of the First Minister to the fact that negotiations between the Government of Canada and the Government of Ontario in this matter have not progressed speedily, that there has been negligence. The Minister of the Interior has stated that this delay has not been intentional. I am willing to accept the explanation, but there has undoubtedly been negligence, and the consequence is that the Government of Ontario are not in a position to make any offer, because they have not an appropriation at their disposal. The Prime Minister has evidently overlooked that fact; but this fact should not be overlooked, that the Government have not an appropriation and that that is the reason why they are not prepared to make an offer. What is the effect of their last communication? It is not that the islands should be set aside forever, but simply that the sale should be postponed in order that the Ontario Government may be able to consult the Provincial Legislature with respect to making an offer subsequently. I call the attention of the House to the concluding portion of the memorial of the Government of Ontario respecting this matter:

My Government hopes that by mentioning these valuations, and saying nothing as to the lowest aggregate price, it was not intended to intimate that no less would be accepted from the province for all the islands than the aggregate amount which your Government is endeavouring to obtain for them by retailing them to the purchasers of one or two islands each, or in other words, to between 343 and 764 purchasers in a period of years. My Government regrets that so much delay has occurred in giving the information, as, though it should now be received, it may be impossible at this late period of the Legislative Session here to have the matter considered by the Assembly. Hence my suggestion that in the public interest the islands be withdrawn from sale until there is an opportunity for negotiation and subsequent reference to the Legislature, otherwise the most desirable of the islands may not only pass away from the public forever, but may pass to purchasers who are not British subjects or Canadian citizens.

I ask hon. members of this House in all fairness, whether this is not a reasonable proposal—that the islands proposed to be sold shall be withdrawn from sale until the Ontario Government have had an opportu-

nity of consulting the Legislature with respect to purchasing those islands and converting them into a park, as seems to be the general desire? The proposition seems to be a perfectly reasonable one, and I cannot see what reason can be advanced why the proposition should not be accepted at the present time. The hon. Minister of the Interior has declared that the interests of the Indians must be consulted, but the hon. gentleman has not taken into consideration the necessity of bringing that part of the correspondence before the House. Yet the hon. gentleman has been asked to lay on the Table of the House all the information on the subject. The hon. gentleman bases his argument on the interests of the Indians, but he does not bring down the correspondence in that connection.

Mr. DALY. It was not required by the Order of the House.

Mr. LAURIER. That is playing with the dignity of the House.

Mr. DALY. I rise for the purpose of making an explanation. I was asked to furnish to the House the following information:

Copies of all reports to the Department of the Interior or the Superintendent General of Indian Affairs, as to the value of the Thousand Islands, and any offer received for the purchase of the same.

I obeyed the Order of the House.

Mr. LAURIER. The interests of the Indians was the foundation on which the hon. gentleman based his argument in support of the steps he had taken. Will the hon. gentleman pretend that he discharged his duty to the House when he did not give every reason to the House in the papers produced which induced him to take that action?

Mr. DALY. Certainly I do.

Mr. LAURIER. I say that the hon. gentleman, when information is asked from him on such an occasion as this, is bound to give the House all the information in his possession. The Government is nothing but a committee of this House. They are responsible to this House, and how can we exercise our supervision over the Government unless we are put in possession of every information that is given them.

Mr. DALY. Why did you not ask for the correspondence with the Indians?

Mr. LAURIER. I am not in the secrets of the Government. If I had known that there was a demand from the Indians, and that this was supposed to be the basis of the action of the Government, I would have asked for those papers. We asked the Government to give us all the information which led them to take such a course in this matter, and the Government should have given us all the information. The Government has

Mr. LAURIER.

not given us that information and I maintain, and I am in the judgment of the House when I say: that the Minister in this matter has not discharged the duty that he owes to this House. The Prime Minister says more: that the inhabitants of the locality have also been asking for the sale of these islands; but I fail to find a word in the correspondence brought down to the House as to the desire of the people of the locality in that respect. Sir, I would be sorry to place this question upon any political ground at all. I would rather that upon this occasion we should disregard all political considerations, and I simply have to re-echo the concluding portion of the remarks of my hon. friend (Sir Richard Cartwright): that if the Government would only consent to delay the sale until the Legislature of Ontario have had an opportunity to pass an appropriation in respect of this matter, my hon. friend would be only too glad to withdraw this motion.

House divided on amendment of Sir Richard Cartwright:

YEAS:

Messieurs

Beith,	Innes,
Boston.	Landerkin,
Bowers,	Laurier,
Campbell,	Leduc.
Cartwright (Sir Richard),	Livingston,
Casey,	Lowell,
Charlton,	McGregor,
Christie,	McMullen,
Colter,	Mills (Bothwell),
Davies,	Paterson (Brant),
Delisle,	Perry,
Fauvel,	Proulx,
Flint,	Rowand,
Forbes,	Sanborn,
Geoffrion,	Scriver,
Harwood,	Simple.—32.

NAYS:

Messieurs

Bain (Soulanges),	Lippé,
Baird,	Macdonald (King's),
Barnard,	Macdonell (Algoma),
Bergeron,	McDonald (Assiniboia),
Blanchard,	McDougald (Picton),
Boyd,	McDougall (Cape Breton),
Boyle,	McInerney,
Cameron,	McKay,
Carpenter,	McKeen,
Caron (Sir Adolphe),	McLennan,
Chesley,	McLeod,
Corbould,	McNeill,
Costigan,	Madill,
Curran,	Mara,
Daly,	Miller,
Davin,	Quimet,
Davis,	Patterson (Huron),
Dickey,	Pridham,
Dugas,	Putnam,
Dupont,	Robillard,
Earle,	Rosamond,
Fairbairn,	Ross (Lisgar),
Fréchette,	Simard,
Gillies,	Temple,
Guillet,	Thompson (Sir John),
Hazen,	Tupper (Sir C. Hibbert),
Hodgins,	Weldon,
Ingram,	White (Shelburne),
Ives,	Wilmot,
Kaulbach,	Wilson,
Kenny,	Wood (Brockville),
Langevin (Sir Hector),	Wood (Westmoreland).—64.

<i>Ministertal.</i>	PAIRS:	<i>Opposition.</i>
	Messieurs	
Bergin,	Devlin,	
Belley,	Vaillancourt,	
Cleveland,	Lavergne,	
Baker,	Choquette,	
Leclair,	Beausoleil,	
Roome,	Allan,	
Taylor,	Sutherland,	
Henderson,	Featherston,	
Bryson,	Rider,	
Burnham,	McDonald (Huron),	
Cochrane,	Dawson,	
Ferguson (Leeds),	Edgar,	
Girouard (Two Mountains),	Gillmor,	
McDonald (Victoria),	Fraser,	
Wallace,	Préfontaine,	
Moncrieff,	Lister,	
Smith (Ontario),	Bowman,	
McLean (P.E.I.),	Yeo,	
White (Cardwell),	McMillan,	
Pope,	Bain (Wentworth),	
Dyer,	Welsh,	
Amyot,	Béchar,	
Jeannotte,	Bernier,	
Carignan,	Brodeur,	
Grandbois,	Bruneau,	
Pelletier,	Carroll,	
Ryckman,	Grieve,	
Lachapelle,	Choquette,	
Bennett,	Borden,	
Calvin,	Brown,	
Lépine,	Langelier,	
Tyrwhitt,	Legris,	
Stevenson,	Martin,	
Stairs,	Monet,	
Sproule,	Rinfret,	
Montague,	Somerville,	
Northrup,	Tarte,	

Amendment negatived.

Mr. SUTHERLAND. When I voted I did not notice that the hon. member for Leeds (Mr. Taylor) was not in his seat. I desire to have my name struck off, because I would not have voted had I known that the hon. gentleman was not in the House.

House resolved itself into Committee of Supply.

(In the Committee.)

River St. Lawrence Ship Channel... \$90,000

Sir RICHARD CARTWRIGHT. What does the hon. gentleman propose to do with this ?

Mr. OUMET. This amount is required to pay working expenses, including repairs on the dredging plant at the disposal of the department for the improvement and completion of the ship channel between Montreal and Quebec during the present year. The work that is now prosecuted by the department is to provide for a safe and easy ship channel between Montreal and Quebec, at a uniform depth at all times of tide of 27½ feet. The work completed last summer was the dredging of the bar at Cap à la Roche, and a channel 8 feet deep and 300 feet wide was made in the shale rock. Now boats can go up and down that place at any time of the tide without delay. We have also taken out a shoal at Grondines. Some other shoals have to be taken out below that point. There is some other work to be done in order to render the channel safer and easier, and

more especially to widen the channel at sharp curves, where at the present time steamers cannot pass except at great risk. This work is undertaken to render the channels between Montreal and Quebec as safe as possible. It is expected that when the work is completed steamers will be able to pass between Montreal and Quebec during the night time.

Mr. FORBES. What is the uniform depth now ?

Mr. OUMET. We have 27½ feet now, except below Cap à la Roche, where the steamers have to wait for the tide, and where in some places there is only 20 or 22 feet. But when these improvements are completed, there will be a uniform depth of 27½ feet at low tide.

Mr. CASEY. I notice that last year, in connection with this channel, nearly \$17,000 was expended on the workshops at Sorel. What are these workshops for ?

Mr. OUMET. As I have said, this sum of \$90,000 includes the working of the plant and also the repairs. We have our navy yard at Sorel, and four dredges, five tugs, three stone lifters, and fifteen scows, which compose the fleet now employed on that work. These articles are sent there in the fall to be repaired, and the work is done by our own men, who are employed on the works during the summer, under the supervision of our superintendent.

Mr. CASEY. What is the cost of this work—dredging.

Mr. OUMET. It goes all the way from 10 cents to 57 cents per cubic yard, according to the nature of the material dredged, from sand to rock; 57 cents was the cost of our dredging in the rock last year. It was an exceptionally favourable season, which probably accounts for the low figure at which the work was done.

Halifax Drill Hall, including purchase of site..... \$65,000

Mr. FLINT. I would like to ask the hon. Minister of Public Works why no work has been done on this drill hall, although the appropriation was made last year. A fire destroyed the old place over two years ago, and I would like to ask what preparations and plans have been made for the construction of the work.

Mr. OUMET. The only expenditure made on this account was \$2.88. The Department of Militia is now acquiring the land by private purchase and by expropriation. The old drill hall was burned down some three or four years ago, I think, and the military authorities have asked for another site, which, in their estimation, will be more suitable, and the building will be commenced at an early date.

Mr. FLINT. Will the hon. Minister inform the committee where the new site is, what its cost is, and what he expects to obtain for the site of the old drill hall? I have never heard any objection to the old site.

Mr. OUIMET. I could not exactly state in what part of the city the site is. The only information I have is the names of the people from whom the land is to be purchased.

Mr. FORBES. Who are they?

Mr. OUIMET. Mrs. James Smith, James Thompson, John Meninger, the Diocesan Church Synod, the Healy estate, and Joseph Crewe. The whole amount of the purchase is put down at \$15,478.80.

Mr. FORBES. Is that an estimate, or the amount paid for the land?

Mr. OUIMET. I have already said that only \$2.88 has been paid up to date.

Mr. CASEY. What is the amount of land?

Mr. OUIMET. It is bounded on the north by Cunard Street, on the east by Main Avenue, on the south by John Street Lane, and on the west by Park Street.

Mr. FORBES. The hon. gentleman will know that that is two or three miles from the old site.

Mr. OUIMET. I do not know. But what I know is that all the military authorities agree that this is the best site.

Sir JOHN THOMPSON. There are two reasons for choosing that site: one is that it is in that part of the city where the great body of the militia live; and the second is that it is convenient to the exercising grounds.

Mr. FLINT. From my knowledge of the locality, I think it is probably a better site for the drill hall than the old one, which was near the market-place, and did not give an opportunity for out-door evolutions such as the new site probably will. What do the Government expect to obtain for the site of the former drill hall, or what do they propose to do with it?

Mr. OUIMET. I really could not say. If the land is not required for public purposes, of which there is no probability now, it will be sold by auction. I understand that it is very valuable property, being in the very heart of the commercial part of the city.

Mr. CASEY. It is strange that the hon. gentleman could not tell what he would get for the old site before he decided to purchase the new one.

Mr. OUIMET. I suppose the best site obtainable for the purposes of a drill hall must be had. As to the disposition of the old site, the hon. gentleman knows that when it is put up at auction in the most favourable time, we shall get the best price possible.

Mr. OUIMET.

Mr. CASEY. That does not always follow. But I should have thought that before changing the site, the hon. Minister would have formed some estimate of what he would get for the old property. At all events, he ought to have had some ideas on these points before he agreed to the change. It does not at all follow that the best site must be bought for a drill hall, unless the country can get it without undue expense.

Mr. OUIMET. The old site must be very poor if it will not realize what the new site will cost.

Mr. FORBES. Have the expropriation proceedings been concluded?

Sir JOHN THOMPSON. No.

Mr. FORBES. Is it supposed that the old site will pay for the new land?

Sir JOHN THOMPSON. Very nearly.

Mr. FLINT. Is it estimated that the building can be constructed according to the plans within the amount of the appropriation asked for?

Mr. OUIMET. The plans have not been prepared. Of course we have to depend a great deal on the site for the plan of the building.

Mr. FLINT. I cannot help expressing my opinion that there has been unnecessary delay in this matter. The time appears to have been taken up in memorials and negotiations, and it is unfortunate that a decision could not have been more quickly arrived at. I hope the Government are not going to drag the matter two or three years longer until the eve of an election, when possibly their proceedings might be open to suspicion on the part of those who do not know the purity of their motives. There is a great deal of military spirit in the old capital of Nova Scotia, and this delay is felt to be very discouraging and annoying, and I would press on the Government the urgency of proceeding at once.

Mr. KENNY. It is certainly a fact that the inevitable delay in this matter is regrettable. I may say, in explanation, that it is within my knowledge that after the Halifax drill shed was destroyed by fire, the general commanding the Canadian militia and General Sir John Ross, commanding the Imperial troops at Halifax, represented in conversation with me, and no doubt represented also to the militia authorities, that it was in the interests of the militia that the site of the new drill hall should be selected as near the military exercising grounds as possible. I, as a representative of the constituency, applied to Sir John Ross to ascertain if a site could not be obtained on the Common, which is Imperial property. He communicated with the Horse Guards, and, I understood, the authorities in London decided that they could not give up any por-

tion of the Common for building purposes. Although this delay has been great, it is better to have waited and finally secured a site which will in every way be far more advantageous than the one formerly occupied. I believe that it is the intention of the Militia Department to concentrate all their offices in the new building. At present the Militia Department is paying rent for a building for the use of their ordnance stores, and it is their intention that the new building shall be sufficiently large to include the ordnance stores, the militia headquarters, and the drill shed. The choice of this site was urged by General Herbert and General Sir John Ross.

Mr. CASEY. The hon. Minister said he expected the cost of the site was about \$15,000. It would appear then that an arbitration has been held in connection with the expropriation of land.

Mr. OUIMET. This is the amount that the Militia Department have requested from us. They made the expropriation and asked us for that amount to pay for the property.

Mr. CASEY. Will the \$65,000 cover the building?

Mr. OUIMET. It will not. The cost will be about \$150,000. The drill shed at Toronto cost \$250,000 without the ground.

Mr. CASEY. It is strange that we should be asked for this amount without a plan or estimate of the final cost.

Mr. OUIMET. It will only cost a reasonable sum.

Mr. CASEY. That is not our experience. Our experience has been that, as in the case of the Toronto drill shed, the cost will run up to a tremendous figure. We should not be asked to vote sums, year after year, towards the construction of works as to the final cost of which we have no estimate. I think the department should not ask the House to vote such a sum as this for the construction of any such work as a drill shed until they have plans for the building and some reasonable estimate of the cost.

Mr. OUIMET. I have explained that the plans could not be prepared until the site was known. But as soon as the purchase is completed the plans will be prepared and then the information can be given to the hon. gentleman.

Mr. CASEY. How long is it since the site was chosen?

Mr. OUIMET. It was only within the last month, I suppose. I judge from the fact that the Department of Militia notified us that the site had been secured, and that they would soon require the money.

Mr. CASEY. Perhaps the hon. member for Halifax (Mr. Kenny) can tell us, as the Minister of Militia is absent. I am only asking for part of the information which the Minister should have. He is excusing the absence of plans—

Mr. OUIMET. I am not excusing anything.

Mr. CASEY. I admit he is not excusing it, but he is attempting to excuse the absence of plans by saying that the plans could not be made until the site was chosen. I want to know when the site was chosen, so that we may be able to judge what opportunity they have had to prepare these plans.

Mr. FORBES. Perhaps the hon. Minister will allow me to say that the question of the action of the Government authorities, and it was known in militia circles that it was intended to build a drill shed there. But there has been great backwardness in the action of the Government authorities, and the members of the militia of all grades, even up to the colonels, have expressed their disgust at the delay, but whether the Militia Department or the Public Works Department was to blame, of course they could not tell. I fear the members for Halifax (Mr. Kenny and Mr. Stairs) have been nursing this matter for some time, probably for some political purpose or as part of some game. The reason given for delay, so far as I can gather from the Minister and the senior member for Halifax, is simply a long conversation with Sir John Ross, the general in command of the Regular Forces in Halifax, which, according to the hon. member's statement, has lasted for over two years. We have had considerable local discussion in the papers on this matter. There was a divided opinion among the militia as to whether the old site should be chosen for the new building, or whether a new site should be bought. I understand that a decision has been reached to buy the site at the north end. It may be a good locality for the reasons given by the Premier, the facilities it affords for manoeuvres and the fact that most of the volunteers live in the north end of the city. The old militia ground offers ample room for manoeuvres, unless the militia wanted to disport themselves in public, in which case they might take the Common for it, which Commons they could reach by a half-mile march. If the drill shed is built in the north end, it will be decidedly inconvenient for those members of the militia living in the south end. I do not see that the arguments are sufficient for making the change. Another thing they have a right to complain of—and which I do complain of, as a member of this House—is the great indefiniteness of this item. We have neither plans nor specifications, we have no definite information as to the site of the land to be expropriated; but simply the names of a number of citizens of Halifax who are owners of the land which it is said will be expropriated. We are asked to vote \$65,000 to build a drill hall, including the purchase of a site, which will not half pay the total cost. I think it shows neglect on the part of the Militia Department or the Department of Public Works that in two years this information could not be prepared and the work fur-

itia at Halifax will be only too proud to have a building erected for the purpose it is intended. But I do not think that the amount is going to put up a suitable building, particularly after the remarks of the hon. member for Halifax that it was going to include ordnance department, store rooms and all the necessary concomitants of the militia organization in Halifax. I think we should have the information as to what is to be done and not have another exhibition of such expenditure as we have had in some of the public works in Canada. Can the Minister tell when he proposes to begin the work, and whether it will be prosecuted to its immediate completion?

Mr. KENNY. I am sorry to trouble the House a second time in this matter, but the hon. gentleman who has just taken his seat has referred to me in my capacity as representative of Halifax, and used the epithet "nursing" in connection with this matter. He went further, and said that the site had been decided on four years ago. I do not know whether the hon. gentleman was joking or whether he was serious when he made that statement—

Mr. FORBES. It was discussed.

Mr. KENNY. I can only give it a most emphatic denial.

Mr. FORBES. I have discussed it myself with the military men and officers of the Militia Department.

Mr. KENNY. But have you discussed with them the question whether I have been nursing this matter for four years?

Mr. FORBES. Yes, I have.

Mr. KENNY. I say that is decidedly false.

Mr. FORBES. I rise to an explanation, Mr. Speaker. Do I understand the hon. gentleman to say that the statement I made just now that I have talked with the citizens of Halifax about the hon. member for Halifax nursing his project is false?

Mr. KENNY. No; but you attempted to convey the impression to the committee that I was instrumental in keeping this matter open for four years for political purposes.

Mr. FORBES. I say it has been charged by citizens of Halifax that the hon. member and his colleague are nursing this matter.

Mr. KENNY. When and where?

Mr. FORBES. In a number of cases. I state it publicly that it looks very much as if that was what the hon. gentleman was doing, and I say I have heard the same stated before now.

Mr. KENNY. Before this item is passed I desire to make my position clear before the House. The hon. member has stated that the senior member for Halifax had recommended this site some years ago.

Mr. FORBES. Pardon me, I did not.

Mr. FORBES.

Mr. KENNY. He decidedly stated that for the last four years I had been instrumental in keeping this question open.

Mr. FORBES. I never said he recommended that site.

Mr. KENNY. The hon. gentleman went on further to state that I had been in correspondence with Sir John Ross. I candidly admit that. I was anxious that the most economical site should be chosen for a drill shed, and it occurred to me that without any serious detriment to any portion of the Imperial property, the drill shed might have been so erected. But the Imperial authorities thought differently, and one of the delays in this matter was largely due to the fact that the department could not get an earlier answer from the Imperial authorities. The hon. gentleman stated that at the old site there was ample ground for the militia of Halifax to drill. I am not going to apply to him the character of language which he has thought fit to apply to me; but I will say that if anybody outside this House had so spoken, I should have said that he knew very little about what he was talking. The fact is that the plan which was prepared for the erection of a drill shed on the old site, actually covered nearly the whole ground, but then the artillery brigade of Halifax thought that even in this large drill shed they would not have sufficient space for big gun drill. As to whatever knowledge the hon. gentleman may possess about it, and as to the statements which have been made to him, and which he has thought fit to repeat here regarding my connection with this matter, I am perfectly satisfied to leave the matter in the hands of the militia and of my fellow-citizens of Halifax.

Mr. FORBES. I am sorry if I have offended the hon. gentleman in any remarks I made. I did not want to reflect upon him in any degree whatever. Politically, I was charging the hon. gentleman with the condition in which the drill shed affair at Halifax stands to-day. I think I have a right to do that. If he thinks the word "nursing" is offensive, I cannot help it. It is his fault, not mine. The care of all the public property connected with the city and county of Halifax must be, to a great extent, under the control of the hon. gentleman and his colleagues, and surely I have a right to comment upon their management.

Mr. McMULLEN. There is one feature of this vote that I think is objectionable. We have been in the habit in the past of voting sums for the purpose of starting the construction of public buildings without first getting a carefully prepared estimate of what the entire building is likely to cost. Last night the Minister of Finance was complaining that we were making no progress in the Estimates. I ask how that is to be expected when Parliament is asked ther advanced. The members of the mil-

blindly to go on and make votes of this kind? Not a single plan, not an estimate, not a single idea of the outside cost of this building, is before this committee, and yet we are asked to vote a lump sum of \$65,000 to start with, and after the building is commenced, possibly another vote will come up another year, and before it is completed we may have to pay \$250,000. If the Government were merely asking a vote to buy a site, nobody would object, for the building is wanted, and then they could come down, after getting a plan prepared, showing how much the building was going to cost, and ask us to vote the necessary sum. We have had precisely the same policy in connection with every post office constructed in this country for the last four or five years. The Napanee post office was in the same category. The hon. gentleman shakes his head, but I know better. A committee of this House was asked to consent to vote a small sum to buy a site. The statement was made that the whole thing would cost \$28,000, and eventually it cost \$54,000. This committee should have from the Public Works Department an authentic statement made by their engineer of what this drill shed is going to cost, before we consent to vote for the construction. We ought to have that in every case. I have no desire to detain the committee, but I contend that hon. gentlemen opposite are responsible for the time that is spent in these discussions when they ask us quietly to consent to votes of this kind, in regard to which they are not prepared to give the necessary information.

Mr. OUMET. I am disposed to admit that the rule laid down by the hon. gentleman is correct, and since I have been Minister of Public Works I have never asked a vote for a public work without giving a plan and an estimate of the cost, when it was possible to do so. But in this instance I have explained that it was impossible for the department to prepare any plans. The old drill shed having been burned down, it became necessary to build a new one. No one will deny the necessity of a drill shed for the volunteers in the city of Halifax. That being granted, the drill shed must be built. But next we have the fact that in the estimation of the military authorities the old site was unsuitable, therefore it became necessary to purchase another site. Well, the other site has not been chosen yet.

Mr. CASEY. Yes.

Mr. OUMET. No. We only received this detailed information a few days ago. When these estimates were prepared the intention was to purchase that site, but the Department of Militia have not yet given us any idea of what the drill shed shall contain. It may contain only a drill hall, or it may contain store houses, or it may contain a hall for artillery and cavalry drill. We

have none of these details yet from the Militia Department. The hon. member for Queen's, N.S., complains of the delay. What would he have said if I had come down here and only asked for the money necessary to buy the site? He would have censured the department even more than he has done today. We have done all that could be done. The first vote was asked and obtained in 1892-93, and this is the third time this item is voted. It was asked for as soon as the old drill hall was burned.

Mr. CASEY. And you have not purchased any ground yet.

Mr. DAVIES (P.E.I.) The hon. gentleman will see that the position taken by the hon. member for Halifax sums up to some extent the situation. In diplomatic language, the delay is regrettable. The delay is very regrettable, both in the interest of the service in Halifax and in the interest of the public at large, because we are driven here, owing to this regrettable delay, to take a course which the Minister himself admits is without defence.

Mr. OUMET. I have explained it.

Mr. DAVIES (P.E.I.) The hon. gentleman knows that is inexplicable, that after three or four years the Departments of Militia and Public Works should be coming before this House for money without having made up their minds where that drill shed was to be placed, and what kind of a drill shed was to be built. Every one acknowledges that in a large city like Halifax a drill shed should be built commensurate with the importance of the place and the number of the militia, and what the member for Queen's, N.S. (Mr. Forbes), is insisting upon is that the Government are censurable for delay in not having pushed this matter to the front long ago, and made up their minds both as to the site the drill shed should occupy, and as to the character of the building itself. Now, the Government come down here in June, 1894, to tell us: We have not yet determined where to put the drill shed; we have not yet determined what kind of a building to construct. Yet they ask the House to vote blindly a sum of \$60,000 without the House being asked to pass any opinion whatever upon the character of the building, or the extent to which the credit of this country may be pledged. The Minister of Public Works well knows that the principle is one that is indefensible, and which, if carried out with respect to other public works, would tie the hands of Parliament altogether. This House is a committee to revise the expenditure of the Government, and pass on the item submitted, and if we are to vote blindly \$60,000 or \$70,000 for a department, when the Minister cannot tell the committee what kind of work is to be done, and how the money voted is to be expended, the whole matter is left to the Government to decide it, irrespective of mem-

bers of this House. The expenditure may be limited to \$70,000, or we may have the House committed to an expenditure of \$100,000 or \$150,000. The truth is, we simply do not know what expenditure may be incurred. The hon. Minister has stated that he does not know the quantity of land required, and that the plans have not yet been prepared; so the hon. gentleman, as representing the Government, cannot give the committee any light. The hon. member for Halifax (Mr. Kenny) is willing to allow delay in the completion of the building at Halifax. The hon. gentleman is too old a parliamentary hand to allow \$200,000 or \$300,000 to be spent in the interval between two elections, and, as the hon. gentleman may object to the word nursing, I will say that I have not seen him exhibit that degree of zeal and earnestness in pushing this matter during the last session or two that I have observed him display in regard to other subjects. The hon. gentleman has maintained a singular and discreet silence and has nursed this little work until now, when he brings it up and asks for an expenditure of \$60,000, when the probability is, to use the word of the Prime Minister, there may be an election during the present year, and the Government may, at a subsequent date ask for the balance of an expenditure of \$200,000 or \$300,000. The hon. gentleman is to be commended for his political far-sightedness, although, to some extent, he may even have surrendered the interests of the volunteers at Halifax. Hon. gentlemen who know the hon. member's political astuteness, are not surprised at the astuteness he has displayed, but they are more concerned in the action of the Minister of Public Works in asking \$60,000 for a building, when the site has not been purchased, the cost of which has not been estimated, and about which he knows nothing. This is a precedent fraught with danger, and the House will only grant such demands after grave consideration, and when an emergency exists. The fact is, that no pressure had been exerted in this House by the members for Halifax to secure the construction of the proposed building, even during the last three or four years, and this shows that there is no possible emergency just now calling for a vote of a large sum of money, which may reach an indefinite amount before the site is purchased or the plans agreed. I suggest to the hon. member that inasmuch as the expenditure will be made in due and proper time, no doubt, it would be well to take a sufficient vote in the Main Estimates to purchase the land, and perhaps before the hon. gentleman submits the Supplementary Estimates he will be able to obtain plans and estimates upon which he will be able to ask Parliament to vote intelligently the sum required for the construction of the building.

Mr. KENNY. The hon. gentleman has been pleased to refer to my political sagacity. If I had only as much political imagination

Mr. DAVIES (P.E.I.)

as is possessed by the hon. gentleman, I would consider myself almost qualified for a front seat on the Opposition benches. The hon. gentleman, since I came to Parliament, has been noted for indulging in the wildest flights of fancy, but I think this was never more conspicuous than in the present instance. It has transpired since the discussion arose that this item appeared two years ago in the Estimates. The old building was, I think, burnt down in 1892, and the hon. gentleman is blaming the department and myself for the delay which has occurred, and he has attributed motives to me, which, I presume, must actuate hon. gentlemen opposite on certain occasions. As a matter of fact, plans were immediately prepared to re-erect the drill shed on the old site. They were prepared by the Militia Department, and, if my memory serves me, it was stated in the House that the building was to be erected there, and that the outlay would probably reach a certain sum. In the meanwhile, many members of the militia force represented to the Militia Department, and also to the members who had the honour to represent that important constituency in this Assembly, that the old site was not a good one, and they stated that a large number of members of the force desired the building to be re-erected nearer the drill ground. That recommendation was pressed by General Herbert and by General Sir John Ross. If any delay has arisen in this matter, it was due to the fact that in the interests of the militia force it was thought desirable to secure a site immediately adjoining the drill grounds. As regards the desirability of that particular site, there is no hon. gentleman who knows the locality who can possibly object to it. I repeat that it was worth while waiting, even if the members for Halifax have lost some political support by the delay, even if, as was insinuated by the hon. member for Queen's (Mr. Davies) they had incurred the displeasure of some of their fellow-citizens who are in the militia force, rather than public money should be spent in a locality where a building erected there would not have served the militia interests as well as if erected on the proposed site. It is hardly worth while blaming the present Minister of Public Works for any delay. That hon. gentleman is certainly not to blame, and, as far as my memory goes, it was only very recently known that the site has been acquired.

Mr. DAVIES (P.E.I.) Was the old building not burned before the last elections?

Mr. KENNY. I cannot speak positively, but I believe the first vote was asked in 1892. The drill shed was destroyed in the winter, and I think Parliament met in February, 1892. My recollection is that the drill shed was burned in January, 1892, or later.

Mr. FORBES. It was burned in January, 1890 or 1891.

Sir JOHN THOMPSON. I spoke there a few weeks before the election of 1891.

Mr. KENNY. Yes, and we had a very good meeting.

Mr. FLINT. I recollect very well that the drill shed was burnt during the parliamentary session, and the information came here during the sitting of Parliament in 1892. It was during that session that the first vote was asked. The delay may have been avoidable or unavoidable, according to the circumstances of the case. It is easy to be seen, that the present situation affords very little encouragement to the militia of Halifax, so far as regards obtaining a drill shed at an early date. The expropriation of the land, the exchange of titles and other matters can scarcely be concluded before the beginning of the autumn, and this necessarily precludes the work of construction before this winter. The plans cannot be prepared, the site acquired, and the building commenced within reasonable prospects of finishing them this winter. I am afraid it will be the beginning of next summer before building operations are commenced, so that the drill shed will not be completed for our militiamen until probably the winter following. Any impartial mind must think that the period of time that has elapsed since the destruction of the old drill shed, until, according to present probabilities the Halifax militia are safely housed in new quarters, is rather longer than it ought to be, even making every possible allowance for the delay. The Government cannot blame those who under the circumstances look upon it, that the idea of the Government is, to have these contracts given out and money spent about the time of an election. I think that this House is not disposed to be niggardly in a matter of an appropriation for a drill shed in the city of Halifax. If the land costs \$15,000 to \$17,000, it would appear to me that the remainder of this vote is scarcely sufficient to erect such a building as ought to be erected in a military city like Halifax, where we have Imperial forces as well as our own militia force, and where military preparation ought to be on as large a scale as in any military centre of the whole Dominion. I think that the remaining \$35,000 or \$40,000 of this vote is not enough to construct a suitable building.

Mr. DAVIES (P.E.I.) Surely my hon. friend is not under the belief that they are going to stop at \$40,000.

Mr. FLINT. That makes the argument all the stronger that the plans and specifications should be before the House before an appropriation is asked for. I do not see how the Government can erect a drill shed at all suitable to the importance of the city, on any such sum as they now ask for, and by and by probably the Opposition will be blamed for not having insisted on fuller details before appropriating the money. I am prepared to vote for a much larger sum for a drill shed for the city of

Halifax than is contained in the Estimates, and I trust that if possible after the Supplementary Estimates are brought down, the Minister may have concluded his purchase of the land and have some idea of the size and style of the building, so that we can ask for the full amount. This would be much better than leaving the matter open to complaint in the future, that extras have been allowed or that political favouritism has been brought into the matter, thus causing a sort of political scandal to arise. I believe that the merits of the case are such as to call for a larger appropriation, but I think that the plans and specifications should be before us in order that we may see at once what the building will cost.

Sir RICHARD CARTWRIGHT. As hon. gentlemen opposite have been frequently, of late, reproaching the Opposition for allowing items to pass, we would like to know whether it is the intention to construct this drill shed by day's labour, in view of the great success attending similar experiments in other parts of the Dominion? Perhaps the hon. gentleman from Halifax (Mr. Kenny) would give his views on that question.

Mr. KENNY. I have not been consulted on that point.

Mr. CASEY. We have been about an hour attempting to get some information about this drill shed, which is rather a militia matter than one pertaining to the Public Works Department. I noticed that the Minister of Militia has been in and out of the House two or three times during this discussion, and it seems to me it might have occurred to the Minister of Public Works or to some other colleague to pull him by the sleeve and ask him for a little information on that point.

Mr. DAVIES (P.E.I.) That would be a little too much to ask.

Mr. CASEY. As my hon. friend suggests, that would be too much to ask from any Minister. My hon. friend from Yarmouth (Mr. Flint) need not be afraid that the vote is going to be limited to \$65,000. He did not hear the Minister telling us that it would probably cost \$150,000 at least, and he allowed us to infer from the cost of the Toronto drill shed that it might amount to \$250,000. We have been glad to get an admission from the Minister that there should be plans and specifications brought down before the vote was asked. He says that this is a special case, but he has adduced nothing to show that it is a special case. It is over two years ago since the old drill shed was burned, and the member for Halifax—the Minister from Halifax, I might almost call him—says, for the Minister of Public Works, that plans were made for a drill shed on the old site, but that the building, if erected

according to these plans, would cover the whole of the ground. I always understood that the object of a drill shed was to cover the ground and to give the men a sheltered place to drill in. But they were not satisfied with that in Halifax, and they wanted a piece of ground that you could not cover with a building, or, in other words, the estimate was not large enough, and they had not enough ground to spend the money on. Sir John Ross' name was brought into the question. What has Sir John Ross got to do with a drill shed for the militia. He has no more to do with it than the Sultan of Turkey or the Shah of Persia. It is for the volunteers, pure and simple, and the regulars have nothing to do with it.

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

After Recess.

SECOND READINGS.

Bill (No. 139) to incorporate the Pontiac and Ottawa Railway Company.—(Mr. Bryson.)

Bill (No. 141) respecting the Canada Southern Railway—(from the Senate).—(Mr. Montague.)

SUPPLY.

House again resolved itself into Committee of Supply.

Pictou Post Office, to complete. \$19,500

Mr. McMULLEN. What is the entire cost of this post office?

Mr. OUMET. The amount of the contract for the building is \$16,000. The fittings, furniture, &c., are estimated to cost \$3,000, and the heating arrangements \$1,500. The total cost will be about \$24,000.

Tracadie Lazaretto. \$26,000

Mr. LANDERKIN. What number of patients are in this institution?

Mr. OUMET. There are now twenty-two—eleven males and eleven females.

Mr. LANDERKIN. Is the number increasing?

Mr. OUMET. No; it has not been increasing for many years.

Mr. LANDERKIN. What number of people have you on the staff?

Mr. OUMET. We have nothing to do with the staff; that is provided for by a special vote under the heading of quarantine. I think it is \$4,600.

Mr. LANDERKIN. I am very glad to see that ample provision is being made for these unfortunate people, and I think the House should readily agree to any reasonable appropriation for that purpose.

Mr. CASEY.

Mr. OUMET. There is very good work done also in supervising all the cases that may arise outside. As soon as a case is discovered, the patient is brought to the Lazaretto. In this building everything has been provided for the comfort, not only of the patient, but also of the poor people who have to attend them.

Mr. LANDERKIN. I would like to impress upon the Government the necessity of seeing that everything is done that can possibly be done, not only for the patients, but for those who have devoted their lives to taking charge of them.

Dominion Public Buildings, Maritime Provinces generally. \$10,000

Mr. BOWERS. What is the cost of the St. John customs-house up to the present date, and has all the money been granted?

Mr. OUMET. The cost of the St. John building, when completed, will be \$188,000.

Mr. BOWERS. That is about \$88,000 more, I think, than the hon. gentleman estimated last year.

Mr. OUMET. No; it is \$38,000 more than was at first estimated. That sum of \$38,000 will be provided for in the Supplementary Estimates, and I hope I shall be able to give explanations that will satisfy the House that it was no fault of the department that that amount had to be expended above the first estimate.

Mr. BOWERS. Were all the contracts for timber and lumber given out by tender, or were these materials contracted for with private firms?

Mr. OUMET. All the materials of any importance were bought by tender.

Mr. BOWERS. The reason I ask is because, according to some items I find in the Auditor General's Report, there seem to have been excessive sums paid for common spruce lumber. For instance, I find such items as these: 15,284 feet of timber at \$17.50; 1,251 feet at \$17; 3,184 feet deals at \$14.50; 5,682 feet at \$18; 6,482 feet at \$17.50; 11,186 feet of plank at \$15; 22,201 feet at \$15; 320 feet at \$14; 15,471 feet of boards at \$13; 6,950 feet at \$16; 11,710 feet of ledger spruce boards at \$15, besides 35,167 feet of hemlock boards at \$11. There seems to be an excessive charge in these prices for spruce deals and hemlock lumber. I see that the Government paid \$1.20 per load for sand besides paying for the team and the men's labour. These excessive charges may account for the \$38,000 extra required.

St. Vincent de Paul Penitentiary \$30,000

Mr. OUMET. This is to pay for the stone and other materials for the boundary wall, which work has been going on for a couple of years, and there is an amount of \$14,441 re-

quired for that. There is also materials required for the corner tower, also repairs to tramway, repair to building generally, supplies for maintenance of machinery, carpenters' tools, blacksmiths' renewals, one locomotive boiler for heating purposes, the salary of the clerk of the works and the keeper of the works.

Mr. McMULLEN. What is the salary of the clerk of the works?

Mr. OUIMET. One thousand dollars. The work goes on under his superintendence and he is paid out of the vote. The wall is built by convict labour; it extends over seven or eight acres, is twenty-seven feet high above the level of the ground and four to five feet at the foundation, and is about three feet thick.

Richmond Post Office, Customs
and Inland Revenue offices... \$15,000

Mr. McMULLEN. There is no such office as the Richmond post office in the list.

Mr. OUIMET. There is one village of Richmond at the station, and a few acres away there is Richmond town, and this post office will serve both. The site is sixty-six feet on Main street by 120 feet on Peel street, and has been purchased from P. E. Blais and Frank Smith at a cost of \$13,100. It is in the centre of the business portion of the town.

Mr. LAURIER. There is about three-quarters of a mile distance between the two places. I am sure the Postmaster General has no intention of suppressing the post office at Richmond station, and there will be two post offices as heretofore. If the town has a post office built by the Government, Richmond station will want one too, and there is just as much reason to give to one as to the other.

Mr. LANDERKIN. Does the hon. gentleman know whether this is at the station at the town?

Mr. OUIMET. It is between the two villages. We have been asked to build a post office there to serve both villages and also accommodate the Customs office and the Inland Revenue.

Mr. LANDERKIN. It may be possible that at the station there may be a post office of some kind.

Sir ADOLPHE CARON. It is not the intention to deprive the station of its post office, but it will remain as it is now. From the fact that it becomes necessary to have a building to include other branches of the service besides the post office in Richmond town proper, it does not follow that we will have to build a post office at the station. The postal service is properly carried on at the station now and our object is to promote the efficiency of the several branches of the public service, and for that purpose it has been found necessary to erect a building in the town of Richmond.

Mr. LAURIER. Will the hon. gentleman tell us what are the reasons for that?

Sir ADOLPHE CARON. I told the hon. gentleman he must not be too critical. I told him that it was found necessary for the efficiency of the public service to have a building which would accommodate the different branches.

Mr. SUTHERLAND. I would like to ask the hon. Minister what is the revenue at Richmond?

Mr. OUIMET. Two thousand dollars.

Mr. SUTHERLAND. That is only the post office revenue. Can he give us also the customs and inland revenue receipts?

Mr. OUIMET. I have not the information at hand.

Mr. SUTHERLAND. Surely the hon. Minister ought to have this information when he asks the House to vote this money. The hon. Minister will admit that it is hardly satisfactory for us who are asked to vote on these questions not to have any means of forming a judgment upon them. There should be some principle ruling the expenditure of public buildings. But, leaving that aside, we are entitled to the ordinary information to enable us to vote intelligently on these questions.

Mr. OUIMET. I thought we had settled that in the long sitting we had from three o'clock one afternoon to half-past eleven the next forenoon, when the Laprairie post office business was before the House.

Sir RICHARD CARTWRIGHT. Many excellent resolutions were expressed at that time that have not been kept.

Mr. SUTHERLAND. I am not saying whether it is settled or not. I know that the hon. Minister and members on that side voted that public money should be expended upon these buildings on some principle based upon the revenue at the points where these buildings are being constructed and the population to be served. That was decided by the votes of members of the House and I think it is a good principle to maintain.

Mr. OUIMET. I am happy to say that I never voted for that.

Mr. SUTHERLAND. You were not present.

Mr. OUIMET. I was present, but I was not a voting party in favour of that.

Mr. SUTHERLAND. Then the hon. gentleman repudiates the principle that was promulgated by his late leader, Sir John A. Macdonald, and approved by the votes of members of this House with the Speaker in the Chair. I think it would be more satisfactory and more businesslike for the hon. Minister to stand up to declare that he did not approve of the principle of public money being expended upon merely political consideration. The hon. Minister knows well

that people of the section of the country I represent have shown the Minister and the Government the necessity in the public interest for the construction of a public building, and they have shown that they were entitled to it upon every principle upon which it is supposed that public money is granted. I did not intend to trouble the Minister with a long debate, but I think that when a vote of this kind is asked members are entitled to ordinary information as to the revenue at the place where the building is being constructed and the population to be served.

Mr. OUIMET. The population is 2,066.

Mr. CHARLTON. Of Richmond East?

Sir RICHARD CARTWRIGHT. That is the population of the joint towns.

Mr. CHARLTON. I see the postal revenue at Richmond is \$1,948.42.

Mr. OUIMET. I said \$2,000—I did not want to load the heads of hon. gentlemen opposite with too many figures.

Mr. CHARLTON. I suppose the Inland revenue and the Customs revenues would be a moderate sum. We had \$4,000 last year. There is this vote of \$15,000—will there be any further demand?

Mr. OUIMET. Yes; about \$5,500.

Mr. CHARLTON. That will be a total of about \$24,500. The interest of that at 4 per cent would be almost \$1,000 a year. And this for a service represented by a revenue of perhaps \$3,500. This is a very wasteful system the Government is pursuing. The hon. Minister says this question was pretty fully discussed on the question of the Laprairie post office some years ago. There would be no reason for reopening this discussion now if the Government altered the course it was pursuing. In a little place like Richmond, with a moderate revenue, it strikes me the economical plan would be to rent quarters. And the accommodation might be had at a cost of \$200 a year. We in Canada have not a superabundance of revenue and resources that we can afford to spend money injudiciously, and this is certainly an injudicious expenditure of money. We have a heavy debt and heavy fixed charges and the Government, even, as I suppose, with a sincere desire to lower the tariff burdens of the people, was unable to do so because the necessities of the country are so great. And yet we are pursuing a policy that will make it impossible to reduce expenses in the future.

Mr. LAURIER. My hon. friend did not hear the Minister say that there were grave reasons for the construction of this building.

Mr. CHARLTON. I would like to know what they are.

Mr. OUIMET. The hon. gentleman wants to know the customs revenue. It is \$6,745.22,

Mr. SUTHERLAND.

according to the last issue of the Trade and Navigation Returns.

Mr. CHARLTON. What are the internal revenues?

Mr. OUIMET. I have not that information at hand.

Mr. LAURIER. All the business of the customs is transacted in the Grand Trunk building.

Mr. CASEY. I am not going to criticise this item, of which I have no knowledge. But I thought we had drilled successive Ministers of Public Works into understanding that they were expected to be ready with this kind of information.

Mr. OUIMET. What kind of information does the hon. gentleman want that I have not given, except the amount of receipts from inland revenue?

Mr. CASEY. If the hon. Minister will give me an opportunity, I will tell him. In the first place he could not say whether the building was in Richmond, or at the station or half-way between the two. At length he informed us that it was in Richmond town. In the second place he could not tell us what was the postal revenue until he looked it up specially. Next, he could not tell us the revenue from customs until he hunted that up. When the hon. member for Three Rivers (Sir Hector Langevin) was Minister of Public Works all this information was prepared beforehand and had not to be hunted up on the spur of the moment. The hon. Minister will find that it would save a great deal of time to have this information prepared in the department.

Sir CHARLES HIBBERT TUPPER. Question.

Mr. CASEY. The Minister of Marine and Fisheries is doing his best to delay the proceedings of the committee by calling "question." If the Minister of Public Works would prepare himself to answer questions that would naturally be asked, he would save time, and would save himself from making a display of ignorance that he should be ashamed of.

Dominion Public Buildings, renewals, improvements, repairs, &c.....\$12,000

Mr. CHARLTON. Where are these renewals and repairs to be made?

Mr. OUIMET. There is a long list of buildings to which various repairs are requisite—Aylmer, Dundee, Hull, Joliette, Lachine, Montreal post office, Montreal customs-house, Quebec emigrant building, Quebec customs-house, Quebec examining warehouse, Quebec Observatory, St. John, St. Jerome, Shefford, Sorel, Three Rivers—total, \$13,494.33. But my officers think they will be able to do with \$12,000.

Ontario Drill Hall (the city of Toronto having provided a plot of land as agreed upon)—to complete drill hall..... \$15,000

Mr. CHARLTON. What is the value of the plot of ground provided by Toronto?

Mr. OUIMET. My officers say that, in their opinion, the ground given by the city of Toronto is worth \$100,000.

Mr. CHARLTON. Where is it situated, and what is the size?

Mr. OUIMET. The plot is 270 x 497 ft.; bounded on the north by Armoury street, on the south by Osgoode street, on the east by Chesnut street, and on the west by University street. The drill hall is about 280 x 125 feet, and 36 feet high from the floor to the spring of the roof. The basement under the hall is 125 x 140 feet. On either side of the hall are armouries extending the full length of the building, and 22 feet 6 inches wide, forming a lean-to on each side of the building, that on the north side one story high, and that on the south side two stories high with basement. Then there are the towers, &c.

Smith's Falls Post Office, Customs house..... \$16,000

Mr. CHARLTON. Here is another of these public buildings in a small inland town. About what is the revenue from post office, customs and inland revenue office at Smith's Falls?

Mr. OUIMET. The postal revenue is \$6,843.29. The population in 1891 was 3,864. The revenue from customs since this town was made into a port, is about \$6,000.

Mr. CASEY. What is the object of this building?

Mr. OUIMET. To provide necessary accommodation for post office, custom-house and inland revenue office. Smith's Falls is becoming a very important railway and manufacturing centre, and is increasing every day. It is supposed to be one of the principal towns in eastern Ontario. When the vote was first given, in 1891, I suppose this was taken into consideration by the House.

Mr. CASEY. Are all the contracts let, and if so, what will be the total cost of the building?

Mr. OUIMET. All the contracts are let. The building itself will cost \$13,664. Furniture and fittings, fencing and other items will bring the total cost up to \$25,000.

Mr. CASEY. I did not ask, with regard to the Toronto drill hall, the final cost of that.

Mr. OUIMET. The total cost of the drill shed in Toronto will be \$290,000, apart from

the value of the land. The people of Toronto have asked us to provide a riding hall. If that were done, the additional cost would be \$40,000.

Mr. CASEY. What was the estimated cost?

Mr. OUIMET. That was the original estimate.

Picton Post Office, Customs-house, &c. \$10,000

Mr. CHARLTON. What will be the total cost of this building?

Mr. OUIMET. The estimated cost is \$26,252.

Dominion Public Buildings, renewals, improvements, repairs, &c. \$25,000

Mr. CASEY. It was adopted by the House unanimously some time ago that public buildings should be constructed according to the necessities of the district without regard to its political complexion.

Mr. OUIMET. I think the hon. gentleman is going outside of the vote, which is for repairs to buildings already completed.

Mr. CASEY. The precedent was established of having public buildings in places quite small, such as Richmond, with a population of 3,000. During several years I have urged the claims of Ridgetown for a similar building to that erected at Richmond, the population being larger, the postal revenue about the same and the customs revenue very considerable.

Mr. LANDERKIN. Will the hon. gentleman state the names of the counties where the buildings are situated and the names of the members representing them.

Mr. OUIMET. I think that would revive sad recollections?

Mr. CASEY. I observe that the amount asked for public buildings in Ontario is \$66,000, while \$84,000 is asked for Nova Scotia, \$33,000 for New Brunswick and nothing for Prince Edward Island. Providence seems to be good to those who vote correctly.

Public Buildings, North-west Territories..... \$66,000

Mr. LANDERKIN. How much is to be expended at Regina?

Mr. OUIMET. The total cost of the building when completed will be \$57,500.

Mr. CASEY. Is it under contract?

Mr. OUIMET. Yes.

Mr. LANDERKIN. I thought there would be a very large sum, because I observed the fidelity of the member has improved since last session.

Public Building, Lethbridge \$15,600

Mr. CASEY. Perhaps the hon. gentleman will explain this item.

Mr. OUIMET. The total cost of the building will be \$22,723. The contract was given to Wm. Oliver, for \$15,600, and the balance is required for furnishing the building.

Public Building, Calgary..... \$12,600

Mr. OUIMET. The total cost of this building will be \$49,132.

Mr. CASEY. What is the amount of the contract?

Mr. OUIMET. A contract for \$29,785 was given to William Oliver.

Public Buildings, Ottawa. \$110,000

Mr. CASEY. Will the hon. Minister give some particulars?

Mr. OUIMET. This amount is required for repairs, &c., at the different departmental buildings.

Sir RICHARD CARTWRIGHT. I want to call the attention of the Minister of Public Works to a matter that might be of some convenience to us all here, more especially as the temperature is likely rather to increase than to diminish, from certain symptoms. Cannot the Minister contrive to ventilate this cockpit a little better than at present? I think it is within the resources of science to introduce a few electric fans, which would give us a current of air. One of the worst features of this present chamber is, as everybody knows, that it has no direct access to the open air, and while that cannot be remedied without a good deal of expenditure and perhaps constructing another chamber, I do think that the introduction of a few electric fans would improve the ventilation.

Mr. OUIMET. It has been my good fortune, during the last eight or ten years, as Speaker and as Minister of Public Works, to pay attention to the comfort of the members. We have had every kind of experiment made in this chamber. The floor and walls are a net work of pipes for ventilation purposes, and the great difficulty is to find the secret of providing enough ventilation and not too much. The whole heat comes to this cockpit, as the hon. gentleman calls it, so that when we are comfortable here gentlemen on the back benches are complaining of the cold. It is the opinion of every expert who has looked into the matter that nothing more can be done than at present, and that the only remedy is to open the windows and corridors when the House is not sitting; but there is considerable difficulty in getting that done always. Unless we build another chamber, the opinion is that it cannot be better ventilated than it is to-day.

Sir RICHARD CARTWRIGHT. The working of these electric fans could be arranged by merely pressing a button, so that the ventilation could be regulated in that way.

Mr. CASEY.

Two or three days within the last week I have noticed on coming from the open air in here that the atmosphere was of a character which made it perilous to health to remain here for a moderate number of hours, and that it might even imperil the health of our Speaker if he is compelled to remain in his Chair during many of these evening sessions. With all due respect to the staff of the Public Works Department, I think if they would condescend to try the suggestion of erecting a few electric fans in the Chamber it would be a vast improvement during the hot weather.

Mr. OUIMET. We will try the experiment the hon. member (Sir Richard Cartwright) has suggested.

Mr. CHARLTON. During the winter months, is the fresh air still brought to this Chamber by subterranean ducts?

Mr. OUIMET. Yes.

Mr. CHARLTON. I have often protested against that mode of supplying this Chamber with fresh air. Year after year for the last fifteen years when this question was up, a number of us have always contended that this mode of supplying air was a faulty one, because these ducts, which are equivalent to sewers, must necessarily be damp and mouldy, even if kept in the best possible order. The air must be vitiated if obtained by this means. My opinion is that we should erect a chimney in the court and bring in the fresh air of heaven, rather than have it introduced through those subterranean channels. Otherwise I think the ventilation is as good as can be made.

Mr. DAVIES (P.E.I.) The hon. gentleman has always objected to this mode of bringing the air into the Chamber, but I have never been able to agree with him. This matter has been discussed a great many times, and it is a very curious thing to find how hard it is to move an official in regard to it. From 1882 to 1887, the atmosphere of the Chamber was absolutely terrible. At that time, after a great deal of difficulty, we induced the architect to open the windows at the back of this Chamber, and that was of the greatest benefit in the world. I believe that if the windows on the three sides of the Chamber were so constructed that they would open, the ventilation of the Chamber would be vastly improved in hot weather.

Mr. CASEY. This is the 22nd or 23rd session I have sat in this House, and the air has never really been good in this Chamber. I do not agree with my hon. friend from North Norfolk that bringing the air through ducts hurts it at all, because those ducts are gone through every day and kept clean. But what I have thought to be the chief trouble is that everything foul that gets into circulation in the corridors is sucked into this chamber through the various doors by the very efforts taken to ventilate the cham-

ber. I know that there is a connection between the opening in the roof and the suction fan in the basement, creating a current towards the ceiling. When that current is affected, I have seen all these doors blowing inwards with the currents of air coming from the corridors. No one who circulates in the corridors needs to be told what various infelicitous mixtures there are in the air of those corridors, coming from the kitchen and elsewhere. I do not think any plan has been devised yet for keeping up a circulation of air in the Chamber that does not suck in the vitiated air from the corridors; but I do not think that all the ventilating apparatus is at present in exercise. For instance, at present there is no current of air coming in from under the seats, although there is a fan for driving it in. At this time, I do not think it would be too cold for anyone's feet; nor would it be too cold in the winter, either if the air were properly warmed. The late lamented Mr. Arnoldi did try a vast number of experiments with the ventilation, and honeycombed the walls in all directions with contradictory appliances; so that it is quite uncertain whether the cold fresh air comes down the main shaft of the chimney, or the vitiated hot air goes up. Since his lamented reign, I do not know that anybody who has a right to be called an expert has looked into the question. I am not an expert myself; I cannot advise the Minister where to find experts; but I think that in some of the large cities in the States, where they have large public buildings to ventilate, somebody could be got at a moderate expense to come here and give a general idea what should be done, and then the details could be worked out by the departmental staff. This is a matter that affects the lives and health of the members, and I do not think the country would object to a considerable expenditure in getting at the best plan for ventilating this building.

Mr. CHARLTON. I believe that the assembly hall in the legislative buildings at Toronto is admirably ventilated. The system there contains all the modern improvements, and if the hon. Minister of Public Works had the proper officer sent up there to make an examination, perhaps some light could be obtained for the ventilation of our chamber here.

Mr. CASEY. Is anything going to be done shortly to make the geological museum fire-proof?

Mr. OUMET. It is under consideration.

Mr. CASEY. Has the Minister taken any steps to find out what it will probably cost to carry out that improvement?

Mr. OUMET. No plans or estimates have been prepared as yet. When I get them I will give them to the hon. gentleman.

Rideau Hall, including grounds
—renewals, improvements, repairs, furniture and maintenance..... \$15,000

Mr. FLINT. I think an item of this kind requires some explanation. Rideau Hall, we all know, is an eyesore to the people of this Dominion. It has been a huge blunder from the beginning, and will continue to be a blunder as long as it lasts; and when we are asked to spend \$15,000 more on improvements and repairs, which can only be of a temporary character, I think the Minister should give us a statement of what it is proposed to do with the money. There is no subject on which Parliament is more irritable than the expenditure of money on Rideau Hall. It has a magnificent situation; but a mistake was made in purchasing an old residence of an antique style, and afterwards patching it up from time to time at great expense; and we have really nothing worthy of the country to show for it all. People coming to Ottawa are delighted with the public buildings here, but are disappointed with Rideau Hall. I think the policy of spending money on Rideau Hall should be stopped, and that we should look for some plan for getting rid of it, and, when the finances of the country will admit, housing the Governor General in a style more suitable to the country and the dignity of the office.

Mr. OUMET. This item is made up as follows:—Gardner's contract, \$3,000; filling ice house, \$70; repairs and staff, \$6,500, that is, the permanent staff which is employed for repairs; lumber, \$600; hardware, \$350; glass, putty, &c., \$100; blacksmith, \$60; firebrick, cement and fireclay, \$125; furniture, upholstery, and carpets, \$1,000; linen, \$800; china, crockery, and glassware, \$1,000; repairs to stoves, tinware, and utensils, \$950; shingling roof of ball-room and curling rink, \$500; papering, painting, &c., \$600. These amount to \$18,000; but we will try to do with \$15,000. It has been stated in the public press that the Government had built that chapel for His Excellency the Governor General. It is only fair for me to say that His Excellency refused to allow the Government to pay for it, and paid for it himself.

Mr. McMULLEN. Good boy.

Grounds, Public Buildings, Ottawa..... \$6,000

Mr. LANDERKIN. The walk leading from the House to Wellington Street deserves attention. In dry weather it is a bad walk, and in wet weather also. There should be some different kind of pavement or something done so that the people could walk on it with comfort. It is not a good walk by any means.

Heating Public Buildings, Ottawa, including salaries of engineers, firemen, elevator attendants and caretakers.... \$71,500

Mr. OUMET. The increase comes from the fact that the Department of the Secretary of State, which had under its super-

vision the heating of the Printing Bureau, has transferred that work to us, and also for the sake of bookkeeping, the Auditor General has asked us to bring under this vote all the salaries of the caretakers. &c.

Mr. McMULLEN. What does the man get for watering around the buildings?

Mr. OUMET. The contract for keeping the grounds here has been given to Mr. Robertson for \$5,600. Everything is included.

Mr. McMULLEN. I hope the Minister of Public Works will see that in this hot weather the avenues up to the House should be well watered. Very often is it quite unpleasant to have the dust flying in all directions; and when the contractor is well paid for doing the work, you should see that it is well done.

Mr. CHARLTON. How much wood is used in the heating of this building, and would not a change to coal be an economy?

Mr. OUMET. The amount of wood used is 5,500 cords. Three of the wood-burning furnaces have been replaced by coal burners, and four more will be replaced by three coal burners. These will heat all the building with coal. When the furnaces in the other buildings are also replaced by coal-burners, we expect to make an economy of \$6,000 per year.

Mr. PATERSON (Brant). What was the use of having that quantity of wood piled in the yard behind here? It is anything but pleasant to the eye, and it looks dangerous in case of fire.

Mr. OUMET. There is something in the hon. gentleman's complaint, and I do not see why the contractor should use that as a wood yard. He says he has not enough room in his own yard on the canal. The suggestion will be kept in mind.

Mr. FORBES. Do you use soft coal or hard coal?

Mr. OUMET. Hard coal. Soft coal is used for the grates.

Mr. FLINT. Would it not be well to ask the opinion of an architect as to the propriety of planting trees, wherever possible, across the square in front of the building. It is a great architectural defect, this enormous square with nothing green except the grass, and a few handsome trees would add very much to the beauty of the square.

Some hon. MEMBERS. No, no.

Mr. FLINT. That is my opinion, and I have no doubt it can be sustained on very logical grounds. Take a look at these buildings from any point, and a great portion of the beauty is due to the foliage at the back, and this enormous green, barren square must be an eyesore to any one with architectural taste. A good many of my hon. friends may not have architectural taste and are not competent to judge.

Mr. OUMET.

Gas and Electric Lights, Public Buildings, Ottawa, including roads and bridges \$25,000

Sir RICHARD CARTWRIGHT. It would be a great improvement to dispense with gas altogether and have electric light, which is vastly more wholesome. When we have our own power, we ought to supply electric light to every portion of this building, if not to the departments generally.

Mr. OUMET. It is the intention to ask for a special vote to supply the whole building with electric light.

Telephone Service, Public Buildings, Ottawa \$3,800

Mr. CHARLTON. What is paid for the use of these telephones?

Mr. OUMET. Thirty-five dollars a year.

Mr. MACLEAN (York). I would like to ask the Minister whether he intends to give us a telephone in the upper wing of this end of the building, up stairs, for the convenience of members. His attention has already been called to it, and it would be a great convenience to the Printing Committee and others. In the corresponding wing of the Senate they have one very finely fitted up, and they had no trouble in getting it.

Mr. OUMET. My attention has been drawn to it, and I will see that it is done.

Mr. McMULLEN. The Minister says that \$35 apiece is paid for telephones here. That is an excessive price. They do not pay anything like that price in the west. What company is it?

Mr. OUMET. There is only one company, the Bell Telephone Company. The prices vary in every city. In Montreal we pay as much as \$60, and I think private residences pay \$50.

Mr. MACLEAN (York). We pay \$50 in Toronto for business, and \$30 for private telephones.

Mr. OUMET. We may have to run our own telephones. The hon. gentleman knows very well that the company are not going to reduce their price in the interest of the Government. Instead of charging less, they are likely to charge us more than other people.

Major's Hill Park, Ottawa \$4,000

Mr. DAVIES (P.E.I.) Is that kept up by contract?

Mr. OUMET. Yes.

Mr. DAVIES (P.E.I.) That is very well done, and there is no prettier spot I know of anywhere. But I would call the attention of the Minister to the fact that the lower end of the park, about the pond, has been somewhat neglected. There is a large space which is not kept clean, a portion of

it ought to be filled up, and as compared with the other portions of the park, it is an eyesore. I think the rest of it being so beautifully kept, that also should be improved and kept in order

Mr. OUIMET. I am glad the hon. gentleman called attention to that. Of late years so much opposition has been raised against the appropriation for that park, that some portions of it have not been attended to, perhaps, as they should be, and that part of the park the hon. gentleman refers to has not been levelled. The fence ought to be completed also, and I think we ought to get more money to put that park into proper shape. After the speech of the hon. gentleman, I am sure my colleagues will be kind enough to let me have the necessary money.

Mr. CHARLTON. I want to add my word to what has been said by the hon. gentleman. I think Parliament will cheerfully give the little additional sum of money requisite to make that spot as beautiful as it is capable of being made. We certainly have a most magnificent site for these buildings, with lovely grounds, in which we should take pride, and not be niggardly about a small sum of money necessary to put them into proper shape. The whole surroundings are regal in their beauty, and let us have Major's Hill Park put in proper shape.

Salaries of engineers, firemen,
caretakers, etc., of Dominion
public buildings..... \$68,500

Mr. CHARLTON. There is a little increase here; what is the cause of it?

Mr. OUIMET. That is owing to the increase in the number of public buildings throughout the Dominion.

Mr. DAVIES (P.E.I.) Does that explanation also apply to the furniture vote in which there is an increase?

Mr. OUIMET. No; that vote is for the furniture of Dominion buildings outside of Ottawa.

Mr. DUPONT. (Translation.) I desire to ask the Minister of Public Works (Mr. Ouimet) whether this vote is to pay the salaries of caretakers for public buildings?

Mr. OUIMET. (Translation.) What salaries do you refer to?

Mr. DUPONT. (Translation.) This appropriation, I understand, is to pay the salaries of caretakers for public buildings in general. At St. Hyacinthe, where the Federal Government own a very important public building, the caretaker is not paid as high a salary as other caretakers. There are, throughout the various provinces of the Dominion, some sixty or eighty caretakers; and in many localities of less importance and of smaller size than the city of St. Hyacinthe, the caretakers are paid a higher salary than the one

at St. Hyacinthe, the latter being paid only \$300 per annum. In other localities, salaries range from four hundred to eight hundred dollars per annum. I wish to direct the attention of the Minister of Public Works (Mr. Ouimet) to the matter, hoping that he will see that this employee be paid a sufficient salary to enable him to support his family.

Mr. OUIMET. (Translation.) When I took charge of the Department of Public Works, and especially during the first year of my administration, when I had the Estimates connected with my department voted by the House, so many difficulties had been raised with respect to public buildings that I made up my mind to inaugurate a policy of retrenchment with respect to that item of expenditure. I tried to bring down the salary of caretakers for public buildings to an average ratio of two hundred and fifty dollars to three hundred dollars a year. It should be borne in mind that these employees, in addition to their salary, are given free lodgings, light and fuel. They have no municipal or other taxes to pay. Taking into consideration these several advantages, I believe that the services of well qualified caretakers for our public buildings could be easily secured. Any ordinary workingman would, I think, be glad to draw a monthly salary of thirty or forty dollars, in addition to free lodging, fuel and light. In a certain number of localities where the salary is much higher, the difference is accounted for by the fact that the caretaker has got no lodgings in the public building he is taking care of. At all events, should the hon. member call at my office, we will talk the matter over. The ground the hon. gentleman seems to take, to press this increase of salary is, I think, the fact that other employees of the same class are paid higher salaries than in this instance.

Mr. DUPONT. (Translation.) A salary of four hundred dollars a year is only reasonable, I think, especially in the case of a man who is obliged to live in town. Caretakers, for the most part, have their lodgings in the building they are taking care of; the very nature of their functions involving such a privilege. The Minister of Public Works says he is bent upon effecting savings and inaugurating an era of economy. This is a move in the right direction. Still, I think I would have no trouble in pointing out to him many items of expenditure in his department to which he could apply the pruning knife. I am of opinion that it is wrong in principle to make savings at the expense of poor caretakers who draw a meagre enough salary already. Should the Government adopt a policy of retrenchment, I am quite ready to indorse it, but let them begin by cutting down the larger salaries, and we know there is plenty of room for retrenchment in that direction. It would be a bad policy to curtail the salaries of poor people who only manage, by dint of severe economy, to get a bare living. The

Minister of Public Works is no doubt aware of the fact that there are plenty of workingmen who earn a yearly salary of four hundred dollars. A workingman who gives up his trade to accept a Government situation is sanguine in his expectation of getting a good salary, and he thinks himself wronged and unfairly treated when he is paid a smaller salary than other employees occupying a similar position.

Mr. OUIMET. (Translation.) If, to a salary of four hundred dollars you add such valuable perquisites as free lodging, fuel and light, it would hardly be fair to say that caretakers are being denied a reasonable remuneration. I know of many first-class workingmen who do not earn that much. Many workingmen would only be too happy if they could draw a regular monthly salary, coupled with the advantages mentioned. We are apt sometimes to think that small savings on these salaries are immaterial. There are in the whole Dominion of Canada about two hundred and fifty public buildings, and should the department succeed in cutting down salaries to an average extent of two hundred dollars a year, a saving of fifty thousand dollars would thereby be effected.

Mr. DUPONT. (Translation.) The Minister of Public Works (Mr. Ouimet) is no doubt aware of the fact that caretakers for public buildings in cities of less importance than St. Hyacinthe are paid a higher salary and receive better treatment at the hands of the Government than the caretaker in question. It is, in fact, a matter of public notoriety that caretakers for public buildings of less importance than that at St. Hyacinthe are much better paid. It should be borne in mind that at St. Hyacinthe they have the post office, custom-house and inland revenue office in the same public building. This gives us an insight into its importance. I understand that in Ontario, caretakers for public buildings are paid from four to six hundred dollars a year, with apparently less work to do than the caretaker at St. Hyacinthe. In the province of Quebec, some caretakers receive a higher salary than the one in question. At Sherbrooke, for instance, the caretaker is better paid. The same remark applies to the caretaker at Sorel, while another individual is paid four hundred dollars a year for taking care of the public buildings at St. Jerome. I fail to see why the caretaker at St. Hyacinthe should be made an exception to the rule. I therefore beg of the hon. Minister of Public Works that the employee in question be placed on a footing of equality, so far as salary is concerned, with caretakers for public buildings of less importance.

Quarantine Buildings, repairs and maintenance..... \$10,000

Mr. CHARLTON. Where are these repairs to be made on quarantine buildings?

Mr. OUIMET. This vote is for the general maintenance and repairs of all the quaran-

Mr. DUPONT.

tine buildings in the Dominion. It is not for erecting new buildings.

Harbours and Rivers, Nova Scotia,
repairs of L'Ardoise breakwater. \$4,300

Mr. FORBES. Is this going to complete that work?

Mr. OUIMET. This is to repair the damages done to that breakwater by the severe storm of August, 1893. It completes the work.

Digby Pier..... \$8,000

Mr. BOWERS. Will this \$8,000 finish the breakwater at Digby? Will it repair the damage that has been done to the breakwater by the storm of a few weeks ago?

Mr. OUIMET. That damage has already been repaired.

Mr. BOWERS. What is this \$8,000 for?

Mr. OUIMET. It is to complete the improvements that have been made to the wharf so as to make it fully adequate to accommodate the steamship traffic at that port.

Mr. BOWERS. Is the same person in charge of the wharf now who was there formerly?

Mr. OUIMET. No; the wharfinger is in charge.

Mr. BOWERS. I congratulate the hon. gentleman on having made the change. I called his attention several times to the fact that the man who was in charge before was getting \$2 or \$2.50 a day, for one half or two-thirds of the year, in watching timber that was never used, timber that was owned by somebody in Ottawa. The timber was carried down there, but was never used in the wharf. It was simply a waste of public money. Now that we are on this item of harbours and rivers for Nova Scotia, I will ask the Minister if he intends placing in the Supplementary Estimates a sufficient sum to increase the length of the pier at Church Point so as to prevent the gravel from washing around the end of the pier?

Mr. OUIMET. The answer the hon. gentleman would like to have the majority of my colleagues will have to give, and the Supplementary Estimates will show what it is.

Mr. BOWERS. I received a letter from the hon. gentleman saying he would lay the matter before Council, and as I see two members of the Cabinet present, I hope they will give it their serious attention. Petitions and letters have come in year after year about that breakwater, asking that it be put in such a shape that it can be utilized.

Yarmouth Harbour, dredging,
etc..... \$10,000

Mr. FLINT. I would ask the Minister how much money has been spent on dredging, and if any of this money has been spent for any other purpose in Yarmouth?

Mr. OUMET. I find in my book that before the year 1892, the sum of \$44,448.10 had been spent on that harbour by the Government, and since we have commenced that dredging, we have paid, up to the 30th December last, \$11,820.16. This appropriation is to continue the dredging.

Mr. FLINT. I would like to say that the work is a good work, it is an improvement of great importance to the harbour. But I understood that part of this appropriation was intended for repairs to the breakwater near Fish Point, which is a very important and valuable work. A year or two ago my attention was called to it, and I think I communicated to the department the fact that some part of that work was settling, and it was very desirable that a report should be made upon it and some of this money appropriated for that purpose, should be expended upon it. I would ask the Minister if any money has been expended on that breakwater, or if he has any reports as to the condition or necessities of that work. If it should be undermined or destroyed, or broken away, a large amount of this money already expended on the harbour would be rendered comparatively useless.

Mr. OUMET. I am informed that no money has been spent for some time on that breakwater. We have a report stating that it was not in very good order, I must admit, but it is thought that it will do without repairs for a year or two. At all events, the department will take care that this work is maintained, because it is of some importance to the harbour of Yarmouth. The constituents of the hon. gentleman will be glad to know that the Government are taking such good care of their harbour, irrespective of the political colour of the hon. gentleman who represents the constituency.

Mr. FLINT. I may say that we look upon it as the duty of the Government to do this, without regard to political considerations, but solely in consequence of the importance of the harbour. I am afraid that if the Government delays spending a little money on the breakwater, the delay will involve an increased expenditure in a year or two. I have in my hands correspondence and reports with regard to another breakwater in the county, which shows clearly the dangers and difficulties which this sort of delay leads to. It will be remembered by the Minister that as long ago as 1890, the attention of the Government was called by my predecessor to a breakwater about seven or eight miles from that, called the Sandford breakwater, a work upon which the report shows that \$4,000 or \$5,000 have been expended, partly by the people in the neighbourhood, I think some by the Local Government, and a considerable sum by the Dominion Government, from time to time. In 1890 the sea had begun to make some inroad on one corner of this breakwater, and the people made a sort of artificial har-

bour, which was of great value to the community, who are devoted almost entirely to fishing. It is a very prosperous community, owing largely to the fact of this harbour being made by the breakwater. I will read the correspondence that took place with the Government which is not in my opinion quite as complimentary to the activity, energy and desire of the Government to keep up public works as might be said in regard to the harbour of Yarmouth. On August 26th, 1890, the following communication was sent to the department by Mr. Lovitt :—

Pardon me for calling for your notice the Sandford Breakwater which requires a small sum, say \$40 to \$50 to build a bulkhead to prevent the sea from washing the beach over the road thereby stopping the passage or road that enables the public to get on the wharf or breakwater.

The following communication was sent on 6th September by Mr. Crosby :—

YARMOUTH, N.S., Sept. 6th, 1894.

DEAR SIR,—I deem it my duty to inform you that the late gale or high wind and sea has injured the breakwater at Sandford in the county of Yarmouth, some of the covering on the outside has been worn through and washed away by the action of the sea and stones. I am told by the late commissioner that if a small sum, about \$300, could be appropriated and repairs made at an early date, such repairs will likely hinder a whole block from being washed to pieces this autumn.

I hope you will instruct the proper officer to view and report on this at an early day.

I am, dear sir, yours faithfully,
THOMAS B. CROSBY.

HON. C. H. TUPPER,
Minister Marine and Fisheries,
Ottawa.

Mr. Crosby was the late candidate in the Government interest of that county, and no doubt he was in communication with the people of Sandford, and he appears to have entertained the same idea as Mr. Lovitt as to the necessity of the breakwater. This letter was acknowledged in due course. In December, 1890, a lengthy report on the subject of the breakwater was handed in, signed by the Chief Engineer of Public Works as the result of this pressure brought to bear upon the Government by Mr. Crosby and Mr. Lovitt. The report said :

The pier or breakwater at Cranberry Head, now Sandford, in the county of Yarmouth, N.S., is an old structure and liable to damage during storms, which during the year now drawing to a close have left their mark, not only on the pier, but on the beach to the westward. A late examination shows that a change in the movement of the gravel composing the beach has taken place, and instead of following its usual course of making against the pier, it has been washed away, and to such an extent that if steps are not taken to prevent and stop the erosion which is going on, the chances are that the sea will break into the outlet of the pond, to be followed by the destruction of the harbour.

The estimate was \$2,600. The letter of Mr.

Crosby and the communication of Mr. Lovitt, both of whom looked at the breakwater, and gathered information from those interested in it, showed that those gentlemen had much more modest ideas, and estimated the cost at from \$100 to \$300. The engineer who went there viewed the work from an engineer's standpoint and provided almost for its reconstruction, and accordingly submitted a very large estimate which the people in the neighbourhood did not expect the Government to accede to. The estimate was so large that the Government gave up all idea of carrying out the work. Here a great mistake was committed. The people of the locality, without reference to politics, desired the expenditure of a small sum, which would have saved the breakwater from destruction. A mistake was made by the department in not acting on the request of Mr. Crosby and Mr. Lovitt, that the department should expend \$400 or \$500 in works necessary to save the breakwater from destruction, any larger expenditure being deferred to a later date. When I was elected, one of the first matters placed before my attention by the gentlemen interested was in regard to the necessity of work on this breakwater. The letter I addressed to the Minister of Public Works on July 15th was as follows:—

OTTAWA, 15th July, 1891.

The Honourable Minister of Public Works,
Department of Public Works,
Ottawa.

DEAR SIR,—I am in receipt of information to the effect that the "Cranberry Head" (Yarmouth County, N.S.) breakwater is in a very bad condition, needing immediate repairs, if it is to be saved from wreck and destruction this winter.

My informant says: "The logs on the seaward side are worn out and the ballast coming out, it also wants general repairs all over it."

Would you kindly at the earliest moment practicable cause a survey to be made with a view to having an appropriation made at this session to save the work from destruction.

I have the honour to be,

Honourable and dear sir,

Yours very truly,

T. B. FLINT.

This was acknowledged in due course, and the statement was made that a report would be asked for. Nothing having been done, on 28th August I again called the attention of the Public Works to the subject in the following communication:—

Ottawa, 28th Aug., 1891.

The Hon. Minister Public Works,
Department Public Works,
Ottawa.

HON. AND DEAR SIR,—I desire to call the attention of your department to the bad condition of the Sandford Beach, near the breakwater at Sandford, in the county of Yarmouth, Nova Scotia.

Mr. FLINT.

I am informed that representations have been made to the Government by my predecessor (Mr. Lovitt) and by others as to the state of the beach, and I regret to say that the deterioration of the beach continues.

It appears to be the opinion of the people in the vicinity that had timely work been done last autumn, much of the evil which has since occurred would have been avoided.

Last winter the tide washed the beach all over the road and covered the bridge, causing considerable expense to the municipal authorities. Another seasons storms, if nothing is done, will probably destroy the beach and the road, and have a most disastrous effect upon the breakwater.

I would therefore urge that your department would at the earliest possible moment cause inquiry to be made as to these representations and to undertake to remedy the grievances complained of in the interests of the public.

I am, sir, yours very truly,

THOS. B. FLINT.

On 20th October, 1891, I addressed the department as follows:—

YARMOUTH, N.S., 20th October, 1891.

The Hon. Minister of Public Works,
Ottawa.

DEAR SIR,—I again desire to call your attention to the bad condition of the Sandford breakwater in this (Yarmouth) County.

Since I wrote you last, during the session, the storms have further injured the work.

Would you instruct some competent person at once to report fully on its condition, and, if practicable, take some steps this fall to have some repairs made. A moderate outlay now might save money by and by.

The matter is really urgent. The preservation, in good order, of this breakwater is, as you may suppose, very important to the people of this locality.

I am, dear sir, yours very truly,

THOS. B. FLINT.

I do not find in the return here a copy of the reply sent to me at that time by the acting Minister of Public Works, but it stated that owing to the great pressure of business in the department the matter had been temporarily overlooked, and would be attended to as soon as possible. On 16th March, 1892, nothing being done, I addressed the department as follows:—

OTTAWA, March 16th, 1892.

The Hon. Minister of Public Works.

DEAR SIR,—During last session on several occasions I brought to the attention of your predecessors in the Department of Works, the case of the Sandford breakwater.

Last summer it was in a bad condition requiring some attention and repairs, which had they been promptly given would have been of great value.

The head of the department kindly intimated that it would be looked into.

I desired the Government to send competent persons to report with the certain expectation that a moderate sum would suffice to save a valuable

public property of great utility to the people of the vicinity.

I regret to say that later advices from there furnish the information that the gales of the late autumn and winter have still further damaged this work and unless some repairs are made at the earliest possible opportunity the practical destruction of a most important public work is imminent.

Would you kindly order an immediate report from some competent judge, and if my information is borne out by his returns, place an amount in the estimates for the purpose of saving the property from destruction.

You will readily understand that once a serious breakdown occurs in an exposed breakwater like this the expense of repair and replacement are made greater by each gale which blows upon this exposed part of the coast.

I am sir, yours very truly,

THOS. B. FLINT.

On 20th October, 1892, I addressed a long letter as follows:—

YARMOUTH, N.S., Oct. 20th, 1892.

The Hon. Minister of Public Works,
Ottawa.

DEAR SIR,—I have again the honour to call your attention to the very bad condition of the "Sandford" Breakwater in this county.

Several times I have addressed complaint to the Department on this subject of this important public work, and have received assurances that at a very early date investigations would be made and reports called for.

Had the desired repairs been undertaken soon after the session of 1891; a great deal of the subsequent loss would have been avoided. Even had work been done this summer much damage might have been obviated.

I am informed by those who are deeply concerned that the storms of the ensuing winter will in all probability finish the demolition and ruin of this breakwater. This will be a positive calamity to those industrious and energetic and most deserving people to whose vessels the breakwater has hitherto been a protection.

I do not know what more to say by way of urging the administration to do something to save this work from destruction.

I would most earnestly press upon the Minister to make this a matter of special instruction, and if possible to take from the appropriation for general purposes enough to save this work, and to ask an appropriation at the ensuing session for its repair.

I am convinced that by next summer there will be nothing left worth expending money on, and the loss and damage to the neighbourhood will be impossible to estimate.

I have the honour to remain,

Your obedient servant,

THOS. B. FLINT.

Either because I happened to be in opposition to the Government, or because the Government did not deem this work to be of the same value as the people of the vicinity, and as I myself deemed it, nothing has been done. I am now informed that the breakwater is practically a ruin. The harbour is

gone, and the facilities the people enjoyed since 1876, if not from an earlier date, have disappeared, so that a work upon which \$4,000 or \$5,000 has been expended is a complete ruin. I do not know what defence the Minister of Public Works will make for this neglect. The county of Yarmouth pays a large sum into the revenue, and the people have a right to expect that public works should be kept in a proper state of efficiency. From my point of view the Government is extremely censurable for allowing that harbour to be destroyed, and thus depriving the people of their means of living. This does not square entirely with the self congratulation of the Minister in regard to what he proposes to attempt in the harbour of Yarmouth. I do earnestly press upon the Government the desirability in the interests of fair play, and in the interests of good Government generally, that they should take this matter into their consideration, and appropriate a sufficient sum of money to put that public work in an efficient condition. Whereas, at one time \$500, or \$1,000 at the outside, would have been adequate to have kept the work in a fair condition, for ten or fifteen years, it is now a complete ruin, and will probably require an expenditure of \$3,000 or \$4,000. This neglect of the Government has not endeared the institutions of the country to the people in that vicinity. They are a hard-working and industrious people, supporting our institutions, paying a fair share of the taxes, divided in their political allegiance as intelligent men in the country are, but they like the Government of the county to administer the public funds fairly and impartially, and they do not understand why they should be treated in this manner. This matter has been so frequently pressed on the attention of the department that the Minister must have some policy in regard to it, and I would like to know what that policy is. It would relieve our minds of considerable anxiety to get some assurance that this session the Government would put a sufficient sum in the Estimates to reconstruct this work, and to again place these people in the position to enjoy the facilities which for twenty years previously they have enjoyed. The electoral district I have the honour to represent has not called very heavily upon the Government for expenditure on public works, with the exception of ordinary expenditure in the way of maintenance and repairs. We believe, however, that this claim is so fair and reasonable that the Government cannot longer delay taking action in this matter without doing serious injustice to themselves as administrators of the public funds.

Mr. KAULBACH. I am pleased to hear the hon. gentleman express himself so favourably of the Government for the patronage showered upon the county of Yarmouth, and for the expenditure it has made in the dredging of Yarmouth harbour. I admire the hon. gentleman's modesty in not showering too

heavy a burst of eulogy upon the Government, but still it is in the right direction, and it is to be hoped we may expect better things from him in the future. Nevertheless, he has a peculiar way of showing his appreciation of the Government's patronage in that direction by his past acts. I would say that whilst the Government were giving patronage to Yarmouth, Lunenburg's request for harbour dredging was overlooked, notwithstanding the representatives having made repeated requests. The predecessor of the present Minister of Public Works, before going out of office, gave me a promise that Lunenburg should have the services of a dredge. That a dredge is needed there goes without question. The large amount of shipping that frequents that port from day to day is such as would warrant the expenditure. Besides, that town is the terminus of the Nova Scotia Central Railway, and one of no mean importance in every way, as will be shown by the shipping list, and all I would ask of the Minister of Public Works is that he may not delay any longer than is reasonable, and grant my request, so frequently made, and that at the earliest possible moment.

Mr. FLINT. I was sorry the hon. gentleman spoke until we had heard from the Minister some reply to the observations which I made on the subject of the Sandford breakwater. I would like to hear the Minister's views on that matter.

Mr. OUIMET. The state of the breakwater at Sandford is known to the department, and if we have not attended to it, it has been because we have not had the necessary money. When the hon. gentleman talks of the Supplementary Estimates I may tell him that the various works noted down for the Supplementary Estimates, which would be useful, amount to-day to over \$2,500,000; so that the hon. gentleman will see that it is quite impossible for the Government to attend to every one of them, at least in the same year. They must wait to be attended to in turn.

Mr. FLINT. But this work is a little different from a new work; it is an old work, which has proved itself to be of great utility, and I would like to know if the Minister can give us any assurance that, as soon as the finances will admit, he will take it into his consideration.

Mr. OUIMET. That assurance I will give the hon. gentleman.

Mr. FLINT. I want to make a remark or two in regard to the observations made by the hon. member for Lunenburg (Mr. Kaulbach). Although they were made in a jocular manner, yet they open up a broad question—a question that is treated more seriously, by many people than it should be; that is, the relation of political parties to the Government in regard to the appropriations. Now, I do not admit for one instant that any person in pressing upon the attention

Mr. KAULBACH.

of the Government the necessity for public works in the interest of the country, is asking for favours, or in any proper sense of the word patronage, or that it would be at all proper to treat these expenditures as having any relation whatever to the political complexion of the constituency in which they are made. That view has been repudiated time and again in Parliament, and I know it would be the destruction of any public man who should for one instant, in a formal way, venture to take such a stand. Of course, we know that in times of election people do profess to believe that a Government would be actuated by considerations of that kind; but I have always taken the pains to point out to those who have made such an assertion, that although they may be friends of the Government, they are really saying the most cruel and unkind thing that could be said of an Administration—that they would seriously use the moneys placed in their hands as a trust fund, taken from the taxation of the country, to expend unfairly in communities because they supported them, or would refuse needed expenditures in constituencies opposed to them. I may say, as the representative of the county of Yarmouth, that we ask no favours of the Government—that I am not here to ask favours of the Government. Nor ought any representative here make his political allegiance depend on the amount of public money that is expended in his constituency. I believe that no possible amount of money expended by the Government would change the political complexion of the community which I have the honour to represent, because their political opinions are based on considerations entirely beyond and outside of the expenditure of public money. Their interests are too large and their wealth too great, for them to be influenced for one instant by any appropriations of this kind, and I do not think any member of the Government or any responsible official dreams for one moment that the constituency of Yarmouth could be influenced either for or against the Government by more or less money being given. They would no doubt oppose a Government if they saw that it neglected its duties—if they saw that while they paid their fair proportion of taxation, their public works were neglected and allowed to go down, and their opportunities for profitable livelihood were lessened in consequence. But they would not be actuated by motives of gratitude, because the emotion of gratitude cannot and ought not to be felt in regard to the administration of the public funds, and I am proud to say that in my own community suggestions of this kind are received by gentlemen of both political parties with the utmost contempt, and no public man would venture in any public meeting in the county of Yarmouth to throw out a hint of that kind. All we ask the Government is right, and justice, and fair play, and we will divide on political lines entirely regardless of the amount of money

expended among us. We view public questions on too high a plane to be influenced in that way, and I think it will be a fortunate day for this Dominion when the Government and their supporters, and some members of the Opposition, get rid of this notion, this immoral notion, that has done more to degrade public life in this Dominion than any other, that the expenditure of public money is conditioned on the political complexion of a community. It should be conditioned solely upon the public necessity and the financial ability of the Government to meet that necessity. I believe there is a better spirit in this country than there was ten years ago in this regard; I believe that our people are being educated to a higher plane in this regard, and that intimation of public expenditure in times of election are not as effective to-day as they were a few years ago, and I hope that the time is near at hand when any suggestion of this kind will be received everywhere as an insult to the public spirit of the community. I for one do not propose to be actuated by any such suggestion. I base the claims I make solely on their justice and right.

Mr. KAULBACH. It is all very well for our hon. friend from Yarmouth to moralize in the way he has done, and to deliver a sort of missionary lecture on the remarks I have made. I meet them in the spirit in which he has made them, and I quite appreciate the spirit with which he has referred to the motives which have actuated the Government heretofore. But I do not know any Government that has not acknowledged in some way that in showering benefits they consider think the remarks made by the hon. member. That is a record we cannot deny, for it is public, and this practice will continue from this time to the millennium. Therefore, I think the remarks made by the hon. member for Yarmouth might have been spared. At the same time, I appreciate the hon. gentleman's expression, for I consider that they are words of sterling worth.

Mr. FORBES. While I regret that the hon. member for Lunenburg (Mr. Kaulbach) should regulate his subserviency to the Government by the amount of patronage at his disposal, I do not think that the electors of his county will be flattered by the reference he has made to them, nor by the views he holds as their representative on such matters. I rise to refer to the condition of the breakwater at Port Joli. It was built by the Government and is in a serious state of decay. I wrote the Minister of Public Works on the 21st April, asking him to have it surveyed by one of his engineers. I wrote my letter the day after I received a letter from a most intelligent and respectable citizen of that district, as follows:—

PORT JOLI, 9th March, 1894.

DEAR SIR,—I suppose you are aware that there is a wharf in this place belonging to the Dominion Government, which is in a very bad state of repair.

I would be very much pleased if you would present the facts to the Government, especially as the steamer 'St. Michael' will make her weekly trips, commencing this summer, and requires a place to land her freight. The top of the wharf is totally rotting away. A few hundred dollars to repair and straighten the pier would make a substantial wharf. This wharf belongs to the Dominion Government, and the Local Government will not interfere.

Yours respectfully,

ARCHIE L. ROBERTSON.

I wrote to the hon. Minister and got an answer, saying that if it only cost \$250 he would direct one of his engineers to make an inspection. I should like to know whether he has done so. I wish also to call the hon. gentleman's attention to another pier at Port Mouton. That pier was built previous to Confederation, and taken over by the Dominion Government, which has spent money in repairing it. It has been severely injured by several gales, one particularly during last winter, which caused the top to be shifted about ten feet and become loosened, so that it is likely to fall to pieces. This pier is generally used by the fishermen for protection to their boats and also as a public wharf, and a very small expenditure would prevent it becoming a total loss. I telegraphed, when I got the first intimation of the destruction, to the hon. Minister, but got no answer. Then I wrote a letter, and got a reply from the Deputy Minister, stating that the expenditure of public funds at the disposal of the department, was, to a great extent, regulated by the vote made by Parliament each year, and that while he had the right to expend money voted by Parliament, he could not take money from any fund for the purpose requested. I therefore deem it my duty to ask the Government whether they have made a proper inquiry and survey, and whether they intend to comply with the request of the citizens, should the complaint made by the citizens be warranted by the investigation of the Government engineer. I understand that it is the policy of the Government to take a number of public wharfs and breakwaters under their sole control and keep them in repair and to let others go into decay. I regret if such is the case, because it may entail absolute loss in those fishing districts, where the piers are not taken over, and where the people have been accustomed to make use of these piers for the purposes of protection, and curing and drying fish, and landing freight and passengers. I would like to know whether the two wharfs I have spoken of are included in the list of public wharfs and breakwaters to be taken under the care of the Government. Without repeating the remarks of my hon. friend from Yarmouth (Mr. Flint) in nearly all of which I heartily agree, I only ask that the Government be very cautious before throwing overboard any wharfs or piers built for the use of the fishermen. They may be very

small in size, but are of great importance to the people of the district where they are, and surely the revenues of the country will permit the Government to keep the piers that are built in perfect order. The two I specially refer to are at ports Joli and Mouton. There is another one at Liverpool, on the eastern side of the harbour, which has cost over \$80,000, and is being allowed to go into decay. As regards that breakwater, the Government can take whatever course they choose, because some of the citizens do not want it continued, but want it removed and another one built on the western side. In 1879, at the request of Sir Charles Tupper, who had publicly promised in Liverpool during the election campaign of 1878, to build the breakwater, Parliament voted \$5,000 to build a breakwater on the western side of the harbour of Liverpool. After a thousand dollars or more were spent in a way no one could tell, the work dropped, despite the promise made by Sir Charles Tupper just previous to the general elections. It is for the hon. Minister to say whether the policy laid down by Sir Charles Tupper will be carried out.

Mr. OUIMET. Port Joli and Port Mouton have been examined by our engineer and it will be a question as to whether the department will have the necessary money to do the work. As to the port of Liverpool what is required there is dredging.

Mr. FORBES. That is another matter which I will bring up later on.

Mr. OUIMET. I am advised by the department that the breakwater is of no use, and that it would be of no interest to the people of Liverpool to spend any money on it. The chief engineer has placed before me estimates of works that would be useful, amounting to \$2,500,000, and of course we have to make a selection amongst these. We are always accused of favouring our friends, but the hon. member for Yarmouth (Mr. Flint) had to admit that we considered, in the first place, the importance of the harbour and the public interests to be served. It cannot be expected by the Maritime Provinces that all these wharfs and breakwaters, transferred some years ago by the Local to the Federal Government, would be kept in repair. A classification should be made. I had that work commenced by the late Mr. Allison, but unfortunately, in the burning of the customs-house at St. John, where he had his office, all his papers were lost, and as he died shortly afterwards all that work was lost to the department. I have assigned that same work to a gentleman who is fully acquainted with all the different harbours and wharfs in the Maritime Provinces. When the work is completed, I think I shall be able to lay before the House the policy of the department on the subject.

Mr. DAVIES (P.E.I.) Who is the gentleman?

Mr. FORBES.

Mr. OUIMET. Mr. Perley, the late chief engineer of the department. I may say that he was the best qualified man to do that kind of work.

Mr. FORBES. Am I to understand that these two breakwaters at Port Joli and Port Mouton will or will not receive the hon. Minister's consideration?

Mr. OUIMET. They will receive my consideration.

Mr. FORBES. Will there be any vote in the Supplementary Estimates for the repair of them?

Mr. OUIMET. That will be seen when the Supplementary Estimates come before the House.

Grand Etang..... \$23,000

Mr. DAVIES (P.E.I.) Will the hon. gentleman say how far the contractor has proceeded with this work, and how much money has been paid him?

Mr. OUIMET. No money has been paid yet. The work is proceeding.

Mr. DAVIES (P.E.I.) I moved for the papers relating to this work and they were brought down. I would like to know what progress has been made?

Mr. OUIMET. The contractor is just commencing his work.

Mr. DAVIES (P.E.I.) Some money was paid him before the local election, I think.

Mr. OUIMET. I am not aware of that. The contract has just been entered into and the contractor has got to work.

Mr. DAVIES (P.E.I.) The contract was entered into in December.

Mr. OUIMET. The work has just begun. The contractor is Mr. Toms. I am not aware whether he did any work before the elections or not.

Mr. DAVIES (P.E.I.) I can assure the hon. gentleman from information I have now before me, that Mr. Toms came upon the scene just before the elections with authority from a very high official, and in company with a Conservative local candidate—

Mr. OUIMET. Who is the very high official?

Mr. DAVIES (P.E.I.) He is very closely associated with the hon. gentleman. Mr. Toms proceeded to give out a number of sub-contracts. As that took place in the first week in March, I was in hopes that some progress would have been made. But since the provincial elections the work seems to have stopped.

Mr. CAMERON. No, no.

Mr. DAVIES (P.E.I.) I am bound to take the statement of the Minister of Public Works. He says that work has just been commenced.

Mr. OUIMET. I am told by my chief engineer that the contractor has brought his material upon the ground and is commencing work.

Prince Edward Island—General repairs
to Breakwaters \$6,000

Mr. PERRY. I would like to know from the Minister if he expects to repair all the piers and breakwaters in Prince Edward Island for which no special vote is asked for the sum of \$6,000? This seems to me like an old song, this vote of \$6,000 year after year. I am not going to make allusion to the public works of King's or Queen's County. Those counties are represented by gentlemen who are quite able to voice the needs and wishes of their constituents. I speak for Prince County. There are thirty public works in the shape of piers and breakwaters on the Island. Has the Minister got an estimate from the resident engineer of the amount required to repair each breakwater? I do not think he has, because no engineer would make such a small estimate for the public works of Prince Edward Island. I would like an answer from the hon. Minister, and after I get it I have another statement to make.

Mr. OUIMET. I must say that \$6,000 is not enough to repair these different works that want repairs in Prince Edward Island. An appropriation of \$120,000 would be required for that. But besides this amount we are spending a large amount of money in Prince Edward Island, especially at Souris and Wood Islands.

Mr. PERRY. In the county of Prince there are about a dozen piers and breakwaters. At the Brae breakwater an extension was promised last year. A hundred dollars might do that. There is a wharf at West Point which I am sure the hon. Minister of Public Works must know something about. That wharf was built by the Local Government at a cost of \$7,000. It was taken over by the Dominion Government, which has since neglected the work, so that it has gone to pieces. I see nothing in the Estimates to rescue that wharf. Will the Minister tell me that they are never going to build it? I find a special estimate of \$500 for Miminogash breakwater. They have material there to be used which is not used, and it will require \$500 to pay the labourers for the labour necessary to use this material so as to secure the work already built. Mr. McCarthy, who is in charge, was notified by the Government to stop working, that there was no further money to be expended. This \$500 will not pay for the lumber, stones and iron left there to secure the work already done. I presume that Mr. McCarthy is still in charge. The late superintendent, Mr. Blanchard, was dismissed very abruptly, I believe. I dare say he deserved it, he was the nominee and choice of one of the greatest men we have in Prince Edward Island, the

present Governor, who boasted that he had appointed Mr. Blanchard because he was a French Acadian. I understand that Mr. Blanchard squandered a large percentage of the money. They say that Mr. McCarthy is a good, efficient man. Though he is a Conservative, I am glad to say that he is the right man in the right place. I would not complain so much if they were prepared to finish the work in order to protect what has already been done. There is also Tignish breakwater. No provision is made for that. Not a cent has been spent upon that work for the last three or four years, and the whole work is in danger of being broken up by the storms in the fall or by the ice in the spring. The harbour of Tignish is a very important one; it is the only harbour of refuge between Cascumpec and the North Cape. The harbour is of more benefit to the people of Caraquette, Shippegan and Pokemouche, in the Bay of Chaleurs, in the fishing season, than it is to the people of Tignish. But the trouble is that these boats from the Bay of Chaleur, when they come to fish there, are large boats, not less than 30 feet long, and in stormy weather they block the harbour and close it up entirely, so much so that the smaller boats cannot move and are not able to get out in the morning. You can understand that this mackerel fishing is done in the morning and evening, the boats have to go out by the break of day in the morning, or a little before, and the fishing has to be done by ten o'clock, because mackerel is a fish that cannot be kept long before it is cured. When they wish to go out in the morning they find the harbour closed up by these large boats. Two years ago I was in correspondence with the then sitting member for Gloucester, who is now a member of the Senate, and he promised that he would assist me in inducing the Government to expend a certain sum of money there in improving the harbour. The trouble is just at the end of the breakwater. The bed of the river is divided, a portion of the water running north and the main body running south-west, and just there is a sand bank, and boats drawing four or five feet of water are not able to cross. They have to remain below that, and when there are ninety or one hundred of these large boats the whole harbour is closed up, and our fishing boats, whose owners are so deeply interested in fishing, are not able to get out and do their morning's fishing. I would recommend that a breastwork be built from the mainland down to the western end of the breakwater, in order to keep the water from running to the north. The water that runs to the north runs over sand flats, and I want all the water to be made to run south-west, where the main channel is. That can be done at little expense, because there is no ice to break it up, as the ice melts inside and does not run out. When this sand bank is dredged, these large boats could go

up as far as the bridge, where there is ten or twelve feet of water inside the bar, and then the fishing boats could get out in the morning to do their morning's fishing. Of course, there is a harbour master there, but that harbour master has no power to send these boats away. The harbour is for the benefit of everybody that can get in. It is a harbour of refuge, and is open to all. Now, sometimes you can almost drive a horse and wagon across the harbour over the decks of these boats, they are so thick. And still they must use that harbour when a storm comes on, because there is no other place where they can go unless they run to Cascumpec. Now, these Carquette boats do their fishing at night, they never think of going out of the harbour till three or four o'clock in the evening, and there is no way of driving them out until they are ready to go. But I want the Government to do this dredging I speak of so that they can move up towards the big bridge, where there is plenty of water. I do not expect the Minister to put a sum in the estimates just now, but I do ask that during recess he should send one of his engineers, the resident engineer may be competent to do that, to go and examine the place and report upon it; and if the work is practicable, if the estimated cost is within a reasonable sum, so that the Minister can see his way clear to adopt my suggestion, I would expect that by next session he will be prepared to put a sum in the estimates to carry out this work. The harbour is not what it ought to be. It does not give the people interested in it, the satisfaction that they are entitled to. An engineer should be sent there during recess to examine into the condition of the work, especially outside the Tignish breakwater. This breakwater is exposed, it is built on the gulf shore, and the storms in the fall are very heavy. I think a few dollars spent in time might save a structure that has cost already about \$18,000, from being carried away. Now, there is a wharf at Kier's shore to be improved, and the Malpecque breakwater needs to be extended. A petition was sent here a month or two ago from the inhabitants of Gordon Point, near Cape Traverse, asking for a breakwater. I see nothing in the estimates with regard to this matter. I am not aware that the Government have caused a survey of the proposed work to be made. Of course, I do not expect the Government to place a sum in the estimates until such a survey and estimate have been made of the probable cost. A while ago, in the case of the post office at Richmond, we saw what a great mistake the Ministers make sometimes by asking the House to vote money without having first ascertained the probable cost of these public works. I think I can catch the Minister's ear, perhaps not as well as a Conservative, but being a countryman of his, I can speak French to him if I cannot catch his ear in English.

Mr. PERRY.

I would ask that during the recess he should get his resident engineer to make surveys of those places for which he has no provision made in the estimates. I would suggest that he include also the wharf at West Point. Cascumpec harbour is also a harbour of refuge, the only harbour between Tignish and Malpecque. The Government have already spent about \$18,000 there on a wild-cat scheme, which, I may say, was advocated by, and carried out under, the direction of George W. Howlan, who is now Lieutenant-Governor of the island. He got a lot of rocks blasted where there was nine feet of water before the rocks were blasted, and when allowed to drop down, there was only about seven and a half feet; because you will understand that a solid rock will not level so high as it will after it is broken up and dropped down. A dredge was sent there a year or two ago and worked, I think, three days, and during those three days did a great deal of work. Wherever she worked she made a depth of about ten and a half feet of water. But the broken rocks have remained there ever since, to the great loss and detriment of the shipping of the port. I am told that we will not need this harbour in future years, that the tunnel is going to be built. Well, I understand that the Senator from Prince Edward Island, I mean Mr. Ferguson, has made a great display of eloquence in behalf of the tunnel; but he is mistaken if he thinks he is going to get it. When I asked if the dredge had left Murray River, I was told that the dredge was still there. I understand it is going to dredge Murray harbour in King's County, because the Government have the support of that county, but the people of Prince County will ask a long time before they secure its services. A year or two ago I promised the Minister of Public Works that if he gave a reasonable share of patronage to Prince County I would give him a fair support, but this has not been done. If \$6,000 were expended in Prince County it would not be sufficient to meet the required expenditure, and, of course, Queen's and King's require large sums. I observe there is a provision for North Rustico harbour in Queen's County, and also for Souris breakwater. These are important works, and no doubt the Minister has satisfied himself that the amount in the Estimates is sufficient for repairs, and I do not begrudge the people the benefit of that expenditure. Admitting that the expenditure in King's County is correct, it is obvious that a similar expenditure should be made in Prince County. Although I had a very handsome majority last election, about one-half the people are Conservatives, and if injustice is done to the county, the Conservatives suffer as well as the Liberals. I have laid before the Minister and this committee the wants of my county. I hope the Minister, at all events, will throw no cold water on a drowned rat, that he will not say he will do nothing for Perry, of Prince, because he is a Grit,

but that he will give me a fair show, and I will make a fair fight, and win if I can.

Mr. OUIMET. As to Miminegash, I am sure that \$500 will complete the work undertaken. As to Tignish, engineers will be sent there during the summer. As to the Point referred, I cannot extend very much hope for work being carried on there this year. As to the rest, I hope the department will do justice to the electors of Prince, as they do to the electors of all other counties.

Wood Islands—Breakwaters.... \$14,200

Mr. DAVIES (P.E.I.) As I have on many occasions expressed my strongest disapproval in regard to the manner in which money was thrown away on works of this harbour, it is but fair that I should express my satisfaction with the manner in which the department has grappled with the work of late, and that the contract has been let in a way which, I think, will ensure to the people there a commodious and free harbour. At all events, it is giving it a fair trial, and that is all I ever asked, and it is being carried on in the only way it could be carried out. I congratulate the Minister on having seen his way to give this measure of justice to those people, a measure of justice they have been asking for so long. With respect to North Rustico, I should like to ask how the \$3,000 is to be expended—whether it is going to be for extending the work?

Mr. OUIMET. It is proposed to construct seventy feet of work which had been destroyed by storm, and also to make a heading, thirty feet by sixty.

Mr. DAVIES (P.E.I.) How is the end to be secured? Last year I brought to the attention of the House the defect in the original construction. I hope the engineers will see that the end of the breakwater is thoroughly protected. If it is built as previously it will be carried away in the same manner.

Mr. OUIMET. The work will be cribwork, and will be secured to the rock, if we can reach it. If we cannot reach the rock, then the whole work will have to be bolted together with iron bars. I can assure the hon. gentleman that the department will do its utmost to make the work secure.

Negro Point—Breakwater..... \$25,000

Mr. BOWERS. I desire to ask for what purpose the money will be expended this year. Rocks are piled up at the entrance to St. John harbour, they having been washed down by the sand. In a few years, the whole western channel will be filled up by rocks, which have been washed down. The public money is simply being wasted at the present time on work connected with the breakwater. Some means should be adopted whereby the work would be made permanent. The whole work at the present time is in a state of utter dilapidation.

Mr. OUIMET. The importance of the breakwater to the harbour of St. John is, I suppose, not underestimated by the hon. gentleman. It is a necessity for the protection of the port. No doubt the seas there are so strong and heavy that large boulders are carried away by the enormous waves. This money will be spent to prevent that recurrence. The plan is to cement together the whole structure, and make it as if it were one block. This is an experiment to be made, and I am advised by my engineer that it is practiced in France and elsewhere, and he expects it will be a success. It will then be a permanent work, and will not require an annual expenditure.

River St. John, including Tributaries. \$10,000

Mr. COLTER. I should like to ask the Minister of Public Works how this money is to be expended?

Mr. OUIMET. In trying to procure a channel of eleven feet between St. John and Fredericton; and between Fredericton and Woodstock, the improvements consist in procuring three feet navigation, and above that various improvements are to be made.

Mr. COLTER. In 1892, the Minister in replying to a similar question of mine said: that the appropriation would be spent in improving the navigable channel of the river between Fredericton and Woodstock, removing obstructions in the channel above the latter place, and repairing the tow-path. He said that it was proposed to expend \$1,500 in purchasing two scows and to provide a scraper for the use of the St. John River between Fredericton and Woodstock so as to take off the snags. By the Auditor General's Report, I see that part of this money was spent in other ways. Some \$500 was spent in building piers in Sunbury; \$250 in King's; \$500 in Queen's; and \$500 in King's, N.B. I do not know what authority the Minister had, after his explanation to me, for spending part of this money on such works as that.

Mr. OUIMET. The building of these piers was considered as part of the proposed improvement. I might not have mentioned it when I gave the explanation in 1892, but the department considered that instead of building piers ourselves it was far better to assist in building these piers which will never be a charge to the department. The expenditure was fully warranted not only in being made in the interest of the improvements that were going on, but also fully warranted as being within the vote granted by Parliament. An examination has been made lately which has put the department in the possession of more practical and more exact information as to the various improvements that this river requires. Mr. Shewan has made a very interesting report, on the whole river, which I will send to the hon. gentleman, and the money that is

now voted will be used in carrying out the improvements mentioned in that report.

Mr. COLTER. I am very glad to hear that the Minister has a report, because last year the Minister told me that Mr. Allison had made a report there, and in reply to a further question of mine as to the feasibility of so improving the navigation between Fredericton and Woodstock, the hon. gentleman informed me that it appeared from the Allison reports that a channel might be kept up five feet deep for the greater part of the year except at the lower water, when a channel of three feet deep would be available. The Minister probably made a mistake and was referring to another part of the River St. John, for since coming here, I have received a letter from the Minister in which he acknowledges that Mr. Allison's report referred to some other part of the river, and that another gentleman was making a survey at that time. That was on the 5th of April. I do not see how the engineer could make a very satisfactory report on the 5th of April when there were two feet of ice on the River St. John. If he has not made a survey since that time I am afraid his report will not be worth a great deal. Last year I called the Minister's attention to the importance of improving the channel between Woodstock and Fredericton, and I wish to call his attention to it again. Here we have a district some sixty-five miles in length, along the valley of the River St. John, and the only public conveyance for the people is an old-fashioned stage coach, except for about one month in the spring of the year, when they have a boat. A boat was built on purpose for that route, but this year she has only been able to make eleven trips, and that was on account of two small sand bars in the river, on which, if a few dollars were properly expended, the boat could run almost all summer. Why, Sir, twenty years ago boats used to run about all summer on that river. Of late years, quite a sufficient sum of money has been voted year after year to keep navigation open on the river, if the money was properly expended; but I am sorry to say from the best information I have received that the money has not been at all judiciously expended. I will not say anything further as the Minister has, this year, a better idea of the importance of the work than he had last session. In courtesy to the Board of Trade of the town of Woodstock, I wish to read this letter, a copy of which has also been sent to the Minister, I believe:

To the Honourable
The Minister of Public Works.

At a meeting of the Board of trade of the town of Woodstock, N.B., held on the twenty-fifth day of April last, it was unanimously resolved,—“That this Board respectfully call the attention of the Honourable the Minister of Public Works to the fact that steamers plying between Woodstock and Fredericton, on the river St. John, are now able to run during a portion of the season only, and to the
Mr. OUIMET.

importance of improving the navigation of the river St. John between Woodstock and Fredericton, in order to enable steamers to run, if possible, the entire season between these points.

The Board would call your attention to the fact that very large quantities of products of this section of the country would find a readier and more profitable market if easier access were had to the markets and cheaper rates of transportation to St. John, than are now afforded by a single line of railway, the rates on which from Woodstock to St. John are excessive, as compared with their rates from points in Ontario and Quebec to St. John.

This Board respectfully submits that a liberal expenditure of money on the river between Woodstock and Fredericton would be of incalculable benefit not only to this particular section but to the whole country along the river, between these points, where no other means of transportation exist.

H. PICTON BAIRD, Pres't.

T. C. L. KETCHUM, Sec'y.

People on the upper part of the river St. John are at the mercy of a single line of railway; and, from the best information I can get—and I have made considerable inquiries—I find that the rates of that railway are excessive. If a few thousand dollars were spent in improving the channel between Fredericton and Woodstock, so that boats could run during the entire season, Woodstock would be made a competing centre and the people would get better rates to that place. I am quite sure, from information that I have been able to gather on the subject, that if the money voted in the last three or four years by this Parliament had been properly expended, nothing further would be needed; and I would suggest to the hon. Minister that instead of giving a few hundred dollars to this one, and a few hundred dollars to that one, the whole sum should be placed in the hands of one man, so that it could be properly spent. I am sorry to say I believe that most of the money that has been given in this way has been wasted. I would also suggest that the Government should appoint some one man to expend this money who is directly interested; and the man I would suggest is the captain of the boat. He is not a political friend of mine, but I think he would be the very best man who could be appointed. I hope the Minister will give his very best attention to this matter, and that in another season the boats will be able to make better progress.

Shediac Harbour—New Breakwater
for protection of Intercolonial Rail-
way Wharf at Pointe du Chêne... \$25,000

Mr. CASEY. What is it expected to cost to complete this work?

Mr. OUIMET. This amount completes the work. Its total cost is \$40,000.

Mr. CASEY. How much of the work has been carried away?

Mr. OUIMET. That breakwater is a protection to the Intercolonial Railway wharf, and its construction was a necessity, otherwise the railway wharf would have been carried away by the sea.

Mr. CASEY. I am not objecting to the construction of the wharf, as the hon. Minister seems to imagine. I am asking for information. It would appear that the construction heretofore was defective, because the work was washed away.

Mr. OUIMET. That was caused by the worms.

Mr. CASEY. Then this breakwater was built of wood?

Mr. OUIMET. Yes.

Mr. CASEY. Wood is a strange material to build a breakwater of.

Some hon. MEMBERS. Oh, oh.

Mr. CASEY. Breakwaters are supposed to be built of something more lasting than wood.

Mr. OUIMET. It is cribwork, built of wood and filled with stone. The hon. gentleman would pile up another public debt equal to the one that exists now if he were to undertake to make all these breakwaters of solid masonry, as in other countries.

Mr. CASEY. It seems to me that we are piling up the debt quite as fast by building them of wood, and having to rebuild them from time to time.

Mr. OUIMET. We are endeavouring to protect the wood by having it creosoted.

Mr. WOOD (Westmoreland). The wharf at Shediac has been there for a great many years. The breakwater is a little beyond the wharf, and protects it. It might have been weakened somewhat by worms, but I do not think its destruction so much to the worms as to a very severe storm that carried it away.

Mr. CASEY. It is in very severe storms that we want a breakwater to stand. If it is not built to stand a very severe storm. I do not see the use of it.

Mr. WOOD (Westmoreland). It would stand an ordinary storm, but this was a very exceptional one, which would have carried away the breakwater if it had been new.

General repairs and improvements to the harbour and river works, Maritime Provinces, generally... \$10,000

Mr. FORBES. I presume this is for general expenses?

Mr. OUIMET. It is for general expenditures on all the wharfs not sufficiently provided for, and also to pay the travelling expenses of the staff and the surveys that have been made.

Quebec—Grand Rivière—To complete harbour of refuge by extending the wharf..... \$14,000

Mr. OUIMET. The work is now under contract. This is to build an extension to the pier in order to have a safe harbour of refuge for vessels fishing on the coast of Gaspé. It is the only harbour of refuge there besides Gaspé. Total cost, \$28,861.

General repairs and improvements to harbour, river and bridge works, Quebec..... \$10,000

Mr. LAURIER. I had occasion to call the attention of the hon. gentleman some time ago to the condition of the dam on Yamaska River. The hon. gentleman said that the dam was in a good state of repair, and I am glad that the chief engineer is here to enlighten him on that subject. The dam has burst, and should either be removed or repaired. It is impossible to say that it is in a good state of repair.

Mr. OUIMET. I said that it was in a good condition to meet the requirements of navigation, and to serve all purposes. I am sorry to say that the expectations formed at the time it was built have not been realized, but it is in as good condition as required to meet the calls upon it.

Mr. LAURIER. I cannot understand how a public work, built by the Government, two years after its completion bursts, can be said to be in good condition.

Mr. OUIMET. The only damage was the top of the dam carried away, but it is not necessary to keep the water as high as at first contemplated. I am surprised at the hon. gentleman insisting on the Government spending more money there.

Mr. LAURIER. I was over that river last year, and the pilot and captain of the steamer told me that the dam was a nuisance in its present condition, and had to be improved or removed. After the work was constructed, a portion of the dam was washed away.

Mr. OUIMET. It is amply sufficient for the kind of boats that navigate that river.

Kingston Harbour..... \$6,000

Sir RICHARD CARTWRIGHT. The hon. gentleman's engineers would do better to make an end of this. Every year, for many years, we are asked to vote money for the purpose of removing the stones in the harbour at Kingston, and the work seems to have no end. To put a larger force on and complete the work in a shorter number of years would be better economy.

Mr. OUIMET. The shoal which has been taken off obstructs to a certain extent the entrance to the harbour at Kingston. True, if we had put in the Estimates a larger amount at once the work would have been completed sooner.

Sir RICHARD CARTWRIGHT. And cheaper, I am inclined to think.

Mr. OUIMET. I am told it would have been expensive, because it would have required an extensive plant, but probably the plant could have been used elsewhere later on.

River Ottawa—Improvement of steamboat channel through narrows at Petawawa, above Pembroke \$4,000

Sir RICHARD CARTWRIGHT. Will that complete these works?

Mr. OUIMET. No; it will take \$8,000 altogether. We had \$1,000 last year, but it was not enough to commence, and we allowed it to lapse.

Mr. CASEY. What has become of the very expensive canals this side of Pembroke? Are they in use?

Mr. OUIMET. I am not in charge of the canals.

Hamilton Harbour—Dredging... \$6,000

Mr. CASEY. What amount is to be expended in Hamilton?

Mr. OUIMET. The amount required to complete the work is \$12,321. It will then have cost \$23,000.

Port Albert—Extension of piers and dredging... \$10,000

Mr. CASEY. What about this?

Mr. DAVIES (P.E.I.) That is a re-vote.

Mr. CASEY. Whether it is a re-vote or not, I want to know what the work is going to cost.

Mr. OUIMET. The estimated total cost is \$18,000.

Goderich harbour—Extension of piers and repairs..... \$33,000

Sir RICHARD CARTWRIGHT. What is the nature of this work?

Mr. OUIMET. The extension of both the north and south piers, which are being built with a view to enabling vessels to enter the harbour with greater facility during stormy weather, and to prevent the formation of a bar at the mouth of the river. There is some dredging besides.

Mr. CASEY. Under contract?

Mr. OUIMET. Yes—the amount is \$38,000.

Mr. LANDERKIN. When was the contract let?

Mr. OUIMET. Last year.

Port Rowan—Wharf under contract... \$5,300

Mr. OUIMET. This is a work the total cost of which will be \$13,300.

Mr. OUIMET.

Mr. CASEY. How long has it been going on?

Mr. OUIMET. About a year. It will be completed this year.

Mr. CASEY. What depth of water do you get there?

Mr. OUIMET. About ten feet at the entrance.

Owen Sound Harbour—Dredging, &c..... \$5,000

Mr. OUIMET. This is to continue dredging the entrance of the harbour, to give a channel 500 feet wide and 20 feet deep.

Mr. LANDERKIN. When was it begun?

Mr. OUIMET. Last year.

Mr. LANDERKIN. I have been informed that the work is useless. They tell me that the dredged material is carried out only to a short distance and that the channel soon fills up to the obstruction of navigation. I am not speaking from my own knowledge.

Mr. OUIMET. That is one reason why we have been changing that channel. We have deflected it in a westerly direction in order to prevent the refilling which took place before.

Mr. LANDERKIN. Would not that be the very way to cause the channel to fill up more readily. The storms mainly come from the west.

Mr. OUIMET. I am advised by the engineers that this is the best thing that could be done. Owen Sound is about the most important harbour in that region for the traffic to Port Arthur, Fort William and Georgian Bay ports, and, therefore, we have to undertake that work.

Mr. LANDERKIN. It is certainly desirable that the work should be done, and well done.

Belleville Harbour..... \$3,000

Mr. OUIMET. That is dredging.

Mr. CASEY. How about the trouble with ice in the spring? Is anything being done to remedy that trouble?

Mr. OUIMET. This dredging is at the mouth of the river. It will have the effect of easing the ice toward the lake.

Dyer's Bay—Extension to Wharf. \$3,500

Mr. OUIMET. Strike out "extension to." I am assured that it will be better to build a small wharf some distance from there—that this will serve the people better. The department will determine what is best to do in the matter.

General repairs and improvements to harbour, river and bridge works, Ontario..... \$5,000

Mr. CASEY. I would like to ask the Minister the cost and result of the operations last summer at Port Stanley?

Mr. OUIMET. There was only dredging made this year. The money voted last year was asked for with a view to making greater improvements at that place. It was expected that certain arrangements would be made between the railway companies which would have made Port Stanley a very important harbour of communication between this side and Cleveland. This not having been realized, the money has not been spent.

Mr. CASEY. That is one reason why I ask the question. I believe that project is taking shape again. There is a line of steamers from Cleveland plying regularly now. I would like to know how far the improvement went last year—what depth of water was secured?

Mr. OUIMET. Fourteen feet, and \$1,000 was spent. The appropriation will have to be re-voted in the expectation that that improvement mentioned by the hon. gentleman may take place.

Mr. CASEY. Then something will be done for Port Stanley harbour out of this general vote?

Mr. OUIMET. Nothing but dredging. The wharfs are in first rate order.

Mr. CASEY. The outer ends of the wharfs are in good order, but the inner portion is very old and rotten, and even dangerous to walk on. I have known cases of people nearly being drowned by falling through the crumbling timber. Moreover, the old basin where vessels used to come in and turn around is silted up, and vessels coming in now must back out in order to get away.

Fraser River, improvement of
channel..... \$30,000

Sir RICHARD CARTWRIGHT. Under existing circumstances, is that likely to be capable of being expended as designed? I should fancy the channel there has undergone considerable modifications within the last few weeks.

Mr. OUIMET. All these improvements are made with a view of securing a good channel for navigation, also for preventing the encroachment of the river.

Sir RICHARD CARTWRIGHT. We all understand that the recent floods in British Columbia have wrought an extraordinary change all along the course of the Fraser River, and it seems to me likely that the improvements contemplated may be entirely impossible to have any effect under the existing state of things. Has the hon. gentleman any report from his engineers on that subject?

Mr. OUIMET. We have no report as yet, and the water is not low enough to allow an examination to be made.

Mr. CORBOULD. The floods will not at all affect the work that has been done on

the Fraser River. They are at the mouth of the river channel.

Mr. OUIMET. I understand that the waters have cut a new channel through the delta.

Mr. CORBOULD. I do not think it will affect the channel at all.

Mr. CASEY. What does the Minister estimate these channel improvements will cost?

Mr. OUIMET. In order to make the Fraser River navigable, and to secure all the shores from encroachment by the river, I think a sum of nearly \$500,000 will be required.

Mr. CORBOULD. Is it the intention of the Minister to continue the survey of the Fraser River? Last year there was a small appropriation, which was not sufficient. I do not see anything this year yet.

Mr. OUIMET. It is in contemplation to continue the survey.

National Art Gallery \$5,000

Mr. OUIMET. This vote has been taken in compliance with the wishes expressed last year by hon. members on both sides of the House, that this vote should be large enough to buy good pictures and improve the national art gallery.

Mr. DAVIES (P.E.I.) I am glad the hon. gentleman is moving in that direction. I would like to ask him whether any of the paintings exhibited at the exhibition this winter, were purchased for the use of the gallery.

Mr. OUIMET. I could not say, but I will give the hon. gentleman the information to-morrow.

Mr. DAVIES (P.E.I.) In what manner would these paintings be secured, under whose guidance does the hon. gentleman act?

Mr. OUIMET. Mr. Watts, of the department, an architect and a painter, and a member of the Royal Academy, and who, I think, is competent. He is the curator of the gallery, and as a rule, acts as adviser in the purchase of the pictures, although they are submitted to the Council. I do not know that the Council may be considered as first-class experts, but the pictures are submitted to the Council to confirm the judgment that has already been passed upon them by the curator.

Mr. DAVIES (P.E.I.) I should imagine it would have been a good plan to select a committee of three of the Royal Academicians to make the choice. I thought that at the time of the exhibition, when the pictures were here in the gallery, would have been a good time to make a choice from among Canadian pictures, although, of course, we do not imagine they are to be solely Cana-

dian pictures. But I should think that instead of trusting to the judgment of one man, although he is a member of the academy, it would be better to have a committee of three academicians.

Mr. OUIMET. That is another question to decide, as to whether we should make that national gallery a school gallery, that is, whether it would be better to buy specimens of the different schools of painting for the advantage of young people who want to study them, or whether it is only to be used as a gallery for Canadian products exclusively.

Sir RICHARD CARTWRIGHT. This is a little difficult matter for us to decide, but I am inclined to think, looking at the enormous prices which would have to be paid for any pictures of first-class merit by masters of known and high character in England, not to speak of any of the old masters—I am inclined to think we might just as well use this small sum of \$5,000 for the encouragement of Canadian art only. I think in that case it would not do to leave the choice to a gentleman of the department, however well qualified he may be. I don't object to the vote, but I would certainly recommend that certain of the best known of our artists in our country should be formed into a committee and allowed to try their hands for a year or two at the purchase of the best products of Canadian art that we can find. The hon. gentleman knows well that while we may establish a school of art, it is quite out of our power, without a very much larger expenditure than is contemplated, to obtain any works of art that will compare in the slightest degree with the collections that may be seen in the adjacent republic, or even in the houses of the wealthy citizens of this country. I dare say the hon. member for Montreal West (Sir Donald Smith) at the present moment allows artists to inspect his collection of paintings, which is of very great value, and which it will be entirely out of our power to accumulate here.

Mr. DAVIES (P.E.I.) I do not wish to throw out any intimation that we should go beyond Canadian artists in our efforts to establish an academy. It is, however, of very great importance that we should have a nucleus. As to purchasing works of art from foreign artists, that is out of the question. I had an opportunity last year of going through the art galleries in Central Park, New York, where there are paintings valued at from \$10,000 up to \$60,000 each. There is an incident in connection with that art gallery which is gratifying to the American people in the extreme, and is a very laudable one, and that is the number of presentation pictures given by loyal Americans to their art gallery. I indulge the hope that if we start a good art gallery here, our patriotic citizens will, from time to time, bequeath to the gallery

Mr. DAVIES (P.E.I.)

works of art. Such has been the experience in other places, and it may prove to be the same here. Whether that should prove to be the case or not, the movement is one that should be inaugurated, and I hope the pictures will be selected in such a way as to assure the public that works of merit will be secured. We are not going to get a great deal for \$5,000, but we may obtain some meritorious works.

Mr. FLINT. I suggest that the Minister should have some scheme prepared in regard to this matter. Perhaps he might hand it over for consideration to the Royal Society, and receive suggestions from the members as to the best means to be adopted to start an academy, so that in course of time, probably in twenty-five years, we may have accumulated some works of value to the country.

Collection of Revenues—Public
Works \$178,750

Sir RICHARD CARTWRIGHT. How much shall we get back of this expenditure of \$178,000?

Mr. OUIMET. All the slides, except those on the Trent, are self-supporting.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.10 a.m. (Saturday).

HOUSE OF COMMONS.

MONDAY, 18th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SECOND READING.

Bill (No. 136) for the relief of Orlando G. R. Johnson, on a division.—(Mr. Metcalfe.)

PROPOSED INFANTRY SCHOOL IN MONTREAL.

Mr. LAVERGNE asked, 1. Is it the intention of the Government to put in the Estimates this year, a sufficient amount for the establishment of an infantry school in Montreal; and for what amount? 2. Is it the intention of the Government to remove from St. Johns, P.Q., to Montreal the military school established at the former place in 1883?

Sir JOHN THOMPSON. The first part of the question I cannot answer until the Supplementary Estimates come down, probably

in the course of next week. The second part of the question is a matter under the consideration of the Government.

INTERCOLONIAL RAILWAY—SALES OF SCRAP IRON.

Mr. SUTHERLAND (for Mr. Borden) asked, What quantity of scrap iron has been sold by the Intercolonial Railway to the Truro Foundry and Machine Company during the years 1890, 1891, 1892 and 1893, and what was the price per ton?

Mr. HAGGART. The quantity of scrap iron sold by the Intercolonial Railway to the Truro Foundry and Machine Company during the years 1890-91-92-93 was: 1890, 116,140 pounds at \$10 per ton, and 68,100 pounds at \$15 per ton; 1891, 136,400 pounds at \$15 per ton; 1892, 209,915 pounds at \$15 per ton; 1893, 241,352 pounds at \$15 per ton.

FORM OF BALLOT PAPER.

Mr. RIDER asked, Is the form of ballot paper designated as "Form J" (and set forth in section 5 of the Bill now before this House, entitled "An Act further to amend the Dominion Elections Act") the property of the Government? If so, how? And if by purchase, what are the conditions?

Sir JOHN THOMPSON. The form of ballot paper, to which the hon. gentleman refers, is not the property of the Government.

COLLECTOR OF CUSTOMS AT GASPE.

Mr. FAUVEL asked, 1. Has the collector of customs at Gaspé, Mr. J. J. Kavanagh, been superannuated, or has he applied for his superannuation? 2. If so, when? 3. Has any person been appointed to fill the vacancy? If not, is it the intention of the Government to promote the landing-waiter at the said port, Mr. Peter E. LeGros, to the position, and what is the cause of the delay in making the appointment?

Sir JOHN THOMPSON. He has not been superannuated, but has made application therefor, under date of 20th March, 1894. The collector being ill, his position is temporarily filled by Mr. Peter E. LeGros. The question of appointing a collector is receiving the consideration of the Treasury Board.

ST. THOMAS POST OFFICE.

Mr. SUTHERLAND (for Mr. Casey) asked, What is the amount of box rents which the hon. Postmaster General stated are received by the postmaster of St. Thomas, Ont.? Is it usual that the postmaster should receive such rents in cases when the post office is kept in a Government building? On what basis are the salaries of the assistant postmaster and other employees in the St. Thomas post office fixed, and by whom? Are they appointed by the Government or by the

postmaster? What are the individual salaries of such employees other than the assistant postmaster?

Sir ADOLPHE CARON. The postmaster of St. Thomas does not now receive any of the box-rents of his office; the whole amount is paid over to the Post Office Department. Postmasters do usually receive box-rents in cases where the post office is kept in a Government building. But in cases where the emoluments are large, I propose, as vacancies occur, to revise the salaries and place all the larger offices on the same footing as St. Thomas has now been placed, that is to say, to give the postmaster a regular salary and to make him an allowance for the salaries of his clerks and contingent expenses of his office. The salaries of the assistant postmaster and other employees are the same as were paid by the late postmaster. The assistant postmaster and clerks in the St. Thomas post office are appointed by the postmaster. The salaries paid are to the assistant postmaster, \$85 a month; P. E. Windop, \$42 a month; E. Galbraith, \$20; A. Davey, \$18; J. Horton, \$18; W. G. Marten, \$12; J. Russel, \$5, in all \$200 a month.

OTTAWA EXPERIMENTAL FARM.

Mr. BEAUSOLEIL asked, How many persons are employed in the management of the Experimental Farm at Ottawa; and how many of the said persons speak and write the French language? Is it the intention of the Government to establish a proper service for French correspondence at the Ottawa Experimental Farm?

Mr. DALY. In addition to the five chief officers at the Experimental Farm at Ottawa, there are seven who act as assistants in connection with office and technical work. Five of these speak and write French, and three are specially employed in attending to French correspondence. All French letters are promptly attended to, and the assistance available for French correspondence is much more efficient than that provided for English correspondence. In addition to the five French-speaking officers named, four of the remaining officers have sufficient knowledge of the French language to enable them to give information in French.

POSTMASTER AT GEORGETOWN.

Mr. LANDERKIN asked, Was any charge made against the late postmaster at Georgetown? If so, when, and by whom? What was the nature of the complaint? Was it investigated, and when? Was the postmaster exonerated?

Sir ADOLPHE CARON. There was no complaint made against the postmaster at Georgetown. It simply came to the knowledge of the department that the postmaster

was mentally incapable of performing his duties.

RETURNS ORDERED.

Statement showing in detail all sums of money paid to Mr. Narcisse Rosa, of Quebec, ship-builder, during the years from 1865 to 1869, inclusively; the date and amount of each payment; the names of the vessels for which each payment was made; the reason for each payment so made, showing whether the payment was made according to the tonnage of each vessel, and what tonnage, or whether it was made on the basis of articles used in the building of the vessel and what articles, and stating such articles and the duties so paid and remitted in detail, with the dates of reimbursements for each vessel; such statement to show moreover which of such payments were made to the said Narcisse Rosa in person, and in the case of payments made to persons other than himself, but for him, the names of such third parties; also copies of receipts for each sum of money given by the said Narcisse Rosa or by others in his behalf; also copies of all powers of attorney under which such third parties received any such money for the said Narcisse Rosa.—(Mr. Amyot.)

Return of all charges, complaints, letters, telegrams, correspondence, reports or orders relative to the dismissal or removal of John McLeod as inspector of the repairs of the Broad Cove Marsh pier, Cape Breton.—(Mr. Davies, P.E.I.)

UNITED STATES LIVE STOCK TRANSIT IN CANADA.

Mr. SPROULE moved for:

Return of all correspondence, reports, instructions or other communications between the Government and the railway companies, and between the Government and their inspectors, regarding the regulations for carriage of live stock over said railways, from any point in the United States through Canada, to any other point in the United States.

He said: Mr. Speaker, my object in making this motion is to furnish information, which, I think, will be valuable to some newspapers in the country which have been dealing with this question. As you will notice, Sir, the motion was put on the Order Paper a long time ago, but it has been reached only to-day for the first time. It was on account of an article which I saw in the 'Canada Farmer's Sun,' a paper representing the Patrons of Industry, I understand, which induced me to move for this correspondence, as I believe that the correspondence, when laid before the House, will be found not to sustain the allegations that were made in that paper. The article I refer to is in reference to the importation of cattle diseases through carriage on the railways of the country of cattle, and it reads as follows:—

And still, there is danger ahead. This time the danger is at Ottawa. A cloud has been hanging over our people for years, and the eyes of our legislators have been blinded in the darkness that has

prevailed. It has been represented that the cattle embargo in England was occasioned by the introduction, years ago, of a few Minnesota and Dakota cattle into our North-west Territories, and the people have believed what has been said to them by a dishonest Government whose members have known all along that the statements were false. The cattle industry that had been developed to so great an extent in Canada had been blighted by the action of the Government, which has truckled to the railway combines whose hand is on their throat. A more damnable chapter of infamy has never been recorded in the history of Canadian government. Here is the story of our Government's abasement.

For a few years prior to 1880 American cattle were not allowed to be carried across Canada because the droppings from the cars, &c., were believed to contain the germs of fever. Canadian cattle then had a free market in England, while American had not. In 1880 the railways influenced John A. Macdonald's Government to permit the carrying of cattle again through Canada. This was granted under certain regulations which the Imperial Government prepared. One regulation was that all cattle should be unloaded and inspected on the American side by a competent veterinary surgeon before passing into Canada. All inspection was to be made in the daytime. Since about 1884 no cattle have been taken from the cars. The Deputy Minister of Agriculture (Mr. Lowe) said he would "wink" at such violation of the regulations. This was a concession to the roads. Then, the roads complained that they could not time their cattle trains so as to reach the frontier in the daytime, and night inspection (in the cars) was permitted, which was a roaring farce. Dr. Wright, who is a veterinary surgeon as well as a practicing physician and a life-long Tory, was the inspector at Detroit. He made up his mind that as the inspection he was permitted to make was a farce, he might as well make none at all, and he did not. Ostensibly because he would not move to Windsor the Government dismissed him a few years ago, and he at once forwarded the facts to the Imperial Government. In six weeks the Canadian cattle were embargoed. Thus the interests of the railroads were regarded as paramount by the Government to the interests of the farmers. Rather than enforce the regulations of the Imperial Government which would have been a serious blow, of course, at the transit rates of the railways, the Government winked at their violation, and in fact ordered their violation, with the result that while the railways have profited by the American cattle trade the Canadian farmers have lost their only market for cattle.

This paper again says:

The properly qualified inspectors required by the Imperial authorities have sometimes had no qualifications whatsoever. On one occasion a butcher being authorized to perform the duties of an inspector.

Now, as this paper is circulated very extensively amongst the farmers of the country one can readily understand the feeling that might be created by such an announcement. This paper was published on the 1st May, and about the middle of that month my

Sir ADOLPHE CARON.

attention was called to it by some person sending me a marked copy. I had reason to believe then that the allegations set forth in the article were incorrect, and I took the trouble to look over the correspondence which the Deputy Minister was kind enough, by instructions from the Minister, to allow me to see; and, instead of the correspondence bearing out the charges contained in the paper, the very reverse was the case. To my mind, it was one of the plainest and worst possible cases of blackmail—the conduct of Dr. Wright in connection with this affair—that I ever saw. For the purpose of answering these charges, I had reference to the Deputy Minister of Agriculture, who sent me notes regarding them. The first question relates to the transit of United States cattle through Canada from the west to the east—from one United States port to another. That is conducted by regulations under an agreement with the veterinary department of the Imperial Privy Council to which reference is made in this paper. There are two things to be noted in the article: 1st. That the inspection was to be made after the cattle were unloaded; and, 2nd. that it was to be made in the day time. Now, as I have a copy of the regulations, it is easy to ascertain how far that is correct or otherwise. As I have said, these regulations were in accord with an agreement between the Imperial Privy Council and the Canadian Government, and were made to provide for an inspection of cattle coming into the country. The restrictions under which the transit was to take place are defined in Order in Council of 22nd April, 1880, which forms part of chapter 7 of the Consolidated Orders of Council of Canada, and is as follows:

PART III.

Transit of Animals in Bond.

14. American cattle and swine, the importation and introduction of which are prohibited as ordered by Part I, paragraph 3, may nevertheless be permitted to enter into Canada in bond, at the ports of Sarnia, Windsor and Amherstburg, to be conveyed, under surveillance and strict rules of isolation through Canada and territory to the American frontier at Rouse's Point, St. Armand Station, Island Pond, the Suspension Bridge (Niagara) and the International Bridge (Fort Erie); but no such transit shall be allowed, unless an agreement between the Minister of Agriculture and the railway company interested in and conducting such transit has been communicated to the collector of customs at each of the said ports or stations.

15. The transit of cattle and swine between the points mentioned in the next preceding paragraph shall be subject to such rules and regulations as the Minister of Agriculture shall prescribe and in accordance with the arrangements which may be made between the said Minister, and the Grand Trunk, the Great Western and the Canada Southern Railway Companies, for the proper carrying out of the present order, and the necessary measures to save the live stock of Canada from the dangers of contagion and infection.

16. Amongst other things, these arrangements of the Minister of Agriculture shall provide:

(a) That an inspection of the said cattle and swine shall be made before they are admitted to transit, permission for which transit shall only be given on a certificate or clean bill of health from the inspector, he being a veterinary surgeon appointed by the said Minister:

This says that an inspection shall be made, but it does not say whether it shall be made in daylight or at night, and it says nothing about the regulations as to unloading—

(b) That each train carrying American cattle or swine or both, from frontier to frontier in bond, shall be accompanied by one of the staff of guardians, also to be appointed by the said Minister;

(c) That the cars and trucks employed for such traffic be specially and exclusively devoted to such purpose;

(d) That no Canadian animals shall be carried at any time in the same train in company with, nor in close proximity to, American cattle or swine, and that no car or truck employed in the American cattle and swine transport shall be used to carry, at any time, Canadian animals;

(e) That no unnecessary delay occur with any train engaged in the said transit passing through Canadian territory;

(f) That due precautions be taken to retain in the cars or trucks and disinfect, if need be, the droppings of cattle and swine thus carried in transit;

(g) That no such cattle or swine, nor their carcases in case of death occurring (unless immediately buried under directions of the proper guardian), nor parts thereof, nor articles having been employed about them, be permitted to remain in Canada nor to come in contact with any person or persons, other than those engaged on the train or thing whilst thus undergoing the said transit:

17. Inasmuch as it is of absolute necessity, owing to the length of the trip, on the Grand Trunk Railway, to provide for a place where American cattle and swine can be fed, watered and rested, it is ordered that the said resting place shall be established at the station of Lyn, in the province of Ontario, where a double, isolated enclosure shall be provided by the railway company, selected, established and fitted to the satisfaction of the Minister of Agriculture, before the said company is permitted to transport American cattle or swine over their line. The said enclosure, besides other requisites, shall be provided with a high board fence and a vacant space around the said board fence, the said outside spaces to be also fenced, in order to prevent any approach to the inner enclosure; the said inner enclosure shall be provided with a special siding, with two locked doors, for the admission and isolation, under key, of the cars or trucks carrying American cattle or swine in transit.

18. The two fenced enclosures mentioned in the next foregoing section, situated at the Grand Trunk Railway station at Lyn, in the province of Ontario, with all appurtenances therein, or things belonging thereto, is hereby declared to be an infected place, in the meaning and for all purposes of the "Act to provide against infections or contagious diseases affecting animals."

19. The enclosures through which American cattle and swine enter Canada, in transit at Sarnia, on the Grand Trunk line, must be arranged, fitted and isolated in like manner, to the satisfaction of the Minister of Agriculture, and the said enclosures situated on the Grand Trunk Railway grounds on the frontier, with everything thereto appertaining, are also declared hereby to be an infected place.

Now, Mr. Speaker, I have read the whole of the regulations, because they contain every restriction and every regulation which was made in conformity with the express desire of the Imperial veterinary authorities, and which, if properly carried out, were likely to prevent any danger of the importation of disease owing to cattle from the United States passing through Canada. Now, Dr. Wright was first dissatisfied with the salary he got for doing his work, and applied to the railway company for an increase of salary, which they refused to give. It happened at first that the transportation was carried on properly during the day time; but when the cattle reached the frontier at night, especially in the winter time, and it was dangerous to them, and very injurious to the trade, to detain them through all the hours of the night, application was made to the Minister of Agriculture to allow them to go through at night without detention. As there was nothing in the regulations which prohibited it, and there was not any likelihood of any danger ensuing, the desired permission was given. Then Dr. Wright requested that greater facilities should be given for the inspection of the cattle; and asked that electric light be established; and he proposed that these increased facilities should be coupled with the condition that the railway company give him an additional salary. It seems, however, that the railway company refused to comply with the request. It happened, when cattle were coming on lines a little distance from each other at Windsor, it was inconvenient to detain the cattle at one point while cattle were being inspected at the other; and the railway company proposed to put telephonic communication between the two points for the greater convenience of the inspectors. But Dr. Wright, who seemed to consider this golden opportunity for making a little money, refused to allow the companies to put up a telephone in his office unless they would give him \$500 for the privilege. This the companies refused to pay, and then Dr. Wright began writing a series of letters for the purpose of compelling the company or the Government to give him a higher salary. He threatened that if his request were not granted, he would publish certain information in his possession which would be likely to result in the scheduling of Canadian cattle, of putting an embargo on them. The restrictions under which this transit was carried on I have already read. This order has since been continued in force, and it provides for the isolation of American cattle passing

Mr. SPROULE

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in transit through Canada, and for preventing their possible contact with Canadian cattle. It does not, the Deputy Minister says, provide for the unloading of cattle. In the regulations I have read, you will notice there is no provision for the unloading of cattle whatever before inspection, and is entirely silent as respects the hour at which the inspection shall take place. I intend to read Dr. Wright's letter in which he refers to this matter and the allegation made that the inspection was not to be made at night, but must be made in the day time. Night inspection is not provided in the regulations I have read to the House. When the regulations referred to were made fourteen years ago, the information as to how the disease of pleuro-pneumonia was conveyed was very much more vague than at present. The regulations, therefore, provide protection against undefined fears, because then it was not definitely known whether pleuro-pneumonia might not be conveyed by one animal to another, either through the droppings of the animal or other causes while being transported across the country. It happened also in 1886, that in consequence of these undefined fears, when pleuro-pneumonia was actually found to have been imported from Scotland into the Lévis quarantine, the cattle of the farmers in the neighbourhood, which had not an opportunity to come in contact with the fences of the quarantine, were slaughtered. This act was altogether more than was necessary, and was by the present light in the matter altogether quixotic. The latest authentic definition of the way in which pleuro-pneumonia is spread is contained in an official communication of the Board of Agriculture to the Colonial Office, under date April 16th last. This was evidently intended for the information of Lord Ripon, and to be conveyed to the Canadian Government:

The disease (pleuro-pneumonia) spreads but very slowly, especially in open and sparsely populated country as distinguished from urban localities; the susceptibility of animals to infection is nothing like so great as in many other diseases of a contagious character; it exists in a latent form for a lengthened period; it cannot easily be detected or distinguished in the living animal from other forms of lung disorder—

That requires to be particularly noticed, because it has a bearing on the inspection of these cattle which was ordered:

and it is communicable only by contact between living animals and through the medium of the respiratory organs alone.

Now, if it is communicable only in this way, there could be no great danger of the American cattle infecting the Canadian cattle so long as the former were kept inside the cars. It follows from this that the precautions taken under the regulations were in excess of the actual requirements, which

were simply that there should be isolation of the animals passing through Canada and the prevention of contact with any Canadian animals. It was, however, known at the time the regulations were made, that pleuro-pneumonia could not be detected even by the closest inspection of the living animal, in its incipient stages, much less by the inspection of animals in herds passing through the country, either by day or by night. The inspection, however, has since been kept up as being useful, and necessary to see to the isolation, and also to the fact that none of the grosser forms of the disease are permitted to enter Canada. Any grossly sick or dying animal would be detected by the inspection which has been made. A provision of the regulations was that the Minister of Agriculture should prescribe the necessary measures for carrying them out. The regulations do not, as Dr. Wright alleges, prohibit night inspection. The clause (a) of the regulations, I have already read, but shall repeat it :

That an inspection of the said cattle and swine shall be made before they are admitted in transit, permission for which transit shall only be given on a certificate or clean bill of health from the inspector, he being a veterinary surgeon appointed by the said Minister.

It does not say either day or night, or whether loaded or unloaded. This was not thought of when the regulations were made, but it was found that the trains arrived at irregular times, sometimes in the night, and it was therefore much pressed by the railway companies. The Minister, in consequence took the opinions of his veterinary advisers, Professor McEachran, of Montreal, and Professor Andrew Smith, of Toronto, both of whom, in the circumstances, expressed opinions favourable to allowing night inspection, on the grounds, first, of preventing cruelty and injury to animals in circumstances where there was no means of unloading them for rest, water and feeding, and because it was not seen there were any reasons why there could be any danger from allowing them to pass for a few hours through the country in closed cars under the restrictions defined. Still, in the face of the then undefined fears as to how pleuro-pneumonia was spread the consent of the Minister was given with some reluctance. These fears, however, were not only exaggerated, but unfounded when tested by the present lights, as contained in the definition above cited from the Board of Agriculture to Lord Ripon. The whole of the regulations as they have been carried out are actually in excess of the requirements. All cattle trains are inspected at Sarnia and Windsor by three veterinary officers before they are allowed to pass through, and a veterinary officer is appointed to visit cars en route in order to see that the railway companies live up to the requirements of the regulations. Dr. Wright, in a communication to some of the newspapers, has

stated that Mr. Lowe, the Deputy Minister of Agriculture, had informed one of the railway companies that he would "wink" at night inspections, although they were prohibited by the regulations. Both statements are false. It appears by the letters of Dr. Wright himself, which are in the department, that he received his instructions to pass cattle trains during the night from Professor Andrew Smith, who was in charge of the inspections. On March 20th, 1882, an Order in Council was passed on a report of Mr. Pope to appoint Professor Andrew Smith veterinary inspector for the province of Ontario, to superintend the inspection of live stock entering that province from the United States. On 13th April, 1882, Dr. Wright was notified by an official letter that he was to take all his orders in respect of these inspections from Professor Andrew Smith. And on 10th May, 1882, Professor Andrew Smith was told officially that all the inspectors had been placed under his direction and were to take their orders from him. The Minister of Agriculture at that time, instead of giving details of orders through the department direct, considered it more prudent that all professional directions should be given through the chief professional adviser in Ontario, namely: Professor Andrew Smith. On these facts the Deputy Minister says in the notes referred to: "I, therefore, had no responsibility whatever with respect to giving the order for the night inspection. It was the Act of the Minister on the professional advice of Professor Andrew Smith, also concurred in, as I have stated by Professor McEachran. I do not desire however, to escape from any responsibility with respect to this order; and I, therefore, state here that I entirely concurred in it, and do so still." It followed from these proceedings that threats began to be muttered by Dr. Wright that unless his pay was increased he would make certain exposure. They are those which are published in the newspaper referred to, which I have read in the 'Canada Farmer's Sun.' He made these threats to the railways and they reached the Minister through the medium of both the Grand Trunk and the Canadian Pacific Railway Companies' managing offices. The answer directed by the Minister was that these threats must be withdrawn or Dr. Wright must be dismissed. They were unconditionally withdrawn in a letter of Dr. Wright and Professor Andrew Smith, and Professor Smith wrote to the Minister that he desired, if possible, to save Dr. Wright, who had been one of his pupils, and who, although he was rash, was still a man whom he desired in the circumstances to serve. Professor Smith subsequently recommended his removal, and Dr. Wright ceased to be an officer of the department in August, 1891. And immediately afterwards, I suppose, he made these communications to the paper, and the 'Canada Farmer's Sun' says, the embargo was put on our cattle,

But the discrepancy must be apparent to every one when they remember that this communication was in 1891, and it was the fall of 1892 before the embargo was put on, and then it was for the specific reason alleged, namely: that two head of cattle were found supposed to be affected by pleuropneumonia, one taken over by the 'Huronian,' and the other by the 'Monkseaton.' Some of the circumstances attending Dr. Wright's blackmailing are the most open and the most flagrant it was ever my lot to have any knowledge of. Some points of these are stated in the notes and papers furnished me by the Deputy Minister marked "B." Some further facts are contained in the paper marked "C." The information in both these papers is covered by the return which was ordered on motion of Mr. Mulock, and Mr. Mulock. I was informed by the Deputy Minister, with the consent of the Minister, visited the department and read over all these papers. If I am not mistaken, the return was not copied, but permission was given to Mr. Mulock to visit the department and go over the correspondence and satisfy himself. The Minister gave me a similar permission, and I have here some notes marked "B" relating to Dr. Wright's demands. On 27th September, 1883, Mr. G. W. Reynolds, of the Great Western Division of the Grand Trunk Railway, wrote to Mr. Stiff that he (Dr. Wright) would make exposures unless certain payments were made to him, and asking that electric lights be put in at the D. G. H. & M. R. and Wabash yards. On 5th November, 1883, Dr. Wright wrote to Mr. Reynolds to say that he would not allow the telephone to be put in his place for a facility unless the railway gave him \$500. He complained that the cattle were passing at two points, one Windsor and the other Sarnia, and it was inconvenient for him to keep up direct communication with the two without interfering with the traffic and causing detentions at one point while he was attending to business at the other point. And, so that as great facilities as possible might be allowed to him to do the business with despatch, the railway company offered to put in a telephone at either end so that communication could be had direct with him in a few minutes. This offer he refused to allow unless the railway company would give him \$500 for permission to put telephones in his office. On 6th November, 1883, Mr. Reynolds wrote to Mr. Stiff that Dr. Wright had shown him a long letter which he intended to publish unless his demands were complied with, it being plainly stated that the publication of such a letter would stop the transit traffic altogether. Further, that Dr. Wright had increased his demands for electric lights, from three to \$500. Mr. Reynolds said that Dr. Wright showed him several typewritten copies of his threatened letter, and further, that he had shown it to a leading member of the Opposition in Canada, who had pro-

Mr. SPROULE.

R

mised to take up the case in the House for him. On 8th November, 1883, Mr. Reynolds wrote to Mr. Stiff in the following terms:—

Dr. Wright is now with me and makes a proposition, which, if accepted by you, will end the hard feelings between him and the company and enable us to do stock business without further trouble. He says that if you will give him \$300 more per annum (\$1,500 in all) and an annual pass over the lines of the Grand Trunk Railway, he will allow the telephone to be put in and withdraw his demand for the electric lights.

In another letter of the same date, Mr. Reynolds writes:

Please notice that Dr. Wright has endorsed the attached, by writing his name and "correct" on the bottom left-hand corner.

On the 12th November, 1883, Mr. Stiff writes to Mr. Hickson a narrative of the facts, adding:

I presume, if he carries out his threat to publish his views on the transportation of stock through Canada, he would do some injury, and that the touchiness which the English people have about this cattle disease, it might lead to the shipments being again stopped, but, in my opinion, it is a question whether we should submit to what must be considered as blackmail, or whether the Government will not be prepared to risk his threats and put some other man in his place. I should think that he had, by signing Mr. Reynolds' letter, dated 8th November, committed himself to such an extent that the Government would have no hesitation in dispensing with his services.

On 16th November, 1883, Mr. Wainwright submits the facts to the department in a letter to the secretary, saying he cannot think it is the wish of the department "that we should be subjected to such outrageous demands." On 23rd November, 1883, Mr. Wainwright telegraphs to Mr. Lowe:

Another message from Windsor stating that if a settlement is not made by Friday on the basis of the claim he (Dr. Wright) has made the documents he has prepared will be published.

On 23rd November, 1883, Mr. Lowe telegraphed in substance that correspondence with Wright must be through the department. On 23rd November, 1883, Mr. Wainwright wrote to Mr. Lowe:

I have already told you that whatever the department considers this company should pay for Dr. Wright's services we shall not demur to, but threats of this kind should not be tolerated and I send this to you privately that you may deal with the matter as you deem best and tell me what position you think this company should take.

On 24th November, 1883, Mr. W. K. Muir, of Detroit, wrote a letter to Mr. Hickson saying he had in his possession Dr. Wright's threatened letter, the publication of which he thought might do mischief, and recommending that some arrangement be made with him. On 27th November, 1883, Mr. Wainwright sent to Mr. Lowe Mr. Muir's letter in a confidential memo. and asked whether

this man (Wright) was to run the Government and the railways? He added that the railway was not disposed to be blackmailed and thought it better that Dr. Wright and his question should be settled at once. On 26th November, 1883, Dr. Wright telegraphed to Mr. Hickson:

Your letter received this morning. Original manuscript of article referred to handed to Mr. Spicer here yesterday and written statement of terms on which I will settle, which if not accepted and the money paid by Friday, I will mail it for publication.

On 27th November, 1883, Mr. Wainwright, in a letter to Mr. Lowe sends a copy of Dr. Wright's message (26th November) to Mr. Hickson, in which he stated:

These messages and these letters from this man, to my mind, are the greatest piece of blackmail I have ever been subjected to, and I have told him distinctly that we only propose to deal with him through the Government. I cannot believe that the Minister, whatever the results are, will tolerate such action on the part of anybody as the messages and letters received from this gentleman, and I leave it to you to say what you expect this company to do. We shall act upon it upon hearing from you in reply to this letter.

On Nov. 28, 1883, Mr. Lowe telegraphed to Mr. Wainwright:

We have sent for Professor Smith and informed him he must notify Wright either to withdraw correspondence and apologize or leave the service. Please say nothing more to Wright except tell him he will receive answer through Smith. Will write.

Next in order in the correspondence is the following letter of Dr. Wright to Mr. Hickson:—

WINDSOR, Nov. , 1883.

JOSEPH HICKSON, Esq.,
General Manager G.T.R.,
Montreal.

SIR,—Now that I am assured that Mr. Ledyard, President of the Michigan Central Railway has read the article referred to in my despatch to you on Thursday last, 22nd inst., I now write you to say that I will not want any later than Thursday next the 29th inst., for the settlement of the question in dispute by the payment in cash of my demands for past services, and a satisfactory agreement for the future, when, if it is not settled, I will mail the article referred to the English and Canadian papers, and send it in pamphlet form to the presidents of the County Agriculture Societies in the province of Ontario, the effect of it will be (at least I think so) to compel the Canadian Government to pass an order to prohibit the transit of United States cattle through Canada, or the English Government will be disposed to schedule Canadian cattle. From the first I acted honestly with the Government by refusing to accept the same money which I now demand when offered me by Mr. Stiff, to pass the stock at night before I had permission for the Government to do so, and I have done everything in my power to facilitate your

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business in respect to the transit of United States cattle. I have been treated in the most outrageous manner both by the Government and Grand Trunk authorities, and now I am determined either to have what I demand, or I will make an attempt to have the transit of United States cattle prohibited. I will settle with you on fair square business basis, and will make no unreasonable demands, all things being taken into consideration.

Yours truly,

J. B. WRIGHT.

On a corner of the letter, Dr. Wright wrote the following note:—

I demand in settlement \$2,500 for past services, and \$200 per month for the future, also an annual pass over all lines of the Grand Trunk interests, and on these conditions will agree not to publish article referred to in this letter which sets forth the danger to Canadian cattle by United States cattle being allowed to pass through Canada.

J. B. WRIGHT.

Now, I give these letters from Dr. Wright because they show the venality of the man, and the disposition which he displayed to blackmail both the Government and the company, and to force them into giving him the money which he was not entitled to. Then I have his affidavit in which he goes over the regulations again specifically, and sets forth that the inspection is only to be made after the cattle were taken from the trains. I have set that allegation at rest by reading the subsection of the regulations which provides for it. Then his other allegation, first, that the inspection was to be made after the cattle were landed, and second, that the inspection was to be made in the day time. I have shown are both untrue. Now, the instructions which he got from Dr. Andrew Smith are set forth very fully and very plainly. First, in the letter of the department to Dr. Smith, telling him to attend to this matter, and send an inspector there to examine the cattle. The instructions that were given by Professor Andrew Smith to Dr. Wright, are in the following terms:—

DEAR SIR,—I enclose letter received from Dr. Wright in explanation of his signing blank certificates. I beg to state that any instructions he ever received from me was to carefully, thoroughly and honestly discharge the duties of his position.

A copy of these regulations under which he was to discharge them was sent to him. So it will be seen by this that the allegations set forth by Dr. Wright are entirely incorrect. Here is the apology that he makes when he thought that, by making it he would get the additional amount of money which he asked:

TORONTO, 31st December, 1891.

SIR,—I beg to apologize for what I have said and written in respect to inspection of stock at Windsor and Detroit, and the course I have taken in regard to the Grand Trunk Railway Company, and I hereby withdraw unconditionally anything I may

have said or written on the subject, and faithfully promise if retained in my position as veterinary inspector, to endeavour to the utmost of my ability to efficiently discharge the duties pertaining thereto.

J. B. WRIGHT.

To Dr. SMITH, Toronto, Ont.

That is to say, that after instructions were sent by the department that he should either withdraw, unconditionally, the allegations he had made, and apologize for them, or else be dismissed, for fear of being dismissed, he withdrew them. But the department, on further experience of Dr. Wright, declined to continue his services, and the necessary steps to that end were taken. It will be seen then by these letters I have read that almost every allegation set forth in this paper is incorrect. In the first place, it is not true, as stated here, that the cattle were to be unloaded to be inspected; in the next place, it is not true that the cattle were to be inspected only in the day time; and, in the third place, it is not true that the Deputy Minister winked at the violation of the regulations, or that he gave any instructions which could reasonably be construed as winking at such a violation. Then he says it was because he would not move to Windsor that the Government dismissed him. The Government dismissed him because no Government, with self-respect and in the interest of the trade could submit to such blackmailing. Notwithstanding the fact that Dr. Smith was very anxious to deal leniently with him, he being one of his pupils, and a fairly good man, it was impossible afterwards to maintain him in that position, and because he was dismissed he endeavoured to make out a case that would, in his opinion, not only do injury to the Grand Trunk Railway, and their trade in carrying American cattle through Canada, but would also do serious injury to the agriculturists of the country by causing Canadian cattle to be scheduled in England. I am informed that the threats he made have since been carried out, that is, not only did he publish the statement for the specific purpose of injuring the trade, but he also sent it, as I am told, to the agricultural societies throughout the country. Now, then, the strictures that are passed upon the Government by the 'Canadian Farmer,' which is mailed to almost every Patron of Industry in Canada, were entirely unfair in the light of the information I have given. Then he says that properly qualified inspectors have not been employed. Now, only three inspectors of stock, namely, Messrs. Westell, Mathews and Wright were, during the period in question, employed by the Government. The department have only employed properly qualified officers. There are four or five of them to-day doing that duty. It is not believed, as Dr. Wright alleges, that duty has been done by a butcher, or a party not properly qualified; and certainly only the three officers named, all of whom were qualified

Mr. SPROULE.

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veterinarians, were employed by the department during the period in question. Therefore, so far as the department is concerned, there is not one iota of truth in that contention. Now, from all these facts, it will be seen how unreasonable was the attack made by the 'Canadian Farmer' upon the Government regarding those regulations, but the Patrons can hardly be blamed if they believed the erroneous letters that were published by Dr. Wright. They were misinformed in believing that these statements were correct, and this article was written on the same lines as were laid down; but when the letters are now given to the public, I hope the editor of that paper will be generous enough to apologize for giving to the country such unfair and untruthful statements of the case in connection with this very important industry. There is another point which should not be lost sight of: It was believed at the time the regulations were made that Canadian cattle coming in contiguity with American cattle being carried through the country might be affected by pleuro-pneumonia without coming into actual contact, and so this regulation was made not only to have the cattle confined in the cars, with the exception that at one station, where they were to be quarantined, they might be unloaded in order to be fed, because the distance was too long in the cars from Sarnia to Rouse's Point without food or water. So, in order to ensure perfect safety, it was arranged that at the enclosure there should be a space between the outside and the inner board fence, so that there might be no possibility of Canadian cattle within the inside fence coming in contact in any way with even the breath of other cattle at large, and that it might not be possible that Canadian cattle could possibly reach American cattle. Again, it was provided that cars, carrying cattle should, after use, be disinfected and cleaned. Under no circumstances were those cars allowed to be used for the transportation of Canadian cattle without being removed from the transit service, and it was, in the first instance, believed by the British Board of Agriculture this precaution would be sufficient to prevent any danger. In the light of recent information, says Mr. Lowe, so far as regards the nature of pleuro-pneumonia as an infectious or contagious disease, it is quite clear that it is utterly impossible to infect animals in those parts of Canada through which the railway companies' trains pass, so long as the regulations were fairly carried out, and as they are carried out to-day. It was held that no inspection of cattle could determine whether an animal might be afflicted with the incipient stage of pleuro-pneumonia, or not, and until, in fact, it had reached the advanced stages, when characteristic symptoms appeared. Therefore it will be seen that there was no necessity for unloading the cattle for the purposes of inspection, but in order to prevent danger in

carrying such cattle through the country this inspection was faithfully carried out. One could easily understand how easily an inspection could be made when the cars were open at the side, and it was possible for the inspectors to see whether the animals were ailing or not. If such was the case, the inspector was compelled to take out the animals, and if it was found to be infected with contagious disease, it must be destroyed. Of course, animals might suffer from other diseases, for example, swine might be suffering from hog cholera, and, according to the regulations, such diseased animals must be taken out and destroyed; and, for the reasons I have intimated, the inspection is maintained. If there was any anxiety as regards examination and inspection, Dr. Wright was alone to blame, because his instructions were specific and as strong as were required, and there was no necessity for relaxing them. But we are told that the regulations were maintained as strictly as they are to-day, and they are maintained as strictly to-day as they were some time previously, because it is desirable to prevent even the possibility of importing disease from the American side among our Canadian cattle, and we think the regulations are maintained in such a way as to prevent any danger whatever. I believe so long as these regulations are carried out as they are at the present time, the British Board of Agriculture must concede that there is not any danger of disease through these channels. Taking all these matters into consideration, the only surprise is that our Government should have tolerated the abuse and blackmail of this man so long, and I can only understand it from a letter from Dr. Smith, asking the Government to retain this man, who was a student of his own, and a fairly good man, and mentioning that he was entitled to make an ample apology which, indeed, he did make, but the Government found it necessary subsequently to dismiss him. Evidence has come to light to show conclusively that the examination made was not only a careful one, but a good one, and sufficient to prevent the importation of pleuropneumonia into the country, and, at the same time, it is apparent that this officer made demands for the purpose of getting money out of the Government, and also out of the railway companies. That officer is certainly censurable by the public, and should be censured by the press as well, and, in my opinion, the Government should go further and punish him severely for what he has done to destroy the cattle trade of Canada and injure the traffic of the railway companies.

Mr. McMULLEN. This is unquestionably a very important matter which the hon. gentleman has brought up, and I am glad it has come before the House, because great misunderstanding undoubtedly prevails throughout the country in regard to the manner in which American cattle are allowed to be carried through this country. I have

often heard those in sympathy with the views of the Patrons of Industry, charge the Dominion Government with the responsibility of bringing about the scheduling of our cattle in England by permitting cattle to come into this country from the United States, and pass through it to eastern points for shipment, without rigid inspection and full compliance with quarantine laws. I hope the evidence submitted will, to some extent, clear up any misunderstanding which may have existed. It was very unfortunate that a man of the character of Dr. Wright should have been permitted so long to remain in his position that he was enabled to endanger a very important and growing industry to the farmers of this country, by blackmailing or attempting to blackmail the railway companies to secure money for his own personal advantage, by threatening to expose certain looseness that existed in regard to the manner in which cattle were admitted at different ports and allowed to pass through Canada. I am glad that the Government have taken the course of dismissing him. It is a great misfortune that his dismissal did not take place at a considerably earlier date, because, unquestionably, from the moment he wrote the letter with respect to the looseness with which this particular duty was performed by veterinaries at any particular section, such information had considerable weight, and, no doubt, it had weight with the British Board of Agriculture in not only imposing the scheduling arrangement but in providing the conditions which now exist with respect to the landing of cattle in England. The Government should have been more fully posted with respect to the course to be adopted in regard to cattle passing through this country, and it should have been more particular in seeing that the regulations for quarantine, as originally enacted, were thoroughly and efficiently carried out. I have heard that the British Board of Agriculture has received information with respect to the looseness which existed as to the quarantine regulations between Canada, and the United States. I am informed that, with a view of ascertaining whether or not certain representations made to them were correct, they sent a person over to Canada quietly and secretly to inspect the whole operations of our quarantine regulations with the United States. I do not know how true this is, but I have heard it stated, and if they did so, and found that we were loosely permitting cattle to pass through our country from the infected districts of the United States, they were unquestionably justified in their own interest in placing an embargo against us. We all know that pleuropneumonia and foot-and-mouth disease have caused terrible loss to the English farmers, and any steps taken by the English Government to protect their herds from these diseases are of course quite proper on their part. We, however, claim that our cattle are free from disease, and we consider that it

is unfair and unjust that, owing to looseness or supposed looseness on the part of either the Government of the veterinary surgeon discharging important duties under the Government, we should be put to all this loss and trouble. Possibly the Government is doing all it can to show the British Government that the allegations in reference to our cattle and to looseness of inspection are false, and I hope that they will not relax their efforts in this direction. It is to be hoped that our Government will use every means to secure for the farmers and exporters of cattle the privileges which they formerly enjoyed in the English market. If in the past the quarantine officials under the direction of the Government have neglected their duty in not making a rigid and careful inspection of stock passing through Canada from the United States, it is to be hoped that they will make their officers more careful in the future. I do not think that the allegation is correct that the Government winked at this looseness—I hope that they did not—and from the letters read to the House by the hon. gentleman (Mr. Sproule) it has appeared, that although the action of the Government was somewhat tardy they eventually did dismiss the man who was found trying to blackmail the companies and to secure advantage for himself. It appears to me, however, that the Government should have known of the conduct of that man a long time before, and that they should have dismissed him in the first instance. Some time ago, I read the article which the hon. gentleman (Mr. Sproule) quoted in the 'Farmer's Sun,' and I was greatly astonished that the references made by this paper to this unfortunate condition of things did not meet with a prompt and distinct denial from the Government, if untrue, so as to unprejudice the public mind with regard to the charge of laxity, and indifference, and carelessness on their part. I hope that the papers now read to the House will clear up this matter thoroughly, and that we will get to the bottom of the whole difficulty, which unfortunately has resulted in the scheduling of our cattle.

Motion agreed to.

WINTER SERVICE, PRINCE EDWARD ISLAND AND THE MAINLAND.

Mr. PERRY moved for:

Return showing the date that the ice-boats commenced carrying the mails between Cape Tormentine, N.B., and Cape Traverse, P.E.I.: how many trips made with mails; the number of mail bags carried to and from Prince Edward Island: the date of each trip: the number of passengers to and from Prince Edward Island: the cost for said service for the winter, 1894; the date at which this service ceased.

He said: In making this motion, Mr. Speaker, I desire to say a few words with reference to the mail service between Prince

Mr. McMULLEN.

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Edward Island and the mainland by both the steamboat and the ice-boats. I expected that the Minister of Marine and Fisheries would have returned to the House certain documents which I asked for a good while ago, in order to enable me to discuss the matter more intelligently, so that the House might understand the grievances and the difficulties under which the people of Prince Edward Island labour. But the hon. Minister has not thought proper to bring down these papers. He follows the example of the Minister of Railways; it is hard to catch him too, so that I do not know whether we may expect these papers during the present session or not. The ice-boat service is not a new thing between Prince Edward Island and the mainland. It has been carried on for more than half a century, and I may say that the system has been very little improved during all that time. The boats may be a little more adapted to the service than they were fifty years ago, but they are open boats, and the distance between the island and the mainland is not any shorter, as the mainland has not moved from where it was fifty years ago, nor has the island moved either. The Government are slow in trying to move it, and I am doubtful whether they will succeed. The only way they can move it is to give us a continuous communication in winter as well as summer. Nothing has been done by the Government for many years, and we have still to fall back on the ice-boats when there is no steamer. Until we have a tunnel or some other way of crossing continuously, the ice-boats cannot be dispensed with. If the papers to which I have referred had been brought down by the Minister, I intended to show what little service the steamer had done, and to what extent the ice-boats had to be availed of when the steamer could not cross. We find that steam communication was inaugurated, by the Mackenzie Administration in 1875, when the 'Northern Light' was built for the purpose of maintaining winter communication between the island and the mainland. The steamer 'Northern Light' did a good deal of good work; she almost did wonders at one time; she crossed, perhaps, more continuously than the 'Stanley' did last winter. Now, I am not here to say a word against the 'Stanley.' I think the Government deserve credit for having had her built; she is an improvement on the 'Northern Light,' which was a new experiment. But, Sir, we are in an age of progress; everything seems to be progressing except the Government. The Government does not make any progress in the direction of keeping up winter communication between the island and the mainland; in that respect they seem to be stationary. We know that the steamer 'Stanley' made very poor progress last winter. We know that at one time we were here for ten days without receiving a mail—not only once, but three or four times. We know that passengers on board the 'Stanley' had to be

left on board seven or eight days, and at last had to be landed in her boats at Malignant Cove, somewhere east of Pictou. We also find that late in the spring, when the Government machinery for carrying the mails could not cross, a gentleman's private tug had to be used for carrying the mails across from the island to the mainland. In fact, our mails and passengers came to be almost at the mercy of private individuals. A gentleman named Alexander Strang, who lives at Cape Traverse, had to be got to carry the mails and passengers across in a little tug boat. What was the reason the ice-boats could not cross? It was because the straits were full of lolly—I mean broken ice. When the ice-boats get into that, they cannot get along. I suppose I have crossed the straits myself a dozen times, and I can speak with knowledge of this. When the boats get into this lolly, I have seen the crews spreading their oars, and putting spare bits of boards across them, and then one man takes a rope in his hands and hops along on the temporary bridge thus formed, until he reaches the solid ice; and he then helps to pull the boat along. The crossing of the straits is not so difficult or so tedious when the ice is solid, or when there is clear water. Of course, the boat will sail in clear water, while on the solid ice, although it is rather laborious, it can be hauled by the men, who strap themselves together as you would strap horses together, until they reach open water again, when they can use their oars. But when these boats encounter lolly or chopped ice, it is quite impossible for them to get through. As I said before, the steamer is not able to keep continuous winter communication from the island to the mainland; and when it is prevented from crossing by getting caught in the ice between Pictou and Georgetown, the Government have to fall back on the ice-boats. I believe, myself, that the route from Georgetown to Pictou is the very worst route; I believe the ice becomes worse on that route than it does between Cape Traverse and Cape Tormentine. I believe that if the steamer service were used between the capes in conjunction with the ice-boats, there would not be a day when it would not be possible to make the crossing. Now, I have studied this question a little myself; but there are men who have studied it, perhaps, more deeply. I find that Mr. Strang published a letter, which has been copied into the 'Examiner,' of Charlottetown, a name which I am sure every member of the Government knows very well, because they subsidize that paper pretty heavily; and it has also been reproduced in the Summerside 'Journal,' another Conservative paper. I am not passing any reflection upon these papers, but I merely want to show that these ideas are not factious, or got up by Liberals to embarrass the Government, but are supported by papers supporting the Government. Mr. Strang says:

Our Government at Ottawa will surely see soon that this is the place for winter communication.

Since the 1st of March, there has not been ice enough in the straits here to stop any steamer. For all we had such a severe winter the steamer 'Stanley' would have made regular crossings except on stormy days. Since the 22nd of March the strait has been as clear as in summer.

Sir CHARLES HIBBERT TUPPER. What date are you referring to?

Mr. PERRY. This was written on the 25th of April; that is all I know. If I had the return I asked for, I could tell when the 'Stanley' stopped crossing; but I have not got that information. The Government stopped the boat about the date of this letter. Mr. Strang goes on:

There was only lolly that it was almost impossible for the ice-boats to get through—no heavy ice to enable the men to get out and lift their boats along. Consequently, the ice-boats could not make regular crossing and the mails were ordered away from here, and how have we got our mails since? Everybody knows, if it were not for the board ice here, I could have run my tug every fine day since the 1st of March, and since the mails were removed from here the board ice on the New Brunswick side has all floated away, and a sail-boat could cross.

Now, this man, who lives at Cape Traverse, who, no doubt, speaks from knowledge and experience, says that all this time a common ail-boat could have crossed, while the steamer 'Stanley,' that beautiful steamer, which cost so much money—I think the first cost was \$250,000—was not able to cross, but was held fast in the ice. That goes to show that the Georgetown-Pictou route is the worst of any. Mr. Strang proceeds:

The dock there is all clear. The board ice here never leaves until it melts away. If the 'Stanley' had come up here when she was in Charlottetown and run into the board ice, so that it would have gone out, the mails could have been carried with a sail-boat. That, Mr. Editor, will show the public where the 'Stanley' should be. Here she could make hourly trips, instead of being drifting about in the heavy ice, in danger of being smashed to pieces, which she would have been long ago if it were not for her able and experienced captain.

That is the opinion of Mr. Strang, published in the 'Examiner.' The Summerside 'Journal' says:

The fact of the matter is that the Government keep the 'Stanley' at the wrong end of the island, and the experience of each successive year emphasizes that fact. Year after year, despite the easterly and north-easterly winds which almost invariably prevail during the spring, the department persist in keeping the 'Stanley' on the Pictou route, and the consequence is repeated and vexatious delays in passenger, mail and freight traffic, for the above winds fill the "bight" with heavy gulf ice, through which it is impossible for any boat that ever was constructed to make her way. This has been the experience, not of one year alone, but of every year, and it has been pointed out to the Government, time and again, year after year, that a change of route would secure more satisfactory results, yet the department has made no effort whatever to take

advantage of the more favourable routes that have been brought to their notice.

This is the view of a Government supporter:

Take the capes route, for instance, as suggested by Mr Strang. There is not a day in the winter that the 'Stanley' could not at some time or other make the trip between Cape Tormentine and Cape Traverse. Better still, as we have argued for some time past, she should be placed on the Cape Tormentine and Summerside route, which we contend is the winter route for the 'Stanley' or a similar boat. In fact any route west is practicable. Between the capes, between Summerside and Cape Traverse, Cape Bauld or Point du Chêne, or between West Cape and Richibucto—any one of these is practicable. As any one can see for himself by taking a good map and studying the position of the island, the winter winds, no matter from what direction they blow, do not—in fact cannot—fill the western part of the straits with gulf ice, and the only ice met with in this part of the straits is what may be called local ice, that is, the light drifting pans of straits ice, and board ice. To make her way through this would be mere child's play for the 'Stanley,' compared with the immensely heavy work she has to undergo in battling with the vast quantities of heavy gulf ice which is solidly packed into the "bight" by every breeze that blows from the east or north or intervening points.

The observations made for several years past under the direction of Dr. de Bertram, and those of the old settlers along both the New Brunswick and island shores of the western part of the straits, together with the long and practical experience of the ice-boat men, prove conclusively that the western portion of the straits is comparatively free of ice, while the eastern "bight" is, during a considerable part of the winter, so densely packed with heavy ice that it is impossible to maintain anything like regular winter communication on the Pictou route. These facts, and the annually repeated history of long and vexatious delays, should convince the Government that the 'Stanley' is certainly kept at the wrong end of the island, and that the time has come to give some other route a trial, and to ascertain if these delays in passenger and mail traffic cannot be avoided, and if something practical cannot be done to give the island unbroken steam communication with the mainland, winter as well as summer.

That is the opinion of that editor, and, so far as it goes, I have no reason to doubt it. No doubt he has studied the question, and has ascertained that the 'Stanley' can cross much better anywhere up west than down east. He also advocates, in another article, published on the 24th of January, a crossing from Summerside. He says that there is not a day but the steamer could cross from Summerside to Cape Tormentine, provided the Government would build piers. This is no new thing. The people of Summerside, through their very influential friend, Mr. Hunt, have applied to the Government for a grant to build these piers; and I am satisfied that if they were built, by concentrating the water of the river into a narrow channel, you would create such an increase

Mr. PERRY.

of current that the ice would not remain in any length of time, and, being loosened, the steamer would have no trouble in getting in or out of Summerside and crossing to Cape Tormentine. At Cape Tormentine there is very good communication. The Government have spent over a quarter of a million dollars building a wharf, which, so far, is used for railway communication. I do not know whether the Government own the railway or whether it is private property, but, at all events, it is of no service to winter communication, and will not be until the steamer is brought up there from Cape Traverse and Summerside. We have another route advocated, the West Point route. Dr. de Bertram and his company have obtained a charter to undertake that project. Dr. de Bertram says that if the Government will give him \$75,000 a year for twenty-five years he is prepared to build two steamers, costing \$250,000 each, and an extension of the railway from Cape Richibucto to the present terminus of the Buctouche and Kent railway, and he will also build the piers required at each side. These two branches of railway and the two piers are estimated by his engineers to cost \$1,000,000, which, with the \$500,000 for the two boats, would amount to \$1,500,000; and he will give the Government all the guarantee they can require that he will carry out a constant steam communication between these two points. I am not prepared to say that the Cape Traverse route is the best route, or the route from Summerside to Cape Tormentine, or between Cape Wolfe and Cape Richibucto. But I contend that the Government should spend a couple of thousand dollars next winter in sending a couple of competent disinterested engineers to examine and report as to the possibility of carrying out a scheme more satisfactory than the present one. I am sure the Government must see the necessity of trying the experiment, and if they find, by proper inquiries, that a feasible and practical plan, why not adopt it? I may be told: Why not have a little patience? We are going to give you a tunnel, we are still boring; we are going to spend \$6,000 in boring across the Straits of Northumberland; and if we find it is possible to build a tunnel within a reasonable sum, we may build it. But, how long will that take? Where will the present generation be when that tunnel is completed? I say, *dum vivimus, vivamus*. While we live, let us live. Let us not take promises for excuse, but insist on having a proper way of crossing. The Government cannot shirk the responsibility they assumed in 1873, when they coaxed us into Confederation. They said to us: Dear friends, come along with us, and we will make you a rich people. We will give you daily steam communication summer and winter. Don't you see what trouble you have crossing in these miserable little ice-boats? Come along with us, and we will give you all the accommodation you require. These words "continuous steam communication winter and summer" are

embodied in the resolutions between Prince Edward Island and the mainland. Have these promises been carried out? They have not. I deny that our system of crossing is one bit better than it was forty or fifty years ago, with the exception of a few trips the steamer 'Stanley,' and before her the 'Northern Light,' made from the island to the mainland. We must still have recourse to the ice-boat. The people of the island had good reason to think they would have better means of communication, for it was promised years ago. It was promised even before 1891, but in 1891 it came very prominently before the public. Our opponents endeavoured to make use of the agitation in favour of the tunnel for political purposes at that time. I suppose it had some influence in their favour. That may be the reason why the two gentlemen were elected, who are here to represent King's County. In Prince County it did not have the same effect. I was a supporter of the tunnel. That may be the reason I was elected. But, previous to 1891, we know the agitation for improved means of communication inaugurated by Mr. Howlan was for a subway. What he meant by that I heard him explain. The subway was to be a metallic tube laid at the bottom of the straits, through which cars were to run. But, the plan being submitted to eminent engineers, it was proven to be a wild scheme, that it would be of no service, and that the lives of those going through it would be in danger. That scheme was thrown aside, and then the idea of a tunnel was got up. The question was brought up by the late Premier, Sir John Macdonald, in a letter which was published to the world. In that letter he made a promise. An estimate of the cost of the tunnel was made by Sir Douglas Fox, and I often wonder how the Government were enabled at that time to get an estimate. I know that Sir Douglas Fox is a very eminent engineer, and his reputation is worth a great deal to him, and I know he would not like to have his opinion misrepresented. He stated in the letter that for \$6,000,000 a tunnel could be built. He declared that the scheme was a feasible one. He spoke of the eminent men to whom the question had been submitted: Mr. Pearson, Mr. Palmer and others, and said that from their report he believed the scheme to be a feasible one, and that the cost of construction would be not more than \$6,000,000. I suppose the Government employed Sir Douglas Fox. I know that he received £250 sterling. I am sure that Sir Douglas Fox would not have made such a report unless he was authorized and recognized by the Government that paid him. The report of Sir Douglas Fox shows that he thought \$6,000,000 would cover the construction of the tunnel. I see the Premier laughing. I suppose, to use a legal phrase, this obligation can be evaded. But poor, innocent people like myself think all these things are honest, and would not attempt to break through

them. I find here another statement of Sir Douglas Fox. This is addressed to Senator Howlan:

MY DEAR SIR,—I have now received through the Provincial Secretary the sum of £56 ls. 6d. for Mr. Palmer. I have been going carefully into the whole matter with him, and have formed a very favourable opinion as to practicability of the proposed tunnel and will send you a preliminary report in a few days.

I do not know whether the Government ever got that report. The papers relating to this subject of steam communication with Prince Edward Island have been asked for every session since 1890, and even before, and I do not remember to have seen among the papers brought down, Sir Douglas Fox's report. If the Government ever got that report, they have it in a basket or a pigeon-hole somewhere. It never came down to the House in my knowledge. Now, Sir John Macdonald at that time took a very deep interest in the tunnel. He wrote Mr. Howlan a letter, which was published. I am not going to weary the House by reading the whole of that letter:

I fully appreciate the nature and the extent of the obligation incurred by the Dominion to maintain continuous communication between the island and the mainland.

I would like to ask the Premier if he appreciates the responsibility of his Government in this matter? Is he actuated by the same feelings that actuated Sir John Macdonald, or is he going to carry out the ideas that Sir John expressed?

We have tried to carry this out by the 'Stanley' but of course she cannot fight against the elements.

We know that. Experience proves that she has not been able to fight against the elements.

So if the cost comes within a reasonable amount, such as Parliament feels itself justified in incurring, I shall be prepared to submit the question for their favourable consideration.

Now, this was written three or four weeks before Sir Douglas Fox's estimate was received. Well, Sir, we have another gentleman who figures in this business. It was coming on near the date of election. On Saturday, the 28th of February, 1891—the elections were to be on the Thursday following, the 5th of March—the High Commissioner appeared upon the scene somehow. He happened to be at that time at Amherst. He pretended that he had the notion of crossing to Prince Edward Island, but it is my opinion that he had no such intention. At any rate he telegraphed the following:—

I regret deeply that it impossible for me to go to the island, as the 'Stanley' cannot cross and I dare not attempt the cape. I have satisfied myself that the tunnel can be made for \$6,000,000 and you may rely on all the aid I can give you to that important and necessary work.

I would like to ask the Government if they received any suggestions from Sir Charles Tupper?

Mr. EDGAR. What date is that?

Mr. PERRY. It was 28th February, 1891. Has Sir Charles Tupper urged on the Government the necessity of carrying out this gigantic work, or was it merely a scheme, a bait to catch the people of Prince Edward Island? He said he dare not try to cross on one of those boats. Well, I have seen gentlemen cross between the capes in those little boats, who thought just as highly of their lives as Sir Charles Tupper does of his. I don't blame him for not crossing to the island. He sent this telegram to Mr. Ferguson, who has lately been pitchforked into the Senate; but at that time he was a beggar, he was begging votes to be sent to this Parliament. That telegram was sent to him and he published it, and he hired a special car on Saturday evening to distribute this telegram in every public place on Sunday, even in places of worship. This telegram was read to induce the people to vote for him, but it had not the desired effect, and I doubt very much if it would have had the desired effect if Sir Charles Tupper had come there himself. Now, I say that our people, looking at all these facts have a right to expect that a decent and substantial effort will be made by the Government to carry out the terms of Confederation between Prince Edward Island and the mainland. We find that in 1885 the Government of that day, led by Mr. Sullivan, the present Chief Justice of the island—I happened to have a seat in the Local Parliament at that time—induced both branches of the Legislature to pass a unanimous resolution asking the Government of Canada to pay to the people of Prince Edward Island the sum of \$5,000,000, or interest thereon, as indemnity for the non-fulfilment of the terms of union. Well, Sir, Mr. Ferguson himself was one of the men who went to England to present this memorial to Her Majesty. We got an answer, and I must say that the Government of Canada got a rap over the knuckles for their stubbornness, for their deafness, in not listening to the petitions of the people of the island who asked them to make a decent effort to carry out the terms of Confederation. Lord Granville wrote a despatch to this Government. After examining the whole matter he took the side of the people of the island, and held the view that the Dominion Government had not carried out their promises, or rather their solemn compact entered into with the people of the island to induce them to come into Confederation. Well, Sir, the Government do not blush to try and break through that solemn compact. What is the reason? Is it because we are only 109,000 people? Is it because we are the smallest province in the Dominion of Canada that our rights must be trampled upon in this way? Is it because Prince Edward Island only returns two Conserva-

Mr. PERRY.

tive members here to support the Government? Let me tell this House and the Government that the people of Prince Edward Island pay their taxes. We have a national debt at present of over \$250,000,000, which represents something like \$50 per head of the population. If the people of Prince Edward Island are one-fortieth of the entire population, they are responsible for one-fortieth of the public debt of Canada. And what have we got in return? Where are the public works that this Government have built for the people of that island? The Island Railway has been built by the people of Prince Edward Island, and paid for by them to the last cent. I am sure there is not a Cabinet Minister who will contradict that statement. The three million and a half of money which the Prince Edward Island Railway cost was paid for entirely by the people of that island. And what else have we got? Why, I may be told that we get \$500 for the Miminegash breakwater; I may be told there is a little Government work in the Cascumpec harbour, and a few others. I have figured it up, and I find that we get from the Dominion of Canada yearly \$300,000 less than we are paying in taxes into the Federal Government. Why, how can this Government rest easy in face of the debt staring them in the face. There is a grand precept that all debts must be paid, and if one of these gentlemen were to go off suddenly leaving this debt unpaid, what answer will he be able to make when he arrives on the other side? Now, I want to read you an extract from what Lord Granville said:

As I stated in the earlier part of this despatch, although Her Majesty's Government is unable to take the question out of the hands of the Dominion Government, and although I have not seen more than a prima facie opinion as to the feasibility at a moderate cost of the proposal for its solution, I hope that it will be found to admit of a satisfactory settlement. On the one hand the expectations of the province in regard to the establishment of a constant and efficient communication with the mainland have not been fulfilled.

Now, could there be a higher authority than Lord Granville? He says that these conditions had not been fulfilled. He knew what the terms were. His Government had been a party to the signing of these terms, and he knew what the Government of Canada had done, and had failed to do. The case was advocated by the present Senator Ferguson, and Mr. Sullivan, the Minister of Justice at that time for the island, and Lord Granville came to the conclusion that the terms had not been fulfilled. Have they been fulfilled since? Let the Prime Minister stand up and tell me if they have been fulfilled? The whole country knows that the terms have not been fulfilled, and that no attempt even has been made to fulfil them. All this talk and agitation about the tunnel is a farce and a snare, it has become a by-

word even among our young people. Lord Granville goes on to say :

But on the other hand, the Dominion Government has shown that it has made considerable efforts to improve communication in the face of serious physical difficulties during the winter season. There seems to be reason for doubting whether any really satisfactory communication by steamship can be regularly maintained all the year round, which makes it all the more important that the proposed tunnel should receive a full, and, if feasible, favourable consideration on the part of the Government of the Dominion.

There is another advice from this gentleman. Do you mean to tell me they won't take the advice of the Colonial Secretary? Is he not to be heard, or is it only a farce to submit petitions to him? The Government, I dare say, sometimes think to themselves: Well, it is time to try and do something for Prince Edward Island. If the terms of Confederation cannot be kept better than they have been in the past, let them adopt the scheme of Dr. de Bertram. I have no right to doubt the honesty of this House who have given him a charter, who have given him two extensions of it. But why wait all this time? If the Government are satisfied that the scheme is feasible, and Dr. de Bertram can give the security required, and I am pretty sure he can, that the terms of Confederation between the island and Canada can thus be carried out, and that this is the only way it can be carried out, why should not the Government go to work and adopt the scheme at once and sign the agreement, or at once openly declare that they will throw off the scheme and do nothing. The adoption of the present course is simply humbugging the people. Of course I know that the West Point route is in my county, and it may be supposed that I would select it. But I favour action by the Government in the direction of spending \$1,000 or \$2,000 on surveys, so as to secure the best crossing, and if there is a better one than the present one used, then it should be selected and a steamer placed upon it. The writer winds up as follows :

It will reflect great credit on the Government if, after connecting British Columbia with the eastern provinces by the Canadian Pacific Railway, it will now be able to complete a steam railway communication by an extension to the island.

There could be nothing more reasonable than that—in fact, it is quite a reasonable proposition. We in Prince Edward Island are not in Confederation to-day, we are excluded from it. I live on the island, and I should be in a position to leave home to come to Ottawa and be able to fix the exact date on which I would arrive here. If I had been on the steamer that was in the ice ten days and which was obliged to land her passengers and mails on the ice at Nova Scotia, how could I have arrived here at

any appointed day? If my property and reputation were dependent on my personal appearance in court here, how could I be certain that I could be present? The Government, however, does not take these matters into consideration. I heard the Minister of Marine and the Postmaster General state that they had given additional powers to the chief marine officer and to the post office inspector at the island to exercise certain discretion. That order is quite proper, and I must give those Ministers credit for having taken a step in the right direction, and I suppose they will continue it. When steamers fail to cross from Georgetown to Pictou, the mails must come to Cape Traverse, and those to Pictou must come to Cape Tormentine. The officials may telegraph that such a course is necessary, but the Minister may not be in Ottawa at the time, and if an election is pending he may be electioneering; and in this way no official may be authorized to send an order. I contend there is too much red tape in the department. The officers on the island should have certain discretionary powers, because when the steamer is caught in the ice and the wind is north, or north-east by north, old residents can tell how long she is likely to remain in the ice before a change takes place. In such an event the mail should be carried by ice-boats, and unless there is an extraordinary storm this service can be regularly carried on. But we on the island want something more than ice-boats. We are living in an age of progress and we want better communication. If the hon. Speaker of this House desires to visit Ottawa during the recess he can board a train at Pembroke and come down here very comfortably. If I want to come here during the parliamentary session I am liable to be placed on an ice-boat the same as a carcass. No wonder Sir Charles Tupper did not like the communication, and as I have crossed a dozen times I know something about it. I repeat that the people of Prince Edward Island are not in Confederation, that it is impossible for us to attend to our duties in different parts of the Dominion during the winter for lack of proper communication with the mainland. I trust the Government has decided to do something definite with regard to this matter, that they will awaken some morning before the elections and adopt some proper steps, because there is no doubt from the information already obtained that there are preferable routes to the route already followed, and having satisfied themselves that those routes are preferable they should adopt one of them. It is very well to proceed with the tunnel scheme. I am not going to express an opinion as to whether I believe in the tunnel or not—I may do it privately—but I do not know what is going to take place before next election. It happens, however, that the tunnel is outside of my riding. But

whether the Government go into the tunnel scheme or not, they know perfectly well that it will take ten or fifteen years to carry it out. Are we going to suffer all that time for want of accommodation? When a tug boat under the command of Captain Strang was necessary to be called into requisition for the Government use, why should not that boat be added to the other vessels for the purpose of carrying on, without interruption, service during the winter? I believe Summerside would be a very good place from which to cross, if the Government had built the piers asked for from time to time. It is quite reasonable, moreover, that those piers should be built. I saw an estimate here for \$72,000 for their construction, but I have an estimate from a very competent engineer for \$50,000 or less. That cannot be contended to be an excessive expenditure for improving Summerside harbour. It must be remembered that this is not going to bring water to my mill-dam; I have no mill-dam there, nor has anybody else. It is merely going to give the public the accommodation they require for shipping their produce. The quantity of produce shipped from the island this spring is surprising, including oats, potatoes, barley, horses, pigs, sheep, mackerel, wool, &c. All this is heavy freight, and large steamers are required to carry the surplus products, and the improved accommodation is required in order to enable steamers to get to the wharfs. Why, Sir, we are not able to get a dredge to dredge a sand-bar that ought to be dredged long ago. I hope and trust that as the Government expect at the next general election—which may be very soon, from the rumours we hear in the air—to run a candidate in East Prince, they will do something in this matter. The Liberals are going to run a candidate there too, and he will be a strong man, and if they want to get their candidate popular, let them get an estimate—a survey is no use, because they made a survey before—and if the estimate does not exceed \$50,000, then let them go on with the work, and I can assure them they will get a good many votes. I want no public money spent in my county for my election, because there is no way in which you can spend money unless you can do something at Tignish breakwater and Cascumpeque harbour. The Minister of Public Works spoke very favourably the other night, and he said he would send an engineer to Tignish, but I do not know that that will do any good, unless I can get the assistance of the hon. member for Gloucester (Mr. Blanchard), whose constituents come there in great numbers to fish, and use that harbour as well as other people do. I am sincere when I say that the terms of Confederation have not been carried out with Prince Edward Island. I do not, of course, expect impossibilities, but I expect that they should take some action, and not remain stationary. These papers which I have read to the House have

Mr. PERRY.

got the best information that can be had on the subject. They are Conservative papers, but from my own knowledge I know what they state is correct, and they should be listened to by the Government. Let the Government send down an engineer and a tug boat in one or two places this winter, and let them see what can be done to relieve the people of the island province from the hardships they are labouring under.

Mr. WOOD (Westmoreland). Mr. Speaker, we have all listened with a great deal of pleasure to the hon. gentleman who has just addressed the House, although many of his remarks were certainly not very closely connected with the resolution on the Order paper. I do not intend to follow him in all the matters which he has brought to our notice, but I would like, for a few moments, to call the attention of the House to one or two points which the hon. gentleman (Mr. Perry) has raised. In closing his speech, he complained that the terms under which Prince Edward Island was admitted into Confederation have not been carried out, and yet, though I listened to the hon. gentleman through all the length of his speech, I did not discover any one point in which he charged the Government with not at least having made an honest attempt to do everything in their power to carry out these terms, and to give the people of Prince Edward Island the very best possible communication with the mainland. The hon. gentleman (Mr. Perry) spoke of the steamer 'Stanley' as a costly steamer, and one well fitted for the purposes for which she is intended. It is true, as the hon. gentleman said, that during the last winter she was not able to maintain her trips regularly. The hon. gentleman complained that the return which he asked for had not been given to the House. I have no official return of the trips which the 'Stanley' made last winter, but a friend of mine, who kept some memoranda, informs me that there were forty-eight days during the winter when the steamer was not able to make regular crossings; that eighteen of these days she was detained in port, and that for twenty-eight days she was out of port, fast in the ice. As every person knows, the condition of things in the Straits of Northumberland during the winter are exceptional, and the efforts which have been made to solve this important question of the best means of maintaining regular communication with Prince Edward Island have been to a large degree experimental. The first attempt was made by the Government of Hon. A. Mackenzie, and the 'Northern Light' was built expressly for this purpose. That steamer for some years did good service, and the present Government, no doubt as a result of the experiment made with the 'Northern Light,' felt justified in building the steamer 'Stanley,' which is a much more costly steamer, and much better fitted to perform the service. Therefore, in so far as anything has been

suggested by the hon. gentleman (Mr. Perry), or by any other hon. gentleman who has brought this matter before the House, everything that was possible to be done in this direction has been done by the present Government. The fact, however remains that even with the steamer 'Stanley,' it is impossible to maintain constant communication during the winter. However, the result of our five years' experience with the 'Stanley' has established some important facts. The most important is this one: that the conditions which prevent the 'Stanley' running are those large solid ice-fields which form, extending for miles in every direction, and so thickly packed that it is impossible for any steamer to force her way through them. The hon. gentleman brought up one point in this connection which, to my mind, is worthy of consideration, that is: whether any other points of communication between the island and the mainland could be selected where this state of things should not so frequently occur. The hon. gentleman referred to the communication via the capes, and he read from a newspaper a letter written by Mr. Strang, of Cape Traverse, who maintained that between the capes, during last winter, a steamer like the 'Stanley' could have maintained regular communication. He also quoted from a Summerside paper the statement: that it would have been possible last winter to maintain regular communication between Cape Tormentine and Summerside. I desire to say in corroboration of the views expressed by Mr. Strang: that it is the universal opinion of persons residing in that locality on the New Brunswick side, that a steamer of the 'Stanley's' power could maintain almost unbroken communication between these points during the winter season. The reasons are these: the straits at that point are very narrow, being only eight miles wide. There is always a current running, so that solid ice packs very seldom form, and if they do form, they do not remain longer than one or two days at the most. There is another reason why the ice does not lodge at this particular point: it is the point where, as the people of the locality express it, the tides meet. The tidal wave that comes into the Gulf of St. Lawrence divides, and enters the Straits of Northumberland at both the east and the west end of Prince Edward Island; and the two tides thus formed meet twice every twenty-four hours between Cape Traverse and Cape Tormentine. It is a fact that no one disputes that twice in every twenty-four hours in ordinary weather the ice is broken up, and you can see streaks of clear water extending almost all the way across the straits between these two points. Now, if I am correctly informed, the steamer 'Stanley' is a boat of such power that where ice is in motion, or where there is any clear water, she can always force her way through and make the passage. The only things that obstructs her course are the solid

ice packs extending for many miles, through which it is impossible for any steamer to force its way; and I think that the suggestion which the hon. gentleman made on this point is worthy of the very serious consideration of the Government. Of course, it would be to some extent an experiment to place a steamer there and to try what she could do, but I believe, from the evidence which we have regarding the condition of things at that point, that the Government would be justified in making this experiment. I should say that in addition to the evidence of people living at these points, there is other evidence pointing in the same direction. I have met with several persons—persons of experience, who have had opportunities for observation, and whose judgment on such subjects is, in my opinion, worthy of a great deal of consideration—who have expressed very positively the opinion that a proper steamer would maintain regular communication between these points; and I might add that one of the engineers of the Public Works Department, who during two or three winters resided at Cape Tormentine while in charge of the construction of the wharf there, and who had an opportunity of making close observations of the straits at that point, has repeatedly expressed his strong conviction to me of the possibility of the 'Stanley' maintaining regular communication there during the entire winter season. With these facts before us, with this knowledge of what the 'Stanley' can do—knowledge which has been acquired only within the last few years, and facts which are undisputed as regards the condition of the ice at those points—I think the Government would be justified in making the experiment either with the 'Stanley' or with some other steamer of equal power, to ascertain whether better communication could not be maintained than we have at present. I wish to refer only to one other point, which, although not properly embraced in the resolution, I shall probably be excused for referring to, because I have at all events the example of the hon. gentleman who spoke before me to justify me in doing so. I wish to say one word with regard to the summer service. The hon. gentleman has referred to the proposed tunnel, and I was glad to hear that he supported the Government in what they were doing in regard to this important public work. He intimated, I think, that the Government were not to be commended for taking any action with regard to this work before an election; and I felt inclined to infer from the manner in which he expressed himself on this point that he desired that any further work connected with the tunnel should be deferred until after the next general election. I am sorry if that is the hon. gentleman's opinion, because I would like to see the attempts which the Government are making to ascertain the feasibility and practicability of this scheme pushed forward as rapidly as possible; and

I would regret if they yielded to the hon. gentleman's intimation and deferred any further action until after another election. However, whatever may be the result of the tests which are now being made to ascertain the feasibility of this work, it is no doubt true that many years must elapse before this work can be completed and open for traffic. It will require the present season at all events to complete the borings now being carried on. It will then require some time to prepare plans and to consult engineers; because in such an important work, no doubt a great deal of care must be taken in preparing the plans and letting the contracts. Then, according to the report of Sir Douglas Fox, which the hon. gentleman referred to, some six years will be required after the plant is on the ground and the work is commenced, before it can be completed. We may reasonably infer, therefore, that at least ten years must elapse before this tunnel could be completed and ready for traffic; and, from my experience with such works, unforeseen difficulties are apt to arise, and we are more liable to underestimate the time really required than to allow too much time. Now, the Government have for some years past been making expenditures with a view to establishing a summer ferry at these points, and in that way giving the people of Prince Edward Island a mail twice daily instead of once, as is the case at the present time, and also enabling passengers to make connection with the trains on the Intercolonial Railway without being obliged to remain over at Painsec Junction or St. John or Moncton or any other point for a number of hours. A wharf on the Cape Tormentine side has been constructed, having been finished last year. A wharf has also been built at Cape Traverse; but, unfortunately, this wharf is useless at the present time, for the reason that sand has been deposited around it so that it is not accessible even for a steamer of light draught. If this condition of things had not existed, a steamer would have been plying there this season. I know that a company came to Ottawa early in the session purposely to make an offer to the Government to put a steamer on that route and to run her twice daily in summer, giving a mail service twice each day instead of once as at present, and they are willing to undertake that for a comparatively small subsidy. However, when they came here they learned that there was some difficulty with regard to the wharf at Cape Traverse, and they stipulated in their offer that the Government should guarantee sufficient water for the steamer at that wharf. This, of course, the Government could not do, and so the representative of the company was obliged to return without making any contract. The point to which I wish to draw the attention of the House is this, that in view of the fact that some ten or fifteen years may lapse before this tunnel is com-

Mr. Wood (Westmoreland).

pleted and open for traffic, they should take steps in the meantime to give the people of Prince Edward Island communication by summer ferry at these points. Ten or twelve years is a considerable length of time to wait, but it appears to me that by improving the wharf, which the Government have already built or by building a wharf at some other point, they might in the meantime give the island, so far as mails and passengers are concerned, a very much improved service from what they have at present. I trust that the Government will give their attention to these two points, and I hope that in these matters I will receive the support of hon. gentlemen opposite who represent Prince Edward Island.

Mr. DAVIES (P.E.I.) The hon. gentleman has expressed his very strong belief in the feasibility of a tunnel between the island and the mainland, and he only postpones its accomplishment for some ten or twelve years. I shall not enter into any discussion of that subject with the hon. gentleman. I think that two or three things are pretty well established. One is that a tunnel, to be of any service at all to the people, must be of a size that would require the expenditure of \$15,000,000 or \$20,000,000, at least. I do not think that any practical sensible men, outside of a few who seem to be tunnel mad, are prepared to advise the Government to go into the construction of the small toy tunnel, which several gentlemen contend could be successfully constructed at a cost of one-half the sum I have mentioned, but which, when constructed, would be of very little service.

Sir CHARLES HIBBERT TUPPER. Are you opposed to the tunnel scheme?

Mr. DAVIES (P.E.I.) I am not, I have not expressed any opinion. My views, which I expressed at some length some years ago, are on record; and if the hon. gentleman is in favour of the tunnel scheme, I should imagine, inasmuch as it was promised to the people before the last election, in very emphatic language, by the then High Commissioner (Sir Charles Tupper) and the then Premier (Sir John Macdonald), immediate steps would have been taken to facilitate the construction of the work before now.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman omitted to name the name of one promissor.

Mr. DAVIES (P.E.I.) I am not aware that I have.

Sir CHARLES HIBBERT TUPPER. The leader of the Opposition sent the strongest telegram.

Mr. DAVIES (P.E.I.) I do not think so. He sent a very reasonable telegram.

Sir CHARLES HIBBERT TUPPER. Very satisfactory too.

Mr. DAVIES (P.E.I.) His telegram stated that if this was a feasible work to do—

we could not form any opinion at the time—he, for one, would be prepared to give it every consideration. I am pretty well acquainted with the promises made, and I do not think there were any restrictions in that made by the hon. gentleman's father in the telegram he sent. It was made unreservedly and without conditions.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman's recollection is very poor.

Mr. DAVIES (P.E.I.) He expressed himself as satisfied the thing was feasible. That part of the question was settled for him, and he called upon the people to send him supporters in order to carry it out.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman himself, if I understand him, says it is feasible.

Mr. DAVIES (P.E.I.) I do not say it is.

Sir CHARLES HIBBERT TUPPER. And yet you are in favour of the tunnel.

Mr. DAVIES (P.E.I.) I am not a scientist; I do not know whether it is feasible or not. The hon. gentleman is making certain tests to enable him to form an opinion. Does he desire me to form an opinion for him before these tests are completed?

Sir CHARLES HIBBERT TUPPER. I want to know your position, and it is difficult to find it out.

Mr. DAVIES (P.E.I.) My position is this, that the Government are playing with and have been playing with this question for years, and are seeking to make political capital out of it by spending a few thousand dollars a year. The Government have no intention of constructing the tunnel, as they have shown by their acts. They sent a gentleman home a few years ago to confer with Sir James Douglas Fox, and got part of a report from him. They then entered into a contract with a young civil engineer, Mr. Parmer, but the present Lieutenant-Governor of the island, occupying a position then with regard to the work which no one could satisfactorily define, controlled the actions of Mr. C. Parmer, and the result was a fiasco. The money for the work had to go through the hands of this political agent, and the whole thing became a screaming farce. Now the Government are going on with the work which Mr. Parmer undertook to do, and which he was prevented from doing, as he alleged, by the conduct of those who pretended to act on behalf of the Government. And I suppose, as the hon. member for Westmoreland (Mr. Wood) says the people of the island—if everything is favourable, if the borings turn out to be successful, if no obstructions are found in the way, and the work gone into—may hope, some ten or twelve years hence, to have a tunnel there. I have never held out unreasonable hopes to the people, and will not express an opinion until the hon. gentleman brings down the results of the borings

and a plan approved by his engineers. The hon. gentleman for Westmoreland calls upon the Government to construct a harbour on the Prince Edward Island side, in order that there may be better means of communication between Prince Edward Island and the mainland in summer. The hon. gentleman knows well that we have already constructed a harbour in his district, known as the Cape Traverse wharf, and that it has not been a success. On the contrary, I think I am correct in saying that although a great deal of money was spent, the work has been found to be undermined largely by the worm, and a large sum will have to be spent to rebuild it in the near future. But the hon. gentleman talks to the House as if there were a harbour easy of construction on the island side. He talks about a wharf which was built there some years ago. But there is no water at the end of that wharf, to speak of. No boat could float there. It will take, in the opinion of those who know best, \$100,000 or more to construct anything like a harbour on the island side, which would enable a steamer to make permanent crossings there.

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

After Recess.

THE GRAND JURY.

House resolved itself into committee on Bill (No. 24) to reduce from twelve to seven the number of grand jurors necessary to find a true bill in the province of Ontario.

(In the Committee.)

On section 1,

Mr. EDGAR. Mr. Chairman, I would like to suggest an amendment to this clause. The effect of this amendment will be to make the Act apply not only to the province of Ontario, but to any province where the panel of grand jurors shall be not more than thirteen. By fixing the number of grand jurors necessary to find a true bill at seven, you still require a majority of grand jurors if the panel is not more than thirteen. The law as it stands now, of course, provides that not less than twelve grand jurors shall be necessary to find a true bill, and the panel is twenty-four. By this amendment we give an opportunity to the province, if they so desire, by reducing the panel of grand jurors from twenty-four to thirteen, to bring this Act into force in the province. In those provinces in which the panel is not reduced, the Act will not apply. There has been a very strong and widespread feeling in favour of abolishing grand juries altogether. An inquiry was set on foot by the present First Minister in 1890, and the replies to his circular show that in the province of Ontario twenty-five judges were in favour of abolishing grand juries, eighteen

were against it, and six were doubtful. This Bill, of course, does not propose at all to abolish the grand jury system. The expense for a panel of twenty-four jurors is, of course, about double what the expense of a panel of thirteen would be, and there is a much stronger feeling, I believe, in favour of making that reduction than there is in favour of abolishing the grand jury altogether. The cost of the grand jury to the country, so far as I can gather, is from \$1,000 to \$1,500 a year for each county, according to the size of the county. That is quite a serious item, and, if, without injury to the administration of justice, it can be reduced by about half, I think it ought to be done. I move that the said Bill be amended so that the first clause may read :

Notwithstanding any law, usage or custom to the contrary, seven grand jurors instead of twelve as heretofore, may find a true bill in any province where the panel of grand jurors shall be not more than thirteen.

Sir JOHN THOMPSON. I think that is preferable to the clause as originally drafted, for two reasons. In the first place, it provides that the seven necessary to find a true bill shall be a majority of the panel, and, in the second place, it tends to uniformity by enabling any province that so desires to adopt the system. For my own part I am in favour of abolishing the grand jury system, but thought the way was not quite clear to introduce so radical a change at present. I am disposed to favour the adoption of the amendment.

Mr. EDGAR. I might mention that the province of Ontario a few years ago passed an Act providing for the reduction of the panel of grand jurors to thirteen, but this is not to be brought into force except by a proclamation of the Lieutenant-Governor. The province is waiting to see what ground will be taken by the Dominion House.

Mr. McCARTHY. I would like to get the view of the Minister of Justice as to the constitutionality of this Bill, and as to where the line of demarkation is between the power of Provincial Legislatures and the power of this Parliament with reference to the grand jury. For my own part, I am one of those who believe in the grand jury system. I think that no man ought to be put on trial simply because a Crown officer thinks there is a prima facie case against him. There are abuses under that system as there may be under any system, but it is exceedingly important that a man should not be placed on trial as a criminal unless a certain number of his peers—the number having always hitherto been fixed at twelve—say that there is a case made out on behalf of the Crown or the prosecution which, at all events, makes it probable that he is guilty. It seems to me rather academic legislation to pass a law which may or may not become operative.

Mr. EDGAR.

Sir JOHN THOMPSON. It would be rather difficult to draw the line of jurisdiction. The question as to what is part of the constitution of the tribunal and what belongs to the procedure of the court would be difficult to state off-hand. But I think our procedure on the subject of indictment makes it clear as to the number of grand jurors who must agree, in order to find a true bill. I understand from the mover of the Bill that the intention in providing that the Bill shall only come into force in any province where the panel shall be reduced to thirteen, and moreover that it shall not come into force until a day named by the Government by proclamation, is to secure the united action of both the Federal and Provincial authorities in order to remove any doubt.

Amendment agreed to.

On section 2.

Mr. EDGAR. I would like to get the ideas of the leader of the House and the hon. member for North Simcoe (Mr. McCarthy) as to whether it will be necessary to move the second clause or not. The second clause provides that this Act shall not come into force until a day named by the Governor in his proclamation. That was necessary in the Bill as originally presented to the House, because it positively fixed the number of grand jurors for the province of Ontario at seven. But now, as it has been amended by the committee, the Bill will come into force only in those provinces where the panel of grand jurors has been reduced to thirteen.

Sir JOHN THOMPSON. I think it is better to have the clause in the Bill. Otherwise the two Acts, the Provincial Act and this, would come into force by proclamation of the provincial authority respecting the provincial Act. I think it better to have it determined by the Federal authority when the Federal Bill shall come into force.

On the preamble,

Mr. McCARTHY. Will you change the heading ?

Sir HECTOR LANGEVIN. Better change that on the third reading.

Mr. EDGAR. I think it would be sufficient if the heading read "An Act to reduce from twelve to seven the number of jurors necessary to find a true Bill."

Mr. McCARTHY. The hon. member for Three Rivers (Sir Hector Langevin) points out that it would be best to make that change on the third reading.

Mr. EDGAR. Yes, I will move it on the third reading.

Bill reported.

CRUELTY TO ANIMALS.

House again resolved itself into Committee on Bill (No. 4) to make further provision as to

the prevention of cruelty to animals, and to amend the Criminal Code, 1892.—(Mr. Coatsworth.)

(In the Committee.)

Mr. DEPUTY SPEAKER. When the Bill was last before the committee we were on the amendment of the hon. member for South Norfolk. (See page 4096.)

Sir JOHN THOMPSON. This Bill, or one like it, has been before the House for several sessions, and a case was always made out that it was desirable to put down shooting at pigeons rising from traps. The merits of that case have been so fully discussed that I am very sure the members of the House who were here during the last Parliament, must be fully conversant with them. But I want to ask the attention of the committee to the proposal which is made by the hon. member for South Norfolk (Mr. Tisdale). He proposes to take away from the Bill its entire 'raison d'être,' and if it had not been for that feature of the Bill it never would have been read a second time. The case which was made out for the Bill was that the practice of shooting pigeons rising from traps was cruel and unsportsmanlike, and the clause of the Bill which referred to pigeon shooting carefully prohibited that, as amended in the Committee of the Whole, and the hon. member for North Norfolk proposes to put back that very feature of trap shooting which was attacked at every stage of the discussion on the Bill in former years. I sincerely hope that the sense of the committee to-night is in favour of restricting that practice, otherwise I should hope that the House will not sully its dignity by passing the Bill through any other stages, because there would not exist the slightest pretext for it. I think that nothing could be more indicative of the weakness of the case of the hon. member for Norfolk than his excellent speech on another subject when he moved his amendment. The speech referred to the dignity, and the splendid training, and the vigour which are given to youths by indulging in the sports of the forest, the mountain and the swamp; he described how much better training it was for the youth to indulge in field sports of that kind than to indulge in more moody recreations which might give rise to baser habits. In describing the hardy amusement of pursuing animals of the forest, the field and the mountain side, he described the treasure of strength, vigour, activity, and enterprise which enabled the British people to sustain their conflicts on land and sea. That was very poetic, and the only objection I had to it was that while enjoying the rhetoric of the hon. gentleman, we were led entirely from the subject of the Bill, which proposes to legalize, according to the amendment of the hon. member for Norfolk, not the hardy sports of the mountain side and of the field, in which the young men of the country indulge, but the low pot-house trap shooting.

Therefore, notwithstanding the hon. gentleman's rhetoric, remembering that his amendment has in view the legalizing of a miserable pastime which is very much in contrast with the sports which he eulogized, I hope the committee will come to the conclusion not to pass his amendment, but to keep the Bill as it is.

Mr. McCARTHY. I had not the advantage of listening to the speech of the hon. member for South Norfolk (Mr. Tisdale) to which the right hon. gentleman has just referred. It is quite evident that it was a strong appeal, although the right hon. gentleman thinks it was misdirected. But in the absence of that hon. gentleman, I think it would be better that the committee should rise and report progress. There are important measures behind this one which we could discuss with a great deal more satisfaction, and in the absence of the hon. member for South Norfolk (Mr. Tisdale) it would be well that the committee should rise, and I therefore move that the committee rise and report progress.

Mr. COATSWORTH. The hon. gentleman is endeavouring to shoot me out of a trap.

Motion (Mr. McCarthy) negatived: Ayes, 21; nays, 31.

Mr. McNEILL. I was rather surprised by the statement made by the leader of the Government, when he told the committee that pigeon shooting alone is practically the subject aimed at in this Bill. Why, we have thirteen or fourteen clauses and subsections of the Bill, and we have been discussing these clauses from hour to hour after the pigeon shooting clause has been disposed of. I had no idea we were talking about something so very unprofitable as would appear. But I must say that I cannot at all accept the statement which the leader of the Government has made, that when the hon. member for South Norfolk (Mr. Tisdale) was discussing the broad question of field sports he was discussing something that was foreign to this Bill. An hon. gentleman says he was not very far afield. I think he was not very far afield, he was travelling very closely on the lines of this Bill, because if there be one thing certain more than another with respect to it, it is this: that the principle laid down here, and the only principle by which hon. members can support the clause of the Bill which would prevent the shooting of pigeons flying from traps, is a principle which would extend to all field sports. That may be perhaps on the face of it a strong statement for me to make, but I come here fortified by some authorities in support of it. I ventured to make such a statement when a similar Bill was before the House some years ago. I said the question which lay at the root of the matter and with which we were face to face was the morality of field sports. It is impossible to condemn a man on the ground of cruelty for shooting

a pigeon flying out of a trap, and say that the same man is not guilty of cruelty who shoots a pigeon flying from a tree. Let us assume that the distinction attempted to be drawn between a domestic pigeon and a wild pigeon is well founded, and let us deal with the question of the tame pigeon first. Surely no one will maintain that a man who owns a number of pigeons greater than he requires and desires to use those pigeons as barn-yard fowls are used, and chooses to shoot one pigeon or half a dozen pigeons as the most convenient way of getting rid of them, is guilty of greater cruelty than another man who hands over a similar number of pigeons to have their necks twisted. There is no medical man who will say that the suffering endured by the pigeon shot is greater or as great as the suffering endured by the pigeon which has its neck twisted. Where is the logic, or justice, or fair-play of the argument that a man who shoots one of those pigeons sitting on the roof of his own barn has to go scot free, while another man who shoots a pigeon flying from a trap is to be prosecuted, fined or imprisoned. I do not think the proposition is arguable. It is quite true, no doubt, that most hon. members present would find very little sport in shooting pigeons flying out of traps. That is another question; as to whether a man should find sport in that or not, is not the question before this committee. The question before the committee is, whether it is fair, right, and just to punish a man, to impose such penalties as are in this Bill provided, on a man who chooses to kill a pigeon flying from a trap, and at the same time declare that another man who chooses to shoot a pigeon sitting on a barn is perfectly at liberty to do so. If any one will show me any just ground for declaring that one is a cruel act for which the offender should be punished, and that the other is an act perfectly proper and moral withal, I shall be very glad to hear the argument, for I have never heard any such argument hitherto, and I do not think it is possible to adduce such an argument. So much with regard to tame pigeons and domestic animals, so far as this Bill is concerned. Further than that, more especially with regard to this particular class of creature, the pigeon, it is altogether an artificial barrier to put up that regarding one animal as being a domestic one and the other a wild one. Every one knows that pigeons are very little more domesticated than are house sparrows. You find the house sparrows about the house, building in the eaves, and not any more afraid of you than are pigeons when kept in large numbers, and in fact the pigeon is generally the wilder bird of the two. Where is the reason for saying that a man should be punished who shoots one of those pigeons out of a trap, a pigeon that is almost a wild bird, and that another man should not be punished who shoots a so-called wild pigeon on a tree. Why is the cruelty

greater in one case than in the other? If you are not to be allowed to shoot a wild pigeon, then it would follow that you are not to be allowed to shoot a partridge, and if you are not allowed to shoot a partridge, how are you to be allowed to shoot a deer or any wild creature? These field sports which are allowed and recognized are exactly on a level with general shooting, whether it be a question of shooting a pigeon on the top of a barn or shooting a pigeon flying out of a trap, or out of a tree. Some of these sports which are to be allowed, so far as the suffering and pain entailed on the animal is concerned, are vastly and almost indescribably more cruel than the shooting of a pigeon is. You take the case of any creature that is hunted to death. Take the case of the fox, take the case of the hare, take the case of the deer, take the case of any animal that is hunted to death; and would any man with a candid mind consider for a moment that the suffering entailed on that animal is not far greater than the suffering entailed on the pigeon which is shot down dead as it flies out of the trap? I contend that the shooting of a pigeon which flies out of a trap is not so cruel as the shooting of a wild pigeon, because in the case of trap shooting wounded birds are always secured and put out of pain, whereas in wild pigeon shooting, a very considerable proportion of the birds escape badly wounded, and they pine and die a miserable death of suffering. This feature is almost altogether eliminated in the case of shooting pigeons which fly out of a trap. I do ask the committee to pause and consider what they are doing. It is quite true as the right hon. Premier has said: that this is a matter which has been before the House for a long time, and it is also perfectly true that a very great deal of sympathy existed in the minds—and I have no doubt does exist—of many of the members of this committee in reference to the pigeon. My hon. friend (Mr. Adam Brown), who used to be a member of this House, and whose kindness of heart induced him to take so warm an interest in this question, and who was so deservedly popular with us all that his very desire to have this measure carried induced a great many of us to support him in reference to it,—he caused a very great amount of sympathy in the minds of many hon. members by dwelling upon this aspect of the question. He used to contend in these discussions: that pigeon shooting was connected with atrocious acts of barbarity and cruelty, he spoke of pigeons being mutilated, of their eyes being put out, of their feathers being plucked from their breast, and of most atrocious cruelties being practiced upon them; and he said that this was a necessary part of pigeon shooting out of traps. I said at the time, and other members said also: that we would entirely approve of a clause which would make criminal such abominable and loathsome practices as these. If a clause of that kind were in-

sorted in the Bill, which really took away from pigeon shooting all that is cruel about it as distinguished from other sports, we promised that we would willingly support him. Now, the Bill that we have before us has such a clause as that. The amendment proposed by my hon. friend (Mr. Tisdale) deals with this particular aspect of the question and makes it penal for any person to be guilty of any such atrocity as that. Therefore, when my right hon. friend speaks of the sympathy that we all felt for the views of Mr. Adam Brown, I fear that he loses sight of the fact that this particular element in trap shooting which brought sympathy for Mr. Brown's views—irrespective of his own great personal popularity—is now eliminated from the case altogether, and that we are face to face with the bare and bald proposition: whether supposing there be no other cruelty whatever inflicted but the mere shooting of the pigeon as it flies out of the trap; we will say: that we shall punish a man by fine and imprisonment who ventures to shoot a pigeon out of a trap, while a man who shoots a similar bird sitting on his barn roof, should go scathless. We are face to face with even a larger question than that. We are face to face with the broad question of field sports, and if we decide that it is cruel for a man to shoot a pigeon flying out of a trap, we cannot consistently stop short there. I have here an article on the morality of field sports, by an authority who is frequently quoted in this House, though not often quoted in connection with a question of this kind. I refer to Professor Freeman, the historian. Professor Freeman goes at length into the whole question from an historical point of view, and he holds, in the strongest way, that the cruelty of the fox hunt, and the cruelty of the deer hunt, and the cruelty of field sports generally, is nothing more nor less than the same cruelty that we had in the old days in the arena and in the bull ring, and the bear garden, during the most barbarous ages of the world. I recollect very well that my hon. friend from Assiniboia (Mr. Davin)—who will, I suppose, take part in this debate—made a most eloquent speech when this question was before the House on a former occasion, and that hon. gentleman dwelt with an eloquence and a pathos which he so well knows how to employ here or any where else, upon the cruelty of pigeon shooting, from his point of view. But he said he thought that the hunting of the fox was a noble pursuit. I am afraid my friend would differ very much from Professor Freeman, who entirely agrees with him as to the cruelty of pigeon shooting, but who thinks that the hunting of the fox and the hare is a horrible business. Professor Freeman says:

It is as we have seen a legal crime to worry a cat. To worry a hare is a gallant diversion. And men who share Windham's tastes, without Windham's consistency, men who would lift up their

hands in horror at the wanton torture of a bull or a bear, deem no praises too high for the heroic sport which consists in the wanton torture of the fox.

Mr. DAVIES (P.E.I.) Is the hon. gentleman citing that approvingly?

Mr. McNEILL. I am citing it simply to show that if we are consistent we ought to put an end to all field sports, or endeavour to do so by our legislation here. I say we have just as much right to prevent a man from shooting the partridge as to prevent the other man from shooting the pigeon, and I say we have a far greater right to prevent a man coursing a hare than to prevent a man shooting his pigeon.

Mr. LANDERKIN. Is it not cruel to keep a member from his motion?

Mr. McNEILL. I agree with that, and so deeply did I feel the truth of it, that a few moments ago I voted that this committee rise. Prof. Freeman says:

It is held as a point of morality that the life of a fox is sacred except when his death is accompanied with the prescribed amount of wanton fright and suffering. * * * Instead of this, the animal is sought out, sometimes he is brought on purpose to the spot, in order that he may give "sport" by his prolonged sufferings. He is pursued till he is worn out with weariness, and then he is put to death by brutalities equal to anything done in the bear-garden or the amphitheatre. Now if this is anything but wanton and deliberate cruelty, I do not know the meaning of the words. The essence of the "sport" is the needless fright, weariness and suffering of a living creature, a creature which we have doubtless a right to destroy, but not a right to torment. Strip fox-hunting of its disguises, and its principle is, as Windham allowed, exactly the same as the principle of bull-baiting. To be sure the bull is tied to a stake, while the fox is allowed to run for his life and has a chance to escape. This, no doubt, makes the cruelty somewhat less revolting, but it does not make it cease to be cruelty. The spectators at a bull-bait simply sit or stand and look on, while the fox-hunter is an actor, he follows his victim on horseback, and enjoys healthful air and exercise in so doing. This is one of the disguises with which the cruelty is masked, a disguise which, no doubt, leads many to join in a fox-hunt who would not join in a bull-bait, but which is simply a disguise, and which leaves the essential cruelty exactly where it was. A bull-bait can be condemned only on the ground that our amusements ought not to take the forms of inflicting wanton suffering on any creature. And on that principle a fox-hunt must be condemned also. * *

But it is plain that every fox-hunter must for the time stifle the divine virtues of mercy and pity; he must for the time cast aside that grace of 'miserecordia,' that 'ayenbite' of 'inwyt,' which the Roman people itself once felt in the case of Pompeius' elephants. Even if he does not actually take pleasure at the infliction of suffering, he knows that suffering is being inflicted for no object except his amusement, and he does not shrink from the amusement in which such suffering is an element.

That the cruelty is an essential element in the sport, that the presence of a suffering victim is needful for its full enjoyment, is not to be denied. Those who tell us that they hunt for the sake of a healthy exercise could get that healthy exercise just as well by hunting a red herring or by taking a gallop wherever a gallop may be had, without hunting anything at all. But I believe that hunting a red herring is looked upon with contempt by the 'true sportsman.' That is to say the true sportsman is not a true sportsman, he has not the full satisfaction of his sport, unless that he is assured that his pleasure involves the suffering and slaughter of some living being. * * * I say, then, without hesitation that fox-hunting, which ages back may have been a praiseworthy means of ridding the country of a noxious animal, has, in its modern shape, degenerated into a sport of wanton and deliberate cruelty. Strip it of its disguises, and it is that and nothing else. * * *

My objection to shooting, looked at merely in itself, comes pretty much to the objection of Cicero. It has always been a puzzle to me how a refined or educated man can find pleasure in taking on himself the functions of the butcher. Death may in many cases be lawfully inflicted on both man and beast, but should death in either case be made a matter of sport? * * * But what is the sportsman in many forms of 'sport,' but an amateur butcher, a butcher who takes up the trade out of sheer love of slaughter? One can hardly fancy any man going out by preference to kill his own sheep or his own poultry; what conceivable difference does it make if the animals slaughtered be deer or pheasants?

And so on. That is an article which was written by Prof. Freeman in 1869. I need not read you further extracts from it, because of the other cruelty which it has been suggested I might be guilty of. This was followed by another article written in 1870, in which Prof. Freeman says, just as I venture to say, and as I said when this matter was before the House on a former occasion:

My argument was an argument from consistency. It was simply this: Certain amusements are forbidden by law and custom on the ground of their being cases of cruelty to animals. On the same principal certain other amusements should in consistency be forbidden, as being also cases of cruelty to animals.

That is the position taken by Prof. Freeman, and therefore when I make the assertion that this is not a narrow question, but that it is a very broad question, I am supported by some considerable authority. Now, I venture to say that if we take the ground that field sports are immoral, we must go even further than that. We must then consider, and carefully consider the question, from a moral point of view, whether it is lawful to eat animal food at all. It is very questionable whether or not we cannot exist in quite as healthy a condition without eating animal food, and if we are not prepared to accept the proposition of the vegetarians, that a vegetable diet is the most healthful and the best for human

beings, we must then go at least this length: we must come to a decision as to exactly what amount of animal food it is right for us to eat—what amount of animal food we can eat without infringing on the laws of morality. Because if we say that we have not a right to shoot an animal for pleasure, we certainly have not a right to eat it for pleasure. Whatever impropriety there may be in shooting the animal, there is a great deal more impropriety of battenning upon the corpse of the animal. It is a very much lower kind of pleasure, a very much more degrading kind of pleasure, than the hunting and pursuing of the animal in field sports can be. I do not intend to unduly take up the time of this committee. I have merely sought to put this point shortly before it. I simply want to ask the members of this committee if they can consistently and honestly say that the man who shoots a pigeon flying out of a trap ought to be treated as an inhuman monster, fit only for fine and imprisonment, while another man is to be considered as perfectly humane and not at all blameworthy who shoots one of his own pigeons that he himself has perhaps been feeding, from the roof of his barn. I will leave the question to the committee. If the committee decide that we are to inflict punishment upon the man who shoots a pigeon flying out of a trap, and not upon the man who shoots a pigeon sitting on top of his own barn, and trustfully looking down at him—if the committee decide that the one is a crime and the other is not, all I can say is that I do not think they will arrive at a very consistent conclusion.

Mr. FRASER. I did not mean to take part in this debate, but cannot refrain from noticing the elaborate argument of the hon. gentleman who has just taken his seat. To answer him at length would require more time than this House would be willing to give me, as I would have to enter largely into the discussion of the Mosaic dispensation, including meat offerings, sacrifice and burnt offerings, which I do not think come under this Bill, but there is one thing which I think the hon. gentleman has compounded. I think it is agreed that birds and animals of all kinds were put under the power of man for two purposes: First, for food; and secondly, to be destroyed if they interfere with his comfort or in any way make it less easy for him to live. Shooting a pigeon on a barn does not seem to me to be different from shooting it anywhere else, if it is shot for the purpose of being got rid of. If the pigeon is a nuisance, we have a right to shoot it on a barn or on a tree or in a box. What I understand this Bill to be aimed against is putting a pigeon in a box and keeping it there to be shot at, because the parties who put it in the box are not good enough marksmen to shoot it on a barn or on a tree. He is a miserable character who cannot shoot a pigeon on a barn or a tree, and should have no sympathy from this Parliament at all.

In that view, I will support the Bill. As to the moral question, which seems to affect the hon. gentleman somewhat, I will not discuss that. There are those who think that pigeons, as well as other animals, have immortal souls, and we might be entering on dangerous grounds. I consider pigeons as birds to be shot at like any others, either for food or because they interfere with man's comfort, and I have never seen anything like what is aimed at in this Bill. I have seen, on one occasion, when I was a boy, some boys cruelly taking birds and tying a string round their legs and then letting them off in order that they might be shot in this same way. But that was only done once. There was no necessity for a law to stop it, as the better sense of the community was sufficient. I understand that it is in Ontario where the practice of shooting from a trap prevails. It does not with us, but all manner of evil exists in that province. They do not understand noble sport as we do. We go to the forests to indulge in sport. Let us eliminate the lengthy argument of the hon. gentleman, either on moral or religious grounds, for I do not think it was called for. When a pigeon is shot, after having been kept for the purpose of being shot at, in order that the shooter might have a better chance to kill, I am in favour of that sort of thing being stopped.

Mr. HASLAM. I understand that those particularly interested in the passage of this Bill are a large and influential body of good-hearted ladies. That their object is very laudable I have not the slightest doubt, but I think there are other ways in which they might equally well display their good nature, and in which probably they could strike a blow just as effectively a little nearer home. There are very few ladies—perhaps not one of those who have had a hand in promoting this Bill—who would scruple to wear one or more birds of some description by way of ornament in their hats or on some portion of their dress. I would like to know whether they have ever thought of the torture to which these birds were subjected in order that they might thus serve as ornaments. Consistency is a jewel. I question very much whether there is more pain inflicted on birds shot at out of a trap than when shot in any other way. In fact, I do not know of any more expeditious way of putting an end to their existence, unless, perhaps, you first catch them and put their head under an axe. And in that case there is the mental terror they must experience, because it cannot be denied that all animals are subject to mental terror. These pigeons are let loose out of a trap and then shot, and if wounded they are picked up and put out of pain immediately. Whereas, take the ordinary sport; supposing a bird is shot at on a tree and is only wounded, if the sportsman can reach it and it is worth his while, he will do so; but he will not go out of his way to hunt for it, if there is better sport near by, and the wretched crea-

ture is allowed to drag out a miserable existence in its wounded condition. We might also enlarge on the cruelty of trapping fur-bearing animals, although there is this to be said in that connection, that their skins are not used merely for ornament, but likewise for warmth. But if ladies can calmly survey the mortal remains of a poor little bird on a bonnet or hat, and survey it pleasantly by the hour before a mirror, they should not object very much to allowing the male creature the little sport attending the shooting of birds out of a trap. Now, it has been said that it is no harm to shoot birds for food or to shoot them to get rid of them if they become too numerous. I do not suppose there is any gentleman simple enough to think that birds that are shot out of a trap are thrown away as useless. I have a very strong idea that they are used, and used for food, and if birds become too numerous in any district, the catching of them to be used for these tests of marksmanship is a very good way to get rid of them. So the shooting of them from traps meets the two points of providing food and reducing an undesirable number of birds. The Bill might seem more consistent if there were greater consistency on the part of those who promote it. But the ladies who are the strongest advocates of this Bill, are those for whose pleasure of adornment so many beautiful birds are slaughtered. And the more beautiful the plumage of the bird the more eagerly is it sought for.

Mr. FERGUSON (Leeds). And trapped.

Mr. HASLAM. Yes, the birds also are trapped. I must say that I do not favour the Bill at all.

Mr. AMYOT. I did not catch exactly the idea of the mover of the amendment.

Mr. COATSWORTH. The idea is that trap shooting shall be allowed, but that no cruelty such as has been complained of shall be practiced at the shooting.

Mr. AMYOT. What cruelty?

Mr. COATSWORTH. The cruelties that have been complained of are the exciting of the birds by causing them pain before they are set free from the trap by pulling out feathers and so on, and allowing the birds to escape after they are wounded, to die a lingering death.

Mr. AMYOT. Is that more cruel than the killing of any other animal? If the hon. mover has any authority to prove that the soul of these pigeons is larger than the soul of other animals, or that they should be more highly privileged—

Mr. COATSWORTH. There is nothing in the Ontario reports on that point.

Mr. AMYOT. It seems to me that all the animals are alike in this respect. I

do not know what privilege these pigeons should have.

Mr. DAVIN. Privilege of clergy.

Mr. AMYOT. The hon. gentleman is taking the clergy for animals. I do not know what clergy he has been living with. I am afraid we are going into metaphysical questions when we attempt to judge as between the sufferings of different animals. I have read in larger books than that the hon. gentleman has quoted that animals have no souls at all. I do not say that proof of this theory is conclusive, but at least no animal ever came to tell us the contrary. If we say that it is cruel to make the pigeon suffer, why not say the same about fish? You take a salmon that has been nobly resisting your efforts, and that it has taken you two hours to pull out of the water. You leave him wounded and bleeding on the rocks to die. If you punish the pigeon shooter for cruelty, why not punish the fisherman? An eel after it is caught will suffer from twenty to twenty-four hours before it dies. Why not include these also under the protection of the Bill?

Mr. COATSWORTH. The hon. gentleman might move an amendment to that effect.

Mr. AMYOT. It seems to me all the other animals will grow jealous at the tenderness you have shown for the pigeons.

Mr. LAURIER. They have no souls.

Mr. AMYOT. Some pretend that animals have souls, some that they have not. Who here has authority to settle that question? Take even the microbes, millions of which we are told might find a place on the point of a needle. If these have souls—

Mr. FERGUSON. They must be Grits.

Mr. AMYOT. The extent of their bodies does not necessarily limit the size of their souls. The hon. mover of the Bill (Mr. Coatsworth) is not half the size of the hon. member for Guysborough (Mr. Fraser). Are we to say that his soul is not half so big as that of the hon. member for Guysborough? Will it be pretended that when we give him a blow he suffers less than the member for Guysborough? Will it be pretended that if you cut off the arm of the hon. member for Toronto, he would suffer less than the hon. member for Guysborough would suffer if his arm were cut off? Therefore, we cannot judge of the amount of suffering from the size of the body. Then you afford protection to pigeons, but you desert all the rest of the animal creation. Why? There must be some reason. Is it because the hon. gentleman himself is not a sharpshooter, and that he does not like to see other parties enjoy sharpshooting in order to prepare themselves for the possible emergency of shooting men in defence of their country? God has given us the whole animal creation for our use. We should never exercise un-

Mr. AMYOT.

necessary cruelty towards them. When the mother is educating her young child, and he lifts up a cat by the tail from the floor, she rebukes him, and tells him that he must not make that poor little creature suffer. But will you pass a law to prevent a child from pinching a cat, or lifting it up by the tail? There is no reason for giving an undue preference to pigeons. Now, you propose to prevent us from killing rabbits. When the hon. gentleman wants to eat a meal of rabbits, does he inquire whether they were killed at the first blow, or whether they were left on the snow while the hunter went in pursuit of other rabbits? I never supposed that in coming to Ottawa we would be asked to take charge of matters of this kind. When a man has a bad heart, he will be cruel, not only to animals, but to his wife and children. He will take his wife for an animal, then. But we cannot correct human hearts by legislation. At all events, I say that if we admit the principle that we must protect living animals, there must be no undue preference. We must pass a general law that will prohibit all cruelty to living animals, whatever animal it may be, be it a flea, be it any of those animals which I will not name, be it a microbe, be it a spider, be it even lobsters, which I am told are boiled alive. That is another extraordinary cruelty. We must protect them all. I thought I saw the hon. gentleman eating a lobster the other day, but his tender heart was not moved by the idea that that poor animal—which perhaps has a soul also—had been boiled alive. Did he think that perhaps that animal was first put into cold water, and that the water was heated gradually to a boiling point so as to prolong the suffering? I said at the start that we were not quite sure that animals had a soul, but if they have a soul, we cannot measure the extent of their soul by the size of their bodies, and if they have a soul we cannot measure the extent of their suffering by the constitution of their soul. I think we are getting into regions quite unknown, not clearly defined as yet, unless this enlightened century should furnish us the means of exploring their body by electricity in order that we may get a glimpse of their soul. For the present, I say that animals are given to man for his use. We may prohibit cruelty to any living animal, but there must be no undue privileges for pigeons, they must stand on the same footing as the other creatures of God. If you legislate to prevent cruelty to animals, you must make no undue distinction, because the wild beast might take revenge on you when they meet you for not including them in your protective laws.

Mr. SUTHERLAND. I think it must be evident to the committee that there is no necessity for this legislation. The Prime Minister has stated that this Bill has been brought up from time to time during the

past few years, but we find that the more it is discussed the more its ridiculousness appears, and even the promoters of such legislation are disposed to modify their demands. It is difficult to understand the Bill as it stands now, with the amendments that have been made to it, and others that are proposed to be made. Some clauses of the Bill are so thoroughly ridiculous, and against right and justice, that the committee, I think, can hardly support them. The amendment proposed by the hon. member for South Norfolk (Mr. Tisdale) is in the right direction, and if it is added to the Bill, the legislation may not be so very improper. Doubtless we are all agreed that the parties who are advocating this legislation are honest and sincere in their desire to prevent cruelty to animals; but I think we must agree with the hon. member for Bellechasse (Mr. Amyot) when he says that it is quite sufficient for practical purposes to pass a general Bill punishing people for cruelty to animals. But when you come to distinguish between animals, and between certain acts, as some clauses of this Bill do distinguish, it is evident that the people who are promoting this legislation do not understand what the effect of it will be. Nor can I agree with the leader of the House that shooting pigeons from traps is a miserable pastime. Surely the hon. gentleman has not had any experience in this and other field sports, or he would not have given expression to the views he did to-night. I am satisfied that there is no necessity for this legislation. It appears to me that many people who are desirous of preventing cruelty to birds and animals of all sorts, and who are asking for legislation of this kind, do not understand the subject they propose to deal with. In many instances I think they are moved by a false sentimentality. Their motives are proper enough, but they lack experience. This Bill has provisions in it that no hon. gentleman who knows anything at all of the treatment of animals, and of what the alleged cruelty consists of, would think of supporting. I am satisfied that sportsmen, and men who themselves own horses and cattle, are the very last to treat their animals with wanton cruelty; on the contrary, I believe they are the very people who would do everything they could to prevent cruelty to animals. Now, in this Bill you are interfering with the shipping of cattle, but who is to be the judge of whether an act is cruel or not? In killing animals and birds for the market, I suppose it is necessary to exercise some cruelty in the different ways that butchers follow in killing animals. It may appear to some people that certain acts are cruel in regard to treatment of horses or other animals. But these people want to put themselves up as judges of every person who may be handling or dealing in cattle or horses or any other kind of animal. I am satisfied that this legislation should be left to the Provincial Legislatures and municipal

authorities. I am satisfied that every hon. member is aware that at the present time, especially in Ontario, and during the discussions before this committee, we have had similar statements as regards the other provinces than even the present provincial laws and municipal regulations are quite sufficient to prevent any cruelty that can be prevented by the law or by the officers of the law. It is very unfortunate that this House should be troubled from year to year by such petty and unnecessary legislation as that now proposed. I am satisfied that it is against common sense, that it is not for the good of the community, and that it is legislation simply proposed by a few people who may be perfectly honest and sincere in their convictions, but at the same time such legislation is not in the general interests of the community, and it is very undesirable that such legislation should be attempted to be passed through this House. There is no necessity for it, and I am satisfied that it could not be enforced. I trust the members of the committee will look into the Bill, as I am satisfied many hon. members have not read its provisions, and that the Bill will be thrown out, and if they are not disposed to do that, at all events they will support the amendments that have been moved. The large number of people interested in sports, while there may be, as has been pointed out, odd cases of cruelty or abuse, which cannot be prevented in any event by the officers of the law, are not cruel, and the legislation proposed will in every way prove a hardship, and sportsmen who even indulge in trap shooting which, in my mind, is quite an innocent and manly sport, have never been guilty, except in exceptional cases of inhuman brutes being mixed up with those following that sport, of gross cruelty so as to lead this committee to support the proposed legislation. Moreover, the legislation proposed would not affect such people, and in effect it would prove perfectly inapplicable. It is to be hoped the committee will not pass any such legislation as it is absolutely unnecessary.

Mr. COATSWORTH. I do not like to allow the remarks made by the hon. gentleman to pass without being answered, because the hon. gentleman entirely misapprehends the position in which legislation stands at the present time. It may be perhaps in the hon. gentleman's opinion a childish act to frame legislation of this kind, but it has not been thought childish for Great Britain to legislate in the same direction. The same legislation as prevails in Great Britain is now before the committee, and not only does such a law prevail in Great Britain but also in nearly all the states of the adjacent Union. I have before me the law of the State of New York, which is part of the penal code, and the provisions are almost similar to those in the present Bill. The hon. member for Oxford (Mr. Sutherland) has said it is

inconceivable that any person should be guilty of cruelty to animals and that it should not be necessary to pass legislation in order to prevent cruelty. I suppose the hon. gentleman was not present the other night when I read some cases of cruelty in regard to the shipments of animals. I may say to the hon. gentleman and another hon. gentleman who has addressed the committee that the Bill is not framed from a sectional standpoint. We have societies for the prevention of cruelty to animals existing in every part of the Dominion, and these amendments to the present law are asked because the law as it exists at present is not found entirely sufficient to meet the cases which arise. We have legislated on this subject already. Hon. gentlemen opposite did not take exception to the clauses of the criminal code dealing with somewhat similar cases, and the only difficulty arising at present is that the existing law does not go far enough to reach the cases which continually arise. I will mention one or two cases which happened in Toronto and the neighbourhood. A shipper sent down sixty sheep and forty hogs to Western Cattle Market, Toronto; twenty-three of the lambs and two of the hogs were found trampled to death. In a shipment of cattle to the same cattle market, two cattle were found with their legs broken. On January 25th, 1893, nineteen cattle, twelve hogs, and nine lambs were shipped in a Grand Trunk Railway car. Two of the lambs were trampled to death by the breaking down of the partition. It was held that no person was responsible for this cruelty.

Mr. SUTHERLAND. Surely the hon. gentleman does not wish the committee to believe that any man dealing in cattle or sheep would wilfully be guilty of cruelty to them, so as to allow half of them to be injured. If a man has paid hard cash for cattle or sheep he is not going to allow them to break their legs during transit. If he can avoid it. The very proposition submitted by the hon. gentleman shows that there is no necessity for such legislation as he proposes. I am satisfied that shippers will take special care to send forward their cattle in good condition in order that they may obtain the largest possible price, and further, every shipper will endeavour to give his cattle the best treatment in order that they may reach the market in the best possible condition and realize the highest price.

Mr. IVES. I think our several local Legislatures and the House of Commons are making too many laws. We are interfering unduly with the liberties of the people, by creating new offences, and by creating novel and unnecessary restrictions. On looking over this Bill, I conceive that if we are to adopt it as it is printed, we will furnish a ground for persecution and for annoyance to any man by his neighbour.

Mr. COATSWORTH. That is struck out.

Mr. COATSWORTH.

Mr. IVES. If you want to remove the objections, you will have to strike out several of the clauses. Take the first section, which says that a man shall not wantonly, cruelly, or unnecessarily beat his animals. I should like to know who is the best judge. A farmer may be driving a yoke of oxen, and if the animals misbehave and are only imperfectly broken, every man who is acquainted with such animals is aware that he must treat them kindly, but at the same time firmly, the owner may beat them to some extent. Yet a magistrate under a prosecution in connection with the Bill might hold that the animals had been beaten unnecessarily. No man, as the hon. member for Oxford (Mr. Sutherland) has said, who has invested \$100 or \$150 in a yoke of oxen, unless he is an ill-tempered man, will unduly beat or maltreat his oxen. But if he does do it, we have already a general law on the subject of cruelty to animals, which provides means to punish him if he so far loses his temper as to become a greater brute than the brute he beats. We will suppose, this law has passed and that in a quiet neighbourhood where there has been no trouble for some years an officer of some humane society plants himself. He likes the office; it is natural for people to like having official positions, and this official commences to carry out his duties and to follow the instructions that he gets from the parent society. Then the result is a dozen prosecutions, the whole neighbourhood by the ears, litigation, loss of money through costs, and the general break-up of the peace and quiet of the neighbourhood. The next clause reads:

While driving any cattle or other animal is, by negligence or illusage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or any other animal.

Mr. COATSWORTH. That is in the Criminal Code now.

Mr. IVES. I do not care if it is in forty criminal codes. What do you want it in here again for if it is now in the Criminal Code? Is it not vexatious enough and interfering enough already, or do you want to make it more so? Under that provision of the law, if a man were driving his cows into the pasture and one of them jumped over a fence and got impaled, you could prosecute that man because he did not call in his neighbours or procure sufficient help to drive his cattle along the straight road into the lot. You must be reasonable in those things; you must have some practical knowledge before you adopt such legislation, and you must consider what facilities such a law gives to a man's neighbour to prosecute him and to annoy him and to subject him to costs. Take every one of these sections and in nearly all there is some objectionable feature. The provisions that you are making here for the carrying of cattle is perfectly nonsensical. You say that a man cannot carry

a small animal, such as a pig or a sheep in the same car as a horse or an ox without a partition being put in the car. Now that is perfectly absurd. A farmer may be sending a mixed carload of his stock from his farm to the Montreal market, and are you going to make him pay the extra rates that would be imposed on him through getting one car for four or five head of cattle, and another car for a few sheep and pigs? Either this Bill if passed must become a dead letter and not be enforced, or the business of the country cannot be carried on as it is now. One or other of these things must happen. You talk about carloads of cattle arriving at Toronto and some of the animals having their legs broken. Well, that happens every day in the year in the Chicago market. Cattle arrive there with broken limbs, and the result is, that instead of being sold at 5 or 6 cents a pound, they are sold for about \$5 a head as cripples. No one has any interest in shipping cattle without providing proper care for them, because there is a dead loss to some body in it. No matter what care you take in shipping a carload of cattle there is danger of one or more being hurt from the fact of their crowding each in the car which you cannot help, or because of a sudden shunt of the car against another car in the yard. Now you cannot prevent that unless you send them in Pullman coaches, or provide for each animal a special compartment for itself. If you compel that to be done, you immediately take away the profit which the farmer now makes on the raising of cattle, because the expense will fall upon the farmer in the end. If I were carrying on the business of agriculture in this country, I would not thank the House of Commons of Canada for interfering with these little matters. I know it is natural in these times—when thanks to the prosperity of the country a good many people have not much to do—that some should turn their attention to some kind of business like this. Some advocate the passing of legislation to prevent smoking, some to prevent drinking, and some to prevent the shooting of pigeons. Every body has his fad, and the hon. member for Toronto (Mr. Coatsworth) has taken up this fad.

Mr. COATSWORTH. What is yours?

Mr. IVES. If I have any, it is not interfering in these little matters, and passing legislation which will do no good or that cannot be enforced. I do not know if any hon. gentleman will vote against this Bill as a whole, but for my part I will.

Mr. McNEILL. I do not like to allow some of the observations that have fallen from my hon. friend (Mr. Coatsworth) to pass altogether without comment. I wish to say that I believe that those who are opposed to this clause of the Bill which is now before us, are just as much alive to the propriety of protecting the lower animals as

they are called—and I am not quite sure they are always correctly so described—from cruelty, as the promoter of this Bill is, or as any of those who are behind the Bill, are. For my part I would resent cruelty, such as has been described by my hon. friend (Mr. Coatsworth), as much as any one would, but I think that this House would be altogether inconsistent if we should say: We shall punish this particular kind of sport and allow other sport quite as cruel, and much more cruel, to go without punishing. My hon. friend (Mr. Coatsworth) has spoken about the legislation in England, and I am quite sure it was unintentional on his part if he conveyed an impression which is incorrect to the mind of any member of this committee. I call the hon. gentleman's attention to the fact that legislation in the English House of Commons has not moved in the direction he is moving, so far as this clause is concerned.

Mr. COATSWORTH. I said that. I accept that.

Mr. McNEILL. It is very important that the members of this committee should understand that this particular clause has been fully discussed in the English Parliament, and that the clause which is now proposed by my hon. friend from South Norfolk (Mr. Tisdale) is exactly upon the very same lines as the resolution which has been adopted in England. The English Parliament has discussed this matter and has decided exactly what this amendment asks the House to do. It has decided that such cruelty as was referred to by our old friend Mr. Brown should be punished, and that any one guilty of abominable conduct of that kind should be liable, as this clause proposes, to fine and imprisonment. But they refused to say that a man should be punished for shooting a pigeon flying out of a trap, while another should not be punished for shooting a pigeon sitting on a tree or on his barn. I hope this committee will take the same view, and legislate in the same direction as the English Parliament has done.

Mr. FLINT. I think I would be justified here in rising to a point of order, or, at any rate, calling the attention of the committee to a technical difficulty which it seems to me will arise if this section is passed. We have already passed the first page of this Bill down to the end of subsection "G," which clearly makes a criminal offence of pigeon shooting from traps. Having passed that section, we are asked to say in another section that this Act shall not apply to the very offence described in that section. Now, if the committee are in favour of legalizing pigeon shooting from traps, let us say so, and strike out subsection "G" and adopt this one. But if the committee are opposed to that practice, we must throw out the present amendment. I would like to have the opinion of the committee taken upon that point, whether pigeon shooting from traps shall be

rendered illegal or not; for, although for years I have been a member of a society of the kind represented here, and have been strongly indoctrinated with the idea of the Bill, my mind is open to argument from those who know whether this species of sport can properly be classed as cruelty. I never attended a pigeon-shooting match, and know nothing of it, so that in that particular I must, of course, be guided by the opinions of hon. gentlemen who tell the committee, with all gravity, that there is nothing cruel about it. At any rate, after the discussion I have heard, I think it would be well to make the provision broad and general, and leave the decision of particular cases to the courts. I think the general opinion of the House and the country supports the laws now on the Statute-book with regard to cruelty to animals; and not from the point of view so frequently urged, that owners of animals will necessarily beat and abuse them. Most of these offences are committed by persons who are not the owners of the animals, but who are hirelings or outsiders. It is in the interests of the owners of animals themselves that a fair and reasonable law against cruelty to animals should be on the Statute-book. It is not the owners of animals we are aiming at, but the persons who wantonly and unnecessarily torture, beat and ill-use. I think the committee, at any rate, ought not to throw out this Bill altogether, but ought to carry it into law as far as we have already passed it. The provision with regard to the treatment of animals on trains is also a matter on which I think the majority of the members of the committee would listen with a great deal of consideration to the gentlemen who represent the trades interested.

Mr. COATSWORTH. That section was passed.

Mr. FLINT. I know it was passed, but we have since had a strong expression of opinion, to which I am inclined to bow, from those who are acquainted with the conditions of those trades, that possibly the committee was unwise. We are making regulations and imposing restrictions in one direction which may possibly be construed in such a way as to do great harm in another direction, and I would suggest that all regulations as to the transportation of animals on trains should be left to the proper department of the Government, I think the Department of Agriculture, and that we should ask that department to inquire into the matter and legislate as to the proper means of transporting the various classes of animals. I do not think that persons who object to cruelty, and whose feelings are strongly exercised in that regard, are as competent to decide how to prevent that cruelty without suggesting greater evils; and, although a supporter of this Bill, my mind has been strongly influenced by the opinions expressed by members interested in the cattle trade. Therefore, I would be inclined to suggest to my hon. friend

Mr. FLINT

that he should allow these clauses to stand over for the time, and have a separate Bill dealing with that particular branch of the subject, and let it go to be dealt with by the proper department of the Government; because, we may, with a view of preventing cruelty, place such restrictions on the shipment of cattle as will injure business and trade. My hon. friend will be accomplishing considerable by the amendments he has already carried, and he will not be running the risk of having some very valuable clauses thrown over in consequence of the objections that are raised to other clauses. I rose, however, more particularly to call the attention of the committee to the peculiar position we are in with regard to this clause. If it is accepted—I am not in favour of accepting it—then, we shall have to go back and strike out subsection "G," which has already been passed.

Mr. SEMPLE. It appears to me that if you are making pigeon shooting a crime, the penalty of \$100 is out of all proportion to the crime. It is a very hard thing sometimes to decide what are acts of cruelty to animals. For instance, on one of these warm days, a person who lives a few miles from a village may sell a carload of hogs to a buyer, and some of them may die on the road to the village. I have known animals to die when taken in wagons, and sometimes on the cars. These are losses to the owner of the shipment. I think there should be a gradation of the different crimes mentioned in the Bill.

On section 5.

Mr. FORBES. The whole sense of the House seems to be against the principle of the Bill. All the legislatures in the Dominion have legislated on the subject, and in order that no more time of the House may be wasted, I would move that the committee rise, report progress, and ask leave to sit again.

Motion negatived.

On section 5.

Mr. McCARTHY. I wish to have a point of order decided. Is it competent for the committee to decide, in the second clause, that it is illegal to shoot pigeons, and then by the fifth clause decide that the second clause shall not apply?

Mr. DEPUTY SPEAKER. The committee may pass any clause, no matter how absurd.

Mr. McCARTHY. I should think that the committee ought not to stultify itself by first declaring that such an act will be an offence and then pass a clause declaring that it shall not.

Mr. DAVIN. No doubt the hon. member for Simcoe is quite right. The motion before us is a request that we shall stultify ourselves by undoing what we have already done,

and I cannot agree with those gentlemen who think there is nothing in what is aimed at by this legislation. The object is to do away with a degrading sport, or what is called a sport. Pressure was brought to bear on my hon. friend, the late member for Hamilton (Mr. Brown), as it has been brought to bear on the present father of this Bill, to insert a clause that would do away with certain grievances, but the real object was to do away with a bastard sport. My hon. friend from Bruce (Mr. McNeill), to my great surprise, has argued, as though there was some analogy between a man going into a gun club—as I have seen men in London go to the gun club there just as if they had stepped out of a band-box—and having a gun handed to him, putting it to his shoulder, and shooting as the pigeon was let out of the trap, as though there was some analogy between that and fox hunting and hare hunting. My hon. friend has, I doubt not, in other days, crossed country in Ireland after the fox or hare, and he must have known this, that in the earlier stage of the struggle between fox and hounds and huntsman, the huntsman, in Ireland, because the country is very difficult to cross, runs nearly as much risk as the animal he is hunting. Every man takes his life in his hands that crosses country. And what my hon. friend knows, too, is this: that in the earlier part of that contest, the fox enjoys the hunt and the hare enjoys it too, and up to a certain time has the best of it. The deer will go before the deer-hounds, the fox before fox-hounds, and the hare before the hare-hounds, for a certain time, confident of leaving everything behind, and it is not the speed of the hounds that destroys it, but the staying power—the same sort of thing that destroys the Grits in this country, the staying power of the Conservative party.

Mr. FRASER. I never knew they were dogs.

Mr. DAVIN. The hon. gentleman never realized that he was a hare, but still after metaphysical efforts such as my hon. friend from Bellechasse (Mr. Amyot) has made, this very difficult thing is easily realizable. I say there is no sport in shooting pigeons flying from a trap. I have seen the thing done. Any languid dude, weary from dissipation, can saunter into the gun club or go to Hurlingham and have his gun handed to him, and from long practice bring down his tale of pigeons. Will any one tell me that the word sport, which certainly has noble proportions in the history of the British Empire, can in any way be applied to that? I do not think the question is altogether as to the suffering of the pigeon. The hon. member for Bellechasse (Mr. Amyot), with that tenderness of heart which we know belongs to him, and also with a metaphysical nicety that transcends anything I ever

heard before in a deliberate assembly, described in a subtle and metaphysical manner what might be called pigeon psychology. I do not want to go into the question of how much or how little the pigeon suffers. The point I want to make is that the man who shoots that pigeon coming from the trap where it has been confined for days and has suffered in consequence—

Mr. McNEILL. No, no.

Mr. DAVIN. Is my hon. friend going to argue about the number of hours the pigeon is confined? I must then fall back on the metaphysics of the hon. member for Bellechasse (Mr. Amyot) and say that a great deal of suffering may be concentrated in a few moments. I am not making a point of the length of time the pigeon is confined. The point I make is that it is not to be tolerated in a civilized country that men, under the name of sport, should engage in pastime that slaughters pigeons while the men run no risk whatever. My hon. friend has gone out shooting and he knows that in so doing he runs some sort of risk and that, at least, the bird has a chance. Flying from a trap the bird has no chance whatever. The moral relation between that bird and the man is that of victim and butcher. But if you are hunting the fox, the fox may escape; if you are hunting the hare, the hare may escape. And, in many cases the man himself runs a risk. The late Marquis of Waterford, one of the boldest riders that ever rode to hounds, a man whom no stone wall or nine-barred gate could terrify, while crossing a small brook at the hunt, fell, broke his collar bone and died. Every season in Ireland we have a man or two who suffers in this way. And the same thing is true in England, though in less degree than in Ireland, because they have an easier country to cross. But no one will tell me that there is an analogy between such sport and shooting pigeons from a trap. Take the case of a sportsman hunting prairie chicken. And, by the way one gentleman spoke of shooting pigeons on a barn. No sportsman would shoot a bird except on the wing. No sportsman would shoot a prairie chicken sitting on a barn or tree.

Mr. METCALFE. That would depend on how hungry he is.

Mr. DAVIN. My hon. friend says that would depend on how hungry he was. I am afraid my hon. friend is a better judge of horses or game chickens—

Mr. METCALFE. Give them their right name.

Mr. DAVIN. Game cocks, then—than he is of prairie chicken.

Mr. METCALFE. You could not shoot a pigeon out of a trap.

Mr. DAVIN. I do not know about that. If I should stoop to such sport—

Mr. METCALFE. You can't do it standing up.

Mr. DAVIN. I might defeat my hon. friend in a contest of that kind. However, I find it a very difficult thing to get the committee to take a serious view of this question. Yet undeniably it has a serious side. I could not vote for the motion before the committee, for it simply stultifies the Bill. If we pass the Bill we do something to get rid of a degrading practice and one that has nothing of sport in it. Two years ago I occupied the time of the committee to explain fully my objections to this practice, its reflex effect upon the man, its lowering effect upon the moral nature and its effeminacy. Horse racing, hunting, shooting—all these things develop, certainly, staying qualities in the man, but this is a pure effeminacy and nothing can be said for it from the standpoint of sport. I am opposed to the clause as it stands, and opposed to it even as proposed to be amended by the hon. member for East Toronto (Mr. Coatsworth). The effect of it would be to take the Bill, as we might take a bird and wring its neck off. Better make it a real Bill against pigeon shooting or trap shooting, or else have the committee rise and have no Bill at all.

Mr. McNEILL. I cannot agree with what has fallen from my hon. friend. He speaks of pigeons being confined for days in a trap. Surely my hon. friend stretches it a little there, and if it is necessary to add to the picture of the pigeon suffering in this way in order to make a case, I think the case of my hon. friend is not so strong as he would desire the committee to suppose. In point of fact the pigeons are not kept in the trap for long. Those who are to shoot them wish them to be confined as short a time as possible, so that they may fly strong. Personally, I would not take any pleasure in shooting pigeons flying from traps. But my hon. friend and myself should be careful that we do not condemn the sport of other people simply because it is not such as we care for. Other people do care for shooting pigeons flying from traps, and the point we have to decide is whether there is in that sport anything so cruel that the people who desire to engage in it should be prohibited from doing so or punished by fine and imprisonment if they disobey. I listened very carefully for some argument on the part of my hon. friend in support of that proposition, but what did he say with regard to the question of cruelty? I heard no argument, but I heard my hon. friend speak in glowing terms of hunting. Every one, I think, who does not disapprove very strongly, as Mr. Freeman does, of all field sport, would agree with what he has said with regard to hunting, except that we would not put it so strongly as he did when he sought to make it appear that the man who rides across country is in as much danger as the fox. It is true that there is a certain percentage of injury and accident

Mr. DAVIN.

to the riders, but it is very small. In point of fact, Mr. Chairman, what we have to come back to is the simple question whether we are prepared to say that because we do not ourselves desire to take part in pigeon shooting, therefore we condemn every man who does to fine and imprisonment. I say there has been no cruelty proven to justify any such legislation on the part of this House, and no attempt has been made to show that the cruelty inflicted on the pigeons is anything like so great as the cruelty which my hon. friend approves of inflicting on the fox or the hare. My hon. friend has even been obliged to go so far as to say that the hare for a part of the time enjoys the sport. He says that the hare, the most timid of all God's creatures, the hare that is simply proverbial as a timid creature, enjoys being hunted. That is one of the arguments that are gravely brought up in order to induce this committee to fine people who shoot pigeons. Now, as to the cruelty inflicted upon a hare that is hunted as compared with the cruelty inflicted upon a pigeon that is being shot out of a trap, there is no comparison whatever. My hon. friend says there is no analogy, and there is none. When you consider the suffering of the hare, the suffering from terror, and the suffering from over-exertion, and the fact that she is torn to pieces by the dogs; and when you consider that the pigeon is at least shot dead when it flies out of the trap, I agree that there is no analogy. But my hon. friend says there is no risk connected with pigeon shooting. Well, there are other field sports which he approves of, in connection with which there is no risk whatever. There is no risking whatever in coursing a hare. You stand quietly on the ground and see a hare being coursed; does my hon. friend profess to say that we should pass legislation to do away with coursing. If he is consistent in his argument, he must do so. The coursing of a hare is just as cruel as the hunting of a hare, and ten thousand times more cruel than the shooting of a pigeon. Now, when my hon. friend says the committee will stultify themselves by passing this clause, I ask them to pause and consider whether they will not stultify themselves ten times more by proposing to say that the shooting of a pigeon flying out of a trap is an act of abominable cruelty, and that the coursing of an unfortunate hare by two dogs until she is worn out and then torn to pieces, breathless and almost dead with terror before she is torn to pieces, is an act which is not to be considered cruel at all.

Mr. METCALFE. As my hon. friend from Assiniboia (Mr. Davin) has called my sporting proclivities into question, I will say a few words on this Bill. I consider it an iniquitous Bill, in many regards. My hon. friend from Toronto (Mr. Coatsworth) seems to be animated with a very hearty desire to put down all sorts of cruelty, and so far

as he is concerned, I believe he has taken a very honourable stand, and he should receive the praises of all the anti-cruelty societies throughout the Dominion. I presume that all the little animals, from the eagle that plucks the raven, and the raven that plucks the jay, and the jay to whose voracity the cricket falls a prey, will all unite in loud acclaim in giving him credit for a kind-hearted sympathy with dumb animals. I do not rise to say anything unkind with regard to the Bill, which I believe has been brought before this committee with good intention, and for the purpose of putting down cruelty to animals. But what I might call cruelty to animals, the society which my hon. friend represents, might consider not to be cruelty, and what I might consider not to be cruelty, his society might consider cruelty. I consider that cruelty commences where sport ceases: that is the gauge you have to adopt. Now, if my hon. friend has fun with any animal, cruelty begins just as soon as his sport ceases. The hon. member for Assiniboia says that no animal has any chance in getting away from a trap. That is quite different from throwing an animal from a trap. I have seen pigeons thrown from a trap that it would take a pretty good shot to hit, and the member for Assiniboia and myself would need to go back to our youthful days to hit those pigeons. I have seen pigeons get out of a trap and whiz up when it would take the hon. member in the palmiest days of his youth to hit one of them. The hon. member, in his usual fine oratorical style, made a case against trap-shooting. Now, I am not one to sympathize with trapshooters at all. I would much rather see a man take his gun and go into the field, and give the animal a better chance than it would have in a trap. But there are others who take delight in trap-shooting. The hon. member for Assiniboia and myself have had the good fortune to roam over the prairies and shoot prairie chickens in the air. Now, I have been in very lonely places in the west, although not so far west as the home of my hon. friend; and it was a question with me whether I would shoot them sitting or flying. I made a calculation that I could shoot about eleven out of twelve sitting, and I could shoot about two out of three flying. If the chicken was sitting, and I was hungry at the time, and I got a good chance to shoot, I picked out the best one and shot him sitting. Now, open confession is good for the soul. I am not one of those who boast of their ability to shoot or to hunt, and I am giving you just a statement of what I felt. I never met my hon. friend from Assiniboia with a gun on his shoulder, I always met him with a pen in his hand. The pen is easier to carry than a gun: perhaps it requires more ability to wield the pen than the gun, but at the same time it requires a good deal of strength to carry a gun around all day.

The shot may scatter better in the field than on paper, of course. I have had a little chance to try that on the prairie, and I have always thought that it was right to give the bird a good chance to get away if you are not too hungry, and if you do not want meat on that particular occasion. Now, I have said that what my hon. friend and his friends might consider cruelty, I would not consider cruelty. Some men would consider it cruelty to run a horse four miles, and it is a cruel thing to run a horse one mile or a quarter of a mile, if he is not in condition. All these things have to be considered with proper judgment. It might be cruel to run a horse to-day half a mile, and in two months from to-day you might run that same horse four miles without any cruelty at all, because his lung power or his leg power might be a great deal poorer to-day than it would be two months hence. I have no doubt that my hon. friend who has brought this Bill before the House, believes he is acting in the best way to put down cruelty to animals. But we have already on the Statute-books of this country laws to suppress all these things, and this Bill seems to me to be a work of supererogation on the part of the hon. member for Toronto. The local legislatures have enacted laws sufficient to cover these things which he prohibits by his Bill, and if the hon. gentleman will allow me, I would advise him to come to this conclusion: We have discussed this thing now, and I will go home and tell my lady friends that it is no good, it won't go. Because it is the ladies, Mr. Chairman, that generally press this thing upon members of Parliament. Several of them came to me in my city about it, and said: Won't you help Mr. Coatsworth's Bill? Yes, I said. I will help to put it out, if I can, because I do not believe such legislation is the proper thing for this country. We are all opposed to cruelty to animals. But my proclivities have been generally in the direction of cock-fighting. When I was young, in days gone by, I liked to see two cocks well fed, well matched, and put in a pit together, giving each a fair show for his life. I would give him a better chance than my hon. friend would in his younger days give a fox. Many of these matters are not understood by hon. members who introduce such Bills as the present one, for there are as fine men as are to be found in the country who like both horse racing and cock fighting. I am not here to support cock fighting by any means; the law does not permit it, in fact it is prohibited by the Blake Act or some other Act. If I go to a cock fight I take my chance of being fined, for I am violating the law, and I can be punished without the present Bill being adopted. There is no necessity for this Bill or for any further measure in this direction. It is a work of supererogation to bring this Bill before the House. It has been in-

roduced by the hon. gentleman from a desire to prevent cruelty to animals, but we have already on the Statute-book sufficient laws to suppress cruelty to animals. To-day if a butcher goes to the country and improperly treats animals and practices cruelty there is a stringent law to punish him. If any one is guilty even of bull-baiting, although I never heard of such a practice being followed in this country, although I cannot say whether or not this is done near the constituency of the hon. member for East Toronto (Mr. Coatsworth), that is prohibited. Taking the Bill all through, and considering its sections and subsections and amendments, I think it is absolutely unnecessary legislation at the present time. We have at present in this Dominion a good moral law, and there is enough legislation on the subject outside of these proposed provisions to prevent cruelty to animals. Several hon. gentlemen have spoken in regard to fish and animals being cruelly treated. After a fish has been caught with a fly and has been humbugged for an hour, and afterwards taken out of the water and laid on a rock, that is, in my opinion, as much cruelty as has been practised in any of the cases referred to by the mover of this Bill. In regard to pigeon shooting, I quite agree that as soon as possible a bird injured should be despatched. But how are you going to catch the bird? In many cases that is impossible. It would be imagined, to judge from the statements made by the hon. gentlemen, that the pigeon would say: "Please come and kill me." But it does not do that. When you injure a bird or an animal its first object is to get away from you. There is an old story about putting salt on the tail, but it will not work any more in this case than in any other. The present Bill is so mixed that we do not know where we are at the present time. We have heard so many statements made and replied to that the hon. gentleman should now withdraw the Bill, and after a time when he has had more opportunity to consider and forward some special cases of cruelty, it might be brought to the attention of the House, but at the present time the effect will be to enact legislation that is wholly unnecessary.

Mr. COATSWORTH. In order to prevent any misconception, although the hon. member for Kingston (Mr. Metcalfe) and others have spoken very wide of the mark, I desire to draw attention to the fact that there are very few new provisions in this Bill. The difficulty which has arisen in connection with punishing cruelty has been simply to fix the liability on some particular person, and what is specially desired to be accomplished by this Bill is to fix the liability for the cruelty. If hon. gentleman would read the Criminal Code they would find that I was not entitled to all the compliments showered on me, nor were the ladies to whom they referred entitled to all the credit they desire to give them, because the proposed law is very

Mr. METCALFE.

nearly the same as the existing law. The main difference is the question of fixing the liability on some certain person. In regard to the shipment of cattle, it has been held that no person is liable, and I have read a case brought before the police magistrate of Toronto where gross cruelty had prevailed.

Mr. AMYOT. Does not the responsibility rest with the one who has committed damage towards the owner of the animal?

Mr. COATSWORTH. I am not prepared to discuss that question any more than to say that the Toronto magistrate, when a person was brought before him, was not able to punish him.

Mr. AMYOT. Change the magistrate.

Mr. COATSWORTH. We propose to enlarge the scope of the law, and to fix the liability on particular persons. The hon. member for Oxford (Mr. Sutherland) did not think any shipper would willingly ship animals in such a way as to be liable to injury. That is the very difficulty met with. It arises in this way: the cattle are not shipped by the owners, but they are put on the cars at the risk of the purchaser. The seller has no further responsibility, and he is not particular as to the way the animals are put on the cars, and consequently they have been put on carelessly.

Mr. IVES. What do you mean by that?

Mr. COATSWORTH. Put on the cars in such a way as to lead to the cruelty to which I have referred.

Mr. IVES. Please be more particular. Does the hon. gentleman mean that the cars are overloaded or underloaded? That there are too many animals or too few?

Mr. COATSWORTH. I do not know that any of the descriptions would cover the point; I do not know that the cars are overloaded. But the chief point is as regards the selection of animals, and that large and small animals are placed in the car together. When large and small animals are shipped together, the small ones are not sufficiently protected by the partitions so as to prevent their injury by large cattle. The hon. gentleman appears to think the Bill goes further than it really does. I thank the hon. member for Kingston (Mr. Metcalfe) for his advice, but I think he should first read the provisions of the Bill, and if he does read those provisions he will find that there is no new offence added, but that the object of the Bill is simply to fix on some one the responsibility. As to the section proposed by the hon. member for Norfolk (Mr. Tisdale) I do not propose to vote one way or the other.

Mr. PRIDHAM. I have been interested in cattle for many years, and I regret to see that this point is in dispute. It is the large, heavy and fat cattle, which have been

prepared for exporting, which are injured. In the case of small animals, there is no difficulty, because where they fall down there is always room to allow them to rise. There is no danger at all with regard to the smaller animals. I have shipped a great many thousand head of cattle, and I have only had one beast out of all that number that ever got a broken leg. At all the stations that I ever shipped cattle from, we are not allowed to load sheep and hogs in the same car with larger animals without putting up partitions. A good deal was said in the House the other night about bedding the cars with a certain stated quantity of hay and straw. Hon. gentlemen forget that it is a very dangerous thing to put hay or straw in a cattle car. I have considerable experience in the business of shipping cattle, and I know that the railway companies prohibit us from putting hay or straw in the cars, because, in dry weather, there would be serious danger of a fire, and the probability of great loss occurring to the train. The bedding used is either saw dust or sand, or the trimmings from the flax mills, which makes a very suitable and comfortable bedding for the animals. The station masters at all the stations have strict orders not to allow any cattle cars to leave the stations unless the cattle are properly loaded.

Mr. COATSWORTH. That is all this Bill provides for.

Mr. PRIDHAM. Wherever I have done business that law is strictly carried out.

Mr. METCALFE. I may mention to my hon. friend (Mr. Coatsworth) that I have read the Bill several times, and the more I read it, the less I think of its practicability.

Amendment negatived.

Mr. MILLER moved that the committee rise.

Motion agreed to, and committee rose.

OCEAN FREIGHT RATES ON CATTLE.

Mr. McMULLEN moved second reading of Bill (No. 8) respecting ocean freight rates on cattle. He said: Mr. Speaker, I am sorry that it becomes necessary for me to undertake the arduous duty of moving the second reading of this important Bill. I regret that the author of this Bill (Mr. Mulock) is not able to be present to-night, because I am quite sure that he would have done greater justice to the subject than it is possible for me to do. That hon. gentleman (Mr. Mulock) has given a great deal of attention and devoted a great deal of time to this subject, and he would undoubtedly have been able to present to the House an array of facts that would have great influence on the opinions of hon. gentlemen in dealing with this question. When we come to consider the extent of the cattle trade of this country during the last ten or fifteen years, its vital importance

to the older province of the Dominion, we must recognize that every facility should be given in order to increase the volume of that trade. Hon. gentlemen on both sides of the House will also see how important it is that we should give every consideration to the proposition now before the House with regard to ocean freight rates for cattle. I hold in my hand a statement of the number of cattle carried from this country by the Allan line, one of the most important of our steamship companies, for the year ending the 31st of December, 1893, and from that statement it appears that they carried 23,180 heads from Canada to England. During the same period, the Allan line carried from the different ports of the United States, with which they trade, 23,884 heads. Hon. gentlemen will see that the number of cattle carried by that important line of steamers from the port of Montreal alone—except 400 head which they shipped at Halifax—is equal to all they carried from the different ports of the United States. The exportation of cattle from the United States, being divided up among many lines and among different ports, obtains competition there that is not realized to the same extent by shippers from Canadian ports. Unfortunately, the fact of the exportation of cattle from Canada being largely confined to one port, and that the port of Montreal, unquestionably brings within the reach of steamship-owners a very favourable and a very tempting opportunity of meeting together and making rates to suit themselves. On this subject there have been representations made to this House. Those who have been largely engaged in the cattle trade, have, in a memorial on the subject of ocean freights on cattle, presented to this House many reasons why they consider that some legislation in the direction proposed in this Bill should be placed upon the Statute-books of this country. That memorial points out in the first place that the exportation of cattle from Canada reached the highest point in the year 1890. Ever since that year the exportation has diminished until in the year 1893, when we exported less than we did in any one year for a great number of years before. In 1890, we exported 104,133 at a total value of \$8,114,145; in 1891, we exported 99,967, at a total value of \$7,381,284; in 1892, we exported 93,206, at a total value of \$6,970,748; and in 1893 we exported 89,572, at a total value of \$6,799,638.

Sir CHARLES HIBBERT TUPPER. What are those statistics taken from?

Mr. McMULLEN. They are taken from information gathered from the steamship owners, and verified by people engaged in the cattle trade, and fully cognizant of the number of cattle exported.

Sir CHARLES HIBBERT TUPPER. If the hon. gentleman will allow me. There is a discrepancy between those figures and the official figures, and my question was asked really to ascertain whether the hon.

gentleman was speaking from information furnished either by the shipping trade or by the owners of the cattle, or from any recognized authority.

Mr. McMULLEN. I would say, in answer to the hon. Minister of Marine, that the information I am giving to the House was gathered from the steamship owners themselves, and verified by the shippers—because the shipping of cattle has been largely confined within a few hands. Each steamship company issues a statement of the annual shipment of cattle similar to one which I hold in my hand issued by the Allan Line; these, including the estimated shipments made by tramp steamers, and taken all in all, I think the figures will be found to be fairly correct. I have heard statements made before in regard to the discrepancy existing between these figures and the Government returns, and I hope the hon. Minister of Marine will be able to explain it or clear it up.

Mr. HUGHES. Perhaps one is for the calendar year and the other for the fiscal year.

Mr. McMULLEN. Perhaps so. Now, it will be seen by these figures that the number and value of the animals exported have been decreasing from year to year, and that last year's export has been the smallest for these years. The great difficulty appears to be in the power placed in the hands of the steamship owners, if they are disposed to exercise it. Montreal is virtually the corner for the shipment of cattle. All the cattle exported from Canada since the quarantine regulations have been put in force between Canada and the United States, have to go by way of Montreal or by way of Quebec, which is virtually Montreal, because the same lines that run from one port run from the other. So that this trade is, as it were, focused at that particular point, and the steamship owners and the agents of steamships are enabled to extort from cattle dealers, perhaps when the number for shipment is in excess of the usual number, rates which are far in excess of what would be charged if there was an opportunity of securing the competition of other lines. This certainly is not desirable in the interest of this particular trade, which in the older provinces is an exceedingly important trade. It is important from the fact that those provinces cannot now possibly compete with our western provinces in the production of wheat. The province of Ontario, from which I come, is of necessity, driven to adopt the feeding and exportation of cattle, the raising and exportation of cheese, butter and hogs, and similar lines of business, as the only lines in which the farmers of that province can now possibly make any money. Therefore, it becomes very desirable in the interest of the older provinces, Ontario as well as Quebec, that every possible facility that can be afforded for the exportation of cattle, should be granted; and this matter of

Mr McMULLEN.

ocean freights appears to be one of the most important items. Now, as I said before, those who have taken an active part in the exportation of cattle have presented their case very forcibly to this House in a memorial which I fancy has been placed in the hands of every member of this House. In that document they have set forth many grievances. They show that cattle shipped from the United States are placed on the English market on advantageous terms and conditions compared with cattle shipped from Canada; and this explains how it is that the prices of cattle for export are sometimes higher in the Buffalo market than in the Montreal market. I noticed last month that cattle for export were sold in the Buffalo market for from \$4.35 to \$4.55 per hundred, when the very same grades of cattle were being sold at the port of Montreal at from \$4 to \$4.25 per hundred. Now, at Buffalo, the distance to the seaboard must be some four or five hundred miles, the cattle have to be carried there in cars, and the railway freight must be paid. While at Montreal the cattle are right at the ocean port, where they can be put on board, and carried straight to Glasgow, Liverpool or London. There must then be some reason why export steers in Buffalo are worth 25 cents to 35 cents more than in the market at Montreal, though both are shipped to the same ports of London, Liverpool and Glasgow. That is evidence that there must be something wrong, as unquestionably there is. Before I sit down I shall give figures taken from reliable sources, to show that during a number of years the sums that have been charged for exporting cattle from Canada are considerably in excess of those charged on cattle exported from the United States. In Montreal each steamship line has its agent. It is very easy for those agents to meet every day or every week and settle what freights to charge on cattle. They get returns every day showing the state of the market in the old country, and when they find the market going up, and there is a probability of a rush of cattle from Canada to meet the increased demand, they raise the freights. It is well known that freights have fluctuated from \$7 to \$17.50 a head. Now, if it is really worth at one season of a year \$7 a head to carry the steer from the Montreal market to Liverpool, it cannot be worth \$10 more to carry that steer to the same port in the same season. It is also exceedingly harassing and unfortunate to cattle dealers, when they go out to purchase cattle for export, that they should be totally unable to know what freight they will have to pay. They do not know what they are going to be charged per head for the carriage from Montreal to the other side, and there have been cases where the shippers were forced to put their cattle on board without any rate being fixed, and those cattle have been part of the way across before the steamship owner would make known the freight he intended charging. It

is wrong that our cattle dealers should be placed in that position; and one of the clauses of this Bill provides that before the cattle are allowed to leave the wharf, an agreement must be in existence declaring what freight shall be charged, so that the shipper will not be completely in the dark as to what his shipment is going to cost him per head in the way of carriage. The falling off in the cattle shipments is very much to be regretted because the industry was unquestionably a very growing one. This circular that I hold states that the entire sum realized in the last ten or twelve years, from the inception of the cattle export business down to the present is some \$75,000,000. I have gone through the figures, and find that the amount will run over \$85,000,000, brought back to this country by the export of cattle alone. This clearly shows the necessity of protecting this industry as much as possible. As I have already said, this trade may be paralyzed from the want of action on the part of the Government or of this House; from our failure to release the country, as soon as possible, from the uncertainty existing as to freight rates, which has become a very serious question. It appears to me that the struggle is virtually between the cattle shippers and the steamboat interest. The question is whether we are going to give our attention to the interests of the farming community, which has so much at stake in this great industry, or whether we are going to allow the steamboat owners to exercise the same control and enjoy the same privileges and advantages as they have in the past. I do think that the requirements of the older sections of this Dominion are of paramount importance in dealing with this whole question. We should legislate in the interests of the people and force these steamship owners to submit to rates that are reasonably fair and just. We are giving very large subventions to these steamship companies for the carriage of the mails. It has cost the country an enormous amount of money to build and keep in satisfactory condition our ports, lighthouses and wharfs, and to afford all the necessary facilities to give the ship owners the protection they necessarily require. If Parliament is disposed to deal fairly between those interested in the export of cattle and the steamship owners, it will fairly and justly guard the interests of both. This whole question of rates has been entirely under the control of the ship-owners in the past. And it will be well that by some legislation we should alter that condition of things and place it in such a shape that greater justice will be done those who export cattle. I know that my hon. friend, who introduced the Bill, was very anxious that the Government should adopt the measure and assume the responsibility of putting it in shape, so as to grant the relief desired. I am quite satisfied that his object is not in any way to embarrass the Government. When hon. gentlemen will

think of the numbers of petitions that have been presented to this House, strongly urging that some measure of relief should be given, they cannot possibly think it is the desire of any one on this side to hamper or prejudice this House or the people outside. Our great object is to legislate in the interest of the whole people, doing justice to the cattle dealer and the farmer as well as the ship-owner, so that neither the one class nor the other would have any particular advantage. Every effort that could be reasonably expected on the part of those interested in this matter has been put forth. Petitions have been presented from day to day from boards of trade, municipal councils, and other corporate bodies, memorializing this House to take some action. I do not think it would be right that we should treat those memorials with indifference and allow them to lie in our pigeon holes unattended to. It is our duty to try, in some way, to meet the demands of those people who have been petitioning for relief, by a measure which would do no injustice to ship-owners and grant that relief which the farmers and exporters require. I contend that this is not a question that belongs to the farmer merely, but that every man in Canada is interested in it. Any trade that will bring back to the shores of Canada from eight to ten millions of dollars a year—and I am quite sure that amount can be very largely increased—is a matter of vital importance to us as a country. And if we can, by any legislation, encourage it and so increase its volume, we shall be doing great service to every branch of business in this country. I contend that if the farming community of the country are in a prosperous condition, financially, that is an assurance that every other business of the country will prosper. And unless the farmers are prosperous, every other industry will languish. This we know by experience. When we have a poor harvest, when we have limited exports of grain and cattle, when every line of agricultural pursuits is in a distressed state, general trade is paralyzed. If we can, by legislation of this kind, encourage an important industry, such as that of cattle exportation, it is a matter of vital interest to the entire country that the plan for carrying out such an object should be most carefully considered by this House. Now, Sir, I am going to state to the House the quantity of cattle shipped and the charges made upon them for several years past, commencing with the year 1890. In 1890 we exported from Canada, 122,182 cattle. For the carriage of these across the Atlantic, we paid \$1,796,196.92. In 1891 we exported 108,947 head of cattle, and paid in steamship freights, \$1,597,163.02. In 1892 we exported 98,755 head of cattle, for the ocean carriage of which we paid \$1,199,873.25. In 1893 we exported 89,572 head of cattle and paid to the carrying companies, \$951,254.64. I would like the Minister to observe these figures, and I challenge any member of this House to success-

fully controvert the statement I make. The total amount paid for this service is \$5,544,487.83. The same number of cattle exported from Boston and Portland would have cost \$3,899,161.79. That is to say, in four years the farmers of this country have paid to the steamship companies at Montreal, \$1,645,326.64 more than they ought to have paid. In 1891 the excess in cost per head from Montreal over the rate from Boston was 21s. 9½d. In 1892 the excess of price from Montreal as compared with Boston was 11s. 0½d. In 1893 the excess was 7s. 6d.

Sir CHARLES HIBBERT TUPPER. Before the hon. gentleman goes on, I would like to ask him what are the rates for 1894?

Mr. McMULLEN. I have not the rates for 1894.

Sir CHARLES HIBBERT TUPPER. Oh, this is 1894.

Mr. McMULLEN. I admit that the rates for this year are less than they were in 1891, 1892, or 1893. But it is a well-known fact that legislation in the direction now proposed has come to the knowledge of the shipping owners, and, fearing that the House might pass a statute which would give them serious trouble, they have come down very considerably in their rates. Another point is this, and it is an important point of my argument: In proportion as the price rises in England the charges of the ship owners for carrying the cattle across increases. We know that in some seasons the rate has varied as much as twenty or thirty shillings per head. They have every day a report of the state of the British market, and they take advantage of the prices there to increase their charge for freight rates.

Sir CHARLES HIBBERT TUPPER. Will the hon. gentleman tell me what is his authority for the figures he has quoted?

Mr. McMULLEN. My authority is official statements given by the steamship owners from Boston and Baltimore and Portland and Montreal.

Sir CHARLES HIBBERT TUPPER. Given to the hon. gentleman?

Mr. McMULLEN. Yes,—privately.

Sir CHARLES HIBBERT TUPPER. I may tell the hon. gentleman, as I wish to be perfectly frank, that I have under my hand a statement made by the Dominion Live Stock Association which is not in accord with the statement the hon. gentleman has read.

Mr. McMULLEN. The figures I have read have been secured by myself and other members on this side of the House who are trying to learn the facts and get to the bottom of this question.

Sir CHARLES HIBBERT TUPPER. I do not dispute that. I am only calling attention to the discrepancy.

Mr. McMULLEN.

Mr. McMULLEN. I am satisfied that I can verify the statement with regard to the rates. I have drawn these facts, I may say to the attention of the steamship owners, and they reply by saying that we, by statute, compel them to provide a larger space for each animal than is required in the United States, and the result is that the charges must be proportionately high. I do not know how that may be, but unquestionably the increased rate I have stated is correct. Now, for this number of cattle that were shipped from Canada in 1890-91-92 and 1893, the people paid \$5,544,487.83; from Boston it would have cost to ship that number, \$3,899,161.79, and from Baltimore, \$3,751,769.15. The House will see that the people of this country, even with the limited number that they shipped, have been subjected to rates that have virtually taken out of them, \$1,645,000. Now, this is certainly a condition of things that merits the serious consideration of this House, in order that we may by legislation, if possible, secure that relief to the exporters of cattle that such a large and growing trade deserves at our hands. I hold in my hand a Bill that the hon. gentleman from North York (Mr. Mulock) has placed before this House. The first clause proposes that the rate shall be fixed by the Governor in Council, and that when once fixed, they shall be published, so that every cattle shipper may know them, that the steamship companies may be fully cognizant of the rates, and that no person may be in doubt. Any person shipping cattle, whether he be a trader or a farmer, can find out by the published rates what the outside cost will be; he may get lesser rates than those, but in any case, in the exportation of his cattle from Montreal, he can not be charged more than those rates. In the second clause, he proposes to consider the different interests.

Mr. SPEAKER. I would remind the hon. member that on the question for the second reading of a Bill, it is out of order to discuss the clauses seriatim.

Mr. McMULLEN. Then I will not discuss the clauses in that way; but I sincerely hope that during the present session we may have an opportunity of going into committee on this Bill, when we may be able to discuss it clause by clause. Now, I made some remarks with regard to the importance of this Bill from a provincial standpoint, and particularly as it affects my own province. The fact is, there is not another province in this Dominion, and I do not believe there is a state on this continent, that is better adapted to the growth and the exportation of cattle, than the province of Ontario. We have a climate that has no superior for that purpose. Any man who has visited the Chicago market, and has seen the general character and breed of their cattle, and has then gone into the stables of the cattle-feeders of Western Ontario, will come to the conclusion that we are in a better posi-

tion to grow and feed cattle for the English market than they are in the United States. We have the best grass that is grown on the continent, and we have pure spring water, which are two of the necessary essentials for raising and fattening cattle. With these two advantages, we ought to be able to do an enormous trade in raising and exporting cattle. We shall also have to adopt largely the business of dairying, as I said before, and in connection with dairying you have got to adopt a system of raising and exporting cattle. You cannot engage exclusively in dairying, you have got to have cattle for the purpose of producing manure, and for many other purposes the business of fattening cattle and the business of making butter and cheese, must run side by side. The farmer who adopts that system will make a little money, while the farmer who devotes his attention to growing grain to sell in competition with other sections of this continent is sure to lose money. There is another matter. We have lost entirely the business of the exportation of horses. Hon. gentlemen opposite are well aware that we did formerly an extended trade in that line, but it has been completely obliterated. Owing to the practical embargo that has been placed upon our horses going into the United States, our farmers are driven to the necessity of confining their operations to cattle and hogs. Now, we can do a very lucrative business in the exportation of cattle, providing the encouragement is given to that industry which it deserves. We should seek by legislation to secure the very lowest possible rate at which cattle can be carried, so that those who engage in the exportation of cattle may have some certainty as to the rates to be charged, and if we provide these facilities, I believe we will greatly encourage the exportation of cattle from this country. I have myself known a great many shippers who have been driven out of the market. Some have lost fortunes in it. Some men in 1890 were well off, but they lost every dollar they possessed, owing to cattle being scheduled in England, and the uncertainty in regard to rates, as well as the uncertainty in regard to some other items of expenditure which I have not time to mention. Now, I take the figures with regard to the prices of cattle. Any hon. gentleman who will turn up the papers of the 17th of April last, will find that the quoted price in Montreal for the best steers, was 4 cents per pound; and in Buffalo it was \$4.35 to \$4.60 for the same class of animals. Clearly there must be something wrong when the Americans can get for their animals for export \$4.35 to \$4.60 in the city of Buffalo—

Sir CHARLES HIBBERT TUPPER. Is that this year?

Mr. McMULLEN. Yes; the hon. gentleman will find these quotations are correct, if he will turn up the papers of April 17, 1894. I admit the Americans do a very large export trade to Germany as well as to Eng-

land, and possibly they may have some advantages that we do not enjoy; but as far as the English market is concerned, the only possible advantage they have over us is the fact that they have lower rates, greater competition, and a greater number of points from which they can export cattle. They get the advantage of the competition that exists between the steamship-owners, and in that way they secure the transportation of their cattle at a considerably less rate than cattle shippers this side of the line. Now, I do not think the Minister of Marine and Fisheries will be able to challenge my statements. I shall be exceedingly glad to give him any information in my power that will, in any way, help the Government to get at the bottom of this question, preparatory to granting the people the relief they require. I do not desire to charge the Government with laxity. We know there has been an urgent appeal made by the farmers of this country, through different associations and we have now reached the period when we should deal with this question. I hope the House will be able to deal with the Bill which the hon. gentleman has on the Order paper, and I think that by means of it we will be able to grant the relief to this great, and growing, and important trade, of which it stands in need.

Mr. SEMPLE. I wish to say a few words on the general objects of this Bill. It is to be hoped the Government will lend their aid to securing the passage of a Bill that will be so much in the interests of the people of the country. At the present time our export trade in cattle is one of the most important interests in the country. When cattle are fed for export from grain that is raised on the farm, what is taken from the soil goes back again, and the soil is kept in fertility, and there is no loss of fertility as there is in the raising of grain for sale. The shipping freights this season are not very objectionable. It is desirable that there should be a fixed rate, and that is what is wanted, so that when a shipper sends forward a number of cattle at one part of the season he will not be called upon to pay twice as much at another time. This absence of a uniform rate has caused great loss to many buyers. They have purchased cattle expecting the shipping rates would be at a certain figure, but they have found them to be double at some periods, and so instead of obtaining a profit, they have lost in some cases their all. The trade, in fact, has become demoralized, and the report of the Minister of Agriculture shows a steady decline, and I venture to predict that next year's report will show a still worse condition. I know that some farmers sold excellent cattle a year ago for 5½ cents per pound, live weight, and this year they were compelled to sell similar animals for 4 cents per pound, live weight. When we consider the low price in the English market, and even admit that the freights existing are low,

it is evident that the cattle trade is very unprofitable to our farmers during the present season. If the Government would establish a fixed rate for cattle shipment, it would be of very great advantage to the agricultural class. There are evidences in many directions that the people of the country are in earnest in this matter. This question came up before the cattle exporters of Toronto, and the present Bill was considered in the right direction,—the unanimous opinion arrived at was that it should be adopted by this House. Every day petitions have been presented asking Parliament to extend to the cattle industry fair treatment. The Government are really the only parties who can deal with the carrying trade. A motion now stands on the Order paper to grant a subsidy of \$750,000 a year to a fast steamship line. If that Bill should be adopted and a subsidy granted, the benefit would be derived by the rich men who would be able to go to Europe more rapidly than at the present time, but it would not make any appreciable difference as regards the prosperity of the country as a whole. It would be unfortunate if the export cattle trade should considerably decline. It has been profitable so far, and when it reached high-water mark in 1891, it amounted to \$8,744,769 that year. Since that time, however, it has steadily declined, and will continue to decline unless something is done by the Government in regard to freight rates, whereby great benefit might be conferred on the farmers. I hope the Government will give this important question due consideration.

Mr. McNEILL. I do not intend at this late hour to take up any time in discussing this question, but I would urge very strongly on the Government the advisability of dealing with this matter in a very serious way. There is no doubt it is a very large question. It is one that involves the values, as few other trade questions do, of the properties of the people. The amount of capital invested in cattle in Ontario is very great, as every hon. member knows, and it seems very strange that if we can protect the Ontario farmers from the exactions of those who hold the monopoly of the carrying trade by land or sea in the Dominion, no attempt has been made to do so. Just as soon as a buyer goes into the country and purchases a few hundred head of cattle or a thousand head, knowing the state of the market on the other side of the Atlantic and having full particulars in regard to freight rates, I say on these conditions he purchases five hundred or six hundred head of cattle and brings them to the port of shipment, and he finds that the freights have been changed and the whole transaction has been altered in character, and that very possibly he will sustain a loss instead of a gain. What is the result? The result, as a matter of course, is that when he goes out

Mr. SEMPLE.

again to buy, he is obliged to deal differently with the farmers and to purchase the cattle at a less cost. Eventually, owing to the uncertainty of the transaction, these men dare not buy cattle. So it is not only an injury to the farming interest, but to the carrying interest as well. I think no more serious question could very well be presented to the House from a trade point of view than this question now under consideration. We know very well, and while it may not be germane to the question at issue, yet, it is in the same line, that our farmers had an opportunity last year of sending hay to the English market at a good profit. Our farmers had a large crop and the prices in England were high. The result, however, was that they did not make a profit, for all the profit went into the pockets of the steamship companies that carried the hay. The farmers of Bruce, and my hon. colleague from that county will substantiate what I say, sold their pressed hay at \$5.50 per ton delivered at the railway station, and because the freight rates were raised a large portion of the profits which should have gone into their pockets were transferred into the pockets of the carriers. The result will eventually be, if a remedy is not found, that our English hay trade will be killed out. I hope this subject will be taken up and considered very seriously by the Government. I do not profess to be able to suggest a measure that it is desirable to take or the proper remedy to be applied, but I hope the whole question will be very seriously considered, as this is a very serious grievance so far as the farmers of Ontario are concerned.

Mr. ROWAND. I desire to emphasize the remarks made by the previous speaker with respect to the cattle trade, to the province of Ontario especially. We have gained great experience in breeding and in shipping cattle. If the English market, however, does not improve, we must change our system and go into dairying or some other branch of agriculture because our cattle are not the best dairying breed, for we have raised improved cattle for fattening and shipping purposes. I do not know at the moment what remedies should be applied to the difficult position in which we are now placed. I am not a lawyer, and am not able to decide whether the present Bill is a proper one or not, but at all events the Government should take the matter into their serious consideration and see if some remedy can be applied. Now, we have thought a great deal of the privilege that we have enjoyed in past years with regard to getting our cattle alive into the English markets. I have been watching the workings of the market in the United States and here, and my opinion is that the whole benefit derived from the privilege we enjoyed in placing our live cattle on the English market has gone to the steamship companies and not to the

farmers. If you look back over the last five years you will find that the freight rates from Canada have been considerably higher than the freight rates from the United States ports. Last year quite a number of buyers shipped their cattle from Boston until the embargo was put on, and it depended on the rate of freight whether they should send by Boston or Montreal. Now we are entirely shut out from taking advantage of that competition, and we all understand what an easy matter it is for a few steamship companies to combine to put up the rates. Formerly when we were getting 5 or 6 cents a pound live weight for our cattle, perhaps we did not feel it so badly, but now when the prices are cut down and we are only getting 4 cents or 4¼ cents per pound at the most, we realize that it is a very serious matter. It is quite true that the steamship companies from Montreal have lowered their freight rates this season. I believe that they are actually lower than the rates from Boston this year, but my opinion is that the reason they have been lowered is on account of the agitation in Canada against those rates. The steamship companies will not carry freight at rates which will not pay them. They are carrying them at rates that pay them now, and if a little agitation in the country could bring them down to reasonable terms. I think that the Government should take hold of the matter and make them keep their rates at what they are now, and at what evidently pays them.

Mr. FORBES. Owing to the lateness of the hour and the importance of this subject, and the fact that the mover of the Bill (Mr. Mulock) is unavoidably absent, I move the adjournment of the debate.

Motion agreed to, and debate adjourned.

FIRST READING.

Bill (No. 144) to amend the Act relating to the custody of juvenile offenders in the province of New Brunswick.—(Sir John Thompson.)

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 11.55 p.m.

HOUSE OF COMMONS.

TUESDAY, 19th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FISHERIES ACT AMENDMENT.

Sir CHARLES HIBBERT TUPPER moved for leave to introduce Bill (No. 145) to amend

the Fisheries Act. He said : With the exception of one or two other sections to which I will refer, this Bill contains substantially the provisions that were very fully considered in this House about two years ago ; but that Bill did not proceed further than a very long consideration in committee on that occasion, owing to the necessity of my having to leave suddenly to attend to other duties. That Bill dealt with the lobster fisheries. It is not intended in this Bill to bring any of the changes contemplated into force this year ; but it was deemed wise to bring up the sections again to take effect next year. They concern directly the canning and curing and packing of lobsters under a license system. At present that business is carried on without that very necessary and useful means of supervision. I have given a very great deal of attention to this question, and I have also had the benefit of discussing it fully and frankly with the House, and I am more of the opinion than ever, that there is an injustice under the present regulations to the bona fide packers. That is to say : that while the regulations concerning the close season are observed by the bulk of the substantial men in the business, yet the violations of the close season are such, and the illicit canning and curing of lobsters go on to such an extent, that although the officers of my department have been most vigilant and energetic, yet, without some such system as this along our coast, with its numerous indentations and extraordinary facilities for illicit work of this kind ; it would be, in my opinion, impossible to hope to preserve that very valuable industry which concerns the Maritime Provinces so directly. I have kept in this Bill to the lines of those provisions which were under consideration of the House before, with a few changes, and I think improvements, due to the additional information obtained by our officers whom I had convened in Ottawa for the purpose of mutual consultation and discussion. I do not propose in this Bill to deal with some clauses that were in the old measure concerning the close season. I propose to leave the close season for the present as it is, and as it has been for seasons past. But the conference of those fishery officers brought out some very interesting considerations. They have pushed to the front the consideration of such questions as were often mentioned by others who were interested in this matter, to the effect that in considering regulations affecting the size of the lobsters, as to the period when they are at maturity, and as to the season when they are found most largely in spawn ; it is absolutely essential that you should have regard to the temperature of the waters in the different districts, and not rigidly to apply anything approaching a uniform close season. That is a subject of great difficulty, and there was a difference of opinion amongst the officers whose special duty it was to look into this question. This year I have instituted a series of very care-

ful investigations, through the means of some of the fishery vessels, to supplement the opinions based largely on observations and inquiries. At certain seasons of the year, they are able to obtain very interesting information respecting such questions as the temperature of the water, and the condition of the lobster, which information will be noted. Then, when the House is in possession of that exact information—information that has not been obtained either in England or Newfoundland, in which countries these inquiries have been carried on for many years—I think it will be time to deal with these phases of the question, and so I have eliminated them from the present Bill. Another important subject dealt with in the Bill is: in the Fisheries Act there is a prohibition against using drifting nets for salmon, the only exception being in the province of British Columbia, and in the Fraser River it is absolutely necessary to use drift nets for salmon, and they have been used without seriously affecting the permanency of that great fishery. But on the Bay of Fundy there grew up a practice of drifting, and it was carried on in defiance of the law. Some years ago the attention of the department having been called to this practice, prosecutions were instituted; but a question arose as to the rights of the harbour of St. John. As the special charter to the harbour gives the authorities in St. John special privileges, the action of the department was stayed through a mistaken impression that these special privileges extended outside the harbour and affected the waters where the drifting for salmon went on. The subject having been brought before me, and there being no question whatever that the point that had been raised was totally disconnected with the drifting, instructions were given to enforce the law. This year, however, it was very reasonably put to me that no notice having been given of that, and this drifting of salmon having been prosecuted for many years without let or hindrance, so sudden an action would be unfair and not absolutely necessary, owing to the condition of the fishery. I had a very careful investigation made at the instance of one of the representatives of St. John, who took a great deal of interest in the matter; and Prof. Prince went down personally, and went thoroughly into the question. From his report of that examination, it is quite clear that this drifting, if arranged under license as it is in the province of British Columbia, could be carried on there, and in those waters no other fishery could be carried on. So that the case is exactly like that of the Fraser River; and at present I need not point out to those who are familiar with the Fishery Act, that we cannot in the slightest degree regulate this fishery, because it being prohibited, we cannot license it, and the fishermen being without licenses, we have no power to interfere so as to regulate. We

Sir CHARLES HIBBERT TUPPER.

have power to stop it, but not to regulate it. So that, I think, with the concurrence of really all concerned, and without any detriment to the fisheries, it is possible to amend the Act so as to enable the department to license and control drift net fishing in these waters of New Brunswick. There are one or two other provisions of the Bill to which I may refer. I shall not refer to all of them, but simply to some of the most important. We have found in the province of Manitoba and in the North-west Territories, where irrigating operations are carried on, that there are practically a great many fish-traps so arranged that the destruction of fish is very great and very serious; and, in view of the complaints of the people in those districts, we have endeavoured to provide for the erection of gratings or fish guards with certain meshes which will not interfere with the very necessary work of irrigation, and will at the same time allow that work to be carried on without doing injury to the important fisheries of that country. I also have a provision in this Bill respecting a practice that prevails in some parts of this country to the detriment of the fisheries, that is, the catching of fish for the purpose of using them as manure. Then, the section which I think was in the old Bill when it was before the House, is again introduced—the section respecting the pollution of rivers. That section is entirely recast and made more workable, but with the same object in view. I have also a provision in reference to which I should like very much to have the opinion of the House, respecting a gradation of penalties for violations of the Fisheries Act. I might state that one of the great difficulties we have to contend against to-day—and in some parts of Canada the case is a very urgent one—is that poaching is being carried on upon the most tremendous scale in some waters in defiance of the law and of the officers; and the seizures I have had to cause to be made recently have been on an enormous scale. But, nevertheless, our great difficulty is this, that a man is encouraged now to break the law. There are in many cases great temptations to violate it. When a man knows that the maximum penalty is \$20, he substantially says to himself, "That is a very small fee to pay, and I can pay that and ten times over in many cases if I have the good fortune to elude and escape the fishery officer." Consequently, I have adopted the language of the Fishery Acts in other countries, where the penalties increase with repetitions of the offence, the penalty for the first offence being as now. The other provisions of the Bill I need not dwell upon at the present stage.

Mr. DAVIES (P.E.I.) The subject-matter of this Bill is one of the very greatest importance, and, inasmuch as the Bill may not be printed for some time yet, I am anxious that I should thoroughly understand

its provisions, in so far at any rate as it affects the lobster fisheries. I regret very much that the hon. gentleman had not been able to introduce this Bill at an earlier stage of the session. We are now very near the close, and by the time the Bill is printed it will be impossible to send copies of it to the different lobster packers, and ascertain their views upon it before it passes through the House. I tried to gather from the hon. gentleman's remarks what the provisions are respecting these lobster fisheries; but, unfortunately, owing to interruptions, I was unable to follow him. I did not understand whether the hon. gentleman is introducing into this Bill the same provisions that were contained in a Bill which he introduced before he went to Europe on the Behring Sea business.

Sir CHARLES HIBBERT TUPPER. Substantially, yes.

Mr. DAVIES (P.E.I.) I understand that these regulations do not apply to the present season?

Sir CHARLES HIBBERT TUPPER. No.

Mr. DAVIES (P.E.I.) Does the hon. gentleman propose not to establish a fixed close season for any locality?

Sir CHARLES HIBBERT TUPPER. Not by the Bill.

Mr. DAVIES (P.E.I.) I understand that the hon. gentleman proposes to reserve that for next year?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. DAVIES (P.E.I.) And to fix it by Order in Council?

Sir CHARLES HIBBERT TUPPER. There is an Order in Council outstanding which has been in force for years, and I endeavoured to explain that I did not propose to interfere with that in view of information now at my command, but that very special and valuable information was being obtained on which it was probable that next year I would ask the opinion of the House.

Mr. DAVIES (P.E.I.) If the hon. gentleman intended to legislate on that point, it would be essential that the information he was acting upon should be printed and submitted to the members of the House. I understand, then, that the legislation refers more to the size of the trap and license system?

Sir CHARLES HIBBERT TUPPER. Yes, and practically that is all.

Mr. DAVIES (P.E.I.) My opinion has been expressed time and again—based on opinions I have received from the different lobster packers—that the measure which will result in preserving the lobster better than any other will be the fixing of a close season. For the past fifteen or twenty years we have had a season which is fixed by Order in Council. Pressure

of one kind or another is invariably brought upon the department to extend that season. These extensions have done more damage than anything else. I am thoroughly satisfied that if we could have a close season—perhaps not the same for each province—but a close season fixed by statute, which it would not be in the power even of a Cabinet Minister, no matter what pressure might be brought to bear, to alter, that would no doubt go a long way to solve the question. We must see the great importance of the fisheries, when we find in the hon. gentleman's report the information that 88,000,000 were canned during the last season, and over 13,000,000 cans put up. Every bit of legislation which affects this industry will be scanned very critically by all interested, and I therefore hope that the hon. gentleman will have his Bill put in our hands at a very early day in order that we may be able to master its provisions and discuss it intelligently.

Sir CHARLES HIBBERT TUPPER. I quite agree that this is a very important subject, and it is entirely too late in the day to bring down any radical proposition concerning it. I have therefore confined the provisions largely to clauses upon which we had reached unanimity, after a very lengthy discussion, two years ago. The question upon which there is room for much discussion, and concerning which we have not obtained all the information required, I have dropped out of the Bill. The particular clauses I intend submitting will affect no one this year, as they come in force in 1895, but of course we must give notice. The season begins the 1st of January.

Mr. FRASER. I regret also that the Bill was not brought down at an earlier date, and I would suggest to the hon. Minister that he should not confine his inquiries for information to the sources he mentioned, his own officials and the packers. I would suggest that he should also get information from the fishermen themselves. While there may be a disposition among the fishermen, in some cases, to have the law framed in their own particular interest, still the general information he will get from both lobster packers and fishers will be found very valuable. I am glad he has referred to the fact that there should be a change in the time, in so far as the provinces are concerned, but I think it will be found that even within the limit of some of the provinces there is a difference. There is a difference between Cape Breton, for example, and the western shore of Nova Scotia.

Sir CHARLES HIBBERT TUPPER. That is recognized now by the regulations.

Mr. FRASER. Yes; and even at much shorter distances than Cape Breton and the western part of Nova Scotia. I would impress upon the hon. gentleman that he should get information from every source and not confine himself to his own officials.

While the officials may be good men, they have certain ideas of their own, and he should not pass over the packers and the fishermen.

Mr. GILLIES. I quite agree with the hon. member for Guysboro' (Mr. Fraser) that whatever information can be had, should be obtained by the hon. Minister before finally submitting his Bill. Although I fully recognize the fact that very high scientific information can be furnished by the officers of his department, still I am slow to believe that they are in possession of every fact in connection with this industry. I know that there are men in the canning industry in my own county, some of whom rank very high as experts in matters of that kind, from whom it would be wise on the part of the department to obtain every information before coming finally to any conclusion. As to the seasons during which this business is carried on, I am very familiar indeed with the industry as pursued in Cape Breton. While I am just as anxious as the hon. Minister himself to have every precaution taken for the preservation of this important industry, yet—and I may say this desire applies to many of those engaged in the canning business—I submit that the fullest concession should be given to the fishermen to pursue this industry upon the coast of Cape Breton to as late a day in the season as is consistent with its preservation. I know that on the coast of Cape Breton, where storms prevail to a very late day in the season, although the season opens on the 1st of January, yet the fishermen on the southern and western portion of the Cape Breton coast are unable to put out to sea until sometimes in the month of June. Then the season closing on the 15th July limits them really to a period of only six or eight weeks: and if you take out Sundays and holidays and stormy days, when they cannot put out to sea, the House will perceive how limited is the time in which they are able to prosecute that industry. Therefore when you say the season begins in January and ends the 15th July, that really does not apply to the eastern portion of Nova Scotia at all. The season on the Cape Breton coast ought to be extended to the 31st of July owing to operations being delayed in commencing until June, owing to storms. I would therefore ask the hon. Minister to give reasonable means to the people interested in the prosecution of this industry and the preservation of the lobster to be heard fully upon this question, and I would ask him to give them every opportunity to make an ample statement and furnish complete information before finally concluding the measure he intends to submit.

Mr. FLINT. I notice that the hon. Minister refers to licenses, but did not say whether they would apply only to the packers or to the fishermen as well. If applied merely to the packers, I would not

Mr. FRASER.

have much objection to it, as I suppose it is to prevent the taking of lobsters under size or of female lobsters with spawn. But if licenses are to be applied to fishermen, there will be great objection. The question of the season is one of great importance, and I trust that before the matter comes up for discussion the hon. Minister will take steps to lay before the House the information he may have in his hands, so that we may have the same opportunity of studying the question as the Government officials had.

Sir CHARLES HIBBERT TUPPER. The Bill does not affect the fishermen as to licenses.

Mr. CHARLTON. I wish to call the attention of the Minister of Marine to some complaints that have reached me from some of the inland waters. A number of the fishermen have complained that their seines have been seized and burned. The hon. Minister dropped an observation with regard to the prevalence of poaching and the necessity of adopting severe measures. I do not know whether any necessity of this kind exists. I have a letter from a Mr. Wellington Mattice, who complains that their seines were seized by a fishery officer named David Williams on the north shore of Lake Erie, and that other seizures were made and that a great deal of excitement prevailed among the fishermen of that locality. They seem to think they have been very harshly dealt with. I bring the matter to the attention of the Minister. Perhaps he has some explanation to make?

Sir CHARLES HIBBERT TUPPER. Under what law were those seizures made?

Mr. CHARLTON. Under the general fisheries law.

Mr. FORBES. In reference to the remarks made by the Minister and by the several members with regard to the lobster fisheries, I take it that they are upon phases of this subject not affected by the Bill. The remarks of the hon. member for Richmond (Mr. Gillies) are entirely foreign to this Bill. As I understand it, the hon. Minister proposes next year, as it were, to codify these regulations respecting fishing, and especially lobster fishing. I understand that this Bill, in the first place, provides for the licensing of lobster packers and, in the second place, codifies the regulations respecting drifting for salmon. I must object to the first part of the Bill which refers to the licensing of lobster packers. There is no reason why this industry should be taxed any more than any other industry engaged in packing material for human food, and neither of them should be taxed at all. Why tax the lobster packers any more than the packers of fruit or vegetables? The Government does not state its reason, that which would be the only just reason, that this was for revenue only. If the object is to classify the several packers, surely, with the army of officials in the pay of the Gov-

ernment, it is quite possible to find out these packers and watch their operations, and by compelling the lobster packers to take out a license and charging them a fee for the same, you reduce the amount that they will be able to pay for the raw material they use, and thus you reduce the price paid for the lobster to the catcher of the fish. I cannot see any reasonable answer to the objection that has been made before to this action of the hon. Minister. As to the drifting for salmon, it may be right that this regulation should be followed in certain counties. I know nothing about the district in New Brunswick referred to by the hon. Minister more than I have learned from the public press. It is stated that the Minister harshly imposed certain regulations and, later, for certain reasons, withdrew them and allowed the fishermen to go on with their operations. Whether this was done for local purposes, and to improve the standing of himself and others, I do not know. But this I do know, that he has evidently made a mistake in enforcing these regulations, as shown by the facts that he retired from the position he took, and that he now proposes to allow the fishermen by Act of Parliament, to follow the practice they were previously following. As to the introduction of this Bill, at the present time, I quite agree with the hon. member for Guysboro' (Mr. Fraser) and the hon. member for Queen's, P.E.I. (Mr. Davies) in objecting to the lateness of its introduction. We cannot now put ourselves in communication with the packers and those interested in this great industry to ascertain their views. I understand that the matter was under discussion two years ago, but then the policy indicated by the Minister was so indefinite that we were not able to place any definite view before our constituents and the citizens who are interested in this industry. Thus we are, to a great extent, unprepared to discuss this matter with the practical knowledge we should possess before we attempt to discuss it. We must, to a great extent, depend upon the official report and upon the knowledge hon. members of this House may have upon the subject themselves. As the hon. member for Guysboro' said, the official information laid before the House is gathered entirely from one side, from the officers of the department, and those who are in favour of imposing this tax. There are two sides to this, as to every case, and there is no doubt that a large number of citizens will be opposed to the imposition of this tax. I contend, Mr. Speaker, that before the hon. Minister asks the House to go into committee on this Bill he should be prepared with some better statement of the facts than he has thus far presented, so that we may discuss the subject more clearly.

Mr. BOWERS. I notice that the hon. Minister had something in the Bill about pollution of rivers. Will these provisions respecting the pollution of rivers apply to all parts of the Dominion, or only to certain parts?

Sir CHARLES HIBBERT TUPPER. The provision is general.

Mr. BOWERS. Does it include the Ottawa River?

Sir CHARLES HIBBERT TUPPER. The Ottawa River is exempt by Order in Council.

Mr. BOWERS. I should suppose from the account we had of saw-dust gathering in the Ottawa there must be pollution of that river.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman does not think that the Ottawa River affects any fishery, I suppose. There are not many lobsters there, at any rate.

Mr. BOWERS. I do not know whether the fish in the Ottawa River like saw-dust or not. Of course, they may be a peculiar sort of fish, being so near the Parliament House. With regard to lobster fishing, I may say that I have called the attention of the Minister and the House for some years past to this question. I have received a great many letters from my constituents in regard to the size of lobsters. I thought I had a sort of understanding with the Minister that before any legislation was brought in he would call the members from the Maritime Provinces together, talk the question over and get their views. In certain parts of Digby County you can catch lobsters from the 1st January to the close season. In other parts, from Brier Island to Digby, along the Bay of Fundy, you cannot fish before the 1st of May.

Sir CHARLES HIBBERT TUPPER. I would like to remind the hon. gentleman that he is now addressing himself to points that are not covered by the provisions of the present Bill. The Bill that has been introduced has nothing to do with the subject of close seasons.

Mr. BOWERS. But I would like to call the attention of the hon. Minister to what I want introduced in the Bill. I want the size of the lobsters made ten and a half inches and also the close season lengthened to the middle of July. I agree with the hon. gentleman with regard to the licenses, though I do not agree that the licensees should pay a fee. I must say that in the small harbours along the shore to the eastward of Halifax. I have seen men taking lobsters out of season. If a law was enacted compelling the taking out of licenses, no doubt the most of this irregular fishing would be done away with, and that, I think, would be a good thing.

Motion agreed to, and Bill read the first time.

DEPARTMENT OF RAILWAYS AND CANALS.

Mr. BERGIN moved for leave to introduce Bill (No. 146) further to amend the Act respecting the Department of Railways and Canals. He said: The object of the Bill is to reduce the

hours of labour on the canals, and to provide that they shall not extend beyond 12 hours in any 24 hours. The reason I have introduced the Bill is that during the past season, for 12 or 14 weeks, men were obliged to work from 18 to 20 hours per day. Accidents happened to two or three of them, some of the men were made so seriously ill by the excessive labour that they were for a long time unable to work.

Mr. LAURIER. Is that done by the Government of the country?

Mr. BERGIN. It is done under a system that existed during the time the hon. gentleman's friends were in power.

Motion agreed to, and Bill read the first time.

GRAND JURORS.

Mr. EDGAR. Before the Orders of the Day are called, I would like to suggest to the leader of the House whether it would not be well to transfer Bill No. 24, which passed the committee of the House last night, to the Government Orders. I doubt if it will be reached this session unless that is done, and as it passed through committee unanimously, and with the approval of the Government, I would suggest that it be placed on the Government Orders.

Sir JOHN THOMPSON. We will consider the best way to deal with it.

PUBLIC ACCOUNTS COMMITTEE.

Mr. DAVIES (P.E.I.) Before passing to the Orders of the Day, I desire to call the attention of yourself, Mr. Speaker, and of the House, to the fact that in the Public Accounts Committee, where we have been holding an investigation with respect to the Wellington Street and Grand Trunk bridges in Montreal, for some time past, and where a large quantity of evidence has been already taken, the committee recommended to the House that this evidence should be taken by shorthand reporters and be printed for the information of members attending the committee. Hon. gentlemen will see that it is absolutely essential that this evidence should be in our hands before the investigation closes, as cross-examination is almost impossible where a witness has been examined for three or four days in succession, unless you have in your hand the evidence he has given to look over. Now, it was brought before the attention of the committee this morning that this evidence has been taken by shorthand reporters, has been transcribed by them, and has been sent to the public Printing Bureau, and we have never been able to get a line of the printed evidence yet. I know of no way of achieving that result, except by bringing the matter before the attention of the House, in the hope that the proper officers will see that the orders of the committee and of the House are attended to, and that this evidence is brought before

Mr. BERGIN

them. As the Secretary of State is not in his seat, I would bring the matter to the attention of the leader of the House.

Sir JOHN THOMPSON. I will mention it.

SECOND READING.

Bill (No. 137) further to amend the Steamboat Inspection Act.—(Sir Charles Hibbert Tupper.)

DUTY ON STEAMBOAT TONNAGE.

House resolved itself into Committee on the following resolution:—

That it is expedient to provide that a rate or duty fixed by the Governor in Council, and not exceeding ten cents for every ton gross tonnage, shall be paid by the owner or master of every steamboat in Canada.

(In the Committee.)

Sir RICHARD CARTWRIGHT. What does that amount to, all told?

Sir CHARLES HIBBERT TUPPER. The present rate is 8 cents a ton. We have authority by existing legislation to make that tax anything up to 10 cents a ton, which is the maximum. It has been as low as 4. In 1868 it began at 10 cents, and it was reduced on account of the fees showing a surplus over the expenditure. Then when that position was reversed, the tax was again raised from 4, finally it has reached 8 cents.

Sir RICHARD CARTWRIGHT. What was the total gross tonnage?

Sir CHARLES HIBBERT TUPPER. In 1893 it was \$25,000. The tonnage would be about 300,000.

Sir RICHARD CARTWRIGHT. That would yield possibly \$30,000.

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. DAVIES (P.E.I.) I want the hon. gentleman to explain the necessity for this legislation. I understand there has been no change made. How have the fees been exacted heretofore, and what is the necessity for the Bill?

Sir CHARLES HIBBERT TUPPER. I explained that to the House, I think, before. We repeal the old section of the Bill, and re-enact it with the following words added, which are the only new words in the Bill: "the yearly rate of inspection fee hereinafter imposed and." In the old Act there was an exception in the inspection of certain smaller craft; those words simply made them subject to the inspection of their boilers and their machinery. It was quite clear they were bound to submit to inspection, but the words not applying to them as they did to the other craft, there was a possibility of this point being raised at any time, although it never has been. Ever since 1867 the tonnage tax has been paid without demur by

all vessels that obtained the benefit of inspection and obtained a certificate of inspection. But my officers brought this point to my attention as a departmental question, and I saw there was ground for a nice question to be raised in the courts, that although these smaller craft were bound to submit to inspection, the whole burden of the inspection was borne by the owners of the larger vessels. That was never intended, and it has never been the practice, but they all pay into the fund according to their tonnage. The object of the Bill is to retain that clause, but to legalize what we have done by making it retroactive.

Mr. WELSH. I see that is on the gross tonnage.

Sir CHARLES HIBBERT TUPPER. Upon the gross tonnage, that is the law at present. We are not altering the law in the slightest particular, but simply removing any grounds for doubt.

Resolution agreed to.

SAFETY OF SHIPS.

Bill (No. 98) further to amend the Revised Statutes, chapter 77, respecting the safety of ships was read the second time, and House resolved itself into Committee.

(In the Committee.)

Sir CHARLES HIBBERT TUPPER. This is a Bill which covers two or three clauses, but the point of it is very concise. It is long, because we re-enact for the sake of convenience the sections we amend, instead of amending them by a word or two. The main object of the Bill respects the carrying of deck-loads. Doubt has been entertained by the department for some time as to this question, whether the present law is too restrictive. During what are known as the hurricane months, we restrict vessels carrying deck-loads to the West Indies to a height of three and a half feet, while the United States vessels are unrestricted, and carry deck-loads four, five and six feet in height. I caused a very full and complete departmental inquiry to be made into this subject, as it seemed to be carrying the law which obtains between England and Canada, that is, the English statute as regards Canadian ships going to English ports, a little far, and it was declared that in the opinion of the majority of those best able to judge, in the opinion of the advisers of the Marine and Fisheries Department and of the various port wardens, that owing to the particular build of the vessels engaged in the trade there was no necessity to enforce this restrictive measure, but that it would be perfectly safe to allow six feet of deck-load instead of the height allowed by the present law. That is the main change proposed.

Mr. DAVIES (P.E.I.) What was the height before?

Sir CHARLES HIBBERT TUPPER. Three feet.

Mr. HAZEN. I would like to know whether this Act will apply to vessels going from Canada to the Canary Islands.

Sir CHARLES HIBBERT TUPPER. No.

Mr. HAZEN. What reason is there for vessels in that service not being allowed to carry six feet of deck-load, when vessels are allowed to carry that deck-load down to South America and Rio Janeiro, where the voyage is much more dangerous.

Sir CHARLES HIBBERT TUPPER. It is a question which neither the hon. gentleman nor myself can very satisfactorily thresh out on the present occasion, but I have made very careful inquiry into this matter. If it were not for the opinion of nautical experts that, owing to the particular class of vessels engaged in the trade, the law might safely be changed, I would not submit the proposal. At the same time it is pointed out that vessels engaged in crossing the Atlantic are a different class of vessels entirely, and the best opinions obtainable by the Board of Trade of England are that great danger would be experienced by any of the Atlantic vessels crossing at a certain period of the year, the period mentioned, with a deck-load higher than I have mentioned. I am quite satisfied that if we proceed in this matter contrary to the opinions of our own expert advisers, and also contrary to the opinions of the English Board of Trade, we will find very different treatment shown to our shipping entering English ports. In many of these matters we must of necessity work with the English authorities, and we desire to maintain the best standing possible for our vessels, and to obtain for them the best treatment possible. They do not always get it, because the English authorities are very rigid in regard to carrying out their own ideas. I have a case in mind where our adviser entertained certain opinions in regard to wooden ships, that the English load-line law was inapplicable to our vessels, but their own opinion prevailed. In this case we would have no ground to stand upon, if we opposed English opinion. I suppose hon. gentlemen will say that the proposal now submitted is a dangerous one, and that it would be still more unwise to make such a radical change as to concede to Atlantic vessels the same privilege we are now proposing to allow these vessels, which are specially built for a special voyage, and in regard to which we have a consensus of opinion that no risk or damage will be incurred.

Mr. WELSH. I do not know how the proposed amendment will agree with the present regulations. At present it is pro-

vided that there shall be no deck-load higher than three feet, during a certain season.

Sir CHARLES HIBBERT TUPPER. From 1st of October to 1st March.

Mr. WELSH. I also understand that vessels loading for England can take a deck-load of only three feet, and that this regulation now applies to vessels going to the West Indies. The amendment is to allow West India vessels to take a six feet deck-load. I do not agree in the statement that the description of vessels is different, as compared with the vessels going to the West Indies and those going to English ports—I do not see any difference. If I was loading a vessel for the English market I would like to be able to carry a deck-load to the height of six feet, just as I would for the West Indies. If I was loading for the West Indies, of course, I would want the six feet deck-load. At all events, I am not going to object to the measure.

Mr. HAZEN. I am very glad the hon. Minister has introduced this Bill, increasing the height of the deck-load by three feet to vessels going to the West Indies. So far as the Bill goes, it is a good one, and is in the right direction, because while at the present time vessels loading for Rio Janeiro are able to go there and to Demerara and other parts of South America carrying six feet deck-load, yet they have only been able to go to the West Indies with three feet deck-loads. This Bill, however, does not go far enough. At the present time when the shipping of the country is in a depressed condition every effort should be made to remove useless restrictions, at all events what I consider are useless restrictions, on vessels engaged in the carrying trade of the country. During the last few years a very considerable trade has been built up, I understand, in carrying lumber in our schooners and coasters from New Brunswick to the Canary Islands. Under this Bill, which is a very great step in the right direction, although it allows deck-loads to the height of six feet to West India ports, and also to Demerara and Rio Janeiro, yet it does not allow more than three feet deck-load to the Canary Islands, and according to shipping men the voyage from St. John to the Canary Islands is not a bit more dangerous, in fact, is not so dangerous, as is the voyage from St. John to Rio Janeiro. In the voyage from St. John to Rio Janeiro you pass not far from the Azores at one point, which is not a very great distance from the Canary Islands, and then you turn south and go down by Brazil and along the coast of South America. I am told that is a more dangerous voyage than the voyage from St. John to the Canary Islands.

Sir CHARLES HIBBERT TUPPER. This Bill is evidence that it is a dangerous voyage.

Mr. HAZEN. It is not evidence that the voyage to the Canary Islands is any more

Mr. WELSH.

dangerous than the voyage to the West Indies.

Sir CHARLES HIBBERT TUPPER. That is the opinion of the Board of Trade and their advisers in England.

Mr. HAZEN. That may be, and I sympathize to this extent with the Minister of Marine: that in legislating on this matter we are hampered by the action of the English Board of Trade and must necessarily be so. I suppose that at present it would be impossible to include the Canary Islands as one of these ports to which vessels from Canada could go with a six-foot deck-load, but I trust that the Minister will endeavour to include that voyage at some early date, if he cannot do so now. If the Canary Islands could be included it would be of great advantage to the Canadian shipping trade and especially to the shipping trade of the province of New Brunswick. I believe that this provision would not be attended with any increased danger. Of course as the Minister said we are restricted in our legislation to some extent by the action of the English Board of Trade, and having in view the manner in which our shipping may be affected by any regulations they pass, it might not be wise to go further than the present Bill goes. I trust the Minister of Marine will have the matter carefully looked into between this and the next session, and if possible, that he have this Bill enlarged so as to include the Canary Islands.

Mr. WELSH. I agree with the hon. gentleman (Mr. Hazen) that we should extend this Bill so as to include the voyage to the Canary Islands. My own experience of deck-loads is that a small deck-load is much more dangerous than a heavy deck-load, because if you have a three-foot deck-load and your bulwarks are five feet high, the water comes in and stops there and floats half the deck-load away. If your deck-load is level with your rail the water flows off. I believe that the hon. member for St. John (Mr. Hazen) is right, and that it would be a great advantage to our trade if the Minister could see his way clear to extend this Bill so as to include the Canary Islands.

Mr. CHESLEY. I think I understood the Minister to say that the reason the voyage to the Canary Islands was not included in the Bill was: that a different class of vessels carry cargoes to the Canaries from those which go to the West Indies.

Sir CHARLES HIBBERT TUPPER. That is what my observation was.

Mr. CHESLEY. In answer to the statement just made by the Minister, I may say that the same class of vessels carry lumber to the Canary Islands as carry lumber to the West Indies.

Sir CHARLES HIBBERT TUPPER. Do the same vessels go across the Atlantic to England?

Mr. CHESLEY. Yes, the same vessels.

Sir CHARLES HIBBERT TUPPER. Then the hon. gentleman's information is different from mine.

Mr. CHESLEY. I speak from my knowledge of the business. Barquentines and three-masted schooners of three or four hundred tons carry cargoes across the Atlantic and to the West Indies and to South America and to the Canary Islands. It is true that we have large ships carrying lumber to British ports, but that is no evidence that smaller vessels do not carry lumber across the Atlantic. We have quite a large fleet of barquentines and schooners from three to five hundred tons carrying lumber from the port of St. John to the old country. If the class of vessels carrying the cargo is the only objection to including the Canary Islands in this Bill, then I am of the opinion there is no valid objection at all. I quite agree with the hon. member (Mr. Welsh) that a deck-load below the rail of the vessel is more dangerous than a deck-load a little above the rail, because in the former case you cannot secure it and in the latter case you can. If the deck-load is below the rail and the vessel ships water, then the water remains there and floats the deck-load off; whereas if the deck-load is a foot or six inches above the rail it can be fastened securely and the water runs off without doing damage. If the Minister would include the Canary Islands in the Bill I think it would be complete. The lumber carrying trade of the Canary Islands is getting to be of importance to the lumber shippers of the Maritime Provinces, and it is carried on by vessels of from three to five hundred tons, so that it would be very important to us if that voyage were included in the Bill.

Mr. KENNY. Many hon. gentlemen will remember that we had a very interesting discussion on this question a few years ago in which my hon. friend from Queen's, N.B. (Mr. Baird) took a prominent part, and placed before the House much valuable information respecting the class of vessels which are engaged in this particular trade, and which sail principally from the port of St. John. On that occasion the whole question of deck-loads was fully discussed and those who were conversant with the business came unanimously to the conclusion announced by my hon. and gallant friend from Queen's, P.E.I. (Mr. Welsh) that a deck-load which was on a level with the rail was the safest deck-load for a ship to carry. Now, this trade with the Canary Islands is a new trade, and a developing trade, and in these days of keen competition all the world over, it is eminently desirable that in any foreign business in which we are engaged, we should be placed on the same footing as our competitors, and our competitors for this business are the Americans who have no restrictions as to deck-loads. As a ship-owner, and without any intimate personal knowl-

edge of the class of vessels which are engaged in that business, but relying upon what was stated in the House by the member for Queen's (Mr. Baird) and on what has been repeated to-day by my hon. friends from St. John (Mr. Hazen and Mr. Chesley), I think that the Minister might safely extend this privilege to the Canary Islands. Looking at it from a nautical standpoint, as to the risk to crew and ship, and cargo, I do not think the risk is any greater in a voyage to the Canaries than it would be to Rio Janeiro or Monte Video. As far as the Atlantic voyage goes, I would very much prefer to go to the Canaries in the month of January than I would make a trans-Atlantic voyage to England. I concur with my hon. friend from St. John (Mr. Chesley) in the hope that the Minister of Marine will, to-day, if possible, see his way clear to permit this privilege to be extended to vessels carrying lumber from the Canadian ports to the Canaries.

Sir CHARLES HIBBERT TUPPER. I hope the committee will not think me unreasonable if I decline to accept the suggestion, and I will state briefly why I do decline. In the first place, it must be observed by the House that while many of the hon. gentlemen who have addressed the committee have spoken as representing shipping interests; none of these restrictions which the community in general hold to be necessary for the preservation of life, have ever been very popular in this House, or in any other Parliament, with those who immediately represent the men whose capital is invested in ships. They wish, not unnaturally, to be allowed to manage their property so as to make it pay; and most of them say, and a great many with truth: "We never would wish to cause loss of life or to run undue risks, because it is our property." Yet, experience in England, in Canada, and in every other country, shows that while some are so disposed, many have no great care except to make money; and Parliament, in endeavouring to throw necessary safeguards around human life, is obliged sometimes to impose restrictions upon some who really do not require them. I produce this Bill not as an evolution from my own consideration, for I do not pretend to be half as familiar with the management of ships as some hon. gentlemen about me; there are hon. gentlemen here who can teach me many things on that subject; but I have endeavoured to avail myself of the best authority I could. In the city of St. John I found people interested in the shipping business between New Brunswick and the West Indies year after year urging this to be an unnecessary restriction, and contending that a careful inquiry would show that we could amend the law with safety. The question of the Canary Islands was not brought up. The whole question related to the trade with the West Indies and with South America. What did I do, and what would any gentleman in my position do? I summoned to my aid the best

advice I could get—not consulting the ship-owners, who I knew wanted all restrictions swept away; but I consulted men who were acquainted with the shipping trade, but not wholly under my control—such as port warden and harbour masters; and, though they were not all of the same opinion, the preponderance of opinion was in favour of the proposition which I have submitted to the House. I would be delighted to consider the points that have been submitted in this debate. I will, as I am bound to do, give them the same careful scrutiny as I have given to other matters; but as Minister of Marine I will not at any time, at the mere suggestion of those interested in shipping, make radical changes not preceded by careful inquiry, particularly when I know that the British Board of Trade, with their tremendous interests in shipping, with ships going to every quarter of the globe, allow no such privilege to their ships as is proposed here, whether they are iron or steel or composite. We are really going in advance of British legislation. I was sorry to hear one of the hon. members for St. John contradict statements put before me that the vessels going to the West Indies are a different class of vessels from those that cross the Atlantic. That statement was made to me by the owners of vessels; and I took it as well founded.

Mr. HAZEN. I am very glad indeed to have the assurance of the hon. Minister of Marine that this question of deck-loads to the Canary Islands is one that will be carefully considered, with the view of having the present grievance remedied, if it is found to exist. I feel satisfied that it will be found to exist, and that the hon. Minister of Marine, after careful inquiry, will find that there is no danger to the lives of those engaged in the shipping between New Brunswick and the Canary Islands if the deck-load is put on the same basis as the deck-load between Canada and West Indian ports. For years our people have claimed that it was an absurdity to restrict the deck-load to three feet. Year after year it was said that that restriction was imposed to protect the lives of those who manred the ships. But when the matter was looked into, and the opinions of men capable of giving an opinion were obtained, the conclusion was come to that a six-foot deck-load for the West Indies was safer than a three-foot deck-load. That opinion may not have been unanimous; but it must have been the general opinion, or the hon. Minister would not have introduced it into this Bill. I feel satisfied that the hon. Minister will also find that the general opinion of those who have examined the question will be that it will be safer to go to the Canary Islands with a six-foot deck-load than a three-foot deck-load. Apart from that, any man of common sense looking at the map cannot fail to come to the conclusion that the voyage from New Brunswick to the Canary Islands is as safe, if not safer, than the voyage to South America,

Sir CHARLES HIBBERT TUPPER.

yet we have a six-foot deck-load to South America, while to the Canary Islands we have only a three-foot deck-load. I hope something can be done in this matter before another season, because the trade with the Canary Islands is a growing trade, and an impetus would be given to that trade by allowing a six-foot deck-load.

Mr. DAVIES (P.E.I.) Are the same class of vessels used for the Canary Islands as for the West-India trade?

Mr. HAZEN. Yes; the same. My hon. friend from Hants (Mr. Putnam), who is a practical man in shipping, tells me that they are the same class of vessels.

Mr. CHESLEY. Everybody who knows anything about shipping must know that there are many ports, especially in Ireland, where large vessels cannot enter; and the smaller vessels are chartered for these ports, because they can enter them. Therefore, the smaller vessels are employed in carrying lumber across the ocean, and they are subject to the same regulations as larger vessels. That has been going on for many years; and these are the same vessels that carry lumber to South America and the West Indies—vessels of from three to six hundred tons. If it is considered no more dangerous to cross the Atlantic with a vessel of that tonnage than to go to South America, then the same regulations as to deck-loads should be made applicable in each case. But apart from that, the British Board of Trade are making regulations year after year, the tendency of which is to surround the wooden tonnage of the Maritime Provinces with restrictions that are fast destroying the value of these vessels. Some members of that Board have an idea that the men who navigate ships and the men who own ships are reckless of human life; and, in order to protect the lives of sailors, these regulations are brought into practice, and their result is simply to throw a large portion of the trade of British vessels into the hands of Norwegians, who are subject to no such restrictions, or into the hands of Americans, who are subject to few or no restrictions. The Legislature of the United States simply says to the owner of a vessel, the owner of a cargo, and the insurance company: Settle this matter among yourselves. If the deck-load is dangerous, the insurance company will not insure it. We are handicapped by these restrictions to a great extent. Our coasting and shipping business generally is injured. I do not say this as against regulations, because I feel there ought to be some guards thrown around human life; but at the same time, when other countries, just as large as we are, manage these things without these objectionable restrictions, I cannot see any reason why they should exist here to the extent they do. I have always been inclined to believe that the matter practically settles itself between the owners of the cargo, the vessel owners and the underwriters.

Mr. DAVIES (P.E.I.) The argument of the hon. gentleman amounts to this, if it amounts to anything, that all restrictions should be abolished, and that those introduced on the recommendation of the British Board of Trade are useless. No one who has read the discussion in the British House of Commons, when Mr. Plimsoll submitted his Bill, and saw the facts and figures as to the loss of life given by Mr. Plimsoll, could doubt that restrictions are necessary; and experience has since shown that these restrictions have done good. But listening to this debate, I think the balance of the argument is entirely with the hon. members for St. John. The hon. Minister has satisfied himself that it is desirable to alter the regulations prohibiting deck-loads on vessels sailing between Canada and the West Indies, and on these he would allow six-foot deck-loads. Well, precisely the same class of ships go to the Canary Islands as go to the West Indies, and we should extend the same privilege to vessels sailing to the Canary Islands.

Sir CHARLES HIBBERT TUPPER. Are the dangers the same?

Mr. DAVIES (P.E.I.) If the hon. gentleman can show that there are dangers going to the Canary Islands which do not exist in going to the West Indies, he will be introducing another element; but until that is asserted, the balance of the argument is with the hon. members for St. John.

Sir CHARLES HIBBERT TUPPER. The arguments for throwing away restrictions come very generally from those who are opposed to all restrictions. We have to consider the source from which the opposition comes and the views which the hon. member for St. John and a great many hold on the matter. If you were to poll all those immediately connected with shipping, no doubt the great majority would be for abolishing all restrictions.

Mr. CHESLEY. No.

Sir CHARLES HIBBERT TUPPER. I have not sailed ships, but I have read a good deal of testimony, I have a good deal in the department, and I have read a good deal brought out in England, and the history is the same everywhere. It was not the owners of ships who were anxious to throw around the sailors the safeguards given to them to-day. On the contrary, they fought such legislation tooth and nail. Every shipping gazette to-day speaks in the angriest tones of the manner in which the shipping interest is hampered by humanitarians in Parliament who have thrown safeguards—in my opinion most necessary safeguards—around the men employed on the ships and who are making money for the ship-owners. We cannot help recognizing the fact that these criticisms come from a quarter where you do not find any agitation at any time

for restrictions of any kind whatever upon the management of ships by the owners themselves. What else do I find? To go to the Canaries you have to cross the Atlantic. You have to go further than in going to England from Canada. It is a longer voyage across the same ocean, and if those hon. gentlemen's arguments carries them any distance, it carries them to the abolition of these restrictions on the voyage to England. They are all of the opinion that the English law is unnecessary and taxes our people unduly. I hear an hon. gentleman say "no, no," but I think I have heard that hon. gentleman in this House pitch in generally to the three-foot deck-load, and I know that the majority of ship-owners in this country want the three-foot deck-load, as to English ports and the Atlantic, abolished. That is not a popular law in this country at all. A large part of the evidence upon which the Bill is based is to the effect that the class of vessels going to the West Indies are peculiarly built, that they do not cross the Atlantic, and that it is only an exception when they do—that they are of very shallow draft, wide in the beam, and built for that trade, and are known as belonging to that trade. That is the information on which I am going. It is pointed out by nautical men that they are not the class of vessels that could safely prosecute a voyage across the Atlantic.

Mr. CHESLEY. I say they do cross.

Sir CHARLES HIBBERT TUPPER. These men who advise me are men, most of whom have got out of the control of the owners of ships and are in a position to give impartial information—all navigating men—brought up to study the science of navigation and of great experience. I have said before that there is not a unanimity of opinion among these men. Many ask that we should retain the three-foot deck-load, and some use the argument, now found to be correct, that the moment you go to Parliament to give way on that three-foot, you will bring on all kinds of difficulties, and argument will be made to throw down this necessary and valuable protection elsewhere. It can be only said that a strong case is made for the Canary Islands, if the premises upon which that Bill are based, are shown to be absolutely incorrect. I hope the House will not think, because there has been a large expression of opinion in favour of the change, that I am disrespectful or indifferent to that opinion, and am stubbornly standing by the Bill. On the contrary, although I think their arguments are based on a standpoint we do not admit from the departmental standpoint, and although, as far as I have been able to investigate the subject, I think the restrictions are necessary in the interests of the public at large, I shall go most carefully and critically into this question that has been raised, and be the first to confess that I am wrong in the opinion I have formed. If I feel warranted in making that admission.

But the change is a very small one in words, the Bill is pretty long, and I would like the committee to take this one change and go through with it, leaving the other under consideration.

Mr. GILLMOR. I am a little surprised to hear marine men say that vessels have not been constructed specially for carrying deck-loads.

Mr. CHESLEY. We do not say that.

Sir CHARLES HIBBERT TUPPER. They said that vessels were not constructed specially for the West Indies trade.

Mr. GILLMOR. They astonish me by saying that six-foot deck-loads are not more dangerous than three-foot. I have been across the Atlantic with a deck-load on the ship, and in a storm I was very sorry indeed that there was any deck-load. In fact it is quite impossible that a six-foot deck-load should not be more dangerous than a three-foot. There is no doubt about it at all—the lives of the seamen and all on board are in danger with those heavy deck-loads. As to West India vessels, formerly. I know—as there was a good deal of lumber shipped from where I lived—the vessels were so constructed as to carry a large part of the load on deck. There was then greater danger of a disaster in a storm because of the deck-load. It is well enough in these waters—there is fair weather here. But out in the Atlantic with a storm raging, a man, even if the money to be paid for delivering the cargo were for him, would heartily wish that the deck-load had been left at home. I think that the Minister has gone as far as he could under the circumstances. Of course there is a great deal of pressure in favour of carrying as much as possible, now that shipping is so dull in St. John. Now that every interest is bleeding at every vein, they want to be allowed to take a deck-load in order to try and make the voyage pay. If you will have free trade you need not overload the vessel. However, I think the Minister has gone quite as far as is prudent, and I think his information is, to a large extent, correct. The class of vessels that carry deals and lumber across the Atlantic are not, as a rule, the vessels carrying this class of freight to the West Indies—the Atlantic vessels are usually larger and of a different model and are constructed to carry a smaller deck-load relatively than those going to the West Indies.

Mr. DAVIES (P.E.I.) What does this definition mean?

Sir CHARLES HIBBERT TUPPER. I propose to put in a subsection (g). We have now all kinds of definitions of the West Indies by the collectors of customs. For the purpose of the Act we take some definition, and, though under it a part of South America is included, we take a definition which has been found convenient by the Lords of the Admiralty in connection with the ad-

Sir CHARLES HIBBERT TUPPER.

ministration of their ships. The clause (g) which I propose, the hon. gentleman will see, will take in South America, the islands and all the rest of the continent. I propose this subsection:

(g) The expression "South America" means any part or place on the mainland or islands adjacent between the south-eastern extremity between French Guiana and the Strait of Magellan.

Mr. FLINT. I do not see South America mentioned in clause 7.

Sir CHARLES HIBBERT TUPPER. This amendment respecting South America was put in in the Senate, and I have adopted it. The hon. gentleman will find it in the Senate Bill.

Mr. DAVIES (P.E.I.) What does the hon. gentleman mean by this subsection (e), defining "passenger"?

Sir CHARLES HIBBERT TUPPER. That is according to the English statute, and is the same as our definition in the Steamboat Inspection Act.

Mr. DAVIES (P.E.I.) Do you intend to make "passenger" include any person carried on the vessel and not connected with it, whether he is paying his passage or not?

Sir CHARLES HIBBERT TUPPER. That is the law under the other Act, and I think, under like circumstances, should be adopted here.

On section 2,

Mr. DAVIES (P.E.I.) Is not that a new clause?

Sir CHARLES HIBBERT TUPPER. It is intended in lieu of the fourth section of the Bill, which the hon. gentleman will see relates to gang-boards and lights when passengers are carried. We require vessels carrying passengers to use gang-boards as in the Steamboat Inspection Act, and we do not intend that that should apply to yachts used exclusively for pleasure or without hire.

Mr. DAVIES (P.E.I.) But the exemptions of the Inspection Act are not the same as they are here. It is not limited to yachts used exclusively for pleasure or for private use. There are other kinds of vessels excluded from the operation of the Inspection Act.

Sir CHARLES HIBBERT TUPPER. Not as to gang-boards. This section is necessary in order to exempt yachts used exclusively for pleasure, or not for hire or remuneration.

Mr. DAVIES (P.E.I.) I have not been able to get a copy of the Inspection Act as there was not one in the library for some extraordinary reason, but my recollection of the Act is that it does not apply to small steamboats for fishing purposes.

Sir CHARLES HIBBERT TUPPER. They do not carry passengers.

Mr. DAVIES (P.E.I.) But there are small steamboats coming into use more and more every year, used by lobster packers and others to go out and bring the lobsters to the canneries, and for other purposes in connection with fishing.

Sir CHARLES HIBBERT TUPPER. They will not be affected by this Bill.

Mr. DAVIES (P.E.I.) Perhaps I ought to take the hon. gentleman's statement, but my reading of the Bill is not the same as his.

Sir CHARLES HIBBERT TUPPER. These vessels do not want to go to the West Indies.

Mr. DAVIES (P.E.I.) I understand what the hon. gentleman means. But if he makes "passenger" include every person aboard who is not one of the crew, that of itself might, under strict reading, make this Bill applicable to these vessels used for fishing purposes, as they very often carry persons who are not part of the crew.

Sir CHARLES HIBBERT TUPPER. If the vessel carries passengers it should have the necessary appliances for safety.

Mr. DAVIES (P.E.I.) But these are not passengers in the ordinary sense as being persons who have taken passage or paid for it.

Sir CHARLES HIBBERT TUPPER. But this is the present law. If you go out in one of these tugs, unless you are, according to the definition "other than the master and crew, and the owner, his family and the servants attached to his household," the vessel must have the necessary appliances for safety.

Mr. DAVIES (P.E.I.) But it is quite common for persons to jump aboard and go out on one of the short trips of such a steamer.

Sir CHARLES HIBBERT TUPPER. There are many things done in the teeth of the law which ought not to be done.

Mr. BOWERS. Under the interpretation of the word "guests," I would ask the Minister whether, if a person had a friend that he wanted to take out, he would come under that interpretation?

Sir CHARLES HIBBERT TUPPER. It is often the case that in committee we discuss a good deal of the law as it has been, instead of the law as it is proposed to be. But I should not like to alter that definition. It is the definition of a passenger in all our statutes; it is taken from the Imperial Act, and has been under consideration several times. I think it would be much better not to extend the definition. We have got to draw the line somewhere. We have got to say what will constitute a passenger ship, because we say that every ship carrying passengers is bound to obtain a certificate, and to have certain appliances for saving life; and we have followed in the line of the Board of Trade in this respect. They say that if

a boat carries more than the master, the crew, the owner and his family, and the servants attached to his household, then she comes into the category of a passenger ship.

Mr. DAVIES (P.E.I.) Would there be any objection to exempting smaller steamers exclusively employed for fishing purposes?

Sir CHARLES HIBBERT TUPPER. They are exempted now. There is not a clause that will apply to them.

Mr. BOWERS. I went over to the office this morning to get some information that I might answer a letter that I have received. I have a letter from Mr. W. T. Bacon, of Digby, who says:

I own a steam launch 26-foot keel, 7-foot beam, and 33-foot over all. Her cylinder is 5 by 6. It was my intention to run her on Digby Basin as a pleasure boat for summer visitors, parties, &c., but I am told that I must have a certificated engineer to manage her.

Would this gentleman be allowed to carry visitors?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman's letter refers to the Steamboat Inspection Act. If he will come over to the department I will give him all the information he requires with regard to the existing law. I suggest that we should now confine our attention to the amendment proposed, and not to the administration of another statute.

Mr. BOWERS. I was going to call the attention of the Minister to the fact that I saw an engineer, or some other officer, in the department this morning, and he told me that man would be allowed to carry on this boat, his wife and family, and his servants, but he would not be allowed to carry any guests.

Sir CHARLES HIBBERT TUPPER. We cannot change that in this Bill. That is the law now.

Mr. BOWERS. The official thought himself that the law was a little absurd in this respect, and should be amended so as to allow these small boats to carry guests or visitors when no fees were exacted.

Mr. DAVIES (P.E.I.) I want to help the hon. gentleman carry through the Bill as quickly as possible. He said there was another section which would operate to exclude small steamers.

Sir CHARLES HIBBERT TUPPER. No, I say these steamers are not covered by any section in this Bill.

Mr. DAVIES (P.E.I.) I point out to the hon. gentleman that this covers all ships except those especially exempted, and the special exemption is yachts used exclusively for pleasure or private use, without hire or remuneration. Therefore, every steamer other than a yacht used exclusively for pleas-

ure or private use, without hire or remuneration, comes within the Act. Now, the hon. gentleman's definition of passenger covers the case referred to by my hon. friend from Digby. Therefore, every small steamer engaged in this lobster fishery, that may have on board any person who is not actually a member of the crew, would be obliged to carry the gang-board provided by the 4th section. If the hon. gentleman does not want to alter the definition of passenger, he might exempt that class of steamers entirely, because it is not necessary they should carry gang-boards.

Sir CHARLES HIBBERT TUPPER. There is no necessity for the exemption whatever. The hon. gentleman has failed to catch my explanation. Take a boat that is going out without a passenger certificate, a tug attending a fishing boat. These vessels under the law have no right to carry passengers. The minute they attempt to carry passengers they have got to do as other passenger boats.

Mr. DAVIES (P.E.I.) That is, passengers as we have understood the term heretofore, but you are extending the meaning of the term passengers, and making it include everybody on board ship except the crew.

Sir CHARLES HIBBERT TUPPER. That is covered by the existing law. The Steamboat Inspection Act has this exact clause, defining a passenger as I do in this Bill. That steam tug to which he refers is already covered by these very words in the Steamboat Inspection Act from which this language is taken. The object is to proceed on a uniform line. I am certain I am right, because I have had opportunity to look into that case.

Mr. DAVIES (P.E.I.) I do not want the hon. gentleman to alter his definition of passenger; he does well to make it uniform with the interpretation in the other statutes; but I submit whether it would not be worthy of consideration that these steamers should be exempt entirely from the operations of this Act the same as yachts.

On section 4,

Sir CHARLES HIBBERT TUPPER. This is the law at the present time. It is part of the Steamboat Inspection Act, and is inserted here for convenience, as parties looking for it would probably refer to this Bill.

Mr. WELSH. If this is the law at the present time, the Government will have to keep a great many more lights than they have now at different parts of Prince Edward Island, because there are no lights on Government wharfs where steamers land, and the Government will therefore be liable for heavy damages if passengers are injured. Too large an expense will be necessary to keep lights burning on every wharf.

Mr. DAVIES (P.E.I.)

Sir CHARLES HIBBERT TUPPER. Surely the hon. gentleman thinks that the owner of a wharf where steamships or sailing vessels carrying passengers land should take every reasonable precaution as regards providing a gang-board and lights.

Mr. WELSH. I am alluding to the fact that lessees or occupiers of wharfs would have to keep lights burning all night.

Sir CHARLES HIBBERT TUPPER. That is the law now.

Mr. WELSH. It is not carried out at wharfs under Government control. If the regulation is not carried out at the Government wharfs, there will, no doubt, be trouble.

Sir CHARLES HIBBERT TUPPER. There has not been any trouble. When we land passengers at the Government wharfs we provide lights.

Mr. DAVIES (P.E.I.) The point is this, that on every wharf where a vessel may possibly stop, a light must be kept at every angle of it all night, a regulation which would involve enormous expense, for a wharf owner cannot tell when a vessel is going to land at his wharf.

Sir CHARLES HIBBERT TUPPER. This is one of the most reasonable provisions in existence, but I do not care whether it is inserted in this Bill or not. It is the law at the present time, and my only desire for incorporating it in the present Bill is for the sake of convenience. Now, what are the points to which hon. gentlemen opposite object? The hon. gentleman does not object to a gang-board, but I have heard of a ship-owner object to a gang-board and say that an ordinary plank would be sufficient.

Mr. WELSH. That is nonsense.

Sir CHARLES HIBBERT TUPPER. That objection was made by an hon. member of the House. In the next place, we provide that "The owner or occupier of every wharf or landing place shall also, in the night time, cause to be shown conspicuously on such wharf or landing place, and at every angle or turn thereof, during the whole of the time that any ship is approaching thereto or stopping thereat, a good and sufficient light."

Mr. DAVIES (P.E.I.) My point is this: I do not object to that regulation applying to wharfs at which passengers are regularly landed. It is a perfectly proper regulation; but the provision as now drawn, compels the occupier of every wharf, whether steamers touch there regularly or not, to keep a light at every angle of the wharf or the party will incur penalties. Such could not be the intention of the framers of the Act.

Mr. HAZEN. It is not that, because the language is: "The owner or occupier of every such wharf or landing place shall also,

in the night time cause to be shown conspicuously on such wharf or landing place, and at every angle or turn thereof, during the whole of the time that any ship is approaching thereto, or stopping thereat."

Mr. DAVIES (P.E.I.) How does the wharf owner know when a vessel is coming ?

Mr. HAZEN. He knows the hours at which the steamer is expected to arrive.

Mr. DAVIES (P.E.I.) The hon. gentleman has in view, evidently, the River St. John. It is perfectly right that when passengers are landed at wharfs these precautions should be taken ; but I say the phraseology is so broad and wide that we compel every lessee and occupant of a wharf to keep a light at every angle of the wharf in the event of any vessel landing passengers.

Sir CHARLES HIBBERT TUPPER. If we drop this section from the present Bill, it is still the law.

Mr. BOWERS. We have a steamer plying from Yarmouth to Westport, calling at different points, and at every one of those calling places the owner of the wharf would be compelled to keep a light all night.

Sir CHARLES HIBBERT TUPPER. No.

Mr. BOWERS. When the vessel arrives at the wharf it remains there until next morning, and there is no need of a light on the wharf. The steamer is owned by the parties who own the wharf.

Mr. HAZEN. If this is the law at the present time, it is much more honoured in the breach than in the observance. As regards the gang-plank section, the Minister has said that some member, and he was referring to a gentleman who is not now here—

Sir CHARLES HIBBERT TUPPER. How does the hon. gentleman know that he is not here, and that he is the same person ?

Mr. HAZEN. Because the hon. gentleman expressed to me a similar view.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman has no right to assume that it was a certain member of this House, and that it was the same member as the one to whom he is now referring.

Mr. HAZEN. Then I will assume it was a different hon. member. So far as the gang-plank arrangement is concerned, it has not been in force in New Brunswick for twenty-five years. If this provision is enforced, it will be enforced to the great disadvantage of shipping on the St. John River.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman is wrong in saying it is not enforced.

Mr. HAZEN. I am not wrong ; I know as a fact it is not enforced. It is just about as absurd a regulation as that about the metallic life-boat in the old Act, and which had

to be taken out. At the terminal points of the line of these steamers, at Fredericton and St. John, they have a gang-plank which complies with the provisions of this Act. These boats in going up the river must touch at perhaps twenty places, and if they follow the provisions of this Act the owners must have a gang-plank at each place and a man employed during the whole of the season to attend to it ; because it is impossible to throw a large, heavy, solid gang-plank like this from the boat. You will have to have it on the wharf, and a man there to assist in placing it on the steamer. That will cost an outlay of thousands of dollars a year to those who own the boats. I have been travelling on the River St. John ever since I was a small boy, and within my recollection an accident has never occurred in connection with the present system of landing passengers. That system is : that the boat gets alongside the wharf and a plank is thrown out, and five planks are placed alongside it, making six planks in all, giving ample opportunity for people to go safely ashore. At some of those places along the river very few people land from the steamer, and they are not in the same position as the terminal points where a great many go ashore, and where you need to have a rail on the gangway. If this law passes it will be a great burden to the people running those boats, and it will not provide any more assurance against loss of life and loss of property. My hon. friend from Sunbury (Mr. Wilmot), who has been living on the St. John River for the last twenty-five or thirty years, will be able to remember if there has been a single accident under the system that now prevails, but in my recollection I cannot recall one. I would ask the Minister if he does not think it wise to strike out the words "so protected at the sides in a suitable manner, as to prevent passengers from falling overboard." This provision has not been observed, and has never been observed since the Act was in force, and there is no necessity for it.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is quite mistaken in that. If I accept his suggestion it would not help him in the slightest degree, because every one of the vessels on the St. John River would still have to do, or be supposed to do, what they are obliged to do to-day, and that is : to have suitable gang-boards. I do not agree with the construction the hon. gentleman (Mr. Hazen) put on this clause, and I do not agree with the statement that the law is disobeyed. He has not produced a particle of evidence to show that the law is a dead letter on the St. John River. On the contrary, I believe that the law is obeyed, and the hon. gentleman himself showed in the last part of his speech how it is complied with. He explained the manner in which these little boats run up alongside the landing and put out planks, which are suitable in every respect for the purpose. I

say that these vessels could not be prosecuted under this section, which says: "protected at the sides in a suitable manner to prevent passengers falling overboard." These are the words that will assist the hon. gentleman in acquitting a client who is charged with violating this Act. This clause requires nothing more than what is suitable to prevent danger to passengers, and the hon. gentleman has given testimony to show that there is no danger to people passing over these planks. I say that the law is observed in this respect, and that no fancy railing or anything of that kind is required. It is only required in cases where these planks are in a very different position to that described by the hon. gentleman, and where walking along them means risk to the passengers. Without any law of this kind I am quite certain that the owners would put a railing up where they considered it necessary. The clause does not say that these gang-boards are to have any particular provision on their side. I have endeavoured vainly up to this point to show that this is exactly the law as it stands to-day, and whatever we do now in this committee won't affect the law in that particular one particle.

Mr. LAURIER. But if valuable suggestions are made here they ought to be taken into consideration.

Mr. WELSH. I believe that the provision of the law in this Bill is perfectly right, and I hope the Minister will not change it.

Mr. HAZEN. I am very glad indeed that the Minister has given us his opinion as to what this gang-plank is to consist of. I may say without hesitation that if a client of mine consulted me I would give him a different opinion from that expressed by the Minister. I am pleased to find that the opinion of the Minister of Marine differs so very much from my own on the interpretation of this clause, and I presume that his officers acting under him will be bound by the opinion he has given to this committee.

Mr. LAURIER. What will the judges do?

Mr. HAZEN. I am not in the least afraid that the matter will ever come before a judge, if it does not come on the motion of the Minister or his officers.

Mr. DAVIES (P.E.I.) I would like to know from the Minister whether he wants to compel the owners or lessees of any wharf whatever, irrespective of the fact that a steamer is expected to call or not, or whether a steamer calls there once in a summer or not at all; does he require by this law that they shall keep lights on that wharf? If there is no steamer calling at a wharf, the law is absurd on the face of it and cannot be carried out. I would suggest that the words be added, "where any ship carrying passengers is accustomed to stop."

Sir CHARLES HIBBERT TUPPER.

Sir CHARLES HIBBERT TUPPER. I have said over and over again that whether this particular law is right or whether it is wrong, no action of this committee in connection with this Bill can affect it one way or the other, because it will still remain the law whether you strike it out of this Bill or not. The suggestion of the leader of the Opposition is right: that if sound suggestions are offered here the whole law ought to be dealt with on the lines of these suggestions, but we cannot do that in this Bill. This provision is contained in the Steamboat Inspection Act, and we are now dealing with the law respecting the safety of ships. Outside that question altogether, I must say that I believe this is a reasonable law. It has never evoked a single objection from any one, and I never heard anything against it, until the member for St. John told us that the law was not obeyed. However, the statement of the hon. member for St. John (Mr. Hazen) to-day gives evidence that the law is not disobeyed, and I think the practice obtaining on these boats shows that there are sufficient gang-boards at the side in a suitable manner to prevent passengers falling over.

Mr. DAVIES (P.E.I.) The hon. gentleman seems to take this position: that even if a suggestion to amend the section is a good one, it should not be adopted because the same section is in another statute. But the hon. gentleman intensifies the provision by repeating it over again in this statute, and if he has to amend it later he will be obliged to amend both Acts.

Sir CHARLES HIBBERT TUPPER. I think that this is a good law, but I did not want to say that hon. gentlemen were not right.

Mr. DAVIES (P.E.I.) The hon. gentleman says it is a good law, but he has not challenged the construction I put upon it. The fifty or sixty or one hundred wharfs which are in Prince Edward Island where steamers do not go at night will be obliged under that section to keep a light burning at every angle during the night if this law is enforced. Under that section they are obliged to keep a light burning at every angle.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman's position is wrong. I have already told him that by the express language of the section the light is only required on the wharf during the time any vessel is approaching thereto or stopping thereat.

Mr. DAVIES (P.E.I.) Precisely; that is the law. But if the vessel comes to the wharf, and the light is not there, the owner is liable. When a vessel calls at a wharf at stated periods, certainly there should be a light, but when vessels only call at extraordinary times, I think a general clause

of this kind is absurd. If by any possibility a steamer should land a passenger at a wharf where there was no light, the owner or lessee would be liable to a heavy penalty. If the hon. gentleman would insert the word "knowingly" before the word "offends," it would meet the case.

Mr. FLINT. I can easily understand the advisability of this provision being inserted for the protection of passengers; but it seems to me that there ought to be some proviso for extraordinary emergencies. I believe it is understood that this Act applies to vessels regularly carrying passengers. When a tug-boat or a steamer carries a passenger for convenience, and not as a matter of business, I think it should not be subject to the penalties of this Act for doing what the Act does not intend to prevent. It would sometimes be a great inconvenience to the captain of a tug or a steamer were he obliged to decline to carry a passenger for fear of coming under the penalties of this Act. I think the Minister should insert a proviso that the Act shall not apply to those occasional circumstances where passengers are carried without pay or remuneration.

Sir CHARLES HIBBERT TUPPER. In reply to the hon. member for Queen's, P.E.I. (Mr. Davies), I would say that I do not like the phrase "knowingly offends." I know what the hon. gentleman means—when not knowing of the approach and not having reason to expect the approach of a vessel.

Mr. DAVIES (P.E.I.) Yes. For instance, a vessel may come into a port without the owner knowing that it is coming; and in the event of the wharf not being lighted and a passenger falling overboard, he might be liable to damages of \$5,000 or \$10,000.

Sir CHARLES HIBBERT TUPPER. I will undertake to think of a suitable phrase before we reach the next stage of the Bill. I have a great objection to the proposition of the hon. member for Yarmouth. It is always difficult to draw the line in legislation of this kind; but it must be drawn somewhere, and in connection with passengers and passenger boats there is a great deal of trouble. The case happens constantly and the minute any local officer is allowed to grant these permits, you might as well repeal the law altogether. It is, in my opinion, a dangerous innovation.

Bill reported.

SECOND READING.

Bill (No. 130) to amend the Act respecting certificates to masters and mates of ships.—(Sir Charles Hibbert Tupper.)

CERTIFICATES TO MASTERS AND MATES.

House resolved itself into committee on the following resolution:—

That instead of the fees provided by sections six and eight of the Act respecting Certificates to Masters and Mates of Ships, the Governor in Council may establish a scale of fees to be charged for such certificates; and until so established the fees to be charged shall be the following, that is to say:—For a certificate of competency as master, fifteen dollars; for a certificate of competency as mate of a sea-going ship, eight dollars; for a certificate of competency as mate of a ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, six dollars; for a certificate of service as master, eight dollars; for a certificate of service as mate of a sea-going ship, five dollars; and for a certificate of service as mate of a ship trading on the inland waters of Canada, or on the minor waters of Canada, or on coasting voyages, four dollars.

(In the Committee.)

Sir CHARLES HIBBERT TUPPER. I may say that these certificates are of great value, indeed. They are good wherever a British certificate, issued by the British Board of Trade, is valid. They are not only used in our own country, but those Canadian citizens who have to go abroad have found them of great value. In the United States, on the lakes, they have been of such value that Congress has had to take special steps to interfere, because the men holding them snapped up positions, their qualifications abundantly bearing out these certificates. Last year, the amount received as fees was \$2,480, and the expenditure, \$4,116, or a deficit of \$1,632. Up to 1893, since 1871, the total deficit amounted to \$45,000. In 1893, the expenditure was \$4,000, and the receipts \$2,000. In 1892 the expenditure was \$4,000 and the receipts \$2,000. In 1891 the expenditure was \$4,000 and the receipts \$2,000. It was anticipated at the outset that the fees would equal the expenditure, but such has not proved to be the case, and we find it necessary to make some slight increases.

Mr. DAVIES (P.E.I.) It does not seem unreasonable, since the fund is not self-sustaining, that larger fees should be exacted. But I submit whether it is fair to raise the fee for a certificate of service where no examination is passed. In that case, all you have to do is grant the certificate, and there seems no reason for raising the fee. Of course, if a man wants to undergo an examination, it is proper he should have to pay for it, as in the case of a certificate of competency.

Sir CHARLES HIBBERT TUPPER. It would not do to make any distinction, and the objection is only sentimental after all, because there are very few certificates of service given.

Resolution agreed to.

HOMESTEAD EXEMPTION ACT.

Mr. DALY moved second reading of Bill (No. 104) to repeal the Homestead Exemption Act. He said: By the Homestead

Exemption Act, passed in 1878, at a time before there was a Legislative Assembly in the North-west Territories, this Legislature provided for the exemption of 160 acres of land from execution. Since the passing of that Act, the Real Property Act has been introduced into the Territories, and the provisions of that Act are inconsistent with those of the Homestead Exemption Act. In 1892 the Legislative Assembly of the North-west Territories passed an Exemption Act providing, amongst other things, for the exemption of personal property from execution, and also for the exemption of real property to the extent of 160 acres. So long as the Homestead Exemption Act remains on the Statute-book this Territorial Act would be ultra vires of their Legislature, and, in order to meet the wishes of the people and place the law, so far as exemptions are concerned, in the position asked for by the Local Legislature, we repeal the Homestead Exemption Act passed by this House, leaving the law as passed by the Assembly of the North-west Territories in force.

Motion agreed to; Bill read the second time, considered in committee, reported and read the third time and passed.

NORTH-WEST MOUNTED POLICE.

Mr. IVES moved second reading of Bill (No. 121) to amend and consolidate the Acts respecting the North-west Mounted Police Force.

Mr. LAURIER. What is the tenor of the Bill; will the hon. gentleman please explain?

Mr. IVES. This Bill is more notable for its size as a consolidation than for the importance of its amendments. The changes are neither many nor of very great importance. The first amendment gives a statutory character to the Comptroller. The present Comptroller has held the position since January, 1880, under an Order in Council. This amendment gives statutory recognition to his position, and defines his duties.

Mr. LAURIER. What is the tenor of the Order in Council?

Mr. IVES. It appointed him Comptroller and gave him general management of the North-west Mounted Police Force. There is a slight amendment in the 6th section, exempting the surgeons from the provisions as to age. The original Act does not permit the appointment of an inspector or other officer of an age greater than forty years. It is thought that this should not apply to the medical men and surgeons of the police force. A provision is inserted permitting the commissioner to employ twelve young men or boys as buglers. This will effect a saving in the amount of pay, and will be the means of securing recruits, who will afterwards go into the force and become valuable constables. Authority is taken to

Mr. DALY.

pay the veterinary surgeons \$1,000 a year. It has been found that it is impossible to retain the services of competent veterinary surgeons for \$700 a year, and we have had to appoint them to the office of inspector, the salary of which office is \$1,000 a year. But these men did not act as inspectors at all, but as veterinary surgeons. Authority is also taken to pay four staff-sergeants at the principal posts an increase of 50 cents per day each. The maximum salary under the Act is \$1.50 per day. We take authority to pay these men an additional 50 cents, or a total of \$2 per day. These officers have very responsible and arduous duties to perform, and it has been found difficult to get the right stamp of men at the rate of pay provided by the Act. There are a few other amendments, but the ones I have given are the only ones of any importance.

Mr. MARTIN. Section 90 gives the assistant commissioner the powers of two justices of the peace and the superintendent and such other officers as are selected by the Governor in Council such powers as are wielded by a justice of the peace. It has always appeared to me to be very improper to have persons who are arrested by the Mounted Police in the North-west Territories, tried and convicted by the officers who arrest them. That may have been a proper course at one time, when the country was new, but to-day the people of the North-west are just as law-abiding and as civilized in every respect as the people in any other part of Canada. They are a quiet and orderly community, and there is no justification for anything approaching military law in that portion of the Dominion. Except under circumstances where military law is required, it is certainly a wrong principle to allow the executive officers of the force, who are practically constables, to try persons for offences when they have themselves arrested those persons. I think it would be well to deprive all officers connected with the Mounted Police, of judicial functions. Instead of enacting by statute that these officers should be justices of the peace, ex officio, I think a proper provision would be that no officers of the Mounted Police should be appointed justices of peace. There are plenty justices of the peace now; if not, they can easily be appointed. The country is to-day in a settled condition, and there is no reason in the world why a person arrested by the Mounted Police for violations of the Customs laws, or any other laws, should not be tried in the ordinary way, as is done in the old provinces. I fancy that section 18 is a new section. It provides that every member of the force, other than a commissioned officer, charged with any of the following offences, may be punished:—

- (f) Wearing any party emblem;
- (g) Otherwise manifesting political partisanship.

I would be glad to have that law made applicable, not only to privates in the force, because I think there is no particular charge

to be made against them in that respect, but to the whole force. It is true that in times past strong charges have been made on behalf of the Liberals in the Territories, that the police force has been used as a political engine in times of election, against the Liberal party. Whether those charges be true or not, it is most unfortunate that such a feeling should be abroad. It is asserted very strenuously that the police force have been moved into certain sections where they were likely to strengthen the Conservative party, and that that party has been strengthened in those particular districts in that way. I merely mention this to draw the attention of the head of the force to the fact, because it is most undesirable that any feeling of that kind should exist with regard to a force which should be free from any suspicion of that kind.

Motion agreed to, and Bill read the second time.

NORTH-WEST MOUNTED POLICE.

House resolved itself into Committee to consider the following resolution:—

That it is expedient to provide, with respect to the North-west Mounted Police Force, that the maximum pay of veterinary surgeons shall be \$1,000 instead of \$700 per annum, that the maximum pay of four staff-sergeants shall be \$2 instead of \$1.50 per diem, and that twelve buglers may be appointed at the rate of pay not exceeding 40 cents per diem; and also to provide that all pay due to deserters at the time of their desertion from the force shall form part of the fund applicable to the payment of rewards for good conduct or meritorious services, to the establishment of libraries and recreation rooms, and such other objects, for the benefit of members of the force, as the Minister approves.

(In the Committee.)

Mr. DAVIES (P.E.I.) How many veterinary surgeons are there

Mr. IVES. The number is limited by the Act to two, of which we have authority to pay \$1,000 to one, and the increase simply means \$300 additional to one veterinary surgeon. One of the chiefs, so-called, now receives a thousand dollars, and we now propose to pay this second officer the same salary.

Sir RICHARD CARTWRIGHT. I suppose these men get allowances as well as pay?

Mr. IVES. They receive the same allowances as the other officers.

Sir RICHARD CARTWRIGHT. What is the reason you cannot continue to get veterinary surgeons at present rates?

Mr. IVES. You cannot get competent veterinary surgeons for \$700 and the allowance that they receive. Experience shows that it cannot be done. We can get surgeons for

that pay, men who have no special training, and who have not been licensed by a veterinary college to practice as veterinary surgeons; but we cannot get an educated and properly licensed veterinary surgeon for less than \$1,000 a year. The committee will remember that a very large amount of money is invested in horses for the police, and the care of those horses is a very important matter.

Sir RICHARD CARTWRIGHT. Of course, we are not disposed to fight with the hon. gentleman over a matter in which he has consulted his officers, but I am bound to say it means that if these men receive allowances, as I understand they do, I think the sum which has been heretofore paid, ought to obtain very fair veterinary surgeons.

Resolution agreed to.

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

After Recess.

PUBLIC HOLIDAYS.

Bill (No. 106) to amend the law relating to holidays was read the second time, and the House resolved itself into committee.

(In the Committee.)

Mr. DAVIES (P.E.I.) Have any applications been made for this measure by the workmen of the country?

Sir JOHN THOMPSON. We have had hundreds of petitions presented to this House from all quarters.

Bill reported, and read the third time and passed.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

New Dredging Plant..... \$50,000

Mr. DAVIES (P.E.I.) Will the hon. gentleman explain the purposes for which the new dredging plant will be used, and also where he proposes to use it?

Mr. OUMET. There are two items for new dredging plant, namely, \$50,000 and \$40,000. The first amount is to complete the construction of a new elevator dredge for the ship channel; and of two tugs, \$6,000 and \$14,000, making a total of \$50,000. In addition to that vote, a further grant of \$40,000 is asked for a new dredge for the Maritime Provinces, to replace the dredge, 'Cape Breton,' lost at sea, and also necessary scows, &c.

Mr. DAVIES (P.E.I.) Is the new dredge for the Maritime Provinces to be built on the

same plan as the old one? I understood that a new style of dredge was contemplated.

Mr. OUIMET. This new dredge for the Maritime Provinces will be ninety feet long, twenty-five feet beam, eight feet depth of hold, and it will have accommodation for officers and crew.

Mr. DAVIES (P.E.I.) I understood it was contemplated to build a dredge that would be complete in itself without a steamer, that is to say, a vessel that will be both a dredge and steamer.

Mr. OUIMET. It will not be a self-propeller. The capacity of the new dredge will be about 700 cubic yards a day. It will have a steel hull. The officers of my department have taken the greatest pains to secure the best dredge that could be procured for the special service required on the coast of the Maritime Provinces. It will be built of extra strength, and I think it will do as much work as all the other dredges in the lower provinces, which I think are very poor vessels.

Mr. DAVIES (P.E.I.) Has any special model been followed as regards its construction?

Mr. OUIMET. It is not draughted at all after the model of the vessels now doing service in the Maritime Provinces. It will be made something like the last two powerful dredges built for the Montreal Harbour Commissioners, and will be for deep dredging at 35 feet, so that it will be able to work at any time of the tide and not be obliged to lose half a day on account of high tide, as our dredges do now sometimes.

Mr. DAVIES (P.E.I.) Is this new dredge for the Maritime Provinces?

Mr. OUIMET. We will ask for tenders as soon as the appropriation is passed, and I expect it will be ready for work early next spring. It will then be sent immediately to the Maritime Provinces.

Mr. DAVIES (P.E.I.) Where will the dredge be built?

Mr. OUIMET. I do not know exactly. The two firms just now in Canada considered competent for building dredges of this kind are Carriere, Lainé & Co. of Point Lévis, and Beatty & Co. of Welland.

Mr. FRASER. I am very much surprised to hear that announcement from the Minister. The Government have had a steamer completely built in New Glasgow for the Intercolonial Railway. That was a powerful steamer, and I believe it has given satisfaction to the Government. It is somewhat remarkable that the Minister should say that there were only two firms in Canada able to do this work.

Mr. DAVIES (P.E.I.)

Mr. OUIMET. I do not speak of the steel hull. Tenders will be asked for that and the contract given.

Mr. FRASER. It makes no difference what kind of work is required of this kind—it can be done in New Glasgow. New Glasgow is an iron town, and everything can be done there to better advantage, I believe, than elsewhere in Canada.

Mr. OUIMET. I know that New Glasgow is an iron town, and they may build bridges and steamers and all kind of things and yet not be experienced as dredge builders. As I understand it, there is special machinery required for these dredges, and these two firms, Carriere, Lainé & Co. and Beatty & Co. have a kind of specialty in that business.

Mr. FRASER. Have they built all the dredges the Government have purchased?

Mr. OUIMET. Some of them were built thirty years ago, and I cannot say.

Mr. FRASER. The vessel that was built for the Government at New Glasgow was the first ever built in Nova Scotia, and was built by the people of the town; I. Matthewson & Co., and the steel works, and they did everything to the entire satisfaction of the Government.

Mr. OUIMET. What steamer was that?

Mr. FRASER. The steamer 'Mulgrave,' the best steamer that ever was built in Canada of its kind. I am satisfied of that statement, because the work that the steamer has performed is very difficult. The building of a dredge is not very complicated. All that has to be done is to give the plans and the workmen do the rest. I am not so much advocating the claims of New Glasgow, as to correct the Minister when he says that the two firms he mentions are the only ones who can do the work in Canada.

Mr. OUIMET. I say that these two firms are the only two firms in Canada that build dredges.

Mr. FRASER. They may be the only firms that have been asked to build dredges by the Government, but I know that dredges are not so difficult to build as a complete steamer. I can tell the hon. Minister that at the present time, when ships come into Halifax and any part of them is disabled, instead of getting the work done in New York, they now do it in New Glasgow, no matter how difficult the work is. The Minister must not be under the wrong impression that this kind of work can only be done in Quebec or Ontario.

Mr. OUIMET. Will the hon. gentleman give me the name of the firm?

Mr. FRASER. I. Matthewson & Co.

Mr. KENNY. The hon. gentleman (Mr. Fraser) has called the attention of the Minister to the fact that at New Glasgow a steel steamer has been built. I am not sure that all the plates were rolled there, but at all events the vessel was completed there, and I believe in a satisfactory manner. I should not suppose that the building of a dredge would be much more difficult than the building of a steel steamer, and as this work is to be put up to public tender, I presume that the steel works of New Glasgow will have an opportunity of tendering. It must be gratifying to the members on this side of the House to hear from my hon. friend (Mr. Fraser) his testimony as to the effect which the National Policy has had upon the development of the iron industry of this Dominion.

Mr. FRASER. Let me correct the hon. gentleman.

Mr. KENNY. I am supporting the hon. gentleman's argument.

Mr. FRASER. But the hon. gentleman forgets that the steamer was built, not by the steel works, but by Mr. Carmichael, who is the head of the firm of I. Matthewson & Co., and who is the greatest free trader in Canada.

Mr. KENNY. I understood the hon. gentleman to base his claim on the fact that the steamer was built in New Glasgow.

Mr. FRASER. It was built by the enterprise of New Glasgow.

Mr. KENNY. The hon. gentleman instanced the fact that if repairs were required for a steel ship coming into the port of Halifax, the repairs could all be supplied by the New Glasgow steel works, and that the same works are quite competent to undertake the construction of a dredge.

Sir JOHN THOMPSON. And that such things were never thought of there before the National Policy.

Mr. KENNY. Yes. My hon. friend (Mr. Fraser) is perfectly right; and I hope the day shall come, if this National Policy is adhered to, when we shall be able to build our fast Atlantic steamships in New Glasgow.

Mr. FRASER. I hope so too, but it will be on account of the skill of the people of New Glasgow and not on account of the National Policy. Let me give the hon. gentleman enlightenment. It was not the steel works or any person employed about them that built the steamer, but it was I. Matthewson & Co., of which Mr. Carmichael is the largest partner. They did it on business principles, and they imported large quantities of the material, and of course had to pay a good deal of duty, but

notwithstanding all that they were able to do the work.

Sir JOHN THOMPSON. Hear, hear.

Mr. FRASER. They are able to do as much work as the National Policy will permit them to do, but they find, as all men who have to build ships of iron find, that the National Policy is against the building of iron ships in Canada as protection was against that industry in the United States. If there is anything that is going to kill ship-building in Canada the National Policy will do it. So far as the steel works are concerned, they are doing good work. They are doing large forging there now, and the skill of the men engaged in that enterprise can do a hundred times more than the National Policy. But what I rose for principally was to correct the Minister and to inform him that there is no work of this kind that the Government requires that cannot be done there. The Government show their wisdom sometimes against their professions by getting good work done outside the country when they can bring it in here without paying duty. I do not blame them for doing that. It is business, and the Government are wise by times in doing it. But I hope that the fullest opportunity will be given to all citizens of Canada to compete for this work, and I am sure if it is a matter for competition that the people of New Glasgow will be able to compete with the others. I am certain about the quality of work they can do in New Glasgow. I am quite sure that any work done by I. Matthewson & Co., or Graham Fraser, who is at the head of the steel works in New Glasgow, will never be found to be otherwise than well done. They do not claim to do work simply because they are assisted, but they claim to work on its merits and they do it well. The whole incident arose because the Minister said that there were only two places in Canada where these dredges could be built, but I can assure him that New Glasgow can build them, and build them well; and with the experience of the steamer built there before, which has given such satisfaction at Mulgrave, I have no doubt that New Glasgow will not be forgotten. I do not claim that New Glasgow should have any more opportunities than Carrier, Lainé & Co. I want them all to be put on the same basis. But, coming from that town, and knowing that with all our faults we are forging ahead and doing that kind of work, I felt that I could not let this occasion pass without calling the attention of the Minister to the fact, so that if in the future he wants anything done in iron or steel, he will remember that New Glasgow is as well able to do the work as any other place in Canada.

Mr. DAVIES (P.E.I.) The hon. member for Halifax (Mr. Kenny) indulges in the pious hope that the continuation of the

National Policy will enable us to build ships in Canada. I have no objection to the hon. gentlemen indulging in them, although not very profitable to those who listen to them. The hon. gentleman has had a large experience, and he knows very well that the National Policy, which exists for the purpose of levying high duties to exclude goods from the outside world in order to protect home manufactures, has been tried elsewhere than in Canada, and, although it has been in force in the neighbouring republic for thirty odd years, it has not resulted in the fruition of the hopes he has expressed. The hon. gentleman knows that since 1861 our neighbours have fostered a National Policy, and many estimable gentlemen there indulged in hopes similar to those which he has expressed to-night. Have they been fulfilled? What do we see in that country day after day? We see that the steamships required by the great steamship companies of the United States are built in the ship-yards of Newcastle and the Clyde, and built with American money. In the very nature of things it must be so. The National Policy has for its object the raising of the prices of the necessaries of life, and the raising of the wages paid to the workmen; consequently, the increased cost to the manufacturer, owing to the increased prices of the necessaries of life and the increased price of labour. How then can he compete with the manufactured goods produced in a free country, where the necessaries of life are cheap, and where labour is paid in proportion? He cannot do it; the hon. gentleman knows he cannot. But these pious hopes may be indulged in for political purposes; I suppose they serve their end. If I am not taking the attention of the committee away from the argument, I would like to ask the hon. Minister what particular object he has in view in having a dredge for the Maritime Provinces capable of dredging to a depth of thirty feet? Are there any harbours where that depth or anything like it is found to be desirable or necessary?

Mr. OUIMET. Halifax, Yarmouth, St. John. You have to provide for the rise of the tide. If you want to dredge to a depth of twenty-five feet, and the tide is six feet, you will have to provide for thirty-one feet if you do not want your dredge to be stuck when the tide is at its highest point.

Mr. FRASER. That is right.

Mr. OUIMET. In some places the tide is more than six feet.

Mr. FORBES. It has a rise of more than six feet in St. John.

Mr. OUIMET. I hope the hon. gentleman is not obliged to get up to tell me that.

Mr. KENNY. It is quite evident that the hon. member for Queen's is not very familiar with the depth of water in the harbours of the Maritime Provinces, or else he would not find fault with the Minister of Public

Mr. DAVIES (P.E.I.)

Works for providing this dredge. I think the general consensus of opinion among the members on both sides of the House would be that the hon. Minister is right in sending to the Maritime Provinces a vessel which can dredge to a depth of thirty feet. While I am on my feet I would simply say, in reply to the very amiable lecture delivered to me by my hon. friend in reference to the iron industry of the United States, that at all events the policy of the United States in developing the great iron resources of that country has resulted in this: that to-day iron is as cheap in the United States as it is in any other country in the world. The hon. gentleman must be familiar, from reading the newspapers, with the fact that ships for the American navy have been built in the United States which will compare in construction and in equipment and in every respect with the ships of any other nation in the world, and it is the impression in England and on the Clyde amongst the ship-builders themselves, that in the near future the American people will be able to build steel steamships as cheaply as any other country in the world, because they have raw material, the skill and the labour nearly as cheap.

Mr. FRASER. I regret that the hon. gentleman has introduced this question of cheapness and goodness. If the hon. gentleman were as well read in the matter of ship-building in the United States as he is in other subjects, he would not have said what he did. It is most remarkable that when hon. gentlemen want to make a point in favour of the National Policy they always say that the United States make better goods than England, while if we on this side say anything in the United States is good, we are disloyal. The hon. gentleman says that they can build as good ships in the United States as in England.

Mr. KENNY. I did not say that. I said they will compare favourably.

Mr. FRASER. Why, everybody knows what a spectacle we had a year ago: an American ship sinking in the harbour in a little storm, while an English ship went out breasting the waves. That is what protection does for ship-building. Has the hon. gentleman read of the ships built for the navy by that celebrated Pennsylvania man, Kelly? The fact is, they cannot build ships in the United States to compete with the ships of other countries. The trade of the United States is carried in English, Norwegian and other foreign ships. If the hon. gentleman would read some of the speeches on iron delivered in the United States Congress, notably by Mr. Johnson, of Ohio, himself an ironmonger on a large scale, he would find that they do not give the same view of the iron trade of the United States as he does. On the contrary, Mr. Johnson says that if the duty were taken off they could compete with other countries, but that

so long as the duty is continued they cannot do so. I think that to build a steamer costing \$50,000 or \$60,000, the duties on the material alone would be \$10,000 or \$12,000. In England there would be no such thing. The only margin of profit which people in Canada have in building an iron steamship is just about the difference in price in bringing a ship from England to this country. Although we are able to build ships in New Glasgow, yet we have to go to Glasgow to get them built, because they can be built there cheaper, and that is due to our National Policy.

Mr. KENNY. That is not the only reason.

Mr. FRASER. They build them in Glasgow, Scotland, for fun, I suppose. Why is it they are built there? If the same rates of duty prevailed in this country that prevailed in England, we would be building as many ships here as they are there.

Some hon. MEMBERS. No, no.

Mr. FRASER. Yes: the conditions in New Glasgow are better than in any place in Great Britain. We have the iron and the coal and the lime within five miles of each other.

Mr. KENNY. And the ships will follow.

Mr. CAMERON. And they have followed.

Mr. FRASER. As a matter of course, they must follow, that is, when we get the duty off. We have built one certainly, when we only had to come in competition with the people of Canada. But that cannot be called competition, because there were no men outside allowed to compete. The Government wanted to have it built in Canada, and none but Canadians were allowed to tender, and they had this advantage in New Glasgow that the steamer was required for the Strait of Canso in Nova Scotia, and they had not to carry it any distance after it was finished. That was a considerable expense saved. We can never build ships under the National Policy in competition with English builders, any more than the Americans can. Seventy-five per cent of the American goods are carried in English ships. When an American wants to build a ship, he has to bring his money over to England and put it into a British ship, registered at a British port, sailed under a British flag, and in case of war liable to be seized and used by the British Government. And this is due to the American policy of protection.

Sir JOHN THOMPSON. It is just as well to know that the United States are a protectionist country. When our friends opposite wanted us to join our fortunes with that country, they told us that the United States afforded the most magnificent spectacle of a free trade country in the world—forty-three commonwealths trading with each other. The hon. member for Guysboro' (Mr. Fraser) would have done better to have let the case rest where he put it awhile ago. According to his later argument,

these vessels cannot be built in any protected country or any country having a national policy.

Mr. FRASER. Not so well.

Sir JOHN THOMPSON. This will be built in Canada just as well as it can be built in Great Britain, and if my voice can help the hon. gentleman any, it will be built in New Glasgow.

Mr. DAVIES (P.E.I.) No doubt the dredge will and ought to be built in Canada, but the competition will be confined to Canadians. But the truth of the statement is not affected, that if competition were allowed from the outside, the Government could get the dredge built outside Canada cheaper than in Canada. I do not know what the right hon. First Minister was referring to when he spoke of gentlemen who wished to ally the fortunes of this country to the United States. I was not aware that any one in this country had that desire. My impression was that the vast mass of the people are perfectly contented with their position as a political dependency. I did not know that the feeling of annexation prevailed to such an extent. There is a large class who, though they do not want to unite their fortunes politically with the United States, desire to unite their fortunes commercially, in so far as breaking down the barriers which prevent the one country from dealing with the other. That is the extent they desire to go, and I have never been ashamed to avow my belief that it would improve the future of Canada very much indeed, and facilitate her march onwards, if the barriers were broken down which exist between the two countries; and the sooner you can do that, provided you can do it consistently with your national independence, the better it will be for us commercially and otherwise. There is no necessity to unite ourselves politically because we unite ourselves commercially, and I think the people on both sides are beginning to realize that. If I am not mistaken the First Minister himself was a member of the Government which sent a commission to the United States a year or two ago to see whether they could not negotiate a treaty with that country, although afterwards he wanted to limit the extension of that treaty to natural products. On the same principle, if it be a good thing for the people here to have reciprocity in natural products, it must be a good thing for the people to have reciprocity in other articles. There can be no stopping half-way, but the hon. gentleman came back a disappointed man, as far as outside appearances went at any rate. Now, we are drifting away from the question under discussion. The right hon. gentleman has set us a very bad example by talking about annexation, and I decline to follow him any further. My hon. friend rather intimated that I should know more about the waters of the Maritime Provinces than to ask why a dredge of thirty feet capa-

city is required. When I heard the Minister of Public Works state that it was for Halifax and St. John, I felt somewhat surprised, for these are two of the finest natural harbours in America.

Mr. OUMET. There is Yarmouth.

Mr. DAVIES (P.E.I.) That is an exceptional instance. I was not aware that you required a dredge of that size, and was only asking for information. It certainly cannot be required for Halifax or St. John.

Mr. OUMET. Yarmouth, Digby, Sydney, Charlottetown—

Mr. DAVIES (P.E.I.) You do not want a dredge of that capacity so far as Prince Edward Island is concerned.

Mr. OUMET. The capacity of a dredge of thirty feet only provides for a depth at low tide in some places of twenty feet, and in others twenty-five.

Mr. McMULLEN. Does the hon. gentleman intend to advertise for tenders?

Mr. OUMET. I do not think it would be of any use to advertise for tenders by public advertisement in the newspapers, but all the firms that are supposed to be able to do that kind of work will be invited to tender, and I should say that the firms mentioned by the hon. member for Guysboro' will be invited to tender.

Mr. McMULLEN. I cannot see that any possible mistake could be made by giving every one who desires to do so, an opportunity to tender.

Mr. OUMET. It is not my intention to advertise for tenders, but I will be guided by the law and what the Council decide. In all these cases we are obliged to advertise in the newspapers unless for special reasons given to Council, the Council authorizes the department to do otherwise. Hon. gentlemen seem to be much better informed on this subject than I am or my engineers. For, although a great many people might build ships, it does not follow that they can build dredges, and if the hon. gentleman has had any experience of the working of a dredge he will know that the machinery, especially in these modern dredges, is so complicated and costs so much to repair when anything goes wrong with it that it is in the interest of the public that the very best firms that have had experience in that special matter, should be given the contract—not with a view to favouring one or the other, but in order to have the best work possible. If, for instance, the hon. gentleman wished to have a carriage built he would not go to a builder of mowers or other instruments of that kind. These are specialties.

Mr. LAURIER. That is what I said a moment ago—"special reasons."

Mr. OUMET. I can assure the House that every firm that is supposed to be com-

Mr. DAVIES (P.E.I.)

petent in this line will be invited to tender. I have no special firm to favour, either in Quebec, Ontario or the Maritime Provinces. It does not matter to me who makes the dredge; but it matters very much to me as Minister of Public Works and to my engineer, who is responsible for the proper building of that dredge, and for its completion within the proper time, that the work should be in competent hands. Last year we built one, and the contract for the hull was given out by public tender. The estimate of the engineer for the hull was \$26,000. We advertised in the newspapers, and we found a man here in Ottawa who offered to build it for \$21,000, and we gave him the contract. What was the result? There were numberless difficulties with the contractor. We had to employ a man to watch every piece of timber going into that hull. After a time proceedings had to be taken in the court, and we had actually to rescue the work from the sheriff. And even yet the department may be held liable to pay \$5,000 more, because the men who supplied the money have had the boat seized. Besides all this, instead of the dredge being ready to go to work in August last, as it should have been, it will only be ready in July this year. It is very important when you come to spend \$40,000 or \$50,000, that the work should be done by the best men, within the time specified, and with the best material. In giving these contracts I do not intend to be guided by any bias of mind or preconceived ideas, but by the best interests of the department, and the public, and for this reason none but competent firms shall be invited to tender.

Mr. McMULLEN. What the Minister says is all very well. We hope he will carry it out. The reason why we on this side are inclined to ask questions concerning the letting of contracts in such cases is the experience we have had in the past. We had an investigation into the letting of a contract for some dredges some time ago, and we found the contract included a Jolly Joe and a pair of brass dogs. That was the reason we wanted to know if it was the intention of the Minister to give an opportunity to those who are prepared to perform this work properly and in due time. I hope that every man in the Dominion who can give the necessary security and produce the necessary evidence to show that he has the means and the men to carry out the work properly will be given an opportunity to tender.

Mr. OUMET. What is the use of giving security? In the case I speak of we gave the contract for \$21,000, when competent firms were asking about \$24,000. And we are exposed to the danger of being called upon to pay \$5,000 more, and we have lost a year's time. The security, required under the law, as the hon. gentleman well knows is 5 per cent of the total amount of the contract. In my opinion it ought to be

more. So far as I am concerned, the hon. gentleman may rest assured that I shall do everything I can to have the work well and promptly done, and I depend upon him to do his best to find out something wrong.

Mr. LANDERKIN. Who was the solicitor for the Government in that case ?

Mr. OUMET. O'Connor and Hogg.

Mr. LANDERKIN. Oh, Dan.

Mr. FORBES. The hon. Minister refers to dredges of capacity of about thirty feet for the harbours for St. John, Halifax and Yarmouth. I trust the dredge he proposes to get is not one built only for these large harbours. The harbour of Yarmouth is not so large, but it is very much used, and it will require a dredge of modern capacity for turning and working in the narrow channels. At the same time, I want the hon. Minister to bear in mind that there are other harbours that require attention. Along the south shore there are Liverpool, Lunenburg and Shelburne, Barrington, Lockeport and Coffin's Island. Some of them have not had a dredge for seventeen years, and all of them require attention, so as to preserve their commerce. In 1891 I asked the question across the floor when we were going to have a dredge for the south shore, and the hon. member for Three Rivers (Sir Hector Langevin), then the Minister of Public Works, said that he could not tell when a dredge would be provided. The Maritime Province dredge was lost in 1888. That makes it six years since the dredge was lost. In 1892 the present Minister told me that he proposed to get a dredge as soon as possible, and he put a vote of \$40,000 in the Estimates with which he proposed to buy a dredge. He did not buy it at that time, but, subsequently, I believe, he bought one or bargained for one with Connolly Bros., but that dredge was lost in the St. Lawrence River, and since then nothing has been done. Here is a vote of \$40,000 to buy a dredge for the Maritime Provinces, which should have been voted and expended for this purpose years ago. When he speaks of a dredge with a capacity of thirty feet, I trust that it will not be of such capacity that it will not work in shallower water. In most of the smaller harbours we do not need thirty feet of water; from eighteen to twenty-two feet would be the average. I trust that soon a dredge will be at work in the harbours of the south shore of Nova Scotia.

Mr. OUMET. We have four other dredges.

Mr. FORBES. Not for that coast.

Mr. OUMET. The new dredge will work at from eight feet to thirty-five feet

Mr. FORBES. I am glad to hear that. It may be, however, that a smaller dredge than one with the capacity of thirty-five feet would work in the smaller harbours more

economically. I would like to know what preliminary steps the Minister has taken, and when we may expect the dredge to be ready for action, and where we may expect it to be at work in the present season. I should like also to know whether he intends to build, as I presume he does, or whether he will purchase, and if so, whether he has decided which dredge he will try to secure. I only want to press upon him the absolute necessity for prompt action. We have been waiting six years for this vote to be expended in some shape or other, and either wind or weather has prevailed in preventing the Minister from carrying out his wishes.

Mr. CHESLEY. There is no doubt about the wisdom of the action taken by the Government in having a dredge built capable of dredging thirty feet deep. Any man who knows anything of the rise and fall of tides in the Bay of Fundy, must know that unless a dredge is capable of going to a depth of twenty-seven or thirty feet, she will be unable to do any work except at low water. In order to do the work effectively, and to keep dredging all the time in either high or low water, we want a dredge capable of going thirty feet deep; and at the same time she will be able to do work in shoaler water of six to eight feet. I think the Government are entirely right. In the harbour of St. John there is a rise and fall of the tide of about twenty-eight feet, and this dredge can work at high water, and then, as the tide goes down, she will settle and keep on working just as effectively in low water. In making the harbour improvements in St. John, the Messrs. Connolly had a dredge capable of taking out material to a depth of thirty feet; they could dredge in high water to a depth of thirty feet, and unless they had a dredge of that capacity they could not have done the work at all. I do not think that in this respect the Government have made a mistake in having a dredge of that capacity built. The same dredge can be used in shoaler water as well as in deep water. For use in the Maritime Provinces I think it is absolutely necessary to have her built of that capacity, because she can be used in the shallow water of the harbours around the south shore of Nova Scotia, as well as in deep water harbours like St. John and Halifax, and can be used effectively in high or low water.

Mr. FORBES. I do not want the Minister to think that I complained of his having a dredge capable of dredging thirty or thirty-five feet in the harbour of St. John. I want to know from the Minister if he can give us any idea when the dredge will be able to do the work ?

Mr. OUMET. I have already said that we expect the dredge will begin work early next summer, if we can get a competent contractor to undertake it.

Dredge Vessels, repairs \$30,000

Mr. OUMET. This sum is necessary to make the annual repairs to all our dredging fleet. I must admit that the dredging fleet is now antiquated, with the exception of these two new dredges that are not yet ready. The others require repairs, and these have to be done during the winter.

Mr. McMULLEN. What is the annual cost of keeping one of these dredges in repair?

Mr. OUMET. The hon. gentleman will find the details for each dredge in the departmental report.

Mr. FRASER. How many dredges are there now in Nova Scotia?

Mr. OUMET. There are five for the Maritime Provinces.

Mr. FRASER. Is this dredging necessary at this season of the year, or is it in preparation for the next season?

Mr. OUMET. This money is to be used from the 1st July next.

Mr. FRASER. I understand, then, that the dredges are now at work, and able to work without any further repairs?

Mr. OUMET. These have been repaired during the winter, out of the appropriations for the current year.

Mr. FRASER. And are now ready to do work in the Maritime Provinces?

Mr. OUMET. Yes.

Dredging, Nova Scotia..... } \$40,000
do P.E. Island..... }

Mr. DAVIES (P.E.I.) I want to call the attention of the hon. gentleman to the dredging done last year. I find by his report that the dredge for Prince Edward Island was employed almost entirely in the county of my hon. friend, the member for King's, P.E.I. (Mr. Macdonald). But without complaining too much of that—as it was natural enough that the hon. gentleman should assist the Minister in getting the dredging done in his own section of the province as much as possible—I want to call the Minister's attention to the report of the dredging done at Cape Traverse. This is an important work, inter-provincial in its character; and the hon. member for Westmoreland (Mr. Wood) the other day in the House—if I may be allowed to refer to a previous debate—referred to this work, and expressed himself as in hope that a large amount of public money would be spent in securing a wharf there to enable him to run a ferry across to his railway. I find the report says:

The water at the wharf at Cape Traverse is very shallow, and it is doubtful whether a permanent channel can be kept open without artificial works. To ascertain the amount of silting up, a good channel was made to a depth of 12 feet over a width of 80 feet from the line of 12 feet at low

Mr. OUMET.

water to the wharf and along the wharf. The quantity of materials removed, clay and sand, being 12,420 cubic yards at a cost of \$3,392.13 or 27.3 cents per cubic yard.

I want to ask the hon. gentleman what was the result of the experiment?

Mr. OUMET. That report only goes to the 1st of July, 1893, it does not give any account of the work that has been done there during the summer. In order to fulfil the promises I had made to the House we had to dredge during the summer at Cape Traverse in order to ascertain if a berth could be obtained of a sufficient depth along that wharf for one or two steamships, drawing twelve feet of water. Well, we have dredged to about thirteen feet. We had a survey made and a plan prepared, and the work was done in June. Then a survey was made in December, another in January, and another has been made since. The place is just in the same state that it was before the dredging was done. I have before me a plan showing the result of the whole of the experiment.

Mr. DAVIES (P.E.I.) That is just the information I wanted to get. It solves the question that no dock can be built there for a steamer by merely dredging. That was generally believed before the attempt was made, and now that the attempt has been made, we know it to be a fact. Therefore, before a steamer can run across the strait to connect with Cape Tormentine, there must be a wharf built away out beyond the sand sifs, and away out into deep water.

Mr. OUMET. The question may come up again in the Supplementary Estimates, when an item may appear respecting Cape Tormentine or some adjoining point. A good survey has been made at that place as well as at Carleton Point, and a report prepared by one of our most efficient engineers, and I will place it before the House, so that the House may decide whether there shall be a ferry, or whether the whole scheme shall be abandoned.

Mr. DAVIES (P.E.I.) Will the hon. gentleman state the estimated cost of such work as would be of any use whatever?

Mr. OUMET. The cost of the work proposed by the engineer reaches about half a million dollars. The chief engineer after having studied the whole matter, and made some changes, arrived at the conclusion that perhaps \$300,000 would give proper accommodation on this side of the island.

Mr. DAVIES (P.E.I.) I am afraid \$300,000 would go a short way. Be that as it may, the wharf built on the Cape Tormentine side will require the outlay of a very large sum to place it in repair. If the hon. gentleman undertakes the work, he will undertake one which will severely strain the resources of Canada. I cannot sympathise to any extent with the desire some people entertain

to build an artificial harbour there. We have two or three natural harbours of excellent character existing already. The people are satisfied that steam communication can be carried on to their entire satisfaction between natural harbours which exist, and I do not think anything would justify the expenditure of half a million dollars in trying to create an artificial harbour in the Gulf of St. Lawrence were it not wanted. I call the attention of the Minister to the fact that last year the hon. member for King's (Mr. Macdonald) succeeded in keeping the dredge in his county. She was dredging at Montague and Murray Harbour and other parts of King's County, but of that I make no special complaint. I should like, however, to know where the hon. gentleman expects the dredge to work this summer?

Mr. OUMET. It is pretty hard to commit myself to naming any special place, because circumstances may arise that may alter our plans. On the programme, however, there are Grand River Bar, Souris and Malpeque.

Mr. DAVIES (P.E.I.) Will not the dredge be available for Wood Island Harbour, as the new harbour will be finished at the end of the season?

Mr. OUMET. As soon as the work is finished, some dredging will be required, and if there is time during the summer or fall it will be sent there.

Mr. MACDONALD (King's). The dredge is now at Grand River, and I understand it is a question whether she can successfully dredge the bar, which is a sand-bar. It has done good service, but the bar has filled up to some extent. If the dredge were to go over the same ground again in the summer season when the weather was moderate, she would very much improve navigation. She is also required to do some work inside of that bar at Annandale, and at the head of the river, where there is considerable shipping done. I trust the Minister will be able to put the dredge on the bar at an early day in July or August, for the work can only be carried on during the fine weather. The dredge has to be towed and in case of storm has to be taken to a place of safety. If the work on the bar was undertaken during the summer months, it could be very effectively done and prove very beneficial; in fact the inside dredging will not be of much service unless work is carried on at the bar. Some dredging is also required to be done at Cardigan, one of our most important shipping points, where the harbour has filled up a good deal by the wash from the land; and dredging for about a month would enable vessels to beat right up to the place of loading. I also ask the Minister to use the dredge at Murray River, which is increasing its business a good deal and where shipping is steadily increasing. It is the only place in the locality where produce can be shipped and vessels of small draft can go there. I trust when the dredge gets through its work at

Grand River, Cardigan and Souris it will be sent to Murray River and do as good work as was done at Murray River South. The work done last year was beneficial, and now there is a steamer plying there regularly. I trust the Minister will not lose sight of these places, and he will remember that for a number of years the dredge was at work in Prince and Queen's counties, and that until the last year or so the county of King's was lost sight of.

Mr. PERRY. The hon. member for King's (Mr. Macdonald) seems to be very selfish, and I almost wonder he did not ask the Minister to build a dredge specially for the benefit of his constituents. The dredge was in his constituency all last summer; she is to be there all this summer, and the question is when she will move out of that county, for the hon. gentleman appears to have the ear of the Minister. I find that she has been already at four places which the hon. gentleman calls harbours, but I find no report of them in the report of the Department of Public Works.

Mr. OUMET. The hon. gentleman should know that harbours are not under the Department of Public Works, except when work has to be carried out there. All information respecting harbours will be found in the report of the Department of Marine and Fisheries.

Mr. PERRY. That may be correct, but when works are carried out at harbours a statement should be submitted for the information of members. I fail to find in the report of the Department of Public Works any reference to Tignish breakwater or harbour. In looking over the expenditure for dredging last year, I see \$4,110 for expenses in the county of Prince. There was dredging done in King's County, at Sturgeon, at St. Mary's Bay, at Montague, at Murray harbour south, and at different points all in the same county, and nothing is set down in the report as to the amount that the dredging cost in that county. Now I want the Minister to explain that. Did the people down there pay for the dredging, or did the dredge not cost the Government a certain amount as well as it cost at Cape Traverse, where we have the amount of its cost set forth in the report? It is all very well to have the dredge working in King's County nearly all the year, but I can tell my hon. friend (Mr. Macdonald) that there is more produce exported out of Summerside harbour alone in Prince County than there is out of all the harbours in the county of King's. If he does not know that, let him take a trip up to Prince County and he will find it out, or let him take the Conservative papers of Summerside, which give an account of all the potatoes, and pigs and sheep, and oysters which are so delicious to the people of Ottawa, exported from that harbour, and he will find that from the port of Summerside there is more surplus pro-

duce exported than from the whole county of King's. The export trade of Summerside is growing, and we want larger steamers to carry away our surplus produce than we have had heretofore, and consequently the harbour should be improved. If the Government expend a few thousand dollars in improving Summerside harbour, it will not be lost the same as it was at Cape Traverse, although I do not blame the Government for having tried the experiment there. I think they were justifiable in that, and that they did well, and especially so, if they are satisfied that it is useless to improve artificially Cape Traverse harbour without expending \$500,000. Any money expended in Summerside harbour will bring back a good return to the province as a whole, and as very little has been done for that part of the province of Prince Edward Island for the last twelve or fourteen years, something should be done now. I was very glad to hear the promise of the Minister of Public Works the other day that he would send an engineer to inspect the breakwater at Tignish, and so far so good. Let me tell him some of the things that are badly needed in that part of the province. There is dredging required at Kier's Shoal, Malpeque, where the channel is crooked and the navigation impeded. Dredging should also be done in the harbour at Cascumpec. There is a rock inside of the sand bank there at the mouth of the harbour, a little to the west of the lighthouse. The rock was blasted some years ago, but the loose stones are still at the bottom, and there is no deeper water there now than before, so that the rubbish has to be cleared away. The Government pier at Higgin's shore is useless until dredging is done there. I know very well that the Minister cannot supply all the wants of the island, but he must remember that King's County is not the whole of Prince Edward Island. It is far from having one-third of the population, and it has not one-third of the area.

Mr. EDGAR. Nor intelligence.

Mr. PERRY. I am not sure that we are any more intelligent in Prince County, but I know that they are cuter in King's County, because they can get the Government to do more work for them. If there are two or three harbours in King's County that need dredging let the work be done while the dredge is there, because there is always more or less time lost by the dredge moving from one point to the other. But let not the people of King's County think that they shall have the dredge there the whole year to make artificial harbours for gaspereau and smelt to run in, while the people of Prince County are suffering for the want of harbour accommodation. I hope that the Minister will pay special attention to Summerside harbour, and that we shall have a dredge there this year. If that harbour were dredged it would be one of the best

Mr. PERRY.

in the Maritime Provinces, with the exception of Halifax and St. John. We are not so fortunate as they are in St. John, where the tide must rise above twenty-eight feet, because I have seen vessels drawing twenty feet, lying on the sand there, and in six hours afterwards, when the tide came in they had plenty of water. I again impress upon the Minister the necessity for letting us have a dredge in Prince County, and I am quite sure, from the benevolent smile on his face, that he will not forget us there. We do not want to rob King's County of their right; but we do not want to see all the work done there. I am sure that my hon. friend the senior member for King's County will not deem that unfair or unreasonable. When they have got some good harbours in King's County, I hope the Minister will send the dredge from Malpeque to Cascumpec, and then to Summerside and Alberton, and that it will remain until the work is done.

Mr. DAVIES (P.E.I.) I do not want to enter into the relative merits of these different harbours. I have no doubt the Minister will decide them in the privacy of his department when he examines into the different claims. What my hon. friend says is quite correct, that the dredge has been kept in King's County, where I have no doubt it has done good. I have no doubt also that he will get his desire, and that the dredge will go to Summerside and Alberton. But I want to urge the importance of completing this year the harbour and breakwater of Wood Island, for which \$6,000 was voted last year and \$14,000 is taken this year. That expenditure will be useless unless the mouth of the harbour is dredged, which should be done this summer; and when the whole work is finished, the harbour of Wood Island will be a great credit to the hon. gentleman and of great service to the people in the vicinity. I do not press the claims of other places, though I know many that have good claims, for I cannot ignore the fact that Wood Island has the first claim. I do hope that whatever comes and goes, the hon. gentleman will see his way clear to order the dredge to that harbour, so that when the spring of 1895 opens the people of Wood Island may find a good harbour prepared for them.

Mr. FRASER. I would like to ask in what portions of Nova Scotia it is proposed to expend the \$40,000 to be spent in dredging in that province?

Mr. OUMET. The dredge 'St. Lawrence' is now dredging at Yarmouth. The 'Canada' is at Bayfield; the 'George Mackenzie' has worked at Descouse for one week, but I think it is at Salmon River now. The 'New Dominion,' so far as New Brunswick is concerned, will work in the river St. John, and in the river Kennebec.

casis. The 'Canada' will also work in the Miramichi.

Mr. FRASER. I notice that the expenditure for dredging made last year was made in the counties of Pictou, Antigonish and Richmond; and now the work is being done in the counties of Antigonish, Richmond and Halifax.

Mr. GILLIES. The hon. gentleman is mistaken. The hon. Minister has stated that the dredge 'George Mackenzie' was at work for a week at Descouse. That was in connection with the public work erected there, and was part of the contract entered into.

Mr. FRASER. That is all right; I am not objecting to that.

Mr. OUMET. It is the intention to send the dredge to Descouse for one week.

Mr. FRASER. I am only wanting to show that all the work done last year was done in Pictou, Antigonish and Richmond.

Mr. GILLIES. Not last year.

Mr. FRASER. At St. Peter's.

Mr. GILLIES. My hon. friend is again mistaken. There was not a dredge in Richmond last year.

Mr. FRASER. I mean in the last year for which we have a report. The last report of the Minister of Public Works, for the fiscal year ending the 30th of June, 1893, says that the dredge was at work in St. Peter's Canal. The hon. gentleman may have got some information for this year that I have not got; but I take the last report published, which says that the work was done in these three counties. What work has been done since the 30th of June, 1893, I know not; consequently, I am not discussing it. But the hon. Minister now says that work is to be carried on in these other places. Now, I take for granted that the work done in Antigonish and in Pictou was good work; but it will be noticed that although the matter was under consideration, no work has been done in Guysboro' in the last two years. While I am not going to say anything against the necessity of the work done in the East River of Pictou, I say there is more real need for dredging on the south shore. More than that, the people of the county of Pictou were much more able to do the work than the people along the south shore. For example, I asked that a small sum of \$1,000 should be expended at Whitehead harbour in order that boats could be taken from that harbour. The fishermen now have sometimes to stay there for two or three days before they can take their boats to the next harbour. The Government at one time built a place through which the boats could be taken, but it has become filled up,

and I am informed that about a thousand dollars will do the whole of that work, which will serve about 200 or 300 fishermen. I regret very much that the Government have not seen fit to do this work. Two or three petitions have gone to the hon. Minister, and another petition went to him from Larry's River. The hon. gentleman told me two years ago that this was under consideration. There was also a strong petition sent from New Harbour, and the hon. gentleman sent an engineer there who made a report, and I was told last year that that was under consideration. Now, these long considerations are somewhat wearying on a man. You know, Sir, that hope deferred maketh the heart sick; and I do not think that the hon. Minister is so slow in all his operations as he is in these. He has an acute intellect—an intellect that can see a point very quickly and decide. It took him no time to decide, for example, that a large amount of dredging should be done in Pictou and Antigonish. The consideration was very brief in these cases, and while I am not objecting to these places getting their rights, I would like a little consideration shown to the south shore. My constituents are told that the only way in which they may expect anything is by rejecting me, and I would almost offer myself as a sacrifice to enable these poor men to get something. It is a great shame that something is not done in these places. In Whitehead particularly, something should be done, and I speak of that place more than any other, because I am not speaking there for my friends, and I wish it to be understood that what I am claiming for these people I am not claiming because I want their votes. But as a matter of right, these poor fishermen should have something done for them. I asked some time ago, and obtained the Order of the House for a return showing the amount of money expended in the different counties of Nova Scotia during the last fifteen years, but so far the Government have failed to bring it down. That return would bear out my contention that the localities for which I am speaking have not at all been fairly treated. I would ask the hon. gentleman to take Whitehead particularly into consideration. It is a small matter.

Mr. OUMET. It is not a small matter. The reports that I have estimate at \$10,000 the cost of the work. Cribwork must be built so that it shall be preserved. A thousand dollars this year would not do even the digging of the canal which has been filled, and it would fill again at once, and so much money would be lost.

Mr. FRASER. Does the hon. gentleman know what it cost at first?

Mr. OUMET. I cannot exactly say.

Mr. FRASER. Nothing like \$5,000, and the hon. gentleman says it is going to cost more to take the sand out than it did to build it.

Mr. OUIMET. I included not only taking out the sand but the rebuilding of the crib-work on both sides.

Mr. FRASER. I was told by the firm that built it that \$1,000 to \$2,000 would be amply sufficient. The hon. gentleman will see that in Pictou County there was some \$7,000 expended in one place. One quarter of that amount would give communication to a very large section in which some two or three hundred families are interested. That would be a real assistance. The duty of the Government is to assist those who need assistance in that way. I am very glad that harbours should be opened and rivers dredged, but the primary object of the Government should be to assist those who need assistance, and if any people do need assistance it is the fishermen around there. This is not a large harbour as in the case of cities, which can be built by the people of the city. In this Parliament we think nothing of giving several hundred thousand dollars, and sometimes a million dollars, to a rich city. But the duty of Parliament is not to assist rich cities but those who really need assistance. Here are those men depending on the sea, staying away from home in their boats for two or three days in a storm, when an expense of \$1,000 or \$2,000 would give them the accommodation they require. I would appeal to the Government on the ground of humanity, if nothing else, to do this. Here are people away from the large centres who require assistance, and yet the Government will do nothing. It can not be because I am opposed to the Government, for no one can say that I am not a fair opponent, and the Government should not act unfairly to my constituents because I hold certain views. Those who oppose me and profess to speak for the Government, say that the county will get nothing while I am here. I am satisfied these people do not express the views of the Government. Whatever may be the policy of the Government, I do not think it will stoop so low as that. I would like to know why something is not done in Guysborough. Since 1867, I do not think there has been \$30,000 expended in that county altogether, although that county is the second largest in area in the province of Nova Scotia. There is another place, Beckerton, with a population of less than 300 people, including thirty or forty ship captains who sail to all parts of the world, and who have to go around ten miles with their ships as they cannot anchor there at night. If it would not entail a moral descent on my part, I would almost do the wrong and support the Government, in order that they may do the right. But I cannot do that, and I must content myself with claiming earnestly on behalf of those people that the Government should consider their case. If only to show their generosity and kindness they should do something for those people, who are stubborn enough to return an opponent to the Government. I would like

Mr. FRASER.

to ask the hon. gentleman if he will consider these cases ?

Mr. OUIMET. I have taken a note of what the hon. gentleman has said.

Mr. FRASER. That is the most distressing thing the hon. gentleman could say.

Mr. OUIMET. The matter has not escaped my attention since I have had reports made as to the amounts required to make the improvements mentioned by the hon. gentleman. But there is always a great obstacle in my way. I said it several times the other night, and I say it again, that if I undertook to do all the works that would be useful in the Maritime Provinces just now in the repairing of wharfs, the building of breakwaters, the improvement of the various harbours, in the way of dredging and otherwise, the sum of \$3,000,000 would not be sufficient.

Mr. FRASER. I appreciate what the hon. gentleman says, but my answer is that nothing ever comes to Guysboro'. All the other counties share at some time or other. I have to thank the Minister here for sending an engineer, Mr. Shewan, who gave a very good report on the new harbour matter, but my political opponents would not believe that the Minister had extended even this kindness to us, and they actually declared that I had paid for bringing this engineer down myself. I actually had to get the plan, which the Minister kindly furnished me and show it to them. The work was done in the winter time, at the wrong time, but we were thankful for it any way. But my political opponents could hardly believe that the Government would do anything to assist a county represented by a man opposed to them. That is the ignorant view they have of the hon. Minister.

Mr. GILLIES. They would not believe your own statement.

Mr. FRASER. No ; certainly not : that is the last thing they would believe.

Mr. GILLIES. They know you so well.

Mr. FRASER. The hon. gentleman sympathizes with me. His political opponents in his own county, I am sure, do not believe him. I have to thank the Minister for sending Mr. Shewan. I am glad that this discussion will be proof to my opponents that the engineer was actually sent by the Minister. The kindly disposition of the Minister of Public Works had always attracted my attention. He is not one of those bitter men who oppose you from the first. When you first speak to him on a subject of this kind he promises to consider it and you are delighted ; you feel that something will be done.

Mr. DAVIES (P.E.I.) But the result is the same.

Mr. FRASER. The result is worse, because after your hopes have been kept up for six months or a year and nothing is done at

last, you feel very sorely disappointed. I appeal to the Minister to do something for this county, which is in such need of these improvements. So great is my interest in these people that, though they vote against me, I shall not ask credit for the work if it is done, but shall give the credit to the Minister. I know of no case in Nova Scotia so deserving of consideration. I find that the member for Queen's (Mr. Davies), after importunity on importunity has succeeded in getting something for his county. I do not wish to move the Minister by importunities as the unjust judge was moved, but I trust my opportunity will have the same effect upon his just mind, that the importunities of the widow had on the unjust mind of the judge and that he will give something for the county I am pleading for.

Mr. KENNY. I am afraid my hon. friend is a little unreasonable. He expects to accomplish in two years what other members of this House have been trying for the past seven years to accomplish. It is seven years since I first entered Parliament, and from that day to the present I have been endeavouring to obtain the services of one of the dredges for a constituency that has been fairly represented during that period, the city and county of Halifax. I have just learned for the first time that at last a dredge has made its appearance in the county of Halifax. I recognize the abilities of my hon. friend from Guysboro' (Mr. Fraser), but he must be generous—

Mr. FRASER. But—if the hon. gentleman will allow me to interrupt—he should think of what he has received in other respects.

Mr. KENNY. The hon. gentleman must be reasonable and fair. He seems to rely not so much upon the justice of his claim as upon the kindly disposition of the Minister. He must have a weak case indeed when he could not place it upon its merits and not make a kindly disposition the basis of this personal appeal to the hon. Minister. I rise to express the hope that now that, after seven years of importunity, the Dominion dredge has at last appeared in Halifax County, the Minister will not listen to the appeal of my hon. friend from Guysboro' until the dredge has finished its work in Halifax County.

Mr. MACDONALD (King's P.E.I.) I rise to say that I would suggest to the hon. Minister of Public Works, if it were possible to send the dredge that worked at Cape Traverse last year it would be the best, in fact the only dredge that could satisfactorily do the work at the place mentioned by the hon. member for Queen's (Mr. Davies). I think the dredge we have, the 'Prince Edward,' will not do effective work there. If it were possible to send the dredge that digs and carries away she could, in a short time, do the required work at Grand River Bar, and on her return she could do the work required

at Wood Island. I agree with the hon. member for Queen's, that Wood Island requires dredging, and the work done there just now will be of very little service until the dredging is done. I have almost come to the conclusion, Mr. Chairman, that the reason the hon. member for Guysboro' (Mr. Fraser) has not been more successful in getting the expenditure of public money in his county must be the long speeches he makes. I cannot accuse myself of making very long speeches, and the Minister of Public Works has treated me fairly. While I do not get all I ask for—

Mr. FRASER. You always vote for him.

Mr. MACDONALD. Yes; I always vote for him; it seems the hon. member for Guysboro' does not. While I do not get everything I ask for, the hon. Minister is always prepared to help me out, so far as the resources of the country will warrant him. The hon. member for Prince (Mr. Perry) in the course of his remarks rather tried to throw a little ridicule on my county, and instanced the port of Summerside exporting more than the whole of King's County. I dare say the hon. member might very well say that. Summerside is the shipping point for the whole of Prince County, or very near it. It also ships part of the produce of Queen's County, which is sent from the western portion of the county to Summerside by rail. Further than that, the port of Summerside has regular steam communication daily with the mainland, and a certain amount of produce from all parts of the province is shipped from Summerside. While the shipments may appear large, they should not all go to the credit of Prince County. I may say that the places where the dredge has been working in King's County, at Grand River, Murray Harbour, St. Mary's Bay and Montague, are places of growing importance. I will warrant the statement that there is no place in Prince Edward Island, not even Summerside or Charlottetown, that ships so much produce as the port of Montague, considering that no freight is brought to that port, except what is hauled there by the farmers in their carts from the surrounding country. We have no railway communication, and no places to draw from except the surrounding country; yet there are more ships loaded there with farm produce in the course of the season than in any other one port in Prince Edward Island. The port of Grand River where she is now working, is a place of growing importance, and is a port where fishing is carried on very successfully. I trust that the Minister will see his way clear to send the dredge that was at Cape Traverse last year, for a short period to Grand River. She could then successfully work at Wood Island, and he could leave the dredge presently at Grand River to do the work that the department has in contemplation at that point. This would allow the dredge to get earlier at work in

Queen's and Prince Counties, where she is required.

Ontario and Quebec—For dredging \$40,000

Mr. RINFRET. (Translation.) Before this item is passed, I wish to put to the hon. Minister of Public Works a few questions. I gather from the statement made by the hon. Minister, on Friday last, that the work of dredging was to be prosecuted below Cap à la Roche, as there are a few shoals met with at that point. Which are the shoals which have to be taken out below that point? From the information supplied by the engineers, there seems to be a shoal opposite Portneuf. Does the department contemplate carrying on dredging work at that point?

Mr. OUMET. (Translation.) It is the intention of the Government to carry on the further deepening of the ship channel between Montreal and Quebec to a depth of 27½ feet at low water. As shoals have been met with at Barre-à-Boulard and Ste. Croix, dredging work will be commenced, and all the shoals will be taken out.

Mr. RINFRET. (Translation.) Would the hon. Minister inform me whether the dredging work is to be prosecuted between Deschambeault and Lotbinière?

Mr. OUMET. (Translation.) We are having surveys made for the whole distance down to Quebec, in order to test the different points of the channel which do not afford a depth of twenty-seven feet and a half at low water.

Mr. RINFRET. (Translation.) When does the hon. Minister expect to get through with those works?

Mr. OUMET. (Translation.) It will take about three years to accomplish the desired improvements.

Mr. RINFRET. (Translation.) A large amount of dredging will have to be done?

Mr. OUMET. (Translation.) Dredging work is now being prosecuted at Barre-à-Boulard and at Contrecoeur, mainly at the former point, opposite Lotbinière.

Mr. RINFRET. (Translation.) Does not the hon. Minister think that the deepening of the ship channel, between Deschambeault and Lotbinière, will have an effect on the general level of the river?

Mr. OUMET. (Translation.) This objection was raised at the outset, when the policy of deepening the Lake St. Peter channel was in contemplation, but experience has shown the hollowness of this apprehension. No amount of deepening done at the time had the effect of lowering the level of the river. No permanent lowering of the general level of the river can be produced by the channel absorbing too large a quantity of water, for the obstructions removed from the bottom of the channel are dropped on the sides, result-

ing only in a displacement of water. It is a matter of experience that the deepening of the channel through the bed of Lake St. Peter had no disturbing influence on the ordinary levels of the St. Lawrence at that point or elsewhere.

Mr. RINFRET. (Translation.) Is it the intention of the Government to publish Mr. Cowie's report on the surveys he has made of the river?

Mr. OUMET. (Translation.) The survey made by that engineer has been handed over to the Montreal Harbour Commissioners for use in the preparation of the chart.

Mr. RINFRET. (Translation.) To complete the chart made last year?

Mr. LAURIER. (Translation.) Does the hon. Minister propose to prosecute further deepening of the Lake St. Peter channel?

Mr. OUMET. (Translation.) The Lake St. Peter channel is not out of repair at all. As to the character of the works, the department contemplates carrying on, I may say that at certain portions of the channel there are very sharp curves where, at the present time two large vessels can hardly pass, except at great risk. We propose widening the channel, and giving those curves a width of from four hundred and fifty to five hundred feet, so as to render the channel navigation as safe as possible.

Mr. McMULLEN. Where is it intended to expend this \$40,000?

Mr. OUMET. The dredge 'Challenge' will work at Midland, Collingwood, Thornbury and Meaford. The dredge 'Ontario' is working at Detroit River now, and will work at Wardsor, Rondeau and Port Stanley. The dredge 'Nipissing' is working now at Hamilton, and when she has finished there, she will go to work in the Burlington channel, also at Port Hope, Brighton and Cobourg. The dredge 'Port Stanley' is now at Goderich, and thence we propose to send her to the river Kaministiquia to dredge a channel 400 feet wide by 20 feet deep. She has been at Goderich nearly the whole of the past summer. The dredge 'Queen' is expected to work at Belleville, Picton and Wolfe Island. The dredge 'St. Louis' will work at river St. Pierre, Chateaugay and river L'Assomption. Dredge 'No. 11' will work at Saguenay and Chicoutimi. 'No. 12' will work at Varennes Curve for about two months and a half, and for the rest of the season will work at Contrecoeur. 'No. 8' will work at Portneuf. The new dredge 'Laval' will work at Lotbinière all summer.

Mr. McMULLEN. A large amount of dredging was done at Owen Sound last year. Is it the intention to continue work there this year?

Mr. OUMET. It is the intention to complete a channel into the harbour 300 feet wide.

Mr. MACDONALD (King's, P.E.I.)

Mr. McMULLEN. I asked this question for the reason that there are now completed to that place, two railways, the Canadian Pacific Railway and Grand Trunk Railway, one on one side of the harbour and the other on the other side. I wished to know what improvement it is intended to make in order to meet the increased demand for wharfage that is likely to grow up.

Mr. OUMET. During the present season we propose to complete the dredging for a channel 200 feet wide and 20 feet deep, which was begun last year, and the dredge is now at work. This dredge is expected to go from there to the river Kaminstiquia. We have taken note of the additional wharfage accommodation for the Supplementary Estimates.

Mr. McMULLEN. I see by the report of the Department of Public Works that the department has now under contract the dredging of a new channel in the harbour of Owen Sound, 150 feet wide and about half a mile in length. Is it intended to dredge to a depth of 16 feet? I was anxious to know what portion of that work has been done.

Mr. OUMET. The 16 feet have been obtained at the lowest water, and if we have the means to do it, our intention is to dredge to 20 feet.

Mr. McMULLEN. Has the Minister any special report with regard to the washing in of sand from the hillside into the harbour? Have they experienced any difficulty from an accumulation in the harbour that requires continuous dredging?

Mr. OUMET. Yes; some silt has been deposited in the channel by the river, but we expect this will be remedied by deflecting the channel.

Mr. McMULLEN. Now, with regard to Collingwood harbour, there has been considerable difficulty experienced there owing to the North-west winds, I fancy it is, washing in the sand. What is the condition of that harbour now?

Mr. OUMET. At Collingwood there is no washing in of sand, the harbour is entirely free of that inconvenience which makes nearly all the harbours on the lakes expensive to keep up. The difficulty at Collingwood is the hardness of the bottom, which is mostly hard-pan and rock. We had a dredge working there all summer, the 'Challenge,' but she is not good enough to make much progress in that kind of work.

Mr. McMULLEN. I notice that at Collingwood a new channel has been cut 98 feet wide and 15 feet deep. Two cuts are also made to a depth of 15 feet to a bar. The dredge was afterwards engaged on a hard-pan bar outside the breakwater, making one cut 174 feet long, 28 feet wide and 15 feet deep, and another 400 feet long, 25 feet wide and 15 feet deep. Later the dredge

cut through the hard-pan bar outside the breakwater, leaving a channel 14 feet deep and 120 feet wide. The hon. Minister may be aware that the harbour of Collingwood is a very difficult one to enter, the channel being only 25 feet wide. Is it the intention of the Government to widen the channel?

Mr. OUMET. The town of Collingwood has offered to defray 25 per cent of the cost, the amount not exceeding \$25,000. The cost estimated by the engineer is \$250,000 to complete a good channel. The matter is now under consideration.

Mr. McMULLEN. Has any dredging been done at Parry Sound?

Mr. OUMET. The harbour of Parry Sound is a natural one, offering very great advantages, and no improvement of any kind has so far been required.

Dredging, Manitoba..... \$10,000

Mr. MARTIN. We have had a great deal of discussion to-night with respect to the expenditure of public money in the Maritime Provinces, and the impression desired to be conveyed by hon. members has been that Liberal constituencies which were so foolish as to elect a Liberal candidate received no public money.

Mr. OUMET. The Estimates show that that view is not correct. If the hon. gentleman will read the Estimates, he will find that a great many constituencies represented by Liberals have received more than their fair share.

Mr. MARTIN. I was not speaking of facts, but of the impression left on my mind by the discussion this evening. The hon. member for Guysboro' (Mr. Fraser) stated that his constituency had received practically nothing since Confederation, and all that time it has been represented by a Liberal. I rather understood the hon. gentleman opposite to emphasize that statement, and they seemed to take pride in the fact that they had been able to secure for their constituencies such a large share of the public money. This was rather refreshing intelligence to me, because in Manitoba the result has been exactly the opposite. That province has most consistently been supporters of the present Government, and in spite of that fact Manitoba, so far as public works are concerned, has been left practically destitute. I understood from the statement made by the hon. member for Guysboro' (Mr. Fraser) that counties represented by Ministers of the Crown receive the largest share of appropriation from the Public Works Department, so far, at least, as dredging is concerned. The result in Manitoba has been, as I say, just the opposite. Take this year and last year, and in fact the same statement applies to every year since the present Government have been in power, the amount of money expended in that province by the Department

of Public Works as compared with the other provinces is trifling indeed. The amount voted last year for public buildings in Nova Scotia is \$85,000; New Brunswick, \$33,000; Maritime Provinces generally, \$10,000; Quebec, \$57,000; Ontario, \$63,000; North-west Territories, \$66,000; British Columbia, \$3,000; Manitoba, \$3,000. The votes for harbours and rivers are as follows: Nova Scotia, \$67,150; Prince Edward Island, \$42,450; New Brunswick, \$67,000; general vote for the Maritime Provinces, \$10,000; Quebec, \$59,100; Ontario, \$87,800; British Columbia, \$56,500; North-west Territories, \$5,000; Manitoba, \$3,000. Very little public expenditure is required in Manitoba, but the little that is required has not been done. There are two schemes which that province has always thought should be undertaken by the Dominion. One is the lowering of the water in Lake Manitoba. There are obstructions to the free passage of water from Lake Manitoba into Lake Winnipeg. It is a very serious matter to all the surrounding country, because it involves the question of drainage. When Lake Manitoba rises it is made very difficult to drain the surrounding country on both sides, and in some years when the lake rises considerably a very wide extent of land is flooded and the people are driven back. The other work to which the people of Manitoba consider Dominion money should be devoted is the deepening of St. Andrew's Rapids, on Red River. Since 1878 the province has consistently sent representatives supporting the Government. In spite of that fact, not a single dollar has been spent to improve the outlet from Lake Manitoba into Lake Winnipeg, and not a single dollar has been spent in deepening St. Andrew's Rapids. These rapids are situated in the constituency of the hon. member for Lisgar (Mr. Ross), and while this is a matter of very considerable importance to the constituency, it is also of very great importance to Winnipeg. That city would derive very great advantage, as well as the province generally, if navigation were made navigable between Lake Winnipeg and the city of Winnipeg. The department are spending, every year, a sum of money in dredging the mouth of the Red River at Selkirk. The only additional expenditure necessary in order to give good navigation between that point and the city of Winnipeg, some twenty or thirty miles distant, is for the improvement of the St. Andrew's rapids. I may say that this work has been a matter of public discussion every time there has been an election in Manitoba since the present Government came into power, and the candidates in the Government interest have promised most emphatically that they would obtain the assistance of the Government for this work. Not only that, but every time a Minister of Public Works has come to Manitoba special representations have been made to him with regard to this work and promises have been made, from time to

Mr. MARTIN.

time, that the Government would cause proper estimates to be made of the cost, and give a decided answer as to whether they would or would not proceed with the work. Not later ago than the advent to Manitoba of the tariff commissioners, Messrs. Foster and Angers, they were visited by a very influential deputation of Winnipeg citizens with regard to this matter, and these gentlemen again promised they would give it full consideration. The House understands that it is considered important that this work should be proceeded with for various reasons. We have no coal in that country except the coal deposits at the Souris and the Galt coal which are both bituminous, and through the enterprise of the Manitoba Government and the Canadian Pacific Railway, the Souris coal has been opened up to us. We have had for a considerable time, the Galt coal, but the distance from the mine is far, and the railway rates high, so that the advantage to the community is discounted to a certain extent. Therefore, the question of firewood is a most important one, particularly in view of the great expense of bringing coal from Pennsylvania. The city of Winnipeg has to bring its firewood either from the east over the Canadian Pacific Railway, or from the southern banks of the Assiniboine River in the direction of Portage la Prairie, over the newly constructed Northern Pacific. In either case, the freight rates more than double the cost of wood. Now, if navigation were opened from Winnipeg down the Red River to Lake Winnipeg, firewood could be brought in at fully \$2 a cord cheaper than it can be obtained to-day, and this would be an immense boon, especially to the poorer classes of the citizens. Not only that, but Lake Winnipeg has a great many valuable resources. The fisheries are well known, there is a most excellent building stone in the locality, there are very valuable deposits of iron, and all these valuable resources are lying undeveloped because of the impossibility of navigating the Red River and on account of the expense of carrying these articles on the railroad. This has been a matter before the people up there all the time, and probably attempting to learn from the Maritime Provinces and other parts of Canada which seem to have been able to get large sums of public money spent in their electoral districts by sending representatives here to support the Government; Manitoba has done the same thing in the past. I was under the impression myself, and I am still under that impression, that the hon. member for Lisgar (Mr. Ross) was originally elected as an opponent to the present Government. However, he did not remain so long, because he was here but a very short time before he became a very straight supporter of the Government, and he has continued to be a supporter of theirs ever since. The city of Winnipeg had always returned a supporter of the Government until the last election. The division of Marquette which

is more especially interested in this work of draining Lake Manitoba into Lake Winnipeg, during most of the time has been represented by a Liberal, but at the last by-election a Conservative member was elected for that constituency a couple of years ago. But this made no difference. The present member for (Marquette (Mr. Boyd) has been quite as unsuccessful in obtaining any public money for that work as his predecessor, Mr. Watson was. The constituency of Selkirk has been for a considerable time represented by a supporter of the Government. As in Lisgar, in 1882, a Liberal was elected there, but he followed the example of the hon. member for Lisgar (Mr. Ross) and fell into line as a supporter of the Government. While there has been no particular demand for any public money in that constituency, still it would seem, that the province, having so consistently, and almost uniformly sent Conservatives here from all these constituencies, it should have a better showing in the expenditure of public money if the same system which seems to apply—so far as I can judge from the discussion this afternoon—in other portions of Canada, had been applied there. But, Mr. Chairman, it would appear to me that while members from the Maritime Provinces find it necessary in order to secure the continued support of their constituents, to give some account of themselves when they return home, and to show that although they have not had, perhaps, very much to say as to the wants of their constituents in the House, yet they had at least had the ear of the Government, and had been able to induce the Government to put a dredge here, and a harbour there, and a building in another place, and so on, and so on. But the representatives of Manitoba have apparently entirely neglected that portion of their duties. Whatever they may have said to the Government, they certainly have said nothing to the House about these matters. What they may have said privately to the Government we do not know. Charitably we may say that they have endeavoured to induce the Government to undertake these public works. At any rate, even if they have, the Government have had no difficulty at all in saying to them that it was not possible to do it. The Government apparently have been able to give to the Conservative members from Manitoba the same answer which the hon. Minister of Public Works gives to the hon. member for Guysboro', that a note has been taken, and that the matter will be duly considered later on. That has been apparently the answer the hon. member for Lisgar, the hon. Minister of the Interior, before he was a member of the Government, and my predecessor from Winnipeg, have been content to receive from the Government. I am inclined to think that my predecessor thought the position of a representative of Manitoba under these circumstances was not a desirable one, and he took the very honourable course of giv-

ing back to the people the trust they had confided in him, finding that he was not able to get for his constituents the same consideration that the Government were prepared to give, and do give, to members supporting the Government from other portions of the Dominion. Under these circumstances I put it to the Government that they should consider the case of Manitoba. The hon. Minister of Public Works repudiates my suggestion. He claims, in regard to the Maritime Provinces, that instead of the Government considering their supporters there, they have given to constituencies represented by Liberals a great deal more than those constituencies were entitled to in a fair division of the public money. If that be the case, if that be the policy of the Government, there is no reason whatever why these public expenditures should be denied to the province of Manitoba. If, on the other hand, it be true, as alleged by hon. members on both sides of this House this evening, as I understood them, that it was necessary that a member should support the Government before he could expect a large expenditure of public money, then for that reason Manitoba, having given a very faithful and consistent support to the present Government for so long, and doing it to-day, is surely entitled to a fair amount of public expenditure in those directions in which it is recognized as right for the Dominion to spend its money. I do not care which way the Government take it. If they say, we propose to expend the public money fairly, giving to each province a fair amount according to the physical condition and the necessities of the province, then I claim that Manitoba has been unjustly treated. If that is the basis, I claim that we have not received in the past, and we ought to receive in the future, aid for these two public works to which reference has been made. On the other hand, if the Government say that a constituency which uniformly sends here an opponent of the Government cannot expect the same kind of favourable consideration at their hands when they are dividing up this public money, then I say on that basis Manitoba is entitled to these expenditures. Either way it is taken, it seems hard and unfair that when we ask for so little, nature having given us a country in which it is not necessary that great expenditures should be made, we should not receive that little. We have extensive bridges to build and expensive roads to construct; but all these things are undertaken by the people themselves, the work being done by direct taxation through the municipalities. We are asking for nothing on those accounts. But there does happen to exist in the province the necessity for public expenditures of the same kinds which we find the Government undertaking in the other provinces, in connection with the two matters to which I have referred—the deepening of the chan-

nel between Lake Manitoba and Lake Winnipeg so as to prevent the disastrous rising of the waters in Lake Manitoba in certain seasons and to facilitate the drainage of a lot of flat lands which lie around the borders of Lake Manitoba; and the deepening of the St. Andrew's Rapids on the Red River, a matter of so much importance to the city which I represent.

Mr. OUMET. With regard to the deepening of the St. Andrew's Rapids, I have already stated to this House that that work would cost a million dollars, and I have invited my hon. friend to establish to the satisfaction of the Government and the country that the result to be obtained would warrant the expenditure of so large a sum of money. Now, surely the speech of the hon. gentleman ought not to be taken literally. He ought to know, and if he does not know I will tell him, that the sums mentioned in the main estimates are not the total amount of the expenditure for the year in Manitoba or elsewhere; that in the main estimates are only included those works that have already been begun and are to be continued, and a very few others. Therefore, the calculations which he has given to the House, for the perusal of the electors of Winnipeg, are not exact, and he will have the right to complain only when all the estimates are before the House. The hon. gentleman says that this Government is not fair in the expenditure of public money, although he admits that he does not care very much about that. It seems that his game is very skilful. He says to himself: If we get these expenditures, I shall receive the credit for them, because I will tell my people that I bullied the Government in such a way that they had to give them; and if they do not get them, I will tell my people that it was just because of the unfairness and injustice of the Government. Well, I think the people of Manitoba will not take stock in that speech, for they know that this Government has always been more than generous to the province of Manitoba. I may say this, and every one in the province of Manitoba ought to realize this fact, that if it had depended on the friends of the hon. gentleman I do not think that to-day Manitoba would be a part of Confederation. As regards the Selkirk Rapids, I do not know that the people of Selkirk are greatly interested in their deepening. Selkirk is an important place just now, because it is the head of navigation of the Red River, and I think all the trade that goes down from Lake Winnipeg is fully accommodated there. I do not think it would be reasonable for me to recommend the expenditure of a million dollars on that work.

Mr. MARTIN. I am very much pleased to receive the information from the hon. gentleman that we are to expect considerable in the supplementary estimates for

Mr. MARTIN.

Manitoba. So much as we get we will be very thankful for. I have no doubt that the deepening of St. Andrew's Rapids would not cost more than half a million dollars. What I blame the Government for is that that they have not had a proper investigation made, or we would not have the hon. Minister giving this estimate of a million dollars. The city engineer of Winnipeg, Mr. Ruttan, a very competent engineer, has looked into the matter very carefully, and his estimate is something less than \$500,000. The Government had Mr. Gouin to make a very cursory examination of the rapids and some calculations, but what I ask the hon. gentleman to do is to send up an engineer of more experience than Mr. Gouin to make a thorough investigation and estimate, and then let the engineer, or some one else appointed by the Government, make an investigation as to the benefits to be derived. The hon. gentleman suggests that Selkirk would not be agreeable to the river being developed in this way, because that might take away some trade from that city. I do not believe there is any such feeling there. It would be a much larger town if a profitable trade existed between it and Winnipeg, Selkirk being at the head of the navigation of the river and in a position to benefit from any increase in trade. I am satisfied that a petition could be got from that town urging the performance of this work. I know that the rest of the constituency of Lisgar is unanimous in favour of having this work done. Promises have been frequently made on behalf of the Government by their candidates, and also by the hon. member for Three Rivers (Sir Hector Langevin) when he visited the country as Minister of Public Works, that proper inquiries would be made and the question considered. This has not been done. Without saying a word against Mr. Gouin, the resident engineer, I take no stock in his report. It is not a proper report. It is not a report made in the way that the Minister of Public Works on several occasions promised the work shall be done. I am aware that the hon. gentleman has not had the matter brought before him in the same way as his predecessor, but if he will come out to the country, he will find that I am simply voicing the feeling of the people there, especially among the supporters of the Government. While they are not prepared to go to the length of blaming the Government for not spending the money, they blame it for not having carried out the promise to give the matter careful consideration.

Mr. ROSS. The town of Selkirk is very much divided on this question. The majority of the people are against the improvement of the St. Andrew's Rapids; and with regard to the rest of the county, some are against and some are for the project. Some are in favour of the improvements and a large number are not. I have run three elections in the county, and the question has

never been discussed once on the platform. The improvement of St. Andrew's Rapids was never a question at issue. It never came out at a single meeting. I know there is considerable feeling in Winnipeg, but so far as Lisgar is concerned, there is very little feeling whatever on the subject.

Mounted Police, Pay of Force. \$290,000

Mr. McMULLEN. I am glad to notice that the number of the mounted police is decreasing. I would like to know if any additions have been made to the force during the last year, what is the number now on the force, and what are the Minister's prospects as to further reduction of the number?

Mr. IVES. As the time of the men expires, and they are leaving the force, they are not always re-engaged. I cannot say that new men have not been taken on, but the force has been diminished during the current fiscal year, and the number of men now on the force is less than it has been at any time since 1887. The total authorized force is 1,123, and the number as now reduced, including the supernumeraries, the scouts, non-commissioned officers and men to about 900. Since 1887 to the present time, the reduction effected means a saving of very nearly \$250,000.

Mr. McMULLEN. About two years ago discussing this question, the hon. gentleman who was then in charge of the mounted police—I do not now recollect who he was—said that it was the intention, as the time of the mounted police expired, not to fill their places. Certainly the time must be drawing near when we may be able to do without this enormous force of mounted police, which cost us last year about \$615,000. I admit that possibly the police performed valuable services as preventive officers and in keeping back smugglers along the border between Canada and the United States. But surely, if officers of that kind are required, they should be employed and charged directly in connection with the customs, and not as the mounted police. If we are to have mounted police along the border in Manitoba, the North-west Territories and British Columbia to act as preventive officers, what can be said against the same in Ontario, and even more necessarily in Quebec, where there is only an imaginary line between us and the United States? The mounted police should not be charged with that duty. If the work has to be done, let it be done as part of the customs service. We have in this force a considerable number of officers, who get from \$1,000 to \$1,400. I cannot see that it is right that the country should be called upon to pay these officers such very considerable salaries. We board them, we clothe them, we provide them with many things that they require, and then we pay them large salaries in addition. It seems to me that the number of Indians and half-

breeds scattered over that country does not call for such a large force to protect the people. The time has passed when the people there were afraid of their lives and when it was necessary the Government should keep the mounted police in order to prevent the Indians from murdering the white people. Even the most nervous have no fear of Indians or half-breeds now. We do not now hear, and for a long time have not heard anything of a disposition on the part of these people to break out. The main duty for the mounted police is to prevent smuggling. But is it necessary to keep such a force in order to prevent smuggling?

Mr. IVES. So far as Manitoba is concerned, the police were withdrawn on the 1st of April of the present year. If the hon. gentleman is under the impression that the only duties of the mounted police consist in preventing smuggling he is very much mistaken. They have not only their well understood duties as mounted police, but the officers perform nearly all the magisterial work of the North-west Territories. They are about the only means of detecting and punishing crime in all that great territory. So they not only do this work for the customs Department—and I may say do it very much cheaper than it could be done in any other way—but they perform all the duties of administering the criminal law. In addition to that they are employed in the work of the Department of the Interior—they escort agents to the remote stations where treaty money is to be paid. They also perform duties for the Minister of Marine and Fisheries, acting as fishery overseers and officers all over the North-west Territories. They have been obliged also to take charge of prisoners, in order to avoid the expense of building jails and penitentiaries all over that country. The police guard-rooms are used as places of confinement for prisoners all over the Territories. And in many other ways they are useful in the public service. Above all they have become useful in a new direction. They have been named fire guardians under the North-west Ordinance, and are now charged with the very important duty of making the settlers come out and assist in putting out prairie fires. I believe that more than the whole cost of the North-west mounted police was saved to the settlers of that country last year by the aid rendered by the police in the suppression of prairie fires. New duties are constantly being found for these men. The hon. gentleman thinks the salaries of inspectors and superintendents too high. Considering the responsible duties they perform it seems to me he makes a very great mistake. The salaries which they receive are less than the salaries of the higher grade of clerks in the public buildings in Ottawa. Men who perform magisterial work in that country, who have charge of a larger body of men than many of the battalions in eastern Can-

ada, who are charged with the preservation of order in the whole of that great territory—to say that they are not worthy of pay equivalent to that of a first-class clerk in the public departments at Ottawa, is to my mind perfectly incomprehensible. The force is being decreased as rapidly as the Government think safe. The hon. gentleman must not lose sight of the fact that there are large bodies of Indians still living in tribes and bands in the settled parts of that country, they are mingled with the people, and are in contact with the property of the people, especially with the cattle and the ranches of that country; and to reduce that force to a point where it would not command the respect and fear of these Indian bands, would be false economy indeed. The force is considered by every body in the North-west as an admirable force, admirably commanded and economically managed. In my trip last fall through the North-west, I never heard the slightest complaint from any one, and I never heard the opinion expressed that it was safe materially to decrease the force at the present time. The expenditure, however, is being decreased, thanks to the construction of railways and to the decreased cost of living, the cost of the force is now a quarter of a million dollars less than it was in 1887. I can promise my hon. friend that the Government will reduce the force as fast as it is safe to do so, keeping in view the necessity of maintaining the peace and good government in that country.

Mr. McMULLEN. No doubt the people of the North-west and Manitoba are anxious to continue the police force, because they secure the expenditure among them of between \$600,000 and \$700,000 a year. Naturally the people of any province that is having that money scattered amongst them will praise the efficiency of the force and desire it to be continued. But we are looking at it from the standpoint of the general expenditure of this Dominion, and we claim with regard to this North-west Mounted Police, that a very decided reduction in the expenditure could be made. My hon. friend says that these men are getting no more than an ordinary clerk in the public departments at Ottawa. I can tell him that forty-two of them are drawing a salary of about a thousand dollars apiece, and at the same time they are fed, they are clothed, and even their medicine is paid for by the Government. Now, the hon. gentleman knows that the average civil servant in Ottawa does not get \$1,000 and everything found.

Mr. IVES. The hon. gentleman is mistaken. They are not clothed at the expense of the country; on the contrary, their outfits cost them about \$400.

Mr. McMULLEN. Does the Minister say that the mounted police are not yearly provided with an outfit?

Mr. IVES. Not the officers.

Mr. IVES.

Mr. McMULLEN. I notice in the amount for clothing that a large quantity is made and sent up there.

Mr. IVES. The constables get a certain amount of clothing every year, but not the officers. The ordinary men who are receiving from 50 to 75 cents a day, are clothed by the department.

Mr. McMULLEN. My hon. friend speaks very highly in favour of the force, and I dare say they may be fairly efficient. But I must say that since I have been a member of this House I have received from private sources in the North-west, letters of complaint not at all creditable to members of that force. As a rule they are no doubt a very decent and properly conducted force, but I do not know that they are all so. I hope they are. I should be sorry to receive any complaint against any member of the force. But I do think that in the past a great deal of looseness has characterized the general conduct of some members of the North-west Mounted Police. We know that some of them have been subjected to reprimands, and in some cases, I presume, it has been necessary to make dismissals. I hope the corps in that regard are getting better, because complaints have been made with regard to the conduct of both officers and men. I think there has been a great deal of unnecessary extravagance in connection with the buildings that have been erected. I have seen in Regina and other places, buildings of enormous extent, erected for the purpose of breaking in horses to ride, and erected in such a way that they can have any amount of sport inside those buildings, where a man can mount a horse and ride him loose without any danger of his getting out. I do not know that the hon. Minister is directly responsible for the looseness and extravagance that have characterized the erection of buildings of all kinds for the North-west Mounted Police. I must say that the sooner that force is cut down and the expenditure reduced, the better it will be for the country.

Subsistence..... \$75,000

Mr. FLINT. Are these items for subsistence supplied by tender?

Mr. IVES. Almost exclusively. The only items that we do not purchase by contract, are those supplied to posts where we have only one or two men, in that case we board them at so much a month. But the great mass of the subsistence is purchased by tender after public advertisement, more than 95 per cent of the whole amount.

Mr. FLINT. Perhaps the Minister can give us an idea where the most of this material is obtained. Is it obtained by tender in Winnipeg, or Montreal, or Toronto?

Mr. IVES. We advertise all over Canada, and the tenders are received and opened here, and awarded here. The successful ten-

derers are found in all parts of the Dominion, we make no distinction at all. Of course, the heavy material, such as forage, we now get chiefly in the North-west. Flour, of course, we get there, as it is cheaper than it is east. The boots and shoes are made in Montreal; a good deal of the clothing is made in Ontario, but we get it from all over the Dominion, and in all cases from the lowest tenderer.

Mr. FLINT. In looking over the Auditor General's Report I see that the items are charged to each different division. I would like to ask if the tenders are made for large quantities, and if afterwards the articles are distributed among the divisions and charged in that way. Or does each division have a separate system of tendering for its own supply?

Mr. IVES. It depends upon what the article is. If, for example, we ask for hay, oats, potatoes, flour, and some other things of that kind, to be delivered at Regina, at Fort Macleod, or Calgary, as the case may be, the amounts are divided according to the requirements of the force at the particular post, and we require delivery at that post. In case of heavy supplies we ask for tenders, the goods to be delivered at the posts where they are required and in the quantities required.

Mr. LAURIER. Is not Conrad one of the chief contractors?

Mr. IVES. The only contract he has this year is for the supply of beef at Lethbridge.

Forage \$70,000

Mr. McMULLEN. How does it occur that \$70,000 is required this year, when \$60,000 was required last year?

Mr. IVES. The amount is the same as last year.

Mr. McMULLEN. Why cannot the hon. gentleman reduce the amount to \$64,000?

Mr. IVES. We will spend only what is required. Under the present ruling of the Auditor General an overplus on one vote cannot be appropriated to another vote. There might be a scarcity of forage in the North-west, and it might have to be brought from other parts of the country. We cannot estimate exactly the quantity required, nor can we run the chance of estimating on a favourable year such as last year.

Mr. McMULLEN. How did it happen that last year the department paid \$13 and \$13.50 per ton for hay in the North-west?

Mr. IVES. I think the hon. gentleman refers to Fort McLeod. There is no hay in that district, and it must be brought a considerable distance.

Mr. McMULLEN. I find the price paid at Calgary was \$13.50 per ton.

Mr. IVES. The same remark applies, although in a less degree. There are no hay meadows of any importance near Calgary and hay has to be brought a considerable distance. Moreover, Calgary itself is a large consuming point. Hay is as dear there as anywhere else. When I assure the hon. gentleman that hay was obtained by public tender after notice had been given, and that it was purchased at as low a price as that at which any one obtained it, he cannot have any cause for complaint. You cannot get hay at Calgary as cheap as at Prince Albert and Edmonton.

Mr. McMULLEN. I observe that forty-seven tons of hay were purchased at Banff from Dr. Brett at \$17 per ton.

Mr. DALY. Banff is not within fifty miles of hay meadows.

Mr. McMULLEN. I agree it is not a hay district, but surely the hay can be got in Manitoba.

Mr. DALY. But the freight has to be paid.

Mr. McMULLEN. Surely you could get the hay as cheaply as in Ontario?

Mr. IVES. Tenders were asked for, and hay was bought at the cheapest possible price. The only hay meadow near Banff is in the National Park, and we are not allowed to cut hay there. Besides, it is a very narrow river bottom, and hay is only found at a considerable distance.

Mr. FLINT. I find that 184 pounds of sugar were purchased at 12 cents; 480 pounds at $8\frac{1}{4}$ cents; another quantity at $7\frac{1}{2}$ cents; still another quantity at 15 cents. These prices are very high. There must surely be some exceptional circumstances to explain the prices.

Mr. IVES. There were no exceptional circumstances. The whole transactions were carried out at the same time. The tender is for sugar delivered at different points. Sugar delivered at Fort McLeod costs double the price of sugar at Regina. These matters are simply questions of freight. Tenders are asked for the supply of a certain quantity of sugar at Fort Saskatchewan, Edmonton, Battleford, which requires ninety miles carting by teams after leaving the railway at Saskatoon, and to other points. The price depends on the point at which the goods are delivered. The tenders for the present year have just been assigned. As to sugar, flour, and nearly all articles of that kind, the Hudson's Bay Company sent in the lowest tender, and the contract was given to them, the articles to be delivered at eight different posts. Their tender being the lowest for each place, they were given the contract. In case their tender had been higher for some particular point, the contract would have been given to another party.

Mr. FLINT. I am glad the explanation has been given, as the items would appear odd without it. I can well understand that when a heavy article like sugar is carried to some point a long distance from the railway, a considerable percentage must be added to the cost.

Mr. McMULLEN. I notice that considerable quantities of oats have been purchased. The Canada Coal and Coke Company sold 718 bushels at 45 cents. This is a high price for last year, the price of oats in either the Toronto or Montreal markets did not reach within 10 cents of that price. I also find in one place, 9,320 bushels of oats were bought at 48 cents per bushel.

Mr. IVES. Those quantities were delivered at different points, although the address may have been Brandon. The tenderer may have lived at Brandon, but he delivered the articles at the different posts and paid the freights. Oats costing 15 cents a bushel in Winnipeg would, I fancy—that is giving a rough estimate—be nearly doubled in price by the time they reached Regina and Fort McLeod.

Mr. RIDER. Are tenders asked for by advertisements in the papers?

Mr. IVES. Yes, in all the principal newspapers in the North-west, irrespective of politics, and all important papers in Ontario and Quebec.

Mr. LAURIER. Irrespective of politics also.

Mr. IVES. No, not fully.

Clothing \$45,000

Mr. McMULLEN. Who had the contract for that clothing last year?

Mr. IVES. James O'Brien & Co., Montreal, and the Sanford Manufacturing Company for riding breeches, serges and scarlet tunics. The boots were made in Montreal and some smaller goods were obtained from Brockville and from Mr. Garland, Ottawa. They were the lowest tenderers in all cases.

Mr. McMULLEN. Was the contract let to the lowest tenderer in all cases.

Mr. IVES. Yes, in all cases.

Mr. McMULLEN. Was any contract renewed without a tender being asked?

Mr. IVES. No. There have been cases where the supply under the tender was not sufficient, and where a certain number of sizes were ordered additional, but that did not extend into the next year. No contract was renewed without tenders being asked for.

Mr. McMULLEN. I was informed that tenders were extended, but that may possibly have arisen from orders being given where the quantity taken were not sufficient. I am glad to find that all these contracts are

Mr. Ives.

let by tender, and that they have not been renewed.

Repairs, renewals, replacement
of horses, arms and ammunition \$50,000

Mr. McMULLEN. Would the Minister explain that increase of \$10,000?

Mr. IVES. We have had very few new revolvers or rifles since the organization of the force, and a large number of them are now unfit for use. Our own armourer has repaired these arms from time to time. We have saved money by having our own armourer to repair these rifles from year to year, but they have got so bad that I do not consider it would be safe to use them longer.

Mr. FLINT. What has been done with the discarded arms that have been replaced?

Mr. IVES. We have discarded none as yet. We have been repairing them and using them all along.

Medicines and hospital expenses.. \$3,000

Mr. McMULLEN. Who is the doctor in charge of the Mounted Police?

Mr. IVES. It is not the intention to appoint any chief surgeon in the place of Dr. Jukes. The doctor at each post looks after the men, and Dr. Haultain at headquarters, who with the commissioner or the assistant commissioner examines and audits the accounts, which are forwarded here and subjected to a further audit before being paid.

Scouts, guides, billeting charges,
etc..... \$45,000

Mr. McMULLEN. I see that we are paying 35 cents a gallon for coal oil at Regina. Now, would it not pay the Government to buy coal oil at wholesale prices here and send it up there. I can easily understand why the people of the North-west want to have the mounted police force. If I lived up there and could sell coal oil at 35 cents a gallon if I were in business, and get \$12 or \$15 a ton for hay, and high prices for oats and everything else, I would no doubt think that the mounted police were a splendid organization, and that they brought peace and prosperity to the country.

Mr. IVES. The coal oil, like anything else of any importance, was bought by tender. That price of course includes freight and delivery at these distant posts. We do not take the risk of evaporation and loss by getting in a year's stock at a time; but we take delivery of it in quantities. It is all obtained by tender, and generally at the lowest price.

Mr. McMULLEN. Is coal bought by tender? I see that we pay \$10 a ton for it.

Mr. IVES. Coal is bought by tender. It is anthracite coal.

Mr. McMULLEN. How much coal is required for the mounted police? I see that a very large quantity has been bought.

Mr. IVES. As the hon. gentleman has stated, the buildings are very much spread out on the prairie, and, as they were cheaply built, they are not very warmly or thoroughly built; so that the quantity of coal required to heat them is considerable. We have to furnish the coal necessary to make the men comfortable; but I do not think they burn any more than they need, because they have to do the firing themselves. The coal is bought by tender, and we buy the most economical kind—anthracite coal.

Mr. McMULLEN. It appears to me that they burn enough to warm the whole country.

Mr. BOWERS. There seems to be a tremendous lot of freighting charged here. Is freight paid on the goods which are supplied by contract, for which we pay such enormous prices? A large sum of money is paid in freight.

Mr. IVES. There are certain parts of the country and some posts where we have found it cheaper to hire the freighting. Then, where a new post has been established after the contracts for the year have been let, as they do not cover the freighting to that particular point, we have to have it done by other people. That accounts for the fact that there is a considerable amount of freight every year charged in the accounts.

Mr. FRASER. In this connection I think it might be worthy of the consideration of the Government whether or not they should do something in the direction of opening up the coal oil fields, of which I understand there are good indications in the North-west Territories. If the Government themselves pay 35 cents a gallon for oil, I think they would be justified in incurring a fair outlay in testing whether or not there is oil in that country. That would do two things: it would give cheaper oil to the people, and it would go far to solve the oil question for the country. I would press on the Government that they might spend a reasonable sum to make this valuable test.

Mr. DALY. The hon. gentleman no doubt has reference to the discoveries made in the Athabasca region, and for his information and the information of others who are interested in those coal oil fields, I may say that it is the intention of the Government immediately to test whether or not there is oil in paying quantities in that region. I think this week the expedition goes out, and the arrangements have been made with a gentleman who has had experience in boring for oil in Canada, the United States, Russia and Burmah—a man of large and varied experience, a namesake of my hon. friend.

Mr. FRASER. I am glad to hear that. He is a native of my own county, and I am sure the work will be well done. I am glad to be able to congratulate the Government in doing a judicious act, and one in the interest of Canada—not in giving the contract to the particular gentleman named, but in making this important test. I think it is one of the wisest things the Government could do.

Mr. FLINT. This item is a very large one, and the Minister must not think that we are asking questions for the sake of delay, because to the people of the Maritime Provinces, and probably to a great many of the people of Ontario and Quebec, the expenses in connection with the North-west Mounted Police are a sort of mystery; that force is so distant, and the charges in the aggregate are so large. I would like to ask how it is that with so large a number of officers and men we have to pay so much for special services. For instance, I notice that \$600 is paid for a special constable. I take it that this duty should be discharged by the regular officers and men of the mounted police themselves. I see also that there are charged salaries at Ottawa. I would like to have an explanation of these. In fact, I would like to have an explanation of most of the charges referred to in the Auditor General's Report, from page D-173 to page D-178. Perhaps the Minister would explain the system, and that would throw light on the items.

Mr. IVES. By far the largest part of this item is for railway fares in moving the detachments from one part of the country to another, transporting prisoners, and so forth, and we have also to pay freights for moving horses. The scouts are not used to anything like the same extent that they formerly were; but we still have to use them to some extent, especially in the extreme northern part of the country, where new patrols are being extended every year. The item for salaries at Ottawa is to pay at police rates the men who have charge of the stores here in Ottawa, who do the unpacking of the goods as they come in, and the packing of the goods to be transmitted to the different posts in the west. I may say the scouts are not used to anything like the extent they formerly were. They are now used chiefly in dealing with the Indians and as interpreters, and in the new patrols being made in the extreme north.

Mr. JEANNOTTE. The hon. Minister has told us that he has a very experienced engineer in the North-west seeking to discover oil. I would mention that at St. Sulpice, near Montreal, about ten or twelve farmers have made borings 60 feet deep, and have succeeded in supplying their houses with pure gas. The water engine in that locality is also heated with gas. It is a very pure gas, and it is believed that at the bottom good oil would be found. It would

be well if an engineer were sent to explore that locality and also to make surveys along the River St. Lawrence.

Mr. McMULLEN. I see that we have spent between \$25,000 and \$30,000 for coal and wood alone. Are those items checked, and who is supposed to see that the proper quality is delivered, as it appears an enormous sum?

Mr. IVES. I am not at all surprised at the amount, nor would the hon. gentleman be, if he visited the west and saw the character of the buildings. A good many of the buildings were constructed when the force went in first and are thin wooden buildings made in Montreal and Ottawa and moved out there—merely a board and a piece of paper. These buildings are not economical; and if the force were to be continued as a permanency, it would be cheaper to build suitable quarters of suitable materials. The men, however, cannot be allowed to freeze to death. They do not burn more fuel than is necessary for their comfort. The officer who has charge of purchasing the fuel is the commissioner, through the officers in charge of the different posts, and all accounts must be sent to Regina. If there is any exception to the charges they are sent back for explanation, and then the accounts have to be passed upon by the controller before a cheque is issued.

Mr. RIDER. I understood the hon. Minister to say that the salaries paid in Ottawa are paid for the packing of goods. Does the Government receive supplies here and pay the freight to the points where used?

Mr. IVES. Boots and shoes and clothing and things of that kind are furnished cheaper by eastern men than we can buy them in the west. These articles are taken delivery of here and kept in stock, to be sent to the different posts from here as required.

Mr. RIDER. Where is delivery taken of sugar and groceries?

Mr. IVES. As a rule the western men are the lowest tenderers of these, and almost invariably the place of delivery is the place where they are used.

Mr. McMULLEN. I see an item of \$100 rent for a race track at Gretna. What is the meaning of that?

Mr. IVES. That was the location for the quarantine ground at Gretna. It was the only place we could find with a fence around it in that neighbourhood. The ground was leased and the fence was bought for the purpose of quarantining cattle, as decided upon, a year ago last spring. This is an expense which the Minister of the Interior should have paid us back.

Mr. McMULLEN. That is an awkward way to put it in the record, because any one

Mr. JEANNOTTE.

would come to the conclusion that the Government was providing race tracks for the mounted police. I see an amount of \$929.50 for postage at Regina, over \$3 a day. That would be over one hundred letters a day.

Mr. IVES. I know that the officers have to report very frequently to the commissioner. The communications are almost daily from all the posts to him, and there are also the bulky returns sent to Ottawa for inspection by the controller.

Mr. McMULLEN. Will the hon. gentleman explain the item of lamb-skin coats bought from R. J. Devlin?

Mr. IVES. We have to furnish fur coats for the winter use of the men who go on long trips in the winter. We formerly used buffalo hides, but they are not procurable now. We have been experimenting with the different kinds of fur to see which is the most durable and cheapest, and I presume these were samples for the purpose of testing.

Mr. McMULLEN. O'Brien of Montreal furnished 2,599 pairs of pants at \$5.56. That appears to be a high price. What were they made of?

Mr. IVES. Of a very thick, substantial strong serge, made double in the seat, double down the legs, and at a price at which I would be glad to have them furnished another year. They gave great satisfaction and were a great deal cheaper than anybody else would make them at.

Mr. McMULLEN. No doubt the hon. Minister is under that impression and possibly he may be right. But he must remember that an ordinary Canadian serge or fulled cloth or a Canadian tweed, even suppose it was double or partly so—supposing it took three yards to make a pair of pants—could be bought for from 60 cents to 65 cents a yard wholesale. I think my hon. friend from North Lanark (Mr. Rosamond) will confirm what I say. That will be less than \$2 for the whole stuff.

Mr. IVES. This is not an ordinary fulled cloth or tweed, but is an exceedingly heavy cloth and dyed of a uniform colour. We are as particular about the colour of this cloth as the Militia Department is about the colour of the scarlet tunics. The care necessary in the manufacture of the cloth and in making the breeches is such, that the price, as I say, has not been reached by anybody else.

Mr. McMULLEN. Can samples of these pants be seen in Ottawa?

Mr. IVES. Yes; in the Government Stores.

Mr. McMULLEN. Can the hon. Minister say who makes the material in Canada?

Mr. IVES. I could not say; the cloth is furnished by Mr. O'Brien. I will send a

pair of the breeches to my hon. friend if he will agree to return them. I'll take his word for it.

Mr. McMULLEN. I would like to know what kind of cloth this is, and I think the hon. Minister ought to be able to give us that information.

Mr. IVES. I cannot tell the hon. gentleman exactly what it is. But the cloth and the way in which the breeches are made gives them a quality to outwear three ordinary pairs of tweed breeches, subject to the same treatment. The men are constantly in the saddle.

Mr. McMULLEN. I have a curiosity to know about this, because what is good for the mounted police will be good for other people. Many men engaged in other lines of business would like to get one of these everlasting pairs of breeches. Mr. O'Brien it appears is not now in the trade.

Mr. IVES. Yes ; he is still in Montreal.

Mr. CURRAN. He is still in the police business.

New buildings and general repairs..... \$30,000

Mr. McMULLEN. In the face of the fact that it is the intention to reduce the force as rapidly as possible, how does it come that the hon. gentleman wants \$30,000 for new buildings and repairs ?

Mr. IVES. This is the first time that the money for the repair of the mounted police buildings has been put in the mounted police estimates. It has always heretofore appeared in the estimates of the Public Works Department. This year the Minister of Public Works has put in no estimate for this amount. This is the sum necessary to keep in habitable condition the barracks, houses, and other buildings and stables—for the stables take up fully half the amount—for the force scattered, as it is, over such an immense territory. The amount is about the usual amount hitherto asked for by the Department of Public Works.

Mr. FLINT. Is the expenditure of the money to be under the charge of the Minister in charge of the police or under the charge of the Minister of Public Works ?

Mr. IVES. It is under my control.

Mr. FLINT. I think that is an improvement, for there must be a great deal of delay and circumlocution when the expenditure has to be made by one department for the benefit of another. It should be considered satisfactory that the department responsible for the work and requiring the work should control the expenditure of the money.

Mr. McMULLEN. It is not intended to erect new buildings, but only to repair those already in existence ?

Mr. IVES. No new buildings have been decided upon. The amount will probably be

required to keep in habitable condition the buildings we already have.

Mr. McMULLEN. Do the mounted police do their own freighting from the station to their own warehouses ? For instance, in Regina when I was there a few years ago, I noticed that this work seemed to be done by others, although the mounted police seemed to have all the facilities for it.

Mr. IVES. The freighting of ordinary goods for the use of the police is done by the police themselves. But heavy freight, like coal, is hauled and delivered under contract. The hon. gentleman must not forget that, though we have men and horses, we have not a great many teams or great facilities for transportation.

Mr. McMULLEN. I think it would be unreasonable to expect them to do the freighting on heavy articles such as coal, but in other goods, I think the force might act as their own carriers, and thus save the enormous freight charges.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 12.20 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 20th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MESSAGE FROM HIS EXCELLENCY.

Sir JOHN THOMPSON presented a Message from His Excellency the Governor General.

Mr. SPEAKER read the Message, as follows :—

ABERDEEN.

The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1894, and in accordance with the provisions of "The British North America Act, 1867," the Governor General recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,
OTTAWA, 20th June, 1894.

Sir JOHN THOMPSON moved :

That the Message of His Excellency the Governor General, with the Estimates accompanying the same, be referred to the Committee of Supply.

Motion agreed to.

THE FRENCH TREATY.

Sir JOHN THOMPSON (for Mr. Foster) moved for leave to introduce Bill (No. 147) respecting a certain treaty between Her Britannic Majesty and the President of the French Republic.

Mr. LAURIER. Has the hon. gentleman nothing to say on this ?

Sir JOHN THOMPSON. Nothing at present. It contains merely one section, ratifying the treaty.

Motion agreed to, and Bill read the first time.

OWEN SOUND POSTMASTER.

Mr. LANDERKIN asked, When did the office of postmaster at Owen Sound become vacant ? Has a postmaster been appointed ? If so, what is his name, and when was he appointed ? If no appointment has yet been made, why not ?

Sir ADOLPHE CARON. A vacancy took place on the 1st of January, 1893. There has been no appointment yet made. The post office is looked after by the deputy of the late postmaster.

THE SAFETY OF SHIPS.

Sir CHARLES HIBBERT TUPPER moved:

That Bill (No. 98) further to amend the Revised Statutes, chap. 77, respecting the safety of ships, be referred back to committee with instructions to amend the same by inserting after the word "place," in the seventh line on the last page, the words "who has reason to expect the arrival of any ship carrying passengers."

He said: I stated yesterday that I would remember a suggestion that had been made to the committee in this direction, and I have discussed it with the hon. gentleman who raised the point.

Motion agreed to, and Bill again considered in committee, amended, and reported.

Sir CHARLES HIBBERT TUPPER moved third reading of the Bill.

Mr. DAVIES (P.E.I.) I suppose the hon. gentleman will introduce a Bill to make the same amendment in the Inspection Act ?

Sir CHARLES HIBBERT TUPPER. I think that will be necessary.

Motion agreed to, and Bill read the third time and passed.

HARBOUR COMMISSIONERS OF MONTREAL.

Sir CHARLES HIBBERT TUPPER moved second reading of Bill (No. 110) to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal.

Sir JOHN THOMPSON.

Mr. LAURIER. Are there any changes made by this Bill, or is it a mere consolidation ?

Sir CHARLES HIBBERT TUPPER. It is a consolidation with a few improvements. It has been carefully considered in the other House, and I shall call attention to the several changes—which are not radical—as we proceed with the discussion of the Bill in committee.

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

(In the Committee.)

On section 2,

Mr. DAVIES (P.E.I.) Will the Minister in charge of the Bill state generally what amendments are introduced into this consolidation, or whether it is wholly a consolidation. If there are no amendments, it is not worth while occupying time with it. If there are serious amendments, it is better to have them pointed out.

Sir CHARLES HIBBERT TUPPER. In the main the Bill is a consolidation, as I have said, but there are one or two amendments. I cannot at the present moment call to mind any radical amendment, but as we go through I will draw the attention of the House to any particular change. Most of the changes are simply in phraseology. There are many Acts to be consolidated, some of them dating since before Confederation, and subsequently amended and re-amended. Certain sections are recast. Where any new powers are taken or any important change made, I will mention it as we proceed.

On section 21,

Sir CHARLES HIBBERT TUPPER. I would like to put in a clause, which we will call clause 3, instead of the present clause 3 in the section, which will become clause 4. The clause I would like to put in is the following:—

All land not being within the limit of the harbour as defined by this Act, but being within the limits of the harbour as defined by the Acts previous to this Act, shall be deemed to have reverted and to be vested in Her Majesty in right of the Dominion of Canada.

Sir HECTOR LANGEVIN. How would this amendment agree with subsection 2 ?

Sir CHARLES HIBBERT TUPPER. It would follow after subsection 2. I may state to the committee that the section as it came to us simply repeats the existing law with a slight modification in that subsection 2. The words "but not heretofore within the limits of the harbour," were inserted in subsection 2 in consequence of the definition of the harbour boundaries made by section 6. The small portions of the bed of the St. Lawrence formerly vested in Her Majesty, might fall within the limits of the harbour, and it

was deemed necessary to vest them in the commissioners so that the latter may maintain all suits and actions in respect thereof. So then, the small portions of land formerly within the limits of the harbour, may after the rectification of the boundaries, fall outside those limits. The section as it is submitted by the commissioners, would be made quite complete by this subsection, which reverts, according to the language, all such lands in Her Majesty, and consequently would cover any point of that kind.

Sir HECTOR LANGEVIN. What I meant was this: the limits or the boundaries of the corporation remaining as they were, then this second subsection says: "all the land lying within the limits of the harbour of Montreal as defined by this Act and heretofore vested in Her Majesty in right of the Dominion of Canada, but not heretofore within the limits of the harbour." Well, if it has the same limits as before, you have not then to provide to give the commissioners the property which they had not before.

Sir CHARLES HIBBERT TUPPER. No, and that is exactly why I am putting in that clause. It might have been contained, as the hon. gentleman said, that we are giving them control over property where they had no control before. We now give them specific control over that property, but they have already exercised control over the property of Her Majesty, and they have done it under the legislation referred to in section 3. The only point is that we give this power and control clearly and distinctly, which has always been understood and acted on under general language which gives to the Crown the exercise of that right and authority.

Mr. LAURIER. I do not think the language is very happy, for it leaves the meaning very obscure. What is the object of the amendment?

Sir CHARLES HIBBERT TUPPER. After making certain statements, the clause provides that these properties are vested in Her Majesty, and it does so by express language; and in order to prevent an argument arising to the effect that all outside of those limits might not be vested in Her Majesty, it was decided to cover that point by inserting this clause.

On section 22,

Sir CHARLES HIBBERT TUPPER. This clause will give the commissioners power to control traffic on the wharfs.

Mr. LAURIER. It is a very extraordinary clause. It practically gives the Harbour Commissioners power to enter into competition with the railway companies and with tram companies. The motive may be to allow the commissioners only to build tracks for their own use, but under the wording of the clause they can undoubtedly come into competition with railway companies.

Sir CHARLES HIBBERT TUPPER. Only over this very limited ground. Parliament has allowed the commissioners to build the tracks, and this clause gives them complete control over the property, but no further than within their limits and reserve.

On section 26,

Sir CHARLES HIBBERT TUPPER. I wish to move an amendment to subsection (r) which has been asked for by the pilots. At present it reads as follows:—

For regulating the procedure of and before the corporation in the exercise of its judicial powers and of its powers as Pilotage Authority for the Pilotage District of Montreal.

That far it is all right; but they ask that the rest of the subsection be struck out, namely:

Such by-laws may extend to any matter of procedure, or otherwise, not provided for by this Act, but for which it is found necessary to provide for the proper exercise of such powers and the better attainment of the objects of this Act.

They object to the language of this, and I think it is a little broad, and I do not think it will injure the proper powers of the commissioners to strike the last lines out.

Amendment agreed to.

Bill reported, and read the third time and passed.

NORTH-WEST MOUNTED POLICE.

House resolved itself into Committee on Bill (No. 121) to amend and consolidate the Acts respecting the North-west Mounted Police Force.—(Mr. Ives.)

(In the Committee.)

On section 4,

Sir RICHARD CARTWRIGHT. Mr. Chairman, it appears to me this practice of giving officers the rank of Deputy Ministers is very decidedly objectionable. I can conceive of no reason in the nature of the case why an officer who has charge of eight or nine hundred men should be made a Deputy Minister. These officers, whatever they may be, are better kept well in hand and under the control of the member of the Council who is specially made responsible for the management and control of the North-west Mounted Police. I think this is the first occasion on which any gentleman occupying the position of Comptroller of the North-west Mounted Police has been rated as a Deputy Minister, and I do not see any occasion for it, but on the contrary, grave objection to it.

Mr. McMULLEN. I was just rising to state the same objection that my hon. friend from South Oxford (Sir Richard Cartwright) has presented to the committee. Unquestionably this cannot be treated as a perman-

ent force. If it were a permanent force there might be some reason for making the chief officer a deputy head. But we are looking forward, and looking forward anxiously, to the time when we shall be able to disband this corps. Assurances have been given to the House in previous years that it was the intention of the Government to cut down the number of police and to reduce the cost of the corps. But here we have a proposal to place a permanent Deputy Minister at the head of this force, a force that in a few years should be removed altogether. There is no reason for making a permanent force in the North-west, unless you have them as preventive officers to guard against smuggling. But if this is to be done the force should be established in connection with the Customs Department, which should have control and direction of the police, and should bear the responsibility of the expense. But to ask the House to agree to make a permanent force and appoint a deputy head as its chief is to ask something that will be exceedingly unpopular. Such a course may find favour in the North-west, but not in other parts of the country. We are spending about \$700,000 a year on this force. Moreover, we find an additional item of \$10,000 in the Supplementary Estimates. This is going in the other direction from that which was promised two years ago. I shall resist in every shape and form the perpetuation of this force by placing at the head of it a deputy head the same as in the permanent departments of the Civil Service. The man now in charge of the force does not get the salary of a deputy head, but you cannot give him the position of a Deputy Minister without also giving him the salary of that office. It is unreasonable to expect the House to consent peaceably and quietly to proposals of this kind which must have the effect of increasing the cost of this force to the country, instead of decreasing it.

Mr. IVES. The hon. gentleman says that the Comptroller's salary will be increased by this Act, that that officer has not been getting the salary of a deputy head. The hon. gentleman every session since he has been in this House has joined in a vote of \$3,200 for the Comptroller of the North-west Mounted Police, and that is the salary of a Deputy Minister. There is to be no increase of salary occasioned by the adoption of this section. Mr. White, the Comptroller, was appointed by Order in Council in almost the words of this Act, with a salary of \$3,200 and with the duties and grade of a deputy head. No change is proposed except to put in statutory form what has existed under Order in Council for several years past. The hon. gentleman says we propose to increase the expense of the North-west Mounted Police, because we have brought down an estimate of \$10,000 additional in the Supplementary Estimates. I may explain to the hon. gentleman that the estimate we ask for

Mr. McMULLEN.

is to cover several short votes and that, on the other hand, there will be unexpended balances of other votes which will very much more than cover this sum. The occasion for this vote is the new rule which the Auditor General has recently established, that he must adhere to the Estimates as printed and laid before Parliament as to the payment of the money proposed by those estimates, and that if one of these votes connected with a certain service proves insufficient, the unused surplus of some other vote in the same connection cannot be used for the purpose of paying accounts in connection with this. For example, we have a shortage in the vote for forage, but we have an excess in the vote for clothing, or in the vote for the pay of the force; but we are not allowed to use the \$20,000 or over that we have more than we require to pay our police, in connection with another vote where we have less; and that occasions the necessity of coming down with Supplementary Estimates and asking for a vote to cover a shortage in particular votes where we are short. But I can assure the hon. gentleman that on the whole service the expenditure will fall several thousand dollars under the estimates, even if you add to the original estimates the \$10,000 that will be asked for in the Supplementary Estimates. As I said before, the salary is not to be increased, the position of the Comptroller is not to be in any respect altered; and you will notice that there is no department created, as was done in the case of the Queen's Printer, and also in the case of the Geological Survey. Both those officers are declared by statute to be deputy heads, and departments are created, in both cases, by statute. We have here carefully avoided the creation of a department, we have carefully avoided a change of salary, so as not to incur any increased expenditure at all. We have simply given by statute a position to the Comptroller which he has held for several years past. I must ask the committee to consider this matter favourably. I think it is only due to the officer who for many years has managed the North-west Mounted Police Force with great skill and with great economy, and who is well known to every one who has had the pleasure of doing business with him, to be a first-class officer; I think it is due to him that his position should be established by statute, as was done in the case of the heads of the Geological Survey and of the Queen's Printer; but more particularly do I ask this to be done when, as I say, we have not changed his position, we have not increased his salary, and we have not created a department.

Mr. DAVIES (P.E.I.) I hardly think the explanations of the Minister have been quite satisfactory. I submit that we ought to discuss and decide upon this Bill before the House, quite irrespective of the personal considerations which, it is very plain, have, to a large extent, moved him. I have nothing

to say, my knowledge is not sufficient to enable me to say whether the gentleman who fills the position has discharged his duties with entire satisfaction; I am quite willing to admit he has, I have heard nothing to the contrary. But that is not the principle involved here. The hon. gentleman knows that there is a very strong desire on the part of the people, and on the part of the representatives of the people, to cut down all unnecessary expenditure in this Dominion of Canada. Now, we have been looking forward to the time in the near future when this expenditure connected with the North-west Mounted Police might be materially reduced. The position which the Comptroller of the North-west Mounted Police occupied, enabled Parliament to have complete control over him. He did not hold any statutory office; he did not hold office by virtue of the guarantee given by a statute. His office was created for a temporary purpose, and was essentially a temporary office; and the vote for his pay came yearly before the House of Commons, who held, in that way, entire control over the subject-matter. Now, the hon. gentleman seeks to make this officer, who was a temporary one, being entirely under the control of the House, a statutory officer, with statutory pay, and not subject to the control of the House. The House of Commons, after the passing of this Bill, would have no control whatever over the salary of the Comptroller of Mounted Police. His salary is fixed here by statute, and the House might be entirely opposed to granting him his yearly salary, but they would be powerless in the matter, just the same as you are powerless in the matter of the salary of a judge, or any other statutory officer. So the hon. gentleman sees that, although he has not, in so many words, created a department, he is practically creating a department, it is just the same thing. A few years ago there was a craze for the creation of departments. We had the Marine and Fisheries divided up, against the strong protests of members on this side of the House, and a department carved out of the Fisheries, with a statutory officer. What has been the result of the experiment? The result of that experiment is that the deputy head of that department has been superannuated, and for his life, at least, removed from the service; the two branches of the departments are amalgamated again, and as long as that gentleman lives he is on the superannuated list, and we pay him his \$1,800 or \$2,000, whatever it may be, a year, for doing nothing. Now we are repeating the same thing. The Comptroller of the North-west Mounted Police has in the past suffered no inconvenience that I have heard of, by reason of his holding his appointment under Order in Council; and the advantage of it was that it left the matter absolutely under the control of the people's representatives, and they could from time to time express their opinion upon the necessity of main-

taining or retaining that office and of increasing or reducing the salary. Therefore, I say that we are surrendering up the control which we hitherto have had, and I do not think it is a wise thing to do. Again, I see that the hon. gentleman is applying the Civil Service Superannuation Act to all these officers.

Mr. IVES. That is nothing new; that is done under the existing statute, and has been done for several years.

Mr. DAVIES (P.E.I.) I did not know that these officers came under the statute.

Mr. IVES. All the commissioned officers of the force, and have been for years.

Mr. DAVIES (P.E.I.) If that is so, what is the object of the hon. gentleman in enacting it here?

Mr. IVES. This is only a consolidation.

Mr. DAVIES (P.E.I.) Very well, I shall make no reference to that, if the fact is as the hon. gentleman states. I confine my objections to the point I have stated, that he removes from the control of Parliament the pay and the appointment of this officer.

Sir RICHARD CARTWRIGHT. I think that more consideration ought to be given to this matter of appointing an unnecessary deputy head, than the Minister seems disposed to grant. I find by the Estimates that we have already fifteen full-fledged deputy heads and a couple of Commissioners of Inland Revenue and Customs besides, who are practically, I fancy, pretty much in the same position. Now, there is no justification or reason whatever for going on multiplying these Deputy Ministers. The plain truth of the matter is this, that it would be infinitely more in the public interest to reduce, not merely the number of Deputy Ministers, but the Ministers themselves. For a community of less than five millions, we have got about the largest Cabinet I ever heard of, infinitely larger in proportion to our population than the Cabinet of England, infinitely larger in proportion than the Cabinet of the United States; and I have yet to learn that the public administration has been benefited in any material shape thereby. Now, this creation of a Deputy Minister is perfectly uncalled for. The hon. gentleman has not produced a single reason of any kind to justify it. What is this officer? He is the head of a body of some 700 or 800 men, whom we have been told are likely to be reduced as the condition of the country will permit. The proposition is pretty much the same as would be a proposition to make every colonel of a British regiment a Deputy Minister of War. I must say that it appears to me there is no sort of justification for the proposition to give this officer a statutory rank—particularly as it will have the result of swelling the pay, I fancy—when we have been assured that the service over which he

is at present is rather likely to be decreased than increased. Nor can I see what there is in the duties pertinent to the mounted police to call for an officer with the rank of a deputy head.

Mr. DAVIN. I cannot agree with the hon. gentleman (Sir Richard Cartwright) who has just taken his seat, or with the hon. member for Queen's (Mr. Davies). I do not see what reason there is in objecting to give an officer statutory rank corresponding with his actual rank. The Comptroller has had the actual rank for all practical purposes of a Deputy Minister; he has been in the position of Comptroller for many years, and as the Minister says, there cannot be the least doubt that he has discharged his duties with assiduity and with efficiency. Suppose the strength of the police force was reduced to-morrow, or suppose the force was put out of existence altogether, is it to be supposed that an officer who has spent a greater part of his life in the service of the Crown should have his services dispensed with on less generous, or I might say, less equitable terms than they would be dispensed with if he held the position of a Deputy Minister? I do not believe there is at the present moment any prospect, or that we should contemplate any prospect of doing away with the mounted police, or materially reducing their number.

Mr. McMULLEN. Hear, hear.

Mr. DAVIN. The hon. member for Wellington (Mr. McMullen) says "Hear, hear." I speak as much in regard to economy as does the hon. gentleman, and I say the consequence of reducing the mounted police force in the North-west would be to lead to great expense. No one will deny that the present Comptroller has acted as deputy of the department, either under Sir John Macdonald, under Sir John Abbott or under the hon. member for Sherbrooke (Mr. Ives), and if the Comptroller is doing the duty of a deputy head of a department, it seems to me to be ungenerous, and not to have any relation whatever with either theoretical or practical economy, to deny that officer the statutory recognition of the rank which he really holds. In regard to economy, if the hon. member for Wellington (Mr. McMullen) will, in regard to this or any other matter that many come before us in Committee of the Whole, point out any course that will lead to economy, he will find me with him; but from what I know of the North-west, and of the services discharged by the mounted police, and from what I know of the money they have saved to the Government of Canada, so far as regards our Indians, from what I know of their good services performed as agents practically of the Department of Customs, and also as regards the peace and harmony they have preserved in that country, I say that in our whole administration I do not know anything that relates more truly to real

Sir RICHARD CARTWRIGHT.

economy than the existence of the North-west Mounted Police. I suppose the hon. member for Wellington (Mr. McMullen) said "Hear, hear" because he supposed that I, as a representative from the North-west, was concerned in this matter. If complaint were made in regard to the action of the Comptroller from the point of view of the North-west, it would be that he is too economical. I can bear witness to the lynx-eye with which he regards every kind of expenditure connected with the force of which he is the deputy head, and if that force is efficient, it is largely by the aid of the Comptroller, and the actual position of the Comptroller is that of a deputy head, and his salary is that of a deputy head. It seems to me a very small affair indeed to seek to deny him statutory recognition of the rank which he really and practically holds.

Mr. LANDERKIN. I want to enter my protest against the multiplication of deputy heads. I have on a former occasion entered my protest against the increase of the Cabinet. I presume one increase follows the other; one step taken in wrong-doing leads to other steps being taken in the same direction. I entered my protest when the Cabinet was enlarged, and I entered my protest against some of the material with which it was enlarged. I have not changed my mind since then; but I must emphatically object to the increase in the number of permanent deputy heads. It may be quite true, as the hon. member for Assiniboia (Mr. Davin) has said, that the mounted police are of use in the North-west. It is, however, not a question of the usefulness of the North-west Mounted Police that we are discussing here, but it is the question as to whether we are going to multiply officers here. I am opposed to the multiplication of officers who are unnecessary, and not in the public interest. If we give effect by law to this increase, where are we going to stop, and when are we going to stop? There will be a deputy head for every force and service we have in this country before long, and it is about time to draw the line in that direction. I believe our North-west people are civilized, and it is not necessary to have a force there. I believe the Indians, if properly treated and given their rights, will be so peaceful that it will not be necessary to have a mounted police force there. I believe it is mismanagement which compels the maintenance of a permanent force of mounted police in the North-west. I have more confidence in the people of the North-west than has the member for Assiniboia (Mr. Davin). I believe they are strong enough to preserve order in the Territories without the mounted police. I think the member for Assiniboia is not doing great credit to the people of the North-west when he says it is necessary to keep this force there in order to preserve law and order. I think we should hear a different statement from the hon. gen-

tleman. A great many of the people settled there have gone from Ontario, and we had not the slightest difficulty in maintaining peace and order, and I think a representative of the people should set such an example that it would not be necessary to have a police force there to keep the peace and protect the rights and liberties of the people. I again protest against this encroachment, this enlargement, and this widening out of Comptroller of the force. I think the time has come in the experience of this country when the conditions do not warrant increased outlay, and when they are not required for the public service. Anything required for the public service I am willing to support, but any proposition to pass votes that are unnecessary I am here to protest against, and I will protest against them, and I do not wish to do so by a silent vote. I hope the hon. Minister will reconsider this matter and he will see his way clear to keep within the present bounds, and not magnify and multiply officers unnecessarily as has been done by this Bill.

Mr. McMULLEN. I wish to say, in reply to the hon. member for Assiniboia (Mr. Davin), that I have noticed ever since I came to this House, and no doubt other members have made similar observations, that when there is an item connected with increased expenditure in the North-west the hon. gentleman is always ready to jump up and advocate it. Any proposal that proposes an expenditure in the North-west causes the hon. gentleman to throw his hat up in favour of it. In this case the hon. gentleman is very willing to advocate the proposition now before the House. He says he is willing to do that on account of the peace and prosperity of the country. Well, we want to see the North-west prosper, but we do not think an enormous force of 800 men is necessary under present conditions to keep the Indians from rebellion. We know that they are all on their reserves and subject to the superintendents and sub-superintendents to whom we pay respectable salaries, and we know that as long as you feed an Indian well he will have no intention of going to war. We vote a large sum here annually to provide well for the Indians, and under these conditions they are willing to remain at peace. No doubt my hon. friend (Mr. Davin) would be scared at an outbreak in the North-west. I can well understand that he belongs to that class of men to whom, in case of an outbreak, one pair of legs would be worth two pair of hands. I have no doubt myself that the hon. member for Bellechasse (Mr. Amyot), who went up to the North-west at one time, would be a man of the same kind if a similar occasion arose. We can judge from the manner in which the hon. gentleman (Mr. Davin) advocates protection for the people who live there that he is a man who could easily get scared, but he should try to banish from his mind the feeling that

these poor unfortunate Indians will make war on him or on the people up there. We would all regret if they did so, because we are all quite sure that the North-west would never again send another specimen of humanity like the hon. gentleman (Mr. Davin) to this House. He affords us a very great deal of pleasure by times and keeps us in laughter when the House is disposed to be rather sober. We appreciate the hon. gentleman's presence here for that purpose, but we do not want him to be continually advocating wasteful public expenditure simply because the money is expended in the North-west. Any items of expenditure there receives his entire unqualified approbation, but we are here for the purpose of cutting down the public expenditure that has now grown beyond the capabilities of the people of this Dominion to bear. Our people are struggling and labouring under difficulties which are the outcome of enormous increases of expenditure which this Government has subjected them to year after year. Why, Sir, fifteen years ago we only spent \$23,000,000 annually and to-day we are spending \$36,000,000 or \$37,000,000 a year. This force is but a temporary force, intended to protect new settlers from Indian violence in the past, but there is no danger of violence from the Indians now, and there never would have been danger if hon. gentlemen opposite had discharged their duties to the Indians and half-breeds. They neglected their duty in this respect and their neglect cost the country eight or ten million dollars. The only ground upon which you can advocate a continuance of the mounted police force that it may be utilized as a preventive force against smuggling from the United States into Canada. But, Sir, I hope that the day is not far distant, when sensible men will so reduce the tariff that our people will be able to buy goods at such a low price that it will not be necessary to have a mounted police force to prevent smuggling. The result of our high tariff is: that under the excuse of keeping the Indians and the half-breeds in the North-west from murdering the population there, we are keeping a mounted police force to prevent smuggling, because goods in Canada cost much more than they do on the other side. We might possibly want a few members of the Dominion Police up there, quiet, good men, who would from time to time discharge the duties of peace officers and see that order was maintained; but to keep 800 men riding around from place to place, having an enjoyable time, living like lords, and doing little or nothing except in the way of preventive duty along the frontier at a cost of \$700,000 a year; is absurd and unreasonable and I believe will not be longer tolerated by the people. I have in my desk at this moment, letters from residents in the North-west who declare that the number of mounted policemen there is beyond reason and necessity. They point out that a comparatively few competent, judicious, and active

men, to keep the peace and look after the general interests of the settlers would be all the force required under present circumstances. I believe that the Minister in charge of this department is making a mistake in taking the course he does now. The increase of the number of Cabinet Ministers was a great mistake, and now the increase of deputy heads of departments is another mistake. It may be true, as the Minister says, that the salary of the officer will not be increased, but this measure will increase his prestige and standing, and place him in a position of power where he will have to have a staff around him. I do not pretend to say that the Comptroller of the North-west Mounted Police has not been an efficient and faithful officer. Nobody finds fault with the manner in which he discharges his duties. I have heard no complaint with regard to him, but the complaint I have to make now is this: that by the appointment of a deputy head under a statutory provision, we are tending to perpetuate that force and to make permanent what was supposed to be only a temporary force. We are practically legislating in opposition to the promise that was made to the House two years ago when the Minister, on being interrogated by members of the Opposition, stated that it was the intention of the Government to reduce the force from year to year and eventually to do away with it altogether. That promise has not been kept, and the House is now asked to violate that promise by establishing a deputy head, and in a certain way perpetuate the existence of a force that is acknowledged by the people of the North-west, and looked upon by the whole Dominion as a mere temporary force, and one that should be reduced as speedily as possible. I contend that there is no justification for asking the House to consent to this Bill.

Mr. DENISON. The hon. gentleman (Mr. McMullen) has made a long speech in favour of retrenchment in the North-west Mounted Police Force, about the same speech as we heard last night on a kindred subject. While he was making this long speech, he in a manner acknowledged that the Government carried out the pledge they made to reduce the force, because he has mentioned more than once to-day, that there are 800 men in it. We all know that the North-west Mounted Police Force for some years numbered over 1,000 men, and if it is reduced now to 800, there is a substantial reduction, and an earnest of the fulfilment of the pledge made by the Government to reduce the force if necessary. But while the Government have made that pledge, it must not be forgotten that as settlement encroaches on the territory now occupied by the police, settlers are also going further and further north into more remote parts of the country, and the same necessity will arise as has arisen in the past. This year it is proposed to spend money in sinking

Mr. McMULLEN.

wells in the district where there are supposed to be coal oil deposits. If these should turn out to be valuable, no doubt thousands of people will flock up there to take part in developing them, and that will be a new field for the mounted police. Just one word as to the Deputy Minister. I am sure that every member of this House who knows anything of him will bear me out when I say that there is no more efficient officer in any of the departments than the Comptroller. If he has not the title of a Deputy Minister, he has for a number of years been performing the duties of one, and I believe he has had the pay; and it is only an act of justice to so efficient an officer to place him on the same basis as the other deputy heads.

Mr. McMULLEN. The hon. gentleman is mistaken in saying that the promise made to the House has been kept by the reduction of the force from 1,000 to 800. The hon. gentleman could not have been in the House when that promise was made, or if he was, he did not take a correct note of what was said. Otherwise, he would have known that the statement was that as the time of those in the force expired, it was the intention of the Government to reduce the force in that way by not filling the vacancies. In the place of that, we find that new appointments were made last year. Yet the hon. gentleman gets up and tells the committee that I am virtually misrepresenting the promise that was made. The hon. gentleman does not keep a very close eye on what is done, or he would not jeopardize his limited reputation in the House in that way. The promise made was that as the men's time expired the force would be reduced, and that it was hoped that eventually, before many years, it would be obliterated.

Mr. DENISON. What I understood the Government to promise was that when men resigned they would not fill up their places if it was in the interest of the country to reduce the force in consequence of a smaller force being sufficient. I did not understand that there was any promise on the part of the Government that they would not fill up any vacancies. I think the Government proposed to fill up vacancies as long as they found it necessary to keep a force there and at present strength; but if they had to reduce, they would do so in the manner pointed out by the hon. gentleman.

Mr. DAVIN. My hon. and gallant friend in his previous remarks glanced at a point which I did not make, that is, that we are rapidly opening up a new North-west in the western North-west: and, undoubtedly, in doing that, we shall need the services of the mounted police as in the past. Let me say a personal word with regard to my hon. friend from North Wellington (Mr. McMullen). He has no confidence in my valour. He forgets that in 1885, although I was busy here, the moment the war broke out, I went

to the front and enlisted as a private, and did my best to extinguish the rebellion. I have no doubt, however, that my valour is no match for that of my hon. friend, because I have been with him for many years in this House, and I must say that the slaughtering heroism of the hon. gentleman transcends in one direction anything I have ever shown. He never rises in the House without murdering the Queen's English; he never rises in this House without dealing out wholesale slaughter against Lindley Murray; and I confess that, in his performance of these great feats and these bloody onslaughts upon the literature and language of England, he rises to a pitch of valour and heroic distinction to which I could make no approach whatever; and I do not profess to rival my hon. friend in regard to that kind of courage. But, Sir, whatever he was doing in 1885, I was doing in my duty in defence of my country.

Mr. McMULLEN. I may be allowed to make a few remarks in reply to my worthy friend. He has challenged my use of the Queen's English. It possibly may not be the most accurate on all occasions. I do not claim to have had a double-headed college education like my hon. friend. I remember that at one time my father had a calf that sucked two cows, and that only made it the greater calf. A man who is sent to the best of all colleges and shows no more result of it than my hon. friend, only comes out the greater calf, in such a case the college education does not amount to anything. As for my hon. friend going to the North-west, if he took his gun on his shoulder, I have no doubt he kept well in the rear. He has never had a scare yet. I do not suppose he smelt powder; he never went near enough to smell powder. He was, I believe, at one time a war correspondent. I dare say he has seen some fighting at a distance; but I am quite sure he never was in the centre of it. I am ready, whether on Dominion matters or on any others, to cross swords with the hon. gentleman, notwithstanding my inability to express myself in that cultivated language which the hon. gentleman professes to be able to use on all occasions. With regard to my hon. friend from West Toronto (Mr. Denison), if he will turn up the statement made by Sir John Macdonald with regard to this force, he will find that my statement is correct—that Sir John Macdonald informed the House that the Government were looking forward hopefully to the time when the services of this force would not be required in the North-west, and that it was the intention of the Government, as the time of the men expired, not to make new appointments, but to reduce the force from time to time until it was eventually wiped out.

Mr. IVES. I do not think it quite fair to have the remarks of the hon. member for North Wellington go to the country unanswered, because they might create the im-

pression that the force is larger than the force employed by the United States under similar circumstances. Now, the state of Montana is immeasurably smaller in extent than the territory over which our North-west Mounted Police have jurisdiction. There are about the same number of Indians in Montana and Dakota as in the Canadian North-west; and whereas we use a force of about 800 men, who have been successful to a degree in preserving order in that country, the smallest number of troops the United States have found sufficient for a much smaller territory, and with about the same number of Indians, belonging to the same tribes, is some 3,500 to 4,000 men. Any one familiar with the state of things in their territory and ours must admit that our force, though only a small fraction of theirs, has succeeded admirably.

Sir RICHARD CARTWRIGHT. I entirely object to the doctrine that a Deputy Minister is to be created whenever an officer may happen to do his duty, and I therefore move that clause 2 be struck out.

Mr. IVES. This officer has been for ten years a deputy head under Order in Council. He is a member of the civil service, and acquired the rank of chief clerk years ago, long before he was made deputy head by Order in Council, and for the last twenty-five years he has contributed to the superannuation fund. There is no increased cost to the people by the statutory recognition of his position as deputy head, there is no increase in the number of employees or in the salary, and I think that the proposition is reasonable and should be adopted.

Sir RICHARD CARTWRIGHT. I do not think the Government have any power to create a deputy head by Order in Council. They may assign certain duties to an officer similar to those performed by a deputy head, but have no power to create a deputy head.

Amendment negatived.

On section 5,

Mr. McMULLEN. How many surgeons are there, and who are they?

Mr. IVES. There are five—assistant surgeons Haultain, Fraser, Perry, Ayles and Wilks, and they get \$1,400 each and rations and lodging, but not clothing.

Mr. McMULLEN. Are their travelling expenses paid?

Mr. IVES. They do not travel, but are stationed at the different posts.

Mr. McMULLEN. That makes five surgeons for 800 men.

Mr. IVES. We have a surgeon at Regina, another at Macleod, another at Calgary, and one at Maple Creek.

Mr. McMULLEN. Would it not be better to have a tariff of fees and employ the local surgeons, except at these small posts where you cannot get any?

Mr. IVES. We do that at several posts where we can get competent men at less cost. At Lethbridge we employ the resident doctor, also at Prince Albert, and some other places where we can secure good men at stated fees; but in the places I have mentioned, we find it cheaper and more satisfactory to have the work done by men attached to the force, and we have limited the appointments to the exact number required.

Mr. McMULLEN. By this Act they will be made employees under the statute. Do they contribute to the superannuation fund?

Mr. IVES. This clause has been the law ever since the force was established and is not changed.

Mr. CASEY. The hon. gentleman is rather hard on the medical profession at Regina, and Calgary, where he said he could not get competent men willing to attend the force at ordinary rates. He is paying these surgeons at the rate of \$62 a head for all the members of the force, besides their rations and lodging. Either the police force must be extremely sickly or the profession must be very exorbitant in their charges. It seems to me that the only possible need for a surgeon specially attached to the force would be in small and distant places and not in places like Regina, the capital of the country, or like Calgary. No doubt the policemen there could be attended for at less than \$60 a head per year, by the local doctors.

Mr. McMULLEN. Is it the intention of the hon. Minister to increase the surgeons' salaries by this vote?

Mr. IVES. Not at all.

Mr. McMULLEN. The hon. gentleman said a moment ago that a salary of a surgeon was \$1,000, and by this Act it is intended to make it \$1,400.

Mr. IVES. Not at all. We do not propose to change the law as it exists.

Mr. McMULLEN. But the hon. gentleman will see that the Bill says "each surgeon or assistant surgeon, per annum, \$1,400."

Mr. IVES. What section is that?

Mr. McMULLEN. Section 14.

Mr. CASEY. It would not be a bad idea if the first reading of such Bills as this took place by the Minister personally before he introduced them to the House.

Mr. IVES. This provision is for the salary not exceeding \$1,400.

Mr. McMULLEN. But the Minister said a moment ago that the salary was \$1,000.

Mr. IVES.

Mr. IVES. It has always been so, and no change is contemplated.

Mr. McMULLEN. That may be true. I asked what the salary of the surgeon was. He said \$1,000. I pointed out to him by the Bill that a salary of \$1,400 is provided for.

Mr. IVES. I supposed the hon. gentleman was discussing the question of veterinary surgeon, whose salary is \$1,000.

Mr. CASEY. That is a little too rich, because when we were discussing the question of employing local doctors, and not having five doctors for 800 men, the Minister asked if it would do to let a hundred men die at Maple Creek because they had not a surgeon on the spot. The hon. gentleman knows that he was not speaking of veterinary surgeons, or he could not have used that language. He knows perfectly well that the question was not one of having men attended by veterinary surgeons. He knows that he was not aware of what the provisions were regarding the surgeon until my hon. friend from Wellington (Mr. McMullen) called attention to the point. That is why I suggested the propriety of a first reading of the Bill by the Minister himself before he introduced it. I think it would be a better course to admit his ignorance of its provisions at once than to say that he supposed we were discussing veterinary surgeons when his own remarks show he knew we were discussing the question of surgeons for the men.

On section 6,

Mr. McMULLEN. What alterations are there in this?

Mr. IVES. The words, "and twelve boys not less than fourteen years of age, as buglers," are introduced in the clause. That is the only change.

Mr. McMULLEN. Why is it considered necessary to engage these?

Mr. IVES. Because we can secure boy buglers at less cost, and they are better buglers than grown constables, and cheaper.

Mr. CASEY. What is the total number of the force now?

Mr. IVES. About 800, officers, non-commissioned officers, and men.

On section 8,

Mr. McMULLEN. Are there any married men on the force?

Mr. IVES. Yes.

Mr. McMULLEN. What proportion of the men in the force are married?

Mr. IVES. About 8 per cent are married.

Mr. McMULLEN. Are their families in the North-west with them?

Mr. IVES. In some cases they are, in some cases they are not.

Mr. McMULLEN. It is not a bar to a man entering the force to be married?

Mr. IVES. We do not engage married men. If they marry after entering the force, it must be with the consent of the commissioner.

Mr. CASEY. Is there any definite proportion of married men allowed, as in the army?

Mr. IVES. No.

Mr. CASEY. It depends on the judgment of the commissioner?

Mr. IVES. Yes.

Mr. CASEY. What provision is made for the constables' wives—what allowance is made for their keep?

Mr. IVES. None.

Mr. CASEY. Do they not draw rations?

Mr. IVES. No.

Mr. CASEY. The hon. gentleman has been mistaken about so many things, he might be mistaken about this. He was mistaken about the question of the surgeons, and I would like to have him inquire so as to give me an answer that I could depend upon. I have a right to ask for a proper answer. Is any provision made for the wife of a constable?

Mr. IVES. No.

Mr. CASEY. The hon. gentleman is quite sure of that? I understand that in the army provisions are made for the wives and families of the men, and I am not sure but that it will be found that the hon. Minister is mistaken in his case, and that the wives of the men in the North-west Mounted Police draw rations. As to this oath, I would like to get information, for, I confess, I am not sure about it.

Mr. IVES. I am surprised.

Mr. CASEY. No doubt the hon. Minister is surprised, but the fact remains. Does this oath bring the constable under full military discipline?

Mr. IVES. I could not tell the hon. gentleman.

Mr. CASEY. It is really strange that the hon. Minister conducting the estimates for the mounted police cannot tell the effect of the Bill in these respects. It seems strange to invite the discussion of the details of the Bill if he cannot give this information. I ask if the police are under full military discipline?

Mr. IVES. My impression is that they are not under the Queen's Regulations, and I am surprised that a gentleman of such experience in military matters as the hon. gentleman should ask such a question. I have never been a colonel or an officer of any kind. I have never had a higher place than that

of full private in the rear rank, so the hon. gentleman can hardly expect me to answer such a question.

Mr. CASEY. We know that hitherto the police have not been under full military discipline, and as this Act is going to put the thing on a new basis, I am asking whether this is the same oath as was administered before, and whether the discipline is to be the same as before, or whether you make a change.

Mr. IVES. It is the same oath, and the same language. There is no change at all in that particular.

On section 9,

Mr. CASEY. I think, so far as this clause authorizes the constables to act as constables in other provinces than in the North-west Territories, it is undoubtedly an infringement upon the provisions of the British North America Act, giving the sole control of police legislation to the Provincial Legislatures. I do not remember whether this is in the former Act or not; but whether it is or not, I do not think it is within our power to provide that any member of a Dominion force such as this is, especially belonging to the North-west Territories, should act as a constable in any other province of the Dominion; certainly not, at all events, in other than criminal cases. I would like to know, in the first place, whether there is any change in this respect from the old law.

Mr. IVES. No change at all. It is a consolidation.

Mr. CASEY. Although it may be a reprint of the old law, it does not mend the objection that we are encroaching upon provincial rights under the British North America Act, and as we are making a consolidation now, and a revision of the Act, it is time to correct it.

Mr. McMULLEN. Why is it necessary to say "adjacent to said Territories"?

Mr. IVES. The object of the clause was to provide that a constable should have power to detain, and hold, and conduct prisoners, either from the old provinces to the North-west, in case they were deserters, or from the North-west Territories to the old provinces. There are several cases where prisoners have been brought by the North-west Mounted Police from the North-west Territories to the Kingston penitentiary. This section is a copy of the old law, without the slightest change. Although we do not have to use these powers, these men are made constables so that they may have authority to exercise their duties in the older provinces of Canada.

Mr. CASEY. It is a question whether we can give these men that authority. Supposing a criminal was caught, or attempted to be caught, in one of the provinces by a constable of the North-west Mounted Police, or

was attempted to be brought through that province, and supposing the laws of that province did not recognize anybody as a constable within that province except constables appointed under the provincial law, in that case there might be danger of a failure of justice. I want to know if the Minister consulted any authority on the subject? Has this clause been submitted to the Minister of Justice?

Sir JOHN THOMPSON. I cannot agree with the hon. gentleman's view about this being out of our jurisdiction. We may use the police force all over Canada. We have authority to make laws for the peace, order and good government of Canada; I know of no provision which confines the police authority to Provincial Legislatures.

Mr. CASEY. What does that clause mean, then, that brings the matter of police regulation under the control of provincial authorities?

Sir JOHN THOMPSON. I am not going to lay down any general rule; but I call attention to the fact that we have, year after year, since Confederation, adopted legislation of the same kind. We have a statute enabling us to appoint police commissioners and constables in any province of Canada, but we have refrained from exercising it. With regard to the Dominion Police, for example, and with regard to commissioners of police, we have statutory power to swear in a commissioner of police anywhere, and that commissioner of police has power to swear in constables. That branch of our jurisdiction has been exercised with regard to the preservation of peace on public works, for example, and with regard to the appointment of the Dominion Police Force here. But we have always refrained from exercising the power of appointing Dominion policemen, or a commissioner of police, in any of the fully organized provinces, lest it might interfere with the provincial jurisdiction, where they have a similar jurisdiction, and lest it might interfere with their own organization. With regard to this police force, it is very desirable that they should be Dominion policemen for all purposes. They are occasionally called into the provinces, and they have been doing service in Manitoba and British Columbia at the instance of the provincial authorities; and if they are to perform services of that kind, it is absolutely necessary that they should have the authority of constables.

Mr. CASEY. I quite agree that it is desirable they should have this power, but I am not at all clear yet that we have power to give them that authority. I would still like the hon. Minister to explain to us how that power comes in as distinct from the exclusive provincial power to look after police regulations.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

Mr. CASEY.

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 108) respecting the Manitoba and North-western Railway Company of Canada.—(Mr. Ross, Lisgar.)

Bill (No. 72) to consolidate and amend certain Acts relating to the Ottawa and Gatineau Valley Railway Company, and to change the name of the company to the Ottawa and Gatineau Railway Company.—(Mr. Bryson.)

NORTH-WEST MOUNTED POLICE.

House again in committee on Bill (No. 121) to amend and consolidate the Acts respecting the North-west Mounted Police Force.

(In the Committee.)

On section 9,

Mr. MARTIN. I have already drawn the attention of the House to the feature of this clause under which police officers are ex-officio justices of the peace. In fact the commissioners and assistant commissioners are each to have the powers of two justices of the peace, and such other officers as the Governor General may approve of are to be ex-officio justices of the peace. This, of course, is not a new provision. As I pointed out before, it has been the practice in the mounted police, but I object very strongly to it, and I contend that the circumstances of the Territories are such at present as not to require any such combined military and judicial powers as these. Powers of that kind, by which officers who are engaged in the pursuit of criminals are to try the criminals, are suited only to a country in such a state of disturbance as to warrant the administration of military law. The North-west Territories are not in that position at all. They are to all intents and purposes, in matters of this kind, in the same state of organization as the province of Manitoba. They have their judicial system as well as the province of Manitoba, the only difference being that there the judiciary, including the judges and the justices of the peace, is more directly under the control of the Dominion Government than that of the province of Manitoba. It is well known that a police officer takes it for granted that every person he is in pursuit of is guilty. Perhaps that is right. That is the principle on which the police officers go. They are charged to detect crime; their suspicions are cast upon a certain person; for their purpose they take for granted that he is guilty; and their nerves are strained to detect the crime and prove him guilty. That is just the opposite of the functions of a judge or a justice of the peace, who under the ordinary criminal law decides whether there is a *prima facie* case against the prisoner sufficient to justify his being put on trial, or in many cases disposes of the case in

a summary way. The judge or justice of the peace, instead of taking it for granted that the prisoner before him is guilty, as the police officer does, takes for granted just the opposite. Under the law he is bound to assume that the man before him charged with crime is innocent, and he is bound to scrutinize all the evidence to see that it proves the prisoner's guilt before he inflicts punishment. I am not making any charge against the police officers; it naturally arises in the pursuit of their calling that they acquire the habit of considering the person they are pursuing to be guilty. Now, in that case you unite the two positions; you make the man who is hunting the prisoner and making the charge against him, who has to see that the evidence against him is made as strong as possible—you make him also the judge who is to decide as against the zeal of the police officer whether there is a case to condemn the prisoner to the penalties or to put him on trial before a higher court. I say these two positions are antagonistic to each other, and there is no reason in the constitution of the North-west Territories at the present day why the law should be administered differently there from what it is in the provinces of Ontario, Quebec or Manitoba. It may be possible that there are some remote sections of the Territories where the police are obliged to administer justice; I am not sure that it is not so; but apart from those isolated districts, which are very few indeed, I contend that, generally speaking, the North-west Territories are just as civilized and just as far from the necessity of the administration of military law as any other part of Canada. That being the case, I would like to hear some reason given for continuing a state of affairs that was necessary when government was first undertaken in that part of Canada. I am satisfied that the people up there feel that they are being treated differently in this respect from other portions of Canada, and unjustly on the general principle that it is not proper or right that a man who pursues a criminal should at the same time decide whether the evidence he himself has collected is sufficient to convict the prisoner. How can any man, no matter how fair-minded or well qualified he may be, apart from his business as a police officer, fairly decide as a justice of the peace against himself? He has collected the evidence; he is offering the case against the man who is charged; and the law puts it in his power to decide as between himself and the prisoner—gives him the most summary powers of fining and imprisoning. Now, it does seem to me that when we have an opportunity of overhauling the laws that were necessary at one time, we should not perpetuate an injustice of that kind. I may say, without saying a word at all against the police, that from the very nature of things the existence of this power has caused a great deal of feel-

ing in the Territories. I contend that wherever there are other persons to act as justices of the peace, as there are all through the Territories—men who are competent and who have been properly appointed—and who can try such cases, they should be laid before them. Instead of a police officer deciding the case he has worked up, it should be handed over to an independent man who knows nothing whatever of the evidence, who has no prejudice one way or the other, but who is actuated, as our judges and justices of the peace are all through Canada, by the British principle that a man is presumed to be innocent until he is proved to be guilty.

Sir JOHN THOMPSON. The observation I have had during the last nine years or so is that this is the best feature of the police system. The circumstances are not, I think, quite such as they have been represented to the committee. The person who pursues the criminal and gets the evidence is the ordinary constable; the man who sits in judgment is the commissioned officer of police, and he sits in relation to the constable and to the accused just as a police magistrate in the cities and towns in the older parts of Canada. He has no reason to know the case against the prisoner; he has not the slightest reason to have formed a prejudice against the prisoner. But it is a means by which we can have throughout the North-west Territories the system of police magistrates that prevails throughout the organized provinces of Canada; and everybody knows that in connection with the administration of the criminal law, they are a most useful class of officers. If we leave the administration of the criminal law to the ordinary justices of the peace of the Territories, we shall have no trained, organized, or official body of men to administer that law. Whether they shall take a case or decline to take it is a matter purely for themselves. If they take it, they take it voluntarily; but whether they take it or not, there is no system or authority by which there are to be established police magistrates throughout the Territories other than those connected with the mounted police. Of course as the Territories develop into the condition of the older provinces, that is to say, when they create municipalities, it is fully to be expected that they shall have police magistrates of their own; and already we have had an intimation from one of the towns of the Territories that they would like to have conferred upon them the power of appointing the magistrate and paying his salary. According as that degree of public spirit in the Territories, no doubt this power will be conferred upon the municipalities, but in all those parts of the Territories where there is no desire and no preparation to establish police magistrates, by all means the best system we can have for preserving law and order there and administering criminal justice, is to have a body of men like these, doing the work of

police magistrates, and whose training enables them to do that work in a professional way. I have failed to hear any complaint—and I should have heard if there had been any complaints—connected with the administration of justice in all these years, except from those who are perfectly conscious that if this jurisdiction were taken out of the hands of the police there would be nobody to administer the criminal law, and who are perfectly aware that the magistrates would simply decline to administer it. We have had, for instance, no attempt on the part of the ordinary magistracy of the country to enforce the prohibitory clauses of the liquor law, when it was in force, or the restrictive clauses of the present system—no attempt whatever. That branch of the law was always unpopular, and no attempt could be expected from those who are ordinary citizens, not paid for the discharge of any of the duties of the magistracy, to take special pains and incur special odium in enforcing the law. Time and time again, in any place where it was enforced, it was enforced solely by the police, through the jurisdiction which this Bill proposes to keep conferred upon the officers of that corps. I agree that when the system of municipal organization extends, as I have no doubt it will, and as we are told it has extended now—although I do not credit that statement—we shall be able to dispense with this special jurisdiction. But if we dispense with it now, there is absolutely nothing to take its place.

Mr. MARTIN. Where is the assistant commissioner stationed?

Mr. IVES. At headquarters, Regina. I have only one word to add to what the First Minister has said. The hon. member for Winnipeg (Mr. Martin) gave away the whole case when he admitted that there are certain localities in the North-west where there are no resident magistrates, and where the inhabitants are still dependent on the police officers for the administration of the criminal law. I can assure him that the number of such places is very much more numerous than he thinks. On another point of his speech, I must also correct him. I am quite sure he is wrong when he says that the jurisdiction of the mounted police is unpopular in the North-west. On the contrary, even in the very considerable town of Calgary, it is found impossible to get the local magistrates to do the work—even the municipal work, the contravention of municipal by-laws; and that work is thrown upon the police superintendents and inspectors by the local magistrates, who absolutely refuse to spend the time necessary to do that work. It is so all over the North-west. There is no town that I know of where the magistrates are willing to give the time and the attention and be put to the annoyance, and take the trouble of doing this work, so that a very considerable portion of the time of our police officers is taken up in magisterial duties all over the country. I would ask

Sir JOHN THOMPSON.

the hon. gentleman where is the magistrate at Duck Lake, or Batoche, or St. Albert or a score of other places? Even in the town of Edmonton there is no magistrates at all. This provision is not a new one. It has worked well, and I do not think my hon. friend would find it easy to prove that it is complained of. Of course the criminal classes complain of it. They get very certain and very summary justice from the administration of the law by the police force, and no doubt would prefer to see the law not enforced, as it certainly would not be, if it were entrusted to a magistracy composed of busy men—men who devote their time to their own affairs of money-making and are not willing to spend it in disposing of cases, when there is neither honour nor glory nor emolument to be gained. Our experience in the North-west Territories is that the people are very ready to do what they are paid for doing, but will not give their time for nothing.

Mr. MARTIN. The right hon. First Minister has defended this clause entirely on the ground that it is necessary to provide police magistrates for the North-west Territories. I am sure he has not properly considered this matter, or he would not have put the defence on that ground, because there are only two police magistrates provided for by this section, both of whom reside in the town of Regina.

Mr. IVES. What about the superintendents?

Mr. MARTIN. They are ex-officio justices of the peace.

Sir JOHN THOMPSON. Hear, hear.

Mr. MARTIN. That gives them no police magistrate power.

Sir JOHN THOMPSON. It does indeed, and nothing else. They are justices of the peace for the purpose of exercising police jurisdiction in the trial of criminal cases.

Mr. MARTIN. Then they have in the Territories a power the justices of the peace have nowhere else.

Sir JOHN THOMPSON. I did not say so at all. They are justices of the peace for the purpose of administering police jurisdiction and nothing else. They are not for the purpose of trying civil cases, but they have police jurisdiction, and it is the only police jurisdiction to be found in the Territories.

Mr. MARTIN. What the First Minister stated was that it was necessary to provide police magistrates.

Sir JOHN THOMPSON. Certainly.

Mr. MARTIN. Under the statute, there are but two who have this jurisdiction.

Sir JOHN THOMPSON. I do not agree with you, that is all.

Mr. MARTIN. It is very plain. It says: the commissioner and assistant commissioner shall respectively have all the powers of two justices of the peace.

Sir JOHN THOMPSON. Yes, and all the others have the powers of police magistrates.

Mr. MARTIN. It does not say so.

Sir JOHN THOMPSON. It does indeed. "The superintendent and such other officers as the Governor in Council approves shall be ex-officio justices of the peace."

Mr. MARTIN. Just the same power as a justice of the peace would have in the province of Manitoba and no more.

Sir JOHN THOMPSON. Certainly.

Mr. MARTIN. There is the difference. The police magistrate has a very extensive power; he has the power of two justices of the peace.

Sir JOHN THOMPSON. In some provinces he has, and in some he has not.

Mr. MARTIN. So far as justices of the peace are concerned, I venture to say that they have in the North-west Territories as many justices of the peace in proportion to population as they have in the province of Manitoba, and the argument of the First Minister that it is necessary to furnish police magistrates for the Territories is not at all applicable, for this Bill furnishes no police magistrates but only justices of the peace, any two of whom have certain powers just as in the other provinces. If there is any statute that gives a justice of the peace in the North-west Territories extended powers I am not aware of it. There may be such an Act, but I do not know of it. The President of the Council says it is impossible to get justices of the peace to do the criminal work in the North-west Territories. I cannot believe that that is possible. It may probably be that most of the criminal work is done by the police officers. I do not wonder at that, because the police officer who has the case against a man is naturally desirous of proving the accused guilty, and he therefore goes to the magistrate who will find him guilty most easily. It is very natural that the police in these cases should go to one of themselves. That is exactly what I am finding fault with. In the districts mentioned by the hon. gentleman. Batoche, St. Albert and Duck Lake, there are resident justices of the peace. I am quite satisfied I have seen in the North-west Territories 'Gazette' the names of gentlemen gazetted as justices of the peace in these places. I have heard nothing from either of the members of the Government who have addressed us upon this subject to show where in there is a difference between the circumstances of the North-west Territories and those of Manitoba. I do know something as to the administration of criminal law in the province of Manitoba, having had it in

charge for a number of years. So far as my knowledge goes, in the ordinary settled parts in which the police spend most of their time, the circumstances of the North-west Territories are practically the same as those of Manitoba. And in Manitoba we have had no difficulty in having the criminal law very satisfactorily enforced with the aid of justices of the peace, just as it is in the older provinces. The hon. gentleman says that the justices refuse to act. I must believe, until the contrary is established, that that statement is made without a sufficient basis of fact, for I cannot think that these magistrates appointed from time to time by what may be called the Local Government there, actually refuse to take up criminal cases. I can quite understand that they do not often act in these cases, but I contend that that is not because of their refusal to act, but because the cases are brought by the police before their own officers in order that a conviction may more easily be secured. The hon. President of the Council tells us something which I think we in this House ought to object to very strenuously. He says that the police, not satisfied with being the prosecutors when hunting up the evidence to convict a criminal, undertake to enforce the municipal by-laws of the city of Calgary. It certainly is going a very long distance to say that the Dominion of Canada should enforce the municipal by-laws of a city like Calgary. If they have been in the habit of doing it in the past, I think certainly it would be quite proper for the President of the Council to confine the police to the work of enforcing the criminal law in the future. No doubt if the city of Calgary can get a police magistrate and a police force to administer their by-laws they save the expense of a municipal police force, and, so far as the feature of the case is concerned, I am not prepared to say the people of Calgary would object.

Mr. IVES. In order to save the hon. gentleman's time, I may say that if he will look at subsection 3 of section 13 he will see that we are taking power to rid ourselves of the work he is referring to.

Mr. MARTIN. I should think so surely, but I was proceeding upon what the hon. gentleman himself had stated.

Mr. IVES. I say we have been obliged to—or at least we did, at the request of the Government of the Territories and the city of Calgary—undertake to enforce the municipal by-law or to insist on the enforcement of them, and we have got sick and tired of that, and have therefore put this subsection in the Bill.

Mr. MARTIN. I am very glad of it, and I quite agree as to the utility of the subsection the hon. gentleman has referred to. It would be quite improper for the Dominion to undertake to enforce a municipal by-law of any municipality in the province. But,

apart from any selfish reasons, such as the saving of expense, I have no hesitation in saying that the people of the Territories are not satisfied to be treated as though it were necessary that they should be under military law. This complaint is by no means confined to the criminal classes. The people there are just as anxious to see crime punished as those of any other part of Canada, and unless some circumstances can be shown which differentiate the Territories from a new province like Manitoba, it seems to me that we ought to enforce the criminal law there just as we do in older provinces. The hon. gentleman says the system is not unpopular, that the law is administered properly, and all that kind of thing. I say it is not; I say there are very large numbers of police convictions set aside. In fact, in the Territories it has become a by-word that a police conviction will be set aside almost *prima facie* by the court. The hon. First Minister alluded to the enforcement of the liquor law. I quite agree with him that that law would not have been enforced at all by the people of the Territories, because it never had the support of public opinion there. But I cannot agree with him when he suggests that the law was actually enforced by the police. It never was pretended to be enforced. The police, simply as a matter of form, occasionally took up some unfortunate person and fined him \$200 or \$300; but, in recent years at any rate, while this prohibitory liquor law was on the Statute-book, there was no difficulty, in any of the towns in the North-west, in getting any amount of liquor. The members of the police force themselves used to walk into drug store or grocery and drink liquor openly.

Mr. IVES. I would ask the hon. gentleman if he was there?

Mr. MARTIN. Yes, I was there, and saw that repeatedly with my own eyes. No good lesson can be drawn, so far as this question is concerned, from the prohibitory liquor law, because that law was a farce and never was enforced either by the local authorities or by the police, except in the arbitrary way I have spoken of, of arresting some person occasionally and fining him severely. But the sale went right on, and that is the reason a prohibitory liquor law is not on the Statute-book to-day—public opinion would not stand it any longer; it was impossible for even this expensive police force to enforce it. For that reason the arguments drawn from the lack of enforcement of that law, are not applicable at all. I contend, therefore, that nothing has been put forward, either by the First Minister or the President of the Council, justifying the continuance in the Territories of what is practically military law. I am satisfied the information they have has been drawn from the police force rather than from the people at large; and that if they will take the opinions of the people at

Mr. MARTIN

large upon the question, they will find that they agree with what I allege. I do not suppose it will be suspected that I desire to get any political advantage from this suggestion. It is not a matter of politics at all, it is a question of what is best for the country. I do not wish to bring any charge against the Government for the position of the law, because it has been there for many years; but what I contend is that the time has come when the Government should put the Territories in this respect precisely in the position of a new province like Manitoba. If in Manitoba these officers are found to administer the criminal laws satisfactorily, then I say there is nothing in the present state of the Territories to make it impossible to enforce the criminal laws there as it is done in Manitoba. I think the First Minister will say, when his attention has been drawn to the subject, that criminal law has always been very satisfactorily enforced in the province of Manitoba, and it has been from the first enforced in the ordinary way as it is in the province of Ontario.

Mr. DALY. I did not intend to make any remarks on this question, but having some knowledge, and probably more knowledge of the way in which these matters are conducted in the North-west Territories, than the hon. gentleman who has just spoken on this subject, I desire in the first place, in justice to those gentlemen who occupy the position of superintendents and inspectors of the mounted police, to resent the statement that hon. gentleman has made that these men, when sitting as justices of the peace, are actuated differently from any other justices of the peace. The hon. gentleman stated that it was easily to be understood that they sought conviction, because they were the men who had arrested the prisoners. Now, the Minister of Justice pointed out that these superintendents and inspectors were not the men who arrest the prisoners; the prisoners are arrested by the constables and tried before the superintendents and inspectors sitting as justices of the peace, the same as if they were brought before police magistrates. I am sure nothing can show more favourably the way in which justice has been administered in that vast territory, and nothing speaks higher for the way in which the police have done their duty, than the freedom from crime which has existed from the time the Territories became a part of this country up to the present day. I say it would have been impossible to preserve order in that country were it not for the way in which justice has been administered by the officers of the mounted police. I have lived in that country for thirteen years, probably longer than the hon. gentleman, and I never heard anything said against the manner in which the police officers administer justice. It may be that there have been complaints, and no

doubt there always will be complaints against any magistrate, but I say that in justice to those gentlemen who have in many instances had to put themselves to great inconvenience, to go long distances, in order to hold court, and to hold it in quarters far from suitable for the purpose, they deserve every credit at the hands of the people of Canada, and particularly at the hands of the Government, whose servants they are. Now, the hon. gentleman speaks of the administration of justice in the province of Manitoba. My recollection is that we have three police magistrates in the province of Manitoba, one at Winnipeg, one at Portage la Prairie, and one at Brandon; and I think I am safe in saying that in at least six out of ten of the criminal cases in the western judicial district in which I resided, the arrests were made by the provincial police officer, an officer paid by the Provincial Government, and invariably the cases were tried before the police magistrate at Brandon. The Government of Manitoba contributes to his salary, and we contribute to his salary, because the people of Brandon thought they had no right to pay the full salary of a police magistrate for the reason that the most of his time was taken up in trying cases that arose outside the city limits. From my recollection there are only four municipalities in the whole North-west Territories where our officers try cases—Wolseley, Fort Qu'Appelle—those are the only rural municipalities that I recollect at present—the town of Regina, and the city of Calgary. When I was in Calgary last summer I was told by the superintendent of police that almost every day he was worried by the local justices of the peace to try offences that they properly should have tried. Now, as the First Minister has said, the municipal authorities at Calgary have petitioned the Government to appoint police magistrates, and the Bill I have introduced amending the North-west Territories Act, provides for the appointment of police magistrates in order to overcome the difficulties that exist there. That would be all right enough for Calgary, but what about the outlying districts of the country where there are no police magistrates? I may say it is the experience of every hon. gentleman here, whether from Ontario and Quebec or any of the other provinces, that local justices are very loth to take up criminal matters. In almost every instance, criminals are brought either before police magistrates or the stipendiary magistrates in the various districts; and if Calgary is provided for by the appointment of police magistrates, what becomes of the outlying districts? Would the hon. gentleman strike out this clause entirely and provide that there shall be no justices of the peace except local justices? He says that no argument has been used in favour of the continuance of this law. I failed to hear any argument from the hon. gentleman himself

against the continuance of this clause. Let him give some specific statement, some specific reason, why this Bill should be altered by this clause being expunged. I say again, in justice to the officers of the mounted police, that the administration of justice by them has reflected credit upon themselves, credit upon the force and credit upon the Government who appointed them.

Sir JOHN THOMPSON. The hon. member for Winnipeg (Mr. Martin) seemed to suppose that the argument I advanced in favour of the jurisdiction of these officers, was a mistaken argument, because the Bill would only confer it upon two, and these two living in one place. Now, the hon. gentleman, in arriving at that conclusion, made the mistake of supposing that I was referring to police magistrates as officers having the same specific jurisdiction, which I admit they have in Manitoba, Quebec and Ontario, having the jurisdiction of two justices of the peace. I was not referring to the extent of their jurisdiction, but I was referring to the class of persons who devote themselves, so far as their magisterial duties go, to the trial of these cases. Now, it may be that the jurisdiction would be more useful were it enlarged, and if they were given the powers of two justices of the peace. But all that I meant to say upon the question was that it was useful to have these superintendents of police in the various country districts discharging the duties of magistrates who try police cases. To my mind, it is entirely unimportant that two of them should be charged with that larger jurisdiction in Regina, because places like Regina are places where this jurisdiction is less needed than in rural municipalities. But when we come to rural districts we have them, I repeat, doing the duties of police magistrates, and such jurisdiction as they have, I contend, has been found extremely useful in the Territories.

Mr. MARTIN. Of course, when the First Minister used the words "police magistrate" I naturally thought he meant police magistrate. That is the reason I made the remarks I offered to the committee. I must say, in answer to the Minister of the Interior, that I had no intention whatever to make the slightest attack on the police force, nor did I do so. I did not charge that the police force had not done their duty, even as justices of the peace, so far as they could under the circumstances. What I said was: that it was not natural, and it was not to be expected that an officer who was hunting a criminal would be a proper man to be at the same time the judge. It is quite likely, I have not the slightest reason to suppose otherwise, that the police force have done their duty so far as they could under the circumstances in both respects. I do not believe that any other class of men appointed on the police force would do one whit better. What I say is: that in the

nature of things it cannot be expected that a man can act in two capacities, especially when his action in one capacity naturally leads him to suppose that a man is guilty. The police officer is not a good officer if he does not believe the man he is pursuing is guilty, and is prepared in every way to bring forward evidence to show his guilt. On the other hand, a justice of the peace is just the opposite. It is his duty in the nature of things to take it for granted that the man is innocent, and refuse to admit his guilt unless it is clearly proven. That is the charge I make. I do not see the applicability of the remarks of the Minister of the Interior to the condition of affairs in Manitoba as to the appointment of police magistrates.

Mr. DALY. That was your argument.

Mr. MARTIN. No. I think it would be very well that the Territories should have police magistrates, and the Minister of Justice has intimated the Government intend to appoint such at Calgary. I believe a magistrate should not be a police officer—that is what I want, that is my conviction, judging from my experience. When a member of the Manitoba Government I introduced the system under which police magistrates were appointed outside of Winnipeg, including Brandon, and it has proved a very great convenience to have men filling those positions who are specially qualified. It is a mere question of expense. But that does not touch the question under the consideration of the committee. Let us have as many of those police magistrates as possible; if it is desirable to have them appointed at Calgary, Macleod and Prince Albert, let appointments be made. But that has nothing whatever to do with the question as to whether a police officer should endeavour to convict an individual, and afterwards try him for the offence. The question of the existence of municipalities in the Territories has also nothing whatever to do with the question. They do not appoint justices of the peace, but they are appointed by the committee of the Local Legislature.

Mr. DALY. The Lieutenant-Governor appoints them.

Mr. MARTIN. He takes the advice of the committee in that matter.

Mr. DALY. Not at all.

Mr. MARTIN. I am very sure he does.

Mr. DALY. The jurisdiction is in the Governor, but not in the Governor in Council.

Mr. MARTIN. I know that, but at the same time I am satisfied that the appointments are made on the advice of the committee, and if that were not the case, the committee would not remain very long in office.

Mr. MARTIN.

Mr. DALY. They have nothing to do with them.

Mr. MARTIN. I will not discuss that point at any greater length, but I adhere to my statement. The hon. Minister has asked what I would propose in regard to the clause under consideration. I would not propose to strike out the clause, but I would amend the law in the Territories so far as the several districts are concerned, so as to make it precisely the same as in Manitoba. I have already stated that probably in outlying portions of the Territories, when the police have to go practically beyond settlement, as they have to do for a certain time and for certain purposes, it might still be well to retain the power in the hands of superintendents and inspectors to act as justices of the peace. A statement has been made by several of the Ministers that the superintendents and inspectors who act as justices of the peace have nothing whatever to do with arresting and prosecuting prisoners. That is quite incorrect. It is true that an ordinary constable arrests the criminal, but the man on whom the responsibility rests is the inspector or the officer in charge. This officer on whom the responsibility has rested of making the arrest of the criminal is subsequently called upon to decide whether the evidence is sufficient to convict the person, or whether he should be sent to a higher court for trial. That is the principle I am fighting against, and I believe that the officers of the force—I do not know the opinion of the commissioner—but the superintendents and inspectors I am satisfied would agree with me. I believe they should not undertake to do duty in both capacities, because it is quite impossible. Without reflecting in the slightest degree on the police, without charging them with neglect of duty in either capacity, it was only in the nature of things that this law should be passed in the first instance because the country was in a state which required military law. But that need, so far as the old settlements are concerned, has passed away, and there is no reason why the criminal law cannot be administered in the North-west Territories as effectively as in Ontario, Quebec or any other part of the Dominion.

On section 14,

Mr. McMULLEN. How many veterinary surgeons does the hon. gentleman keep in this force?

Mr. IVES. There are only two to take care of 800 horses, and they examine all the new remounts that are purchased.

Mr. AMYOT. While the hon. member for North Wellington (Mr. McMullen) is here, I will ask him a few words about what he said this afternoon. I understand that this afternoon he talked about the North-west, and that he made an allusion not very agreeable to me. Let him repeat it while I am here. It would be more brave. I am very

often in the House and I do not see why he chose the moment I was away to attack me. If he has any complaint against me I wish he would formulate his accusation.

Mr. McMULLEN. I made no accusation against the hon. gentleman whatever. He has been misinformed.

Mr. AMYOT. I accept that declaration, and I will look in the 'Hansard' to-morrow to see if I was misinformed.

On section 15,

Mr. MARTIN. What does that section mean—is it carried out?

Mr. IVES. That means that the Governor General in Council, previous to the Estimates being submitted to the House, fixes the total amount that may be paid for horses and vehicles, or anything else.

Mr. DALY. Certain regulations are framed and adopted by Council.

Mr. MARTIN. Certain general regulations might be made, but I should think it would be difficult to make arrangements as to the price of horses.

Mr. DALY. It is the manner of purchase, not the price.

Mr. IVES. I have always understood that to mean that the Governor in Council would describe the method of purchase, whether by tender or otherwise. They make general regulations controlling the manner of purchase, but of course it would be impossible to understand it that the Governor in Council would fix the price for each horse.

Mr. DAVIES (P.E.I.) I suppose a maximum price is fixed?

Mr. IVES. Yes, a maximum price and the number to be purchased.

Mr. MARTIN. I may say with regard to clauses 15 and 16, that I am very much under the impression that possibly the administration of the force has been somewhat hampered by the restrictions and regulations that have been made. Except so far as can be arranged for beforehand, when the supplies should be got by tender, I am of the impression that in the case of a matter like this it would be better to leave it largely to the commissioner, and then to hold him strictly responsible for his judgment in the matter. My impression is that very often the force has been put to very considerably increased expense on account of some cast-iron rules in regard to purchasing supplies at a particular time, when that particular time was the most unsuitable for the purchase of supplies. Apart from the principle of inviting tenders wherever it is possible to do so, to which we do not object, it seems to me, so far as it was necessary to buy supplies without tender, as a business man would buy them for himself, that the commissioner should be

given considerable latitude, in order that he may avail himself of the best time to buy them; and then, of course, hold him strictly responsible for his judgment in the matter. If I am not very much mistaken, considerable losses have accrued to the Government in consequence of the commissioner being too much restrained by regulations, which were proper and suitable at the time they were made, but which on account of change of scene and other circumstances, compelled him to buy supplies under conditions disadvantageous to the Government.

On section 18,

Mr. DAVIES (P.E.I.) Is subsection (v) designating "any disorder or neglect to the prejudice of morality," the same as before?

Mr. IVES. The Comptroller tells me that these words were taken from the Irish Constabulary Act. Many of these provisions were taken from that Act.

Mr. DAVIES (P.E.I.) What do the words mean?

Mr. DALY. A non-commissioned officer might neglect his duty while seeing immorality going on.

Mr. DAVIN. I do not exactly remember the words of the Act relating to the Irish Constabulary, but I think the meaning was any conduct or neglect that would interfere with the morale or discipline of the force.

Mr. MARTIN. It seems to me that the preceding clauses up to (u) cover almost every possible offence. The power given in clause (v) is a very extreme power to give to an officer. Under that he could send a constable to jail for anything.

Mr. IVES. This is an omnibus clause.

Mr. DAVIES (P.E.I.) I think insubordinate conduct would cover everything.

Sir JOHN THOMPSON. I think the illustration the Minister of the Interior gives certainly explains the clause—neglect to prevent something immoral that is going on.

Mr. DALY. Suppose a non-commissioned officer is in charge of a force, and he neglects to the prejudice of morality and the discipline of the force to see that the conduct of the men is what it ought to be. It seems to me that would be covered by the clause.

Mr. DAVIES (P.E.I.) It is all right, but I think the others cover almost every possible case. If the Minister wants it, I do not object. I would ask the hon. gentleman whether it is well to vest power in the commissioner to dispense with the oath? I do not think it is fair; he may fine a man without any evidence under oath at all.

Mr. IVES. As a matter of fact, an oath is always required, except in the case of an offence on view—where the offence is seen by the officer himself. In that case, he does not require any other evidence.

Mr. DALY. It is the same power as is vested in the commandant of a regiment.

Mr. IVES. This is the same clause that we have now. There have been no abuses under it.

Mr. DAVIES (P.E.I.) All right.

Mr. DAVIN. I think it would be well for the hon. Minister to consider whether he should not alter that line. There are several changes made by this Bill in the right direction and in consequence of the inquiry that took place in the North-west. Certain powers are given to the inspectors which did not previously exist. But we had before that inquiry some cases which showed that abuses had arisen in consequence of the wording of this second subsection. I think it would be well to omit the words "if he thinks fit." Undoubtedly there were some cases that came before the commission which showed that it would have been much better if they had been inquired into under oath. Some of the complaints made were that certain examinations had not taken place under oath; and I know the impression was made upon myself, and upon others better acquainted with the management of this force than I am, that there had been a great deal of harshness in consequence of the wording of this clause. I am glad to say that the greatest possible improvement has taken place in the management of that force. The management of the force has improved, as compared with what it was a few years ago, to such an extent that I should probably be thought to exaggerate if I stated how great it is. But I do not think it is necessary to the efficiency of the force that this power of awarding penalties on an examination conducted without the sanction of an oath should remain in the Act. I know that there was one case—I forget the name of it—where very severe punishment was awarded, although it was proved that there had been no inquiry at all. I do not see how it will militate against the efficiency of the commissioner to omit these words.

Mr. IVES. There is just this objection. For instance, in the case of orderly-room offences, the inspector goes around in the morning and he finds that a man has not complied with the regulations requiring his kit to be made up in a certain way, his saddlery and arms to be clean, or some of his duties to be performed. He can see the offence with his own eyes; and these slight orderly-room offences have to be punished. I think it would be very awkward indeed if the words were stricken out. Under the present regulation, no important penalty is imposed, and no offence of a serious character is investigated except under oath. These instructions have been given by me, and they are rigidly carried out. But, in the ordinary management of the force in barracks, I think it would be a great inconvenience if the officer could not do any-

Mr. IVES.

thing without written depositions and the formality of a trial.

Mr. O'BRIEN. As I understand the Bill, the object is to place the force under very much the same discipline as that of the regular service. Any one who knows anything about the conduct of a regiment, knows that offences against discipline are invariably dealt with by the commanding officer without a trial, and there is no such exception as is here made in the words, "if he thinks fit." It is not found necessary in the service to examine such questions under oath, and I think it may be assumed that it is not necessary in this case, for I think you cannot have a safer guide than the regulations successfully enforced for many years in the regular service.

Mr. DAVIES (P.E.I.) But my hon. and gallant friend, I think, did not catch the meaning of this clause. No suggestion is made that trials for offences against discipline should be under oath. I quite see the force of what he and the President of the Council say on this subject, and that, so far as offences against discipline are concerned, it is desirable and necessary, perhaps, to deal with them without the formality of an investigation under oath. But if the hon. gentleman will look at the section he will see among the offences named some of a very grave character, and calling for very serious punishment—as misapplying money, overholding public money, and so on. The hon. President of the Council suggested that under this section the commanding officer could deal with the culprit on view. I do not think it goes so far as that, because the section refers only to cases in which complaints in writing are laid before the officer. I think it would be well for the hon. President of the Council to have a special section dealing with offences against discipline, and allowing the officer to convict upon view of the offence. But he could not convict on view under this section, as this section applies exclusively to cases where complaints in writing are laid before the officer, and he could not lay complaint before himself.

Mr. O'BRIEN. There should be a classification of crimes. We should not attempt to deal with crimes such as some of those mentioned here, and also with offences against discipline in the same section.

Mr. DAVIES (P.E.I.) That is what I contend.

Mr. O'BRIEN. I think the hon. gentleman is quite right. Offences against discipline are properly dealt with by the officer on view, or by the commanding officer without more formal proceedings. But when you come to deal with serious offences, these would, in the regular service, be tried by court-martial, and not by the commanding officer at all. But the hon. President of the Council spoke of offences against discipline, and I confined my previous remarks to those.

Mr. MARTIN. And in court-martial the proceedings must be under oath—there would be no discretion.

Mr. DAVIN. Those who suppose that what is provided here is the same discipline as that enforced in the regular service are quite mistaken. This clause gives powers to the commissioner, and not only to him, but also to the assistant commissioner, and to every commissioned officer in command of any post. I think this change giving power to the commander at a post is a good one, for it is most inconvenient that the man in command at a post should require to be authorized by the commissioner before proceeding to deal with such cases. But the fact that you are, as it were, extending the jurisdiction under the Act is the very reason why you should proceed with all the more caution. At all times, this subsection was to be complained of. In the first subsection we have down to (v) a number of serious crimes. It is provided :

The commissioner, the assistant commissioner, or the superintendent or other officer commanding at any post, or in any district, may, forthwith, on a charge in writing—

Now, mark these words :

—of any one or more of the foregoing offences—

That is if a charge in writing of crime "A," or of crimes "A," "B," "C," and all the rest down to "V" is made against any member of the force other than a commissioned officer, the accused is brought before the officer, who :

—shall, then and there, in a summary way, investigate the charge, and on oath, if he thinks fit.

Mr. IVES. I have no objection, as the committee seems to think that the investigation of these charges should be under oath, to striking out the words "if he sees fit."

Mr. MARTIN. You will need to strike out the word "and" before "on oath."

Sir JOHN THOMPSON. The words "on oath" should be put in so as to read "if proved to his satisfaction on oath." The other would mean that the officer investigating would need to be sworn himself.

Mr. O'BRIEN. That would leave it optional with him to investigate the charge. If it is not necessary to deal with it seriously the officer would not need to administer an oath.

Sir JOHN THOMPSON. No ; but he could not impose a penalty except after investigation on oath.

Mr. O'BRIEN. That would make it very satisfactory.

Mr. MARTIN. Ought there not to be some limit in subsection 3 ? Otherwise there may be long delay before a charge is dealt with. No time is mentioned in which an appeal

must be brought, or during which the commissioner must act.

Mr. IVES. It is provided that fines and sentences shall be forthwith reported to the commissioner.

Mr. DAVIES (P.E.I.) The evidence should accompany this report. How is the commissioner to act as a court of appeal unless he has the evidence ?

Mr. IVES. The record is always sent.

Mr. DAVIES (P.E.I.) But it does not provide that the report of fines and imprisonments shall be accompanied with the evidence.

Mr. IVES. But this is called for by the regulations of the department.

Mr. DAVIES (P.E.I.) Would it not be well to put it in this Act ?

Mr. IVES. Together with the record of fines and sentences of imprisonment.

Mr. MARTIN. That would imply that the evidence is to be reduced to writing.

Sir JOHN THOMPSON. Say the record of investigation.

Or section 21,

Mr. O'BRIEN. I think that "may" should be changed to "shall." I do not think you have any right to put an officer under arrest unless you proceed to investigate the charge. Otherwise the commanding officer could put an officer under arrest at any time.

Mr. IVES. Say "shall" instead of "may" after "commissioner."

On section 24,

Mr. DAVIES (P.E.I.) The first part of that section declares that every person who unlawfully puts on or assumes the habit or description of any member of the force, shall be punished. The intention, I suppose, is to punish the man who does this for the purpose of holding himself out to be a member in the force. The words, as they are there, are broad enough to cover the case of a man who puts it on for a lark or a masquerade.

Mr. IVES. I do not think any difficulty will arise.

On section 26,

Mr. DAVIES (P.E.I.) Under this section an arbitrary penalty of six months is fixed. The section should read "not exceeding six months."

Mr. IVES. The section provides a minimum of six months for desertion. In the original Act there was a penalty of \$5 or \$10 imposed, and the result was that many desertions took place, the Government incurred great expense, and in the end a trifling fine was imposed. The intention of the House when the Act was amended was to make the minimum punishment six months imprisonment.

Mr. DAVIES (P.E.I.) A reasonable discretion should be left in the hands of the officers of the Government. It is not only proposed to punish desertion in this manner, but also the offence of being absent without leave. Some discretion should be left in the hands of the officers.

Mr. IVES. We will alter it so as to read "imprisonment for a term not exceeding eight months."

Mr. O'BRIEN. There should be a distinction between the offence of being absent without leave and desertion. The rule in the service is that a man may be absent without leave for a certain number of days or hours without being guilty of desertion. He understands, however, that if he is absent beyond a certain period, he makes himself liable to the crime of desertion.

Bill reported.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Maintenance and repairs of Government Steamers\$172,400

Mr. DAVIES (P.E.I.) I do not want to object to the hon. gentleman going on, but shortly after the session opened, I moved for a return with reference to repairs on four steamers, and I have not got it yet.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman's recollection is at fault. It was only this month that he moved for that return, and it is very voluminous, and is being prepared.

Mr. DAVIES (P.E.I.) My recollection of it is that it was many weeks ago.

Sir CHARLES HIBBERT TUPPER. Oh, no; it only reached my department a few days ago. At all events the vessels referred to in the hon. gentleman's motion do not come under this vote.

Sir RICHARD CARTWRIGHT. What about this new steamer for which \$50,000 is asked?

Sir CHARLES HIBBERT TUPPER. That is the steamer under construction, and it is expected to cost \$85,000.

Sir RICHARD CARTWRIGHT. What are the particulars with regard to this steamer; I do not remember the hon. gentleman's explanation? What coast will she be used on?

Sir CHARLES HIBBERT TUPPER. On the Atlantic coast. The hon. gentleman will find on page 61 of the report of the fishery service, a description of the new vessel. She will serve for the purpose of fishery protection where she is very much needed, but the main object and the original reason

Mr. Ives.

for asking Parliament for this vote is this: Parliament will remember that we had a boat called the 'Napoleon,' which was lost some years ago, and we have no boat to take her place, and on the Atlantic coast and in the Bay of Fundy we have a great many automatic buoys that are out all the year round, and if they are not promptly attended they go adrift, and have gone adrift. The current at many points is such that the continual chafing of the moorings causes them to break and become used up. With our present service enormous delay occurs, which is attended with danger to the shipping interest, before we can either recover a buoy or put a new one in its place. The 'Newfield,' which has long been on that service, is borrowed by the Public Works Department every year for cable service, and consequently our service has been very often crippled. The shipping interest have held the department strictly to account often, when the real reason was that we had not sufficient steamers. I may say, and it is well known that in the administration of this branch of the service—looking after these buoys—if any charge can be fairly brought it is that of being too economical. I know of no service in the world, certainly not that of our neighbours, where, with such an extent of coast and such a number of buoys and lights to look after, so few steamers are employed.

Mr. FORBES. Does the hon. gentleman refer to the steamers which are employed exclusively to look after the fisheries?

Sir CHARLES HIBBERT TUPPER. I am referring entirely to this vote, that is, looking after aids to navigation.

Mr. DAVIES (P.E.I.) I suppose my hon. friend had reference to the fact that these steamers are used for protecting the fisheries as well as other purposes.

Sir CHARLES HIBBERT TUPPER. Some of them are so used when we can do it—the 'Stanley' in particular and the 'Lansdowne' very little.

Mr. DAVIES (P.E.I.) I wish to call attention to two points in this connection, one is that I think the hon. gentleman very injudiciously removed the purchase of the stores for the 'Stanley' from the port where they used to be purchased over to Pictou. I think he will find that they can be purchased much better in Charlottetown, where they used to be purchased, and the people of Prince Edward Island complain of this because the 'Stanley' they consider an island steamer. I think he made a mistake in not continuing the purchase at Charlottetown.

Sir CHARLES HIBBERT TUPPER. Why not Georgetown?

Mr. DAVIES (P.E.I.) That is a very small town.

Sir CHARLES HIBBERT TUPPER. It has very good provisions.

Mr. DAVIES (P.E.I.) Charlottetown has some of the largest provision stores in the Maritime Provinces—two of them as large wholesale establishments as you will find anywhere in these provinces, and there is a large number of retail stores besides, so that you can be sure of effective competition and consequently of getting the stores at the lowest possible prices. I do not want to run down Pictou, but at the same time I think the hon. gentleman made a mistake, because very little patronage of any kind goes to Prince Edward Island at all, and as this boat is supposed to belong to the island, I think he might have let that patronage remain there. However, I do not complain of that so much, because I think we can rectify that at a very early day.

Sir CHARLES HIBBERT TUPPER. Where will you bring it to.

Mr. DAVIES (P.E.I.) Where it was taken from. I want to call attention to the salary paid to the captain of the 'Stanley.' Captain Finlayson has been in her since she first started on her work. The service is one of the most perilous of those engaged in by any of the steamers employed by this Government. I need not refer to previous winters but only to the past one as evidence of that statement. There are very few men competent to fill Captain Finlayson's place. His experience as a master mariner has been very great; and as commander of the 'Stanley' and the 'Northern Light,' he has been about eighteen years in this service. He is a skilful man, of excellent judgment, and has proved himself capable of meeting every emergency. A successor to him it would indeed be very difficult to find, and yet he is paid a salary much less than the officers of some of the other ships.

Sir CHARLES HIBBERT TUPPER. What officer is paid more outside of the 'Newfield'?

Mr. DAVIES (P.E.I.) Well, take the 'Newfield.'

Sir CHARLES HIBBERT TUPPER. The captain of the 'Newfield' is not paid more now.

Mr. DAVIES (P.E.I.) He gets a \$1,000.

Sir CHARLES HIBBERT TUPPER. No.

Mr. DAVIES (P.E.I.) Captain Finlayson got last year the magnificent sum of \$699.

Sir CHARLES HIBBERT TUPPER. That is not right. That is what the Auditor General gives him.

Mr. DAVIES (P.E.I.) There were some months when you did not pay him.

Sir CHARLES HIBBERT TUPPER. He is paid all the year round, from January to December.

Mr. DAVIES (P.E.I.) That used not to be.

Sir CHARLES HIBBERT TUPPER. Last year he was.

Mr. DAVIES (P.E.I.) It is not possible the Auditor General can be wrong.

Sir CHARLES HIBBERT TUPPER. The Auditor General only takes a certain number of months for which he finds vouchers. I increased his salary about two years ago, and he receives about \$960 now.

Mr. DAVIES (P.E.I.) That is better than what it was. What service is the 'Douglas' engaged in?

Sir CHARLES HIBBERT TUPPER. She is lying at the wharf.

Mr. DAVIES (P.E.I.) The captain is put down at \$100 a month.

Sir CHARLES HIBBERT TUPPER. There is no captain on her.

Mr. DAVIES (P.E.I.) That is what he did get.

Sir CHARLES HIBBERT TUPPER. The salaries on the Pacific coast are enormous, simply because we cannot get men on that coast for what we can get them on the Atlantic. The hon. gentleman would have us double the expense.

Mr. DAVIES (P.E.I.) I would be the last man to ask that a dollar should be paid unnecessarily; but knowing the service this man is engaged in and how admirably he discharges his duty, and knowing that he is paid much less than is paid to other captains, I thought it my duty to bring the matter up. I was not aware that the increase the hon. gentleman spoke of was made.

Sir CHARLES HIBBERT TUPPER. No grievance can be made with reference to the treatment of the captain of the 'Stanley.' I cannot speak too highly of that officer, because he is an officer who has been tried in a very difficult service, and his standing with the department is all that can be desired. I would be the last man to pass over his claims, and I am surprised that the hon. gentleman should reflect upon the department, as though this man were not treated well. When I came into the department in 1888, he was not receiving anything like the salary or the treatment he is now getting. I have no complaint directly or indirectly from him, and it is to his credit that he has not asked for an increase in the last year or two. But gentlemen who have crossed with him and have seen the perilous work that he is engaged in, very naturally have had their attention called to his services; and while I would not depreciate his services in the slightest degree, I cannot allow the statement to go that he is engaged in the most perilous work of

any officers in our ships. They are a splendid class of men in all our ships. The hon. gentleman knows what peril there is from December to January on the Atlantic coast, knocking about in the worst weather and most fearful storms as many of them have to do. The greater part of the season, Captain Finlayson's work is only child's play. I know the work, and I know all that the officers have said about it. I have sent my officers down to inspect the work, and have surrounded Captain Finlayson with every protection and safety. There is not a whisper of danger made in that connection which is not heeded. On the mere suggestion of possible danger to that ship, I have had inspectors of steamboats hold special surveys, and have sent our own engineering officers down to go over the work; and while I admit that Captain Finlayson does his work well and at times is in peril, fortunately for the service he is constantly engaged in, during a portion, even of the winter work, there is no danger. The danger comes just at odd times, when that vessel is held fast, so to speak, but fortunately those are exceptions to the rule. I do not say that to depreciate his services, because he has filled this responsible position to the satisfaction of the department, but he has had his salary increased largely from what it was when I took charge of the department, and instead of laying him off, as used to be the case, for half a year with nothing to do, I have kept him employed the whole year round, much to his satisfaction. I may say that this subject of further increasing his salary has been brought up several times by parties like the hon. gentleman, who have observed his work, and I have said that I would take a suitable opportunity to look into the matter. Having a considerable number of officers in the service, I try to treat them all on their merits, without regard to personal reasons, considering only their period of service, the position they occupy, and their records. I have asked my officers to make a report showing the lengths of service of the various men employed, in order to see whether any are entitled to further increase, but that report is not yet ready, and I have not been able to attend to that matter during the session. As regards the purchase of stores, the hon. gentleman is hardly fair. Representing, as I do, the county of Pictou, it would not be natural, it would not be human, that I should refuse to listen to the natural appeals from the people of that county, not to ignore them altogether in distributing the patronage of my department. It would be very difficult to any man to resist an appeal of that kind, but the hon. gentleman does not put the case fairly when he says that I removed the purchase of stores from Charlottetown to Pictou. That is not the case. What I did is this, and I did not go so far as some hon. gentlemen would have gone if they were in my place.

Sir CHARLES HIBBERT TUPPER.

The hon. gentleman says he would put it back to Charlottetown, which he represents. I have not done anything of that kind with regard to Pictou. I said that the staple articles required were to be purchased on competition in Prince Edward Island, but that the fresh provisions required at the different ports were to be obtained, as occasion required, at the port at which the steamer touched. For instance, she runs for a while between Charlottetown and Pictou, and then between Georgetown and Pictou, and I have given instructions that the fresh provisions required from time to time, and which are not bought in bulk, should be bought at these ports at the lowest market price, without giving any place the preference. I have not cut out any one port, nor do I intend to do so, and I think that is about as fair a way of treating the various parties concerned as possible.

Mr. DAVIES (P.E.I.) The fact of the matter is simply this, that the supplies for the steamer are purchased nearly entirely at Pictou.

Sir CHARLES HIBBERT TUPPER. Why does the hon. gentleman say that?

Mr. DAVIES (P.E.I.) I take the hon. gentleman's own statement. He said that when the vessel goes to Charlottetown, such fresh meats as are required will be purchased there. However, I will not discuss the question as to where he buys his fresh meat further. The supplies for the vessel, as a whole, are purchased at Pictou.

Sir CHARLES HIBBERT TUPPER. I deny that.

Mr. DAVIES (P.E.I.) I know they are. The hon. gentleman himself says that he would be inhuman if he did not listen to the cry from Pictou. The hon. gentleman seemed to indicate that the service Captain Finlayson is engaged in is not perilous at all.

Sir CHARLES HIBBERT TUPPER. I did not say that, and the hon. gentleman should not take those liberties with me.

Mr. DAVIES (P.E.I.) If the hon. gentleman will allow me to finish, he indicated that the service Captain Finlayson is engaged in is not as perilous as that in which some of the others are engaged in, on the Atlantic coast. I wish to point out to him that he is in error in that respect. I do not think he has had the advantage of crossing there himself, and cannot from personal observation speak of the perils of this passage. But I will undertake to say that he will find it is the unanimous opinion of those who have made this passage a number of times, that they have never crossed in any steamer anywhere, where the perils appear at any rate to be so great.

Sir CHARLES HIBBERT TUPPER. To a land lubber.

Mr. DAVIES (P.E.I.) I dare say the hon. gentleman will designate me a land lubber, and no doubt I may be to some extent, but I have crossed the Atlantic several times, and have been on steamers in other parts of the world too.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman has been wrecked, too, politically, several times.

Mr. DAVIES (P.E.I.) I was not aware of it. The hon. gentleman is inclined to be both irritated and facetious. Perhaps he will allow me to say that nobody who has crossed in that steamer in January, February, March or April, and encountered the storms and dangers which must necessarily be encountered in that passage, will hesitate to admit the great peril of that service.

Sir CHARLES HIBBERT TUPPER. Who denies that?

Mr. DAVIES (P.E.I.) The hon. gentleman will not let me make a statement at all. I make a statement which he says no one denies, and yet he takes exception to it. I have not had previous conversation with Captain Finlayson about this matter, but I have had with others, who know perhaps more about the value of his services than I do, and they requested me to bring this to the notice of the Minister, but the hon. gentleman is too irritable to listen to me.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman is all at sea.

Mr. DAVIES (P.E.I.) If I am at sea, the hon. gentleman must be buried, entirely, because he does not even appear to hear or to listen to what I am saying. I am pointing out that in consideration of the perilous nature of the service and of the fact that this is an excellent man with great experience, he deserves the best consideration at the hands of the Minister; and if he is considering whether he will raise the salaries of any of these men, I think it nothing but fair and just to bring the facts, which are within my own knowledge, and within the knowledge of every other man from Prince Edward Island, to the notice of the hon. gentleman. The hon. gentleman must have got out the wrong side of the bed this morning. Generally speaking he will listen courteously to what one has to say, but to-night he does not seem willing even to listen.

Sir CHARLES HIBBERT TUPPER. Even at the risk of detaining the committee, I must say the hon. gentleman misunderstood me. I am not casting any doubt upon the excellence of Captain Finlayson's services or upon anything the hon. gentleman has said. I protested against the habit the hon. gentleman has fallen into of picking up the wrong end of a statement and using it to the disadvantage of the person who has spoken. If he has any feeling—the hon. gentleman any feeling for Captain Finlayson he should

sympathize with me in my objection that it should be assumed that I minimize the dangers to which he exposes his life. But I claim that there are other men who, from January to December are performing arduous duties, and who, if not actually in the grip of the ice, yet encounter the perils of the deep in a most terrific sea. My heart goes out to every man in the service who is risking his life as these men are. I am not disposed to minimize the services of Captain Finlayson, but I was exhibiting a certain amount of pardonable indignation that the hon. gentleman should attempt to lift away above the others the very good services of the captain, and that he should say I tried to belittle that gentleman. I have the highest opinion of him and I said so. I shall consider his claim, and I do not see what more the hon. gentleman can ask of me.

Mr. DAVIES (P.E.I.) I wanted that the hon. gentleman should know the perils which Captain Finlayson undergoes and the value of the services he renders. He should not compare the case of Captain Finlayson's services with that of one crossing the Atlantic.

Sir CHARLES HIBBERT TUPPER. I was speaking of men down on the coast.

Mr. DAVIES (P.E.I.) I am enough of a sailor to know that those who cross the open sea are not in such peril as Captain Finlayson has to face. This very season he came over with 56 passengers. Three miles off Pictou he was caught in the ice and he drifted from Caraquet down the shore, and up and down for nine days and nine nights. Not only had he his own life in peril, which he must risk, in the nature of things, being engaged in this service, but he had the lives of a large number of passengers. For such a service you require the best men that can be got. If that vessel had touched bottom at any time, she would have gone over and not one of the people aboard could have been saved. And at times there was only four or five feet of water under her keel.

Sir CHARLES HIBBERT TUPPER. What do you want done?

Mr. DAVIES (P.E.I.) I mentioned it to the hon. gentleman—who has never crossed himself—to show the perilous nature of that service and the necessity of having a first-class man. And the fact that Captain Finlayson has managed that service for eighteen years, and has done it so well and so successfully, is a strong recommendation for him. I pressed it upon the hon. gentleman, as I shall do again when he is in a better humour.

Mr. BOWERS. I would like to call attention to the supplies bought for the steamer 'Quadra' as given on page C-424 of the Auditor General's Report. I find a charge here for 11 barrels of cement at the rate of \$4.50 per barrel. I do not know where

these supplies have been obtained, but that seems an enormous price when the best quality of English cement can be got at \$2.50 to \$2.75 per barrel. There is a charge for nails and spikes at 7½ cents per pound, whereas nails and spikes now average 2 cents, 3 cents to 3½ cents. Another charge is for 300 pounds of oakum at \$9.50 a hundred, while the price of oakum is \$6.50 to \$7.50.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman might go through the whole list and he will find one item that will compare with the prices of these articles in Digby. The hon. member for Queen's, P.E.I. (Mr. Davies), says that if I will travel I will learn something about ice. So I may say to the hon. gentleman from Digby (Mr. Bowers), without offence, that if he will travel he will learn something about British Columbia prices. We had to pay more for both men and supplies than we ordinarily pay. The captain required more, and we could not get good men for less than the wages we paid, the steward claimed more, and so on, even down to the cabin boy. These items have been watched carefully, and I have obtained from the agent of the department a certificate that these articles had been bought at the regular market prices, and we hold him responsible. We have a very reliable agent.

Mr. BOWERS. Let me call attention to some supplies for the steamer 'Stanley.' Here is an item of 100 lbs. white lead at 10 cents, 775 lbs. at 8 cents, and 1,926 lbs. at 7½ cents, while the best white lead can be bought at 6¼ to 6½ cents. Again there is a charge for 336 lbs. of washing soda at 3 cents, and this material can be furnished at at 1¼ cents.

Sir CHARLES HIBBERT TUPPER. Wholesale or retail?

Mr. BOWERS. Wholesale. This is a charge for an even barrel—336 pounds—and should have been bought wholesale.

Sir CHARLES HIBBERT TUPPER. That must have been bought in Charlottetown.

Mr. DAVIES (P.E.I.) I am sure it must have been bought in Pictou.

Sir CHARLES HIBBERT TUPPER. I shall inquire into these matters. I am afraid these Charlottetown purchases must be stopped.

Mr. DAVIES (P.E.I.) I see that the steamer 'Quadra' was repaired under contract at a cost of \$16,000. Will the hon. gentleman state what was the nature of the injury.

Sir CHARLES HIBBERT TUPPER. The 'Quadra' was sent out on a special service to carry the commissioner (Mr. Macoun) to the Pribyloff Islands in connection with the Behring Sea question. Going through a narrow channel between the Queen Charlotte Islands the vessel struck on a rock not

marked on the chart. A very careful investigation was held into the conduct of the captain, and he was completely exonerated. A hole was knocked into her bottom, and she was beached there, and it was a lucky chance that we were able to save her at all. Had there been bad weather she would have been a total wreck. We asked for tenders, and obtained an offer from the Albion iron works at those contract prices, and they repaired her. The vessel was almost full of water when beached.

Mr. DAVIES (P.E.I.) There is a similar contract for repairs to the new 'Newfield,' on the same page.

Sir CHARLES HIBBERT TUPPER. That was also a case of stranding in the Strait of Canso, and Captain Atkins lost his position on account of it. The vessel was in Port Hood, the storm drum was exhibited there, and in his hurry to distribute supplies to the Canso light, instead of remaining in port, he put out on Sunday night, not having the fear of the Sabbath ordinance before his eyes, and stood out to sea. He took up his position near the Canso light, and in the night he did not put the necessary watch on deck, that is, all the certificated officers having retired, and the boatswain was left alone on deck, if my memory serves me right. During the storm, one of the anchors dragged, and before they could get the machinery under way to manage the ship she drifted and grounded. The damage done to her bottom was such that she had to be docked. Tenders were asked for in that case, and if I recollect aright, Mr. Brook, of the graving dock at Halifax, claimed the contract.

Mr. DEVLIN. What is the value of the steamer 'Quadra'?

Sir CHARLES HIBBERT TUPPER. About \$85,000.

Mr. DEVLIN. Were the \$20,000 entirely for the damages done to the bottom of the steamer?

Sir CHARLES HIBBERT TUPPER. There were docking charges, and they are always very large. I think the docking charges must have been additional.

Mr. BOWERS. What is the reason that Captain Dakin was discharged from the 'Lansdowne'?

Sir CHARLES HIBBERT TUPPER. His services were dispensed with after investigation. I have already told the House that there are a large number of automatic buoys off the coast, and we require to use expedition as well as much care in getting these steamers round to their daily posts. The complaint made by the inspector of lights was that Captain Dakin was over-cautious, and was slow; that instead of going as close as a competent commander could go to the

Mr. BOWERS.

lights, he bore his vessel so far away that he spent days, when he should have spent hours in serving the lights with supplies. These charges were brought more than once to my attention. I hesitated to act upon them until after a thorough investigation, which was conducted under Captain Smith, the chairman of the Board of Examiners of Masters and Mates, and I came to the conclusion that he was not as efficient as he ought to be, and with considerable regret I dispensed with his services.

Mr. BOWERS. The reason I asked the hon. gentleman was that I understood he was dismissed because he did not dress quite smart enough.

Sir CHARLES HIBBERT TUPPER. That is absurd. I never heard that statement, nor was any charge of that kind preferred. There was a question about his maintaining discipline; that he was not strict enough with the men, but the main charge was dilatoriness in supplying the light.

Rewards for saving life &c. \$8,000

Mr. DAVIES (P.E.I.) That embraces more than rewards for saving life?

Sir CHARLES HIBBERT TUPPER. It may be more than we shall require, but we cannot tell what we shall require.

Tidal Observations \$10,000

Sir RICHARD CARTWRIGHT. I would like to know exactly what result we are getting for this expenditure; what kind of record is kept, and how it is made useful and acceptable to navigators?

Sir CHARLES HIBBERT TUPPER. This is a subject of very great importance. I may tell the hon. gentleman that a few years ago we obtained authority from Parliament to do what has been done in India, and in the mother country, and in the United States, that is to obtain a survey of our currents. Some of the accidents that have happened on our coast, and many that have happened on the St. Lawrence, have been due to these unknown currents. A master sometimes cannot get all the lines, and notwithstanding all his observations and reckonings, he is very often in a perilous position on account of these under-currents taking his vessel entirely out of his course, and against them it is almost impossible to calculate to a nicety. The late Commandor Gordon has told me that in a 12-hours steam, in certain parts of the water, he would be as much as sixteen miles out of his course, in reference to which he had taken all the observations and made all the reckonings that the known aids to navigation would give him. In order to survey these currents, we have to make a series of tidal observations at all the great tidal ports and the various points on the coast. For instance, the observations at Halifax were done largely by the 'Admiral.' When these observations are taken they have to be worked up

by scientific men in England and tidal constants have been published, the almanac not being a sufficient guide for this purpose, so that the rise and fall of those tides can be calculated to an hour. We have observations being taken likewise in St. John, N.B., at Father Point, in the St. Lawrence, and on Anticosti Island, and at various other points, where skilled men who have charge of this survey are placing these constants. They require a great deal of care. They have to sink deep excavations, even through the rock, in order to get to a certain point where they can adjust the rise and fall of the tide by very delicate instruments, obtained for that purpose and made in England. After they have made these tidal observations, and that takes a year or two, they then begin observations of the currents by posting vessels. For instance, one vessel would have to be placed in the Straits of Belle Isle, and another near St. Paul's Island, between Cape Breton and Newfoundland, after these observations have been taken, and the tidal currents registered by the various tidal gauges erected, they are plotted on a chart, as will be found in the map of the Atlantic coast of the United States, and also on the maps of the British Isles in which not only the directions of currents, are shown but their force, and this information is of great advantage to mariners. When the British Association met in Montreal a few years ago, they took up this question, and pressed it with great force on the attention of this Government, and year after year, representations were made, and, in my time, I was glad to be able to obtain the assent of Parliament to going forward with this work in moderation. A very interesting report has been prepared, which enters fully into this complicated question, by Mr. Dawson, whose services I have obtained. He is a son of the late principal of McGill College, a man of distinction at McGill, and a very eminent and able engineer. He has charge of the work, which was commenced under the direction of Mr. Carpmael, who, I regret to say, is very seriously ill. Mr. Dawson in his report has explained the expenditure, and has given an estimate of the amount required to complete the work.

Mr. DAVIES (P.E.I.) Can the hon. gentleman state the estimated amount to complete?

Sir CHARLES HIBBERT TUPPER. I think about \$60,000 more will be required.

Mr. DAVIES (P.E.I.) I understand that the results obtained by the expenditure will necessarily be plotted on the charts. The charts used, however, will, I suppose, be the admiralty charts. Is the information furnished to the Admiralty?

Sir CHARLES HIBBERT TUPPER. The Admiralty is co-operating with us. The Admiralty has done almost all the work in Halifax harbour, and we have been glad to

have their co-operation. A year ago it was necessary to have new soundings taken, and a new hydrographical chart prepared of Anticosti. The total cost was \$26,000, and the British Government paid one half, \$13,000. The work done in Georgian Bay is also published on the British Admiralty charts, the Admiralty having satisfied themselves that our officers are competent and that the work can be guaranteed. In this way, a great deal of money is saved to the country, and our charts obtain a very high standing. We do the plotting, and they do the surveying and engineering.

Mr. DAVIES (P.E.I.) Has not the same work been done by the Admiralty Survey, carried on by the 'Gulnare' steamer?

Sir CHARLES HIBBERT TUPPER. They have confined themselves to plotting the different depths of water, but no one has done any of the work performed at Halifax by the Admiralty service.

Mr. FORBES. The hon. gentleman has told the committee with regard to tidal observations. I presume the results will be placed before Parliament when completed, and will be published in some printed form?

Sir CHARLES HIBBERT TUPPER. I believe the United States is the only Government in the world that distributes its charts gratis. The British Government does not, neither does the Canadian Government. We have not reached the stage when it is necessary to ask Parliament to distribute this information.

Mr. FORBES. When the observations are completed on the Atlantic coast, does the Minister propose to furnish the information collected?

Sir CHARLES HIBBERT TUPPER. It will have to be paid for just as charts are, but at such a price as to be within the reach of every mariner. There is, however, no proposition now before the committee to publish the tidal tables, and other information.

Mr. FORBES. How will mariners be able to obtain the information unless it is distributed generally? The information given by the officers should be subsequently issued at as cheap a rate as possible. I also desire to ask the Minister to explain why one captain of the steamer 'Lansdowne' was dismissed for running his vessel too close to shore, and another captain was dismissed for keeping his vessel too far from the rocks?

Sir CHARLES HIBBERT TUPPER. I shall be glad to answer the hon. gentleman's questions when I understand them.

Mr. FORBES. My first question is, whether the public, through Parliament, will be put in possession of full information regarding these observations which have been made.

Sir CHARLES HIBBERT TUPPER. Yes.

Sir CHARLES HIBBERT TUPPER.

Mr. FORBES. My second question is, how does the Minister account for dismissing two captains of a steamer, one for laying too close to the rocks, and the other for keeping too far away?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman has given the reason. One stood too far out, and the other went too near.

Mr. BOWERS. I desire to draw attention to the number of shipping disasters that occur every year in the neighbourhood of Cape Sable. During the last few years several steamers and vessels were lost there on account of currents. That question, it appears to me, should be considered more there than at any other point, for there is no point where vessels get so much astray as in the neighbourhood of Cape Sable.

Sir CHARLES HIBBERT TUPPER. That is a very important point. I think there are only two stations on the Canadian side at present, Halifax and St. John; but I will make a note of what the hon. gentleman has stated, and bring it to Mr. Dawson's attention.

Mr. DAVIES (P.E.I.) The hon. gentleman has taken two votes for \$10,000 each previous to the one before the House, and Mr. Dawson says in his report that only one-fourth of this vote has been expended. What is the use of taking such a large vote if you do not expend it?

Sir CHARLES HIBBERT TUPPER. I can promise the hon. gentleman that this vote will be expended. We make our plans at the first of the season, and the 1st of July cuts us in two so that we cannot manage to spend the amount in the fiscal year. The tidal gauges have to be made with great care by eminent men in London and there was delay. We were handicapped by Professor Carpmael having to attend to important duties at the Toronto Observatory. It was for that reason that I asked the Government to give me the service of Mr. Dawson, who will give his whole time to that question.

Mr. BOWERS. Was there not some trouble with the one in St. John?

Sir CHARLES HIBBERT TUPPER. There was some trouble, the particulars of which I do not remember, but Mr. Dawson went there and set it right. One of them was destroyed by a storm for instance.

Mr. FLINT. Did I understand the Minister to say that there is no tidal observation station at or near Cape Sable?

Sir CHARLES HIBBERT TUPPER. I do not think there is yet.

Mr. FLINT. During the last twenty-five years a great many serious losses have occurred in the neighbourhood of Cape Sable owing to changes in the currents, or because the currents are greater there one time

than at another. I would press upon the Minister the advisability of putting a station there. I have read discussions upon this subject, which show that a great deal of study could be devoted to that particular place with great advantage to commerce.

Sir CHARLES HIBBERT TUPPER. I will make the hon. gentleman's heart glad by telling him that it is proposed to take Yarmouth as a place for making observations.

Mr. BOWERS. Yarmouth is too far north and it would be much better down near Cape Sable.

Sir CHARLES HIBBERT TUPPER. I am afraid we will both have to bow to the opinion of scientific men on that subject.

Mr. DEVLIN. Would the Minister kindly explain the item at page 428 of the Auditor General's Report, under the heading of Tidal Observations: "advances not accounted for, \$695"?

Sir CHARLES HIBBERT TUPPER. When these vessels went out in Professor Carpmael's time, he drew a certain amount and charged it against this vote, and Captain Douglas, who is employed by him, goes off to Anticosti and has to draw against this vote also, and when that account was made up the vouchers had not been sent in.

Removal of Obstructions, &c. . . . \$5,000

Mr. FAUVEL. Is this vote for the removal of wrecks in the bays?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. FAUVEL. There was a vessel wrecked last fall opposite the Bonaventure River. What steps should be taken to impress upon the Minister of Marine the necessity of having that removed?

Sir CHARLES HIBBERT TUPPER. When the attention of the department is called to any obstruction, such as a wreck, in the way of navigation, the statute provides that we call on the owner of the wreck to remove it, if he is to be found; and if within a certain time he takes no steps the department removes the wreck. If we can find the owner we recover the cost of removing it, and of keeping a light on it while it is there to prevent obstructions to navigation. If the case my hon. friend (Mr. Fauvel) refers to is brought to my attention I will see that these steps are taken.

Salaries and allowances of light-house-keepers, &c. \$201,600

Mr. FORBES. Who is the present keeper of the Barrington lightship?

Sir CHARLES HIBBERT TUPPER. Lewis S. Nickerson.

M. FORBES. Why was Mr. Kenney discharged?

Sir CHARLES HIBBERT TUPPER. Mr. Kenney was discharged because he farmed

his light out. He was paid \$500 a year by the Government, and he paid \$150 to have the work done. After investigation it was found that he had done this contrary to rule 80 of the service which has been supplied to him and he was dismissed.

Mr. DAVIES (P.E.I.) What is the increase of \$1,000 in this service for?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will see that we are building lights every year, and I am glad to be able to claim considerable credit on the part of the officers who, with the greatest difficulty, have to examine the numerous small accounts which aggregate \$200,000. The difficulty in keeping these accounts down is extraordinary, but on account of the care and system which the officers have adopted, we are only asking \$1,000 increase for a great many new lights.

Mr. BOWERS. I would call the attention of the Minister to the fact that the light-keeper at Peter's Island, Westport, N.S., gets the magnificent sum of only \$300 per year.

Sir CHARLES HIBBERT TUPPER. That is very much as a rule down there.

Mr. BOWERS. All the rest of the light-keepers in that vicinity get at least \$400 a year, and this gentleman has to attend to a horn of some kind.

Sir CHARLES HIBBERT TUPPER. What kind of a horn?

Mr. BOWERS. Some kind of a horn placed there by the department, which this gentleman has to blow with a crank. I want to call the attention of the hon. Minister to this, that three or four years ago this man had to employ a man or boy and pay him \$80 or \$90 for the summer, and he has had to employ more or less help since. He has a family, and he has to take his children to the mainland to go to school. His brother kept the light before he did, but he could not stay there; he had to give it up and go to the United States to make a living. Then the light was given to the man who has it now. He does not want to give it up, because he has no other way of making a living; but the pittance he receives is too small for the work he has to do, and I would like the hon. Minister to consider whether he could not increase his salary so as to enable him to employ a boy to blow the horn during the summer months. I think he applied to the department two or three years ago for an increase; but his application has not been attended to. If the hon. Minister will examine into the matter, I think his conscience will lead him to grant this man at least \$400 a year, what the other lighthouse keepers get. He is a faithful man and attends to the light well.

Sir CHARLES HIBBERT TUPPER. I shall be very glad to look to the case. It has not been brought to my attention, cer-

tainly not within a reasonable period. I must say to the hon. gentleman, however, with all frankness, that this is not an extraordinarily low salary on the coast. We can get splendid men there for very small salaries, I fancy some who would have plots of land which they cultivate around the lighthouse. There are men at important stations who receive much lower salaries than that.

Mr. BOWERS. In this case the land is owned by private parties, and the light-keeper has to pay rent. At Boar's Head and at Briar's Island, the lightkeepers get \$400, and in both cases the position is fully as easy as the position of this man.

Sir CHARLES HIBBERT TUPPER. I will take some off them and give it to him.

Mr. FORBES. The hon. Minister will pardon me if I refer to the case of Captain Kenney, the late keeper of the Barrington lightship, who was dismissed from that office.

Sir CHARLES HIBBERT TUPPER. Has not the hon. gentleman a notice of motion on the paper in regard to that?

Mr. FORBES. Yes.

Sir CHARLES HIBBERT TUPPER. We might spend an afternoon on that notice of motion.

Mr. FORBES. I only want to bring to the attention of the hon. Minister certain matters which he does not know about, or he would not have acted in that case in the way he did. I did put a notice on the paper, and I was in hopes that it would be reached last Monday, but owing to the press of business it was not reached, and I fear it will not be reached this session so that I take advantage of this opportunity. The hon. Minister has told me that he dismissed this man for farming out the light, and that he did so after an investigation had been held. I think the Minister is entirely mistaken as to the result of that investigation.

Sir CHARLES HIBBERT TUPPER. The result is that the man is out.

Mr. FORBES. The actual effect of the investigation was the dismissal of the man: but that should not have been the effect, because the evidence taken did not warrant it. I would like the Minister to lay the report on the Table. It seems that the two commissioners, Messrs. Hutchins and Johnson, went down there and visited Captain Kenney, then in charge of the light-ship, and made two charges or complaints against him. The first was that he had left this ship and gone to Clark's harbour to attend a political meeting, and taken another man there with him. Captain Kenney was asked by the commissioners if that was true.

Sir CHARLES HIBBERT TUPPER. May I appeal to the hon. gentleman not to go

Sir CHARLES HIBBERT TUPPER.

through all that case. There is nothing in it except a very simple statement. The man says he was unjustly dismissed, because, while guilty of farming out the light, he had kept a casual eye over it.

Mr. FORBES. The hon. Minister is going to prejudice the case again; that is not fair.

Sir CHARLES HIBBERT TUPPER. I am not prejudicing it; but it is now nearly twelve o'clock.

Mr. FORBES. The hon. gentleman will pardon me—I have the floor.

Sir CHARLES HIBBERT TUPPER. It does not matter to me; I am willing to stay all night.

Mr. FORBES. The hon. Minister tells me that technically the man committed an error, while virtually and morally he did no wrong at all. I was going to say that Captain Kenney, who was a most able and worthy man, who filled that position for over sixteen years, made answer to the charge of the commissioners, that he had attended one political meeting, because he had not heard the public speakers, and that that was the only meeting he had had anything to do with. Mr. Johnson, one of the commissioners, himself, replied that there was no harm in such a proceeding as that, as he would have done the same himself. The next charge made against Captain Kenney was that he had hired his horse or allowed his horse to carry voters to the poll during the election contest. This was denied emphatically.

Sir CHARLES HIBBERT TUPPER. What is the hon. gentleman reading from?

Mr. FORBES. From a report.

Sir CHARLES HIBBERT TUPPER. What report?

Mr. FORBES. From the evidence taken at that time.

Sir CHARLES HIBBERT TUPPER. Then what does the hon. gentleman move for?

Mr. FORBES. I move for the report. The hon. gentleman drew up his own charges, appointed his own court, made his own rules, and sent his own commissioners down there, and I have no doubt they went down with their judgment in their pocket. What I am asking for is the judgment of this tribunal and of the country. I am stating the evidence to the hon. gentleman now, and I would like to have his judgment as well as the judgment of the country on the facts. The second charge was that Captain Kenney had hired out his team to carry voters to the poll. This is emphatically and specially denied by the lighthouse keeper.

Sir CHARLES HIBBERT TUPPER. He was found not guilty on that.

Mr. FORBES. I do not know. I believe that is the real ground of his dismissal, together with the fact that his family took a warm interest in the then pending elections. The commissioners doubted the words of Captain Kenney and applied to Captain A. K. Smith as to whether it was true or not, and Captain Smith verified the answer of the lighthouse keeper, and said the charge was not true. About this time it seems there were three elections held in the county of Shelburne.

The CHAIRMAN (Mr. Denison). I am afraid the hon. gentleman is out of order in discussing the elections.

Mr. FORBES. There was a very interesting election contest in the county at that time.

Sir CHARLES HIBBERT TUPPER. I would like your ruling, Mr. Chairman, on that point. The hon. gentleman is proceeding to discuss the dismissal of an officer, which took place three or four years ago, under an item relating to the salaries and allowances of the present lighthouse-keepers.

Mr. DAVIES (P.E.I.) We are now in Committee of Supply, and discussing a vote of some \$201,000 for the salaries of lighthouse-keepers, and my hon. friend is complaining that one of these lighthouse-keepers was improperly dismissed. I say he is directly within his rights.

The CHAIRMAN (Mr. Denison). I think the hon. gentleman would be justified in referring to the dismissal, but he is proceeding to discuss some questions previous to that.

Mr. DAVIES (P.E.I.) Not at all.

Mr. FORBES. I was proceeding to say that the hon. gentleman is asking us to vote an increased sum over what would have been necessary, had he retained the former lighthouse-keeper in charge. This lighthouse-keeper was unfairly dismissed. Either the facts were not correctly reported to the Minister or, if correctly reported, he drew an incorrect conclusion. There was an election contest going on, and it was supposed that everybody in the county was enthusing over it and taking part in it, and pressure was brought on the Government to have this man dismissed because his family and friends exercised their rights as citizens. An investigation was held, which resulted in his dismissal. The charge brought against this lighthouse-keeper was investigated by Messrs. Hutchins and Johnson. When they asked him how often he visited his light-ship? he replied whenever necessary, and that he had complete charge. Then Mr. Hutchins or Mr. Johnson, one of the commissioners sent down to investigate, turned round to the window and looked over the bay where the vessel was, and said: I do not see but that you can look after this ship as well sitting on your chair here as on the deck of the

vessel. That was the sum total of the investigation made, to which the captain was a party. I do not know what report was made by these commissioners, but I wish the hon. Minister to lay it on the Table. I know that the Minister, through one of his officials, the Deputy Minister of Marine, wrote this letter on the 5th August, 1890, to this lighthouse-keeper:

I am to inform you that by Order in Council of the 30th ultimo, and upon the recommendation of the Minister of Marine, your appointment as keeper of the Barrington lightship has been cancelled, as it appears that for five or six years past, in contravention of rule 80 of rules for the guidance of light-keepers, which states that no light-keeper will be allowed to perform his duties by substitute without the written permission of the department, you have been employing one Richard Fuller as keeper of the lightship at a salary of \$150, you yourself receiving \$500 and visiting the ship only at intervals. You will retain charge of the vessel until you are relieved by the person sent by the department for that purpose.

I am, sir, your obedient servant,

JOHN HUTCHINS.

It appears that for five or six years it had been the practice of this lighthouse-keeper to employ another man to look after the vessel. I asked the Minister whether he knows of any lightship on the coast of Nova Scotia, or of any other civilized country, the keeper of which has not an assistant. It would be utterly impossible to have a lightship in charge of one man only, without allowing him to employ another man as his substitute or assistant, when he is compelled to be absent. The facts are as follows: The chief officer in charge of the service, Captain Kendrick, specially ordered Captain Kenney to employ a substitute, and not depend on himself alone for the maintenance of the light. Captain Kenney always looked after the ship to the best of his ability; there was never any complaint made; no one charged him with neglecting his duty, during the five or six years he was in the habit of employing an assistant, and the officers of the department themselves, when they went down to investigate, said that he was justified in so doing. Now, the person in command of the vessel, Captain Nicholson, who no doubt is paid by the Government, as I am informed, or employs one at his own expense, as Captain Kenney did. I could well understand the dismissal of Captain Kenney, if his substitute had done his work negligently, but no such charge is made. The sole charge was that he had not asked the permission of the Marine Department to do so. On the 7th August, Mr. Hutchins, after he had taken part in this investigation, wrote this letter:

Your appointment as keeper of the Barrington lightship having been cancelled on the 30th ultimo, the leave of absence granted by my letter of the 4th inst., is consequently of no effect.

On the 4th of August, perhaps months after the investigation was held, the Minister's own inspector gave Captain Kenney leave of absence, and consequently permission to employ a substitute, and now it turns out he was summarily dismissed on the 30th July previous. On the 7th August, Mr. Johnson, the chief agent in Nova Scotia of the Minister, wrote to Captain Kenney, as follows :—

I am informed by letter from the department that your appointment as keeper of Barrington lightship was cancelled by Order in Council of 30th July. You will please hand over to Mr. Richard Fuller, who has been placed in temporary charge, the vessel and all stores, etc., belonging to her which may be in your possession.

That letter refers to Richard Fuller, the man whom Captain Kenney employed to look after the vessel, which shows conclusively that the Government could never have had any fault to find with the way the duty of looking after the vessel was performed, or the Government would not have put the vessel in charge of Mr. Fuller. Again, on the 27th August, at the time the investigation was going on by Messrs. Johnson and Hutchins, it was made evident to Captain Kenney, by these officers, that his services were not wanted, and that the position was required for somebody else. Captain Kenney, being rather an old man, replied to Mr. Johnson to this effect :

I am getting old, and perhaps it would be best for me to resign, if it would serve the Government purpose. I have been here for sixteen years and I would be content with my superannuation allowance.

The agent of the Minister replied that it would be much better for the captain if he would resign at once, and that he would in that case most certainly get his superannuation allowance. The result was that Captain Kenney wrote out his resignation and forwarded it to the Government. To this letter he received no reply, not even the courtesy of a formal acknowledgment. This was some weeks previous to the 30th July. He heard nothing about the matter until he got this curt letter from the Deputy Minister of Marine telling him that he was dismissed. Captain Kenney naturally felt that he had been unfairly dealt with and he asked when his superannuation would be allowed to him, and whether the fact that the Government had summarily dismissed him would affect his superannuation. He received this letter from Mr. H. W. Johnson :

I am in receipt of your letter of 19th inst., and in reply would state, that, so far as I know, there has been no superannuation allowance made in your case.

Now, on the 30th July he received from Mr. Johnson a letter as follows :

I am in receipt of your letter of 26th inst., and would say in reply that I have received no official
Mr. FORBES.

notification of your having been dismissed from the position of keeper of the Barrington lightship. In my report to the department some time since I stated your request to be superannuated and I will forward a copy of your letter to Ottawa to-day.

On the 26th of August, Mr. Hardie wrote, as Deputy Minister to H. W. Johnson as follows :—

I have the honour to acknowledge the receipt of your letter dated the 22nd inst., inclosing copy of a letter received from Mr. J. R. Kenney, late keeper of the Barrington lightship, asking that he be allowed superannuation, and in reply, I have to request you to inform Mr. Kenney that the Minister of Marine and Fisheries is unable to recommend his application in view of the unsatisfactory character of his services.

That does not seem to be quite in accord with the statement of the hon. Minister himself. The hon. gentleman states that his sole ground of complaint was that Captain Kenney had farmed out the light, but he refuses him superannuation allowance because of the unsatisfactory character of his services. If his services were so unsatisfactory as to prevent the man being given superannuation allowance, they were sufficient grounds for dismissal. But the hon. gentleman says he did not dismiss him for that. It seems to me that this requires an explanation, as there seems to be a discrepancy between the statement of the Minister and the statements of this official. Now, as regards the rules and regulations which the hon. gentleman says Captain Kenney broke, did the Minister instruct his officials to inquire whether Captain Kenney had had the rules furnished him, or was in fact acquainted with the rules of the department? As a matter of fact, he never had a copy of such rules and never knew of the rule in question, the breach of which is given by the Minister for his dismissal.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman surely cannot expect his word to be taken with regard to a matter of which he cannot possibly have personal knowledge.

Mr. FORBES. I think my word ought to be taken just as readily as that of the hon. Minister, who was not present and does not know what took place. There is not a tittle of evidence to show that Captain Kenney was furnished with a copy of the rules or that he knew of their existence. The statements I make to the House are based upon information furnished by those who are familiar with the details of the case, and I am going to ask the hon. member for Shelburne (Mr. White) to bear out what I have said. That I may put it in a stronger way than I would have done had the Minister not met me in the harsh way he has. There is nothing to show that Captain Kenney knew of these rules and it is a fact that Captain Kendrick, the first inspector, told Captain Kenney it would be necessary to employ a substitute. It was known to the officers of

the department that he was employing a substitute for several years. For five or six years they allowed this to go on and now the Minister rises in his might—and I do not question his right to exercise the power vested in him—and dismissed this man. But the dismissal under the circumstances was, to say the least of it, not justifiable, especially when it can be shown that an agent of the department asked the man to send in his resignation. The ground given for his dismissal was not sufficient ground for refusing superannuation. I know that this case has aroused a good deal of feeling even in the hon. gentleman's own party in the county of Shelburne. I am not talking from a political point of view, but am asking for fair-play for the officers of our lighthouse service, and especially for this man. It is yet time for the hon. Minister to, in a great degree, right the wrong that has been done. The Government can give this man the superannuation allowance. Whether they refund to him the amount which would be due had the superannuation been granted before is another matter. But the man should be put on the superannuation list with as little delay as possible. The hon. Minister will see that the ground he gives for the dismissal of this man does not correspond with the evidence taken by his own commissioners. If he will lay on the Table the report of those officers I am satisfied that the evidence as laid upon the Table will correspond with what I have said. I ask him to accept the facts and to reconsider his decision.

Mr. WHITE (Shelburne). As the hon. member for Queen's (Mr. Forbes) has called upon me to corroborate what he has stated, I will say a few words on this subject, because if I were to remain silent, my silence might be taken as signifying consent to the charge he has made. I know the lighthouse keeper very well to whom he has referred. He was in charge of this lightship for a considerable length of time. Charges were made against him, first, that he had taken a very active part in one of the elections which had taken place there, not one of my own elections; and also, that he was farming out his lightship contrary to the rules of the department. An investigation was made by Mr. Johnson, of Halifax, and by Mr. Hutchins; and I think it would be impossible to find a kinder-hearted man, a man who would have more sympathy with an official of his department than Mr. Johnson. When Mr. Johnson went there he afforded him every consideration, and patiently listened to everything this man could say in his own defence. He was acquitted of taking a very active part in the election, and I myself wrote a letter to the hon. Minister on that occasion, and told him that, notwithstanding it had been stated that he had taken an active part in the election, I did not believe that was the case. I said what I could for this man, and he was completely acquitted on that

charge. But it is a fact that he was farming out the lightship. This lightship lay in the roadstead some distance off, a mile or so from his house, and the lighthouse-keeper very rarely went on board was a fact patent to all the people who went there. This, I believe, is contrary to the rules of the department, and he was dismissed for that cause, and for that cause only. After he was dismissed, I must say that I would have been pleased if this unfortunate man could have received a retiring allowance, inasmuch as he had been there for a considerable time, and professed, at all events, to have violated this rule without being acquainted with it. I made some investigation on that point, and I ascertained that every lighthouse-keeper is furnished with the rules of the department, and there was not any doubt whatever that this man was furnished with them at the outset.

Mr. FORBES. From whom did the hon. gentleman get that information?

Mr. WHITE (Shelburne). I got it from the officers of the department here, who stated that it was the invariable custom, one that was religiously observed.

Mr. FORBES. Does the hon. gentleman know that Captain Kenney says he never had them?

Mr. WHITE (Shelburne.) Yes, I think I have heard him state that. As I said before, I would have been very glad, indeed, if this man could have received a retiring allowance. But I think if hon. gentlemen will look into the matter, they will find that where a man is dismissed for violating the rules, it is not very easy to give him a retiring allowance.

Mr. FLINT. Is it a fact that the present lighthouse-keeper is allowed a substitute?

Sir CHARLES HIBBERT TUPPER. No, it is not; he would have been dismissed, too, if he had done such a thing. I will be much surprised if this committee, on either side of the Chairman, should sympathize in the slightest degree, with the case the hon. gentleman is attempting to make about this man. We are not dealing with a matter of sympathy. The hon. gentleman has put the case adorned with the gloss and all the misrepresentations that have been poured into his ears in reference to it. This case simply constituted an intolerable scandal, a thing that is not allowed in any department of the Government service that I am aware of, and I hope it never will be allowed. I protest against it as a most vicious principle, and I know of no case since I have been in the Marine Department where it has been tolerated. What does the hon. gentleman say, stripped of all the little statements regarding sympathy, and the man's age, and things of that kind? That for five years, as he practically admits, this man has taken \$500 a year in cash from the Marine De-

partment as keeper of a lightship, not an ordinary little two-penny half-penny light on shore in a comparatively unimportant locality, but a light on the most dangerous point on the coast. Now, Mr. Chairman, mark this fact, this man deserts his duties and farms them out to a poor man for \$150 a year. That is every dollar in cash that was spent for the maintenance of a light for which we pay \$500 a year. I could understand the hon. gentleman if he had attacked me for having permitted such a thing to go on, and I could understand the hon. gentleman deprecating any lax system of inspection that would allow that kind of thing. But to try to make a grievance out of it! He belongs to a party that often boasts of purity, and holds up its hands in horror at extravagance; but in this case, because Mr. Kenney happens to be opposed to the Government in politics, they say it is a great shame that we did not allow this poor man to live on shore and receive \$500, while he paid some other starving wretch \$150 to take his place and risk his life on the lightship. There was a full investigation, charges were preferred which Mr. Kenney had an opportunity to answer. There was an investigation by an agent of the department, who also took, as I may tell the House, the same sympathetic view as the hon. gentleman, because the man was old. Although it was a case of gross violation of the rules, still, the hon. gentleman thinks that he should be superannuated. Now, I may be wrong in my estimation of what my duties are as a Minister in making representations to the Governor in Council under the Superannuation Act; but there is a statute which says that it is only in case where a man has reached a certain age, and whose conduct has been free from reproach, that he is entitled to superannuation. But here was a gross violation of duty, substantiated after investigation. I have the evidence, and I will read some portions of it to the hon. gentleman. It may teach the hon. member for Queen's not to insist on taking up three-quarters of an hour of the time of the committee over fanciful charges of this kind, when he refused to allow me to make an explanation which would have prevented nearly the whole discussion. The hon. gentleman certainly has not got the evidence. He read from a document I never heard of, a document that never came before me. It was impossible for the hon. gentleman to know what the actual facts were. I will read from the evidence taken by the agent:

Richard Fuller, married, lives at Barrington, no family, employed by Capt. J. A. Kenney to look after lightship "Barrington." Has been in this employ five or six years. Sleeps on board the ship, and manages her generally.

Now, we want a man on the lighthouse at night. That is the time that we want a \$500 man, that is what the country is willing to pay a man to live there; but for five or six years this man lived on shore. Now,

Sir CHARLES HIBBERT TUPPER.

let us see what the lighthouse-keeper, who draws \$500, was doing:

I do not think my pay is enough. Once in the winter Mr. Kenney stayed with me about one week when the ice was heavy, and when the "Newfield" was here for two or three days, he remained on board with me. I cannot recall any other time when I have not been alone on board at night.

Now, that is the statement upon which I acted. I considered it was a gross scandal. I would like hon. gentlemen to say whether we are to tolerate such a thing, to pay a man a salary and allow him to enjoy himself on land if he can get a poor wretch to take his place and risk his life for a mere nominal sum. Long before this, there had been charges made, that were not followed up, of this light not being properly kept; there were charges before my time that were not acted upon. I have every reason to believe that possibly those charges were correct. We had not the man there we should have had, and the only thing I feel ashamed of, in a departmental sense, is that our own inspection did not bring those facts sooner to light. But when the inspector goes along the coast, if he finds the light all right at the time he is there, and if he finds the man in charge, that everything is going on well, and if there are no complaints, and no charge of negligence, he reports accordingly. With these facts before me, I recommended that the man be dismissed, and he was dismissed. The charge made with regard to interfering with political matters was not substantiated, and it did not in the slightest degree prejudice his case. I make this statement, for I yet have to learn that I have condoned any similar fault on the part of an officer from the Atlantic to the Pacific. I consider it is my duty to see that the officers perform their work.

Mr. DAVIES (P.E.I.) The charge made was that he farmed out the lights?

Sir CHARLES HIBBERT TUPPER. Yes.

Mr. FORBES. He never heard of that charge until after he had been dismissed.

Sir CHARLES HIBBERT TUPPER. I hope the hon. gentleman will see the folly of taking up a statement made by an officer and standing by it. The hon. gentleman is perfectly right in bringing up a case and wishing an investigation, but he is in error in manifesting an intense desire to talk about a grievance without being willing that I should rise and give the actual facts on which I acted.

Mr. DAVIES (P.E.I.) Will the hon. Minister give the committee the charge, and the persons by whom it was pressed?

Sir CHARLES HIBBERT TUPPER. I will bring down the whole papers if the hon. gentleman wishes.

Mr. DAVIES (P.E.I.) I wish the original charge.

Sir CHARLES HIBBERT TUPPER. The charge was preferred by Arthur McGray and others, and it was sent to me by the representative of the county at the time, General Laurie. I have here the letter received :

I do not know what has been your policy in such cases. Our friends feel very bitterly against this man Kenney on account of his active work against us at the last election. I am quite willing to take the responsibility of recommending his dismissal, but I think you will make further inquiries. He does not reside on board his lightship, but pays a man about \$150 a year to do so, while he receives \$500. I imagine that when he was appointed it was intended he should live on board and look after the light himself.

On that I made an investigation, and I would have dismissed him on either charge being proved, even on the charge that he had made himself obnoxious to candidates representing the Government.

Mr. FORBES. Does the hon. Minister say that the present officer has no substitute ?

Sir CHARLES HIBBERT TUPPER. I am not aware of any. If the hon. gentleman will make a charge, I will investigate it. There has been a charge made against the present light-keeper. This is the statement :

In reply to yours of the 11th inst., I would say that at the time in question I was having repairs made in my house. I was only absent for a couple of weeks or so, and in the meantime I visited the light sufficiently often to know that everything was all right. My assistant was a trustworthy and reliable person.

On that letter he was censured and warned. The following letter was sent to him, dated December 18th :—

The department has had under consideration correspondence had with you recently by the Inspector of Lights by which it appears that you have been absenting yourself from your station and only visiting your ship three or four times a week. I have to call your attention to the duties required of you by the rules and regulations in regard to personal attention to your duties as light-keeper, and I have to caution you against any further neglect of such duties, and I have also to inform you that in the event of your absenting yourself again without leave, your conduct will be sufficient for dismissal.

That letter was dated December 18th.

Mr. FORBES. The old keeper did not get any such caution as that.

Mr. DAVIES (P.E.I.) No one can complain of an officer being dismissed when he fails to discharge his duties. The difference between the action taken towards the late appointee and Captain Kenney was this, that Captain Kenney had for years neglected his duties by not personally attending to the lightship. Captain Kenney says, according to the hon. member for Queen's (Mr. Forbes), that he never received

a copy of the rules requiring him to attend personally.

Sir CHARLES HIBBERT TUPPER. We do not accept that statement, because the officers of the department sent him the rules when he was appointed.

Mr. DAVIES (P.E.I.) It is possible they may have been sent to him and that he may have lost or mislaid the rules, but it is evident that he acted contrary to the rules, and no doubt he was censurable. But the difference in the treatment between Captain Kenney and his successor was that while one broke the rules—

Sir CHARLES HIBBERT TUPPER. One violated the rule for one week and the other for five years.

Mr. DAVIES (P.E.I.) The hon. Minister was content with censuring the present incumbent, while he did not give Captain Kenney the benefit of a censure, but dismissed him at once.

Sir CHARLES HIBBERT TUPPER. What would the hon. gentleman have done ?

Mr. DAVIES (P.E.I.) I am not sure what I would have done. I would, however, have censured him before I dismissed him.

Contingencies, lighthouses, &c. \$18,120

Sir RICHARD CARTWRIGHT. I wish to inquire whether, with respect to J. Gregory, of Quebec, who is an old officer, it is the intention of the Government to superannuate that gentleman ?

Sir CHARLES HIBBERT TUPPER. No, he has not applied for it, and he is discharging his duties.

Sir RICHARD CARTWRIGHT. Discharging them satisfactorily ?

Sir CHARLES HIBBERT TUPPER. Yes, on the whole.

Maintenance and repairs of lights.....\$265,000

Mr. BOWERS. There is a matter I should like to bring to the attention of the committee. It is the establishment of a lightship at Lurcher Shoal, off Yarmouth. This shoal consists of two shoal patches bearing from each other N.E. $\frac{1}{4}$ E. and S.W. $\frac{1}{4}$ W. with sixteen or seventeen fathoms of water between them. The one to the south-westward is the larger and shoaler, having only nine feet of water. The two shoals are distant from each other two and a half miles. The smaller shoal to the north-east has five fathoms on it. The south-west shoal bears from the Yarmouth lighthouse north-west by west two-thirds west, fourteen and three-quarter miles. I would call to the attention of the Minister that many petitions and letters have been sent to the department year after year upon this subject. On the 18th February, 1882, a

very lengthy letter was sent by D. W. Brown, Superintendent of Lights of Nova Scotia, as regards the dangers in the Bay of Fundy, and especially with reference to the Lurcher Shoal, and he asked that a lightship be placed there. Again, in 1882, there was a petition sent to the Senate from the St. John Board of Trade, the municipality of Yarmouth, the Halifax Chamber of Commerce, the Quebec Board of Trade, and the Montreal Board of Trade, in which they asked that a lightship be placed on the Lurcher Shoal, with a fog-bell attached. They called attention to the great number of wrecks which have taken place in that vicinity, and they also show in their petition that Captain Meade, of the United States steamer 'Vandalia' has urged upon his Government the great necessity of their asking the Government of Canada to effectively mark this isolated and dangerous shoal. The Minister is aware, and this whole House is aware, more especially the members from New Brunswick and Nova Scotia, that this is a very dangerous shoal. At the entrance of St. Mary's Bay and the Bay of Fundy, it is almost in the line of shipping coming from the ports of Boston and New York to the port of Yarmouth, to St. Mary's Bay, and to St. John. Hundreds and thousands of vessels pass within a few miles of this shoal every year, and as we all know there is a great deal of foggy weather in the Bay of Fundy, which makes this shoal more specially dangerous. The Lurcher Shoal is marked by a whistling buoy, which went adrift in 1883, again in 1884, again in 1886, twice in 1888, again in 1890 and twice more in 1892. It seems almost impossible to keep a whistling buoy on this dangerous shoal, and for the preservation of life and property I would urge upon the Minister in the supplementary estimates to make provisions for a lightship being placed there. Probably no place in the waters of the Dominion of Canada is a lightship more needed than on the Lurcher Shoal. During these times that the buoy was absent, letters and telegrams from Yarmouth, St. John, Halifax and elsewhere were continually being received by the Government, calling their attention to the great risks to navigation because of the absence of this buoy. In the return I asked for last year, and only received this session, there were over 100 letters calling attention to this dangerous shoal. On the 24th November, 1892, A. F. Clements, of Yarmouth, while in Ottawa, called upon the department and urged the necessity for better protection for navigation on the Lurcher Shoal, and suggested that a light could be easily maintained there. I call the Minister's attention to this matter so that the importance of it may be recognized by the department, and I hope that he may do something for the better preservation of life, which is endangered by this obstacle to navigation.

Sir CHARLES HIBBERT TUPPER. I am sorry the hon. gentleman has not stated

Mr. BOWERS.

that many of the complaints in reference to that dangerous locality, and very difficult locality to mark, have subsided for some time. The last automatic buoy we placed there has worked well, and I have most congratulatory letters from those interested in shipping at the port of Yarmouth. The hon. member for Yarmouth (Mr. Flint) spoke the other night with eulogy upon the manner in which my department was looking after the waters in that locality. The subject of the lightship was very carefully considered by the officers of the department, but the hon. gentleman (Mr. Bowers) knows enough about navigation to know that it is a serious question as to whether you can keep a lightship on the Lurcher Shoal. I do not think my hon. friend would undertake the duty of remaining on board one. The carrying away of the buoy is a very dangerous thing, because if it is not recovered it is worse than if there was no buoy there at all. My officers came to the conclusion that we should quicken the service of our steamers so as to visit those buoys more frequently, and so protect the chains against the extraordinary currents which cause them to break. The department has given great attention to that subject, and I hope by this change to render the necessary service.

Mr. BOWERS. An automatic buoy is a nice thing in foggy weather, when there is no wind, but, in a gale of wind, with a southerly or south-west breeze, it is impossible to hear a whistling buoy until you pass it, and then you may be too near the ledge to escape its dangers, and loss of life often follows, as well as the destruction of the ship. I do not see any more difficulty in keeping a lightship there than off many of the shoals on the American coast.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman know of any lightship on as difficult ground as the Lurcher Shoal?

Mr. BOWERS. The lightship off the Pollock Reef, as well as those on the Nantucket Shoals, on the southern coast of Massachusetts, must be in fully as bad places as the Lurcher Shoal.

Sir CHARLES HIBBERT TUPPER. During the late Administration a lightship was placed off Sandborough Point, which is not as bad as the Lurcher Shoal, and the lightship was lost.

Mr. YEO. I would ask the Minister whether he intends placing buoys and range-lights at the entrance to Darnley Basin, Malpeque Harbour? I have endeavoured to point out to the Minister the necessity of placing buoys there. It would not be an expensive matter, and it would be of great convenience to a large number of fishermen who frequent this place.

Sir CHARLES HIBBERT TUPPER. I think the wishes of the hon. gentleman (Mr. Yeo) have been substantially met by the department placing buoys there, and that

has been done. We have not yet obtained satisfactory information as to the lights, but I imagine that can be done also.

Sir RICHARD CARTWRIGHT. I called the attention of the Minister a couple of years ago to the fact that his officers have put in the harbour of Kingston a couple of triangular shaped buoys moored with chains, which are perfectly invisible at night, and to which there is neither light nor bell attached. Last summer I made some inquiry about the matter, and two or three cases were brought to my knowledge in which small steamers travelling that harbour at night narrowly escaped running into these, which would be a very serious matter, and might be attended with loss of life, because there were picnic parties on board the steamers. As it was, they very narrowly escaped running into them. They are perfectly invisible at night.

Sir CHARLES HIBBERT TUPPER. I do not know what it is on the lakes, but I know it is an every night experience in the harbours on the Atlantic. The case to which the hon. gentleman refers I sent the chief engineer to look into—not after hearing his complaint, because I was not in the House at the time, but previous to that. Colonel Anderson went to Kingston to arrange these buoys and some adjustment of the lights to the satisfaction of the large shipping interests. I think that hon. members who are familiar with these aids to navigation will agree with me that we could not possibly arrange to have buoys lighted; and to supply them with bells and make them ring would cost a very large sum of money.

Sir RICHARD CARTWRIGHT. They would ring when there was the least agitation of the waters.

Sir CHARLES HIBBERT TUPPER. Of course, bells can be put on; it is simply a question of dollars and cents; and I shall be very happy to look into the case and see if it is one of those that we deal with in that fashion. As a rule, bells are not put in to keep vessels off the buoys, but to let them know where the sides of the channel are.

Sir RICHARD CARTWRIGHT. I am aware that vessels navigating the channel and able to take their bearings from the lights, would not be in much danger. But the harbour is constantly traversed by small steamers carrying picnic parties, and they are out late at night, when it is quite impossible to distinguish these buoys. If a small steamer ran against one of these at night, it would inevitably go down. My own impression is that a bell placed upon it would be a sufficient protection. The agitation of the water would be sufficient to make it ring.

Sir CHARLES HIBBERT TUPPER. I suppose most of the nights when the small boats are out are calm?

Sir RICHARD CARTWRIGHT. In five out of six nights there would be sufficient agitation of the water to cause the bell to ring. There is not the least doubt that unless some precaution is taken accidents will occur; and having pointed out the danger I have done my duty, and if a dozen lives or so are lost out of Kingston, the responsibility must rest on the head of the department.

Sir CHARLES HIBBERT TUPPER. I can assure the hon. gentleman that I will take every precaution to provide against the loss of his life, which is too valuable to the Conservative party to be lost.

Sir RICHARD CARTWRIGHT. What you want to do is to spend \$20 or so in putting on bells.

Mr. DAVIES (P.E.I.) There is one case to which I wish to call the hon. gentleman's attention. He knows that the harbour of Souris is used very much by American and Nova Scotia fishermen, who run in there for shelter in every eastern gale. Last year one of these vessels, having on board a number of people, ran in on a very stormy night, and, coming around the breakwater, they mistook it, so that the vessel drifted on the shore, and a woman, the captain's wife, and one or two of the crew were drowned. A coroner's inquest was held, at which the captain and one of the crew contended that they could not see the light on the end of the breakwater. Other people looking from the shore, the Rev. Mr. Cameron and the hon. member for King's, who is not here to-night, gave evidence that the light could be seen from the shore.

Sir CHARLES HIBBERT TUPPER. Can the hon. gentleman remember the date?

Mr. DAVIES (P.E.I.) It was some time last autumn. The insurance agent, who had an insurance on the vessel, a very experienced nautical man, wrote a letter after the accident occurred, which was published, and he said he would forward it to the department, making a suggestion as to the kind of light that should be placed at the end of the breakwater; and I would ask the hon. Minister to make a note and see if that letter is in the department, and whether the suggestion is worthy of attention or not.

Sir CHARLES HIBBERT TUPPER. I do not recollect that case, and among the applications for lights for Prince Edward Island, that does not seem to be included. I will make inquiry into the matter. One hundred and fifty feet of breakwater was carried away in August, so it may have been all out of repair.

Mr. DAVIES (P.E.I.) The gentleman who gave evidence at the inquest said they could see the light from the high bank on the shore. The men on board the ship said they could see it from the deck, and both may have been telling the truth.

Sir CHARLES HIBBERT TUPPER. Very likely there was a temporary arrangement.

Mr. JONCAS. For the last two or three years I have been urging the necessity for a light on Newport Point in the county of Gaspé. Newport is a very important fishing place, about 100 to 120 boats going from there to Miscou banks. Grand River and Pabos are also very important fishing places, from which about 300 to 400 boats go to these banks. The fishermen are obliged to run before the wind in stormy weather and during dark nights; when if there was a light they could go into shelter at Newport, which is rather a dangerous harbour on account of a point of rocks stretching out. I have been urging on the department the necessity of putting a light there almost every year, because we have yearly to deplore loss of life and much loss of property through not having a light in that harbour. I hope the Minister will see his way clear to do this. Not only would it save life and property, but it would save time, because when the fishermen are caught at night by bad weather they have to run before the wind and lose consequently a great deal of time. The erection of a lighthouse there would cost a mere trifle compared to the great benefit it would give, and I hope the hon. gentleman will be able to do something this year for the fishermen in this locality.

Mr. FORBES. With regard to Little Hope Island, the hon. gentleman, a few years ago, on my representing to him the necessity of having a buoy of some kind in the channel between the island and the mainland, referred me to the officer in Halifax and ordered an examination to be made into the subject. I was informed by his own officers that they purposed erecting some sort of a fog-horn. At the time I pointed out that between the inner shoal and the western island and the mainland the passage was very dangerous to vessels going coastwise, west or east, and was given to understand that there would be a buoy of some kind put there. This place is a harbour much used by fishermen, and I should be glad to hear if the hon. gentleman has come to any decision as to where he shall place that buoy. Or he might place an automatic whistle buoy, such as can be heard in foggy weather, and which would serve the whole coast.

Sir CHARLES HIBBERT TUPPER. I have not gone further than the preliminary steps.

Mr. YEO. Is it the intention of the hon. Minister to place an additional buoy at Vagrant Bay, P.E.I.?

Sir CHARLES HIBBERT TUPPER. It is, but I really cannot say how that stands at the moment. I will make a note of it.

Mr. YEO. The contractors for placing these buoys frequently live at long distances from where the buoys are put down; and when these buoys are displaced by stormy weather, considerable delay takes place before

Mr. DAVIES (P.E.I.)

these parties can put them right. I would suggest that the department should have these buoys put in position by men living within a reasonable distance who could look after them without delay.

Signal Service..... \$6,000

Mr. FAUVEL. I see that at some of these stations the amount paid is \$100, at others \$45, and others \$60. As the service is the same, only hoisting drum during storms, how is it that the pay is so different?

Sir CHARLES HIBBERT TUPPER. In some places we can get the men cheaper than we can in others.

Repairs and incidental expenses
in connection with wharfs..... \$5,000

Sir CHARLES HIBBERT TUPPER. This is a new vote comparatively. We have not yet devised a very thorough system of expenditure. But the Marine Department have control of the wharfs which the Public Works Department builds. The Public Works Department has hitherto had done the repairs and a wharfinger could not spend even \$50 or \$100 for small repairs, because the money had to be obtained from two departments. It was suggested that a special vote should be taken for work in the way of repairs, and that the work should be done under the Marine Department.

Mr. BOWERS. I would like to call attention to small repairs required at Centre-ville. About \$50 or \$100 spent there now is all that would be necessary to keep the wharf in order. It is the only wharf between Westport and Digby, on the Bay of Fundy shore, a distance of forty miles. I called the attention of the Department of Public Works to it. A small expenditure would save a large expenditure in the future.

Mr. DAVIES (P.E.I.) With reference to the necessary repairs at these wharfs, should applications and reports in future be sent to the Marine Department?

Sir CHARLES HIBBERT TUPPER. That is not what I said.

Mr. DAVIES (P.E.I.) That is the result of what the hon. gentleman said.

Sir CHARLES HIBBERT TUPPER. Well.

Mr. DAVIES (P.E.I.) Is it. I am asking the hon. gentleman a single question. It seems to me he is very snappish to-night.

Sir CHARLES HIBBERT TUPPER. I can tell the hon. gentleman I will not stand his impertinence or the impertinence of any other hon. gentleman. I will not submit to be lectured or cross-examined by him. If he wants to hear me speak, let him take his seat.

Mr. DAVIES (P.E.I.) I think the hon. gentleman is treating me with great discourtesy.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman has remarked that before,

and he can go on saying it as long as he chooses.

Mr. DAVIES (P.E.I.) I confess I do not know what I have said to cause the hon. gentleman to talk in this way. I am asking a plain question.

Sir CHARLES HIBBERT TUPPER. If the hon. gentleman wants an answer, let him take his seat. I will not discuss any subject in that fashion.

Mr. DAVIES (P.E.I.) The hon. gentleman may take his own way—

Sir CHARLES HIBBERT TUPPER. And will.

Mr. DAVIES (P.E.I.) But I think he will see, on reflection, that he is treating me with great discourtesy. I am asking the hon. gentleman a very easy and simple question. He says that a change has been made with respect to these wharfs, as between his department and the Public Works Department. I wish to know to which department applications for repairs should be sent in future?

Sir CHARLES HIBBERT TUPPER. Now, if the hon. gentleman will take his seat, I will answer him. Application may be made to either department, and the matter will be attended to by the department to which it belongs. If it is for a work not coming within the department to which the application is sent, the application will be referred to the other department and will be attended to.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1 a.m. (Thursday).

HOUSE OF COMMONS.

THURSDAY, 21st June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

NICOLET CATHEDRAL.

Mr. LEDUC asked, Whether the Government have received any petition asking for the disallowance of a certain Act passed by the Legislature of Quebec, during its last session, whereby the town and parish municipalities of Nicolet are authorized to vote a grant of \$8,000 each, for the purpose of aiding in the building of a cathedral church in the town of Nicolet? If such a petition has

been received, has it been considered, and what is the intention of the Government in the matter?

Sir JOHN THOMPSON. A petition on that subject was referred to my department yesterday. It has not been considered yet.

INSPECTOR OF CANALS.

Mr. McCARTHY asked, 1. Has an appointment been recently made of an official in connection with the canals, called the "Inspector of Canals"? 2. If so, when was the appointment made? Who was appointed, and at what salary? 3. What are the duties of the newly-appointed inspector of canals? By whom were the duties, up to the time of the appointment of the inspector, performed, and what was the salary of the person performing them? 4. Is such last-mentioned person still in the employment of the Government, and what duties does he now perform? 5. Is the office, to which the recent appointment was made, newly created?

Mr. HAGGART. No appointment has recently been made of an official in connection with the canals called the "Inspector of Canals." On the 11th of November, 1879, Mr. H. B. Witton was appointed by Order in Council "Inspector of Canals," a misnomer, his title should have been "Inspector of Canal Revenue."

EXPERIMENTAL FARM.

Mr. BEAUSOLEIL asked, What are the names of the five employees at the Ottawa Experimental Farm who speak the French language? What positions do they hold? When were they appointed? What are their several salaries?

Mr. DALY. The names of the five employees at the Central Experimental Farm who speak the French language are, J. A. Guignard, J. L. A. McMurray, E. Pelletier, P. H. LeRosignol, and C. F. Whitley. J. A. Guignard acts as French correspondent, and also fills the position of assistant to the entomologist and botanist of the experimental farms. He was appointed in April, 1892, and receives a salary of \$600 per annum. L. J. A. McMurray acts as assistant French correspondent, and assists in showing visitors over the farm. He was engaged in May, 1890, and receives a salary of \$600 per annum. E. Pelletier acts also as assistant French correspondent, and takes charge of the mailing list of the French-speaking people in Quebec and elsewhere in Canada, and receives a salary of \$600 per annum. P. H. LeRosignol holds the position of assistant chemist. He was engaged in April, 1893, and receives a salary of \$700 per annum. C. F. Whitley is engaged in office work and correspondence in connection with the dairy. He was engaged in June, 1891, and receives a salary of \$800 per annum.

LOBSTER LICENSES.

Sir CHARLES HIBBERT TUPPER moved that, to-morrow, the House resolve itself into committee to consider the following resolution :—

Resolved, That a fee of \$25 shall be paid for a license to can, preserve or cure lobsters.

Motion agreed to.

QUEBEC RAILWAY SUBSIDIES.

Sir JOHN THOMPSON moved that, to-morrow, the House resolve itself into committee to consider the following resolution :—

That it is expedient to provide that, notwithstanding anything in chapter eight of the Statutes of 1884, intituled : "An Act to authorize certain subsidies and grants for and in respect of the construction of the lines of railway therein mentioned," the Governor in Council may, at the request of the Government of the province of Quebec, pay to the Treasurer of that province the principal of either or both of the subsidies which by the said Act the Governor in Council was authorized to grant, on the terms therein set forth, to the Government of the said province in consideration of their having constructed the railway from Quebec to Ottawa, that is to say : for the portion between Quebec and Montreal, one hundred and fifty-nine miles, a subsidy not exceeding six thousand dollars per mile, nor exceeding in the whole nine hundred and fifty-four thousand dollars, and for the portion between Montreal and Ottawa, one hundred and twenty miles, a subsidy not exceeding twelve thousand dollars per mile, nor exceeding in the whole one million four hundred and forty thousand dollars.

Motion agreed to.

DISTRIBUTION OF THE COMMON SCHOOL FUND.

Sir JOHN THOMPSON. I should have said that the resolution just read and the one I am about to read have received the consent of the Crown. I beg to move that the House resolve itself into committee, to-morrow, to consider the following resolution :—

That it is expedient to provide that the Governor in Council may, so soon as an agreement is reached between the Governments of the provinces of Ontario and Quebec as to the manner in which the fund hereinafter referred to is to be divided and distributed between the said provinces, or as soon as the manner of the distribution thereof is determined by the arbitrators appointed under the authority of chapter six of the Statutes of 1891, should the question of the distribution thereof be referred to and determined by such arbitrators, pay to and divide between the said provinces, in the proportions agreed upon or determined by the arbitrators, and in full discharge of any further obligation or liability on the part of the Dominion, with respect to the said fund, the principal of a certain fund held by the Dominion in trust for the said provinces and known as "The Common School Fund"; and that such payment shall divest the Dominion of the said trust and of any further liability or obligation in any way connected therewith or relating thereto.

Motion agreed to.

Mr. DALY.

INQUIRY FOR RETURN.

Mr. McCARTHY. I would like to ask when the return to the Order made on the 21st May will be brought down? I asked about this return on the 7th June, and I was promised that the return should be brought down at once. It is now the 21st June, just a month since the Order was made, and a fortnight since this promise was made me.

Sir JOHN THOMPSON. What return is that?

Mr. McCARTHY. With reference to the Woodstock matter.

Sir JOHN THOMPSON. I will ask at once so as to have the return down to-morrow if possible.

SUPPLY—THE POSTMASTER AT GEORGETOWN.

Mr. FOSTER moved that the House again resolve itself into Committee of Supply.

Mr. LANDERKIN. Before you leave the Chair, Mr. Speaker, I have a matter which I desire to bring before the House, a matter which I think deserves the attention of the House—I refer to the dismissal of the postmaster at Georgetown, Ont. I may say that on Monday I gave the Postmaster General notice that I would bring this matter forward, for I was anxious that he should have full time to consider the subject and prepare himself to deal with the statements I make. The postmaster at Georgetown, Mr. W. Goodnow, was appointed in 1871 under the Administration of the late Sir John A. Macdonald, the Postmaster General at that time being Hon. Alexander Campbell. I may say that he was assistant in that office three or four years before he was appointed postmaster. He held the position of postmaster continuously until last January, and during all that time he has discharged the duties of the office faithfully and has given them his whole undivided attention. According to the statement made by the present Postmaster General not a single complaint has been made against Mr. Goodnow's management of the office or his course in the discharge of his official duties. But, notwithstanding this record, Mr. Goodnow was dismissed from the office last January. It appears that his constant attention to the office brought on an illness from which he suffered to some extent. During his illness the duties of the office were performed by his daughter, who was assistant postmaster. It was further stated by the Postmaster General that during the time that Mr. Goodnow's daughter was in charge the duties of the office were satisfactorily and efficiently performed. The ground given for Mr. Goodnow's dismissal was that he did not give his personal attention to the office. After he was dismissed another person, Her-

bert B. Henderson, was appointed. He is, I understand, a young man of about eighteen years of age. He has not given his personal attention to the office or discharged the duties of the office since his appointment, but the duties have been discharged by the daughter of the late postmaster. Herbert B. Henderson is the son of the sitting member for Halton. I am not going to complain of his appointment on that ground. If the son of the sitting member is competent to discharge the duties and will discharge them satisfactorily, I have no complaint to make against him. What I am complaining of is that the postmaster, during an attack of illness, was dismissed in a most cruel and unjustifiable manner. Now, at the time of the dismissal, the people of Georgetown heard with uneasiness and dismay that this faithful servant, who had been for twenty-five years or more in the service of the public, was to be dismissed. They were all satisfied with the way the duties of the office were being performed by Mr. Goodnow's daughter, and they sent in a petition to the Postmaster General and to the member for the riding, Mr. Henderson, asking that this threatened dismissal should not be carried out:

PETITION TO THE POSTMASTER GENERAL OF THE
DOMINION OF CANADA, OTTAWA, ONT.

Your petitioners having learned that there is some intention of making a change in the management of the post office in Georgetown, desire to respectfully and urgently request of you that no recommendation for such change be made by you at the present time. Your petitioners have pleasure in stating that Miss Goodnow, who has had charge during her father's sickness, has managed the office to the entire satisfaction of your petitioners and the citizens of Georgetown generally, and we cordially and earnestly request that a new appointment be delayed until it is found that with the present management the office is not being managed to the satisfaction and in the interest of the community. And your petitioners will ever pray. It may be here added that the physicians in attendance hold out strong hopes for Mr. Goodnow's complete and early recovery.

This is signed by 138 residents of Georgetown. I understand that had time been given, 1,500 would have signed the petition just as readily as these 138 signed it. Among those who have signed the petition are the following:—

THOS. RUSTON,	ANDREW MANN,
JNO. McDERMID,	JNO. MCKENZIE,
A. D. THOMPSON,	JNO. HARNER,
JAS. DRUMMOND,	JNO. G. HARLEY,
W. J. ROE, M.D.,	E. GARTLAY,
J. L. BENNETT,	JNO. GANE,
J. E. BELISLE,	THOS. CLARKE,
G. E. MORROW,	SAML. FLEVINS.

These are all the names I shall read to the House, but they are the names of prominent citizens of Georgetown who were opposed

to this dismissal. Now, Sir, since the appointment of Herbert B. Henderson was made, the office has still remained in charge of the assistant postmaster. The Postmaster General told me in reply to a question the other day that the duties of the office were being satisfactorily performed, that Herbert B. Henderson did not give his personal attention to the office, although the late postmaster was dismissed because he did not give his duties his personal attention. It is half a year since the new postmaster was appointed, yet he has not given his personal attention to the office at all. Now, Mr. Speaker, it would appear that there is to be one rule for this office and another rule for other offices under the Postmaster General's administration. I cannot understand how this can be necessary in the public interest. I am one of those who believe that the Post Office Department should be managed in the interest of the people of this country. I believe that if there is one department above another that should be beyond political partisan bias, it is the Post Office Department. I believe that that department should be conducted for the people and by the people and quite independent of party bias. I have no objection to the Postmaster General appointing his friends to these offices, but I am far from being in favour of discharging a faithful and efficient public servant. He has spent more than a quarter of a century of his life in the service, during which time he has conscientiously discharged his duty; and during all those years, according to the statement of the Postmaster General, there was no complaint made against the postmaster at Georgetown. I think no higher tribute could be paid to a public servant than was paid by the Postmaster General to this man in that statement. Under these circumstances, as stated by the Postmaster General himself, when this faithful servant falls sick, after he has worn out his life in the service, when no complaint has been made against him, he is dismissed, because, in his illness, he is not able to give his personal attention to the office; and another is appointed to the place and kept in the position, although he does not either give his personal attention to the office. Then this officer has not been superannuated. No allowance has been made to him. He has a large family, and has not been engaged in any other business than that in connection with the Post Office Department. I do not know what provision he has made for his family. He is now about 60 years of age, and when a man has been in the public service as long as he has been, and has received such a character from the head of the department as this postmaster has received, I certainly think he should be entitled to superannuation when he is compelled to leave the office. Now, Sir, we find that this is not the way in which the Post Office Department is administered in other places. We find that

in other places the offices remain vacant for years, the deputy performs the duties, and the Postmaster General does not complain, nor does he take immediate action. Why, I will refer the Postmaster General to the case of the Owen Sound post office. The postmaster of Owen Sound died, I think, a year and a half ago, and the deputy discharges the duties of that office yet. And no appointment has been made to that office, no postmaster gives personal attention to it, although that is the ground upon which this Mr. Goodnow has been dismissed from the office at Georgetown. Why is there one law for Owen Sound and another for Georgetown? Why can the post office at Owen Sound remain without a head for a year and a half, but when the head of the post office at Georgetown is incapable by reason of sickness to perform the duties of the office, and they are performed by his daughter, then he must be dismissed and degraded, as far as it is possible for the postal authorities to degrade him. There was a vacancy in the post office in the city of Ottawa. The postmaster died some years ago, and that office was kept vacant for many years. There was no postmaster here to give his personal attention to the office, but the duties were performed by a deputy, and well performed. As the Postmaster General stated, in speaking of the office at Owen Sound, the duties were efficiently performed by the deputy. It is right and proper for the deputy to perform the duties of the office when the postmaster is dead, but as soon as the postmaster falls sick on account of attention to his office, then his head is cut off and he is discharged. Take the case of the Galt post office. The postmaster in Galt, Mr. Cowan, at the last general election, I presume with the consent of the Postmaster General, resigned the office and went out and took part in the election campaign, went from place to place and after the election was over he was reinstated as postmaster of Galt, the deputy having discharged the work during his absence. Now, there is here a partisan display that I do not want to see in the Post Office Department; there is about this something that cannot be justified by the party, by the Government, or by anybody else. That an officer in the postal service who is drawing a large salary, because he chances to be a political partisan, should be allowed to resign in order that he may take part in the election campaign, and allow the post office to go without a head, to be managed by a deputy head, with no postmaster to give personal attention to the office, and a short time after the elections are over he is reinstated in the office—these are things that cannot be defended by hon. gentlemen opposite. Why, Mr. Speaker, in my own riding there are two or three post offices that are not kept by the postmasters at all; they are farmed out, as it were. The postmaster does not reside in the office, does not give

his personal attention to the office, and has nothing to do with the office. I understand that one of them farmed out his office to the deputy and got so much a year. Is the postal service of this country to be degraded in this way? Are the post offices of this country to be given to partisans who are permitted to farm them out to others in order that they may derive some income from the office?

Mr. SPROULE. What office does the hon. gentleman refer to?

Mr. LANDERKIN. I am referring to some post offices in my own riding.

Mr. SPROULE. To Hanover?

Mr. LANDERKIN. No, not to Hanover.

Mr. SPROULE. Where?

Mr. LANDERKIN. I did not mention any names.

Mr. SPROULE. Be good enough to mention them.

Mr. LANDERKIN. One of them was Holstein; it was without a head for many years. The other is at Neustadt; it has not been kept by the postmaster. No complaints were made; I never made a complaint. I thought that the assistants were just as competent as the postmasters to discharge the duties of the office. I did not like the principle; but still I did not complain, because I had not gone into the thing as carefully as I have since I heard of the Georgetown case. Now, it does seem strange that these things should be permitted in other places, and be forbidden in this one office. Now, take the Montreal custom-house. That is a very important port, and a great deal of business is done at that port. The custom-house officer died some few years ago, and if I mistake not, no officer has been appointed to that port since. The deputy manages the office, and I understand it is managed well. But there is no complaint against this deputy, and the office is not filled. There may be other circumstances in connection with this office that I am not acquainted with, and that prevent its being filled up to this time. I understand there are difficulties in connection with the filling of that office. There are political difficulties; there are differences between some of the friends at Montreal and some of the friends somewhere else. There are other differences there, and that is one of the reasons why the public interest has to stand in abeyance in order that these political differences may be settled and adjusted. Take the case of the Toronto custom-house. The custom-house officer died, and that office was dangled before the public for years. There were great and powerful commercial interests involved, but still that custom-house was left without a head, and was managed by a deputy head for years, and finally the office

Mr. LANDERKIN.

was given to a former member of this House, Mr. John Small. Now, I might go on multiplying instances where a different rule has been observed by the Post Office Department than was observed here. I have not complained much of the way in which the Post Office Department has been managed under the Postmaster General, in fact, usually it has been fairly well managed, but there is a departure now which I cannot support and sustain, although so long as I was satisfied that the department was being fairly well managed, I offered no opposition. But the time has arrived when I am obliged, in the public interest, and in the interest of humanity, to raise my voice against what I consider to be an improper course for the department to adopt. I do not think there is in the records of the Post Office Department—I do not know that I must blame the Postmaster General, because this action may have been forced upon him by his supporters in the riding—a more cruel and hard case than the present one. If there was a time when the Postmaster General should have been considerate it was when the postmaster at Georgetown became ill. So long as the public interest did not suffer, so long as the duties were faithfully discharged, the Postmaster General should have been sufficiently humane to this faithful public servant to have allowed him to remain in office. This case has a worse appearance when it is remembered that the duties of the office were faithfully discharged by the postmaster's daughter, who was acting postmaster. I appeal to the gallantry of the Postmaster General to do right in this matter yet. I am in a position to tell the hon. gentleman that the postmaster has recovered and is at home; I appeal to the hon. gentleman, the gallant head of the department, to right the wrong done, and in adopting this course he will be supported by the House and by the country. If the hon. gentleman was led unwittingly into this action by those who have the patronage of the riding, he should at once retrace his steps and right the wrong and restore the man who has been faithful and honest in the discharge of his duties, who has performed those duties efficiently for over a quarter of a century, and to use the hon. gentleman's own words, "there was no complaint made against the postmaster at Georgetown;" and a stronger testimonial could not be given to any official of a department. I beg to move in amendment:

That all the words after the word "That" be left out, and the following inserted instead thereof:—"it appears by statements made by the Postmaster General on the floor of this House, that in the month of January last, Lafayette W. Goodnow, while absent through illness, was dismissed from the office of postmaster at Georgetown, Ontario, for the alleged reason that he did not give it his personal attention, while it was admitted by the Postmaster General that there was no complaint made against him, and that the duties of the office

were satisfactorily performed by Ella Goodnow, his daughter, the assistant postmaster;

That it also appears by statements made by the Postmaster General in this House that Herbert B. Henderson was appointed to the said office, and it is admitted by the Postmaster General, that the said Herbert B. Henderson has not been in charge of said office since his appointment, and that the duties thereof continued to be discharged by the said Ella Goodnow, assistant postmaster;

That such dismissal was effected in the face of strong remonstrances contained in a petition very largely signed by leading citizens of Georgetown;

That in the opinion of the House this dismissal of the said Lafayette W. Goodnow, under the circumstances, was unjustifiable, harsh and cruel.

Sir ADOLPHE CARON. A few nights ago the hon. gentleman who has just resumed his seat, had the courtesy to inform me that, when the House is again moved into Committee of Supply, he would submit a motion in regard to the Georgetown post office. For that courtesy he extended to me, I feel obliged to thank him. However, the field covered by the hon. gentleman's remarks is very much broader than the one which he informed me would be covered by the remarks he intended to make in regard to that post office. I am prepared, however, to answer what has fallen from the lips of the hon. gentleman by submitting to the House the facts; and as I understand these facts, the position taken by the department in regard to the case of Mr. Goodnow was a fair position to take. There was no hardship in it, and I consider the department were doing their duty in arriving, very unwillingly, at the conclusion that, from illness, the postmaster at that time was unable to continue to efficiently fill the office of postmaster, and they replaced him by another. The facts are as follows: In the month of February, 1893, the Postmaster General was informed that through illness the postmaster at Georgetown had become incompetent to fulfil the duties of his office. Information, moreover, was conveyed to the department that through a great affliction—and certainly no man felt more sympathy with the postmaster than I did, although I was not acquainted with him, but I was aware that he has been a faithful servant—he was interned in a lunatic asylum, in which he remained up to two or three months ago. What did the department do? The department did not act with any undue haste, and they did not submit at any time to pressure brought to bear on it by those who support the party in the riding; but the department waited over twelve months for the purpose of ascertaining whether the postmaster, Mr. Goodnow, would recover, and after that period had he been in a position to fulfil the duties which he had been forced to abandon, I have no doubt he would have been reinstated. After waiting for the long period of twelve months to see if he would recover from his illness, the department concluded that the

likelihood of his recovery was very slim, and not until then was his successor appointed. In fact the department was informed that his recovery was not looked forward to with any hope. I am told that the Post Office Department should be conducted without any political bias, but I see no reason why those who support the Government and the Conservative party should be debarred from receiving employment in that department. When hon. gentlemen opposite happen to be in power, which is not frequent I must admit, they follow the recommendations of their supporters as we do under the party Government which obtains in this country. I can see no hardship in this case. There was no possible haste in the action I took. I was told that the postmaster, Mr. Goodnow, was not expected to recover and after the long delay of twelve months' waiting we decided to appoint his successor. The recommendations came to me in the ordinary course, and I appointed the gentleman who was recommended to me by those who advise me when such vacancies occur. The hon. gentleman (Mr. Landerkin) thought he had made a strong point in trying to show that there was a difference between the case of the Georgetown post office and the case of the Owen Sound post office. There is no difference between them that I can see. In the case of the Georgetown post office we waited about thirteen months.

Mr. LANDERKIN. And about a year and a half in the other case.

Sir ADOLPHE ACRON. Well, if we were right in waiting thirteen months to see whether the recovery of Mr. Goodnow was possible before appointing his successor, there may be very excellent reasons, following up the same principle, why we should wait some months longer to appoint a successor in the Owen Sound post office.

Mr. LANDERKIN. You waited a year and a half and you knew there could be no recovery.

Sir ADOLPHE CARON. The similarity between the case of the Owen Sound post office and the Georgetown post office, and which similarity permitted the Postmaster General to act in both cases as he has acted, is, that the office is efficiently attended to in Owen Sound, and it was properly attended to also in Georgetown, and in consequence of the efficiency of the service not being interfered with we were able to delay the appointment of a postmaster for some time. The hon. gentleman has failed to show that there was any harshness on the part of the Post Office Department, either in the case of Georgetown or Owen Sound. The hon. gentleman (Mr. Landerkin) complains that Mr. Goodnow was discharged, and I have given reasons why he was discharged; but his daughter whom the hon. gentleman has represented as being a very efficient officer—and all the reports that we received in the department

Sir ADOLPHE CARON.

tend to show that she is an efficient officer—was maintained in the position she previously occupied. If the hon. gentleman (Mr. Landerkin) wishes to complain of her not being promoted it is quite a different thing, but I take it that his sole reason of attack against the Government is because Mr. Goodnow was replaced by a substitute. The hon. gentleman also referred to the fact that although Mr. Goodnow had been an efficient public servant he had not been superannuated. Well, the hon. gentleman knows that under the law as it exists he could not be superannuated, because he was not a civil servant and had not contributed to the superannuation fund. The hon. gentleman also spoke of the postmaster at Galt having resigned during a campaign. I thought the hon. gentleman would have confined himself to Georgetown, and I am, therefore, not prepared to say under what circumstances the Galt postmaster resigned, but let me ask: How could a Postmaster General refuse to accept the resignation of a postmaster? If he wishes to retire there can be no objection to allowing him to resign. But, says the hon. gentleman, (Mr. Landerkin): he was reinstated after the campaign. Well, if the postmaster at Galt resigned, and if his office had not been filled, there is no reason in the world why he should not have been reinstated if he so desired.

Sir RICHARD CARTWRIGHT. Hear, hear.

Sir ADOLPHE CARON. The hon. gentleman says "hear, hear," and I say that in the case of Georgetown: If Mr. Goodnow had not been replaced by a successor, and if Mr. Goodnow had sufficiently recovered to discharge the duties of his office, he would have been reinstated in the same manner as the postmaster at Galt was reinstated, if before a successor was appointed he had expressed that wish. I am not in a position to meet the charges made by the hon. gentleman with regard to his own riding, which I suppose he knows more about than any other member of the House.

Mr. LANDERKIN. I do not complain. I was quite as well satisfied with the assistant as I was with the postmaster. I make no complaint at all; only I am stating what was the fact.

Sir ADOLPHE CARON. I was going to say that the fact that the hon. gentleman does not complain indicates that the trouble must be very small indeed.

Mr. LANDERKIN. It is the same as the position at Georgetown: the deputy does the work, and I am satisfied.

Sir ADOLPHE CARON. That may be. The hon. gentleman states that these post offices are farmed out, and he follows that statement by another, that there is no complaint, but that everybody is perfectly happy and satisfied. If that be so, how could I

know of the troubles the hon. gentleman complains of? If the people in the locality were satisfied, and if the hon. gentleman sitting on your left, who represents the riding, Mr. Speaker, and who never allows to pass an opportunity of criticising any supposed improper act on the part of the Government, has been sitting in his seat during the three years that I have been Postmaster General without uttering a word of criticism against what has taken place in his constituency, that fact convinces me that the trouble must have been very small indeed. But I am prepared to have this matter looked into. I will state to the hon. gentleman that I am not aware of any post offices being farmed out. If there are any, I am very glad indeed that the hon. gentleman makes the charge, for I shall have it investigated. It is certainly a state of affairs that should not be permitted, and I, for one, will not allow it to continue. The hon. gentleman has also spoken about the Montreal custom-house. But that matter is out of my beat, and I will leave it to the Department of Customs to take it up when it is brought before them. It was mentioned incidentally in this debate; but in regard to the cases which belong to my department, and which have been brought to the notice of the House by the hon. gentleman, I believe that the hon. gentleman has made out no case whatever; and I am quite certain that when the House is called upon to pronounce upon this motion, the conclusion of the House will be that the accusations made by him are baseless and futile.

Sir RICHARD CARTWRIGHT. Mr. Speaker, it may be quite correct, as the hon. gentleman says, that the custom-house of Montreal is not at present in his beat. I suppose he is waiting to discuss that question when the Controller of Customs returns from the arduous duties in which he is at present engaged, when no doubt the Postmaster General, the Solicitor General, and some other gentlemen connected with the city of Montreal will take sweet counsel together as to the best mode of promoting the Government interest in the matter of patronage. I would like to inquire in regard to two or three questions which the hon. gentleman touched upon. In the first place, what salary is allowed to Miss Goodnow, who, I understand, is at present appointed assistant postmaster or postmistress at Georgetown?

Sir ADOLPHE CARON. I stated the other day to the hon. member for South Grey (Mr. Landerkin) that the salary of Herbert D. Henderson was \$800. I cannot say what the salary of the assistant postmaster is.

Sir RICHARD CARTWRIGHT. I know the salary of the postmaster. I should like to know, in the second place, whether that appointment comes from the Government, or whether it is entirely optional with the present postmaster to dispense with this lady's services?

Sir ADOLPHE CARON. Yes. She is not appointed by the Government.

Sir RICHARD CARTWRIGHT. She is wholly and entirely at the mercy of the present postmaster. This is a case in which, under certain conditions, I should be loath to criticise too severely the action of the Postmaster General if he had shown that the public service had suffered from the misfortune which had overtaken Mr. Goodnow. If he had stated that the duties of the office in the interim were not properly discharged, I do not know that we would have had more to say. But the Postmaster General, in replying to the inquiries of my hon. friend did not, as I understand, allege that the duties were not discharged. He based his action wholly and entirely on the fact that this unfortunate person's mind had become temporarily deranged. I have been informed, and I think my hon. friend stated, that although it is true that this gentleman was confined for a time in a lunatic asylum, he had since recovered and was at this moment in perfect possession of his faculties. Now, bearing in mind the fact that this office was apparently the sole dependence of this man and his family, that it was an office of some considerable value, aggregating in salary and other allowances about \$1,000 a year, certainly \$800 or \$900, and that there was no provision possible to be made under the Superannuation Act for this man, who has now, I believe, attained an age of upwards of sixty years, I must say that I think it reflects some discredit on the member for the county that in these circumstances he should have used his influence first of all to induce the Postmaster General to dismiss this man—and I do the Postmaster General the justice to say that I believe that but for pressure which was placed upon him by the member for the county he would not have done it; that after having done that he should then have appointed his own son, who, I understand, to be a lad of about eighteen years of age, to this somewhat important office; that this person is not at present, and has not been for a considerable space of time, in attendance in the office at all; and that the person who was formerly discharging the duties of the office as assistant postmaster, Miss Goodnow, is still continuing to discharge them—not, I fear, from any particular forbearing disposition on the part of the new appointee, but simply because there is a very strong and general feeling of indignation in the neighbourhood, shared by members of both political parties, against the somewhat harsh treatment which appears to have been meted out to this public officer. I must say that the hon. gentleman was wise under the circumstances in making no allusion to the circumstances under which Mr. Henderson, junior, was appointed. I am not disposed to cavil at the policy of the hon. gentleman, when a vacancy occurs, in the ordinary course of nature, in giving the appointment to his own friends,

or in consulting the representative of the riding to which the appointment belongs; but I do say it is a thing not calculated to increase the respect of the public for their representatives in this House, and not at all calculated to do credit to the public service, that nobody could be found in that riding to fill this somewhat responsible office except a lad of eighteen years of age, a son of the member for the county; and I think the hon. Postmaster General would have better consulted the interests of his party—if that was the object he had—and certainly the interests of the public service, had he forborne to dismiss Mr. Goodnow, and particularly had he forborne to appoint this mere lad, and that a son of the member for the county, to the place of the man who lost it under the circumstances described. As to the other matters to which my hon. friend has alluded, I am not going to enter into them in detail, but will say this, that I hold it a very extraordinary proceeding indeed that the hon. gentleman or his predecessor, whichever is responsible, should be a party to a public official resigning his office for the purpose of taking part in a general election, as was done by Mr. Cowan, and then, on the close of the election, re-appointing him. Of course, we know well that no such resignation would have been put in the hands of the hon. gentleman or his predecessor unless there had been a perfect understanding as to what would happen, once the exigencies of the election were over. But wholly apart from that, I repeat that the appointment of a very young man, considerably under age, the reputed son of a representative of the county, to this office, under all these circumstances, reflects no credit on the Administration, and I am very sorry that the Postmaster General should have been a party to the transaction.

Mr. SCRIVER. This matter seems to me in a nutshell, and after the clear and effective manner in which the various points connected with it have been put by the hon. gentleman who has just spoken, very little remains to be said. I would have taken no part in the debate but for the fact that I myself once filled the position of assistant postmaster in the place where I lived, for many years, and had an opportunity of becoming conversant with the course generally pursued by the gentleman filling the position of Postmaster General in the Government of the day; and I must say that that course has been generally one of great consideration and forbearance. This particular course of the dismissal of Mr. Goodnow seems to have been an exception to that generally pursued by the Postmaster General of the Dominion. I have known many instances where the nominal postmaster was unable to perform the duties of the office, but where some of his family under age, was competent to discharge them and did discharge them with the tacit consent of the department. In the present instance, the Postmaster General has admitted

Sir RICHARD CARTWRIGHT.

that the duties of the office were satisfactorily performed by the incumbent. I may say that I have known instances where the office was practically vacant for some years through the nominal postmaster being unable, owing to disease, physical or mental, to do the work, and yet where the duties were satisfactorily performed by a deputy, generally a member of his own family, and the Postmaster General refrained from taking the course which has been taken in this instance. And I cannot forbear from saying that in this case the action of the Postmaster General in appointing a young man under age to the office, who is not discharging the duties, and who, worse than that, is an intimate relation of a member of this House, is one that should be condemned. I think I may appeal to the sense of propriety of every member of this House in saying that the action of a member of this House—the supposed action, because we may fairly suppose it was taken at his instance—in procuring the dismissal of this sick man and the appointment of his son, a youth under age, is one that none of us can approve of.

House divided on amendment of Mr. Landerkin:

YEAS:

Messieurs

Bain (Wentworth),
Beausoleil,
Brodeur,
Carroll,
Cartwright (Sir Richard),
Christie,
Colter,
Davies,
Devlin,
Edgar,
Fauvel,
Flint,
Forbes,
Fraser,
Geoffrion,
Gibson,
Gillmor,
Godbout,

Guay,
Landerkin,
Langelier,
Laurier,
Leduc,
Legris,
Martin,
Mignault,
Perry,
Proulx,
Rider,
Rowand,
Sanborn,
Scriver,
Semple,
Sutherland,
Tarte,
Yeo.—36.

NAYS:

Messieurs

Adams,
Amyot,
Bain (Soulanges),
Barnard,
Belley,
Bergeron,
Bergin,
Blanchard,
Bowers,
Boyd,
Boyle,
Bryson,
Cameron,
Cargill,
Cargnan,
Carpenter,
Caron (Sir Adolphe),
Chealey,
Cockburn,
Corbould,
Costigan,
Curran,
Daly,
Davin,
Davis,
Desaulniers,
Dickey,
Dugas,

Kenny,
Langevin (Sir Hector),
Leclair,
Lépine,
Lippé,
Macdonald (King's),
McAlister,
McDonald (Assiniboia),
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McKay,
McLean (King's),
McNeill,
Mara,
Metcalfé,
Mills (Annapolis),
Montague,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Pridham,
Prior,
Putnam,
Robillard,
Ross (Dundas),
Ross (Lisgar),

Dupont,	Ryckman,
Dyer,	Simard,
Earle,	Sproule,
Fréchette,	Stairs,
Girouard (Jacques Cartier),	Stevenson,
Girouard (Two Mountains),	Taylor,
Grandbois,	Temple,
Grant (Sir James),	Thompson (Sir John),
Haslam,	Tupper (Sir C. Hibbert),
Hazen,	Weldon,
Hodgins,	White (Cardwell),
Hutchins,	White (Shelburne),
Ives,	Wilmot,
Jeannotte,	Wilson,
Joncas,	Wood (Brockville),
Kaulbach,	Wood (Westmoreland).—88.

PAIRS:

*Ministerial.**Opposition.*

Messieurs

Roome,
Tyrwhitt,
Tisdale,
Masson,
Haggart,
Carling (Sir John),
Foster,
Smith (Sir Donald),
Cochrane,
Pope,
Coatsworth,
Ferguson (Leeds),
Ferguson (Renfrew),
Rosamond,
Reid,
Baker,
Bennett,
Calvin,
Corby,
Fairbairn,
Cleveland,
Guillet,
Hughes,
Ingram,
LaRivière,
Maddowall,
Macdonell (Algoma),
McLean (York),
Macdonald (Victoria),
Henderson,
McKeen,
McLennan,
Madill,
Smith (Ontario),
Lachapelle,

McGregor,
Greive,
Charlton,
McMullen,
Allan,
Beith,
Bernier,
Borden,
Boston,
Bourassa,
Bowman,
Brown,
Bruneau,
Campbell,
Casey,
Choquette,
Dawson,
Edwards,
Harwood,
Innes,
Lavergne,
Lister,
Livingstone,
Lowell,
McMillan,
Mills (Bothwell),
Monet,
Mulock,
Paterson (Brant),
Featherston,
Préfontaine,
Rinfret,
Somerville,
Vaillancourt,
Frémont.

Amendment negatived, and House again resolved itself into Committee of Supply.

(In the Committee.)

Meteorological Service..... \$62,900

Sir RICHARD CARTWRIGHT. Will the hon. gentleman say what has been done in this service, whether any extension had been made in the area, and generally what results have been arrived at for the amount expended.

Sir CHARLES HIBBERT TUPPER. The service has been gradually extended, but the chief extension perhaps is the connection made a year or two ago with Bermuda. I think Edmonton is the furthest north-western station, north of parallels 50 and 52. There have been no very radical changes since last year, and the vote is the same as last year. From north of 52 down is the area covered. The hon. gentleman will remember that though we have an enormous area to cover, the expenditure on that service in the United States is in the vicinity

of half a million dollars, as compared with ours.

Sir RICHARD CARTWRIGHT. Do you do anything in the region of Labrador?

Sir CHARLES HIBBERT TUPPER. We have no station in that quarter at all.

Sir RICHARD CARTWRIGHT. Have you any in Hudson Bay?

Sir CHARLES HIBBERT TUPPER. Yes. York Factory is one.

Mr. EDGAR. In the telegraphic meteorological reports published daily in Toronto, from different parts of Canada, I never see Ottawa.

Sir CHARLES HIBBERT TUPPER. They do not take in Ottawa City, but there is a report from Ottawa Valley.

Mr. EDGAR. While the statements given in the newspapers show the temperature in Winnipeg, Montreal, Quebec, Toronto and other places, Ottawa is not given. Particularly for some of us who spend a portion of our time here, it is a matter of interest to know what is the temperature. I do not see why the capital should not be included.

Sir CHARLES HIBBERT TUPPER. I quite agree with the hon. gentleman. I fancy—though it may be a dangerous thing to say it—that there is some want of enterprise on the part of the newspapers here. I am satisfied that the director will furnish statements to the newspapers including the temperature at Ottawa if they so desire.

Sir RICHARD CARTWRIGHT. I suppose that the hon. gentleman finds it difficult enough with the money at his disposal to secure all the reports he desires. But I fancy that our money would be better spent, as far as possible, in the outlying districts and for this reason: Along the chain of the great lakes, where we have some stations, the American meteorological service is, I believe, tolerably accurate and tolerably complete, and, in the nature of the case, will give us almost all the information we require. Whereas stations in distant parts not now covered—north beyond latitude 52, in Labrador and in the Hudson's Bay basin—would supply us with very valuable data.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman who spoke previously, Mr. Edgar, referred particularly, I believe, to a subject involving no expense—the publications of bulletins in the local press. That matter will have attention. As to the suggestion made by the last speaker, Sir Richard Cartwright, I think there is a good deal in it. But while our new expenditure is largely in the western or new territories, the Canadian lake marine hold very strong opinions—as also do the American's lake marine—as to the respective value of the probabilities issued at Washington and Toronto. It is only

fair to our staff to say that with only half the facilities possessed by their neighbours they issue probabilities which are regarded as more to be depended upon than those issued from Washington. For instance, when a lake captain reaches Buffalo he asks for the Canadian probabilities instead of the American, because they have been found, so far as the lakes are concerned, more reliable than those published from Washington.

Sir RICHARD CARTWRIGHT. I am glad to hear that. Of course it is very much to the credit of our service that our reports should be more accurate. But the hon. gentleman will see that, given equally good reports on both sides, the Americans might serve us and we might serve them better by extending our observations northwards.

Sir CHARLES HIBBERT TUPPER. Hear, hear. West and north.

Mr. BOWERS. So far as the probabilities for the Maritime Provinces are concerned, we find almost invariably that the American probabilities suit us better than those issued by the Canadian signal service.

Sir CHARLES HIBBERT TUPPER. I have not heard that in Nova Scotia.

Mr. DAVIES (P.E.I.) That may be for the Bay of Fundy.

Mr. EDGAR. I have here a copy of the bulletin issued. I think it is uniform in the various newspapers. The temperature is given as at Calgary, Battleford, Edmonton, Prince Albert, Qu'Appelle, Winnipeg, Port Arthur, Toronto, Kingston, Montreal, Quebec and Halifax—but not Ottawa.

Sir CHARLES HIBBERT TUPPER. I will see about that.

Mr. DAVIES (P.E.I.) I see that the director of the meteorological service has suggested in his report to the Minister the desirability of obtaining data with respect to the climatology of the Dominion, and I would like to know whether he has made up his mind to adopt the suggestion, or whether he approves of it?

Sir CHARLES HIBBERT TUPPER. I take a great deal of interest in that subject. I am very sorry to say the Government has not seen its way to provide the necessary funds. The amount we require is not very large. I think that for \$1,500 a year for two or three years, an immense amount of material which we already have in the office at Toronto could be used with great benefit to the country. But with our staff and with our present vote we cannot detach the men to work the material there. The subject is still under consideration, and I am not in a position to undertake the work.

Hydrographic Surveys, including
survey Georgian Bay and re-
survey Island of Anticosti.. \$16,000

Sir CHARLES HIBBERT TUPPER. Strike out "and re-survey Island of Anticosti;"

Sir CHARLES HIBBERT TUPPER.

that is a mistake copied from the Estimates of last year.

Mr. EDGAR. The Georgian Bay survey goes on, I suppose?

Sir CHARLES HIBBERT TUPPER. Yes; it will be completed this year.

Marine Hospitals in the provinces of Quebec, New Brunswick, Nova Scotia, Prince Edward Island and British Columbia..... \$35,000

Sir RICHARD CARTWRIGHT. In taking a vote in this fashion I presume the Minister practically takes the distribution of the money into his own hands, seeing that no details are given. He might, if he chose, though of course he would not, spend the whole sum in Quebec or Prince Edward Island.

Sir CHARLES HIBBERT TUPPER. This vote just enables us and no more to maintain the existing hospitals.

Mr. BOWERS. The hon. Minister has closed the St. John hospital. Does he propose to close any of the others?

Sir CHARLES HIBBERT TUPPER. Under like circumstances I should be anxious to close the other hospitals. The public hospitals of the cities of St. John, Que., Charlottetown and Halifax are magnificent institutions and have facilities and equipment that we would not be expected to have for the number of men we have in our hospital. By joining our work with theirs they are really able to do better than before, and patients for whom we pay get the benefit. The management of these public hospitals is, of course, a matter of great pride to the citizens of these places, and many people give to their supervision much time and close attention, so as to make sure that they are well managed and carried on with the greatest efficiency. Our experience has been largely in favour of the policy of the department in maintaining hospitals only where we cannot get the benefit of these public hospitals. So that in Montreal, Quebec, St. John, Halifax and Charlottetown we maintain no hospitals, but pay a per diem rate to the public hospital.

Mr. BOWERS. I would like to call the attention of the Minister to the case of the gentleman who had charge of the St. John hospital. He is a young man who has grown up from childhood in familiarity in the work of these hospitals, his father having had charge of the hospital in St. John before him. I should suppose the Government would try to find this young man a situation, having discharged him from his office by closing the hospital. As he is a very nice man, with an education suitable for almost any situation, I would suggest to the hon. gentleman, if he has any situation vacant of any kind, that he

appoint this man to fill it. I would ask the hon. Minister how the revenue compares with the expenditure?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will find a full statement for all the years in the report.

Mr. LAURIER. Could the hon. gentleman tell me if there was a hospital up to a recent date, at Lake St. John? Perhaps it was not under his department.

Sir CHARLES HIBBERT TUPPER. Not under the department.

Shipwrecked and distressed seamen..... \$3,000

Sir RICHARD CARTWRIGHT. In this matter I notice that, as usual, a good deal was expended by the English Board of Trade. Is that done in connection with our commissioner?

Sir CHARLES HIBBERT TUPPER. No. Ever since 1867, under a statute which was amended this year in order to conform with the practice since 1867, which was regulated by Order in Council, whenever a British consul abroad is satisfied that any Canadian seaman who has been domiciled for twelve months in Canada, is in distress and unable to get away, he is authorized to provide him with the necessary means to get home. For instance, if he cannot get him shipped, or if the seaman is sick and unable to go, the consul looks after him. Vouchers are prepared in due form and sent to the Board of Trade, and we pay the Board of Trade. In that way we have the services of all the British consuls over the world.

Steamboat Inspection..... \$26,000

Mr. FLINT. In the returns in the Auditor General's Report which are charged under this item, I see quite a sum for legal expenses. Perhaps the Minister will explain some of the larger items?

Sir CHARLES HIBBERT TUPPER. Those are prosecutions for penalties for violating the Act. The fees greatly exceed all the expenses.

Salaries and disbursements of fishery officers, &c., Ontario... \$22,000

Sir RICHARD CARTWRIGHT. With respect to these matters, there is one thing I would like to bring to the attention of the Minister as regards a part of Lake Ontario. We have been plagued for a considerable time there by the appearance of a multitude of dead fish. Whether they are the product of the fish hatcheries, I do not know, but they are credited to them, at any rate. About this time every year a very large number of small dead fish are found floating about all over the lake. I think they call them shad.

Sir CHARLES HIBBERT TUPPER. They call them Seth Green shad. He was a fish-culturist.

Sir RICHARD CARTWRIGHT. Could you have him hanged?

Sir CHARLES HIBBERT TUPPER. I am afraid our jurisdiction does not go through his country. He is dead now.

Mr. DAVIES (P.E.I.) But his soul keeps marching on with the fish.

Sir RICHARD CARTWRIGHT. In hot weather they become a most intolerable nuisance, and I should imagine must be more or less injurious to other fish. I should think any fish that devoured them would be thoroughly unfit for human food. I have seen them myself along the coast in the vicinity of Kingston for a distance of 20 or 30 miles, heaped up in considerable quantities, in some places I should think to a depth of a foot or two. The effluvia from them is something terrible in certain seasons. But if they are hatched on the American side, I suppose the hon. gentleman is powerless to prevent it.

Mr. EDGAR. Do they grow up?

Sir CHARLES HIBBERT TUPPER. They all die young. My information is that they reach the size of about three or four inches and then die.

Mr. EDGAR. Perhaps they are salt-water fish.

Sir CHARLES HIBBERT TUPPER. The mistake was in introducing salt-water fish into water that is not suitable for them.

Sir RICHARD CARTWRIGHT. Have you remonstrated with the American authorities?

Sir CHARLES HIBBERT TUPPER. They have stopped producing them, but the fish are keeping up a reproduction on their own account.

Salaries and disbursements of fishery overseers, &c., for Nova Scotia \$20,000

Mr. FLINT. What is the cause of the decrease in the salaries and disbursements?

Sir CHARLES HIBBERT TUPPER. We had too much before. We have really a better supervision to-day and a better method of watching the expenditure, than we have had for some years back, and I thought it unnecessary to take more than my officers advised would be necessary, according to the expenditure of the previous year. We want it specially in connection with the guardian system. I have been doing a great deal in getting rid of those officers who held positions for a nominal salary, running from \$10 to \$20 a year. They never did anything and never pretended to do anything, and it was a farce to keep them. But where we have got rid of them, we have put on guardians during the season the fish are running.

Mr. FLINT. Could the Minister give me a statement of the amount of fines paid to the Government from the services of the fishery overseers in Nova Scotia?

Sir CHARLES HIBBERT TUPPER. I cannot tell by provinces. We collected about \$95,000 last year in fines and license fees over Canada.

Mr. FLINT. I would like the hon. Minister to give me the figures as regards Nova Scotia, if it is not too much trouble.

Sir CHARLES HIBBERT TUPPER. I have not got them under my hand. Of course we have them on record.

Mr. FLINT. I have an impression from what I have heard that it amounted to a considerable amount. In view of the importance and value of the services given by the fishery inspectors—I am only speaking of those I know—increased zeal and faithfulness might be secured if the Minister could see his way to grant them additional compensation. The three officers in Nova Scotia receive \$500 a year each, and while it may seem a little out of place for an hon. member on this side of the House, where the expenditures are criticised very closely from time to time, to suggest that increased remuneration might be given, yet we would be doing only justice to these officers who are receiving less than men of similar competency and exercising like responsibility are receiving, and the Government should endeavour, if possible, to pay them in a larger degree the value of the services and the time given by them. Where an officer devotes his whole time to the work, and spends more hours on it than does an ordinary officer in the service of the Government, the compensation should be increased. I happen to know a great deal in regard to the labours of the officials, and I am aware that their labours resulted in developing particularly the lobster fishing during the last year or two, and if anything I could say would lead the Minister to increase the amounts paid to these officers, no doubt the Minister would be supported by the judgment of the House and the country. I trust this matter will be taken into consideration by the Government, and favourably dealt with.

Sir CHARLES HIBBERT TUPPER. I am glad to hear the hon. member for Yarmouth (Mr. Flint) so speak of the officers, who usually have not received much sympathy from the community where they are active, and who, perhaps, have not been treated very liberal by Parliament. Many good officers have been injured by the fact that a large number of men are drones, and do nothing to earn their salaries; but I know a good many efficient officers throughout Canada, and I am only surprised that so many remain in office in view of the small salary paid. The officer in the district with which the hon. gentleman is familiar is a gentleman who sat in this House representing Yarmouth, and he is a very able and intelligent man of affairs, and of over average ability. He has been an active, energetic officer, and yet he receives a small

Mr. FLINT.

salary. I know a great many officers in the west who are also doing splendid work, and work of great importance at the present time. I was glad to hear the hon. gentleman express his opinion that those officers who do good, honest work should be well paid.

Mr. DAVIES (P.E.I.) I am very glad to endorse the remarks of the hon. member for Yarmouth (Mr. Flint), in so far as they apply to officers who endeavour efficiently and properly to discharge their duties. I venture to say, if my words may reach any officer in the whole of the Dominion, that any one who does efficiently discharge his duties will receive consideration from this side of the House, irrespective of any political feelings whatever. But the hon. members are aware that our experience has been that a very large number of so-called fishery officers were satisfied with receiving paltry salaries from \$10 to \$40, and they proved more of a hindrance to the protection of the fisheries than if they had not been appointed.

Sir CHARLES HIBBERT TUPPER. I quite agree with you.

Mr. DAVIES (P.E.I.) The idea appeared to prevail among many of them that the less work they did and the less active they were in enforcing the penalties of the Act, the more popular they would be with the people. It is well that the officers should get rid of that idea. I know that some of the officers of the department are zealous in their attempts to secure convictions for breaking the law. It is well for those officers to understand that the opinion on both sides of the House is strongly in favour of men who will give their moral and other support to officers who enforce the law zealously and impartially, while both sides will frown down any attempt to allow transgressors to go free. Complaints exist—I will not say what ground there is for making them—that fishery officers shut their eyes very closely when they know that men engaged in lobster packing, for example, are breaking the law, and they avoid going to that section; but if they hear that the law is being violated by a man of different political complexion, they watch him. I am glad to hear that the department expects these officers to do their duty irrespective of political or any other consideration, and the officers must understand that the prosecution of offenders of the Fisheries Act is one of the most important matters in the Maritime Provinces, and if they faithfully and efficiently discharge their duties irrespective of consequences they will be backed up by both sides of the House.

Sir CHARLES HIBBERT TUPPER. I am very glad to hear that statement, and I agree with every word of it.

Mr. BOWERS. I can certify to the favourable report made by the hon. member for Yarmouth (Mr. Flint) in regard to the fishery officer in his district, Mr. Kinney, who has had

charge of the fisheries in Digby County also, but I do not believe that the officer in Halifax County attends strictly to his duty, because I saw lobster traps pulled in many harbours to the eastward of Halifax during the close season last fall, and I was told in several places that they seldom saw the overseer there, and that he did not mind whether they caught lobsters or not. I desire to ask the Minister why he appointed as fishery overseer for Digby a lawyer, worth from \$50,000 to \$75,000, who, according to the public view, was not suited to the position? He is an able lawyer, and may make a good overseer, but it would be naturally supposed that one more acquainted with the fisheries of the county would have filled the position better. I am glad to know that the Minister has replaced Mr. Collins, who was fishery overseer at West Port, as I can certify to his impartiality and fairness in guarding the fisheries of his district.

Sir CHARLES HIBBERT TUPPER. I have no hesitation in telling the hon. member (Mr. Bowers) that I considered myself as the head of the department, extraordinarily lucky in being able to secure the services of the gentleman to whom he has referred. That gentleman is a 'Queen's Counsel, and is thoroughly independent financially. He takes an intense interest in the subject of the fisheries, and his name was brought to me with the statement that he was ready to take charge of the fisheries at Digby and carry out the work on the principles we have been discussing this afternoon. It is only lately that he went into the service, and I think that we are very lucky in having his services. The hon. gentleman testified not only to his independence, but as to his ability, and of course while he is an officer of the department he has to carry out instructions and enforce the Fisheries Act. I think myself that we can expect better things in that respect from a man, as he says, learned in the law.

Mr. FRASER. While I have not a word to say against that gentleman, yet I am very doubtful that a professional man is the best for a fishery officer.

Sir CHARLES HIBBERT TUPPER. He is a good all round man, I thought.

Mr. FRASER. There are some of them good all round men, but in the carrying out of the law you require firmness, and you require the absence of any inducement to carry out the law in your own interests. Besides that, you must have a man who knows all about fishing. Is the Minister going to repeal the regulations about net raising between nine o'clock in the morning and five o'clock in the afternoon? It was not put into operation the last two terms.

Sir CHARLES HIBBERT TUPPER. I do not think that regulation will be put into operation.

Mr. FRASER. I am very glad to hear it, because it will be a very sensible move. I told the hon. Minister at the time—not in a threatening way, so far as he was concerned—that really I would not be responsible for the officers if that law were put into operation. A law must be grounded on common sense, and with some regard to the district in which it is in force. There are officers just of the kind mentioned by the hon. member for Queen's (Mr. Davies), and while I am not going to make any complaint in public, I would be very glad, at the leisure of the Minister, to give him the name of one of his own officers whom I think has more than once connived at the violation of the law, in his own interest.

Sir CHARLES HIBBERT TUPPER. Of course, the hon. gentleman knows if I get evidence of that, the officer will not remain long in the service.

Mr. FRASER. I do not wish to make a matter of this kind a party question, and the gentleman happens to be in my own riding. I thoroughly appreciate what was said that these officers should be well paid. I believe that in order to have a good work done you must give fair pay.

Mr. DAVIES (P.E.I.) Pay the men who do their duty well.

Mr. FRASER. Yes, if you give them fair pay, you can and should expect good work. But none of those men should be permitted as they have been permitted in Nova Scotia, to walk out of their office to run an election, and then return to their office again. That was done in the case of Yarmouth, and it is a most unseemly proceeding. No officer can do his work as impartially afterwards who runs an election and returns to his office. That is not the way to properly conduct the civil service. The gentleman who opposed me, and I have nothing to say against him, was in the employ of the Government, and after the election he got back to office again. A man cannot discharge his duties so well after such a thing as that, and there is not the same confidence in the officer. It is impossible, for instance, that a fishery overseer who has been a candidate in an election, who has had strong friends to support him, and strong opponents against him, can apply the law as faithfully and impartially as if he had not been in a political contest. Well, as we are admiring each other all round, I may say that while the Minister of Marine and Fisheries errs and errs very often, his errors of judgment are against what he considers not to be right. If while he is Minister of Marine, he will insist that no man who resigns office to run an election shall return to office again, he will introduce a great improvement in the services of the department. I think the Minister has made an improvement in the method of appointing fishery officers, and in the number he has appointed. There was a time when the fishery business in Nova Scotia was a burdensome institution. There were officers

every ten or five miles along the river, and the work was not as well done as it is now. I think also there is an improvement in the keeping of the law in Nova Scotia. The Minister will bear me out when I say, that when that law first came into operation it was exceedingly unpopular, and it took the people some time to understand it. The officials that were then appointed were not the best men in the world to make the people both understand and respect the law. I believe now that both the officials and the people understand the law better, and if these conditions are carried out in future as they have been for the last year or two, the law will be better respected. If the law is well executed, I will never say a word against paying the officer as fair a rate for doing his work as his talents would get for him anywhere. I do not believe that the country has any right to expect the services of any man, if he is faithful and non-partisan, at a less rate than his talents and abilities would command in the open markets of the world. Although there is an idea to the contrary, I wish to be put on record as not sharing in it. I think the country should pay a good officer just as well as he would be paid in any other occupation in life.

Mr. KENNY. I have not had the advantage of hearing all the speech of my hon. friend (Mr. Fraser) but I did hear that portion of it in which he stated that he was opposed, in the county of Guysboro', by a gentleman who had some association with the public service of Canada. If there is any gentleman in this Dominion who occupied an enviable position at that general election it was my hon. friend (Mr. Fraser), because he had the certainty that if he did not succeed in winning the county of Guysboro' he would have a seat in the Legislative Council of the province of Nova Scotia.

Mr. FRASER. My history is against it. I resigned from the Legislative Council before, to run for the Local House. I did not go back and would not go back, and the same thing would have happened last time.

Mr. KENNY. I think the hon. gentleman went there twice.

Mr. FRASER. I ran in 1878, and did not go back for six or eight years, until there were two new Governments, in fact. The hon. gentleman (Mr. Kenny) is wrong.

Mr. KENNY. The hon. gentleman (Mr. Fraser) could not get there sooner than the opportunity offered. The same facilities were offered to other hon. gentlemen, who opposed the Conservative interests in the province of Nova Scotia. There was a certainty that if he was defeated there would be a place in the Legislative Council of the province available and open for him. Therefore my hon. friend must be pardoned if he diverges from the particular vote under the consideration of the committee to find fault with the Govern-

Mr. FRASER.

ment, because in the election a gentleman opposed him who at some previous time had some connection with the Department of Marine and Fisheries.

Mr. DAVIES (P.E.I.) I must say that I cannot see the pertinence of the hon. gentleman's remarks at all. The hon. member for Guysboro' submitted to the House that it was not a good thing to have inspectors of fisheries resign their office just before an election, run in a county, and after being defeated resume their office again.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman did not say that.

Mr. DAVIES (P.E.I.) I understood him to say that the man who ran against him had been an inspector in the province of Nova Scotia.

Sir CHARLES HIBBERT TUPPER. He had only been in the service casually.

Mr. FRASER. He had been in it for months and years, living in this city.

Sir CHARLES HIBBERT TUPPER. He was not in my department.

Mr. DAVIES (P.E.I.) It is quite certain that he was in the service, that he resigned to run against my hon. friend, and that after he ran and was defeated he was reappointed to office. If the House approves of that, well and good; but my hon. friend simply says that an officer cannot under those circumstances enjoy the confidence of the public as he would otherwise. Whatever he did would be attributed to improper motives. I do not think myself that it is desirable to hold out inducements to these gentlemen to become candidates in elections. But what that has to do with my hon. friend being in the Legislative Council, being elected to this House, and then going back to the Legislative Council, I fail to see. He is not a public officer with public duties to discharge like an inspector of fisheries.

Mr. FRASER. I cannot allow the hon. member for Halifax to make a statement about myself personally without replying. If the hon. gentleman thinks that the fact of my being in the Legislative Council would prevent me acting independently, he is very much mistaken. In 1878 I had the honour to be called to the Legislative Council and the Government of Nova Scotia. I resigned and ran for the Local House, and was defeated. I did not go back. Several years after that Mr. Fielding asked me to become a member of his Government, which I did. I resigned and ran for this House. Had I been defeated I would not have gone back to the Legislative Council. So that the remark of the hon. member for Halifax is simply gratuitous, and was no reply to the statement I made. I admit that both members of the Legislative Councils of the provinces and members of the Dominion Senate resign in order to run in elections, and in the event of being defeated go back again.

But is that any reason why the same thing should be done by officials? Certainly not. Even if I had in my pocket a letter offering me a seat in the Legislative Council, would that be an answer to the statement that officials leave their offices and run for Parliament, and when defeated are reappointed again? Most certainly not. The point I wanted to make was that no official in the public service, who is paid by the public and whose duty is to execute the law, is in as good a position to serve the public after having run in an election as he was before; and when the hon. gentleman says I find fault, because I could not go back to the Legislative Council, he is simply making a statement which is gratuitous and which is not true.

Salaries and disbursements of fishery overseers of Prince Edward Island..... \$4,900

Mr. DAVIES (P.E.I.) In Prince Edward Island the hon. Minister has Mr. Hackett, the inspector, and two overseers, one of whom, Michael McCormick, is alleged to have jurisdiction over the whole Island, and the other over one county.

Sir CHARLES HIBBERT TUPPER. That occurs in this way. Whenever authority is now given to a fishery officer to act as a magistrate in his district, instead of making the order of a limited character, limiting his duties to the boundaries to which they ordinarily are confined, we find it convenient to give him a wider jurisdiction, because he is often sent beyond the bounds of his ordinary jurisdiction.

Mr. DAVIES (P.E.I.) I suppose the hon. gentleman knows how that works. I never heard of Mr. McCormick being out of his county, nor even out of his village, which I understand is Souris. I know nothing against these men; but I may state that last August, while I was taking a drive, a friend at whose house I was staying called my attention to the fact that there were two boats hauling up lobsters. I said "That is infamous; why don't you complain?" He said, "I cannot, because my neighbour is more or less interested in the fisheries." I took occasion to let the officials know of the circumstance, and I believe that Capt. Spence ran his boat through them and broke them up. I do not want to complain of the inspector, but he does not go around the coast and look after matters as I think he ought to do.

Sir CHARLES HIBBERT TUPPER. I am glad the hon. gentleman has brought this to my attention. I will have it thoroughly looked into.

Salaries and disbursements of fishery overseers, &c., British Columbia..... \$10,000

Mr. DAVIES (P.E.I.) Are you applying the same rule to British Columbia as you

are in the Maritime Provinces—lessening the number?

Sir CHARLES HIBBERT TUPPER. Yes.

Building and maintenance of fish-breeding establishments and lobster hatcheries..... \$50,000

Mr. DAVIES (P.E.I.) I was looking over the report of Mr. Wilmot on this subject, which is very interesting and very important; but I cannot gather from it whether the department has yet reached a thorough conclusion as to the effect of the expenditures which we are making on fish hatcheries. After calling attention to the general progress that has been made, Mr. Wilmot says:

The numerous applications also which have been received from public corporations and individuals for additional hatcheries to be built at various points, all run in the same line as evidences of the popular feeling which exists for increasing the present number of fish-cultural institutions throughout the country.

That is not the point, however. I dare say there may be a certain amount of popular feeling in this locality and that locality to have a fish hatchery built, and public money expended; we find a great deal of public feeling in favour of the outlay of public money; but what we are all seriously interested in is the real scientific question underlying it: does the establishment of these hatcheries really and substantially increase the quantity of fish taken? I know it is a matter on which a conclusion can be reached only by a careful study of all the facts, and I would like to know if the Minister has made that study, and what conclusion he has arrived at.

Sir CHARLES HIBBERT TUPPER. I take this position as to fish culture. All the leading countries in the world are going in for it more extensively every year; and while we were really the pioneers and are very much interested in the matter, we are falling behind in the amount of work done. Beyond question there is a practical benefit to be got out of this fish hatchery business if properly attended to. I have reason to know that our fish hatcheries have not been sufficiently inspected, the men have not been sufficiently kept up to their work, and a good deal of room for improvement was found last year. There are abundant proofs, however, of the benefit of these hatcheries. Take, for example, the Tobique River, in New Brunswick. The salmon in that river would not take the fly, and the fry of the Restigouche salmon, which rise to the fly, were introduced into it. Since then it has furnished magnificent sport, and the fish caught are the Restigouche salmon. Then we have introduced whitefish into waters where none were found before; and while it is impossible to demonstrate exactly the effect of the introduction of quantities of

fry into waters where fish of the same species existed before, still we know that in the waters where none of these fish were, the experiment has proved successful. The increase in this vote is in consequence of the hatchery built at Selkirk, Man.

Sir RICHARD CARTWRIGHT. I do not see any notice of this work in the Auditor General's Report in the usual place.

Sir CHARLES HIBBERT TUPPER. It must be there.

Sir RICHARD CARTWRIGHT. I suppose so, but it is not in the place where it ought to be, that is, between fisheries and fishery protection service.

Mr. FRASER. Can the hon. Minister say what the results of the lobster hatchery has been at Pictou ?

Sir CHARLES HIBBERT TUPPER. A great success in the numbers hatched out, but so far we have not had time to notice the effect on the fishery, because the lobster is put in when very small, and it will be a couple of years before we can tell.

Mr. FRASER. Has this experiment been found successful elsewhere ?

Sir CHARLES HIBBERT TUPPER. Newfoundland has gone into the work very thoroughly, and at Whitehall, Mass., an enormous amount of money has been spent. Those two countries and Canada are the only countries where the experiment has been tried with regard to lobsters. Newfoundland was in the field before us, and Mr. Neilson reports that the results there have exceeded his expectations. But as the experiment was only started a couple of years ago, it will take some years before the experiment can be proved beyond doubt successful.

Mr. MACDONALD (P.E.I.) I may say that in prosecuting cod breeding in Newfoundland, places that were quite depleted years ago have now become full of fish again. Does the Minister contemplate doing anything in the way of a cod hatchery ? That seems to have been quite a success in Newfoundland. So far as the breeding of lobsters is concerned, that has been a success up to this time. Hundreds of millions of young lobsters have been hatched out, quite sufficient to replenish the waters, provided they were not preyed upon by something else. In a year or two Newfoundland ought to be able to demonstrate whether the experiment will ultimately prove a success or not. I am glad that the hon. gentleman has stated that success has attended the hatchery at Pictou. Would he tell us whether he contemplates giving any attention to a hatchery for cod ?

Sir CHARLES HIBBERT TUPPER. I am having the most rigid examination made

Sir CHARLES HIBBERT TUPPER.

of the operation of each of these hatcheries, and will be able with this vote to extend operations. But before extending the hatchery system, I wish to be in a position to lay before the Government and Parliament a comprehensive scheme based upon an exact and reliable statement as to the net result of all these hatcheries. As regards the question of the hon. gentleman concerning codfish hatcheries, that would involve certain expenditure, not perhaps very large, because many of these buildings might be used—one or two, at any rate, down by the sea—for this purpose. But until I have ascertained the general results, I would not like to say anything.

Mr. SCRIVER. I hope that the study the hon. gentleman promised he is going to make, and which I am very glad he intends making, will extend beyond the mere operations of the hatcheries. I do not think there is any great difficulty in getting any great quantity of fry, but what I would like to have is some evidence that these fry come to something. That is the important question. We have been experimenting a good many years and expending a good deal of money, and I suppose we have a very capable gentleman conducting the supervision of our hatcheries, but what I would like to be satisfied of is that there has been any great success attending the distribution of these fry in the various waters. I have quite frequently conversed with men in the state of New York who have given a good deal of attention to the subject, and have found great differences of opinion among them as to the success or otherwise which has attended the extensive efforts and large expenditure in that state in the matter of fish culture. When that great enthusiast, Mr. Seth Green, was at the head of this branch of industry in the United States, we know that his predictions of success were very wide and enthusiastic; but as to the results, in the lakes bordering on that part of the country where I live, I mean the lakes in the Adirondack mountains which have been replenished time and again from the fish hatcheries in various parts of the state—and in which the conditions are exceedingly favourable—at least there are great differences of opinion among the fishermen themselves. I trust that the Minister will take all pains possible to ascertain what results have followed the placing of fry from these hatcheries in the state of New York.

Mr. TAYLOR. In the county I have the honour to represent we have a lake known as Charleston Lake. At the village of Athens an anglers' association was formed to oversee the lake to a certain extent. There is no netting allowed and has not been for some years. The lake is some eighty or ninety miles in circumference, and deep. Five or six years ago we commenced putting sal-

mon trout fry in there, and two years ago fishermen began to take the fish that were hatched here in Ottawa and deposited in that lake. I gave the Minister a letter last fall from the president of the anglers' association certifying to the fact that the increase of the fish in the lake by the deposit of the young fry was very material, as shown by the quantity of fish taken in that water. I got similar reports from the Rideau Lake at the north end of my county. They have been putting fry there for five or six years, and the quantity of fish taken is very much increased. There is no difficulty in seeing the difference between the fish that had been deposited and the old stock that were in those waters before. So there is no question that this fish propagation results in great good. I have received numerous letters from parties upon this subject, and one or two of them I handed to the Minister. Whether they are embodied in the report or not I do not know. But I know that the anglers' association which oversees Charleston Lake are asking every year for a further supply of fry, because those that have been already put in have increased the sport to a large extent. I am satisfied that in my county any quantity of evidence can be furnished of the value of propagating fish.

Mr. SCRIVER. I would ask my hon. friend whether, owing to the effects of this anglers' association, the fishery regulations have not been better enforced of late, and if the increased catch of fish is not due rather to this fact than to the placing of the fry in the lakes?

Mr. TAYLOR. I do not think so. When the anglers' association was formed there we had no valuable fishing, and there was none until two or three years after we commenced depositing this fry in the lake.

Mr. CORBOULD. I would like to ask the Minister whether he intends to introduce lobsters into the waters of British Columbia? Last year the Acting Minister promised that this should be done, as a lobster hatchery in the Maritime Provinces was in operation and there would be no trouble in having the spawn introduced in the western waters.

Sir CHARLES HIBBERT TUPPER. I may tell the hon. gentleman that I have not much faith in this, personally, owing to the fact that in the United States efforts have been made to introduce the lobster into Pacific waters and without success. However, their attempts may not have been carried on as well as another one could be, or there they may be some advantage on our side in the difference in temperature in our waters from that of the waters further south. I find, from the statements recently made, that it would take a very small sum of money to make another experiment, and I am waiting in order to get the benefit of the advice of a gentleman in the lower provinces who has looked into this subject and

who says that he can pack them so that our officers can take delivery of them in New Brunswick and ship them through so that they may stand the journey across the continent.

Mr. DAVIES (P.E.I.) It is gratifying to hear any evidence showing that these experiments have been successful in any part, whether in the inland waters or in the sea. There is very great difference of opinion upon this subject. As to lobsters, the departmental report shows us that during the last two years they have deposited two hundred and fifty million of fry. Of course it will be some years before the results of this experiment can be known. I suppose the Minister of Fisheries knows that this is the best season for catching lobsters for many years. We do not yet know what are the causes which bring about a plentiful supply of lobsters upon the coast. I should be loth to see these experiments given up. We have been experimenting since 1873, when we began on a small scale; but we have been working on a large scale since 1876, and I see that we have deposited one thousand two hundred and eighty-four millions of fry, of which two hundred and fifty millions were lobster fry, the others being salmon-trout and whitefish. No doubt, in the near future, we should have some results, unless the whole thing is a failure. But I think the hon. gentleman would do well not to incur increased expense until he has satisfied himself that the system is a success.

Mr. GILLMOR. I have paid some attention to this question in my own section, and I confess I have never had much faith in the result of the hatchery. However, five or six years ago, I prevailed on the Government to build a fish-way in the river where I live. I had never heard of any salmon in that river, except an occasional one in the fifty years I have known it. A considerable quantity of young salmon were planted about five years ago. Last year three or four salmon were found dead, having evidently tried to get up the river through the fish-way, and several others were seen about. Since I have been here this spring I have heard that two land-locked salmon had been caught in the inland waters, in a little lake near where they were planted. I am now under the impression that the experiment is going to prove a success. At first I did not think it would be because this was not a river to which salmon went naturally, and I did not think they could be induced artificially to come that way. The fish that have been seen there are about the size one would expect the salmon planted there five years ago would have attained by this time.

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

After Recess.

House again in Committee of Supply.

(In the Committee.)

Salaries of officers and inspectors of excise, and to provide for increase, depending upon the result of excise examinations \$305,771 25

Mr. EDGAR. Are these large increases that are expected to be caused by the examinations?

Mr. WOOD (Brockville). They are the ordinary increases by promotion examinations.

Mr. EDGAR. Are these the examinations that took place in Montreal where those candidates got into trouble?

Mr. WOOD (Brockville). I do not know that they were connected with our branch of the service.

To provide for extra duty-pay to officers at large distilleries and other factories \$6,000

Mr. FORBES. Who is the officer in charge of the distillery in Halifax, and what are his duties?

Mr. WOOD (Brockville). That is the distillery of McDougall & Co. I cannot tell you just now. As the hon. gentleman knows, we always have at every distillery and at every tobacco factory, an officer whose duty it is to watch the taking out of liquors or tobacco from the bonded warehouse. The duty is paid when they are taken out of the warehouse.

Mr. FORBES. My reason for asking is this. The distillery in Halifax is rather a new one, and it has been to a certain extent unfortunate in its financial affairs. I believe it is still manufacturing liquors, which I would like the general public to feel assured are of good quality. As long as the laws of the country allow liquors to be manufactured, I want to see them impartially carried out, and a first-class article produced if the Government persist in permitting it to be manufactured at all. I may say that there is a feeling abroad that the liquors made in that establishment are not of first-class quality, in fact, that there has been a certain concession made to them in that respect. I do not know how that is. I know the distillery is run by competent men, and as long as the laws allow liquor to be manufactured, I want an assurance from the Government that they are properly carried out as regards that particular distillery. If the law is such as to limit their production, possibly that is the fault of the law; and if they want to carry on greater operations, they must have more capital. But at the same time, I want the distillery officer to have a foothold under the existing law, and I want to have this distillery put upon the same footing with other distilleries throughout

Mr. GILLMOR.

the Dominion which produce good articles. Canada has not yet adopted a prohibitory law, and in the meantime it is our duty to see that the liquor turned out by these distilleries is of first-class quality, and will not poison those who are compelled to use it for medicine or other purposes. If I can have the assurance of the Controller that his officer there is a competent man, that he is there regularly, and does his duty efficiently, and that there is no complaint from the public, I think it would be a good thing for the Controller to say so; and I think it would be for the benefit of the distillery also if he could say so.

Mr. WOOD (Brockville). Mr. Borrodaile is our inspector, Mr. Grant is our collector, and Mr. King is our deputy collector. The hon. gentleman can not expect me to name all the employees just now. But I would ask the hon. gentleman what reason he has to believe that the quality of the liquor produced at the distillery of McDougall & Co., is inferior to that of Gooderham & Worts?

Mr. FORBES. I do not say it is as I never tried it. Did the Controller ever try it?

Mr. WOOD (Brockville). No, I never tried it, though I am told it is a very good quality of liquor. I may say to the hon. gentleman that McDougall & Co. brought out from Scotland a plant quite different from that which is used in other Canadian distilleries. Whether it turns out as good liquor as the others, I do not know. At all events, it is their own business.

Mr. FORBES. That is what I want to know. If the hon. gentleman can tell me on the authority of his own officials that the product of this distillery is as good as that of any other, I will be only too glad to hear it.

Mr. WOOD (Brockville). I think it is.

Mr. FORBES. Has the Controller ever had any complaint?

Mr. WOOD (Brockville). Never.

Mr. FRASER. In case a brewer or distiller becomes insolvent, does the Controller permit the assignee to go on manufacturing?

Mr. WOOD (Brockville). The ordinary courts will determine that, as a rule. I do not see what I have to do with it.

Mr. FRASER. If a man fails, would you not have to have some security that the assignee who goes on with the business, manufactures as good liquor as the owner did?

Mr. WOOD (Brockville). Certainly. I may explain to the hon. gentleman that the only claim we have on any brewer or distiller is this: That before the goods can leave the bonded warehouse over which our own officials preside, the owner has got to pay the duty, that is all. If a man fails, then I take it that the Government has the first lien for the amount on the bonded spirits.

Mr. FRASER. Then I understand that the department exercises no control at all over the quality of goods manufactured?

Mr. WOOD (Brockville). A law was passed a few years ago by which we compel these distillers to keep the whisky or spirits in bond for two years before it can be sold.

Mr. FRASER. Is there no process at all of testing the quality of liquors, or is it only a question of age?

Mr. WOOD (Brockville). They are inspected.

Sir JOHN THOMPSON. We would have to appoint a tester.

Mr. FRASER. I think a tester would be the most popular officer the Government could appoint. I fancy there would be more applicants in certain places for that office, than for any other I know of. I am not personally interested in this matter, and cannot give an opinion of the quality of liquor as can my hon. friend from Queen's N. S. (Mr. Forbes). No doubt he is speaking from experience in this matter.

Sir JOHN THOMPSON. I should say that he got hold of a poor quality.

Mr. FRASER. I have no doubt he takes it straight. It is of the greatest possible importance that there should be control exercised in this matter. So long as intoxicating liquors are manufactured there should be some authority to see that they are the very best. Nothing has done more to promote drunkenness than the fact that much impure liquor is sold. Medical men express the opinion that much of the liquor sold is of such an inferior quality that it makes men crazy. We know very well that the Anglo-Saxon gets beastly wild from the effects of alcohol.

Mr. EDGAR. Does not the Celt?

Mr. FRASER. No; whether the Celt is found in Scotland or in Ireland he is most abstemious. While I am not able to suggest the means to bring about the result I desire to be brought about, I hope the Controller will consider the question and make inquiries in other countries as to the methods pursued there, so that there may be a strict surveillance by the Government in order that nothing but the best liquors may be produced. If it is only a question of ageing, I suppose the chemical process will produce that effect. But at all events it will be worth while for the Controller to inquire what is being done elsewhere in regard to this matter.

Mr. EDGAR. The Controller referred to the legislation that was passed a few years ago, requiring all whisky and spirits to remain in bond two years before they could be sold. Whether the object was to maintain the existing monopoly among the distillers or not, it certainly accomplished that object, and made it almost impossible to have

opposition to existing distilleries. But the excuse put forward was that this provision would improve the quality of the liquors, and thus meet the view that has just been presented to the House by the hon. member for Guysboro' (Mr. Fraser). I desire to know whether the liquor thus kept in bond during two years is stored in metal tanks or in wood. I have been told by people who claim to be experts that while the storing of whisky in wood would have a most beneficial effect upon it as regards the wholesome character of the liquor, the storing of it in metal tanks is really of little or no effect. I should like to hear from the Controller how that is done, and what is considered to be the effect on the liquor.

Mr. WOOD (Brockville). From all I can learn, some of the distillers store their spirits in wood, and others in metal tanks.

Mr. EDGAR. Surely the Controller has had an opportunity to obtain information upon which to form an opinion on this very important subject, because if the difference between the effects of storing spirits in wood and in metal is what I have heard stated, the Government should insist on the liquor being stored only in wood. I should like to know what proportion of the liquor is stored in wood, and what in metal tanks.

Mr. WOOD (Brockville). The commissioner, Mr. Miall, informs me that when liquors are stored in metal tanks they must be tanks ventilated under the direction of the department. I understand the hon. gentleman wishes to know the principle on which it is supposed by some that storing liquor sometimes has a beneficial effect on it.

Mr. EDGAR. It is said that if liquor is stored in wood the fusil oil is absorbed.

Mr. WOOD (Brockville). There is some dispute as to that. Ageing has pretty much all to do with it, no matter how the liquor is stored. I know that some of the liquor is stored in iron tanks and some in wooden ones. There is no law to prevent distillers keeping spirits in metal tanks.

Mr. LANGELIER. If there is no law, there should be one. I have received the same information as the hon. member for Ontario (Mr. Edgar) with respect to storing whisky and brandy: that you might keep those liquors a hundred years in metal tanks and they would not improve. The result, however, is quite different in the case of wines. Wines improve by age in bottles or in metal tanks, but brandies and liquors, I have been informed by a large French manufacturer, might be kept in bottles or in metal tanks for a century without showing any improvement. It is a gross fraud on the public to keep spirits in metal tanks. When the Act was passed some years ago it was considered that it gave practically a monopoly to the large distillers, but it was said that advantage would be given to the public

from the fact that liquors sent out would be in better condition for consumption. But if the large proportion of liquor is kept in metal tanks, that is a gross fraud on the public; we have given a monopoly to the existing distillers for which the people have obtained nothing in return. I remember some years ago that a vessel with a cargo of Jamaica rum was wrecked on the English coast. Some of the hogsheads drifted ashore and the people drank the liquor and became perfectly frantic. There was a severe fracas, and some people were even killed. It was stated at the time that the people were poisoned by drinking freshly-made rum. Every one is agreed that these liquors are not fit for consumption immediately after they are manufactured, and that in order to improve them they must be kept in wood which absorbs the fusil oil. If they are kept in bottles the poisonous substance remains there.

Mr. WOOD (Brockville). I have just been told by the commissioner that that is not so. The oxygenation by being put in ventilated tanks has the same effect as oxygenation through the pores of the wood.

Mr. LANGELIER. The general opinion is that it is impossible to get the fusil oil out unless the liquor is kept in wood.

Mr. WOOD (Brockville). What difference does it make whether the evaporation takes place through the wood or through the air?

Mr. EDGAR. Perhaps the Controller by inquiring from the commissioner could let us know what proportion of the whisky now stored in bond is in metal tanks, and what proportion in wood?

Mr. WOOD (Brockville). My information is that about two-thirds is in wood. I think Walker has it pretty much all in wood.

Mr. LANGELIER. I think not only should there be a law compelling them to store these liquors in wood, but that there should be a provision that it should be stored in comparatively small wooden tanks. Some years ago there was a brand of brandy well known in the province of Quebec called the Chaloupin brand, which the Minister of Public Works must have heard of, and after a certain number of years every one complained that that brandy had deteriorated. The representative of the French firm who sold that brandy told me that it was the same brandy that he sold some years previously, but that the brandy of the later date was too fresh and too recently manufactured. The brandy he sold first had been in wood for five or ten years, but in order to compete with the other importers of brandy and to sell it cheaper he could only keep it in wood for one or two years, and hence it had deteriorated. He also told me that it was the wood which absorbed the fusil oil, which is to be found in all these liquors, and he further stated that you could keep brandy

Mr. LANGELIER.

in bottles for a hundred years and it would not improve it. I do not see how it would improve any better in metal tanks than in bottles.

Mr. HAGGART. The hon. gentleman is entirely mistaken. Under the present system of distillation, which is called "double-distillation," all the fusil oil is extracted, and according to authorities on the subject it does not make much difference whether it is kept in iron or wood.

Mr. EDGAR. Or kept at all.

Mr. HAGGART. It does make a difference whether it is kept at all. The fact of keeping whisky for a certain number of years changes the chemical form. A process goes on with age, which, strange to say, chemists cannot account for, and do not know the reason of. But they agree that it makes no difference whether it is kept in wood or ventilated iron tanks.

Mr. EDGAR. I do not know this from personal experience, but I have heard that whisky nowadays is sold in bottles—Walker's Club and other whiskys like that, and on these bottles there are dates, 1889, 1884, and so on, purporting to be the age of that whisky, the year of its birth, I suppose. I would like to know from the Controller what guarantee the public have that the labels on those bottles show the right year. There is an excise stamp on the bottle, of course, but that does not show the date.

Mr. WOOD (Brockville). The stamp shows the date. The stamp that covers the top of the bottle extending over the cork has the name of the commissioner and the date on it.

Mr. FRASER. The Controller says that the stamp shows the date, so that if there is a variation between the manufacturer's label and the date on the stamp, it could be detected.

Mr. WOOD (Brockville). Yes.

Mr. EDGAR. Are the stamps marked before the Government issues them?

Mr. WOOD (Brockville). Yes; and it is not the distiller that stamps it, but the officer. I can hardly conceive how the department can be more careful than they are now in this regard. But if an hotel-keeper wishes to buy a very inferior quality of Walker's rye, or a quality of rye that is not Walker's at all, and he chooses to put that in a bottle, the label of which is Walker's club rye, I hardly see what we could do.

Mr. FORBES. Will your commissioner put a stamp on that bottle?

Mr. WOOD (Brockville). No.

Mr. EDGAR. Does the date on the stamp show when the whisky was made or when it was bottled?

Mr. WOOD (Brockville). When it was made.

Mr. EDGAR. There is another matter which I think is important, relating, not to whisky, but to ale. I would like to know how far the Government have taken in hand the regulating of the quality of the malt drinks manufactured and sold in Canada? I have heard temperance people often say that almost universally nowadays—at least to a very large extent—the lager beer and the ale made in this country are concoctions of a most poisonous character, and most injurious to health—that the colouring matter used to make them as light in colour as champagne is very poisonous. I would like to know what is done to regulate their quality. I would impress on the Government that this is one thing which it is most important for them to look after.

Mr. WOOD (Brockville). I have very much pleasure in answering the hon. gentleman on that point. He knows as well as I know, perhaps better, that beer is nothing more nor less than malt, hops and water.

Mr. EDGAR. It ought to be; but they say it is not.

Mr. WOOD (Brockville). Will the hon. gentleman give me his authority? Because I have had a very careful examination made of all the ales made in this country since I have had charge of the Department of Inland Revenue—I am not sure that instructions were not given to my predecessor before I took charge of the department; and that examination has revealed the fact that the ales are all good. It was suspected, when sugar became so cheap, that some brewers were using sugar instead of the saccharine matter extracted from malt. Although that was defrauding the revenue, it was not producing an unhealthy article. You could not call it adulteration; they would simply be getting the saccharine matter direct from the sugar instead of indirectly from the malt. If the hon. gentleman will give me his authority, I shall be glad to look into the matter. My own impression is that in no country in the world are there as pure ales and beers made as in Canada.

Mr. EDGAR. I do not profess to be an expert in ales and beers; I do not drink them; but I have often been told—

Mr. WOOD (Brockville). By whom?

Mr. EDGAR. By many people. I do not intend to turn myself into a detective and give names, when the Government have a department for looking after such matters. I have been told that there are establishments in different parts of the country for furnishing supplies for brewers—I do not know this of my own knowledge—where you can buy chemicals for taking the place of hops and other chemicals for taking the place of malt, and much cheaper than the genuine materials; and that these are sure to be

deleterious to the health of the people who drink the liquors. I think the department might spend a portion of this large vote in looking into that matter, and letting the public know whether these statements are true or not.

Mr. WOOD (Brockville). I am very sorry that I have no information from the hon. gentleman. I have told him that our analyst, Mr. Macfarlane, has made a very careful analysis of all the ales made in this country, and has found nothing to verify what the hon. gentleman says in the slightest degree. I think the hon. gentleman is mistaken. We verify every pound of malt that goes into every brewery, through the officer in charge. I would like very much if the hon. gentleman would give me some information that would put me on the track of something.

Mr. EDGAR. Do the officers check in any way, by the quantity of beer made in a brewery, the quantity of hops and malt that ought to go into it?

Mr. WOOD (Brockville). Yes; I am told the returns show that.

Mr. EDGAR. I mean by inspection.

Mr. WOOD (Brockville). Yes, and by inspection.

Mr. EDGAR. What is the excise duty on?

Mr. WOOD (Brockville). The malt alone.

Mr. COSTIGAN. I may state, in furtherance of what my hon. colleague has stated, that samples of beer have been taken from all the breweries of the country, and we have found no injurious ingredients. The policy has been to encourage the production of a wholesome beer, and in furtherance of that policy, in the duties imposed there has always been an advantage given to the beer produced from malt, because it is the most wholesome.

Mr. EDGAR. The hon. gentleman says the policy has been to encourage the use of malt. Instead of what?

Mr. WOOD (Brockville). You cannot produce beer from anything except malt, hops and water. Malt simply means the sugar extracted from it, and we have an officer in charge of each brewery to see that sugar is not used instead. If they use sugar, they use it surreptitiously and fraudulently, and against our knowledge; but from all I can learn, I do not think they do use it. Since I have taken charge of the Department of Inland Revenue I have given this subject very special attention, and I shall be very glad if the hon. gentleman can give me information that will enable me so to regulate matters as to ensure the people getting a good quality of beer.

Mr. EDGAR. No doubt the hon. gentleman can tell me at once what the brewers use to clarify the ale to make it so bright

in colour as some of it is? That is not either malt or hops, but water and something else.

Mr. WOOD (Brockville). I never thought there was anything else, and the commissioner tells me there is nothing else. Nothing else is permitted, certainly.

Mr. FRASER. Are the manufacturers aware of the collecting of samples when the officers go their rounds?

Mr. WOOD (Brockville). The samples were got in the different stores throughout the country without the manufacturers knowing anything about it.

Mr. FRASER. The hon. Minister should give all possible attention to the question of malt liquors. There are those who hold that if the drinking habits of this or any other country are to be cured, it must be in the direction of permitting more malt liquors to be used, whether to wean away the taste for stronger liquor or not, I am not prepared to say. But Germany is pointed to as an example of a country where there is a large amount of malt liquor used, and consequently less drunkenness than in Great Britain. In that case, it is, of course, of the greatest possible importance that the malt liquor should be good and I am glad to know that the Minister has found that the malt liquors drunk in this country are as pure as anywhere else.

Mr. LANGEЛИER. A large quantity of wine is now being manufactured, especially in the western part of Ontario, for the Canadian market, and a pretty large quantity is being made out of dried grapes. There is a man in Quebec who pretends to have discovered a process of manufacturing wine from dried grapes. I would like to know whether any supervision is exercised over these manufacturers, or whether they are allowed to put their wines on the market as they choose, whether healthy articles or not?

Mr. WOOD (Brockville). That subject has been before the department for a good many years—the question as to what jurisdiction the Government can exercise over the production of spirits. For instance, in ginger ale there is 1½ per cent of alcohol, and in the ordinary wine made in western Ontario, 3 or 4 per cent. But it has never been thought wise heretofore to have the department take cognizance of the industry of every man who manufactures wine, and their number is legion. The matter is receiving the attention of the department, but no decision has been arrived at.

Preventive Service..... \$15,800

Mr. FLINT. What are the special duties of the preventive service, as distinguished from the regular service?

Mr. WOOD (Brockville). The preventive officers are engaged in trying to put down illicit manufacture, etc., and the payment of

Mr. EDGAR.

men who give information is included in this vote. Of course, their names cannot be mentioned.

Mr. FLINT. Are these preventive officers located in special places?

Mr. WOOD (Brockville). There is one officer, Mr. Curless, who has a travelling commission, and who is called the chief preventive officer. The policy of the department has been to get our own regular officers in the different districts to do as much of this preventive work as possible. Instructions have been given them to visit the small stores and places where tobacco is sold with the view of making known the regulations rather than fining the parties.

Mr. FLINT. Is it contemplated to make Yarmouth the head of a new district? At present, Halifax is called the district of Halifax for the whole of Nova Scotia, and the suggestion was made that possibly we might make a new district, and it seems to me that could be done with advantage to the service.

Mr. WOOD (Brockville). The matter is now before the department, and there is very much to be said in favour of making Yarmouth the head of a division, as well as Halifax.

Mr. FLINT. That would be advisable in many respects, because Yarmouth is now getting to be a railway centre, and a very convenient point for the head of a division.

Mr. LANGEЛИER. What proportion of this vote goes to the informer, and what to the regular officers?

Mr. WOOD (Brockville). I cannot give you that. A considerable amount is paid in salaries. The amount spent last year altogether was \$11,000. But as to the exact proportion of salaries, fines and amounts paid to informers, I cannot tell.

Mr. LANGEЛИER. I would prefer to pay large amounts to regular officers of the department rather than to pay any amount to informers.

Mr. WOOD (Brockville). I am not at all sure but that you are right there.

Mr. LANGEЛИER. Every one knows that there is danger of these informers entrapping people into violation of the law in order to get blood money from them or denounce them so as to get a share of the penalty imposed. This is a system which should not be encouraged by the department. I would prefer that even high salaries should be paid to the officers of the department who would have no interest in the penalty.

Mr. MARTIN. I would like to ask the Controller how it comes that the inspector in Manitoba has to pay for office rent—why he should not have an office in the Government buildings?

Mr. WOOD (Brockville). I do not know, but I will inquire. I suppose there is no room for him there; that is the only reason I can imagine why he should pay office rent.

Mr. MARTIN. It is strange if there is no room in the Government building in Winnipeg, for it is a most magnificent building; it cost the country an enormous amount, and I must say it is a very excellent building and is a credit to the Government and the city. I should imagine it would afford accommodation for far more than those engaged in Government work. Mr. Barrett, however, it seems, is obliged to rent an office, and, very conveniently, the office he rents is a part of his own house, for which he receives \$25 a month. I suppose it does not take a very large room for Mr. Barrett's business as an inspector. If the hon. gentleman will look at page D—276 of the Auditor General's Report he will see the item: "Allowance office rent, J. K. Barrett, \$300." Even though house rents are rather high in Winnipeg; you can get a fair house complete for \$25 a month. While I am on my feet I may call the Controller's attention to the very heavy expenses of inspection in Manitoba as compared with other districts. In Ontario the inspectors' salaries amount to \$7,400. There are three inspectors, and for contingencies—travelling expenses, &c.—they spend \$2,038. In Quebec, where there are two inspectors, the salaries amount to \$4,899, and the contingencies to only \$667. In New Brunswick the figures are, salaries, \$1,700; contingencies, \$531; Nova Scotia, salaries, \$2,400, contingencies, \$1,040. For Manitoba and the North-west the salaries are \$2,500, contingencies, \$1,981—almost as much as the province of Ontario, and much more than any other province. Of course it must be admitted at once that the long distances in Manitoba must cause additional expense, but one would imagine that in the province of Ontario, for instance, the very much larger of places which are to be inspected would make up for this. There three inspectors in Ontario spend only \$2,038, or about \$700 each, while Mr. Barrett manages to spend \$1,981, of which \$300 is the office rent to which I have drawn the Controller's attention. Of course it is difficult for a person looking at the accounts to come to any conclusion as to whether the expenditures are justified or not, but the comparison of other expenditures with those of Mr. Barrett seem to call for explanation. For instance, for livery, Mr. Barrett charges \$78, while all the officers of the department in Winnipeg—and there is a considerable force, as the Controller knows—the salaries being \$11,000—charge only \$24. I know that all the breweries in Winnipeg—there are no distilleries—are on the line of the street cars, and a person going to look at them would naturally take the car. Of course

a livery would be necessary when coal oil inspections are to be made.

Mr. WOOD (Brockville). And cigar factories, &c.

Mr. MARTIN. Exactly. Still it seems strange that Mr. Barrett should spend three times as much as all the others. I notice that his postage account is almost equal to that of all the other officers. He has a separate post office box, and so on—in fact he seems to be a very expensive man. I would like to ask also if the Controller is aware that, in addition to being inspector, Mr. Barrett is editor of a newspaper, and a political newspaper at that.

Mr. WOOD (Brockville). I was not aware of that; I never heard of it before. Mr. Barrett's reputation is that of a very efficient officer, and his range of territory is greater than the districts of Ontario and Quebec put together, as he has to travel from Winnipeg to Calgary.

Mr. EDGAR. Is he supposed to give his whole time to this work?

Mr. WOOD (Brockville). Yes, I think recently a brewery was established at Calgary, and since then one at Edmonton, and some at other places. Breweries are constantly being established throughout the North-west, and just as constantly Mr. Barrett must be on hand to initiate the officers in their work. I can quite understand why his travelling and living expenses should be greater in the North-west than in the older provinces.

Mr. MARTIN. I would gather from the accounts that a different arrangement has been made during the year as to these expenses. It would appear that up to the first of March, \$3.50 were allowed daily for living allowances, and since that time, only his actual money disbursements were allowed. I do not know whether Mr. Barrett is an efficient officer, but I do know there is a general opinion that his expenses are very large, indeed. I also know that a man that receives \$2,500 a year should devote his whole time to the duty of his position, and I am glad to hear the Controller say that he expects him to do so in the future. I also know that his duties as editor of the North-west 'Review,' a weekly paper published in Winnipeg, must take a good deal of his time; I would imagine that it would take pretty nearly the whole of his time.

Mr. FRASER. On this question of editing papers, I would like to call attention to some cases of the kind in Nova Scotia. It seems that when a man gets an office, he thinks he ought to run a newspaper. Whether it is that he feels so well in getting a salary, I do not know.

Sir JOHN THOMPSON. He becomes patriotic.

Mr. FRASER. Yes, that is the patriotism which is the last refuge of a ——— real worthy man. I think myself that if a man gets a good salary, he ought not to engage in newspaper work, unless he writes non-political articles for a review, or wishes to follow a literary life. I would not object to that. Indeed, I would like to see more men of genius put into office in this country. I was very glad when the Government gave a position to a very worthy man not long ago, and I would not be very exacting even if the duties of the office were not as well performed by a man of that kind as by others. We are growing a little older, and we must follow in the footsteps of older countries which recognize genius. But the genius which always finds vent in scurrilous articles about the opponents of the man himself, or the Government that put him in, I do not think ought to be encouraged. I do not think the country should pay a man his salary and allow him to edit a paper. He cannot, of necessity, attend to his duties as well. We know that the paper will soon add considerable influence to the man. If a man has a paper and he writes well in it, and it has a large number of readers, and he assists the party, it is very difficult, if that man goes astray, for the Government to say anything against him, by reason of his political influence. The influence of a paper is worth something, and we are all more or less liable to look at that power back of a man, and to judge very often of his merits from that point of view. I think an officer of this kind who receives a fair salary, ought not to be permitted to do that. As to the amount of rent paid, I think it is a scandal. I have no doubt the Controller will look into that; \$25 a month rent for a house where he not only does the duties of his office, but writes articles for the paper, is too much. There is another thing to remember: This editing of a newspaper irritates the opponents both of the Government and of the man himself, and will lead to retaliation some day. Now, that is a bad thing. An officer ought so to conduct himself and so to do his work, that there may be no spirit awakened against him when a change of Government takes place, by which the country may be deprived of a good officer. Therefore, I think it is in the interest of the service that the Government should not allow that man to edit a paper.

Sir RICHARD CARTWRIGHT. I hope my hon. friend, the Controller, will give orders that this gentleman shall confine his attention to the duties of his department. There are special reasons in connection with the excise department why the officers should be prohibited from doing any other work. If I recollect aright, the law forbids them from voting; at least, we provide that they shall not meddle in political matters. More than that, all these newspapers depend more or less on advertisements and the patronage they receive, and it is not at all desirable, it

Mr. FRASER.

is contrary to all sound policy, that an officer should be deriving emoluments from contributions made to him by outside parties, whether they are brought directly in contact with him in the discharge of his business, or not. I think the hon. Controller, on reflection, will see, now that the facts have been brought to his attention, that it is contrary to proper discipline in his office to permit any of his officials to be editing newspapers, whether they are of his political stripe or not. All kinds of inconveniences may arise from it, and I think he will find unless I am greatly deceived, that the practice of his department with regard to these officers is that they shall attend to their official business, and nothing else.

Mr. FORBES. Can the Controller tell me how many preventive officers there are in Nova Scotia now, and who they are?

Mr. WOOD (Brockville). I can give the hon. gentleman that information to-morrow. Some of them have very small salaries.

Mr. FORBES. Is Mr. Curless one?

Mr. WOOD (Brockville). He is in New Brunswick. I think I am quite safe in saying that there are not more than six in Nova Scotia, if that number.

Mr. FORBES. I understand Mr. Curless's jurisdiction is limited to New Brunswick?

Mr. WOOD (Brockville). Yes. His official title is that of chief preventive officer.

Mr. FORBES. But he has a right to operate in any other province?

Mr. WOOD (Brockville). Yes; he may have been in Nova Scotia during the last year.

Mr. FORBES. I do not know any of his exploits last year, but some serious charges have been made against him. Can the Controller tell me whether he made any seizures last year in Nova Scotia, and if he did, what share of plunder he got out of it?

Mr. WOOD (Brockville). He did not make a seizure in Nova Scotia last year, or at all events I will say for the last fiscal year. The policy of the Government has somewhat changed in regard to the preventive service. I am trying to get the local officers thoroughly instructed in the work and have them perform as much of the work as possible, with a view to instructing them in regard to the law regulating the sale of the different articles, and also in regard to the law to illicit distillation. Looking at the revenue, we have apparently not lost anything, and I am so far much pleased with the record.

Sir RICHARD CARTWRIGHT. The hon. gentleman has not given any reply to the question I asked with respect to this officer, who is at once an excise officer and a newspaper editor.

Mr. WOOD (Brockville). I never heard of that before, and it has been brought to

my attention now for the first time—and even now I do not know it as a matter of fact. I must say that we have no more efficient officer in the public service than Mr. Barrett. I am safe in saying that no charge has ever been made against him, and the oldest officers in my department say there is not an officer more thoroughly conversant with the details than he. My attention was never drawn to anything of this kind, and I felt called on to travel out of my road to make inquiries.

Mr. EDGAR. The hon. Minister has told us that this gentleman was a very well posted official; that his duties were onerous, and had recently been increased by some breweries being established at Edmonton, and the hon. gentleman also explained that he was expected to give his whole time to his duties. On all those points the Controller spoke correctly. The hon. member for Winnipeg (Mr. Martin) has, however, stated that he also is editor of a newspaper published in Winnipeg, which certainly is not opposed to the Government. Whether that be so or not, I think the Controller should at least be prepared to say that if he found this to be the case, he would not permit Mr. Barrett to continue to fill both positions.

Mr. MARTIN. I have here the evidence of the fact I stated. Here is the paper: 'The North-west Review,' printed and published at 178 Prince Street; J. K. Barrett, LL.D., editor in chief.

Mr. WOOD (Brockville). Is that the Mr. Barrett who is the inspector?

Mr. MARTIN. It is the same person.

Mr. WOOD (Brockville). I will endeavour to ascertain the facts.

Sir JOHN THOMPSON. The paper does not give us much support.

Mr. MARTIN. He is not altogether satisfied with the Government's position on the Manitoba school question.

Sir JOHN THOMPSON. I am not indebted to him for anything.

Mr. MARTIN. He was satisfied with your action up to a certain point. He is not only, it appears, a very efficient inspector in Manitoba and the North-west, and to that we have had the evidence of the Controller, but he is also editor in chief of this newspaper, and he is also the same gentleman who acted for the Government in carrying through the litigation in connection with the Manitoba school case.

Sir JOHN THOMPSON. I can assure the hon. gentleman that he did not. When a supporter gives his support to a certain extent and no more, his assistance is apt to be considered not very valuable.

Sir RICHARD CARTWRIGHT. Do you not think he should confine himself to the duties of his office?

Sir JOHN THOMPSON. I do.

Mr. MARTIN. Do I understand that he was not the representative of the Dominion Government?

Sir JOHN THOMPSON. No; he was the plaintiff.

Mr. MARTIN. Was he plaintiff at the instance of the Dominion Government?

Sir JOHN THOMPSON. Yes. Instead of Mr. Barrett being our representative we were his representatives.

Mr. MARTIN. My understanding is that he brought the suit at the instance of the Dominion Government.

Sir JOHN THOMPSON. He did not do anything of the kind.

Mr. MARTIN. I think I can show it.

Sir JOHN THOMPSON. Perhaps you can show it, but it was not the fact. The fact is that we brought the suit and indemnified him against expenses. He did not bring the suit.

Mr. FRASER. If he brought the suit, and the Government adopted it, it was about the same thing.

Sir JOHN THOMPSON. We indemnified him.

Mr. FRASER. If the Government did not want to continue the action, they could drop it.

Sir JOHN THOMPSON. It was necessary to have the suit brought to test the question, and we secured the consent of this gentleman who was interested in the question on a certain side, and we indemnified him against expenses. He gave us the use of his name.

Mr. MARTIN. I should like to substantiate the statement I made. The way I came to the conclusion that Mr. Barrett was acting for the Dominion Government was from reading the account of a dispute which arose in London as regards the services of Sir Horace Davy. Sir Horace Davy was retained by the Dominion Government to act for them.

Sir JOHN THOMPSON. Will the hon. gentleman allow me to make a remark? There is no difference between us as to the facts, what I objected to was the mode of stating that Mr. Barrett was our representative. What I say, and what the records show, is that it being desired to have a suit instituted for the purpose of testing the question of law involved, we got the consent of a member of the minority, who was interested pecuniarily and otherwise in having the question of liability and of fact settled, and having got his consent to bring a suit in his name, we indemnified him against expenses.

Mr. MARTIN. Did the Government not only indemnify Mr. Barrett against, but ar-

ranged to indemnify all parties? As Mr. Barrett is acting for the Government in the sense indicated by the right hon. gentleman, I suppose any judgment obtained against him would be paid by the Dominion Government?

Sir JOHN THOMPSON. If the hon. gentleman places his question on the paper I will ascertain what has been done.

To pay collectors of customs allowances and duty collected by them \$5,500

Mr. FLINT. Perhaps the hon. gentleman would explain this item.

Mr. WOOD (Brockville). In order to prevent the permanent appointment of extra officials at small outposts, we take advantage of the services of the customs officers and give them a certain percentage for making collections. The business has increased during the past year, and therefore the cost has increased by \$1,000.

Mr. FLINT. This practice, I think, might be more widely extended to advantage. Many of the customs officers receive very small salaries, and they might be supplemented in this way.

Mr. WOOD (Brockville). We take advantage of the services of the collectors in small outposts, and we pay them 5 per cent on the sum they collect, which does not exceed \$100 in each case. We prefer to do this rather than appoint additional officers at \$400 and \$500 each.

Mr. FLINT. The point I made was that it was desirable to increase the system of utilizing the services of officials in this way, and giving this work to collectors of customs rather than having separate Inland Revenue officials in places where the amount of collection is small.

Mr. WOOD (Brockville). That is just what we do.

To enable the department to supply methylated spirits to manufacturers, the cost of which will be recouped by manufacturers to whom they are supplied, and to pay for salaries, &c. \$85,000

Sir RICHARD CARTWRIGHT. Explain this.

Mr. WOOD (Brockville). Some years ago it was found that the manufacture of what is known as wood alcohol was made potable, or allowed to be converted for use which defrauded the revenue; and the Government undertook to make this spirit and supply it to the trade. It is a rather profitable business, as the excess of net revenue over the expenses was last year over \$18,000.

Mr. EDGAR. As to this question of methylated spirits, I see in the Auditor General's Report, on page D-291, the question of wood alcohol and non-potable spirits bought from different distillers. There is an entry there

Mr. MARTIN.

which I think must be a mistake. There is \$4,500 worth bought from H. Corby. That surely cannot be the member of this House. It is quite a serious thing affecting the independence of Parliament as the hon. the Controller will see, and I think it ought to be explained.

Mr. LANDERKIN. What amount was it?

Mr. EDGAR. Four thousand five hundred dollars.

Mr. LANDERKIN. Perhaps that is what was used for the Five Nations.

Mr. EDGAR. It cannot be that, because it is non-potable. It is not fire-water.

Sir RICHARD CARTWRIGHT. The 167 barrels may have been required at the christening of the drill-shed.

Sir JOHN THOMPSON. Was the hon. gentleman there?

Mr. WOOD (Brockville). I must say, Mr. Chairman, that I notice the name of Hiram Walker and some others and also H. Corby. That appears to be the case.

Sir RICHARD CARTWRIGHT. What H. Corby, is he?

Mr. WOOD (Brockville). Of course we have to buy this methylated spirits.

Mr. EDGAR. But all the persons from whom you buy spirits do not happen to be members of Parliament.

Sir JOHN THOMPSON. They would like to be.

Mr. EDGAR. They could not remain long members of Parliament. Does the Controller understand H. Corby to be the member for Hastings?

Mr. WOOD (Brockville). I do not know, but I should say so. He is the only H. Corby I know who is a distiller.

Mr. EDGAR. That amount was purchased according to the Auditor General's Report in 1892-93. Now, in 1893-94, have spirits been bought from H. Corby under the same classification?

Mr. WOOD (Brockville). I do not think there has been any direct communication whatever between the department and Mr. Corby. The orders are sent to Gooderham & Worts as a rule, and they arrange with the other distillers for a certain proportion of spirits, and I think it will be found that any communication that took place, took place between Gooderham & Worts and Mr. Corby.

Mr. EDGAR. There seems to be a communication in the shape of a payment of \$4,500.02, to Mr. Corby. That is the trouble.

Sir RICHARD CARTWRIGHT. I apprehend that this must have been paid directly to Mr. Corby from the department, or else it would never have appeared in this par-

particular shape in the Auditor General's Report. The Auditor General would undoubtedly have demanded a voucher, and that voucher must show that this money has gone directly to H. Corby himself.

Mr. WOOD (Brockville). I will have to look into that.

Mr. EDGAR. The hon. gentleman will give us further information.

Mr. WOOD (Brockville). Yes.

Sir RICHARD CARTWRIGHT. How was it necessary to purchase from H. C. Collier, of New York, 4,600 gallons of wood naphtha?

Mr. WOOD (Brockville). We usually got our supplies from Rathbun & Co., Deseronto, but they were out of a sufficient supply and we made up for it by purchasing in New York.

Sir RICHARD CARTWRIGHT. I notice that the wood naphtha was purchased abroad for \$1.10, but in the case of the naphtha or wood alcohol bought from Rathbun, the charge was \$1.60, which is 50 cents more. How does that come?

Mr. WOOD (Brockville). When that matter was brought before the department it was found that we had a contract with the Rathbun Company—an arrangement entered into by the department before I took charge of it, and which appeared a reasonable one. Offers did not come from one firm in the United States proposing to supply the wood naphtha at a price lower than the Rathbun Company, but taking the average price for three or four years it was found that the price of the American article was greater than that for which we could purchase it in Canada, and we did not think it wise to break the contract for one consignment.

Mr. FRASER. How did the two articles compare in quality?

Mr. WOOD (Brockville). That made by Rathbun cannot be excelled.

Mr. FRASER. Was the United States article equally good?

Mr. WOOD (Brockville). We did not think it was quite so good, and manufacturing as the Government are for the country, they could not afford to run any chances and take risks.

Mr. FRASER. If it was equally good I can scarcely understand how there could be such a discrepancy at that time.

Mr. WOOD (Brockville). Prices have been lower in the last year or two.

Mr. FRASER. They may have been in that particular article; but the falling prices occurred after this purchase was made. If the hon. Minister says that he compared the prices for the period covered by the contract with Rathbun & Company, I can understand that. Does the hon. gentleman

not think that in such a condition of things it is better to buy in an open market?

Mr. WOOD (Brockville). That is a very broad question. All I can say is that I had a comparison made for several years of the prices prevailing in several countries, and found it to be favourable to the Canadian producer.

Mr. EDGAR. There was another item of purchase from Mr. Corby—167 barrels at \$2.50 a barrel. That must be pretty good. I would like to ask the Controller what is the real justification for the Government going into this kind of trading?

Mr. WOOD (Brockville). I have explained that about four years ago it was found in the city of Quebec that spirits made from wood naphtha were being used for the production of potable spirits, to the great injury of the revenue, and it was decided as a matter of policy that the Government itself should make this spirit and sell it to the trade.

Mr. EDGAR. Do you allow any one else in Canada to make it?

Mr. WOOD (Brockville). No.

Mr. EDGAR. Have you statutory regulations to that effect?

Mr. WOOD (Brockville). Yes.

Mr. LANDERKIN. Where is it made?

Mr. WOOD (Brockville). Down here near the station.

Mr. LANDERKIN. How many hands are employed?

Mr. WOOD (Brockville). Two or three.

Salaries of officers, inspectors and assistant inspectors of weights and measures \$55,150

Mr. FORBES. I want to ask the hon. Controller whether a man of the name of Kelly is an assistant in the weights and measures office in Halifax?

Mr. WOOD (Brockville). I think so. He is the deputy inspector. I met the gentleman myself there last year.

Mr. FORBES. Do I understand that it is the policy of the Government that these officers should not interfere in election matters?

Mr. WOOD (Brockville). I never knew he interfered.

Sir JOHN THOMPSON. We never interfere ourselves.

Mr. FORBES. I understand the Controller to say that it is a rule that the Government do not desire these officials to interfere.

Mr. WOOD (Brockville). I did not say that. It may be the rule.

Mr. FORBES. May I infer that it is the desire of the Controller that these officials

should interfere? Are they permitted to do so by a secret understanding with the head of the department?

Mr. WOOD (Brockville). If the hon. gentleman wants me to answer, I think that all officials at times interfere. I cannot say whether Mr. Kelly has done so or not.

Mr. FORBES. I want to draw the Controller's attention to the fact that this official's interference is making his office obnoxious to the people. Merchants and others on whom he must wait in the course of his ordinary business find it a matter of serious moment to them to have their weights and measures subjected to his inspection, while at the same time his open interference in political matters, and his determined efforts on behalf of the Government, are not only countenanced, but actually recognized and approved of by the Government. It is a matter of regret, because it tends to weaken the work done by the officer. I draw particular attention to this case, which is an open and notorious one. I do not think the hon. members representing the county of Halifax would say anything to the Controller about it; it is not natural that they should. I do not want the officer to lose his place, but I think a caution on the part of the Controller might deter him from prosecuting in the future this unfair and unjust work on behalf of the Government.

Mr. WOOD (Brockville). I never heard of that case before. I never heard that this officer interfered in politics at all. Whenever a charge is preferred, I never hesitate to recommend to the Government what should be done, but I do not feel called upon to go out of my way and make inquiries to ascertain whether any charge can be made against an officer. Some charge should be made, and then it will be looked into.

Mr. FORBES. I do not know that any man should be required to make a deliberate charge, but when it is brought to the Controller's attention that the rules of the department are flagrantly violated, and when we are told that it is contrary to the policy of the Government that their officers should interfere in elections, I think the Controller should quietly make inquiry, and if my statement is correct, should caution the officer so as to prevent a repetition of the offence.

Mr. LANDERKIN. Some years ago a number of weights and measures inspectors were legislated out of office. They were efficient officers, but their services were dispensed with on the plea of economy. It appears, however, that the real object was to get rid of men appointed by the Mackenzie Government. If it was necessary to abolish them, they were certainly entitled to some superannuation. If there was reason for superannuating the officers, I do not see how the hon. Minister can pass over

Mr. FORBES.

the inspectors of weights and measures, who were put out of office without any fault being found against them.

Expenses under the Act respecting the adulteration of food and fertilizers and the amendment of the Act respecting frauds on the market. \$25,000

Sir RICHARD CARTWRIGHT. Has the department prosecuted any considerable number of persons for adulteration of food with deleterious substances during the past year?

Mr. WOOD (Brockville). One of the first subjects that to me appeared very difficult, when I became Controller of Inland Revenue, was the prosecuting of people who had in their possession goods claimed to be compound articles of food and not so marked. The law permits the sale of a compound article of food, such as cottolene, which is healthy and not deleterious. Quite a number of people went into business who knew nothing of the law, and they had in their possession spices, and articles like ginger, which some of our inspectors found did not possess the necessary degree of alcoholic strength. The analysts and the commissioner explained to me that that resulted from evaporation. At all events, the average person who goes into business does not really know he is violating the law. In some cases we did prosecute and in others we did not; but in every case I endeavoured to exercise my best judgment. I shall gladly furnish a list of the cases prosecuted. I personally have great sympathy for many men who have been tried and fined, notwithstanding that they have violated the law, because they did so unknowingly.

Mr. GIBSON. Were the prosecutions taken indiscriminately?

Mr. WOOD (Brockville). The prosecutions depended very largely on the reports of the analysts.

Mr. GIBSON. Complaints have been made by different people in various cities that the law has been put into effect against them, whilst their neighbours, who were selling the same goods from the same factory, were not prosecuted, the reason being that they were of a different political stripe.

Mr. WOOD (Brockville). I am sorry to hear that. I never got those names, and I usually hear those things.

Sir RICHARD CARTWRIGHT. I draw a wide distinction between adulteration in the technical sense, that is to say, introducing substances which in themselves are wholesome, for the purpose of reducing the price of the article sold, and the practice, which ought to be put down with the utmost rigour of the law, of selling articles adulterated with substances injurious to human health. What I want to know is what is being done by the department in

the way of punishing parties who are selling articles adulterated with substances injurious to health or life? I should be disposed to look with very considerable indulgence on the adulteration with non-deleterious substances, but it is the duty of the Controller, and it was the intention of Parliament when we passed this Act, to take very stringent steps against all parties who undertake to sell goods for food without taking the trouble to ascertain whether they are compounded of wholesome substances. This negligence is only a shade less criminal often than the adulterating, of deliberate set purpose, with injurious substances. In England and other countries this is done to a very great extent, and I believe even in Canada it is not at all unknown that articles are sold by grocers and others which are not at all fit for human food. I would be glad to hear from the hon. gentleman what his intention is in dealing with that class of articles?

Mr. WOOD (Brockville). If the hon. gentleman will refer to the report he will find the name of every person convicted of any offence such as he describes. The department can only go on the information that comes to it. Our inspectors throughout the country procure samples wherever they can. They cannot be in every village, in every store, on every corner of the street where articles are sold. Occasionally they can go into a store and take a sample for analysis. The department tries to take a reasonable view of every case. For instance, a man may have recently bought his stock and begun business. In case some article in that stock is found to be adulterated the department tries to take a reasonable view of the case.

Mr. BOWERS. In such a case, who is fined—the man selling the goods or the man putting them up?

Mr. WOOD (Brockville). The provision of the Act is that the purchaser when he buys should get an invoice from the manufacturer stating that the article is not compound but pure. If he does not do so, the burden of proof is upon him, and, in that case, he would suffer and not the person from whom he buys.

Sir RICHARD CARTWRIGHT. I have not had an opportunity to go into the hon. gentleman's report in detail, having had other matters before me. He will allow me, therefore, to ask how many persons were found guilty by these officers of selling articles adulterated in a manner likely to be injurious to health and how these persons were punished?

Mr. WOOD (Brockville). We had hardly any cases of that kind.

Sir RICHARD CARTWRIGHT. If that is the case, I am afraid the law is not as well carried out as in many other countries.

Mr. WOOD (Brockville). I do not know how it is in other countries, but the hon. gentleman will see that it is of necessity a very difficult thing to administer a law relating to the adulteration of food.

Sir RICHARD CARTWRIGHT. I know that, and for that reason we passed a special Act, and for that among other reasons we appointed a Controller of Inland Revenue and give a vote of \$25,000 to pay the expenses of overlooking this matter. I know the hon. gentleman cannot attempt to investigate the stock of every shop in every small village in Canada. But we have a considerable number of cities where the hon. gentleman's officers reside and where they could investigate these matters, these cities being the very places where this evil of food adulteration is most likely to show itself.

Mr. BOWERS. I would ask the Controller how it would be possible for a retailer, not being an analyst, to know whether the food he was selling was compound or not?

Mr. WOOD (Brockville). He does not know.

Mr. BOWERS. Then, would it not be a hard law that would condemn a man in such a case.

Mr. WOOD (Brockville). It is an extremely hard law. The retailer goes into business, having been perhaps a farmer, and having had but little experience in goods. An inspector comes and seizes some tinctures because they do not contain the necessary degree of alcoholic strength according to the British pharmacopoeia. He is liable to a heavy penalty. That is the law as I found it, and I try to administer it as well as I can. I admit the justice of what the hon. gentleman has said. It shows that such a law must be tempered with mercy.

Mr. FRASER. Could not the hon. gentleman have the officer of weights and measures or excise do this work for the largest cities, by visiting the markets, for example?

Mr. WOOD (Brockville). Of course that can be done—they can go into a store, take a sample and have it analysed by one of our analysts.

Mr. FRASER. When I am in a large city I like to visit the markets. On such occasions I have noticed that there is a good deal of material exposed for food which, if I am any judge, ought not to be exposed.

Mr. HAZEN. The health officer of the city should look after that.

Mr. FRASER. But they do not do it. There is more or less of parish politics mixed up with the administration of the law upon this subject.

Mr. HAZEN. Any well-regulated market condemns that kind of thing.

Mr. FRASER. But I think it is not often done. There are other things than flesh and

fish to which the law applies. I understand that it is the practice of those who have little shops in the market to buy cheap articles. Such places ought to be subjected to inspection at times. I do not say I know exactly how it should be done, but I know that no more important subject could engage the attention of the Minister than that of the purity of the food that is sold to the people. Our knowledge of the character of disease shows us that the most terrible maladies may be conveyed through the medium of food. I think the Government would do well, even if there is to be a considerable expenditure upon the service, to look carefully into this matter. This work is better done in the older countries than in the newer countries like ours.

Mr. EDGAR. I see that last year the public analyst inspected a number of samples of milk in the largest cities of the Dominion. I would like to know what was done. The work, I believe, is generally left, as a matter of municipal regulation, to be carried out through the health department.

Mr. FRASER. That proves just what I say, that the cities do not look after it.

Mr. EDGAR. They make some regulations, some more and some less, and some insufficient, I suppose. But does the Dominion Government come in here and supplement their work? Does the Dominion Government come in here at the request of the local authorities to sample this milk, and when they have done that, how do they publish it? Because merely sampling a lot of milk in Toronto or Montreal is not of much use to anybody, unless it is done in some systematic way and published.

Mr. WOOD (Brockville). They are all published in the returns, and also in the newspapers. In the locality where I live, I have always seen published in both papers a list of the names of the parties who sold the milk, and the analyses that were made. I may say here, that if Parliament chooses to vote money enough, we may do a great deal of this work you speak of; but all we can do now is to exercise a sort of general supervision.

Mr. BOWERS. Do I understand the Controller to say that the invoice would show whether the goods were compound or pure, or whether a man could get over this fine by throwing the responsibility back upon the manufacturer of the goods, or by showing the invoice of the man from whom he had bought?

Mr. WOOD (Brockville). No. In order to protect himself against the person from whom he buys, he must get a certificate of the invoice, and must show that it is a pure article and not a compound article. But I must add that a compound article of food is perfectly lawful, the law recognizes it.

Mr. FRASER.

Mr. BOWERS. That seems to me all nonsense. You never can get a man to say in an invoice whether the article is pure or whether it is compound. I might have in my store fifty different articles that might not pass inspection, and I may be innocent of intent to defraud.

Mr. WOOD (Brockville). Your invoice should state whether they are compound or pure. I do not mean to say that if it is a compound article of food, bought as such and sold as such, that a man is not liable for the quality of the article.

Mr. EDGAR. This question of inspection of food is one that comes home very closely to the people. I think we ought to understand what the Dominion Government is proposing to do with regard to milk inspection, and what people can get done by the Dominion Government in different places. I see by the Auditor General's Report that the only testing of milk that was done last year was in St. John, Halifax, Montreal, Toronto, Quebec, London, Winnipeg and Ottawa. Those are the only places named. Well, that is very local, very partial, and not of much general service to the country. It is more experimental than anything else. In Toronto the analyst is Dr. Ellis, an exceedingly good man, the best man for the place. He analysed a good many specimens of milk at a cost of \$1,582. At whose request does he do that?

Mr. WOOD (Brockville). Does not that \$1,005 cover lard and some other things?

Mr. EDGAR. The report gives among the items paid to W. W. Ellis, Toronto, a retaining fee of \$200; analysing so many samples of milk, \$110; analysing so many more samples of milk, \$1,072. There are some items for rent, apparatus, &c. There is nothing about lard. Nearly \$1,200 are paid him for analysing samples of milk, apart from his salary. Now, can any citizen of Ottawa, for instance, go to Mr. Valade, who is the analyst here, and ask him to analyse milk at the expense of the Government, and give him a certificate of it? Or how is that done?

Mr. WOOD (Brockville). That is not the procedure. The hon. gentleman can understand that the analyst would require to have a great many assistants if he were to be at the beck and call of every person who wanted him to make an analysis. As I have already said, if Parliament chooses to vote an immense sum of money for this work, we can make it just as extensive as you like.

Mr. EDGAR. Dr. Valade has a retaining fee of \$200 a year.

Mr. WOOD (Brockville). That is not very much.

Mr. EDGAR. Besides being paid for each analysis he makes.

Mr. FRASER. I see the samples analysed were lard, milk, beer, oils, soap, drugs, fertilizers and vinegar. Were these samples supplied to these analysts by the Government, or through the Government, or who gave those samples to be analysed?

Mr. WOOD (Brockville). The inspecting officer made the selections himself, and gave them to the analyst.

Mr. FRASER. Take Halifax, for example. What are his orders about selecting those samples for analysis?

Mr. WOOD (Brockville). His instructions come from Mr. McFarlane, who is the chief inspector. The hon. gentleman can understand that Mr. McFarlane does not write the inspector every day to make inspections. The latter officer must exercise a wise discretion in making his selections. Mr. McFarlane does not ask him to go into every shop in Halifax upon every street, and get samples every day in the year; but he exercises his own judgment as to time, place and all that. That is the only answer I can give the hon. gentleman.

Mr. FRASER. There should certainly be some principle underlying the thing. Will he go out to-day and get an article, and then lay by for three months before getting another? For aught I can see here the nine genuine articles and the eight adulterated articles might have been analysed in one day, or might have been taken from one place. I want to know the methods by which this analysis is carried on. Could a citizen of Halifax go to him and get all the facts about these nine genuine and eight adulterated articles? Could he get information as to the character of the lard sold, and where he could get the best lard?

Mr. WOOD (Brockville). We have to observe some limit in order to keep down the expense, otherwise \$25,000 a year is nothing to meet the expenditure that would be required. The Commissioner of Inland Revenue requires the inspector, at least twice a quarter, to furnish samples of food. He is acting under his instructions.

Ordnance Lands, including amount required to pay expenses, \$500, in connection with repairs to roads at Grand Falls, N.B. \$1,775

Mr. FORBES. Does that ordnance matter refer to one item, or can the Controller give me any information with regard to other ordnance lands?

Mr. DALY. The ordnance lands at Annapolis are under the charge of the Militia Department.

Sir RICHARD CARTWRIGHT. What are the ordnance lands referred to in this vote?

Mr. DALY. Those we have for sale, the others are reserved for military purposes.

Sir RICHARD CARTWRIGHT. Where are those principally situated?

Mr. DALY. At Point Pelee, Lake Erie; along Niagara River, some at Quebec, and at points in Ontario.

Sir RICHARD CARTWRIGHT. Is this vote asked to pay expenses for management of those lands?

Mr. DALY. In connection with legal expenses. We have had the suit of Magee against the Queen, in the city of Ottawa, and another suit, Niagara Falls Parks Commissioners against Howard.

Immigration—Salaries of agents and employees in Canada. \$22,000

Sir RICHARD CARTWRIGHT. It will be convenient if the hon. gentleman will state what is his policy, the present position of immigration, and the prospects.

Mr. DALY. During the past year the department has carried out what I stated during last session was the policy of the department, so far as our work in Great Britain is concerned. In the first place, as hon. gentlemen are aware, we have an agent at Liverpool, Mr. Dyke; another at Glasgow, Mr. Grahame; another at Bristol, Mr. Down; and one agent in Ireland in place of two agents who were there formerly, a year ago, there being Mr. Connolly at Dublin, Mr. Merrick at Belfast. They have been retired, and Mr. Leary has been appointed. In addition to these permanent agents, we have at work in the north of Scotland, Mr. Bailey Stuart; in the south of Scotland, Mr. Peter Lang, and in the Midland Counties, with headquarters at Birmingham, E. F. Wood. These agents work under the direction of the High Commissioner, Sir Charles Tupper. From the reports of the department, it will be found these gentlemen have been very assiduous in their work, and the reports we receive from time to time are very encouraging in so far as extending a knowledge of Canada, particularly the North-west and Manitoba as a field for emigrants, is concerned. There has been a large falling off in emigration from Great Britain to all parts of the world; emigration has fallen off 52 per cent during the last two years to the United States, and 45 per cent to Canada. At present there is a movement towards South Africa on the part of emigrants, on account of the facilities offered in prepaid passages by the South African Government; and the Queensland Government have developed great activity in connection with a movement directed towards the establishment of villages and hamlets, and by encouraging people to go there in a way we are not doing, and do not propose to do, and could not do with the limited means at our disposal. Particulars as to the work performed in the north of Scotland will be found on page 61 of the immigration part of the report of the Department of the Interior. Mr. Stuart's work, he having his headquarters at Inverness, has been called out all through the northern counties. Between January and the date when he sent

his last report, he had visited all the towns and villages and rural districts in the north of Scotland, lecturing and delivering public addresses in regard to emigration. He had also distributed to the best advantage, pamphlets and hand-books relating to the Dominion. He had also translated into Gaelic, information respecting the different provinces, and stimulated an interest in the Dominion by means of short articles and paragraphs, in the press. He also attended cattle shows, markets, and fairs with the object of distributing pamphlets and giving verbal information and advice regarding the Dominion. In an appendix to the report is given a list of the places where Mr. Stuart delivered addresses. Altogether, he delivered 146 lectures on Canada. It was only by the last mail that we received the final report of Mr. Stuart. Both he and the other agents furnish Sir Charles Tupper with a monthly report, which is transmitted here, containing a diary of their work, and other information, and it is evident that those gentlemen are prosecuting the work with the greatest possible vigour. Both Mr. Stuart, Mr. Fleming, and Mr. Wood, in their latest reports, state that, owing to the depression among the agricultural classes in England and Scotland, and particularly among those classes which we want in this country, we cannot expect, this year, the number of immigrants we otherwise might have obtained. A large number of men, during the winter, made up their minds to come to the North-west, but, unfortunately, they have not the means they expected to have had, and our agents are particularly instructed not to encourage people to come to this country unless they are in a position to make a fair start. In addition to the work done by Mr. Stuart in the north of Scotland, Mr. Fleming has been equally active in the south of Scotland, and there will be found at page 58 of his report the number of places he visited and the work he did, and it will be seen from his report that he has been indefatigable. I might say, in passing, that Mr. Fleming was for twenty odd years in the employ of the Australian Government, and has had large experience in immigration matters, and that a year ago he made a tour through Canada from Cape Breton, and thus became thoroughly conversant with the country. I find that from February to December he visited 170 places, delivered lectures and attended some fairs. Mr. Wood, whose headquarters are at Birmingham, delivered 38 lectures between February and December, and visited twelve towns and sixty-one fairs. At these different fairs and towns visited, these gentlemen distributed literature to the people, and lectures were illustrated by lantern views and were largely attended. In addition to that, it will be seen by a resume of the report of the High Commissioner that so far as the distribution of literature is concerned, it has exceeded that of any previous year in the history of the work in Great Britain. It will be found on page 4 of this report :

Mr. DALY.

An important department of my work during the year consisted in the editing and supervising the publication and distribution of the following pamphlets :

	Issue.
Emigration to North-western Canada.	25,000
Western Canada and its great Resources.....	50,000
A special folder for distribution at Chicago Exhibition (with map and illuminated cover).....	50,000
Leaflets and small folders in various languages.....	300,000
Official Hand-book for 1894.....	80,000
Lettres de Canadiens Repatriés.....	7,500
Swedish Hand-book.....	10,000
Danish-Norwegian pamphlet.....	10,000
German pamphlet.....	5,000

In addition to the above, the undermentioned pamphlets, published in previous years, have been reprinted and are now in circulation :

	Issue.
La Colonisation Française (P. Foursin)	5,000
Vermont Delegates' Reports.....	25,000
Report of Mr. P. R. Ritchie on Manitoba and the North-west.....	70,000

Various leaflets and pamphlets in foreign languages. The total number of Scandinavian pamphlets, circulars, &c., sent out during the year was 83,000.

So, on account of the energy displayed by Sir Charles and the other agents, Canada has been put in a position before the old country people that she has never been in before. In addition to the work done by the agents of the Government, we have had considerable assistance from gentlemen who have visited Canada during last year, and particularly from the British delegates who were selected by Sir Charles Tupper, as will appear from his reports. These delegates were selected from different parts of England, Ireland and Scotland after thorough inquiries were made as to the standing of the delegates and their fitness for the work. The English tenant farmers were : Mr. Reuben Shelton, Nottingham ; Mr. Booth Waddington, Derbyshire ; Mr. John Cook, Shropshire ; and Mr. Joseph Smith, Yorkshire ; also, Mr. W. Weeks, Wilts ; Mr. T. Pitt, Devon ; Mr. A. J. Davies, Worcestershire ; Mr. J. T. Franklin, Northamptonshire ; R. H. Faulks, Rutland ; Mr. C. E. Wright, Lincolnshire. The delegates from Scotland were Mr. John Stevens, Ayrshire ; Mr. Alexander Fraser, Inverness. The delegates from Wales were Mr. John Roberts, North Wales ; Mr. W. H. Dempster, South Wales. And the delegate from Ireland was Mr. Guiry of Clonmel, south of Ireland. Some eight hundred thousand copies of the reports of these delegates published in small books were distributed. Without taking up the time of the House, I might be permitted to quote a few words from the concluding part of the report of the Scotch delegates. Mr. John Stevens, says :

In concluding this record of my tour, throughout this Dominion, I must say that my opinion of Canada as a suitable place for our surplus population is very favourable. There is cheap land, and plenty

of it, and a farmer can begin with a small capital, with a good chance of succeeding well, if he is industrious. Canada being a country of vast extent—as large as Europe, taking away Turkey, and as big as the United States, with the exception of Alaska—it presents a diversity of climate, soil and production, as a matter of course. The different provinces of the Dominion have so many special claims on the attentions of the intending emigrant, that he is often at a loss to know where to locate himself. The old country farmer with a little capital will find in Ontario an old province, with good land and cheap, social conditions, and schools and churches as at home—in fact, little difference between it and Scotland or England. Then Manitoba has special advantages open to all, both to the capitalist and those who are willing to work themselves up. There is excellent soil of a rich black loam, resting on a clay subsoil, and producing the finest quality of wheat in the world; indeed, it took this year, the first prize at the World's Fair, as it did at the Bakers' and Millers' Exhibition, in London, in 1892. Then the North-west Territories present a field for mixed farming and ranching not to be surpassed anywhere; these have deep soil and large crops are generally produced. * * * Then British Columbia has special claims and advantages to hold forth. It is a splendid climate, good soil—no better in the world—and good markets for farm produce. It has also large mineral resources, fish in abundance, and wood which will sooner or later, be a source of wealth to the Dominion. * * * Having seen this vast country from Manitoba to the Pacific, in common with the rest of the delegation, and having talked with farmers in every district I visited, meeting them on their own farms and hearing what they had to say, I must confess that I was not surprised to find both contentment and a look of prosperity in nine cases out of ten prevailing. Every man we interviewed appeared to us to be speaking the truth, and each seemed to think the particular spot in which he happened to be located to be the best in the Dominion and the world. * * * In the way of summing up my remarks, I might state that everywhere we went we met with successful Scotchmen both in connection with farming and mercantile pursuits. They seemed to carry the secret of prosperity wherever they go in the Dominion.

Mr. Fraser says :

In concluding this report, I would like to make a few general remarks on the country, the class of emigrants most likely to succeed there, and also to give a general idea of the impressions conveyed to my own mind during my trip. * * * It is of the first importance that intending emigrants should possess physical strength and powers of endurance, with a fixed determination to succeed, which must not be too easily upset by difficulties which are certain to arise at the outset of a settler's career. The amount of capital possessed at starting does not appear to have so much influence as might be expected. Numbers of men we encountered who went to the country with large sums of money are now in comparatively poor circumstances; and, on the other hand, numbers who have landed with very little are now in good positions. Unless the settler is prepared to rough it, and work out for a considerable time,

however, he ought not to go to Canada without from £200 upwards. With this sum a man of resource and energy could make a fair start. It is very much better to work out for the first year, or if this is not considered desirable, live on a farm with friends until experience of the ways of the country, the prices of stock and implements, and of the quality of land, is acquired. * * * Within the last few years, the price of cereals has fallen to such an extent that there is now not very much profit in their cultivation, and farmers in Canada are beginning to turn their attention more to mixed farming and dairying. I would like, before closing, to say a few words on this head, and point out to Scotch farmers, who have the knowledge of cattle feeding and dairy farming, the great advantages held out just now in the Dominion to any persons having the knowledge of cattle and cattle feeding.

In the report of Mr. Roberts, from Wales, he concludes as follows :—

In conclusion, I venture to tell my fellow countrymen that if they emigrate to Canada, they will be more independent than most of them can ever hope to be in the old country. They will have to work hard, if they do not, it is no use their emigrating, but they will in all probability reap the fruit of their labour sooner than in their old homes.

Mr. Dempster says :

Gentlemen farmers would do better in the older settled parts of the country, such as Ontario. Improved farms may be bought or rented on reasonable terms; there need be no unnecessary expense; and there is a good society with all the usual home comforts. Children may be educated at a very small cost. This, I may say, is the most delightful country I have seen; magnificent fruit of all kinds is grown and its scenery—hills, valleys, and lakes—is all that can be desired.

Then **Mr. Dempster concludes his report :**

We here completed our task, and prepared to return to England. We were unanimously of the opinion that Canada is a great but undeveloped country, with unbounded wealth both in minerals and agriculture. It undoubtedly has a great future before it. Many thousands of families who are striving against the tide of fortune in Great Britain, will obtain in Canada what they never can expect to, where they are, namely, the privilege of being their own landlords with, as I have before said the law and liberty of the old country."

Mr. Franklin, from Northamptonshire, says :

The districts visited were very various. The impression which I believe exists in some quarters, that we were only shown the best parts in Canada is one needing correction. We did see the best parts of Canada, but the Canadian Government gave us at the same time every facility to go where we liked, even assisting the delegates individually to visit English friends now settled in Canada, irrespective of distance and locality. My general conclusion is like that of others, that the resources of the country are enormous, and only require capital to develop them at a faster rate. A large increase of population is doubtless needed, but I consider that money is even more urgently required than additional settlers. * * *

With regard to the kind of farming most desirable for those who have obtained land, I would strongly urge the superiority of mixed farming. Manitoba, in my judgment, is scarcely farmed as it ought to be. In many places one cannot call it farming at all, but a mere tickling of the soil; but where one meets with an industrious man who understands farming and has sufficient resources to work the land, there a much better yield will be found—amounting, indeed in some cases to as much as 40 bushels an acre of wheat, from 60 to 70 bushels an acre of barley, and a hundred bushels an acre of oats. Speaking generally, there are good spots to be found in all districts, though it doubtless requires judgment when choosing the locality, and fixing upon a quarter section: and I advise the intending emigrant to inspect thoroughly for himself what he thinks of buying, and to trust to the opinion and advice of no man. On the other hand, a man of capital wishing to settle in Canada with as little roughing it as possible would naturally choose the province of Ontario. There he would be able to find the comforts of the old country; land is at a reasonable price, and rates (so unlike England) nominal. And as in the Dominion generally the free schools are excellent, as all classes of society send their children to these schools, it can easily be understood the advantages derived from them are in many ways superior to those obtained at the Board or National schools in this country. The number and character of the various church buildings indicate the prosperity of the country; for the erection of handsome edifices by voluntary contributions within the comparatively short period during which parts of the country have been settled, shows that there must have been money free for this purpose as well as the disposition to support these churches. In British Columbia, also, the conditions are somewhat different from those in the rest of the Dominion. With these few observations on Canada as a field for agricultural emigrants, I conclude my report. I have endeavoured to describe what I saw and to give the conclusion to which I have come as plainly and as impartially as I can and I would end by expressing my strong sense of gratitude for the unvarying kindness I have received both from those who were officially concerned in our trip and from all sorts and conditions of Canadians with whom I had the pleasure of being brought in contact.

This is from the report of Mr. Wright, the delegate from Lincolnshire:

The following are the men most wanted in Canada:—First, farmers and their families who can do all kinds of work, with some capital; second, single farm men, who can content themselves on small farms, where only one man is kept, and save their wages until they have enough to start for themselves; third, men with a large capital, who understand, cattle, horses, and sheep; fourth, married farm men with some capital, to take 160 acres of land, and work as well for others, for a time.

Mr. Guiry, the Irish delegate, concludes his report as follows:—

I recommend mixed farming in preference to continual and exclusive wheat-growing. The place

Mr. DALY.

can be best selected by the settler. Every facility will be given to inspect districts: the government have in all towns and villages land agents, whose business it is to look after the interests of the immigrant. Besides, farmers are always delighted to see a new man, and are ever ready to give him a hand and sound advice. The reason is, there is room for all. I cannot recommend clerks or shop assistants to go; the same may be said of the professions. Lawyers, in particular, have no opening in Canada; the Canadian Government think that the laws were made for the people, and not the people for the lawyers. The idler has no chance of living in Canada, and it is no place for the gentleman who is above his business. I have seen men fail in Canada, but they were men who would fail at home. There is a kind of man pointed out as a failure; he is the man who has been sent away, and is supplied with a sum of money as long as he remains. He is known as the "remittance man." When he returns home he is pointed out as a Canadian failure. Such a man is hard on Canada. A steady, industrious man, can make a happy, comfortable home there. I cannot conclude this report without saying that, in making it, I have tried to avoid any exaggerations: I only give what I saw and heard. The truth can be told of Canada, for it will bear the truth.

These are samples taken from a few of these reports, showing in general terms what are the conclusions of the delegates. These gentlemen visited the various provinces of Canada, and they speak of what they saw from the commencement of their journey to the end, and the advice we have from the High Commissioner, Sir Charles Tupper, is to the effect that he is receiving continually at all times demands from all directions for copies of these reports. In addition to the general distribution of these reports, the commissioner has distributed them to school teachers throughout Great Britain and Ireland. A great interest is being taken in Canada, and our Hand-book of Canada is being used as a text book in various schools, and is eagerly sought after by the different school teachers. In addition to these reports, we have had papers printed by the Rev. John Lightfoot, vicar of Cross Stone, Todmorden, Yorks.; the Rev. J. Cavis-Brown, minor canon of Chichester Cathedral; and the Rev. F. W. Webber, a Canadian clergyman. These gentlemen made a tour through Canada last year, and gave Sir Charles Tupper the benefit of their experience and observations here by writing these reports, which are being circulated and are doing a great deal of good. Then a special report upon the agricultural resources of Canada was made by Professor Robert Wallace, Professor of Agriculture and Rural Economy in the University of Edinburgh, and author of "Farming and Live Stock in New Zealand" Professor Wallace made a tour through the country last year, it being the second occasion on which he visited Canada, and he speaks very highly indeed of the improvement he saw on all hands as compared with his previous visit

to Canada some years ago. We have also had printed in England a hand-book in relation to the district of Algoma in the province of Ontario. It appears that there has been a general inquiry in England for information about the district of Algoma, and in order to meet that inquiry, we have had correspondence with some gentlemen in that district who take an interest in colonization work, and the information obtained has been compiled in this hand-book, which is being circulated. In addition to the work done in Great Britain and Ireland, we have adopted another feature—the offering of prizes for papers by students in schools in the United Kingdom on the history, geography and resources of Manitoba and the North-west Territories. Two sets of prizes are offered for England, one for Scotland, one for Ireland and one for Wales. Each set of prizes consists of a first prize of £5, a second prize of £3 and a third prize of £1, and the matter has attracted a great deal of interest. About this, Sir Charles Tupper says:

The matter has already attracted a great deal of interest, and much correspondence has been the result. In all probability a large number of papers will be sent in, and I quite expect that the perusal of them and the awarding of the prizes will require a great deal of time and will not be an easy matter.

We also have the co-operation of the steamship agents in Great Britain, who number five thousand, and the Canadian Pacific Railway Company have been indefatigable in assisting our agents in every way, having had a car containing cereals and other products of Canada constantly on the go from one part of England to another. We have also advertised; our agents have attended all the leading agricultural shows in England, Scotland and Ireland; and it is safe to say, from the reports made by all the agents, that at no time in the history of Canadian immigration work has our country been more thoroughly advertised or talked about in Great Britain and Ireland than at the present time. We are not getting the return that might be expected from the work that is being done, for the reason that I have stated, the people are not emigrating—in the first place, because there is a great depression, and they have not the money to enable them to go; and, in the second place, because the wages of farm labourers are high, and they do not care to leave England or Scotland while they are being well paid for their work. Owing to the migration from the farms to the cities, farm labourers are scarce and are being well paid, and are, consequently, loth to leave and come out here. In addition to the work in Great Britain and Ireland which I have described, we are doing a special work in Normandy, Brittany and other portions of France, in Belgium, in Holland, in Norway, and as far as possible in Sweden and Ger-

many. Owing to the laws that exist in relation to emigration in Germany and Sweden, we are debarred from having active work done in those countries through agents; and we have been able to perform our work there only by advertising in newspapers and by the distribution of our literature through steamship agents and the Canadian Pacific Railway Company. Immigration into Canada this year has fallen off 45 per cent to the present time as compared with what it was at this time last year; but from the reports which we have had from our agents at Halifax and Quebec, the immigrants, as a class, are superior to those who have come to us from Great Britain and other parts of Europe in times gone by. People are realizing that it is not well for them to come out without proper means to give them a start, and we are not encouraging any to come who are not in that position. But, so far as the report of the Local Government Board is concerned, Canada is getting more than its share of immigration; and it stands in a better position to-day, so far as the prospects of settlers are concerned, than any other of the British colonies. In addition to what we are doing on the other side of the Atlantic, we have had an active work in progress in the United States. This work was commenced three years ago, when the immigration was done under the Department of Agriculture, and has been continued by the Department of the Interior since it was intrusted with that work. It has been brought about by inquiries that have been continually made by people writing from the various states of the Union with reference to the possibilities of their coming over here and getting land and becoming settlers. The immigrants that we are getting do not come exclusively from the western states, because we have had a large immigration from Vermont and Massachusetts and other eastern states, comprising a number of Swedes and returned French-Canadians. The immigrants from the western states are principally old country people, a great many of them having lived in the States for a number of years, but are still British subjects, and there are Canadians and Germans and Scandinavians, and very few Americans indeed. The stream of immigration just now, and it has been for a year past, is particularly directed to the Edmonton district, one of the finest in the North-west. There has been no particular desire or intention on the part of the Government agents to attract immigration to that particular portion of the North-west, but the idea has got abroad, based on undoubted truth, that it is a very fine section of country, particularly adapted to mixed farming. We find it will be no longer necessary to have the same number of agents that we have had in the United States during this last year, for the reason that the people who have gone there from Michigan, Kansas, Nebraska, Washington Territory and other states in

large numbers, will of necessity become immigrant agents themselves. In addition to the work done in that direction, we had men at Chicago during the World's Fair. Literature was distributed there, samples of our wheat in small bags were distributed, and we met with very great success, so far as distributing knowledge of our western country is concerned. It was extraordinary what ignorance was displayed by people on the other side of the line as to the facts of our having land open for settlement in any direction; and the consequence is that we brought to the notice of the people on the other side, the fact that we had a country open for them to come in and settle upon, and that our land laws were liberal. And the outcome of the work is being evidenced in every way by the continued inquiries made by people in the United States who were fortunate enough to see the exhibit which we made at the World's Fair. During the California exhibition, one of our agents was there with a supply of cereals and minerals, and he met with considerable amount of success. There is at present in the Edmonton district a delegation of five or six farmers from California who are desirous of emigrating, and so far as information goes, they are well satisfied with the country. They were delegated by a large number of farmers in that state desirous of going up to our western country. Taking it altogether, the work that has been done by the department with the money at its disposal has been as effective and successful as we could possibly expect.

Mr. FRASER. While I have listened with a good deal of interest to the hon. Minister's explanation, I cannot help contrasting his own report of the results achieved of the year's work with what he has said. I find, for example, that despite all the expenditure we have made in advertising, that there has been a woeful falling off during last year in the immigration to this country, and the falling off has been just from the country from which we would like to see immigration come. Evidently there has been a good deal of advertising. The number of agents at work has been large. I see by the report of the High Commissioner that there is a large number of officials. The hon. Minister says that there is a large number of officials now, but he has to confess that, so far as the practical results go, the number of people coming into the country this year is not larger than last year. I understood him to say that the results of this year have not been more satisfactory than those of last year. I must join issue with the hon. gentleman in saying that the people are not leaving England. If he will look at the statistics he will find that the immigration from Great Britain is large to India, Africa, and the Australian colonies. There must always be a large emigration from a country like England, not only because of the character of the people, but because in a country like

Mr. DALY.

that, with a limited acreage of land, men will always of necessity seek new countries. Nor must it be forgotten that both the character and the condition of emigrants are entirely different from what they were in the past. Men emigrated in the past because there was something of a spirit of adventure in emigrating. The means of transit were so slow that they had almost to forego all communication with the country they left. It is different now, and men only emigrate to where they have the best chance of improving their condition. Once upon a time, the settler that came to us from abroad had no choice in the matter. He was living on a small holding, and often, when the building was pulled down over his head, he had to go away, either because the owner of the soil wanted a deer park, or because of the congested population of the country. Nowadays emigration has become a commercial matter with him, he has the whole world to seek, and he chooses the country where he can most easily better his condition. In reading the report, I find that last year there was a decrease of 317 in the number of homesteaders from Great Britain, and a falling off of 119 homesteaders from Continental Europe. The only country from which we had an increase is the United States, and that increase was not sufficient to make up for the decrease from Great Britain. The hon. Minister says now that he understands from the agents in Halifax and Quebec that the character of the immigrants is better than it was in the past. Sir, it is impossible for an agent to tell that. There is nothing that decides the character of an immigration except the country from which it comes. I need not be told that the appearance of an immigrant is going to indicate his character. All that results from nationality and the surroundings in the country from which he comes. There are countries in Europe, the immigrants from which must of necessity be inferior to those from other parts of Europe, so that unless the agents can tell that the immigrants come from certain countries, they cannot say that they are better than others. The men from Great Britain are of necessity better than those from any other country. But we have a falling off from Great Britain. I do not look upon emigration from Ontario to the North-west as immigration at all. It is simply a change from one part of the country to the other, and that is not to be encouraged. What we want is men from the outside to settle Ontario and Quebec and the older provinces, as well as the North-west. Simply to change population from one district to another is not to increase our population more than to change wealth from the country to the town is to increase our wealth. The question of the cause of our failure to attract population is a very serious one. I do not profess, for my part, to be able to say what those causes are. But I do know that men who think of emigrating from the

country in which they live find out as much as possible about the state of the country to which they are going. The question with each man is: How can I get the greatest possible return for my labour? One would suppose, from the beautiful description of our country given in these pamphlets that emigrants would rush here. There was a time when to tell of a country well wooded and well watered was sufficient to attract immigration. But that day has gone by. I was talking with a clergyman from the old country the other day and he was telling me of a discussion he had with some workmen in the United States as to the wages they received. In that discussion the fact came out that the workmen in the old country was about as well off as the workman in the United States, if not better. And this criterion, the comparison of wages with the cost of living, is the one by which emigrants are decided to-day. The intending emigrant considers as intelligently as a business man the investment of his capital. His capital is not in money or in goods, but it is in his hands and his brain, and he wants to invest his capital so as to make the most of it. To my mind this question of immigration is the most serious problem before the people of the Dominion to-day. I hold that to-day Canada needs more than anything else that the North-west should be filled, that the uncultivated acres in Ontario and Quebec should be brought into industrial use. We have a debt, in round numbers, of three hundred millions of dollars. How can we meet that debt more easily than at present? Simply by increasing our population. The development of the North-west is the hope of the Dominion. We look to that great country with its possibility of the production of goods required not only in Canada, but in the outside world. If we can get the people to go in there by hundreds and by thousands, the problem of the future of Canada is solved. But until that is done, talk as we may, we move at a snail's pace. I think we will all agree that the present Minister has at least put some energy into the department. Still we are not attracting the immigration from the old world that we ought to attract. I believe that one of the reasons is that we give too much importance to internal matters, devoting thought to the question how we shall make certain people in Canada wealthier than they are to-day. Our policy ought to be broader than that. All our legislation is in the direction of walling ourselves in, of protecting ourselves. We must have a wider outlook if we are to bring people into the North-west—and about that country I believe everything that is good that has been spoken by the Minister or by anybody else. But the report of the Minister himself honestly states that last year the effort to bring in immigration into Canada was a failure. I can hardly conceive of a greater failure. Here are millions of acres of fertile land.

with a railway from one shore of this great country to the other, with railways traversing the older provinces, north, east, west and south, and yet the number of homesteaders from Great Britain went back three hundred during the past year. I am quite willing, for my own part, that even larger sums should be expended, if they are wisely expended, to get the people to come here. I speak for myself and for myself alone, when I say that I am ready to go further and to vote in favour of appropriating any reasonable sum to purchase back from the various corporations the acres we put into their hands. I believe we made a mistake when we gave our millions of acres of land away, and I believe we shall never start right until we get this land back. Put a proper value upon it as at the time when it was given, and add reasonable interest, and then let us vote the money to purchase this land so that it may be kept for the people. Every man in Canada knows that there is enough land in Ontario to give a farm to every farmer's son in Canada for the next twenty or thirty years. In the older countries, you find five or ten acres supporting a family in comfort, while we here have our farms divided up in areas of two hundred acres. I believe that that is a mistake, and that we are trying to farm too large quantities of land. I believe that we should unite our efforts, that men on either side of the House, and men throughout the country who have the best interests of Canada at heart, should try to find some better method than we have had in the past of bringing people into this country. We all want these people in Canada. I am satisfied there is not a member of the House, there is not in the country an intelligent supporter of hon. gentlemen but agrees with me that the only hope for Canada is that she shall receive immigrants. We cannot stand still. The census has indicated that we were about standing still: we are losing our own population. I have always contended that many of those who leave us would be better if they stayed in the country. But the stubborn fact remains that they do go, and you cannot stop them. Now, if they go and we can not stop them, why can we not get them back? For my part, although I may be told I am a crank, I think there is a way which we can get them back. There is only one way by which we can get them back, and that is by adopting a more liberal trade policy, by breaking down the miserable walls by which we keep out the rest of the world, when we learn the great truth that if we want to grow, we must not hoop ourselves around with tariff walls. Then we shall have solved the problem, but not before. I believe that the question of immigration is greater than the question of internal revenue we have been discussing. It is in importance next to the preservation of the peaceful homes that are inhabited by peaceful citizens. We have not been ad-

vancing as we should. I hope that the efforts that have been made will be successful. For my own part, I have very little faith in the agency work that is carried on in Great Britain. It has not produced very definite results in the past. I see some parties are asking the Government to support a repatriation scheme in the province of Quebec. It was charged that this was a French society which desired only to bring back French-Canadians who had emigrated, but I saw the other day that that is repudiated, and that they want to bring back English as well. For my part, I have not much confidence in that scheme either. You cannot go over and instruct many men and induce them to come back. Men move from one country to another accordingly as they see clearly where they are going to better their condition. Make this country a cheap one to live in, and you will have immigrants coming in. I hope that next year the result will be more favourable; but I can see decay, and decay only, written on our history if we do not receive considerable immigration year by year. We are going back just as surely as we are sitting in this House, unless year by year our population is increased by immigration coming into this country. Believing that this subject is the greatest subject that can engage our attention, I hope the time I have taken up will be excused. I feel as a Canadian that our future depends upon building up this country by increasing its population. It is the plain expression of a truth that I believe every true Canadian feels in his better moments. I approve of any expenditure of money for this purpose if it is wisely done, not confining it merely to spreading pamphlets or offering a few pounds in prizes. What is the use of that unless results are shown? If the money expended shows results I will make no objection, and I shall be willing on all occasions to vote money for promoting immigration when I can see that results are obtained.

Mr. MARTIN. In my opinion a large portion of this sum of \$200,000, so far at least as it applies to Manitoba and the North-west Territories, is entirely wasted. I do not believe that immigrant agents are of much use in directing immigration to this country. The United States stands as a bright and shining example of countries that have been built up by immigration, but I believe the United States never spent any money for immigration purposes. Why have the United States attracted so large a number of immigrants? For the reason that those who came there in the first place were satisfied with the change they had made and brought their friends. The hon. Minister expects that that will occur in the North-west, he expects that he will be able to decrease his expenditure in the United States because those who have come from there and settled in the North-west, will bring their friends. If they do, then I am quite prepared to

Mr. FRASER.

justify the expenditure he has incurred, although I must say that I think he has expended a great deal more money than was necessary to obtain the very small number of immigrants which he actually has obtained from the United States. However, I would not cavil very much with that expenditure if these persons whom we have settled in the Calgary district or the Edmonton district, do bring in their friends in large numbers. I may say, however, I do not share his anticipations. I think it is fair in a matter of this kind to turn to our experience in other portions of the Territories and in the province of Manitoba. Immense sums of money have been spent by the Dominion authorities and by the local authorities in attempting to attract immigration to Manitoba and the Territories. It was natural to suppose that the stream of immigration having started in that direction, the country would fill up from the causes alluded to by him, and that these immigrants coming from the old country would induce their friends to follow them. There was some reason to expect that. The country was a good one, and it was possible to cultivate the soil easily, instead of the new settlers having to hew their farms out of the forest as they did in the older provinces. In that new country they had their farms ready to their hands, with nothing to do but go on and plough them, and they were soon ready for a crop. However, those anticipations that were indulged in both by the Dominion authorities and by the local authorities, have not been fulfilled. So far as Manitoba is concerned, immigration is at a stand still; so it is also with regard to the Territories, except possibly in the district to which the hon. gentleman referred, as to which extraordinary efforts have been made and a very large sum of money spent. The only answer can be, that the people who have gone there are not prepared to advise their friends to come. The Local Government of Manitoba have recognized this position. They for years past have annually increased their expenditure, until it had reached for that province, considering its revenue, a very considerable sum. In the estimates of the province for the present year it will be seen that the Government have practically abandoned all immigration work. They have discontinued their agents in eastern Canada and in the United States, and have almost closed up their work in the old country; they still retain one man there, but they have practically closed up the work. That is not done because the province is not anxious to obtain immigrants. There never was a greater desire that the province should fill up, from a local standpoint as well as from a Dominion standpoint, as alluded to by the hon. member for Guysboro' (Mr. Fraser). In the Edmonton district there is a temporary movement, and I shall be very glad to find Edmonton become the permanent home of a largely in-

creased number of settlers from the United States. The committee, however, will understand that where a new settlement is started, there is always at first a sort of boom or movement. The new comers are at hand to purchase the produce grown by those already there. This has been repeated time and again in the different settlements in the North-west. While the settlement is young, entirely apart from the question of permanent success and settlement, there have always been good times, because the new men coming in with a certain amount of money require outfits, seed grain, grain and provisions to carry them on for a year or two until they grow a crop. But that is no evidence of the prosperity or success of the settlement, because so soon as a sufficient number come in to raise a surplus they get down to hardpan, and the success of the settlement has to depend on permanent forces, and then the real success of these settlements is reached. I am sorry to say that in other portions of the Territories and of Manitoba this experience has been undergone, and we have the position existing to-day. I do not anticipate any different result in the Edmonton district, because while I am prepared to subscribe to what the hon. Minister alleges as to its natural resources, it is certainly not better than very many other portions of Manitoba and the Territories, and it is probably not so good as some; so that we have no reason to suppose that what has occurred in other portions of the North-west will not be repeated in that district. What we have to come back to is the question as to whether the people will settle in that country, and in the long run be prepared to advise their friends to come. That is the true test measured by which we must admit, that at present in that country there is a great deal to be deplored. The hon. gentleman has told the committee that immigration has fallen off this year. We know that times are hard in the old country on the whole, and I suppose to a certain extent that prevents emigration, but at the same time it must encourage emigration. Those who are at all able to emigrate are much more likely to do so when times get hard in their old homes. I would suggest that the hon. Minister's explanation, so far as regards farm labourers, is not very much of an explanation of the falling off, because we never have had a very large immigration of farm labourers from the old country to the North-west, and I do not think it would be advisable to have such immigration. Farm labourers without some little capital are not the most suitable men to come to that country. It is quite true there is a great demand for farm labourers at a short season of the year, but I would hesitate to advise farm labourers in large numbers to go to the North-west permanently to locate, with the expectation of obtaining employment, because the demand prevails during only a short period in July, August and September,

and after that there is practically no work to be had. The settlers we desire and need in that country are those who come in not to work for other persons, but, possessed of some little means, to take up either a homestead or purchase a little land and settle down as farmers themselves. To do this does not require a great deal of capital, but it requires a little money. There is every opportunity given to such a class. While homesteads are not very available, except possibly in the Edmonton district generally they are too far distant from the railway to be generally available, but lands are cheap. The finest land in the North-west may be obtained practically for nothing, or at all events, for such small sums that it is better, in my opinion, for a man to buy his land and not attempt to homestead, because although the homestead may cost nothing, the land for which the settler pays from \$2 to \$5 per acre is much nearer railway accommodation, is better surrounded by other settlers, so that the settler can easily make up the difference in the cost of the land. The district for homesteading is one in which a man has practically no neighbours and if he has any spare time at his service he can get employment if he is in an old settled district. With respect to the present condition of the country, I desire to say that if a person undertakes to tell the truth about the country then he is not patriotic, he is described as a blue ruin man, he is running down his own country. Well, I am prepared to take every responsibility for what I say. I am satisfied after watching this matter for many years in Manitoba that nothing whatever is gained by telling anything untrue about the country, that it is absolutely necessary in order to remove our difficulties in regard to that country, and in order that the country may have an opportunity of going forward, that those upon whom rests the responsibility of legislating and governing the country should understand exactly the position in which it is placed. It would be idle for men in this House to make a statement with respect to that country which is not borne out by facts, because the statement of the representatives of the people are those on which the House must depend to consider the questions that come before it, so far as they affect that portion of Canada. That is the position the farmers and the people who live there take. They believe it is best to tell the truth. They believe that where there are laws or circumstances that are hindering the progress of the country, they must point out distinctly and clearly where they exist in order to get them removed. If the country is a good country, if the resources are such as the hon. gentleman's pamphlets declare, if it can, as has been asserted, sustain millions of people, then there must be some reason for the failure, after ten or twelve years of most assiduous efforts, efforts made not alone by the Dominion and Local Governments, but

efforts supplemented by the Canadian Pacific Railway, because they also have spent large sums of money in endeavouring to attract emigration to the country. If, in the face of all that, the country is not developing as it ought, and the inhabitants are not prepared to advise their friends to come there, there must be some reason outside the country, arising from causes which are removable, which will explain the position we find ourselves in to-day. I have no hesitation in re-affirming, and I am sure all the representatives from that country will reaffirm, every statement made on the floor of this House as to the capabilities of the country. The people who live there all agree that it has all those resources which have been claimed for it, that it is capable of supporting these millions of people if they could be got there. What, then, is the difficulty? I know, Mr. Chairman, no better means of answering that question than to read a statement of the case which is presented by the Patrons of Industry. I may say that I have already brought this matter before the House, but this seems a most proper time to again draw the attention of the House to a calm and candid expression of opinion, given, not by politicians, but by farmers of both sides of politics as to the condition of things there. From that resolution, the House will see to what these farmers attribute the difficulties, and the responsibility is then upon the House to remove these difficulties if we can. I may say that the Patrons of Industry have taken a very strong hold upon that country. They have a large membership, numbering more than 6,000 farmers. They have taken hold of a number of matters, and have been of great benefit to themselves in those matters—notably, binder twine. They have been very successful in any business venture they have undertaken, and, so far as they deal with any question of public interest, they endeavour to base their deliverances entirely upon the ground of the interests of the country. I know myself that the Conservative farmers are very largely represented in these lodges, and on the executive board which passed this resolution. They appreciate fully all that has been said as to the lack of wisdom in thus exposing the difficulties of the country. But they have acted on a contrary policy so long, they have waited so patiently for these people that have been promised to them, they have waited patiently for the alleviation in their condition that has been promised, and having failed to find it come they passed this resolution unanimously, which, I may say, I entirely subscribe to myself, and which, I believe, is a fair statement of the position of that country to-day, and a fair answer to the Minister's complaint that immigration is falling off:

Whereas the freight rates charged by the Canadian Pacific Railway on both imports and exports are excessively high:

And whereas the local rates of freight, coupled with discrimination against small shippers, are still more exorbitant;

Mr. MARTIN.

And whereas these rates are maintained in spite of the fact that the Canadian people have granted this same Canadian Pacific Railway \$100,000,000 in money, land, and completed sections of road, and also that this same company are operating their lines in the United States, built largely through the credit given them by the Canadian people, at rates from 30 to 40 per cent lower than those charged in Manitoba and the North-west:

And whereas such excessive charges are levied upon the people of Manitoba and the North-west, in order that they may be the better able to compete with the American railroads, as for instance charging us \$2 per 100 lbs. from Montreal to Winnipeg—1st class—and only charging the Americans \$1.20 per 100 lbs., 1st class, from New York to St. Paul, about equal distances:

And whereas the tariff regulations of our Federal Government erects barriers to prevent us from trading in a central market only 500 miles away, compelling us to trade with Eastern Canada at a distance of 1,500 miles, and thus forcing us to become the unwilling victims of a grasping monopoly, since we have no competing outlets:

And whereas the burdens above set forth, depreciating as they do the value of all our products and unnecessarily increasing the cost of all our necessities, render it impossible for us to make farming a success, and compels us to till the soil on shares with the Government and the railroad corporations.

That is a strong statement "that these things have rendered it impossible for the farmers of that country to make farming a success." You will notice that they do not say a word against the capabilities of the country, but for the reasons set forth they make the strong statement "that these things render it impossible for us to make farming a success."

Therefore, we, on behalf of six thousand farmers, emphatically protest against the spending of any further sums for emigration purposes, fast Atlantic steamship service, or for any other purpose that does not promise us deliverance from the burdens that are crippling us. We ask for lower freight rates and less taxation, and if our request is unheeded, we will declare to the world the true state of affairs, and while we have unbounded faith in our country and believe there is none offering better inducements to intending settlers, yet under the existing condition of things, we cannot conscientiously recommend it to our friends unless such changes are made as will cause this country to become prosperous.

CHARLES BRAITHWAITE, Grand P.

W. C. GRAHAM, Grand Secy.

Now, Mr. Chairman, as I say, I fully endorse that resolution, and I believe that it is a calm, careful, and correct statement of the exact situation up there. If the reason is not, as these farmers allege, will the Minister of the Interior give us the real reason? The facts are admitted. There have been large expenditures of money for immigration purposes; yet the immigration to the country is not satisfactory, and is becoming year by year less satisfactory. What is the explanation? If the explanation offered by the Executive Board of the Patrons of In-

dustry is not true, then what is the true explanation? If the reduction of the high freight rates and the removal of the burden of the National Policy are not what is required to render the country happy and prosperous, what is it? It may be answered that the trouble is the low price for the time being of grain. I admit that that is a difficulty; but that difficulty only accentuates these other conditions which it is in the power of this Parliament to control and alleviate. At one time wheat ran to \$1.15 a bushel, and it has run from 65 cents to 90 cents a bushel until very recently; and was the immigration satisfactory even then? Has there ever been, since the railway was built, even a reasonable fraction of the immigration that was promised by the Government of the day when they submitted the Canadian Pacific Railway contract for the approval of this House and the country? There never has been. The immigration has been always disappointing, and it is becoming more and more so every day. As this resolution points out, while the growing of wheat is unprofitable on account of the low price, and especially on account of the great cost of raising wheat by virtue of the taxes the farmers have to pay on everything they require to buy in order to bring their crops to maturity, and by virtue of the great expense of carrying those crops to the seacoast and to the old country, it would be of great advantage to them to have reciprocity with the United States in order that they might diversify their farming. A great many cereals and other agricultural articles that could be produced profitably in that country, are not produced profitably, because the natural market for those articles is in the United States, and that market is closed to the farmers of Manitoba and the North-west on account of the tariff policy of this Government. As they allege, through the tariff policy and through the practical monopoly which the Canadian Pacific Railway holds, they are forced in these matters to trade with people 1,500 miles away, instead of with people 500 miles away. There is another matter to which I wish to allude, that is: that even the immigration which we are supposed to get, which the Government records say we have got, is really not there. That will be proved by adding up the yearly returns of immigrants who are supposed to have settled in the North-west, and comparing them with the census returns. The reason that they are not there is that the Canadian Pacific Railway Company, by their energy, for which they are to be lauded, carry a large number of immigrants, who enter at Halifax and are classed as Canadian immigrants, but who go to the United States, principally to the state of Dakota. That fact was never more fully emphasized than last year when a train load of immigrants came to Winnipeg, and it was found that small-pox was among them. When they reached Winnipeg a child was found to have died from small-pox, and the whole party

were dumped out on the prairie near the city and kept there for several weeks at a very large expense to the city, which the citizens think was very hard upon them. Those immigrants were isolated in tents and kept there until the disease was conquered; and what was found to be the fact? It was found that instead of being immigrants intending to settle on the plains of Manitoba or the Territories, they were all on the way to Dakota; and as soon as they had been cleaned up and put in a sanitary condition at the expense of the people of Winnipeg, they took the Great Northern train for Gretna, and disappeared in the United States. I say it is quite a common occurrence for large numbers to come in at Canadian ports and be classed as Canadian immigrants, who really go to Dakota. That could be largely avoided by the Government. I do not say that the Government could prevent their going to Dakota; but if they took the proper means, they could prevent their being entered as immigrants coming to this country. These people either had their tickets, or arrangements were made by which they could get their tickets for Dakota at Winnipeg. I am under the impression that they had some order which enabled them to get their tickets from the Canadian Pacific Railway ticket seller at Winnipeg. It certainly would be more satisfactory to the country to have the proper number of immigrants credited for Manitoba and the North-west. It would be much more satisfactory if we found, when the next census is taken, as it will be in that country in 1896, that the figures reasonably correspond with each other.

Sir RICHARD CARTWRIGHT. I would like to ask the hon. Minister to explain what is meant by the phrase "return man," which frequently figures in these immigration matters. It is not very good English, but we will pass over that if the explanation is otherwise satisfactory.

Mr. DALY. The "return man" is a man who has been living in our North-west for some years, who has farmed there and been successful, and who is sent home to the people from whom he came; it being a matter of experience that such a man, not being very much given to letter-writing, does far more good by sitting down by his fireside and telling his friends what he has seen in the country. That man was called a "return man."

Sir RICHARD CARTWRIGHT. There is a good many of those parties. I do not suppose the hon. gentleman can give us anything but a very vague general idea of the results achieved by these people, but I should be afraid that but little practical good has been accomplished. There is a pretty great temptation on the part of persons who desire to have their expenses paid home, to promise seas and mountains if they are only allowed to come back in the

capacity of "return men," or whatever else the hon. gentleman likes to call them, but the practical results are likely to be out of all proportion. Can the hon. gentleman tell us whether any real results have been achieved?

Mr. DALY. The hon. gentleman is quite correct. There is a desire on the part of a great number of people to go home at the expense of the Government, and they promise all sorts of things if sent. Last fall, when the question of sending home "return men" was under consideration, there was a conference held between the steamship companies, the Canadian Pacific Railway agents, the Deputy Minister of the Department, and the chief clerk of the Immigration Branch; and the result was that some twenty-four men were selected by the Canadian Pacific Railway land commissioner at Winnipeg, whose circumstances and record were first inquired into. Some of them have reported and others have not, but they are paid this year upon the results of their work. The Canadian Pacific Railway gave them a passage from Winnipeg to Halifax, and the steamship company gave them free transportation home, and we gave them \$24.

Mr. DAVIES (P.E.I.) Have those who returned reported?

Mr. DALY. I think so.

Mr. MARTIN. Was there not some arrangement by which the railway companies or the steamship companies are paid a certain amount for each immigrant they brought into Manitoba or the Territories at any time?

Mr. DALY. There was an Order in Council passed a number of years ago in reference to bonuses, but that was done away with two years ago. So far as the continent of Europe is concerned, we still give bonuses; but so far as Great Britain is concerned, we pay a bonus to the shipping agents of \$1.75 over the commission they get from the steamship companies. This is to meet the commission which the steamship agents get on booking to Australia, South Africa and other places. In the conference held at Montreal, in December, 1892, it was considered that the only way we could retain the services of the 5,000 booking agents in Great Britain was to raise their commission by the addition of \$1.75 bonus on each passage to Winnipeg, so as to equal the commission they get on booking to Australia, South Africa and other places. This has had a good effect. We find they take more interest in booking people to Canada than before.

Mr. MARTIN. When is this money paid to the booking agent?

Mr. DALY. On a certificate issued by the commissioner at Winnipeg, a month or two after the immigrants have arrived,

Sir RICHARD CARTWRIGHT.

showing that they have settled in the country.

Mr. MARTIN. I understand that the booking agents get no money unless the commissioner reports that the settler has actually settled?

Mr. DALY. Yes.

Mr. MARTIN. I moved for a return in regard to this matter, being under the impression that the bonus was given to the steamship companies, and received a return in blank. I think it would have been better for the department to have put me on the right track, and have made the return of the moneys paid these booking agents, because they could see what it was I was trying to get. I suppose the hon. gentleman could bring down a return giving the quarter section and particular description of land upon which each one of these immigrants, for whom we paid to the booking agents, have settled. I asked for the return so as to check the correctness of a report which came to me, from one who is in a position to know, that these small-pox patients, who were in Winnipeg most of last summer, out on the prairie, and who went to Dakota—most if not all of them—were paid for to the agents at the rate of \$1.75 per head.

Mr. DALY. They arrived here as Dakotans. We were advised from the time of their arrival that they were for Dakota.

Salaries of immigration agents and employees in Great Britain and Ireland	\$9,350
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Sir RICHARD CARTWRIGHT. I want to inquire touching several items, such, for instance, as advertising, and now is the proper time to make the inquiry. Ten thousand dollars appears to have been paid for that. What is that small pamphlet "Now is the time to emigrate" charged on page B—173 of the Auditor General's Report?

Mr. DALY. I cannot give the hon. gentleman the information, as this expenditure was made at a time when immigration was under the Department of Agriculture. I presume it must have been some advertisement in newspapers in Great Britain and Ireland. I will get the information for the hon. gentleman.

Sir RICHARD CARTWRIGHT. There are other items such as printing 20,000 Bohemian pamphlets, printing 20,000 Polish pamphlets. I have great doubts as to the wisdom, under existing circumstances, of endeavouring to bring more of this class, Polish immigrants particularly, into the North-west. The Americans have discovered, and I fancy we shall discover, that immigrants from these countries are not a desirable addition to the population. I would infinitely rather see the sums at the disposal of the hon. gentleman concentrated. If we are to go outside the British Isles, I would

like to see the money used in promoting Norwegian, Swedish or Danish immigration rather than in promoting the immigration of Bohemians or Poles. No doubt the hon. gentleman knows that the most disorderly element in the United States at the present time are the Poles and Hungarians, and, I fancy, the Italians.

Mr. DALY. I agree with what the hon. gentleman says about the Poles, and no effort has been made since I took charge of the department to induce these people to come in. These Polish pamphlets were printed in 1892, when a movement of emigration from Poland was made by the agricultural classes.

Mr. MARTIN. I sent to the proper office for the return which the hon. gentleman says he brought down, and I am told it has not been brought down. I have asked for a good deal of information, but all I have received is the valuable return I alluded to a moment ago, consisting of two letters, one from one department saying they knew nothing about the matter, and another from another department declaring an equal lack of knowledge on their part. The information I asked for and which I should much like to have before attempting to discuss these questions is still in the department. The anticipations of the First Minister as to the return respecting half-breeds' lands that it would take months to prepare and cost thousands of dollars seems likely to prove true.

Mr. DALY. I laid that on the Table this afternoon.

Mr. MARTIN. It is nearly three months since I asked for this.

Mr. DALY. It required tremendous research. As to the other return the hon. gentleman speaks of, I am under the impression that I laid it on the Table. However, I will inquire about the matter.

Women's Protective Society, Montreal \$1,000

Mr. MARTIN. What is this?

Mr. DALY. It is the annual grant which has been made for many years to a body of philanthropic ladies in Montreal who look after girls coming in.

Sir RICHARD CARTWRIGHT. It is not the worst money we vote for the immigration service.

Immigration Expenses \$150,000

Sir RICHARD CARTWRIGHT. If I were to express my own opinion, I should say that we might almost as well save this entire sum of money, for I doubt extremely whether the country is receiving any return of the smallest importance from this expenditure. And, though I speak with some reserve, I am very much disposed to believe that we should do better—if we are to vote the money—by putting a large part of it at the disposal of the Manitoba Government

and others to see what they can do to bring in immigrants. My impression is that this money simply goes into the pockets of a number of shipping agents and of individuals who find it convenient to report themselves to the Government as desirous of repatriating our countrymen from the other side of the line, and who do very little indeed for their money. But, as we are in committee, I suppose no particular service will be done by moving to strike out this item, so I shall try to get all the information I can as to how the money was spent last year. As to these bonuses, which account for a large part of the expenditure, and would seem to be paid at the rate of \$5 per head of adults brought in, what security has the hon. Minister that any real settlement takes place?

Mr. DALY. These bonuses were paid to different shipping companies, whose names are given, under the provisions of an Order in Council passed a number of years ago which provided for the payment of bonuses of \$5 per head for adults, and for children in proportion, upon a certificate being produced showing that homestead entry had been made by the person for whose immigration a bonus was demanded. In this way we are safeguarded against the possibility of these people going elsewhere.

Sir RICHARD CARTWRIGHT. Take the item: "Hamburg-American Steam-Packet Company, 205, \$1,025." Do I understand these 205 people took homestead entries?

Mr. DALY. I understand that the arrangement with respect to homestead entries applies to immigrants from Great Britain and Ireland. But that condition did not obtain so far as continental immigrants were concerned. They did not require to establish the fact of their having made a homestead entry, but it had to be established they had actually settled in the country.

Sir RICHARD CARTWRIGHT. Now, will the hon. gentleman glance at that item of continental bonuses? Does he believe that the department, if called upon, could produce all those parties as actual settlers?

Mr. DALY. Well, there is nothing certain in this world but death and taxes, and I would not undertake to produce them all. This was some three or four years ago. But the matter was so carefully looked into that it was established by indubitable evidence that the people were there before the bonuses were given.

Sir RICHARD CARTWRIGHT. The hon. gentleman remembers—it did not occur under his administration, I admit—the evidence which was laid before this House from the returns of the department, proving that of the people who were alleged to have settled in this country, numbering about 900,000 all told, in the course of ten years when we

took the census, scarcely 150,000 remained. While I am bound to say that I think the returns the hon. gentleman is now getting out are much less deceptive than those of his predecessors, still they are liable, I fear, to very large deductions. There is another item on which he might give the House some information, that is the bonuses on children at \$2 per head. Now, Dr. Barnardo and a number of other gentlemen appear to be in receipt of considerable sums of money under this head. I have nothing in the world to say against the philanthropic objects of Dr. Barnardo, but I am by no means certain that the class of pauper children that he brings to this country are always very desirable settlers. What has the hon. gentleman got to say to us about that?

Mr. DALY. I was trying to ascertain how long this arrangement has been in force, but it has been in force for a great many years. I may say to the hon. gentleman that all these children who are brought out by Dr. Barnardo, Miss Birt and others, are first certified to be children who are at least physically fit subjects to be sent out. The examination is made, and the certificates are granted by the Local Government Board. We report every year to the Local Government Board as to these children when they arrive, and the whole matter is conducted in conjunction with the Government of Great Britain. It was on that understanding, I believe, that the original arrangement was made; so that the conditions under which they are sent here are surrounded by that safeguard.

Sir RICHARD CARTWRIGHT. Now, let us understand. When these boys arrive on this side of the Atlantic, what precaution does the department take to see that they are reasonably healthy and fit to become settlers? Have we any medical examinations?

Mr. DALY. No; there is no medical examination.

Sir RICHARD CARTWRIGHT. We take the word of the English Local Government Board?

Mr. DALY. Yes.

Sir RICHARD CARTWRIGHT. Well, English Government boards are apt to take optimistic views of the youngsters they send out, I am afraid. I would feel very much more secure if proper medical examination was had of these people when they arrive, at any rate before we pay any money to them. It may be a very philanthropic object and purpose on the part of Dr. Barnardo and his friends; at the same time it is a thing that requires a great deal of caution on our part. I have heard a variety of statements in various parts of the country as to the class of children that are brought out in this way, and they have not all been favourable, I can assure the hon. gentleman.

Sir RICHARD CARTWRIGHT.

Mr. DALY. I am reminded by the deputy that after the discussion in the House last year in connection with this matter we request medical certificates to accompany these children.

Sir RICHARD CARTWRIGHT. But I think we should have medical certificates of our own.

Mr. MARTIN. Of course, the matter of physical perfection is very well in its way, but I think the real difficulty is the moral trouble. In Manitoba there is a very strong sentiment, in which I share myself, that instead of paying for each one of these boys brought into that country, it would be much better to prohibit them from coming altogether. They are a dangerous class; they have turned out to be so, and it is very natural to expect that they would be. They are boys who have been brought up in the slums of the old country, and they are turned loose upon us in Manitoba. They get employment amongst the farmers throughout the province, and while some of them do fairly well, a great many of them turn out very badly. Their early training shows itself, and in my opinion they are a dangerous class in the community. I believe it would be far better to exclude them from the country rather than give a bonus for bringing them in. We do not want in this country the dregs of the old world. While it is important to fill up the country with settlers, it is more important that Canada should maintain the character of the citizens she possesses to-day, and bringing that degraded class of boys into the country has a tendency to degrade the character of our citizens, when they become mingled with the population. I may say that the grand jury at Brandon on one occasion presented the judge with a very strong presentment on that subject; I fancy the presentment was forwarded to the Minister of Justice. I appreciate the motives which induced Dr. Barnardo and others to go into that work. No doubt it is all right from their standpoint, but it is no benefit to the country upon which these boys are unloaded. While a fair proportion of them turn out well, there are others in whom their evil character develops itself, and sometimes very disastrously. We have had some startling cases in Manitoba of these boys committing very serious crimes. There being a scarcity of farm labour, farmers are disposed to take them into their homes, and while, as I say, many of them turn out satisfactorily, so many on the other hand turn out very badly, as to create a considerable amount of public apprehension with regard to them.

Mr. DALY. I am sorry I have not a report which was furnished by Dr. Barnardo in answer to newspaper correspondence which took place after the presentation of the Grand Jury of Brandon, to which the hon. gentleman has referred. In justice to Dr. Barnardo, and the boys sent out by him, it

should be said that a wrong impression was made in regard to the conduct of his boys owing to the presentation made by that Grand Jury. The statement made was based entirely on an erroneous proposition, and that was that a boy charged with murder at Brandon was a Barnardo boy, whereas he turned out to be a Canadian boy, of Canadian parents, and that Dr. Barnardo had nothing to do with him. I do not see that it is possible, out of 493 boys brought out that more of them should turn out ill, especially when we find as regards our own Canadian boys we have to establish reformatories for them, and so we must remember that there must be a small percentage that are not good, but I think from my recollection of the report sent by Dr. Barnardo he shows that not over 5 per cent of all the boys sent out to Canada—because he has a home at Peterboro' as well as at Manitoba—had turned out badly, and some of those who had turned out badly had been returned home. I simply make this statement in justice to Dr. Barnardo and those associated with him in the work.

Sir RICHARD CARTWRIGHT. In view of the large number of lads sent out, it is a matter of no small importance that they should be of fairly good character. I observe that about 1,000 have been brought out. I desire to ask who is the Rev. R. Wallace, to whom 214 are credited.

Mr. DALY. We have had nothing to do with him since I have had control of the department. The only people have been Dr. Barnardo, Mr. Burke and Mr. Macpherson.

Sir RICHARD CARTWRIGHT. It will never do to make this grant, let it be large or small, indiscriminately to everybody who chooses to claim it. You must deal with some parties you know, and exercise some hold on them.

Mr. DALY. Only to the people I have named have bonuses been given.

Mr. MARTIN. I understood from the remarks of the Minister of the Interior that no bonuses had been paid to steamship companies. I suppose he meant steamship agents. I have here a return granted on April 10th, showing the amount paid railway and steamship companies as bonuses for bringing settlers to Manitoba and the North-west in 1891, 1892 and 1893, and the list of settlers that were brought, showing the names and locations. I find among the payments in the Auditor General's Report one to the American-Hamburg Steamship Company, \$1,025 as a bonus. The return shows that no payments have been made to steamship companies. I cannot understand that payment, except as a bonus.

Mr. DALY. It was perfectly correct.

Mr. MARTIN. What did that payment to the Hamburg-American Steamship Company represent?

Mr. DALY. Payments made to their agents. I cannot understand it, and my deputy says he cannot understand it, owing to the manner in which it has been entered in the accounts by the Auditor General. I presume the American-Hamburg Steamship Company sent in the accounts of their agents, and the Auditor General, instead of specifying the names of the agents, put all the accounts under the head of the American-Hamburg Steamship Company.

Mr. MARTIN. Then the return is a complete evasion of the information I desire to obtain. What is the difference between a bonus given to a steamship company, and a bonus paid to its agents?

Mr. DALY. We are only allowed to bring down to the House the exact information that is ordered, and nothing more. It will be a dereliction if we did anything else.

Mr. MARTIN. I have had considerable experience in regard to returns. In the Manitoba Local House we never would have thought of avoiding the granting of information on such a small technicality.

Mr. DALY. There is no withholding it, we have given it.

Mr. MARTIN. There is not the slightest hint of the mistake on which I had dropped that instead of the money being paid to the steamship company, it was paid to agents. If the information had been brought down, I am sure the head of the department would not have been in contempt with this House. I was very much surprised when I got the return in that shape, and the hon. gentleman's department has shown no desire whatever to put me right when I made a little slip.

Mr. CASEY. I think the hon. member for Winnipeg (Mr. Martin) has made his point correctly. It has not been usual to take advantage of a trifling technicality.

Mr. DALY. We did not take advantage of a technicality.

Mr. CASEY. Advantage was taken of the technicality to furnish a return that did not show the actual state of facts. The House knows that the money was paid as bonus for immigrants, although it was paid to the agents of the steamship companies. As to the Barnardo boys, no one wishes to attack Dr. Barnardo. The great question is whether it is desirable in the country's interest to import children of the class from which we know they come, because they come from the criminal or neglected classes of England, or they could not be obtained by the doctor for exportation to this country. They may have been carefully trained in his home, and behaved very well when they were under his care, but they inherit physical and moral taint, and can hardly be classed as proper immigrants. I notice the amount paid has been considerable, \$2,176,

and it will be remembered that the Minister stated that he had only dealt with Dr. Barnardo and Mr. Macpherson.

Mr. DALY. You misunderstood me; I said "now."

Mr. CASEY. I notice that last year there were eight persons dealt with for various amounts, and some of them appear to have been speculators in children who had collected batches and sent them out here, one sending eighty-six, another sixty, and one as few as six children. There are two ways of looking at this matter. In the first place the Canadian who adopts one of these children often gets a complete failure, and in the second place the children so adopted do not always get what they expected. I have known many cases where children were nominally adopted in families, but were afterwards treated as "slavies" to the whole family. In one or two cases, the children were so badly ill-treated in families of the highest respectability that the courts had to be called in to interfere. This importation of young humanity, whether girls or boys, and especially girls, is a bad speculation. In regard to the general subject of immigration, I have been disappointed from year to year lately in finding how little was done in reduction of our immigration expenses by the authorities of the Canadian Pacific Railway. There is no doubt they have done a great deal in spreading information, but that has been in addition to the expenditure of the country, and consequently no relief to our treasury. In the United States they rely almost entirely on railways and other corporations to whom large grants of land are given to look after immigration; and when the Canadian Pacific Railway was inaugurated, it was held out to us, that they would pay almost all the expenses of inducing people to come here. The immigration has been falling off in spite of their efforts and ours, and I do not think any satisfactory explanation of this fact has been given. I wish to call particular attention to the efforts to induce immigration from the United States. I do not think the results justify the large amount we have spent in that direction. I find that \$28,500 in round numbers was spent for immigration in Great Britain and Ireland, outside of the High Commissioner's office, and \$52,300 in round numbers, or nearly twice as much as was spent in the United States. We all know that prima facie, our great source of immigration must be from the old country, including Great Britain and Ireland, and that any immigration from the States must be casual, depending on the temporary existence of hard times. It is practically conceded in some reports from our agents in the United States that the immigrants we get thence are those who have been failures under circumstances in the western states similar to those of our own North-west. We had agents in Ohio, Illinois, Kansas, New England, Michigan, Nebraska, North and

Mr. CASEY.

South Dakota, Washington, Wisconsin, and an agency for the United States generally. The largest amount for any one agency was that of Michigan amounting to \$14,243, or half the amount of our immigration expenditure in Great Britain and Ireland. The result for Michigan was, as reported by Mr. McInnes, that 186 entries were made in the North-west Territories during the year, and whether they have all stayed there or not I do not know. In the eastern and New England States we spent \$11,200 and got from 60 to 70 entries, which is an extremely bad showing. In Nebraska we paid \$4,740 and got 90 settlers and 40 families, whatever the report means by that. In North Dakota we spent \$4,850 for the magnificent result as the agent reports: "that several persons contemplate going to the North-west." In South Dakota for an expenditure of \$3,500 we got 100 entries. In Wisconsin we spent \$3,780 and we have no report that anybody came from that state. In Minnesota we paid \$2,400 for 40 families; or on the whole we got about 700 entries from the United States up to the 1st of November, for this large expenditure of \$52,298; whereas we obtain the great bulk of our immigration from Great Britain at an expense of \$28,500 outside of the High Commissioner's office. In comparing the expenses in England, we find that Belfast agency only cost us \$4,650. The Bristol agency, \$950; the Birmingham agency, \$1,184; the Dublin agency only \$2,287; the Glasgow agency, \$4,958, and the Liverpool agency, the chief point from which our immigration comes, \$11,587, or about the same as that spent in the eastern and New England states from which we only got 60 or 70 entries, and several thousand dollars less than Michigan, from which we only got 186 entries. Apart from the quality of the immigrants obtained from the United States and the old country, these results show that the attempt to obtain immigration from the States generally has been a miserable failure, as a matter of fact, and has been disgraceful so far as it has been continued at such vast expense with so little return. As the Minister said to-night, we got from the United States some Scandinavian families who had not succeeded in the States and got poor there.

Mr. DALY. I beg your pardon, they all succeeded in the States and brought money in with them.

Mr. CASEY. I only heard the words of the Minister casually, and must have mistaken them. I see in the report that in one place the people they got were people who had failed; and I take for granted that those who emigrated were men who had not made a success where they were, and to that extent had failed. I find it stated here that some immigrants from Iowa could take from \$400 to \$1,000 each with them in addition to a team. These men were not satisfied with their surroundings in Iowa, they must have failed there, or they would not have

left to go to the North-west. So I say that the different classes of immigrants we have got from the United States are chiefly those who have not succeeded under similar conditions to those prevailing in our own country. The only others we got are some who are said to be Russian-Jews, not a very desirable class of immigrants. We must come down to the serious bottom fact that the main immigration that is going to build up the country must come from Great Britain and Ireland or in scattered instances from Scandinavian and Teutonic countries; and that should be attended to rather than immigration from the United States. The stream of German immigration sets too strongly towards the United States to be diverted to us. Now, I must ask the Minister whether these agencies in the United States are going to be carried on in the coming year at the same scale of expense as in the past?

Mr. DALY. No.

Mr. CASEY. Then, he admits that to that extent they have not been a success.

Mr. DALY. Not at all.

Mr. CASEY. What does he estimate for these particular agencies?

Mr. DALY. I cannot tell exactly. I do not admit by withdrawing them that they have failed. The work for which they were intended has been done, inasmuch as we have diverted the stream of immigration, notwithstanding what the hon. gentleman has said; and by people writing back to their friends, and by sending some back temporarily, we shall be able to accomplish all that is required.

Mr. CASEY. The hon. gentleman is very hopeful if he calls 700 or so, obtained at a cost of \$3,000, a stream of immigration.

Mr. DALY. The hon. gentleman is mistaken in his figures.

Mr. CASEY. I have taken the figures as given by the different agents in each State and added them together, with the exception of one or two cases where families are mentioned, where I have had to guess at the ordinary figures per family.

Mr. DALY. On page xiii the hon. gentleman will find that homestead entries by people from the United States numbered 818.

Mr. CASEY. Perhaps some of the entries have been made for some people who have not yet come up.

Mr. DALY. They have all come. These are 818 heads of families, representing 2,360 people, as the hon. gentleman will see.

Mr. CASEY. That is an estimate. They do not necessarily mean heads of families.

Mr. DALY. No, it is an actual fact.

Mr. CASEY. I cannot reconcile those figures with the statements given by the agents in their reports. But even if the top figure were correct, it is a miserable result for the money spent compared with what is spent in getting immigrants from the old country. Coming to Michigan, I find that Mr. McInnes has represented himself as being an agent for the Canadian Pacific Railway. I know the young man, and I consider him a very proper man for getting immigrants. He may have obtained salaries from both the Government and the Canadian Pacific Railway. I see that has cost us for himself \$1,800; but his agency costs us altogether something over \$3,000. Does the Minister know whether he was in the employ of the Canadian Pacific Railway Company also?

Mr. DALY. He was not. He was at one time, but not while in the employ of the Government.

Mr. CASEY. The hon. Minister says he has no idea what the expenses for the United States agencies will be. It is very strange that he has not laid out some campaign.

Mr. DALY. I have not the money yet.

Mr. CASEY. The usual thing is to plan the campaign, and then get the money. Can the hon. gentleman not give us some idea of the general plan of campaign in the United States?

Mr. DALY. Speaking shortly, we expect to continue the work in Michigan, Washington, Idaho, the northern part of Iowa, the northern part of the State of New York, Kansas, Nebraska, and the New England States. That is about the same territory, but we can now do the work with fewer men.

Mr. CASEY. Has the hon. Minister formed any idea of what the cost will be?

Mr. DALY. It will be considerably less than the cost last year. We have not really outlined the work yet, and I cannot give the exact amount.

Mr. CASEY. The hon. Minister has not outlined the work in the latter part of June. I supposed the work must be in progress now.

Mr. DALY. Yes, it is in progress.

Committee rose, and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 22nd June, 1894.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

INDEPENDENCE OF PARLIAMENT—**H. CORBY, M. P.**

Mr. CORBY. Mr. Speaker, my attention has been called to an article in the Montreal 'Herald' with reference to purchases from me by the Government and I desire to explain my position. Not having good health for the last two weeks, I decided to go to Montreal to consult Dr. Roddick. I left here by the Canada Atlantic train at three o'clock yesterday, and waited on the doctor last night, and he advised me to go into the hospital for a short time. I was to go back to see him again at 9.30 o'clock; but this morning my attention was drawn to an article in the Montreal 'Herald' regarding myself. I at once took the early train and came here as soon as I possibly could to make an explanation to this House, and, after I have done so, I propose to place my resignation in your hands. I exceedingly regret that I am the person referred to in the Auditor General's Report. I may say that previous to the Government taking over the methylated spirits business, the vinegar works at Montreal and other places were in the habit of making methylated spirits, and I had been in the habit of furnishing these concerns with rough spirits for that purpose. When the Government, for reasons best known to themselves, caused a law to be passed providing that methylated spirits should be manufactured by no other than themselves, I received an order in the usual way from the Inland Revenue Department for their warehouse which, I understood, had been established in this city. The order was filled in the regular course of business. I had not the slightest idea that I was violating the law of the Independence of Parliament until I saw this article in the paper. I assure you, Sir, that I have not the slightest feeling against the hon. member who brought the matter up in this House last night; I think he has done nothing more than his duty; and had my attention been drawn to it by any one in the House or outside, I would have taken the same course as I intend to do now. I should be very sorry to sit here as member for West Hastings with this against me. Whatever I have done in this matter, I assure you it was done not knowing that I was violating the law or the Rules of this House. I am sure hon. gentlemen will know that I am simply stating the fact when I say that my business is a very large business, running up close to half a million

Mr. DALY.

dollars a year, so that it is impossible for me to watch every item that goes through. I had not the slightest idea that these orders being filled was against the Rules of the House, but they were filled in the regular order of our business. Had I desired to profit by my position, I should have pursued a different course. The Government purchased very large quantities of this spirit—I have just got back from Montreal and have not had time to go to the Inland Revenue Department to inquire as to the quantity, but I should think that their orders must run up in the hundreds of thousands of gallons—and all I furnished was \$4,552 worth in that year. Besides, this is a class of spirits that we do not make a cent on. I do not ask hon. members to take my word for that, but I would refer them to Messrs. Gooderham & Worts, Mr. Seagram, Messrs. Walker, or any other distiller. It is a coarse, rough spirit, only fit for methylated spirits. It is run up to 65 and is made from the very coarsest spirits we have, and the Government buy it and mix it with wood naphtha, and it is then sold as methylated spirits, free of duty. It is used for liniment and for burning, but not internally, I believe. Had I, as I say, been anxious to benefit by my position as a member of this House, it would have been no trouble for me to secure a larger share of that business in a legal way. As you can understand, I am not a man to come here for the sake of selling a few thousand gallons of spirits and for the sake of that to place myself in the position I stand in before this House to-day. As hon. gentlemen are aware, this spirit could have been transferred to any licenseholder in Belleville and placed here in his name, while I would have got the benefit of the sale of the goods. When I was informed in Montreal this morning of the proceedings that took place here last night, it was the first knowledge I had that I had done anything wrong. I only desire to add, in handing in my resignation, that the violation of the law which impels me to that course was committed with absolute want of knowledge that I was in the slightest degree acting contrary to the law. I assure you, Mr. Speaker, that my pleasant relations with the members of the House, and the pleasant hours I have spent with the members of the Government and with the members on this side of the House as well as those on the other side of the House, will be long remembered, and I thank you, Mr. Speaker, and hon. gentlemen, for the kindness and courtesy that has always been shown me by members on both sides.

Mr. EDGAR. I think that under the circumstances of the case, the hon. gentleman who has just spoken has taken a manly and straightforward course. I am glad also to hear him say that he did not consider that my having brought the matter to the attention of the House yesterday was any

evidence of ill-feeling towards him or anything he could complain of. In fact, Mr. Speaker, the discovery of the case was accidental, almost. We were in Supply, considering the items of the Excise Department, and we were discussing the manufacture by the Government of methylated spirits. I turned up the Auditor General's Report of the transactions under that head last year. There was a list of distilleries from which the Government have made purchases, and among others appeared the name of H. Corby. I inquired whether that was the hon. member for West Hastings, and, as the answer was in the affirmative, it undoubtedly raised a serious point. I am sure that every member on this side of the House, as well as on the other, will feel that Mr. Corby was unwittingly a breaker of the law, and the open, above-board manner—I would say the clumsy manner, if there had been any intention of concealing the transaction—would show that he had no design of breaking the law, and would show that he did not know of the transaction, or did not know it was wrong. But, Sir, the example he has set to members of this House in resigning as he has done, is one which we can admire and one which should any of us find ourselves in the same unfortunate circumstances we shall do well to follow.

Mr. McCARTHY. I rise for the purpose of suggesting that the circumstances would perhaps justify the leader of the House in bringing to the notice of the House a Bill to relieve Mr. Corby from the penalties of sitting and voting as a member. That has been done in a very prominent case, and I think that if ever circumstances warranted interference with the ordinary course of the law, the present circumstances do.

Sir JOHN THOMPSON. There is no one regrets more than I do the circumstances which force the hon. member to resign his seat in this House. The explanation which I have received from the Department of Inland Revenue corroborates to the fullest extent what the hon. gentleman has said with regard to the unwitting manner in which the violation of the Independence of Parliament Act was committed, and I beg to say that in view of that, as well as in view of his own statement—which itself would have been amply sufficient for this House from what we all know of him—it is a matter of regret to everybody that the case has arisen. But the hon. gentleman has done himself the highest credit by the promptitude with which he has come forward and made the statement that he has violated the law and is prepared to take the consequence.

Mr. LAURIER. It is perhaps useless to add anything to what has been said. But I may say that the Opposition will be only too happy to do anything to promote any measure that the Prime Minister may see

fit to introduce to exempt Mr. Corby from the penalties which he has incurred.

BUSINESS OF THE SESSION.

Sir JOHN THOMPSON moved :

That Government Orders have precedence on Mondays for the remainder of the session, after Questions to be put by Members and Private Bills.

Mr. LAURIER. I am sorry that I cannot agree, for my part, with this motion; I am sure, however, that my opposition will not deter the hon. gentleman if he wants to carry it. But I would remind him that there are several important Bills which have not yet been called, and I would be glad if he would at least give us one day more. I would suggest that at all events he should give us Monday, and that his motion should apply to the Monday following.

Mr. BRYSON. I concur in the remarks of the leader of the Opposition with reference to the Monday following next Monday. I have a notice on the Order paper which has been there for some time; it is the first notice of motion on the paper for Monday next, and I would be exceedingly pleased if the Government could see their way to acquiesce in the suggestion of the leader of the Opposition, and allow Monday next to remain for the use of private members.

Mr. McCARTHY. I beg to add my voice in the same direction. I would point out to the First Minister that really we have had very little time this session for Public Bills and Orders. After this notice was put on the paper by the First Minister, I looked through the records and I find that all the time that has been devoted to Public Bills and Orders has been eight half days—that is, eight days after 8 o'clock. Three of those days were taken up by the Bill of the hon. member for Albert (Mr. Weldon); two days and parts of two days were taken up by the Bill with reference to Sunday observance, and parts of two days were taken up by the Bill with reference to the Criminal Code, in the hands of the hon. member for East Toronto (Mr. Coatsworth). Now, when the last day was taken from us, the Prime Minister held out hope that this Bill with reference to the Criminal Code would be put upon the Government Orders and dealt with at that time, and he also flattered us with the prospect that the Bill with reference to Sunday observance would occupy only a short time upon the following Monday, and that then the Bill which was in the hands of the hon. member for North York (Mr. Mulock), and which was first reached last Monday, would be probably reached on the following Monday. Since then three sittings open to us have taken place, and yet these Bills have not been

reached: so that I trust the First Minister will yield to the suggestion and give us yet only one day.

Sir JOHN THOMPSON. I was under the impression that my proposition would meet with universal acceptance, inasmuch as it held out some indication that, in spite of the opinion I formed some time ago, we might leave here before the middle of September, which, under other circumstances, seems quite out of the question. At the rate of progress we are making now, I am afraid we shall go into October, in which case it would hardly be worth while to rise at all. I think the hon. member for North Simcoe (Mr. McCarthy) is somewhat mistaken in his reckoning. We had two or three whole days for Public Bills and Orders, the Thursdays early in the session.

Mr. McCARTHY. They were taken for the Budget debate.

Sir JOHN THOMPSON. We had one or two. We spent one or two very exciting days on the Bill of the hon. member for Albert.

Mr. McCARTHY. Not before the Budget debate.

Sir JOHN THOMPSON. I mean after the Budget debate. But if, after taking eight days, we have only the result to show of having passed the Bill of the hon. member for Albert (Mr. Weldon) and the Sunday Bill—which failed to become law, after all—what could I hope with regard to the extension of one day more? It seems to me that very little progress is to be found in that direction. What I said with regard to the Bill of the hon. member for West Ontario (Mr. Edgar) was not so much with the intention of putting it upon Government Orders, but with the idea that there was a Government Bill to which it might be appended, if the pleasure of the House was in that direction. We recognize the importance of the Bill with regard to cattle rates, and the interest which attaches to it in the House, and the courtesy of the hon. member for North York (Mr. Mulock), who has had it in hand, and who, I know, was willing to suit our convenience with regard to its discussion. I must say that we are unable to concur in the passage of that Bill; we think it would not be wise to adopt it, and that the remedies which are sought for, if they are necessary, must be sought for in a somewhat different direction. I have been very much struck in the discussions on the Bill itself, and the discussions by deputations who have met us with regard to it, not only by the manifestation of deep interest in the subject, but by the fair statement of all the hon. gentlemen who have spoken in this House, and the gentlemen who have spoken on behalf of deputations on the subject, that they recognize the difficulty of undertaking to deal with that subject by establishing a

Mr. McCARTHY.

maximum rate such as this Bill proposes to establish. They have expressed a strong desire that the subject should be considered, that their interest should be taken into consideration, after an examination of the facts which they have put forward, especially with regard to the steamship rates in Canada and the steamship rates in other countries, and the dispute between themselves and the steamship companies as to what the practice has been with regard to Canadian ships. We recognize the need of making an inquiry with a view to giving any redress within our powers, if the measure before the House should not be found to be adequate, appropriate or safe with a view to their business relations, and these gentlemen have requested above all things that the recitals in the preamble of the Bill itself, which sets forth the allegations of fact which are disputed by the shipping companies themselves, should be inquired into before we pass any legislation. We recognize the importance and urgency of the request that this whole subject should be examined, and we propose, therefore, to make a very careful departmental inquiry on the subject, with a view of ascertaining these facts. We think we will, therefore, be obliged to oppose the passage of the Bill as one not in the interest of either of the two businesses named. It is generally conceded that during the present season no grievance has existed. It is said that one very good reason for that is the fact that the price of cattle has declined, so that there is not the same amount of competition in the carrying business, and not the same inducement, therefore, to make combinations, which are hurtful to the cattle-raising interest. Another ground that is alleged why the combinations have not existed this year is that under pressure of the investigation on the subject by this Parliament, the steamship companies have been induced to give way. However this may be, we think the allegations in the preamble of the Bill should be investigated, and the object is to investigate them as quickly as possible, and departmentally, so as to make the inquiry as cheaply as possible, and carry it out in connection with the Department of Marine and Fisheries. For that reason, I think we shall be obliged to resist the second reading of the Bill, and therefore, its going over will not be attended with any detrimental results. There is a Bill on the paper on the subject of the Franchise, which will form the subject of discussion when we come to the Government Bill on that subject. In regard to the Bill of the hon. member for North Simcoe (Mr. McCarthy), I understood he was not entirely without hope to avail himself of another opportunity to bring it forward. However, I think I ought, with a view to have the business of the House terminated without waiting for the heat to reduce our size or numbers any more than they are already reduced, to press the

taking of the remaining day of the week in order that Government business may be pressed forward.

Mr. LAURIER. I again insist that the hon. gentleman should allow private members to retain next Monday, and I do it with the object of having a discussion on the Bill to which the hon. gentleman has alluded at some length, that is the Cattle Bill. The hon. member for North York was unfortunately not able to be here last Monday, but I understand he will be here next Monday, and from the attention he has given to this matter he will be in a position to give the Government valuable information, even if, after he has been heard, the Government insist on their resolution not to agree to the second reading of the Bill. There was a great deal of force in what the right hon. gentleman said in regard to the Bill being an extraordinary one; in fact it could be justified only if the preamble be proved. If the preamble be proved, that there has been fraudulent action by the shipping interest, I can well understand that this should be met by exceptional measures, otherwise I do not think the Bill could be maintained. The hon. member for North York (Mr. Mulock) possesses valuable information, which will assist the Government in conducting their inquiry which the Government propose to institute at a later date. I do not think that until the 26th of this month very great progress can be made with the business of the House. There is something going on in the province of Ontario which has depleted the ranks on both sides of the House, and it would be just as well for hon. members to make up their minds that until after the 26th not much business can be accomplished.

Mr. IVES. I think if the ranks were depleted further by two or three members it would be better.

Sir RICHARD CARTWRIGHT. And if a few more Ministers were absent.

Motion agreed to, on division.

INQUIRIES RESPECTING RETURNS.

Mr. DAVIES (P.E.I.) I want to call the attention of the Minister of Railways to a return brought down respecting the change in a station on the Prince Edward Island Railway. Although this may appear to be a small matter, there is much feeling respecting the change made, and the matter is calculated to cause more trouble than the hon. gentleman imagines. I call attention to the fact that a number of papers mentioned as appearing on the return, do not appear. The petition for the removal of the station was dated July, 1891. Nothing appears to have been done, and no correspondence from that time up to 4th December, 1893, appears, when Mr. Schreiber writes Mr. Pottinger to have the flag station removed from Mill River to How-

land Road, without delay. He says that Mr. Unsworth is familiar with the matter. But this correspondence is not brought down. In Mr. Pottinger's letter to Mr. Schreiber, dated 7th February, 1894, he says: "I return you number 51,037 from Hon. George E. Foster and Hon. L. H. Davies, referring to Mill River station." No copy of Mr. Foster's letter is brought down. In a letter from L. K. Jones to Mr. Pottinger, he says: "I inclose papers Nos. 51,189, 41,917, 51,057." No copies of these papers are given. Then, in a letter from Mr. Pottinger to Mr. Schreiber, dated 17th March, 1894, he says he incloses a letter from Rev. Hugh E. Burke to Mr. Unsworth, dated 8th March. No copy of this letter appears in the return. It is important that when orders are made by the House they should be strictly complied with, and I am quite willing to accept the statement that these papers have been inadvertently omitted, but I trust that they will be brought down.

Mr. HAGGART. All the official papers have been brought down. The only letters not submitted are of a private nature, one from Hon. George E. Foster, and one from Mr. Howland. I shall, however, be glad to receive a memorandum from the hon. gentleman and make further inquiries.

THIRD READING.

Bill (No. 121) to amend and consolidate the Acts respecting the North-west Mounted Police Force.—(Mr. Ives.)

RAILWAY SUBSIDIES TO QUEBEC.

Sir JOHN THOMPSON moved that the House resolve itself into committee on the following resolution:—

That it is expedient to provide that, notwithstanding anything in chapter eight of the Statutes of 1884, intituled: "An Act to authorize certain subsidies and grants for and in respect of the construction of the lines of railway therein mentioned," the Governor in Council may, at the request of the Government of the province of Quebec, pay to the Treasurer of that province the principal of either or both of the subsidies which by the said Act the Governor in Council was authorized to grant, on the terms therein set forth, to the Government of said province in consideration of their having constructed the railway from Quebec to Ottawa, that is to say: for the portion between Quebec and Montreal, one hundred and fifty-nine miles, a subsidy not exceeding six thousand dollars per mile, nor exceeding in the whole nine hundred and fifty-four thousand dollars, and for the portion between Montreal and Ottawa, one hundred and twenty miles, a subsidy not exceeding twelve thousand dollars per mile, nor exceeding in the whole one million four hundred and forty thousand dollars.

He said: I wish to give a short explanation, Mr. Chairman. Chapter 8, of the Railway Subsidies Act of 1884, authorized the Governor in Council to grant two subsidies to

the Government of the province of Quebec for the railway from Quebec to Ottawa—\$954,000 and \$1,440,000—in all, \$2,394,000; such subsidies to be capitalized and interest paid thereon. There was an Order in Council of the 30th March, 1885, a copy of which I will lay on the Table, approving of the arrangement proposed by Quebec that interest at the rate of 5 per cent per annum should be paid half-yearly on the above amount until 30th of April, 1894, at which time further arrangements could be made. I will also lay on the Table a copy of a letter from the Prime Minister of Quebec, dated the 29th of May last. It is as follows:—

TREASURY DEPARTMENT,
QUEBEC, 29th May, 1894.

The Honourable Sir JOHN THOMPSON, K.C.M.G.,
Prime Minister of Canada,
Ottawa.

MY DEAR SIR JOHN,—Referring to the interview that I had with you in Ottawa respecting the legislation by the Dominion Parliament which would be necessary to enable us to give effect to the Act passed at the last session of the Legislature of this province respecting the Public Debt as regards the capital and interest of the amount granted to this province under the Act 47 Vic., chap. 8, and the capital and interest of the amount on which is based the additional subsidy granted under the Act 47 Vic., chap. 4, and any amount that may become payable to the province in connection with the arbitration now proceeding between the Dominion of Canada and the provinces of Ontario and Quebec, I would beg leave to remind you how important it is to this province that this legislation should be granted during the present session of your Parliament.

Our idea is (1) to have it permissive for the province, at its request, to obtain the capital of the above-mentioned amounts, or of any one of them; (2) to have the Act so worded that on request by the Government of this province, the Dominion Government would pay the principal amount of the above-mentioned sums, or of any one of them, to the province, or would pay to trustees appointed to receive the same, or to any other persons the province might name, the principal or the interest of the above-mentioned amounts, or of any of them, in connection with the redemption of our public debt, or any arrangement for its conversion in whole or in part.

Legislation would also be required to enable the provinces of Ontario and Quebec to give effect to the Acts passed at the last sessions of each of the Legislatures, to provide for final settlement of the Common School Fund.

I am sending you a copy of the statutes of last session, in which you will find copies of the two Acts referred to.

I remain, my dear Sir John,

Yours very truly,

L. A. TAILLON,

Premier and Acting Treasurer, P.Q.

There is a statute on this subject passed by the province of Quebec in January, 1894. in re-

Sir JOHN THOMPSON.

lation to the public debt of the province. Chapter 2, "An Act respecting the Public Debt" recites in its preamble: That these subsidies have been granted by the Canadian Parliament and that there is a further sum constituting a railway grant accorded to this province by the Act of Canada 47 Vic., which sums have been appropriated as sinking funds for the loans of the province, of 1874, 1876 and 1878. That there is a further sum of \$2,549,213.61 due to the province of Quebec under the Act of Canada 47 Vic., chapter 44, and there are also further sums that may be received by the province in connection with the arbitration now proceeding between the Dominion of Canada, the province of Ontario, and the province of Quebec, and it concludes:

And whereas it is in the public interest to provide that these various sums of money should be utilized and appropriated towards the perfecting of the sinking fund and the redemption of the public debt, or in connection with the conversion of the debt.

The first section provides for the payment to the trustees either in Canada, England, France or elsewhere, all these sums of money; the application of the surplus after providing sinking funds to conversion of the public debt, and there are various other provisions with regard to the management of the public debt of the province. I may mention, that from a Dominion point of view the change recommends itself on the ground that these moneys are now bearing to the Government 5 per cent interest, and that we can pay them off at probably less than 4 per cent.

Mr. LAURIER. The hon. gentleman has rightly said, that from a Dominion point of view we cannot see at first blush what the Dominion could lose by this transaction; this being a valuable asset bearing 5 per cent in favour of the province of Quebec. But the proposition is quite the converse from the point of view of the province of Quebec. It may seem to be a valuable arrangement from a Dominion point of view, because while the Dominion can borrow at less than 5 per cent, it is still obliged to pay 5 per cent on this capital sum of money which by the Statute of 1884, the Dominion owes to the province of Quebec. If that be true in favour of the Dominion it seems to me that the argument is equally the converse with regard to the province of Quebec in regard to this arrangement. As the papers have only just been laid on the Table it would be impossible at the present time to form an exact opinion as to the merits or demerits, whatever they may be, of that proposition. In 1884, when the statute to which the right hon. gentleman has referred to was passed, to recoup the province or the building of the North Shore Railway as a branch of the Canadian Pacific Railway, instead of paying the capital it

was arranged between the two Governments that interest at the rate of 5 per cent should be paid semi-annually to the province. I fail to see in any of the correspondence that has been brought down by the hon. gentleman anything which would justify any departure by the province of Quebec from that arrangement. The Treasurer of the province only says this :

Our idea is (1) to have it permissive for the province, at its request, to obtain the capital of the above-mentioned amounts, or of any one of them; (2) to have the Act so worded that on request by the Government of this province, the Dominion Government would pay the principal amount of the above-mentioned sums, or of any one of them, to the province, or would pay to trustees appointed to receive the same, or to any other persons the province might name, the principal or the interest of the above-mentioned amounts, or of any of them, in connection with the redemption of our public debt, or any arrangement for its conversion in whole or in part.

With regard to this latter contingency, that is to say: the possibility of having the sum granted to the trustees, I fail to see at present why the Government of Canada should not remain as they are, trustees for this money. They are just as competent to be trustees for the province as any trustees that can be selected by the province. With regard to the last alternative, "our idea is to have it permissive for the province at its request to obtain the capital of the above-mentioned amendments, or any of them." I would like to have further explanation. We may be told that this is no business of ours, that the province of Quebec is the best judge of its own finances. That may be true; but unfortunately it is a matter of notoriety that the finances of the province are in such a condition that it is of interest to this Government, who by the constitution are obliged to pay a yearly subsidy to the province, to have proper explanations given why any deviation from the present rule is demanded. I therefore hope the hon. gentleman will agree not to have the resolution passed to-day, but simply to report progress, so that an opportunity may be given us to look at the papers and to consider more fully what is the nature of the proposals now made.

Sir RICHARD CARTWRIGHT. There is a point, not touched upon by my hon. friend, as to which I would like some information from the Government. As I understand the Prime Minister, we are paying 5 per cent on a sum of \$2,500,000 roughly. Can he inform me where that debt figures in our liabilities? I have here the table of the liabilities of Canada under date of the 30th of June, 1893, amounting in all to \$300,000,000, and running over that cursorily I do not see exactly where this \$2,500,000 comes in. It is, of course, a debt, which I

should imagine ought to be placed among our liabilities. It certainly cannot come under the head of the sums due to Ontario and Quebec together. These have not varied to any appreciable extent since this arrangement was come to; and, moreover, we have an offset against them to a somewhat larger extent under the head of our own assets. Does the hon. Prime Minister know where this debt of \$2,500,000 is placed?

Sir JOHN THOMPSON. I do not. I will get the information. With regard to what the hon. leader of the Opposition has said, I would ask him to allow me to suggest that we should dispose of the resolution to-day, and to permit me to introduce the Bill; and on the second reading of the Bill, I will give him any information I can get. Although I would not undertake to go elaborately into an explanation of the financial arrangements of the province, I will give him such information as I can with regard to the scheme framed by the Provincial Treasurer.

Resolution considered in committee and reported.

THE COMMON SCHOOL FUND.

House resolved itself into committee on resolution (p. 4719) respecting the distribution of The Common School Fund.

(In the Committee.)

Sir JOHN THOMPSON. This fund was brought into existence under chapter 26 of the Consolidated Statutes of the province of Canada. By the award of the arbitrators under the British North America Act in 1870, sections 7, 8, 9 and 10—see pages 5 and 6 of accounts between the Dominion and the late province of Canada, published in 1883—the Dominion of Canada was to continue to hold the fund, and divide the income between the provinces of Ontario and Quebec. The amount now held by the Dominion is \$2,582,373.80. Ontario and Quebec last session each passed an Act providing for the final division and distribution of the fund between the two provinces on their agreement, or, if they could not agree, the Acts provided for reference to the arbitrators appointed for the settlement of the disputed provincial accounts; and this Bill is to give authority to the Dominion Government to pay over the amounts to the provinces as soon as a basis of apportionment can be reached.

Mr. LAURIER. I would like to have the information from the hon. gentleman whether the award of the arbitrators is to be final, or whether it has to be ratified by the Legislatures of the two provinces?

Sir JOHN THOMPSON. It is to be final.

Mr. LAURIER. Binding on both provinces ?

Sir JOHN THOMPSON. Yes. The Quebec Act is a transcript of the Ontario Act. I believe, a copy of which provides as follows :—

The Lieutenant-Governor of this province in Council, is hereby authorized to agree with the Government of the province of Quebec, upon an amount to be paid by this province for the acquisition by it of the uncollected balances of the price of the lands mentioned in the preamble of this Act, and for the payment by this province of what may be considered the value of the lands remaining unsold.

2. It shall be lawful for the Lieutenant-Governor in Council to enter into an agreement with the Government of the Dominion of Canada, and that of the province of Quebec, respectively, for the purpose of effecting a final division and distribution between the said provinces and final payment of the principal of the said Common School Fund, and to enter into such agreement with the Dominion of Canada and the province of Quebec as may be necessary for the division, distribution and payment of the said principal, and for granting and giving to all parties concerned such receipts and discharges, and signing such deeds as may be necessary in the premises.

3. In the event of the Governments of the two provinces failing to agree on the proportion of the said division, distribution and payment, the question may be referred to the arbitrators appointed in pursuance of the Act passed in the 54th year of Her Majesty's reign, and chaptered 2.

Mr. LANGELIER. There is no doubt that under these Acts the arbitrators have a right to determine finally the shares of the two provinces in the Common School Fund : but they do not and cannot provide for the disposal of the share of each province after that share has been determined by them. The disposal of the share of each province is to be regulated by the decision of the arbitrators appointed under the British North America Act, which states most positively that the fund is to be kept in trust by the Dominion Government. This is not a fund belonging to the province of Quebec particularly. It does not belong to the consolidation fund of that province, but was created a trust fund, and was dealt with as a trust fund by the British North America Act, and has always been a trust fund. I do not see how the Legislature of Quebec can dispose of a fund regulated by a law passed before Confederation and has been sanctioned by the British North America Act. That Act provides that the fund is to be divided between Quebec and Ontario by arbitrators to be appointed, one by the Dominion and one by each province, who shall determine, not only the share of each province, but the disposal of the fund. Their award states most positively that this is to be kept in trust by the Dominion Gov-

Sir JOHN THOMPSON.

ernment and the interest paid only to the provinces.

Sir JOHN THOMPSON. There is no trust created by the award of the original arbitrators except a trust, so far as the Dominion of Canada is concerned, to hold the property and pay over the interest to the two provinces.

Resolution reported.

SUPPLY.

House again resolved itself into Committee of Supply.

Relief of distressed Indians and seed grain, province of Quebec \$4,500

Sir RICHARD CARTWRIGHT. This is a common enough item, but are we in the habit of furnishing seed grain everlastingly to the Indians of Quebec ? One would think that by this time they would have been sufficiently instructed to obtain seed grain for their small needs.

Mr. DALY. This seems to be absolutely necessary. We have no farm instructor there, and these people have to be supplied every spring with this seed. It is about the only thing they get.

Mr. LAURIER. Who distributes it, and how much go to Caughnawaga Indians ?

Mr. DALY. It is distributed by agents, and about two hundred dollars went to the Caughnawagas.

Mr. DAVIES (P.E.I.) How many Indians in the province of Quebec ?

Mr. DALY. 11,779.

Mr. LAURIER. I understand that the hospital at Roberval has been closed. What is the reason ?

Mr. DALY. It appears that an inspection was made last year, and it was ascertained the hospital cost too much—about \$800 a year ; and an arrangement was made for the locating of these people amongst their friends on the reserve, who are paid for their services. This costs much less than before. It appears there is a number of paralytics and others.

Mr. LAURIER. What officer made the report ?

Mr. DALY. The chief clerk of the department, Mr. Scott.

Mr. PATERSON (Brant). I would call the hon. Minister's attention to an answer to a return that I moved for. On the 16th April last, the House ordered a return showing the amount of money paid out of the

fund of the Six Nation Indians for the payment of debts incurred by individual members thereof since the year 1886, and giving (1st) the names of the several persons who incurred the debts, with the separate amounts, the date or dates when incurred, and the proportion thereof that has been paid; (2nd) the names of the creditors to whom the payments were made, the dates when paid, with the total sum paid to each of such creditors; and stating in each case the authority given for incurring the debt, the authority for payment of the same, and whether such amounts have been repaid to the fund in whole or in part out of the annuities of the individuals on whose account the payments were made, and whether such was the condition on which such payments were authorized. The answer to that motion is as follows:—

OTTAWA, May 9th, 1894.

SIR,—I have the honour to return your reference No. 60, covering an Order of the House of Commons for information respecting debts incurred by individual members of the Six Nation Indians since the year 1886; and to state that no money has been paid out of the funds of the Six Nation Indians for payment of debts incurred by individual members of that band since the year 1886.

Your obedient servant,
HAYTER REED.

I do not quite understand that. I might say to the Minister that I can hardly think that his information is correct. It seems to me there have been advances made to members of the band within the past eight years.

Mr. DALY. I believe that the answer given to the hon. gentleman is quite correct. The advances to which he refers must have been made in some other way. Has the hon. gentleman reference to accounts of merchants in Brantford?

Mr. PATERSON (Brant). Yes.

Mr. DALY. I presume the hon. gentleman has reference to the state of affairs that existed before 1886 when merchants were in the habit of allowing the Indians to get on their books and then looking to the department to pay them. That was put a stop to as far back as 1886, and any reductions that are being made now are made with the consent of the Indians and applied on the old accounts.

Mr. DAVIES (P.E.I.) I suppose we may look upon this as a permanent grant? There is no development among these Indians.

Mr. DALY. No; they are in a wretched condition.

Mr. DAVIES (P.E.I.) I see the Deputy Superintendent General says that many of

them are enjoying the advantages of civilized life, while others show no signs of improvement. What is the reason for this difference?

Mr. DALY. The old Adam that is in them—that is the only way I can account for it.

Mr. DAVIES (P.E.I.) But it seems strange that in members of the same tribe there should be such a difference.

Mr. DALY. The hon. member for Brant (Mr. Paterson), who has had experience with the Indians, will agree with me that there is an astonishing difference between individuals. Their characteristics so far as advancement in life are concerned, are a good deal like those of white people. One family will adopt the habits of life of white people, will become prosperous and send their children to be educated, while others remain in the old rut and show no improvement. A percentage of the Indians throughout Canada show a very marked improvement.

Relief of distress and medical attendance, Ontario \$800

Mr. LAURIER How is that applied?

Mr. DALY. This is for cases of destitution or sickness where the tribe has no funds. So far as Ontario is concerned it is used mainly for the Indians in the Lake Superior district, who are in a very destitute condition and who have a great deal of sickness among them.

Blankets for Indians of Ontario and Quebec..... \$1,600

Mr. LAURIER. Who distributes these?

Mr. DALY. The agents. The blankets are supplied under contract.

Mr. LAURIER. Is there any rule for their distribution?

Mr. DALY. No; it is in the discretion of the agent.

Mr. LAURIER. So many blankets are sent to each reserve?

Mr. DALY. To each agent—yes.

Schools, Ontario, Quebec and the Maritime Provinces..... \$28,100

Sir RICHARD CARTWRIGHT. How about these schools?

Mr. DALY. The total expenditure was \$36,542.50. According to denominations it was as follows:—Methodist, \$1,562.50; Church of England, \$1,400; Government, \$24,080. Contributed by bands out of their own funds, \$9,500. The number of day schools is 76, and the number of industrial schools is 6. The rate of attendance is 1,437, divided as follows:—Church of Eng-

land, 183 ; Methodist, 267 ; Roman Catholics, 397 ; non-denominational, 590.

Payment of Robinson Treaty annuities \$16,806

Mr. O'BRIEN. What position does this fund stand in ? Has any progress been made in settling the differences between the province and the Dominion ?

Mr. DALY. The matter is before the arbitrators, and I cannot say what position it has reached.

Surveying Indian Reserves..... \$500

Mr. O'BRIEN. Has the hon. Minister managed to get what I was asking for with regard to the Temisgamingue Reserve ?

Mr. DALY. Not yet.

Mr. O'BRIEN. It is a great shame. I must say, that a dispute between the province of Ontario and the Dominion of Canada should prevent a small band of Indians getting a reserve which they require and which is of no value. It is a scandal upon our administrative power that such a dispute cannot be settled to the extent of giving a place to a few families of Indians who are really suffering.

Mr. LAURIER. Who is in the wrong ?

Mr. O'BRIEN. I do not know ; but somebody is in the wrong.

Mr. LAURIER. We should ask this Government to yield. They claim to be the more reasonable of the two.

Mr. DALY. The matter is before the arbitrators to whom have been referred the questions pending between the Dominion and the province of Ontario.

Mr. LAURIER. Does that come within the scope of their arbitration ?

Mr. DALY. Yes.

Mr. LAURIER. I understood the dispute was between the Government of Ontario and the Government of Canada.

Mr. DALY. That is one of the matters before them now—the question of the Indian lands.

Mr. PATERSON (Brant). Could the Minister say what reserve he proposes to survey this year ?

Mr. DALY. This is only for the purpose of surveying reserves where the Indians have no funds of their own. Where surveys were made on reserves where the Indians have funds, we charge it to their funds.

Mr. PATERSON (Brant). Where do you expect to use this money this year ?

Mr. DALY. It may not be necessary to use it at all.

Mr. DALY.

To provide for the following over-drawn accounts :—Indian Lands Management Fund ; Province of Quebec Fund and Indian School Fund.....\$14,000

Sir RICHARD CARTWRIGHT. I want to know under what circumstances this overdraft occurred ?

Mr. DALY. I think the most satisfactory way to answer the hon. gentleman is to read to the House the memorandum that has been prepared, so that it may be put upon 'Hansard,' and a proper explanation may be had by hon. gentlemen on both sides of the House, and by all parties concerned, as to the origin of the fund, the reason this overdraft occurred, and the position in which the matter now stands. I was not able until last fall to get at the bottom of this matter. I will read the statement that has been prepared :

PROVINCE OF QUEBEC INDIAN FUND.

This fund originally consisted wholly of grants from the Government of Lower Canada and from the Imperial authorities, and after the lapse of years the unexpended balances of these grants amounted to a sum sufficient to capitalize.

The fund which was commenced in this manner was in 1867 augmented by the capitalization of \$80,000 at 5 per cent to produce \$4,000, the amount of the annual grant for the relief of the Indians of the province.

The capital was reduced in 1876 by the transfer of \$58,000 to the Indian School Fund. As it was thought advisable to have the teachers' salaries, which had been paid from the province of Quebec Fund, paid from Indian School Fund, an amount of capital sufficient to produce interest to pay these salaries was transferred, and the charge of the said salaries was transferred also. The capital of this fund should stand at \$49,766.30, but owing to an over-expenditure of interest account of \$37,885.69 the actual capital upon which interest can be calculated is \$11,880.61.

The revenue of the fund failed to meet the necessary expenditure, expenditure which was perfectly legitimate, which has been properly vouched for, and passed by the Auditor General ; it appears printed in the Public Accounts, the Auditor's Report, and the Indian Department Report. From 1872-73 to 1877-78 the balance was reduced from \$113,743.18 to \$49,587.61, including the transfer of \$58,000 to Indian School Fund ; from 1877-78 to 1892-93 it was reduced from \$49,587.61 to \$11,880.61.

The expenditure for the year 1892-93, to be found in detail at page 462 of the Report of the Department of Indian Affairs, was as follows :—

Salaries to agents, province of Quebec.....	\$ 1,380 15
Point Bleue Hospital.....	848 20
Expenses of liquor prosecutions..	149 16
Travelling expenses	35 40
Expenses opening line Restigouche Reserve.....	6 00
Medical attendance and medicine.	630 20

\$ 3,050 11

The expenditure for the nine months of 1893-94, already past, has been \$1,274, and the expenditure for the year will probably be about \$2,000.

The revenue for 1892-93 was \$2,404.71, and the revenue for 1893-94 has been, in interest alone, about \$549.10 up to 31st March, 1894.

INDIAN LAND MANAGEMENT FUND.

This fund was formed upon the recommendation of a commission appointed in 1856 to look into Indian Affairs generally. This commission, attempting to make some arrangement for the management of Indian lands, suggested that 10% of the Indian Funds in the hands of the Receiver General should be set aside as the capital of a fund for the aforesaid purpose. This suggestion was acted upon, and when the funds were finally assumed by the Receiver General by Order in Council of 16th January, 1861, the capital of Management Fund was \$148,833.07.

To-day the capital, if unimpaired, would be \$156,680.61. Since 1861 it has been increased, upon the whole by \$7,847.54. The interest account was on the 30th June last, overdrawn by \$78,978.76, which reduced the capital bearing interest to \$77,791.85.

The overdraft of interest has been annual since 1870, and it arose from the revenue of the fund not being sufficient to meet necessary expenditure. This expenditure has been quite legitimate, and has been passed every year without comment by the Auditor General and the Public Accounts Committee, and appears printed in the Public Accounts, the Auditor's Report and the Report of the Department of Indian Affairs.

From 1870-71 to 1872-73 the balance was increased from \$191,096.98 to \$191,426.59; from 1872-73 to 1878-79 it fell from \$191,426.59 to \$111,636, a loss of \$79,790.59 which amount included a transfer of \$44,000 to the credit of the School Fund to meet payment of teachers' salaries, which were before charged to Management Fund, as it was deemed advisable to have all such payments made from the same fund. From 1878-79 to 1890-91 the balance was reduced to \$69,904.21, a loss of \$41,731.79. Since that date up to the 30th June, 1892-93 it has been increased to \$77,791.85. The following statement shows the expenditure for 1892-93. It will be found in full detail at pages 463 to 466 of the Report of the Indian Department for 1892-93.

Salaries of agents.	\$15,764 15
Contingencies, commission on collections, &c.	5,490 70
Protection of timber.	1,181 11
Dr. Stephen, allowance for rent.	150 00
Interpreter.	6 00
Auctioneer.	7 00
Advertising.	4 32
Furniture for offices.	100 13
Expenses of removal office Cockburn Island to Gore Bay.	29 75
Repairs of safe.	4 00
Expenses of liquor prosecution.	42 50
Inspection of timber.	697 35
Salary due J. F. Day (late agent).	33 97
Printing and stationery.	302 04
Express charges.	4 25
Constables and Island guardians.	164 50
	<hr/>
	\$23,961 77

The revenue for the same year was:—

Interest on invested capital	\$ 4,367 35
Share of \$19,000 voted by Parliament.	14,270 00
Percentage on collections.	9,469 31
Fees, fines, &c., collected.	786 62
Transfer to close Government of British Columbia account.	0 58
	<hr/>
	\$28,894 74

The expenditure for the first nine months of the current year, 1893-94, has been \$14,423.23; the revenue \$5,997.51. The expenditure for the whole year will probably be about \$20,000; the revenue may be less than for the past year, as there has been a considerable falling off in collections.

INDIAN SCHOOL FUND.

This fund originated from contributions from various Indian lands for educational purposes. These contributions were continued until the invested capital reached \$42,650, from which expenditures from time to time were made for buildings to the amount of \$1,757.67, leaving the capital \$42,912.33, and this sum was augmented in 1876 by a transfer from Management Fund and from province of Quebec Indian Fund of \$44,000 and \$58,000 respectively. These transfers brought the capital of the fund up to \$142,912.23, and if it were not impaired by an overdraft of interest it would now stand at \$141,222.83. The interest account is overdrawn \$41,500.55, and the actual balance of capital drawing interest is \$99,722.28.

From 1870-71 to 1875-76, the balance was reduced from \$41,528.86 to \$40,817.76; in the year 1876-77 the transfer of \$44,000 from Management Fund and \$58,000 from province of Quebec Fund raised the balance to \$142,912.83; after this year the balance was gradually reduced, owing to the increasing expenditure, and on 30th June, 1892, it was \$97,317.31; on 30th June, 1893, it had increased to \$99,722.28. The expenditure from this fund has been passed annually by the Auditor General, and has been printed in his report, in that of the Indian Department, and in the Public Accounts. The expenditure for 1892-93, which will be found in detail at page 467 of the Indian Report for 1892-93, was as follows:—

Salaries of Missionaries.	\$1,702 19
Salaries of teachers, and grant to Industrial Schools.	1,264 75
Inspection, fuel, and books for schools.	1,574 02
	<hr/>
	\$4,540 96

The revenue was, for the same year:

Interest on invested capital.	\$3,961 11
Refund	5 00
Share of \$19,000 voted by Parliament.	2,979 82
	<hr/>
	\$6,945 93

The expenditure for the first nine months of 1893-94 has been \$4,220.71, an increase over the same period of 1892-93, owing to increased attendance at the Industrial Schools. The revenue for the same period has been \$3,033.96.

In 1892, the matter was submitted to a sub-committee for joint action, composed of the Deputy Minister of Finance and the late Superintendent General of Indian Affairs, and the following is a copy of the Order in Council based on their joint report :—

CERTIFIED COPY of a Report of a Committee of the Honourable the Privy Council, approved by His Excellency the Governor General in Council, on the 29th September, 1892.

A Sub-Committee of the Privy Council have had under consideration the condition of the province of Quebec Indian Fund, the Indian Land Management Fund, and the Indian School Fund, and a joint memorandum from the Deputy Minister of Finance and the Deputy Superintendent General of Indian Affairs dealing with the same subject, which is hereto attached.

The Sub-Committee observe that the interest accounts of these funds upon the 31st of May, 1892, were overdrawn :—

Province of Quebec Fund....	\$37,231	22
Indian Land Management Fund.....	114,992	34
Indian School Fund.....	44,987	41

And the interest-producing power of the capital of these funds has in consequence fallen so low that the necessary expenditure cannot be met without some assistance from without. To furnish this assistance, and at the same time to avoid the possibility of making it a charge for all time upon the consolidated revenue, has been the subject of grave consideration. The only plan which seemed at all feasible, and of which the Sub-Committee could recommend the adoption, is the one which may now be briefly outlined.

It is proposed at once to reduce the rate of interest upon that portion of the Indian Fund now bearing 4 per cent to 3½ per cent ; as this amount is \$1,860,000, the saving in interest would be, for the year 1892-93, about \$9,300. The saving in this item of interest will constantly increase, as the amount on which 3½ per cent will be payable will be augmented, annually, at the rate of about \$50,000. This saving in interest will be offset against the amount to be granted yearly from the Consolidated Fund, which, for the year 1892-93, will be \$19,000. With the exercise of economy the Department of Indian Affairs will be enabled to reduce the expenditure gradually until a limit is reached which will represent the lowest point at which the service can be managed without endangering its efficiency. It will therefore be possible to reduce this annual grant from year to year, and it is thought that for 1893-94 not more than \$15,200 will be required, and for 1894-95 not more than \$14,000. It is confidently expected that with proper economy in expenditure, and with this aid from sources outside the fund, the present debit balance may be reduced, and, as any such reduction will at once be felt to the benefit of the funds, as it will increase the revenue-producing power of the capital, it will be seen that the capital of the funds may, after the lapse of some years, be restored to their full amount. When this is accomplished, which may not be for a considerable time, all aid from outside sources will cease ; but, in the meantime, the saving in interest by the reduction to 3½

Mr. DALY.

per cent would form such a valuable offset to the annual grant that, in the space of seventeen years, the one will balance the other.

The Sub-Committee, with the hope that this plan will be found workable, recommend that authority be granted for the reduction in the rate of interest paid upon that portion of the Indian Fund now standing at 4 per cent, to 3½ per cent, the change to take effect on the 1st of July, 1892, and that the sum of \$19,000 may be included in the supplementary estimates for the current year, to be submitted to Parliament at its next session, as a grant to the province of Quebec Indian Fund, Indian Land Management Fund, and Indian School Fund.

It would seem proper, in order to make the best possible use of this grant, and after the precise amount required by each of the interested funds has been ascertained, that it should be distributed annually at the close of the year, with the authority of Council, upon a joint report of the Deputy Superintendent General and the Accountant of Indian Affairs.

The Sub-Committee further recommend, as it may be possible, from time to time, to make such changes in the manner of meeting the expenditure, for the management of the land and timber, as will result in a saving to the funds, that the authority of the Governor in Council should be obtained for such changes, based upon a joint report of the Deputy Superintendent General and the Accountant of Indian Affairs, and that a similar joint report should be submitted for any change in existing appointments.

The Sub-Committee, in conclusion, are strongly of opinion that no new appointments of agents, physicians or missionaries should be made, if their salaries will become a charge upon the overdrawn accounts.

The Committee, concurring in the above, submit the same for Your Excellency's approval.

JOHN J. MCGEE,
Clerk of the Privy Council.

Sir RICHARD CARTWRIGHT. So far as I can follow the hon. gentleman, the proposition strikes me as one partaking a good deal of the character of taking money from one pocket and putting it into the other. Who are the parties who are entitled to the interest on this million and a quarter dollars on which the hon. gentleman proposes to reduce the rate from 4 per cent to 3½ per cent? For whom does the hon. gentleman hold the money in trust?

Mr. DALY. For the Indians of Ontario and Quebec.

Sir RICHARD CARTWRIGHT. How much belongs to each?

Mr. DALY. I do not think I can give the hon. gentleman the information at the present time.

Sir RICHARD CARTWRIGHT. I think it is almost entirely the property of the Indians of Ontario, and that a very small portion belongs to the Indians of Quebec.

Mr. DALY. So far as the Quebec Fund is concerned, that is exclusively theirs, except so far as that was increased by the Land Management Fund.

Sir RICHARD CARTWRIGHT. The hon. gentleman says that he is going to indemnify the Consolidated Fund by raising the rate of interest on \$1,200,000. In order that we may understand how far this is an equitable arrangement, I should like the Minister to state to the House how much of that sum belongs to the Indians of Quebec, and how much to the Indians of Ontario.

Mr. DALY. I cannot give the exact information at the moment, but it can be found in the report of the department.

Sir RICHARD CARTWRIGHT. I think nearly the whole belongs to the province of Ontario, and at all events only a small portion to the province of Quebec. *Prima facie* it would look as if the arrangement was made rather at the expense of the Ontario Indians.

Mr. DALY. There is no desire to do that at all.

Sir RICHARD CARTWRIGHT. That would be the practical effect.

Mr. DALY. Any overdrafts would be for the benefit of the Indians, both of Ontario and Quebec.

Sir RICHARD CARTWRIGHT. How much for each?

Mr. DALY. It will be very easy to have a statement made up showing the various amounts.

Sir RICHARD CARTWRIGHT. It occurs to me that the accounts should be kept distinct, and it appears to me that it would be rather "hard lines" on the Ontario Indians that the rate of interest should be reduced in the interest of the Indians of Quebec.

Mr. DALY. The Indian population of Ontario is 117,525 against 11,000 in Quebec.

Sir RICHARD CARTWRIGHT. The Quebec Indian School Fund is for Quebec solely, but the arrangement proposed by the hon. gentleman will be carried out chiefly at the expense of the Indians of Ontario. Have we no permanent arrangement with the Indians, are we entitled to reduce the rate of interest at our pleasure?

Mr. DALY. This fund has been administered by the Government irrespective of any direction on the part of the Indians. It is in that respect not like tribal funds. So far as the Quebec Indian Fund is concerned it originally consisted entirely of grants made by the Government of Lower Canada and by the Imperial Government, and after a time the moneys became capitalized.

Sir RICHARD CARTWRIGHT. They are very small.

Mr. DALY. In 1867 they were capitalized at \$80,000 at 4 per cent. This amount was reduced since 1876, by the transfer of \$58,000 from that to the Indian School Fund, so that Ontario got the benefit of that \$58,000 which was taken from the province of Quebec Indian Fund. The Indian Management Fund was reduced by \$44,000 which was also contributed to the School Fund, so that the Ontario Indians got the benefit of that equally with the Indians of Quebec. I fancy there will be no difficulty in preparing a statement to answer the hon. gentleman's query.

Sir RICHARD CARTWRIGHT. Perhaps the hon. gentleman would get it. He has had the advantage of reading a somewhat complicated Order in Council, and I was obliged to follow it as he read. I confess that the impression left on my mind was this: That while the two sets of Indian in Ontario and Quebec would get the benefit of this \$14,000—although I should imagine it would chiefly go to the benefit of Quebec—the burden of the reduction of interest would fall almost exclusively on the Indians of Ontario.

Mr. DALY. I see, looking at the report I read which is to be found in detail from pages 463 to 466 of the Report of the Indian Department for 1892-93, this \$23,981 was made exclusively for the Indians in Ontario.

Sir RICHARD CARTWRIGHT. And diverted from what fund?

Mr. DALY. From the Indian Lands Management Fund, and went entirely to the Ontario Indians.

Sir RICHARD CARTWRIGHT. Was not almost all that provided by the Ontario Indians out of their property?

Mr. DALY. Yes, principally all sales of Ontario property.

Sir RICHARD CARTWRIGHT. So that it would be nothing but fair that they should get the bulk of the money appropriated for it.

Mr. DALY. Yes. I will have that statement prepared for the hon. gentleman. I simply read the Order in Council so as to put in on record.

Sir RICHARD CARTWRIGHT. It is quite right that that should be done. As to the other point, I suppose we are justified in saying that if money can be borrowed at 3½ per cent or thereabout that the Indians, like other 'cestui qui' trusts, must take the consequence of the fall in money.

Mr. DALY. That was, I believe, the opinion arrived at by the Council at the time they considered it.

Sir RICHARD CARTWRIGHT. That is reasonable unless some special arrangements were made.

Mr. DALY. There was no arrangement made at all

Sir RICHARD CARTWRIGHT. The House will note that the practical result of the matter is : that the one set of Indians would provide the chief amount that went to joint benefit.

Mr. PATERSON (Brant). As the hon. member for South Oxford (Sir Richard Cartwright) says, it is almost impossible to fully understand it from the reading of it. I think it is well that it is going on 'Hansard' so that it can be examined, and before the Supplementary Estimates are reached, I presume the Minister will provide us with the information he promises. This is a point that the Indians themselves would probably like some information upon, and it would be well if we were able to understand it.

Mr. DALY. With the permission of the House I would also like to put on record in 'Hansard' the joint memo. of the Deputy Minister of Finance and the Superintendent General of Indian Affairs. It will take a long time if I have to read it.

Sir RICHARD CARTWRIGHT. The House for a purpose of that kind could fairly allow it to go on 'Hansard.'

Mr. DALY. The following is the memo. I referred to :—

OTTAWA, July 15th, 1892.

MEMORANDUM.

To His Excellency
The Governor General
in Council.

The undersigned have had under consideration the condition of the province of Quebec Indian Fund, the Indian Land Management Fund, and the Indian School Fund, and a joint memorandum from the Deputy Minister of Finance and the Deputy Superintendent General of Indian Affairs, dealing with the same subject, which is hereto attached. The interest accounts of these funds upon the 31st of May, 1892, were overdrawn: Province of Quebec Indian Fund, \$37,231.22; Indian Land Management Fund, \$114,992.34; Indian School Fund, \$44,987.41; and the interest-producing power of the capital of these funds has in consequence fallen so low that the necessary expenditure cannot be met without some assistance from without. To furnish this assistance, and at the same time to avoid the possibility of making it a charge for all time upon the Consolidated Revenue, has been the subject of grave consideration. The only plan which seems at all feasible, and of which the undersigned could

Sir RICHARD CARTWRIGHT.

recommend the adoption, is the one which may be briefly outlined.

It is proposed at once to reduce the rate of interest upon that portion of the Indian Fund now bearing 4 per cent to 3½ per cent; as this amount is \$1,860,000 the saving in interest would be, for the year 1892-93, about \$9,300. The saving in this item of interest will constantly increase, as the amount on which 3½ per cent will be payable will be augmented annually at the rate of about \$50,000. This saving in interest will be an offset against the amount to be granted yearly from the Consolidated Fund, which, for the year 1892-93, will be \$19,000. With the exercise of economy the Department of Indian Affairs will be enabled to reduce the expenditure gradually until the limit is reached which will represent the lowest point at which the service can be managed without endangering its efficiency. It will therefore be possible to reduce this annual grant from year to year, and it is thought that for 1893-94 not more than \$15,200 will be required, and for 1894-95 not more than \$14,000. It is confidently expected that with proper economy in expenditure, and with this aid from sources outside the fund, the present debit balance may be reduced, and as any such reduction will at once be felt to the benefit of the fund, as it will increase the revenue-producing power of the capital, it will be seen that the capital of the fund may, after the lapse of some years, be restored to their full amount. When this is accomplished, which may not be for a considerable time, all aid from outside sources will cease: but in the meantime the saving in interest by the reduction to 3½ per cent would form a valuable offset to the annual grant, that, in the space of seventeen years the one will balance the other. With the hope that this plan will be found workable, the undersigned have to recommend that the authority of Your Excellency in Council may issue for the reduction of the rate of interest paid upon that portion of the Indian Fund now standing at 4 per cent to 3½ per cent, the change to take effect on the 1st of July, 1892; and that the sum of \$19,000 may be included in the supplementary estimates for the current year to be submitted to Parliament at its next session, as a grant to the province of Quebec Fund, Indian Land Management Fund, and Indian School Fund.

It would seem proper in order to make the best possible use of this grant, and after the precise amount required by each of the interested funds has been ascertained, that it should be distributed annually at the close of the year, with the authority of Council, upon a joint report of the Deputy Superintendent General and the Accountant of Indian Affairs.

As it may be possible from time to time to make such changes in the manner of meeting the expenditure for the management of land and timber as will result in a saving to the funds, the undersigned beg to recommend that the authority of Your Excellency in Council should be obtained for such changes based upon a joint report of the Deputy Superintendent General and the Accountant of Indian Affairs, and that a similar joint report should be submitted for any change in existing appointments.

In conclusion, the undersigned are strongly of opinion that no new appointment of agents, physicians or missionaries should be made, if their sala-

ries will become a charge upon the overdrawn accounts.

GEO. E. FOSTER,
Minister of Finance.

E. DEWDNEY,
Superintendent General of Indian Affairs.

MEMORANDUM respecting the future Indian Land Management and other cognate funds.

In response to a series of questions put to the Accountant of the Department of Indian Affairs by the undersigned it appears that for the approaching fiscal year, 1892-93, the total expenditure for these funds, calculated at the lowest possible point, would be \$30,000.

The total revenue for the funds for the same year, made up of interest and percentage and a proposed Government grant of \$19,000, would be \$34,000, leaving a probable surplus of \$4,000 to reduce the lost capital.

Against this proposed grant of \$19,000 it is recommended that on that portion of the tribal funds which now bears interest at the rate of 4 per cent, interest should be allowed in future at $3\frac{1}{2}$ per cent only, that being the rate of interest allowed to depositors on deposits in the Government Savings Banks, and that this rate commence from the 1st July, 1892. The saving in interest by the reduction of one-half per cent would probably be \$9,300, and deducting from that the Government grant of \$19,000, it would mean an actual expenditure from Consolidated Fund of \$9,700 per annum.

In the year 1893-94 the department expects to save a certain amount of money, and they calculate their total expenditure for that year as \$26,000, and a revenue of \$15,200 from accrued interest and percentage (being an increase of revenue of \$200 over that of the year 1892-93), with a Government grant of \$15,200, thus leaving a probable surplus for 1893-94 of \$4,400, to reduce lost capital. Taking the Government grant for 1893-94 at \$15,200, and a saving in interest of \$9,560, the excess to be granted by Parliament would be \$5,640, as compared with \$9,700 in 1892-93.

In the year 1894-95 the department trusts to make a further reduction in the expenditure to \$25,000, and estimates a revenue from interest and percentage of \$15,000, and a Government grant of \$14,000. As at that time the principal will be still further increased by collections received from the sale of lands and timber, the reduction of $\frac{1}{2}$ % in the rate of interest would be \$9,860, which amount against \$14,000 Government grant would mean an outlay by the country of \$4,140. Thus, in the three years there would be an expenditure in aid of the Indians of \$9,700, \$5,640 and \$4,140, or a total of \$19,200.

Beyond 1894-95 there would be but a slight reduction in the way of expenditure, but the balances drawing interest would be increased probably at the rate of \$50,000 a year, which would mean a reduction of \$250 a year in the interest alone, so that apart from any percentage or savings that might occur, the grant would be reduced and wiped out in about seventeen years, through the accumulation of interest saved by the reduction of the rate.

If the ideas proposed in this memorandum are approved by Council, it would not be necessary to take effect in the asking for the grant until the next session of Parliament, when the matter can be

arranged for in the supplementary estimates, as there are still sufficient funds in the several accounts to enable the department to carry on its affairs. The only necessity is that some understanding should be arrived at as to the management of these funds in future.

In conclusion, the undersigned is very strongly of opinion that no new appointments should be made in the way of missionaries, agents, physicians, &c., &c., that would be chargeable on the funds, and that all existing appointments shall, when vacancies occur, be cut off, if on inquiry it be found that the positions can be abolished.

(Sgd.) J. M. COURTNEY,
D. M. F.

I concur in the foregoing.

(Sgd.) L. VANKOUGHNET,
Deputy Superintendent General
of Indian Affairs.

FINANCE DEPARTMENT,
OTTAWA, 10th May, 1892.

Mr. PATERSON (Brant). I would like the Minister to give a fuller explanation with reference to the note he will find at page 435 of this departmental report in regard to the Mississaugas of the Credit. I think it would be well for the Minister to explain in full to the committee, just how it came to pass that an Order in Council should have been passed appropriating \$68,672.01 to that band of Indians and the interest to be paid to them for eight or ten years, amounting, as I understand it, to \$27,998.87. With that action taken by the Order in Council of 1884, how did it come to be reversed by the Treasury Board on the 31st of March, 1893?

Mr. DALY. I am not in a position to give the hon. gentleman information as to why the Order in Council was passed, but the matter will possibly be the subject of litigation as between the Mississaugas and the Government. The matter has been referred to the province of Ontario and to the province of Quebec as to whether or not in their opinion—as they are both interested because this matter was occasioned before Confederation—a fiat should be granted to the Indians for the purpose of ascertaining whether they are entitled or not to this \$68,672. It is a matter that appears to have arisen a number of years ago in connection with their trust funds dating away back, almost to the original administration of Indian affairs in Ontario. I can furnish to the hon. gentleman this information. I can give the hon. gentleman the Order in Council of the 30th of June, 1894, and the subsequent Order in Council, and I think they go fully into the matter. But I have not at hand the information the hon. gentleman asks for.

Mr. PATERSON (Brant). I have no doubt that the Orders in Council were passed, but what seems strange is, that the same administration should have decided and acted

upon a question, and without any further facts so far as I can judge with reference to that question, that they should eight or nine years after reverse their decision. I thought there would be some explanation for that. Their action at one time or the other must have been ill considered.

Mr. DALY. So far as the reversing is concerned, it was considered upon looking into the matter that the Order in Council of the 30th June, 1884, should not have been passed, but why the Order in Council of that date was passed I am unable to say, and I cannot get the information. I was unable to get it when I asked for it, and owing to the death of the late Right Hon. Sir John Macdonald, and the inability of the late Superintendent General of Indian Affairs to inform me, I am just as much in the dark as the hon. gentleman is.

Mr. PATERSON (Brant). Can it not be found out?

Mr. DALY. If I remember rightly, the memo. to Council upon which the Order in Council of June 30th, 1884, was based, will give all the information that can be got, and I will furnish the hon. gentleman with a copy of that.

Mr. PATERSON (Brant). I see you are directed by the Treasury Board to make good the amount of \$27,998. What plan are you adopting for that? Is that to be kept out of their annuity yearly?

Mr. DALY. No plan has been adopted, owing to the possibility of the litigation that I spoke of. The plan that was suggested to be adopted was: That annually we should take off from their annuities a sufficient sum spread over a number of years so that they would not feel it very much. As the Indians desire litigation and as the matter has been referred to the provinces of Ontario and Quebec, we are at this moment awaiting their action as to whether a fiat should be granted.

Mr. PATERSON (Brant). The band, of course, will not willingly relinquish \$68,000 that came to them by Order in Council. That should be prima facie evidence that it belonged to them, and I can quite understand that they will not wish to have that amount debited to them now without some reason being assigned. When you speak of the litigation, what form will it take? Do you mean a question of law, to be decided between this band and this Government, or a matter of litigation between this Government and the Provincial Government?

Mr. DALY. As between the band and this Government, as to whether or not they are entitled to certain lands which they claim as theirs, which they allege were taken from them and alienated, and which they have not got the benefit of. It is an amount claimed to be due from the old

Mr. PATERSON (Brant).

province of Canada, and this Government does not feel disposed to enter into litigation in reference to the matter until we have the consent of the Government of Ontario representing the old province of Canada. The claim was substantially this amount, and I presume that the Ontario Government, as successor of the old province of Canada, will have to pay it.

Sir JOHN THOMPSON. The defect in the Order in Council was that it merely put this sum of \$68,000 to the credit of the Indians; but obviously it could not be placed practically to their credit until the money was got, and the Ontario Government disputes its liability. So that the matter will have to be investigated. Before the money can be made available at all, it must be obtained. There can be no litigation in the ordinary sense of the term, because it would be a case of a band of Indians against the Crown, alleging a breach of trust on the part of the Crown. I presume it may be necessary to have a commission appointed to adjudicate upon the rights of the Indians; but obviously Ontario must be brought into the matter, because Ontario is the party who must eventually pay, if any one does.

Mr. LAURIER. With regard to the reduction of the fund of the Indians of Quebec. I would call the attention of the hon. gentleman to a part of the memorial which he has just read to the House:

The capital was reduced in 1876 by the transfer of \$58,000 to the Indian School Fund. As it was thought advisable to have the teachers' salaries which had been paid from the province of Quebec fund, paid from the Indian School Fund, an amount of capital sufficient to produce interest to pay these salaries was transferred also. The capital of this fund should stand at \$49,766.30, but owing to an over-expenditure of interest account of \$37,885.69, the actual capital upon which interest can be calculated is \$11,880.61.

The revenue of the fund failed to meet the necessary expenditure—expenditure which was perfectly legitimate, which has been properly vouched for, and passed by the Auditor General; it appears printed in the Public Accounts, the Auditor's Report and the Indian Department Report. From 1872-73 to 1877-78, the balance was reduced from \$113,743.18 to \$49,587.61, including the transfer of \$58,000 to Indian School Fund; from 1877-78 to 1892-93, it was reduced from \$49,587.61 to \$11,880.61.

I do not know that, because the expenditure was passed by the Auditor General and the Public Accounts Committee, and was mentioned in the report of the Indian Department, it was for these reasons a legitimate expenditure. It passed unobserved; that is all you can say of it. It seems strange that this fund should have been allowed to be reduced from year to year until, at the end of some ten or twelve years, it had been reduced by \$38,000. I do not believe the whole of this expenditure can be called legitimate. If I remem-

ber rightly, the surveys of the Caughnawaga Reserve were charged to this fund.

Mr. DALY. No; to their own fund.

Mr. LAURIER. Has the hon. gentleman any information to give as to what were the expenditures which caused this enormous reduction?

Mr. DALY. The only explanation I am able to give is that the capital was never originally intended to bear the burdens that were placed upon it subsequently, that it might have been sufficient, with the revenues obtained, to pay the salaries of the teachers, but that it appears that out of it, schools were built and other expenditures incurred which were never contemplated; and the department, instead of regarding the fact that the Indians were overdrawing the interest, allowed them to draw from the capital. It was not until 1882, when my predecessor took charge of the department, that the matter was discovered.

Mr. LAURIER. We cannot censure the gentleman for the faults of his predecessors, otherwise he would be liable to a heavy censure.

Mr. DALY. From the time the funds were administered from Confederation up to the time Mr. Dewdney took office, no person discovered it. I think the hon. gentleman will get more information in the Public Accounts Committee, where, I believe, the matter is to be ventilated.

To pay expenses of prosecution of persons selling liquor to Indians belonging to bands in the older provinces which have no funds of their own..... \$250

Mr. DALY. We find this absolutely necessary. The local constables will not take hold of these matters, and we have to send up a policeman to look after them; and it has a good effect.

Nova Scotia—Medical attendance and medicine..... \$2,000

Mr. PATERSON (Brant). There is an increase here.

Mr. DALY. It is just \$1 a head for the population. The population is 2,129. We did not find last year's appropriation sufficient.

New Brunswick—Medical attendance and medicines \$1,295

Sir RICHARD CARTWRIGHT. The doctors and the gentlemen who look after the Indians get rather more than the Indians receive in food or anything else. It is an expensive mode of serving the Indians, and I rather think the white man comes out ahead.

Manitoba and North-west Territories—General Vote \$770,106

Sir RICHARD CARTWRIGHT. According to the report which I hold in my hand, the

total number of Indians with whom we have treaty obligations amounts to barely 24,000.

Mr. DALY. Twenty-three thousand six hundred and eight.

Sir RICHARD CARTWRIGHT. Do we expend anything on Indians with whom we have no treaty obligations?

Mr. DALY. About \$1,000.

Sir RICHARD CARTWRIGHT. I think that this matter has come to a point when it requires very serious consideration. For rather less than 24,000 Indians, representing about 5,000 families, we expend about \$770,000. That is at the rate of over \$150 per family per year. That is a very heavy expenditure, and the results attained are very disproportionate. While nobody would desire to break faith with the Indians or in any way diminish what they are rightfully entitled to, under their treaty arrangements with us, still it appears to me that in this branch of expenditure of very nearly \$800,000 a year, there ought to be room for a very large reduction. I cannot understand how the management of 5,000 Indian families cannot be conducted on less than \$770,000 a year. No doubt in this case you are doing, on a large scale, what, in the item I previously referred to, you are doing a small one. The greater part goes into the hands of white people, administering to the wants or supposed wants of the Indians, and comparatively little to the maintenance and support of the Indians themselves. The people of Canada generally will be disposed to consider \$150 per Indian family an extremely large amount to pay for their maintenance and support.

Mr. DALY. Of that \$770,000, \$233,000 is for day, boarding and industrial schools, \$215,000 is for supplies for destitute working Indians; \$128,000 is for annuities and commutations. That only leaves about \$150,000, taking out the buildings and so on, for the administration. We have in the North-west Territories eighty-four reserves, seventy-seven bands, and nineteen agencies. In Manitoba we have eight agencies, ninety reserves, and sixty-four bands. The Indian population in the North-west Territories is 14,216, and in Manitoba 9,392. As to the proportion which goes to the white people administering Indian affairs, the hon. gentleman will see that although we have eighty-four reserves in the North-west, we have only nineteen agents. The agent at Birtle has seven reserves; Mr. Jones, of Pelly, has four reserves; Mr. Campbell, of Moose Mountain, has three reserves; Mr. Finlayson, of Touchwood, has six, and so on. These men have to look after the large number of Indians on these reserves, and for the pay they get, have to work very hard. I visited last year a number of these reserves in the west, and was struck with the class of men the Government got to accept the agencies—men of education and

intelligence and of good family, and who took deep interest in the work. It seems extraordinary that some of them would be content to live so far from civilization and put up with the discomforts they do. To give the House some idea of the results of the work done by our agents in the Northwest, I would like to give three examples of the mode in which the affairs are being conducted. Take for example, the agency of Crooked Lake. The total cost, as shown by the Auditor General's Report, of the management of this agency was \$14,279. A dissection of the account is as follows :

Annuities (treaty obligation)	\$ 3,195 00
Implements do	294 00
Seed do	40 00
Cattle do	252 00
Education (policy and treaty).....	988 00
Clothing do	318 00
Ammunition do	100 00
Buildings (capital).....	910 00
Destitute Indians.....	2,582 00
Management and supervision.....	5,600 00
	\$14,279 00

The population, according to the census, as shown in the last Indian report, is 574, consequently the cost of management and supervision was, per capita :

Approximately.....	\$ 9 75
Destitute Indians.....	4 50
	\$14 25

Of course annuities, ammunition and twine, and a certain proportion of implements, seeds and cattle, have to be supplied every year in compliance with treaty rights, as also has a large proportion of education. Proper management and close supervision of the Indians have brought the cost of food supplies down to a minimum, as the above statement shows. This is owing to the large amount of supplies that the Indians now raise themselves, and being near to the railway, and in a comparatively settled part of the country sale can be had for their produce, and employment can be obtained. On the reserve in question, during the season just closed, the following grains and roots were raised, and for the purpose of comparison an estimate of their value has been made. The return of grain the past year was not equal to the acreage put in, owing to the season not being so good as former ones.

	Bushels.	Valued at.
Wheat	6,947	\$2,778 80
Oats	1,806	541 80
Barley	150	75 00
Potatoes	935	233 75
Turnips	50	50 00
Peas.....	13	10 00
Garden produce.....	60	50 00

Mr. DALY.

And the individual earnings of Indians on the same reserve were as follows :—

Sale of cattle and pigs.....	\$ 834 70
do grain and roots.....	2,383 59
do wood and hay.....	733 50
do lime, bones, &c.....	82 60
do seneca root.	360 00
Labour, freighting, &c.	64 00
Sale of beef.....	75 13
Miscellaneous.....	301 75
Hunting, furs, &c.....	555 00
	\$5,390 27

The crops of grain and roots the past year not being up to expectations, the falling off in the revenue to the Indians is considerable. Their individual earnings were expended in the purchase of wagons, mowers, binders, twine, provisions, clothing, &c. It must be borne in mind that the Indians who sell grain and other produce are rationed proportionately less by the Government. The sales are surplus produce raised. It must also be remembered that the cost of \$4.50 per capita per annum expended on destitute Indians for food, &c., is simply an average. Many Indians receive nothing at all from the Government, while the old, destitute and infirm receive sufficient food to support them. It will be seen from the foregoing statement that the Government paid to manage and superintend these Indians \$5,600, or \$9.75 per head. Owing to this supervision the Indians raised during the past season produce to the value of \$3,714.25, which will be used by them under the advice and direction of the agent, and the earnings of Indians during the past season by their own exertions, under the guidance and management of the agent and his assistants, aggregated \$5,390.27. From this it will be observed that, by an outlay of \$5,600, the revenue of \$9,104.62 in food and labour alone accrued. If this were the only benefit that the Government received from this expenditure for management it might be considered a sufficiently good investment, but, in addition, the Government not only discharged, through its agents and other employees, all the obligations imposed upon it by treaty, but made great progress in its policy of civilizing the Indians and training them in agriculture and other pursuits, besides keeping them on their reserves, and ensuring peace and quietness throughout the country. Taking another agency near the main line of railway, Muscowpetung's, which is north of Regina, where a somewhat better market exists for produce raised by the Indians, and where there are great facilities for obtaining employment, it is found that the expenditure on destitute Indians is much less, namely, \$3.30 per capita, as against \$4.50 at Crooked Lake. Mr. Agent Lash and his assistants have 682 Indians to manage, and last year the expenditure was \$13,386.69, and \$213.45 for the Sioux band, which, dissected, is as follows :—

Annuities (under treaty).....	\$ 2,715 00
Implements do	206 70
Seed grain do	57 80
Cattle do	260 00
Ammunition and twine (under treaty)...	113 00
Clothing (under treaty)	292 46
Education (policy and treaty)	316 88
Buildings (capital).....	1,060 97
Management and supervision.....	6,325 40
Destitute Indians.....	\$2,038 48
Sioux	213 45
	<u>2,251 93</u>
Total.....	\$13,600 14

The cost of management was, therefore :

Per capita.....	\$ 9 26
Destitute Indians.....	3 30
	<u>\$12 56</u>

On this reserve the Indians raised last season :

	Bushels.	Valued at
Wheat	1,341	\$ 536 40
Oats	295	88 50
Potatoes.....	1,051	315 30
Turnips.....	698	349 00
Carrots	2	2 00
Corn	73	54 00
Garden stuff.....	355	150 00
		<u>\$1,495 20</u>

And the individual earnings of Indians in this agency, during the past season, were :

Sale of live stock.....	\$ 51 00
Sale of grain and roots	352 25
Hunting, sale of furs, &c.....	250 00
Sale of wood and hay	2,071 47
Labour and freighting	659 46
Miscellaneous and manufactures.....	182 70
Sale of beef.....	26 90
	<u>\$4,594 78</u>

This was expended by the Indians in provisions, implements, clothing, building material, and so forth. It will be seen from the above that it cost to manage and superintend the Indians of this agency \$6,325.40, or \$9.26 per capita. Owing to this supervision the cost of supplies to destitute Indians was brought down to \$2,251.93, or an average of \$3.30 per capita, and the Indians raised during the season produce to the value of \$1,498.20, which will be used by them under the direction of the agents, and the earnings of the Indians by individual effort aggregated \$4,594.78, making a total of \$6,092.98. Owing to the unfavourable season the return of grain and roots was not nearly as large as it would otherwise have been. Had expectations been realized the gross returns of produce raised and the earnings of Indians would have exceeded the cost of management and supervision, and destitute Indian expenditure would have been brought down. Take an agency in the north, Edmonton, as a third example. The total cost, as shown in the Auditor General's Report, is \$23,553.74. A dissection of the account shows as follows :—

Annuities (treaty obligation).....	\$ 3,875 00
Implements do	424 12
Cattle do	1,215 00
Ammunition and twine (treaty obligation)	300 00
Education (policy and treaty).....	5,204 67
Buildings (capital).....	174 07
Destitute Indians	7,593 08
Management and supervision.....	4,767 80
	<u>\$23,553 74</u>

The population, according to the census, as shown in the last Indian report, is 645, consequently the cost of management and supervision was :

Per capita.....	\$ 7 08
Destitute Indians.....	11 75
	<u>\$18 83</u>

On the reserves in this agency (Edmonton), during the past season, the following quantities of grain and roots were raised, and for the sake of comparison an estimate of their value has been made :

	Bushels.	Valued at.
Wheat.....	1,500	\$ 600 00
Oats.....	1,255	376 50
Barley.....	2,062	1,031 00
Potatoes.....	2,178	653 40
Buckwheat.....	55	22 00
Flax.....	3	5 00
Garden produce.....	1,073	400 00
		<u>\$3,087 90</u>

And the individual earnings of Indians on the same reserves were as follows :—

Sale of hay and wood.....	\$ 35 00
Sale of furs.....	33 90
Labour, freighting, &c.....	530 00
Miscellaneous and manufactures.....	275 00
	<u>\$4,230 00</u>

I think that these three examples will show that the department has made considerable saving, as compared with what would have been required, if we had not been there to teach them farming and keep them at their work. It might appear to one not conversant with the work that the expenditures made by the Government through their agents were large. But it must be remembered that these people are like children, and must be kept at their work, or the money already expended upon them would go for nothing. For instance, desiring to economize the Government withdrew the farmer at Onion Lake. That season the Indians allowed their fences to go down, their gardens to become overrun with weeds, and, as a result, they wandered from the reserves, and it cost us more to feed them afterwards than it would have cost us to keep the farmer there. Had the farmer remained, it is natural to suppose the Indians would have produced as good a crop as they did the previous year. As to the schools, we are making the same effort as is being made by the Government of the United States to educate those people, not only to teach them reading and writing, but to give them trades.

At the industrial schools we have men learning to be carpenters, shoemakers, blacksmiths, and at some places tinsmiths and farmers. And we find that a number of those who have been taught at the school are earning their livelihood at these trades, and at some of the schools we have some assistant instructors chosen from among these young men, youths who came there from the tepee with the blanket on their shoulder, but who have become skilled mechanics. There is a balance of \$34,357 from the estimate of last year, and, although that balance includes \$15,140 of general expenses of management, there is a probability of these expenses of management being reduced year by year. But I would call the hon. gentleman's attention in this respect to the report of one of the agents. At page 57 of the report of Mr. Wright, he says :

SIR,—I have the honour to submit this my third annual report of this agency for the fiscal year ended 30th June last, also a tabular statement and inventory of Government property under my charge on that date.

I am pleased to be able to report that these Indians are still advancing towards being self-supporting, as the following statement of the total expenditure for the past four years will show, viz.:—

1889-90—Total expenditure...	\$14,588	80
1890-91 do	10,708	85
1891-92 do	8,424	24
1892-93 do	5,800	00

From the above will be seen at a glance the saving that has been effected during the past three years, being nearly eight thousand eight hundred dollars less in 1892-93, than in 1889-90.

The limit of economy possible for some time to come has been nearly, if not quite reached.

The reason of that reduction is that the Indians have become self-supporting, and from time to time as they progress in their agriculture and means of supporting themselves, other agents will present the same state of facts as is shown here by Mr. Wright.

Sir RICHARD CARTWRIGHT. Can the hon. gentleman state generally the difference between the number of Indians at present entitled to the annuities under the treaty, and the number last year ?

Mr. DALY. In 1891 the number was 25,195. That was reduced in 1892 to 23,852, and in 1893 to 22,608. The comparative statement shows a diminution of 200 to 250 each year. Whether that means that they have died or gone away, I cannot tell. These figures are from the census taken for treaty payments on the treaty reserves.

Sir RICHARD CARTWRIGHT. I notice one thing stated here frequently, and that is commutation. Under what circumstances are the Indians permitted to commute ?

Mr. DALY. It appears that when an Indian woman marries a white man or a

Mr. DALY.

non-treaty Indian, they commute her annuity to ten years, if she resigns it, under section 11 of the Indian Act.

Sir RICHARD CARTWRIGHT. Then she and her posterity cease to become charges on the state ?

Mr. DALY. Yes.

Manitoba and N.W.T.—Live Stock, \$7,001

Sir RICHARD CARTWRIGHT. Are these supplied to special bands, or are they supplied all round with live stock ?

Mr. DALY. One or two special bands. For instance, of this sum that is required now, we give a bull, 100 ewes and five rams to the Indians at the Pelly agency ; 50 heifers to the Blackfoot, 50 heifers to the Bloods, 4 oxen to the Piegiens. They are distributed all round.

Sir RICHARD CARTWRIGHT. What is the experience of the department as to the distribution of stock ? Do the Indians keep it or eat it ?

Mr. DALY. They used to eat it, but the experience now is more satisfactory. For instance, the year before last we gave some cattle to the Piegiens, and living as they do amongst the ranches, they found out from experience of the way cattle increased that there was more money in keeping them than there would be in keeping their ponies. When I had a pow-wow with the Bloods, one of their requests was that they were to be given cattle the same as the Piegiens, because the Piegan chief who was present at the pow-wow had told them how satisfactorily they were getting on. The class of cattle we are giving them are the Polled Angus, or Aberdeens.

Sir RICHARD CARTWRIGHT. If they could be trusted, I should imagine that a good deal of the supplies given to the Indians might be dispensed with, and a large number of cattle given.

Mr. DALY. I would not like to take up the time of the House, but I could show to the hon. gentleman that in some of the reserves the supplies given have decreased. For instance, at the Crooked Lake agency only 13,000 pounds of beef were given ; at the Assiniboia agency only 10,000 pounds ; at the File Hills agency, 10,000 pounds ; at Muscowpetung no beef at all was given. At Touchwood Hills agency it runs up to 33,000 pounds. In some of the agencies they have begun to be self-supporting out of their own herds. At the Carlton agency the supply has been very much reduced, and at the Onion Lake agency they do not get any at all, they are self-supporting. At Saddle Lake agency it has been reduced to 30,000 pounds from the large allowance made previously.

Supplies for destitute working
Indians. \$215,693

Mr. MARTIN. I would draw the attention of the hon. gentleman to some items in the Auditor General's Report, page F-238. I see that Peter Maclaren, I suppose the late Senator Maclaren, seems to be indebted to the amount of \$6,520 to the Indian Department, on the 9th May, 1893. Has that been paid?

Mr. DALY. No. It appears there were claims against Mr. Maclaren in connection with a mill that was sold to him somewhere in 1882 or 1883. A settlement, so far as my advice goes, was arrived at between the Government of that day and Mr. Maclaren, covering all matters in difference between them. But that settlement was made with the Department of the Interior, and it appears that the Department of Indian Affairs had not been advised of the settlement that was made between the Government and Mr. Maclaren, and the question that the Auditor General brings up here is in relation to the purchase of the mill mentioned, which mill was purchased from the Indian Department. The matter is now under advisement, it having been brought to my attention when this report was issued, and I think it will be adjusted.

Mr. MARTIN. Do I understand that the statement includes this amount?

Mr. DALY. Yes; that is Mr. Maclaren's contention, and it would seem that he is about correct.

Mr. MARTIN. So he owes nothing?

Mr. DALY. No.

Mr. MARTIN. Will the hon. gentleman explain the next two letters, respecting Colonel DeWinton's cattle arrangement?

Mr. DALY. It appears that in 1880 or 1881 the Department of Indian Affairs bought a large band of cattle in Montana or one of the western states for the purpose of inducing one of the Indian bands to go into cattle-raising. Owing to the long distance from civilization and absence of control over cattle, the Indians, instead of looking after them, commenced to eat and destroy them. The cattle also got mixed with other bands, and at length the balance of the cattle were sold to Col. De Winton. The colonel declares that all the cattle sold to him were not delivered, that Capt. Stewart, who had something to do with ranging up the cattle in order to deliver them to Colonel De Winton, delivered 312 two-year-old steers short. I understand those 312 cattle were not in existence. The claim for this number of cattle is still standing on the books of the department, and consequently the attention of the department was called to it by the Auditor General. The matter is explained

in a letter of May, 1893, from Mr. Vankoughnet.

Mr. MARTIN. That letter explains nothing.

Mr. DALY. The letter reads as follows:—

DEPT. OF INDIAN AFFAIRS,
OTTAWA, May 8, 1893.

SIR,—Referring to your letter of the 5th instant, relative to the claim of this department against Capt. Stewart on account of 312 two-year-old heifers not delivered by him; in respect of which you inquire whether anything has been realized and in what condition the transaction now stands, I beg to inform you that, on inquiry recently made of the Department of Justice, this department was advised that action was brought to recover \$8,255, a defence was put in and the defendant was examined for discovery in the winter of 1886, and that shortly afterwards the late Premier, Sir John Macdonald, directed Messrs. O'Connor, Hogg & Balderson, the agents of the Department of Justice, not to proceed any further with the suit until they were further instructed. The Deputy Minister of Justice further stated that the action was in such a position that it could be set down for trial at any time it will be convenient for the officers having charge of the matter, and the trial proceeded with.

Upon submitting the question to the Superintendent General of Indian Affairs, it was decided that a further stay of proceedings should be made, as it was not certain that Mr. Stewart was now worth the amount claimed, even if judgment were recovered against him. On the question of Mr. Stewart's solvency, the Indian Commissioner for the North-west is being written to for information.

Your obedient servant,

L. VANKOUGHNET, D.S.G.I.A.

The Auditor General.

That was the last action taken by the department.

Mr. MARTIN. Then the hon. gentleman can give no explanation as to how the Government stood with respect to Capt. Stewart's position?

Mr. DALY. I think Captain Stewart's services were secured for the purpose of delivering the cattle, and his contention was that the cattle were not there. The hon. member for Alberta can explain the transaction.

Mr. DAVIS (Alberta). I happened to be in the country when the cattle referred to were driven in—1,200 cattle were driven in. The Indian Department purchased those cattle, which were intended to be turned over to the Indians. Those cattle were herded by men paid by the Government. About three years ago, after the herd had been there, a contract for beef was let to Baker & Co., originally, and was subsequently sub-let to Ford & Stewart. During the winter they ran short of beef, and among the herd there were 300 or 400 head of steers which had grown up during

a couple of years. They borrowed the beef from the Indian Department, and it was understood that for each steer they would return two two-year-old heifers in the spring, and these were very good terms for the Indian Department. During this time, the herd had been sold as breeding stock to the Alberta ranche. They were subsequently sold to the Alberta Ranche Company. The cattle included two-year-old heifers that were to be returned to the company by Ford & Stewart. In the spring, they drove in the herd from Montana, they did not have a sufficient number of two-year-old heifers to supply the number promised. I happened to be in the locality when the cattle were there, and I am able to say that Captain Stewart was not herding the cattle. He was simply turning the cattle over from Ford & Stewart to the Indian Department, which was receiving them for Colonel De Winton's Alberta ranche. As they could not furnish two heifers for each steer, the agent took a cow and a calf in place of two-year-old heifers, and afterwards Col. De Winton refused to pay for them, because the bargain with the Government was not carried out. That is the explanation.

Mr. LAURIER. Then they were never paid for?

Mr. DAVIS (Alberta). I do not think they ever were paid for.

Mr. MARTIN. Then Ford & Stewart delivered all they were bound to deliver?

Mr. DAVIS (Alberta). I am satisfied they delivered the full number, counting a cow and calf for a two-year-old heifer. They were not all two-year-old heifers, but they got the full number.

Mr. MARTIN. It would be very satisfactory to the committee if a complete explanation were given subsequently. The hon. member for Alberta (Mr. Davis) simply knows the matter in a general way. He does not know what has been done by the Government.

Mr. DALY. What was done by the Government was to institute a suit.

Mr. MARTIN. The Government allowed matters to rest until the time arrived when, owing to changed circumstances, they were unable to recover the amount. I should like a full statement in order to be able to ascertain whether the Alberta Ranche Company could not be sued.

Mr. DALY. The papers were brought down this session. The reply answers the question:

DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, July 4th, 1893.

SIR,—In reply to the inquiries made in your letter of the 26th ult., respecting a deposit made by the Indian Commissioner in the Bank of Montreal, Regina, on account of a transit purchased

Mr. DAVIS (Alberta).

by the department for A. W. Ponton, I have the honour to inform you that Mr. Ponton has allowed his payments to fall into arrear. Four instalments remain unpaid, two of which are now due, and Mr. Ponton has been asked to forward the amount of these two instalments at once, when it will be accounted for.

He has since paid some of them.

Mr. LAURIER. I submit that the committee is entitled to a little more information with regard to that suit against Capt. Stewart. What has become of it. The only thing we know is that the suit was taken and then by the order of Sir John Macdonald it was suspended, pending something, I suppose. At that time, the late Sir John Macdonald was Superintendent General of Indian Affairs, I think. What was the reason of that suspension of proceedings and what is to take place afterwards? Is the matter to rest there?

Mr. DALY. I do not know what reason Sir John Macdonald had for suspending, but if the hon. gentleman will look at page F-239 of the Auditor General's Report he will find the following letter:—

DEPARTMENT OF INDIAN AFFAIRS,
OTTAWA, 8th May, 1893.

SIR,—Referring to your letter of the 5th instant, relative to the claim of this department against Capt. Stewart on account of 312 two-year-old heifers not delivered by him; in respect of which you inquire whether anything has been realized and in what condition the transaction now stands, I beg to inform you that, on inquiry recently made of the Department of Justice, this department was advised that action was brought to recover \$8,255. A defence was put in and the defendant was examined for discovery in the winter of 1886, and that shortly afterwards the late Premier, Sir John Macdonald directed Messrs. O'Connor, Hogg & Balderson, the agents of the Department of Justice not to proceed any further with the suit until they were further instructed. The Deputy Minister of Justice further stated that the action was in such a position that it could be set down for trial at any time it will be convenient for the officers having charge of the matter, and the trial proceeded with. Upon submitting the question to the Superintendent General of Indian Affairs, it was decided that a further stay of proceedings should be made, as it was not certain that Mr. Stewart was now worth the amount claimed, even if judgment were recovered against him. On the question of Mr. Stewart's solvency, the Indian Commissioner for the North-west is being written to for information.

Your obedient servant,

L. VANKOUGHNET, D.S.G.I.A.

The Auditor General.

In the meantime Capt. Stewart died.

Mr. MARTIN. It would appear to me from what I heard from the hon. member for Alberta (Mr. Davis) that it is not Capt. Stewart at all that the Government has the claim against, but the Alberta Ranche Company,

or Col. De Winton. If this is so, I think we are entitled to some explanation as to why he is not made to pay. Capt. Stewart resisted payment and put in a defence, and according to what we have heard he had a complete defence, because he was not liable for the cattle if he delivered all he had agreed to. But if the De Winton Rancho Company made a bargain, and they repudiated it afterwards, and refused to pay the \$8,255, it appears to me that the Government ought to sue them, or at all events find out whether they were worth suing.

Mr. DALY. The matter will be looked into.

Mr. LAURIER. Are we to understand that the matter is to rest there?

Mr. DALY. A memo. has been made of it, and it will be looked into. My recollection is that owing to the death of Capt. Stewart, no proceedings were to be taken until administrators were appointed to his estate. As to the point about the Alberta Rancho Company, the facts being before the Department of Justice, I suppose they knew who to sue as being liable to the Government.

Mr. MARTIN. Perhaps the Minister of Justice can tell us, if it was not before his time?

Sir JOHN THOMPSON. It was not before my time, but I have not the slightest recollection that I ever had anything to do with it.

Mr. LAURIER. That is the way the money goes.

Triennial Clothing \$5,182

Sir RICHARD CARTWRIGHT. Where is that manufactured?

Mr. DALY. At the Kingston Penitentiary.

Day Board and Industrial
Schools..... \$233,000

Sir RICHARD CARTWRIGHT. What is the explanation of this?

Mr. DALY. The number of boarding schools are 22; day schools, 111; industrial schools, 11. Number of pupils, board schools, per day, 1,686; industrial schools, 1,130; total number, 2,316. Of these 82 are under the Church of England, 37 Roman Catholic, 6 Presbyterians, 17 Methodists, 2 undenominational. There is an increase of \$6,000, which is accounted for as follows:—Qu'Appelle, \$3,100; 200 pupils, \$125, instead of \$115; additions to their buildings for smaller pupils, \$5,000; blacksmith shop, \$350; stables, \$200.

Sir RICHARD CARTWRIGHT. The hon. gentleman tells us that for this sum of \$233,000 there is an average attendance of 2,300 children, between the boarding-schools and day schools. That seems to be but a poor result for an expenditure of nearly a

quarter of a million. Here is a cost of \$100 roughly, per head per annum, including those who attend the day schools, who are the larger number. I must say that, making all allowances possible, an average expenditure of \$100 per head does appear to me to be a very extravagant figure, and it does appear that a very much larger number of Indian children ought to be instructed for the sum we spend. There are about 1,000 on an average at these boarding and industrial schools, the balance being at the day schools, so that speaking generally, the sum that we spend for each pupil at these industrial schools would probably be \$160 or \$180.

Mr. DALY. Yes.

Sir RICHARD CARTWRIGHT. I should think that that was an excessive amount.

Mr. DALY. That includes everything. We find them in clothes and board and lodging. The hon. gentleman will remember that it includes the erection, maintenance, and repairs of buildings.

Sir RICHARD CARTWRIGHT. How much of that \$233,000 went for buildings?

Mr. DALY. About \$22,625.

Sir RICHARD CARTWRIGHT. Even so; the hon. gentleman will see that the amount expended is very large indeed for the results produced.

Mr. DALY. Yes, but you will understand that when you take the per capita allowance you must take into consideration the long distance that some of these schools are from the railways, and from civilization, and the difficulty we have in getting men to undertake to run the schools as principals or as teachers, as also the cost of provision. We do not buy the provision or the clothing, as the denominations who look after these schools supply all that, and of course the amounts they pay for supplies are larger in proportion to the distance they are from the railways.

Sir RICHARD CARTWRIGHT. How many of these boarding-schools are there?

Mr. DALY. The total number of boarding and industrial schools is eighteen.

Sir RICHARD CARTWRIGHT. Here you have all told some 23,000 or 24,000 Indians, representing roughly 4,000 or 5,000 families, for whose benefit we maintain these eighteen establishments. I just put it to the hon. gentleman whether that is not an enormous disproportion. I could understand the necessity of having three or four industrial schools in which to instruct these Indian children; but the idea of having eighteen does appear to me to be a very improvident idea, and it accounts for the miserably poor results we derive from the expenditure of a quarter of a million dollars. If the whole Indian population of school age were in attendance at these schools it would amount to about \$40 a head. I think the number of

the schools ought to be reduced; they ought to be consolidated.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

THIRD READINGS.

Bill (No. 99) respecting the St. Lawrence Insurance Company.—(Mr. White, Cardwell.)

Bill (No. 79) respecting the St. Catharines and Niagara Central Railway Company.—(Mr. Carpenter.)

Bill (No. 141) respecting the Canada Southern Railway Company.—(Mr. Montague.)

CALGARY IRRIGATION COMPANY.

Mr. DAVIS (Alberta) moved second reading of Senate amendments to Bill (No. 53) respecting the Calgary Irrigation Company.

Mr. EDGAR. I see that this amendment by the Senate is rather material, and I do not think it is quite right. One of the sections provides that as soon as the whole amount of stock has been subscribed and 50 per cent paid thereon, an increase on the capital stock may be made. I do not think it is unreasonable, before the company gets leave, to increase its stock, to require that 50 per cent of the original stock should be paid up, but the Senate have altered it to 25 per cent. If the company can only pay 25 per cent of its original stock, it ought not to have leave to increase its capital. It is very often 75 per cent that is required to be paid on the original stock before an increase is allowed. I do not think the House should assent to that amendment.

Sir JOHN THOMPSON. Better adjourn the debate.

Mr. DAVIS (Alberta) moved that the debate be adjourned.

Motion agreed to, and debate adjourned.

SUPPLY.

House again in Committee of Supply.

(In the Committee.)

Day, Boarding and Industrial Schools.....	\$233,000
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Sir RICHARD CARTWRIGHT. Just before the House rose, I was pointing out that apparently this expenditure gives but very poor results. Some 2,200 Indian children appear to be all that we have under instruction. The Minister explained that this amount was largely due to the very large number of industrial schools in the hands of the various denominations. My impression is that a great deal of this money is utterly wasted, and that it would be far better policy to concentrate our resources on three or four

Sir RICHARD CARTWRIGHT.

considerable schools, instead of frittering them away over eighteen. In any case, the expenditure of a quarter of a million dollars or thereabouts for the education of 2,300 children, most of whom are attendant on day schools, strikes me as altogether disproportionate. No one will object to spending a reasonable amount, but we must recollect that the resources of the older provinces have been fairly taxed indeed for the development of the North-west, and it is about time we got value for every penny that goes in there.

Mr. FRASER. Under whose charge are those eighteen schools?

Mr. DALY. If the hon. gentleman had been here this afternoon he would have got the information. Seventy-seven Church of England, thirty-four Roman Catholic, five Presbyterian, fifteen Methodists, seventeen nondenominational. Industrial schools: five Church of England, three Roman Catholics, one Presbyterian, two Methodist.

Mr. FRASER. My objection is to giving a single dollar to any of the schools conducted by religious bodies. I do not believe in it. If the Government are going to have schools, let them have them not under any particular denomination. If there is religious instruction to be given, those denominations, if they have at heart their mission, as I believe that they have, ought to give their labour for that purpose without being paid by the Government. We can well understand the difficulties the Government will have with these various schools. For example, each denomination, not in the North-west alone, but throughout the whole locality, will be called upon at any time to stand by the Government for any expense they make in this matter. There are 80 odd Presbyterian schools out there. The whole Episcopalian body will say all right to that.

Mr. DAVIES (P.E.I.) No, they will not.

Mr. FRASER. Of course they will. There are so many Catholic schools, and the Catholics will naturally say the same thing. The Presbyterians, of course, will say it is all right—they are getting money from the Government. That is not a correct method of carrying on schools among the Indians. Over \$231,000 is the expenditure of the Government on these schools for the education of between two and three thousand children. That is more than the total Provincial Government grant to schools in Nova Scotia, a province with half a million of people, and that grant is given to public schools not controlled by denominations, and for which the whole people are responsible. In speaking against denominational schools, I speak generally, because it will be seen that each of the large religious bodies in Canada has its own schools among the Indians. I think the Government should stop these grants at once. Another thing. I am not sure that the best training in the public interest will be given at these schools pre-

sided over by the religious element. I believe the results will not be so good as if the schools were directly under the Government control. These bodies that control the schools will depend upon the sympathy of the members of their denominations and will not be so anxious to achieve substantial results. What the Indians want is such training as will make them useful citizens. I do not know how many Indians have become good citizens through the work of these schools, but by this time there ought to be a very large number. I see by the report of the Minister that one characteristic of the Indians is the more you do for them the less they will do for themselves. I know they are our wards, and we must attend to them. I should be the last in this House to say that the Indian should not be looked after. But I do not think they are best looked after by simply subsidizing denominations for them. I do not think it is worth while for this Government to pay for the education of the children to have them turned out one a Presbyterian, another an Episcopalian, and so on. The same policy should be followed in this that we follow with regard to education generally—the children should be educated in schools provided by public money, leaving their religious education to be carried on by the representatives of the various denominations.

Mr. MARA: It would be ridiculous to draw a comparison between the cost of educating children in Nova Scotia and the cost of educating children in Manitoba, the Northwest Territories or British Columbia. In one case you have to pay the cost of education alone, but in the other you have to pay for education and for maintenance and clothing as well. With regard to the other point, those who know anything of the Indian character, are aware that these schools must be of a religious character. To teach the Indian, you must begin with religion; otherwise the education is thrown away upon him. Moreover, the schools should be boarding-schools as it is necessary, in order to produce good results, that the Indian children should be removed from the tribe. The only way to educate the Indian is to give him a religious training and to remove him from the evil associations of his tribe. I am not quite sure that the Government is right in—as I consider it—losing all control over these industrial schools. I think that, while the schools should be religious schools, the Government should retain a firm hold upon them, and that the inspection should be much more rigid than it is at present.

Mr. SUTHERLAND. I cannot agree with the hon. member for Yale (Mr. Mara). It does not seem reasonable to me that as good results can be obtained in these schools as in schools under the control of the Government. I agree with the hon. member for Guysboro' (Mr. Fraser) that there is no reason for making these denominational

grants. The only justifiable object to be gained by devoting public money to the education of these children must be that of making them good citizens and fitting them to earn their livelihood. In that case I imagine, secular education is what they require, and, as the hon. member says, if the denominations desire to carry on their work, by teaching these people religion, they have every opportunity to do so. I am satisfied, from the experience we have had from the various provinces in establishing schools in which to give the children a secular education under properly qualified teachers, and with proper inspection, that better results would be obtained by observing the same principle in this case. I believe there is a feeling throughout the country that this is wasted. I know that some entertain strong feelings on this question, but that is the result of sentiment from my point of view. I am satisfied that the object in view, the education of these children, could be much better achieved by schools under the control of the Government with properly qualified teachers and proper inspection. This money, to a great extent, is not spent for the benefit of the children. Every person who has looked into the matter knows that a considerable portion of the money goes in salaries for those who give but little real return in the way of educating the children. The hon. member for Yale was quite right in saying that it would not be fair to compare the cost of educating 2,000 Indian children in boarding-schools with that of educating the same number of children under the public schools system of one of the older provinces. But the difference should not be so great as it is. I agree with the hon. member for Guysboro', that it would be well for the department to look into this and stop these grants. I am satisfied that it would be found that for very much less money we could get better results.

Mr. MARA. The hon. gentleman's arguments would be very strong if you were dealing with the children of Christian parents. But you are dealing with savages who know nothing about religion or morality, who have all the vices of their tribe as well as those they may have learned from bad whites. It is well known by those who have anything to do with Indians that if you want to make a bad Indian you can do it by teaching him to read and write while teaching him nothing of religion. That has been the experience of the United States, and every observer, in Manitoba, the Northwest or British Columbia will agree that that has been the experience in Canada.

Mr. DAVIES (P.E.I.) I realize that the problem is not so easy of solution as it appears at first sight to be. It must be a good thing, of course, to educate the Indians in Christian principles. But as to the whole question before us, I believe we have not sufficient information to enable us to reach

a conclusion. I remember that about five years ago this question came before the House. I gave some attention to it and read the report very carefully and gave my views upon the subject, not in the hope that any immediate change would be brought about, but in the hope that the system of subsidizing denominational schools would at least be arrested. Whether we can entirely abolish the system or not I have not sufficient information to be able to judge. I confess that the statistics and reports before the House are very unsatisfactory. From these I cannot form any opinion of the quality or quantity of the Christian education given in these schools. Personally, apart from special consideration which, if I knew them, might change my opinion, I am opposed to subsidizing denominational schools at all. If it is desirable to Christianize, or to civilize—which, I should imagine, was the first to be done—these Indians, I should imagine it will be better done in industrial schools carried on by the state. I do not agree with the hon. member for Yale (Mr. Mara) that it is desirable to Christianize them first, and civilize them afterwards. I think he will find that the experience of the great missionary societies is in the opposite direction. I think that public opinion in this country will not endorse the granting of large sums of money to denominational societies. My hon. friend from Guysboro' seems to think that because a vote is made for Episcopalian schools, all Episcopalians would support the principle. I think he is mistaken.

Mr. FRASER. I said that the denomination generally would be influenced in favour of the system by the grant.

Mr. DAVIES (P.E.I.) The church, as a corporation, might be inclined to favour the system, but a large number of members of the Episcopalian Church are as strongly opposed to the support by the state of sectarian schools as is my hon. friend. It would appear to an outsider that if the great Christian denominations desire to Christianize the Indians who are right at their doors, there should be sufficient faith and generosity among them to do it. We know that the churches of this country respond very liberally to demands made for the support of missionary efforts in all parts of the world, and I believe that if the matter were put before them and they were left to themselves, they would do their duty in this regard. In reading the statistics a curious fact struck me. I may be misled through not understanding the method followed in the preparation of the figures, but I may bring the point to which I refer to the attention of the hon. Minister. Take British Columbia, for example. The schools to which grants are made are all denominational in their character, except one, which is given as "undenominational." They have 786 pupils attending the schools, with

Mr. DAVIES (P.E.I.)

an average attendance of 471. Of these pupils, it appears that only 168 are learning scripture. The rest are all being taught reading, writing, spelling, arithmetic, geography, history, music, drawing, and composition. And the curious part of it is that that school which has the largest number of pupils who are instructed in the Scriptures is the undenominational school. The same peculiarity seems to run through these tables with reference to Ontario and the other provinces. I do not care to discuss this question of denominational grants further than to say that it seems to me that we are introducing a system which will create untold agitation and trouble in the future, and that our policy should be to restrict denominational grants as much as possible, and not to increase them, but rather to diminish them. And my own personal view is that the more we can diminish them and the more industrial schools we can establish free from denominational influences, the better for the state, and for the Indians.

Mr. MARA. I desire to correct the false impression the hon. gentleman has received from the statistics. All the scholars are taught religion, but not all under the head of Scripture.

Mr. DAVIES (P.E.I.) The statistics may have misled me. But there are eight or ten columns here showing different branches of study and under none of these heads, except that of the Scripture, can religion be taught.

Mr. DALY. I am sorry it is omitted, but it will certainly be put in next year in large print. Common sense should teach a person that schools carried on under different religious denominations must teach religion.

Mr. FRASER. But why do the statistics show that some are taught Scripture, while others are not?

Mr. DALY. That is a separate branch of study, just as you might teach the Greek testament.

Mr. FRASER. While I admit that no pagan Indian will ever make a good citizen until he is taught the principles of Christianity, my point is that the Government should not pay the denominations for schools established to give secular as well as religious education under denominational auspices. We have an object lesson on this subject in Nova Scotia. Many years ago, the Roman Catholics undertook the education of the Indian children in the province. And we have never had any trouble with our Indians. All of our Indians belong to the Catholic denomination, but that denomination have received no aid from the state for the work which they voluntarily took up. Not only have they educated the Indians, but I know of half a dozen churches of this denomination attended by the In-

dians. As to the amount being large, I still maintain that to spend nearly a quarter of a million dollars a year for the education of two or three thousand Indians is not reasonable. We have no indications in these reports what the results are, but I am satisfied they are not adequate for the money expended. Of course, I am not seeking to judge of the value of Christianizing of these Indians according to merely material standard. These schools should be conducted simply as secular schools, and every possible advantage should be given to the religious denominations to afford religious training to children.

Mr. HASLAM. It is hardly correct or fair to institute a comparison between Nova Scotia, where there are very few Indians, with the North-west, and with British Columbia.

Mr. FRASER. Does the hon. gentleman know how many Indians there were in the savage state when Nova Scotia was discovered?

Mr. HASLAM. There never were as many as in British Columbia and the North-west. I know, too, that a little more intimate acquaintance with the work done in the industrial schools in British Columbia and the North-west would enable hon. members to speak with a good deal more intelligence on the subject. One of the latest established schools as an industrial school is at Kuper Island. The children attending there had not the advantage of being able to talk English, yet they acquired a knowledge of the language in a very short time; they can write and read well, make their own clothes and boots, build their own boats, and do all the work in connection with them. I took it upon myself to visit the school on two occasions to examine it, so that I might be able to speak intelligently on the subject whenever it should come up in Parliament. At Alberni there is another denominational school, which is in charge of the Presbyterians. I do not think it has made the same progress which the school at Cooper Island has made. The Cooper Island school is under the charge of the Roman Catholic Church, and although I am not a Roman Catholic myself, I would not hesitate to place the Indians under the care of the Roman Catholic Church, for I believe that considering the matter as a fair business proposition, throwing religion aside, the best value for the amount of money spent is got from the Roman Catholics in handling the Indians. That is the experience all over the coast in British Columbia, and also in the North-west. I think in comparing Indians with whites in the matter of education, we are acting erroneously. White children have implanted in them from infancy a knowledge of religion, while the Indians have no such knowledge, and to make a comparison of the cost of education for the

whites and education for the Indians in the west is not a fair comparison. There are one or two schools in British Columbia at which the cost of educating a child is \$49.50 for the bare cost of education, there being no boarding-school attached. So it is apparent that it is impossible to conduct industrial schools there at as low a cost as they can be carried on in the east. Before condemning the present system, it would be wise on the part of hon. members to try and obtain as full knowledge of all the circumstances connected with the education of Indians as possible, for I am sure there is more accomplished in that direction than most people imagine. I think a further knowledge of the subject would be beneficial to every one. As regards religious education, I may say that on general principles I am opposed to it, but not so far as the Indians are concerned, for I believe it is almost impossible to educate Indians without first implanting in them a knowledge of religion. You must show the effects of their bad actions on their lives before they will acquire any kind of secular education; it is altogether out of the question to try to implant plain, secular education in the minds of the Indians. It must of necessity be combined with a religious education, and instruction cannot be carried on without it.

Sir RICHARD CARTWRIGHT. There are two totally distinct questions at issue, and it may be as well for the House to keep them separate. One is the policy of furnishing education by means of religious denominations. The other question is, and it is one of considerable importance to the people, whether we are obtaining any adequate value for the amount of \$233,000 expended in the North-west in educating 2,200 Indian children. Without entering for the moment into the question of denominational education, I hold that we are expending a large sum and obtaining exceedingly poor results from it. I find on looking at the returns that there are eighteen industrial schools, far too large a number in my opinion. Three or four properly conducted industrial schools, having a larger number of pupils in them would be very much more advantageous. But entirely apart from that, looking at the returns which the hon. Minister has placed in my hands, a very large sum of money is given to schools as at which, to quote from one page at hazard, there are the following numbers of scholars in daily attendance, 7, 4, 6, 8, 7, 7, 3, 4, 7, 8, 7, 6, 6, 3, 7, 5, 4.

Mr. DALY. From what page is the hon. gentleman reading?

Sir RICHARD CARTWRIGHT. From the tabular statement showing the condition of the Indian schools, page 292; and I find very much the same state of things in the adjoining page, namely, schools with an at-

tendance of 5, 9, 4, 5, 5, 8, 3, 6, and so on. It appears to me we have some duties to discharge to the people of the older provinces. We are not bound by a treaty or by anything except moral obligation to tax the people of Canada for the education of a couple of thousand Indian children. I regard this expenditure for them as shown in the statement submitted as a piece of monstrous extravagance. Instead of maintaining such a large number of schools, we should support three or four properly conducted industrial schools. I purposely avoid raising the question as to whether you can or cannot usefully employ religious denominations managing them; my contention is; that we are getting extremely poor value for our money. We have only 23,000 Indians in Manitoba, and the North-west, according to the hon. gentleman's statement, and the day, board, and industrial schools cost us \$233,000. In British Columbia we have 25,000 Indians, and there the charge for schools is about \$44,000, a little less than one-sixth of the amount that is required in Manitoba and the North-west for the service of a smaller number of Indians. Well, there may be circumstances that warrant that. I do not believe, and I cannot see any evidence here which warrants an expenditure of nearly a quarter of a million of dollars which, be it remembered is a voluntary contribution on our part—we are not bound by treaty to do that, but simply and solely by our desire to benefit these people. I do not see that that money has been used at all to the best advantage for the Indians themselves, and that is my objection to the vote we are now asked to pass.

Mr. BOWERS. I wish to ask the Minister whether there is not a denomination that refuses to accept the money, and whether the schools of that denomination give a religious education?

Mr. DALY. Would the hon. gentleman state the denomination he refers to?

Mr. BOWERS. I understand from reading the newspapers a year or two ago that the Baptists refuse to accept aid for denominational schools in the North-west.

Mr. DALY. Possibly so, but I do not know whether it is so or not. If the hon. gentleman saw it in the papers it must be so, but I know nothing about it.

Mr. BOWERS. I simply ask for information whether it is or is not the case?

Mr. DALY. I cannot tell. We have no Baptist schools. I never knew a religious denomination to refuse any money.

Mr. MARTIN. What is the arrangement with any particular church as to any particular school. What part does the religious denomination do, and what part does the Government do?

Mr. DALY. I tried to explain that, but so many gentlemen have aired their opinions

Sir RICHARD CARTWRIGHT.

and knowledge on this question that I had not an opportunity of answering the hon. gentleman for South Oxford (Sir Richard Cartwright), as I intended to do. Although we are compelled by treaty to have day schools, and all they cost is \$300, and about \$50 a year for biscuits and so on to give to the children, we looked upon them as a failure, and it is impossible to get the children to attend. With a view of trying to make them attend, a section of the Act I introduced here some weeks ago provides for compulsory education. The hon. gentleman will understand that it is rather difficult to keep children at school who have been brought up from the cradle with a desire to roam abroad and enjoy themselves, and the parents are equally hard to get to send their children to school. Not having the power to compel them to go to school there is a very small average showing. But so far as the boarding and industrial schools are concerned, I will give the hon. gentleman as briefly as possible the information he wants. These are the detailed estimates of day, boarding, and industrial schools at the different agencies:

Agency.	Amount.	Total.
PELLEY.		
	\$ cts.	\$ cts.
Boarding-school, Cote's, 30 pupils, at \$72.....	2,160 00	
Salary of 3 teachers, day schools	900 00	
Books, stationery, &c., for 3 schools	45 40	
Biscuits and rice for 3 schools..	120 00	
New school-house, Shoal River	300 00	
Repairs for school building at Keys.....	25 00	
		3,550 40
BIRTLE.		
Salary, 1 day school, \$300; books, stationery, &c., \$31.50	331 50	
Biscuits, \$45; repairs Okanese school, \$15	60 00	
		391 59
CROOKED LAKE.		
Boarding-school, Round Lake, 20 pupils at \$72.....		1,440 00
FILE HILLS.		
Boarding-school, File Hills, 10 pupils at \$72.....		720 00
TOUCHWOOD HILLS.		
2 boarding-schools, 36 pupils at \$72.	2,492 00	
Salary, teachers, 1 day school, (Day Star's).....	300 00	
Tuition of day pupils, (Gordon's and Muscowequan's).....	250 00	
Books, stationery, &c.....	62 00	
Biscuits, \$60; general repairs, \$20.....	30 00	
		3,284 00

Agency.	Amount.	Total.	Agency.	Amount.	Total.	
	\$ cts.	\$ cts.		\$ cts.	\$ cts.	
DUCK LAKE.			SARCEE.			
Roman Catholic boarding-schools, 20 pupils, at \$72	1,440 00	2,673 80	2 boarding-schools (1 C.E. and 1 Meth.), 55 pupils at \$72	3,960 00	5,303 00	
Salaries, 3 day schools	900 00		Salaries, 2 day schools, Stony Reserve	600 00		
Books, stationery, &c., for 3 day schools	116 00		Books, stationery, &c., 2 day schools	58 00		
Biscuits	172 80		Biscuits	30 00		
Repairs for 3 schools	45 00		Addition for girls' boarding school, Sarcee	500 00		
CARLTON.			Closets, out-buildings, and repairs, Sarcee			
Salaries, 7 day schools	2,100 00	2,684 00	BLACKFOOT.			
Books, stationery, &c.	164 00		Boarding-school, Old Sun's village (C.E.), 35 pupils at \$72	2,520 00		
Biscuits	250 00		New boarding-school, South Reserve (C.E.), 15 pupils at \$72	1,080 00		
Repairs for 6 schools	170 00		New boarding-school (R.C.), South Reserve, salary	300 00		
MONTREAL LAKE AND LAC LA ROUGE.			Boarding-school (C.E.), Medicine Hat, 30 at \$72	2,160 00	6,797 00	
Boarding-school, Lac la Rouge, 12 pupils at \$60	720 00	Salary, 1 day school, Many-Shot-At's village	300 00			
Salary, 1 day school, Montreal Lake	300 00	Tuition, 10 day pupils at Old Sun's	120 00			
Stationery, books, &c.	50 00	Books, stationery, &c.	47 00			
Biscuits	72 00	Biscuits	250 00			
Conversion of day school, Lac la Rouge, into a boarding-school	400 00	Painting Eagle Rib's school	20 00			
BATTLEFORD.			BLOOD.			
Salaries, 7 day schools	2,100 00	2,578 65	Boarding-school, C. E. girls' Home, 20 pupils at \$72	1,440 00		
Books, stationery, &c.	198 65		New boarding-school, C. E. Boys' Home, 20 at \$72	1,440 00		
Biscuits for same	280 00		Salaries, 5 day schools	1,500 00		
ONION LAKE.			Books, stationery, &c.	120 00	4,900 00	
1 Protestant boarding-school, 16 pupils at \$72	1,152 00	2,642 00	Biscuits, 5 schools	300 00		
1 Roman Catholic boarding-school, 20 pupils at \$72	1,440 00		General repairs, desks and seats	100 00		
Biscuits, 1 day school	50 00		PIEGAN.			
SADDLE LAKE.			Boarding-school, C.E. 12 pupils at \$72	864 00		
1 boarding-school, Lac la Biche, 15 pupils at \$72	1,296 00	2,848 00	Salary, 1 day school, R.C. Mission	300 00		
4 day school salaries	1,200 00		Books, stationery, &c., 1 school	50 00		
Books, stationery, &c.	112 00		Biscuits, 1 school	60 00		
Biscuits	240 00	CLANDEBOYE.				
EDMONTON.			Salaries, 10 day schools	3,000 00		1,274 00
1 Presbyterian boarding-school, Stony Plain, 10 pupils at \$72	720 00	Per capita tuition allowances, extra pupils on roll at St. Peter's, south	150 00			
1 R. C. boarding-school, St. Albert, 50 pupils at \$100	5,000 00	Books, stationery, yarn, needles, &c.	288 26			
Salaries, 4 day schools	1,200 00	Biscuits and soap	388 50			
Tuition, 3 day pupils at \$12 (Enoch's Reserve)	36 00	3 closets for Fort Alexander schools	45 00			
Books, stationery, &c.	112 00	Painting East St. Peter's school	30 00			
Biscuits	100 00	2 closets, South St. Peter's school	30 00			
Repairs for 3 school-houses	45 00	CLANDEBOYE.				
HOBBEWA.			Salaries, 10 day schools	3,000 00		
Salaries, 3 day schools	900 00	7,213 00	Per capita tuition allowances, extra pupils on roll at St. Peter's, south	150 00		
Books, stationery, &c.	86 00		Books, stationery, yarn, needles, &c.	288 26		
Biscuits	150 00		Biscuits and soap	388 50		
1,136 00			3 closets for Fort Alexander schools	45 00	3,931 76	
1,542 00			Painting East St. Peter's school	30 00		
1,442 00			2 closets, South St. Peter's school	30 00		
2,642 00			CLANDEBOYE.			
2,684 00			Salaries, 10 day schools	3,000 00		
2,578 65			Per capita tuition allowances, extra pupils on roll at St. Peter's, south	150 00		
2,848 00			Books, stationery, yarn, needles, &c.	288 26		
2,642 00			Biscuits and soap	388 50		
2,848 00			3 closets for Fort Alexander schools	45 00		
7,213 00			Painting East St. Peter's school	30 00		
1,136 00			2 closets, South St. Peter's school	30 00		

Agency.	Amount.	Total.	Agency.	Amount.	Total.
	\$ cts.	\$ cts.		\$ cts.	\$ cts.
RAT PORTAGE.			SCHOOLS OUTSIDE TREATY LIMITS.		
Salaries, 4 day schools.....	1,200 00		Salaries, day schools at Lesser Slave Lake (2) Fort Chipewyan, and training school, Vermilion.....	1,200 00	
Books, stationery, yarn, needles &c.....	88 66		Boarding-school at Lesser Slave Lake, 20 at \$50 (C.E.).....	1,000 00	
Biscuits and soap.....	153 00		Assistance to schools in Moosonee (Moose Fort, York, Albany, and Rupert's house)...	1,200 00	
General repairs.....	25 00	1,466 66	Prizes and bonuses to teachers in Manitoba and the Northwest Territories....	300 00	3,700 00
MANITOWPAH.			INDUSTRIAL SCHOOL, QU'APPELLE.		
Boarding-school, R.C., Water Hen River, 10 at \$60.....	600 00		200 pupils at \$125.	25,000 00	
Salaries, 11 day schools..	3,300 00		Additions to buildings for smaller pupils.....	5,000 00	
Books, stationery, yarn, needles, &c.....	308 44		Additions to blacksmith shop..	350 00	
Biscuits and soap.....	520 00		Additions to stables.....	200 00	
Repairs to 7 school buildings..	220 00	4,948 44	Pig-house.....	300 00	
COUTCHEECHING.			Fencing 480 acres school lands.	500 00	
Salaries, 7 day schools.....	2,100 00		35 iron bedsteads and mattresses	350 00	31,700 00
Books, stationery, yarn, needles, &c.....	142 40		INDUSTRIAL SCHOOL, BATTLE-FORD.		
To complete new school-house at Nickickouse-eminescening, \$200, and Riviere la Soinne, \$200	400 00		150 pupils at \$150	22,500 00	
Re-vote for school-houses Long Sault and Little Forks.....	700 00		General repairs to buildings...	500 00	
Clap-boarding school-house at Coutcheeching.....	100 00	3,442 40	Building for employees..	1,500 00	24,500 00
SAVANNE.			INDUSTRIAL SCHOOL, HIGH RIVER.		
Salaries, 5 day schools.....	1,500 00		120 pupils at \$140.....	16,800 00	
Books, stationery, yarn, needles, &c.....	108 50		Material for repairs.....	300 00	17,100 00
Biscuits and soap.....	165 00		INDUSTRIAL SCHOOL, REGINA.		
Repairs to school-house at Wabusking.....	75 00	1,093 70	150 pupils at \$130.....	19,500 00	
BEREN'S RIVER.			Material for repairs.....	300 00	
Salaries, 9 day schools.....	2,700 70		Tailor's shop, with rooms above for married employees.....	475 00	20,275 00
Books, stationery, yarn, needles, &c.....	223 00		INDUSTRIAL SCHOOL, RED DEER.		
Biscuits and soap.....	300 00		50 pupils at \$140	7,000 00	
New school-house, Jack Head..	750 00		Material for repairs.....	300 00	7,300 00
Siding and plastering school-house at Black River..	120 00	4,093 70	INDUSTRIAL SCHOOL, ST. PAUL'S.		
THE PAS.			100 pupils at \$135.....	13,500 00	
Salaries, 3 day schools.....	2,400 00		Material for repairs and fencing.....	500 00	14,000 00
Books, stationery, yarn, needles, &c.....	255 60		INDUSTRIAL SCHOOL, ELKHORN.		
Biscuits and soap.....	340 60		90 pupils at \$110.....	9,900 00	
Material for new school-house at the Pas	500 00		Infirmery building.....	1,500 00	
To assist Indians in erecting a school-house at Red Earth...	200 00		Material for repairs, painting, &c	300 00	11,700 00
To assist Indians in erecting new school-house at Cumberland.....	200 00				
To complete new building at Chemawawin.....	200 00	4,595 60			

Mr. DALY.

Agency.	Amount.	Total.
	\$ cts.	\$ cts.
INDUSTRIAL SCHOOL, BRANDON.		
50 pupils at \$120	6,000 00	
Levelling and preparing grounds, outbuildings, workshops, &c.....	2,000 00	8,000 00
INDUSTRIAL SCHOOL, ST. BONIFACE.		
100 pupils at \$105.....	10,500 00	
Additional repairs and equipment	1,580 00	12,080 00
EMMANUEL COLLEGE, PRINCE ALBERT.		
20 pupils at \$100.....		2,000 00
CHURCH OF ENGLAND INDUSTRIAL SCHOOL, CALGARY.		
For buildings.....		5,000 00
For extra pupils at day schools.....		341 00
Total.....		233,000 00

for Guysboro' to read the reports of the different superintendents of these industrial schools, by which he will find that the pupils are making very great progress in the way in which he desires, namely, in learning trades. For instance, at the Battleford school there are 11 pupils taught blacksmithing, 15 carpentering, 12 farming, 5 shoemaking, 2 pointing and 3 printing. At the Qu'Appelle school, 6 are taught blacksmithing, 8 carpentering, 6 shoemaking and 6 farming. At the High River school 5 are taught carpentering, 8 shoemaking and 8 farming. At the Regina school 10 are taught carpentering, 10 farming, 5 painting, and 11 shoemaking.

Mr. FRASER. That is what I say ought to be the case, and I am glad to find that that is the result. It is the religious matter I referred to.

Mr. DALY. I will come to that. This shows that blacksmithing, carpentering, shoemaking, painting and printing are taught to the boys; and the girls are taught all the useful work which their sex ought to know. At the High River school there are 120 pupils at \$140 per capita; at the Regina school, under the Presbyterian body, 150 pupils at \$130 per capita; at the Red Deer school, under the Methodist body, 50 pupils at \$140 per capita; at the St. Paul school, under the Church of England, 100 pupils at \$135 per capita; at the Elkhorn school 90 pupils at \$110 per capita; at the Brandon school, 50 pupils at \$120; at the St. Boniface school, Roman Catholic, 100 pupils at \$105; and at Emmanuel College, Prince Albert, Church of England, 20 pupils at \$100. The Church of England Industrial School at Calgary is not yet in working order. Now, the hon. gentleman has objected to these schools being conducted by the different religious bodies. In reply to that, I may say that the history of the civilization of our Indians on this continent shows that religion and education must go hand in hand. It has been the experience in the United States and in every province of the Dominion, particularly in the North-west, that were it not for the efforts made by the missionaries, many of whom who have given their lives to this work, some of whom I know having spent forty-three or forty-four years in it, it would be impossible for us to-day to have a single Indian child attending a school on any reserve whether a day, or an industrial or a boarding-school. It is only through the influence of the missionaries that we are able to get the parents of these children to consent to their attending these schools. The hon member for South Oxford has stated that there are too many of these schools—that we ought to have only three or four. The reason we have so many is that the country is a country of magnificent distances, and we have to locate the schools at as convenient points as possible

I may say for the information of the hon. gentleman that up to two years ago the Government conducted these schools themselves, but that was found unsatisfactory, and a tabulated statement was made of the expense of conducting each of the schools, and from that they arrived at a basis of what they would cost per pupil to carry on for maintenance, for clothing and so on, and to conduct the schools in the manner in which they had been conducted previously. In the industrial school at Qu'Appelle, which is one of the largest, I found that \$125 per pupil was the very lowest cost at which the school could be carried on. The inspection in these schools is of the most rigid character. Every school is compelled to keep a set of books, giving details of the expenditure of every dollar of public money, even to the last cent. At least twice a year the schools are inspected and their books gone over. In fact, one of the complaints they make is on account of the rigid inspection to which they are subject. At the Qu'Appelle school we pay \$125 per pupil for two hundred pupils; and the school authorities have to show that there are two hundred pupils in attendance, the number of days that each pupil attends, everything they buy from a bar of soap up. At the Qu'Appelle school, there are some improvements to be made this year.

Mr. MARTIN. Does this account refer to a time prior to that arrangement?

Mr. DALY. Yes, the Auditor General's report refers entirely to the old condition of things. In the report of the department it might be interesting for the hon. member

over the whole area from Winnipeg to the Rocky Mountains. At the same time, the rule has been adopted by the department and is continued—although I think I can say that no more schools will be erected either in the North-west or in Manitoba—to locate the schools so as to take in the children whose parents profess the religion under which they are respectively conducted. We also remove them as far as possible from the different reserves, so that their parents will not frequently visit them and camp in the neighbourhood for the purpose of getting grub also, and in order to remove the children as far as possible from their old habits and associations. For instance, at the school at Elkhorn we have Blackfeet, Piegans and Bloods, removed about eight hundred miles from the influence of their parents and their early surroundings. From the inspection I made of the different schools from St. Boniface to St. Albert, north of Edmonton, it was evident to myself, as it must be to every other person who visits these schools, that the work done in them and the progress made reflects the highest possible credit on the different denominations and the different principals who have them in charge. If any hon. gentleman, who were not at the World's Fair and did not see there the samples of work done at these industrial schools, will come to my office, they will find a portion of those exhibits, showing the work done by the female and male pupils; and I think they will come away with the same feeling that all who have visited the exhibit have had, that the work could not be better done. The expenditure may seem large; but when you take into consideration the number of the schools I have mentioned, and the fact that a large portion of the expenditure is for day schools, and that we are compelled by treaty to expend a great deal of this money—

Sir RICHARD CARTWRIGHT. What are the terms of the treaty in regard to schools?

Mr. DALY. I could not give the exact wording without having the treaty; but it is to the effect that we should give them education, and that the schools must be on the reserves. In the schools I visited in Manitoba and the North-west Territories I was more than surprised at the work done. It can only be a high sense of duty on the part of the sisters and the laymen and the clergymen of the different denominations who are conducting these schools, that enables them to continue the work, which hon. gentleman can well understand is not at all encouraging. But I am glad to say that the efforts of the missionaries and of those who have taken great interest in the education of the young are bearing fruit; and instead of these young people growing up in idleness, with the idea inculcated in them from their youth, of letting the squaws

Mr. DALY.

do all the work, we find them coming out as blacksmiths, farmers, carpenters, shoemakers, painters and printers; and I am sure that if hon. gentlemen visit the exhibits which I have mentioned, they will see that the work done in these schools reflects great credit on their management.

Mr. MARTIN. In the Qu'Appelle school are there any salaries paid to any officers of the Government in addition to this amount of \$125 per pupil?

Mr. DALY. No, nothing more. I think they get the benefit of Dr. Simard at Qu'Appelle, who is the Indian doctor there.

Mr. MARTIN. The school buildings belong to the Government.

Mr. DALY. Yes.

Mr. MARTIN. Who looks after those and keeps them in repairs?

Mr. DALY. The inspector looks after them. Anything in the way of ordinary repairs, the authorities there are bound to preform. If the hon. gentleman will look at the report of the Battleford schools, he will see on pages 100 and 102 what work we have been enabled to get the pupils to do. Take the report of the carpenter's branch:

Mr. Gatley, who has had charge of this branch since 1886, continues to give instruction to the children placed under his tuition.

This industry has now become a source of revenue to the school. The principal work performed by the pupils was:—

(a.) The erection of a blacksmith's shop, fifty feet by thirty feet, and boot, painting and printing shop.

(b.) As soon as these were completed, the boys were sent to Moosomin's Reserve to erect a dwelling house for the farm instructor. This was a commodious building and took about one month to complete.

(c.) A large root-house was next constructed at the school, which was executed with despatch.

(d.) Then there were the necessary repairs to the main building and out houses, needed before the cold weather set in. During the winter, work was found for the pupils in the shop, making window sashes, doors, relaying floors, &c.

This shows that we are economizing, so far as regards the work to be done, by using the labour of the pupils that have been taught. Of course, that per capita allowance includes the salaries of the different instructors—carpenters, blacksmiths, &c.

Mr. MARTIN. I see in the report of the Qu'Appelle school a statement of what becomes of the pupils that have left the school. It is a very important matter for us to consider. Unless the pupils become citizens, and are improved by the schooling they get, they are of very little use to the community; and so far as I can judge by the report, they nearly all die shortly after they come out. Take Qu'Appelle school No.

2. we find in the report showing status of discharged people that No. 2 died of consumption; No. 3, poor health; No. 5 died of consumption; No. 7 died of softening of the brain; No. 8 left without authority, gone back to Indian habits; No. 13 died of bilious fever; No. 15, taken away by his father, who left treaty and country; No. 16, parents left treaty, boy was weak minded; No. 18 deserted, forgetting his English, Indian habits, works well; No. 20 died of pleurisy; No. 21 deserted, works well, Indian habits; No. 23 died of heart disease; No. 25 died at home; No. 30 taken away by parents, who left treaty and country; No. 31 died of consumption; No. 33 died at home; No. 35 died of consumption. These numbers are not consecutive, and I do not know why some numbers are left out. No. 45 died; No. 49 was a white boy, taken home by parents, delicate health; No. 50 died of consumption; No. 52 died of consumption; No. 54 died of consumption; No. 57 went with his parents to the United States; No. 58 died; No. 70 died at home; No. 71 died at home; No. 78 died here of consumption; No. 81 was sick, taken home by his father; No. 82 went home sick and died; No. 83 died of consumption; No. 85 went home without leave, left district; No. 88 died at home of consumption; No. 96 died; No. 97 went home sick, died; No. 101 died since transferred to Regina school; No. 105 taken home, constantly ill, died at home; No. 106 kept at home, not improved, died; No. 110 taken home by mother, died since; No. 113 died of consumption; No. 116 went home sick and died; No. 117 went home sick and died; No. 122 deserted, went to the United States, not much improved; No. 124 went home on sick leave, died; No. 125 sickly, died 6th January; No. 126 kept at home, not improved; No. 133 left on sick leave, died; No. 149 died of consumption; No. 165, white boy, unfit for school; No. 178 discharged in an advanced state of consumption. These are consecutive, although the numbers are not. Almost every one discharged died very shortly afterwards. The next one died of consumption. These are the boys, and next we come to the girls. No. 2 died in 1890; No. 3 taken away by her mother, who left the treaty; No. 4 went to Dakota with her family; No. 7 died; No. 8 sick, taken home and died; No. 9, imbecile, sent home, incapable of education, died; No. 12, taken away by her parents, who left treaty; No. 14 died on the 1st of April; No. 16 deserted, unfit for school; No. 27, white girl, taken home by her parents. The next one went home sick and died. Then Rosa deserted, unfit for school; No. 37 died.

Mr. MARA. How many years does that cover, and out of how many children did these deaths occur?

Mr. MARTIN. It covers all those discharged from the school since it commenced.

Mr. MARA. How many years?

Mr. DALY. Seven years only.

Mr. MARTIN. Apparently this one was established August 19th, 1885, and this is a list of all that got out. I do not know how many there were altogether.

Mr. MARA. That is during nine years.

Mr. MARTIN. Yes, but it is all those who left the school, and many of them have died. Once in a while one went away and got married and is doing well, but a great many have died since they left the institution.

Sir JOHN THOMPSON. Does the hon. gentleman infer from that that the religious education was thrown away?

Mr. MARTIN. No, but what is the object of educating these children, if it costs their lives to educate them? It is not worth while spending \$233,000 for the purpose of killing them. It is suggested that the system of management of the Department of Indian Affairs has the effect of killing off the Indians. No doubt at all Indians are decreasing in numbers. I just draw attention to that. I may say with regard to the general question that I agree with those who have spoken before as to the impropriety of the Government getting this work done by denominations. I do not discuss it from the standpoint of expediency, as was done by the hon. member for Yale (Mr. Mara). From my standpoint, it makes no difference whether it is cheaper or better for the Government to employ religious denominations to do this work. I claim that it is wrong as a matter of principle for the Government of Canada to interfere at all as between denominations in the question of education. So far as they give money towards the education either of white children or of Indian children, it should be given entirely irrespective of denominations. It was suggested by one hon. gentleman that there would be trouble between the different denominations as to the distribution of this Government patronage; well, I believe from what I have read and learned of this matter, that that observation need not be directed to the future, but it can be directed to the past and to the present. I say there has been a great deal of hard feeling and a great deal of trouble amongst the various denominations as to the amount of money that this and that denomination is getting.

Mr. DALY. Where?

Mr. MARTIN. Amongst the denominations.

Mr. DALY. Where does this trouble occur?

Mr. MARTIN. I have seen discussions at synods about this matter.

Mr. DALY. That is news to us.

Mr. MARTIN. I have seen it in newspapers. Of course, they may not be correct.

Mr. SCRIVER. Perhaps the hon. Minister does not read reports of synods, and that kind of literature.

Mr. DALY. I think I read a little more than the hon gentleman's friends do.

Mr. MARTIN. Well, I happened to read this.

Mr. DALY. That is probably the only time you ever read anything of the kind?

Mr. MARTIN. I am not going to blow my trumpet in that respect.

Mr. DALY. The only reason I interrupted the hon. gentleman was that we have never heard of it in the department.

Mr. MARTIN. I say that the Government should have nothing to do with this question as between different denominations. The reports of the industrial schools for the Indians show that these schools have not turned out a very large number of good citizens, because so many have died. I say that if we are going to spend money in educating these Indian children, the Government should do it themselves and do it independently of the denominations. That is the only ground upon which Government education of Indian children can be defended. The Government has no right whatever to hand over the public money to this or that denomination. If it be true, as I saw some statement to that effect, that the Baptist denomination have refused to accept Government money for this purpose, then I honour them for it, because that is the principle which, it seems to me, should rule in these matters. We have in Canada entire separation between Church and State, and the moment grants of this kind are made, you bring back to a certain extent connection between Church and State, which is a principle we have refused to adopt heretofore.

Sir JAMES GRANT. I have listened for some little time this evening to the discussion of this subject of schools in the North-west Territories. A few years ago I had the pleasure of making a visit to that country and seeing the operation of these various schools, and I can assure you that I was never more favourably impressed in my life than I was with the admirable manner in which they were conducted. It is all very well to say that they should not be denominational, but having been a member of this House when the late Sir John A. Macdonald inaugurated this system of schools in the North-west Territories, I know that there was then great difficulty in giving any kind of an education to the Indian children

Mr. MARTIN.

in the North-west Territories. These schools were then merely in the initial stage of development, and since that time great good has been accomplished by them. In a new country like that where there are many conflicting interests to consider, it is extremely difficult, under all the circumstances, to manage matters so as to please every one. In listening to the observations of the hon. member for Winnipeg (Mr. Martin) it seems to me that nothing the Government has ever done with reference to the control of affairs in the North-west Territories, has been right in the slightest degree. He occupied the attention of this House some days ago in a discussion of the land question, the recklessness that was displayed by the Government in the management of lands in connection with the Canadian Pacific Railway; and to-night we would almost infer from his observations that these schools were being conducted in a manner discreditable to this country. I can assure the hon. gentleman that long before he made his appearance here, the affairs of the North-west were well conducted, and it is not for the hon. member for Winnipeg to come down here and lecture us upon everything pertaining to the North-west. We would fancy that he held a censorship over everything that was right or wrong, and that nothing could be properly done with reference to the North-west Territories unless it emanated from the representative for Winnipeg. We know very well he is a man of ability and force of character; but at the same time we know perfectly well that everything he says about the North-west is not gospel. I can assure you, Mr. Chairman, that the North-west is of great importance to this Dominion. I look upon the North-west as the very thorax of Canada, it is going to mould the destiny of the rest of the Dominion; and when our public men are working well and energetically to forward the interests of that portion of our Dominion, I say it is not right to malign the character of that country, and to express opinions here which would be detrimental not only to the interest of that country, but to that great party which has actually made the North-west what it is to-day. What was the North-west before the time of the late Sir John A. Macdonald, when a measure was introduced into this Parliament to acquire possession of that territory? What has been done since that time? It has been brought from a state of chaos to one in which we have reason to feel proud. And let me say that I know of no subject in reference to which the Government of this country deserves greater credit than in extending the principles of education to the poor Indian, and bringing him from a savage condition to that of refinement and civilization, such as I had evidence of when I visited that country. The manner in which those poor Indians performed the duties and responsibilities with which they were charged on the occasion of the visit of Lord Derby to that country, is creditable in

the highest degree to the system of education established among them by the Government. To see addresses presented to the representative of Her Majesty from these poor Indians who hardly knew English a few years ago, is an evidence of the beneficial results of the system of schools established there: These schools, whether sectarian or otherwise, whether Methodist, or English, or Catholic, or whatever they may be, are of a character to show the world at large that the Government is keeping abreast with the progress of the times, in the educational system they have established in the Northwest.

Mr. DEVLIN. I would like to ask the Minister if he thinks these schools could be conducted at less cost to the country, if they were not denominational?

Mr. DALY. No, I am positive it could not be done. They are being conducted now as economically as possible. In fact, the feelings of the inspectors and of every person who has to do with them, is that these different schools, particularly the larger ones, are conducted with an expenditure so small that the results they produce are marvellous.

Mr. DEVLIN. There were one or two points made in the discussion to which I take objection. It would be absurd if I were to keep my seat after a declaration of principle such as has been made by some hon. gentlemen. Of course they are entitled to all the respect that is due to their opinions, just as the opinions I hold, which are different from theirs, are also entitled to the same measure of respect. I would be the very last man in the House to sanction the reckless expenditure of one dollar in connection with the Indian industrial schools in the Northwest. I am not criticising the expenditure that has been made upon them. It is possible that in certain details there are expenditures which could be better controlled, and it may be, as the Minister pointed out, that if these schools were not denominational, they would entail greater cost to the country. But previous to the consideration of this point that was brought out a few moments ago by the hon. member for South Oxford (Sir Richard Cartwright), other questions were debated at considerable length. We were treated, for instance, to an exposition of individual opinions on the part of hon. gentlemen as to the advantages that may be derived from purely secular schools. That opens out a very large subject, into which I do not propose entering this evening: but I simply wish to enter my protest, so far as I am concerned against the idea that schools, because they are denominational, cannot be as efficient as schools which are not denominational. I believe, for instance, that our Catholic universities and our Protestant universities, that our Catholic convents and our Protestant ladies' colleges, are just as good and just as efficient, and in them are to be found teachers as skilled and as well trained, as are to be found in schools

which are not denominational. I believe that we are living in a country in which the doctrine which was put forth here to-night, will not be accepted by the large majority of the people. We must not forget that we are living in a Christian country, in a country in which it is not held to be a shame to pronounce the name of the Creator, and to teach the child the love, the respect and the reverence that he should have for the Creator. I believe, consequently, that the opinion of this country is in favour of a system known as Christian schools. I am not at this moment referring to Catholic schools, nor am I advocating a system of Protestant schools; but I hold the belief, and I think that belief is shared by the large majority of the people of this country, that it is better that the child should be educated in the love of religion, than that he should obtain all the requisites of a secular education and still have no knowledge of the religion to which his parents may belong. This is a great question to-day in this country. It cannot be denied that this question is provoking more disturbance in Canada than any other question, and it may be just possible that before long, other questions that are considered of vital importance, other questions that are constantly being debated upon the public platform, will sink into insignificance in comparison with this question which to-night has received some attention at the hands of hon. gentlemen in this House. Is it not a known fact, for instance, that those who believe as I do, have in the majority of instances, so far been obliged to suffer? Hon. gentlemen who have things pretty much their own way can naturally give very plausible colour to their opinions, because they know that their inward convictions are sure to triumph. Hon. gentlemen know that perfectly well. I do not, for myself, undertake to say, for instance, that my hon. friends who spoke on this subject a few moments ago, may not be correct. It is quite possible they may be; it is quite possible that those who have so long advocated, and have so earnestly advocated, as I myself earnestly advocated, the maintenance in this country of the system known as separate schools, may be entirely wrong. But whether right or wrong, it is well for hon. gentlemen to know this, that we will cling to the proposition that in Canada where these schools are established, we shall have them, and we shall enjoy them, and if, in order to enjoy those schools, it would be necessary for us to break away from political affiliations, still, animated by the love which we have for those institutions, sooner than sacrifice them, we will sacrifice our political affiliation and the dearest ties that bind us to party. I simply enter my protest against some of the charges which were made here to-night. A great man passed away this morning, a man whose name will be long and reverently remembered in Canada, a man against whom not a word can be said, a

man who had strong opinions and who fought for what he believed to be the right of his people. Sir, that man will be long and affectionately remembered by the whole Catholic population of Canada, because he was a champion of this principle in which Catholics fully and firmly believe, the principle of Catholic education. I rose merely for the purpose of saying that I believe the Government is right, since it does support these schools in the North-west, to allow them to be conducted by the religious denominations. The money which is taken for the support of these schools is not taken from one denomination, it is taken from all denominations, and is given back to all denominations. Having adopted this policy, the Government make no distinction in the distribution of the money, they simply give what they have received from all denominations. I think they are carrying out towards the children now living in the North-west the very best principle of education, a principle that I would like to have seen continued in the province of Manitoba, that I would like to see continued in the North-west Territories, that I hope will continue to triumph in Ontario, and that I am sure will continue to exist in the province of Quebec.

Supplies for Farmers.....\$11,484

Mr. FRASER. Are these Indians farmers?

Mr. DALY. Yes.

Mr. FRASER. How many are there? Are they on their own farms, and is it necessary to supply grain to them?

Mr. DALY. Yes; to supply rations to the farmers on different reserves. They are farm instructors, who instruct the Indians in farming.

Sioux..... \$4,597

Mr. DALY. There is a decrease of \$796 from last year. This sum provides approximately for about a thousand of these Sioux at Bird Tail, Oak River, Oak Lake, Turtle Mountain, Qu'Appelle, Moose Head, Prince Albert and Moose Jaw. They are straggling Sioux from the United States..

Mr. LAURIER. Relics of Sitting Bull's band?

Mr. DALY. Some of them.

Buildings..... \$5,953

Mr. LAURIER. What are these buildings?

Mr. DALY. The expenditure will be made in the different agencies for general repairs at Pelly Lake, office building rent at Birtle, general repairs at Crooked Lake, Assiniboine, File Hills, Muscowpetung's, Touchwood Hills, and Duck Lake; in fact, more or less at all the agencies.

General Expenses..... \$114,256

Mr. DAVIES (P.E.I.) What is the meaning of a general expenditure charge?

Mr. DEVLIN.

Mr. DALY. That means all the agents, and the Regina office.

Mr. DAVIES (P.E.I.) How have you been able to reduce it?

Mr. DALY. By the transfer of Mr. Reed, and by the discharge of several of the men that were there. They were necessary at the time they were appointed.

Indians, B. C., salaries..... \$19,140

Mr. MARA. Will the hon. Minister explain the reduction of \$580 in salaries?

Mr. DALY. The explanation is as follows:—Decrease—Agent's salary, Kamloops and Okanagan, \$600; agent's salary, Queen Charlotte's Island (not required), \$1,000. Increase—W. McLaughlin, \$200; R. E. Loring, salary, \$100; assistant clerk at Victoria, \$720, making a total decrease of \$580.

Mr. MARA. I am informed that the Government has reduced the salary of agents at Kootenay and Cariboo. Is that correct?

Mr. DALY. In regard to the agents at Kootenay and Cariboo, I may say that we have not reduced the salaries. In one case, however, the agent resigned, and in the other case the agent was obliged to resign on account of defective sight. The salaries were \$1,200 each. We gave the new appointees \$1,000 each. As these officers gain experience, there is a possibility that their salaries will be increased.

Mr. MARA. I must enter my protest against the salaries of these officers being reduced. When appointed they certainly expected to receive the salaries of their predecessors. Caribou and Kootenay are two of the most expensive portions of British Columbia to live in. The agencies are large, the Government require the whole of the time of the men filling those positions; they are good men in every way, and worth more than the salaries paid. It is false economy to attempt to reduce the salaries of good officers, for thereby the Government places itself in the position of being unable to obtain good men if the officers resign.

Relief of Distress..... \$5,000

Mr. DALY. The Indians on the coast are exposed to great dangers; they also suffer largely from consumption, and many members of the tribes have become old and feeble, and require increased assistance. The young men are the best workers among the whole Indian tribe, but owing to depression in the lumber trade and the completion of the Canadian Pacific Railway, they are at present without the employment they formerly obtained, and are compelled to look to the Government for aid.

Seed grain and implements..... \$1,200

Mr. MARA. This item is altogether too small; it is an average of 4 cents per Indian. The Indian agents at the different agencies

are not able to render that assistance to the Indians they should obtain in the spring of the year by furnishing them with seed grain and sometimes with implements. Apart from that matter, I call the Minister's attention to the late flood in British Columbia, and I ask him to place a considerable sum in the Supplementary Estimates to assist the Indians in purchasing seed grain, that they may be able to secure a crop this year. The Provincial Government are furnishing seed grain to farmers on the banks of the Fraser and in other parts of the province, but they cannot be expected to look after the Indians, who are under the care of the Dominion.

Mr. DALY. So far as the items of seed grain are concerned, the experience last year was that this amount was quite sufficient. In respect to Indians on the Fraser, who have had their crops destroyed this year, an item of \$500 will appear in the Supplementary Estimates.

Medical attendance, &c \$6,000

Mr. MARA. Upon what plan or principle is medical assistance now given to the Indians? A great many complaints have been made that the Indians have not received that medical attendance they require, and have not been furnished with medicines as in times past.

Mr. DALY. The expenditure for medical attendance in British Columbia, amounted in 1889 to \$7,000; 1890, \$6,793; 1891, \$7,791; 1892, \$6,800; 1893, \$11,044; 1894, \$12,214. I think the hon. gentleman will come to the conclusion that a considerable sum has been spent for medical attendance; in fact, if he had as much difficulty with British Columbia medical bills as I have with the Finance Minister, he would see that we were spending every dollar possible. The reason for the increase is the small-pox epidemic, which broke out, necessitating a largely increased expenditure. But we have had difficulty with the medical men there, because we have considered that the charges made by them were outrageous, and when we wanted to pay them what we pay the medical officers in the North-west, who were just as far removed from the reserves, the physicians complained. So far as the Indians are concerned, it is not the fault of the department if they do not get the treatment provided for them. It must be remembered that there are 945 Indian reserves in British Columbia, scattered over an immense territory; but all the Indians within reach of physicians get medical attendance, and all the agencies are provided with medicines. The department is doing its best under the circumstances to provide all the medical attendance possible.

Mr. MARA. I wish to repeat that the Indians in British Columbia are not receiving the medical attendance or assistance to which they are entitled, and they are not

able to procure medicines as they should be able to obtain them. I am informed that by a rule of the department an Indian can only get medicine on an order from the Indian agent. The Indian may live one or two hundred miles from an Indian agent, and he has to travel that distance to get an order to procure medicine. That is not a right system. I believe there are a great many bills from doctors and druggists standing over from last year, and the consequence is that many druggists will not fill orders for Indians from the Indian agent, because they do not know when they will get paid.

Militia—Pay of staff, permanent corps and active Militia including allowances..... \$585,782

Mr. DAVIES (P.E.I.) Perhaps the hon. Minister of Militia would make a general statement with regard to his proposed policy and expenditure.

Mr. PATTERSON (Huron). I want to reduce that item to \$482,282, a reduction of \$103,500 on that item. In view of the fact that I have considerable additional expense thrown on my department this year by the purchase of new rifles, it has been decided that we will not have any camps of instruction this year. The camps of instruction during the months of June in Ontario were abandoned, and there will be no camps this autumn in the other provinces.

Mr. DAVIES (P.E.I.) None this summer at all?

Mr. PATTERSON (Huron). None until next June. We cannot have both camps and rifles, and the militia would rather get the rifles and go without the camps for one season. We cannot have both unless the House is willing to give me a larger amount of money than I would feel justified in asking.

Mr. DAVIES (P.E.I.) Will that only save the difference between the amount in the Estimate, and the amount you substitute for it?

Mr. PATTERSON (Huron). It will save other amounts under items 102 and 103, provision, supplies and remounts and transport and freight. This will not apply to the artillery or cavalry, who are being drilled at their company's headquarters. Wherever they can be drilled at their company headquarters they will be drilled, but there will be no camps.

Mr. DAVIES (P.E.I.) How much will it cost to substitute a new rifle?

Mr. PATTERSON (Huron). In addition to the 1,000 stand of arms for which we supplied the money last year, I have entered into an arrangement with the Imperial Government for the purchase of 8,000 stand of rifles, and I am spreading the payments over three years. I am having 5,000 Martini-Henrys converted into Martini-Netfords,

and that will be done also by the Imperial Government.

Mr. SCRIVER. Is it the intention not to have any camp of instructions for the rural battalions of the province of Quebec this year?

Mr. PATTERSON (Huron). None.

Mr. DAVIES (P.E.I.) What will the cost of substituting the new rifle be?

Mr. PATTERSON (Huron). \$16,500 were expended last year for 1,000 stand of arms. I have an agreement with the Imperial Government for 8,000 stand of Martini-Metfords with bayonets complete at £3 3s. sterling each, amounting to £25,000 sterling, or \$122,640. I have entered into an agreement for spreading this payment over three years: \$47,750 this year, the same next year, and \$31,140 the following year. Of course there will be additional cost for transport and freight, arm chests, &c., which will make it this year \$49,537. The conversion of the Martini-Henrys, 5,000 stand, will come to about \$58,000.

Mr. DAVIES (P.E.I.) So that all the saving on the camps of instruction is eaten up?

Mr. PATTERSON (Huron). No, the entire saving on that will be \$159,800.

Mr. SCRIVER. Has it been decided what distribution is to be made of these new rifles when they are received?

Mr. PATTERSON (Huron). That has not been considered.

Mr. SUTHERLAND. Do I understand that there are to be no camps of instruction at all throughout the Dominion this year?

Mr. PATTERSON (Huron). No; except at company headquarters. For instance, the artillery would suffer more than any other branch of the service. They would become disorganized if they had not camps. The artillery corps and the city battalions are having instruction at headquarters.

Mr. FLINT. What is to be done with the old abandoned rifles in store?

Mr. PATTERSON (Huron). That I cannot say at present. We will collect them from wherever they are not wanted. I have been lending them to rifle associations under bonds to be cared for and to be returned when demanded.

Mr. DAVIES (P.E.I.) Inasmuch as we are paying out of this year's grant one-third of the cost of the 8,000 rifles which the hon. gentleman is purchasing in England, he will either have to continue the system of not having camps of instruction, or he will have to ask the House for an increased grant of some \$50,000.

Mr. PATTERSON (Huron). At present there are other charges on the department

Mr. PATTERSON (Huron).

which like this are not of a permanent character. For instance, we have the charges in connection with the defences at Esquimaux, which are also spread over three years. Perhaps the buoyancy of the revenue may be such next year as to enable us to continue the ordinary camps of instruction, and also to pay for the guns.

Mr. DAVIES (P.E.I.) But in the meantime the hon. gentleman will have to have \$50,000.

Mr. PATTERSON (Huron). Yes.

Modern Fire-arms..... \$16,500

Mr. PATTERSON (Huron). This is only a part of what I require. I shall require in a supplementary estimate to ask for \$33,000 more to cover the purchase of these arms in England.

Mr. DAVIES (P.E.I.) I thought the hon. gentleman was saving that?

Mr. PATTERSON (Huron). Yes; but I shall have to have the money voted. I am reducing these other items.

Provisions, supplies and remounts.. \$179,600

Mr. PATTERSON (Huron). I wish to reduce that amount to \$150,500.

Mr. LAURIER. That decrease requires explanation.

Mr. PATTERSON (Huron). These reductions are made owing to our not having the rural camps.

Grants in aid of Artillery and Rifle Associations and Bands and Military Institutes..... \$36,800

Sir RICHARD CARTWRIGHT. I would suggest to my hon. friend, particularly if he is not going to have camp instructions, that he might very reasonably make a moderate allowance to the various rifle associations in the shape of ammunition, either gratuitously or at a very low rate. I think the department does grant it at a reduced rate, but not at so low a rate as to encourage practice. I know that a great many of the privates and non-commissioned officers who practise complain of a good deal of the expense to which they are put for the purchase of ammunition.

Mr. PATTERSON (Huron). I have done that during the past year to a greater extent than before; but I will accept my hon. friend's suggestion, and make provision for that in the Supplementary Estimates.

Monuments for Battlefields of Canada. \$2,000

Mr. LAURIER. What has the hon. gentleman to say of these monuments? Are they decided upon?

Mr. PATTERSON (Huron). I have had plans prepared and estimates furnished by one of the architects of the Department of Public Works, and I find that no monument worthy of the name can be obtained for this amount, and I intend to ask the

House later, when I will make a full explanation, for a larger amount. I hope to go on this year with at least two of the monuments.

Gratuities to officers of the active militia staff who are to be placed on the retired list..... \$12,000

Sir RICHARD CARTWRIGHT. The hon. gentleman had better inform us as to whom he proposes to retire.

Mr. PATTERSON (Huron). I am not in a position to tell my hon. friend what changes the general wishes to make on the staff, or whom he wishes to suggest should be retired. A similar sum was voted last year, and the officers who were retired on account of old age or incapacity were allowed a moderate gratuity.

Sir RICHARD CARTWRIGHT. I have no doubt that my hon. friend will do what is fair and just in these cases. There is no doubt that some of the gentlemen who were retired were subjected to considerable hardship. I think that when the department requires to dispense with the services of these officers, it should deal reasonably liberally with them. I believe, however, that my hon. friend has an item in the Supplementary Estimates intended to provide for that, and if I am correct in that understanding, I will not raise the question further.

Mr. PATTERSON (Huron). I have not an item in the Supplementary Estimates, but am paying an additional sum to two deputy adjutant-generals, who were retired at an amount lower than I thought they were entitled to, and an Order in Council has been passed giving them an additional gratuity. I refer to Colonel Villiers and Colonel Van Straubenzee.

Mr. DAVIES (P.E.I.) Would the hon. gentleman explain whether he has arrived at any conclusion with reference to the district of Prince Edward Island?

Mr. PATTERSON (Huron). With the consent of the Governor General in Council, Prince Edward Island is established as an independent military district. We intend to appoint a deputy adjutant-general for the district. We have restored the paymaster, Major Doherty, to his position, and intend to try and have, if possible, a detachment of the permanent corps of artillery stationed at Charlottetown.

Mr. DAVIES (P.E.I.) Has the hon. gentleman made up his mind as to the appointment of a deputy adjutant-general?

Mr. PATTERSON (Huron). There has been a great effort made on the part of our political friends to appoint a gentleman a resident of the island. The military authorities are opposed to that, and desire that an experienced military man be sent there. As it is not really a political appointment, but for the greater efficiency of the troops on the

island, it is a matter for serious consideration. I have not finally decided, and have not as yet made any recommendation to His Excellency the Governor General in Council.

Mr. DAVIES (P.E.I.) We will not know until the House rises.

Mr. PATTERSON (Huron). If I am at liberty, I will communicate to my hon. friend before he leaves for home, if I can get the consent of the Governor General in Council.

Mr. DAVIES (P.E.I.) I am not personally interested in receiving the information, but a very large number of gentlemen seem to take the deepest interest in the appointment, and if the hon. gentleman will communicate with the island and let them know who is appointed he will confer a great favour on them.

Mr. PATTERSON (Huron). We will try and send you some one who will be an acquisition to the island.

Expenses in connection with the distribution of Parliamentary documents..... \$1,000

Mr. LAURIER. In whose charge is the distribution of these documents? Last year we did not receive the 'Hansard' until September, though the session was prorogued in April.

Mr. COSTIGAN. This has nothing to do with the distribution of 'Hansard,' but Mr. Dawson will be very glad to have had his attention drawn to the delay by the hon. gentleman, and will give an explanation.

Mr. LAURIER. Mr. Dawson is very attentive, I know; but it was certainly very late after the close of the session when we got the 'Hansard.'

Mr. MARTIN. What documents does this cover?

Mr. COSTIGAN. The Queen's Printer explains that this is to cover the distribution of everything outside the session, except what Mr. Botterell distributes.

Mr. LAURIER. Will the hon. gentleman agree to rise now?

Sir JOHN THOMPSON. I was in hopes that we could get through the miscellaneous items. We could finish then in a few minutes.

Mr. SUTHERLAND. I believe it was the general desire that we should rise early, and I am satisfied the hon. gentleman would facilitate business by yielding to that desire. We arranged that we should adjourn at the close of the Militia Estimates.

Mr. LAURIER. The hon. gentleman has done very well to-day.

Committee rose and reported resolutions.

FIRST READING.

Bill (No. 148)—(from the Senate)—for the relief of James St. George Dillon—(on division).—(Mr. Sutherland.)

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 10.45 p.m.

HOUSE OF COMMONS.

MONDAY, 25th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPRESENTATION FOR WEST HASTINGS.

Mr. SPEAKER. I have the honour to inform the House that Henry Corby, Esq., member for the electoral district of West Hastings, having resigned his seat in this House, I have issued my warrant to the Clerk of the Crown in Chancery to make out a new writ of election for the said electoral district.

IN COMMITTEE—THIRD READINGS.

Bill (No. 71) to incorporate the New York New England and Canada Company.—(Mr. Flint.)

Bill (No. 131) to incorporate the Nova Scotia Steel Company.—(Mr. Fraser.)

Bill (No. 109) for the relief of Joshua Nicholas Filman—(on division).—Mr. McKay.)

Bill (No. 119) for the relief of William Samuel Piper—(on division).—Mr. Northrup.)

Bill (No. 120) for the relief of Joseph Thompson—(on division).—Mr. Northrup.)

Bill (No. 136) for the relief of Orlando George Richmond Johnson—(on division).—(Mr. Metcalfe.)

CALGARY IRRIGATION COMPANY.

House resumed adjourned debate on the proposed motion of Mr. Davis (Alberta) :

That the amendments made by the Senate to Bill (No. 53) respecting the Calgary Irrigation Company, be concurred in.

Mr. DAVIES (P.E.I.) One of these amendments is of such a character that it should not receive the assent of this House. The second section of the Bill provides for increase in the capital stock, and it says :

Mr. LAURIER.

2. Section four of the Act incorporating the company, being chapter seventy-one of the Statutes of 1893, is hereby amended by adding at the end thereof the words: " provided, however, that the directors may, so soon as the said amount has been subscribed, increase the capital by by-law to a sum not exceeding two hundred thousand dollars."

When the Bill passed through committee of this House it was amended so as to provide that at least a payment of 50 per cent should be made, which is a very moderate sum indeed, before the capital stock could be increased by the directors. It would be very unwise for this House to lay down a precedent that any company having its capital stock subscribed, should be able to increase it by vote of the directors after one fourth only of that subscribed stock is paid up. I consider that such legislation would be unwise, as tending to speculation and inflation. I, therefore, move :

That this House do disagree to the amendment of the Senate to the second section of the Act respecting the Calgary Irrigation Co. reducing the amount required to be paid on the subscribed capital, before the capital of the company can be increased from 50 to 25 per cent, because it is not right to permit the capital stock of a company to be increased by the directors thereof while 75 per cent of the existing capital is unpaid, and because such increase is calculated to promote unwise inflation and speculation and offers a bad precedent for future legislation.

Mr. DAVIS (Alberta). On behalf of the promoter I desire to say that I am quite willing that this motion should be adopted and that the payment should be 50 per cent.

Motion agreed to.

YAMASKA RIVER DAM.

Mr. MIGNAULT asked, Whether the Government are aware that at the time of the breaking of the dam constructed by the Government in the Yamaska River, one of the piers of the said dam was carried into the channel by the ice, in the spring of 1892, and has obstructed it ever since, and rendered the navigation dangerous at that point? If so, is it the intention of the Government to have the obstacle removed?

Mr. OUMET. The Public Works Department has been informed that pieces of timber coming from the dam in question have become deposited in the channel of the river, and I have given instructions to have them removed.

LUMBER FURNISHED TO THE I. C. R.

Mr. CHOQUETTE asked, 1. What is the value of the lumber or wood furnished to the Intercolonial Railway by Messrs. Talbot and Parent between the year 1885 and January, 1894, and what is the amount paid to them for the said lumber? 2. What was

the quantity of wood or lumber furnished by J. A. Talbot to the Intercolonial Railway between 1892 and 1894? 3. What is the amount received by Messrs. Talbot and Parent, or J. A. Talbot, for completing a contract for fence building on the Intercolonial Railway, originally awarded to Odilon Mignault, of Amqui? 4. How much was paid to Messrs. Talbot and Parent for sleepers furnished to the Intercolonial Railway by Ignace Lavoie, of Amqui?

Mr. HAGGART. I am unable to answer this question to-day, and it will take the officers of the Intercolonial Railway some little time to prepare the information so as to enable me to answer the question fully. But I find that Messrs. Talbot and Parent were in partnership in connection with the delivery of timber to the Intercolonial Railway, and they evidently had a disagreement in the settlement of their affairs. Mr. Parent has applied to the general manager of the Intercolonial Railway for such a statement as is now asked for by the hon. gentleman, which has been refused.

EXCISE PROVISIONS.

Sir JOHN THOMPSON moved that the House, to-morrow, resolve itself into committee to consider the following resolution:—

That the Department of Inland Revenue may, under regulations made for that purpose, allow on the exportation of goods which have been manufactured from articles subject to a duty of excise, and on which such duty of excise has been paid, a drawback equal to the duty so paid, with such deduction therefrom as is provided in such regulations.

That the Department of Inland Revenue may, under regulations made in that behalf, allow on the destruction, under excise supervision, of goods subject to a duty of excise and upon which such duty has been paid, a drawback equal to the duty so paid thereon, with such deduction therefrom as is provided in such regulations.

Motion agreed to.

SUPREME COURT JUDGES.

Sir JOHN THOMPSON moved that the House, to-morrow, resolve itself into committee to consider the following resolution:—

That if any judge has held the office of judge of the Supreme Court of Canada for fifteen years, or the said office and that of judge of the Exchequer Court, or the said office and that of judge of one or more of the superior courts or of the courts of vice-admiralty in any of the provinces of Canada, for periods amounting together to fifteen years or upwards, and if such judge has attained the age of seventy years and resigns his office, he shall during the remainder of his life continue to receive his full salary, which shall be payable to him in the same manner as it was payable at the time of his

resignation; provided, however, that nothing here-in shall apply to a judge who has held the office of judge of the Supreme Court of Canada for a period less than five years.

Motion agreed to.

NORTH-WEST TERRITORIES ACT.

Mr. DALY moved that the Order for second reading of Bill (No. 133) to amend the Act respecting the North-west Territories, be discharged.

Motion agreed to, and Order discharged.

Mr. DALY moved for leave to introduce Bill (No. 149) further respecting the North-west Territories.

Mr. LAURIER. What is the reason for this?

Mr. DALY. The Bill I have just introduced is similar to the other Bill, except that clause 12 of that Bill is struck out, because clause 12 of the old Bill conflicts with clause 14, as the hon. gentleman will see upon perusal. Clause 1 of the new Bill provides that the Assembly of the North-west Territories may incorporate tramway and street railway companies which they have not the power to do at the present time. Section 15 of the North-west Territories Act is repealed. The Act as it now stands gives the Lieutenant-Governor in Council power to make ordinances respecting the administration of justice. They have already got that power and have passed ordinances in respect to it, so that there is no necessity for its forming part of this Bill. Section 49 is amended by striking out the word "any." The Act as it now stands contains the words "and any three judges of the court shall constitute the court," and it is proposed to make it read: "and three judges of the court shall form the court." Section 50 of the Act is repealed and amended by adding "provided that the judge by or before whom the judgment or decision then in question was rendered or made, shall not sit as one of the judges composing the court." That means that the trial judge whose judgment is appealed against shall not sit en banc. Section 59 is repealed and a section substituted for it: That each sheriff shall be paid a salary of \$500, and the Lieutenant-Governor, by and with the advice of the Legislative Assembly, may legislate with respect to remuneration by fees or otherwise by sheriffs and clerks, including the registry court. The change is: That the Lieutenant-Governor now fixes the fees and this Act will give power to the Assembly to do that. The clause of the Bill in relation to the appointment of justices of the peace and police magistrates as it appears in the old Bill will be amended by adding to subsection 4 the following words: "or unless he is a magistrate of not less than three years' standing in Canada." This

means that no person shall be appointed a police magistrate unless he has been admitted to practice as advocate, barrister or solicitor in any one of the provinces of Canada for a period not less than three years, or unless he is a magistrate of not less than three years' standing. Section 9 provides that any one charged with treason, or an offence punishable with more than five years' imprisonment, may challenge peremptorily; as the Act now stands it is only in cases of felony and treason that there is a peremptory challenge.

Mr. DAVIES (P.E.I.) You extend it to what?

Mr. DALY. To treason and felony and acts punishable by imprisonment for more than five years. Section 21 of the new Bill provides that the Legislative Assembly shall have power to confer upon territorial courts jurisdiction as to matters of alimony; a question having arisen as to their power to do that. By section 22 the Lieutenant-Governor, with the consent of the Governor in Council, may close up any road that is transferred to the Territories or vary its direction. That is the law in a separate Act, but we are introducing it into the North-west Territories Act, and providing that the Lieutenant-Governor may with the consent of the Governor in Council, do in this respect what the Assembly now does. As the law now stands a great deal of delay is occasioned by requiring the assent of the Assembly. These are all the changes.

Motion agreed to, and Bill read the first time.

RAILWAY SUBSIDIES, QUEBEC.

Sir JOHN THOMPSON moved second reading of resolution (p. 4818) respecting certain railway subsidies to the province of Quebec.

Mr. DAVIES (P.E.I.) There was a question raised by the hon. member for South Oxford (Sir Richard Cartwright), who is not in his place to-day, as to whether this amount, which was assumed as a liability of the Government some years ago, appears in the statement of the Dominion liabilities in the Public Accounts. On looking over the schedules we have been unable to discover where this liability is embraced, or whether, indeed, it is put in as a liability of the Government at all. I would like to ask the hon. First Minister if it is embraced in the statements of our liabilities, and if so, in what column?

Sir JOHN THOMPSON. The capital sum which the interest would represent never appeared as one of our liabilities. It was treated ever since the passage of the Act as an annual charge on the Budget.

Mr. DALY.

Mr. DAVIES (P.E.I.) So that our public debt is larger by a couple of millions or more than it appears.

Sir JOHN THOMPSON. I do not think so.

Resolution read the second time and concurred in.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 150) respecting certain subsidies to the province of Quebec.

Motion agreed to, and Bill read the first time.

THE COMMON SCHOOL FUND.

Resolution (p. 4719) respecting the distribution of the Common School Fund, was read the first and second times, and concurred in.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 151) respecting the Common School Fund.

Motion agreed to, and Bill read the first time.

LAND GRANTS TO THE MILITIA.

Bill (No. 54) to make further provision respecting the granting of land to members of the force on active service in the North-west, was read the second time, and House resolved itself into committee.

(In the Committee.)

Mr. DALY. There are a few military bounty warrants out now, which people seek to apply to unsurveyed land, and until the land is surveyed they will not be able to make entry for it. We have been extending the time, and this Bill is to extend it further to 1896, which will be a finality.

Mr. MARTIN. I am agreeable to the Bill, but it might be an advantage to some of these parties if a clause were added, giving them the right to transfer this privilege.

Mr. DALY. We could not agree to that.

Mr. MARTIN. Any reasons?

Mr. DALY. There are reasons. It is to stop speculation. If we were to agree to transfer, there would be no end to it.

Mr. MARTIN. In this case the right is already earned. The right to a homestead may not be of any particular value to many of them, and why should they not have a right to sell?

Mr. DALY. The hon. gentleman will understand that these military bounty warrants are applied on homesteads, and the holders have to perform the necessary conditions. We do object to giving power of transfer when they apply for it. You can transfer a military bounty warrant. It can be sold by

one person to another; and in these cases provided for, no doubt the warrants have changed hands three or four times. The conditions have existed all these years since 1885.

Bill reported, and read the third time and passed.

SEIGNIORY OF SAULT ST. LOUIS.

Bill (No. 97) respecting the seignior of Sault St. Louis, was read the second time, and House resolved itself into committee.

(In the Committee.)

Mr. LAURIER. I would call the attention of the Minister of the Interior to these words:

The Governor in Council may, on such conditions as he deems expedient, and with the consent of the Iroquois Indians of Caughnawaga, accept from the *ceusitaires* of the seignior of Sault Saint Louis seventy-five per cent of the arrears of rents due by the said *ceusitaires* on the eleventh day of November, one thousand eight hundred and ninety-two, as payment in full of the said arrears.

The provision seems right enough if the Indians agree to take 75 per cent. That may be just as good a way as another to dispose of the matter. But I would like to know what is contemplated by the words "on such conditions as deemed expedient"?

Mr. DALY. Those words relate to the mode in which we propose to settle as to whether we will take the money by instalments. We do not propose to be paid the 75 per cent at once. We have already got the consent of the Indians.

Mr. LAURIER. I should imagine that when the creditor knocks off a certain amount, you would pay him cash. If you extend the payment over years, you have the same difficulties to go over again.

Mr. DALY. The majority are in a position to pay, they have cash. It is proposed not to extend the time longer than two or three months after the Bill passes.

Bill reported, and read the third time and passed.

JUVENILE OFFENDERS, N. B.

Sir JOHN THOMPSON moved second reading of Bill (No. 144) to amend the Act relating to the custody of juvenile offenders in the province of New Brunswick. He said: Owing to the benefactions of Lady Tilley and a number of other charitable persons in New Brunswick, at her instance, the penitentiary property which was formerly occupied as a provincial penitentiary has been fitted up as a reformatory for juvenile offend-

ers, and the New Brunswick Government has aided the scheme to some extent. The Dominion Government has agreed to lease the property for that purpose, and this is to give the railway requisite authority to have young persons conveyed from the penitentiary to that reformatory.

Motion agreed to, Bill read the second time, considered in committee, reported, read the third time and passed.

STEAMBOAT INSPECTION ACT.

House resolved itself into Committee on Bill (No. 37) further to amend the Steamboat Inspection Act.

(In the Committee.)

Sir CHARLES HIBBERT TUPPER. We discussed this change on the resolution, but I may say briefly that there is no change in the administration of the law since 1867, but this is practically to remove doubts in reference to certain classes of vessels which, under the Act, are exempt from the requirements of the Act, except as regards their boilers and machinery, so as to make them still liable, as was always intended, and is still held, to the fees for the inspection.

On section 3,

Sir CHARLES HIBBERT TUPPER. In discussing another Bill, it was understood by the committee that I should introduce a clause amending the Steamboat Inspection Act so as to make it correspond with the Act respecting the safety of ships, therefore, I propose that section 4 of Bill (No. 98) respecting the safety of ships be introduced.

Amendment agreed to.

On motion to report the Bill, as amended,

Mr. DAVIES (P.E.I.) I suppose that no suits are pending?

Sir CHARLES HIBBERT TUPPER. None whatever.

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

CERTIFICATES OF MASTERS AND MATES.

House resolved itself into committee on Bill (No. 130) further to amend the Act respecting certificates of masters and mates of ships.

(In the Committee.)

Sir CHARLES HIBBERT TUPPER. I may state now shortly what this Bill proposes. It provides for an extension of the certificates that are granted so as to enable vessels to coast between Canada and the

ports practically down and up both sides of the American continent to British Columbia. At present they can go down to the West Indies and thence all the way round to British Columbia. This is an anomalous position. Although there are several sections here, we simply repeal all the old sections, then introduce a definition of "West Indies," substantially as in the Safety of Ships Act, adopting the Admiralty definition, and South America we define according to the same standard for the sake of uniformity. We go on and amend all the sections to correspond. The next substantial change also is a relaxation of the rules. Under the law as at present, only those who have been domiciled in Canada for three years, even as British subjects, can take part in the examination. I know of one case of an Englishman who wished to take out his certificate under this Act, but was not allowed to submit himself for examination because he had not been domiciled in Canada the required length of time. He had to go to England and get a Board of Trade certificate, which, of course, entitled him to take command of a Canadian ship in Canada. These are the only substantial changes, except that in the last section, which we considered in committee the other day—an increase of fees for certificates in consequence of the diminution of funds for the board of examiners.

On section 3,

Mr. DAVIES (P.E.I.) Any person not a British subject must be domiciled for at least three years?

Sir CHARLES HIBBERT TUPPER. That is the law now.

Mr. DAVIES (P.E.I.) You only relieve the candidate from disability so far as being a British subject is concerned?

Sir CHARLES HIBBERT TUPPER. That is all.

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

SUPPLY—THE CATTLE TRADE.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. MULOCK. Before you leave the Chair, Mr. Speaker, I would like to have the attention of the House for a few moments while I refer to a matter that has already received a good deal of attention at the hands of the House and the country—I refer to the cattle question. Of course, I cannot refer, on this motion, to the Bill that I introduced on the 20th March last, dealing with the matter, and if by accident I should do so, I hope. Mr. Speaker, you will be considerate, inasmuch as the matter is one of considerable

Sir CHARLES HIBBERT TUPPER.

importance. The Order of the House last Monday having terminated any chance of moving the Bill, and as I have observed from the discussion that the Government contemplate, not absolutely setting their faces against all legislation, but only against my proposed measure, and to make inquiries, I thought perhaps I might be permitted to refer to the question in the abstract, at all events, without reference to any proposed legislation. Now, if you look at the figures of the cattle trade, I think the House must come to the conclusion that public interests and the public welfare would seriously suffer if this trade were destroyed. The trade in live cattle with Great Britain within the last few years has assumed national importance, and its destruction must affect the national welfare. If we proposed to ignore any cause that destroyed, we will say, the products of the mines, the whole country would unanimously say that if any legislation could prevent such a disaster, such legislation should be forthcoming; and yet the products of the mines have not brought back to Canada within the last four years, within eight million dollars what has been brought back to Canada by the cattle trade. I dare say the statistics I have referred to, if extended prior to 1890, would show similar results. But I am only taking the figures for the years 1890, 1891, 1892 and 1893. During the last four years the gross amount of manufactures of Canada exported was \$25,944,284; while the gross value of the cattle exported from Canada to Great Britain during the same period, amounted to \$29,874,532; in other words, the live cattle exported brought back to Canada over \$3,950,000 more than was brought back to Canada from the sale of manufactured goods. Now, if you were told that the exports of manufactured goods from Canada was in danger, and in all probability would be absolutely terminated, that there would not be a dollar's worth of the manufactures of Canada sold abroad unless legislation intervened, public opinion would demand such legislation, and I have no doubt that a response would be found in the Parliament of Canada. When, therefore, I show that the magnitude of the trade exceeds that of the mines, and also that of manufactured goods, not both together, but separately, and show that within four years it has been within five millions of the value of our fisheries, surely the trade itself is one of sufficient national importance to demand the best attention and consideration of Parliament. It is one of such far-reaching consequence that I am satisfied that it demands legislation, if it is in the slightest degree in danger of destruction. It is not as if the farmers could now abandon the production of cattle and turn their attention to some other branch of husbandry. The time was when their principal efforts were the production and sale of grain, but we know what has become of that trade. We know how

countries able to produce grain more cheaply entered into keen competition, so that our farmers had to change their method and turn their attention to the production of something in respect to which they occupied a specially favourable position, and that was the production of live stock and the products of live stock, such as cheese, butter, &c. It is impossible to satisfactorily carry on even the dairying industry unless there is a profitable market for live stock. If we treated dairying as the main object, then the sale of live stock becomes as it were a by-product to that industry. It will not do to say the trade in live stock is of no consequence, and that the farmers can still change their methods and give their attention solely to the products of live stock, because the time comes sooner or later, when all the cattle have to go to the shambles, either here or abroad. So, however you look at the matter the farmers are driven to the last ditch. Grain growing is a thing of the past, and the only remaining industry is the production of live stock, with a view to selling it or the products of live stock. The trade in horses is practically a thing of the past. We have lost the American market, and while it is said there is a valuable market in Great Britain for certain classes of horses, it does not happen that we have the horses to any great extent to meet such a demand as exists in England. So that the cattle trade is one that directly and indirectly affects to a very large extent the Canadian farmer to-day, and whilst the matter has received much attention at the hands of the House this session, it has not received more than it was entitled to, nor do I think quite all that attention to which it was entitled. The fact that the public feel interested in the measure has been sufficiently verified, for almost since the session opened we have had daily recurring the presentation of petitions coming from all parts of Canada, asking for legislation to deal with the evil referred to in the measure I submitted to the House. It, therefore, cannot be said that the measure is not one of national importance, and it cannot be that there is no evil existing, because we have evidence of it in the Journals of the House during almost every day of the last three months. What are those evils? Hon. gentlemen are aware that there can be no live cattle sent to England now, except through a Canadian port. If it was proposed to send them through an American port, Canadian cattle would be subjected to quarantine regulations in the United States for a period of 90 days, the same regulation being imposed as regards American cattle entering Canada. I find no fault with the American regulation, for it is a counterpart of our own, but I merely mention it to show that there is really only one avenue by which cattle from the Rocky Mountains can reach here to Europe, and that is through a Canadian port, which practically is Montreal. It is true there are other ports, but it is equally true

that the vessels which ply between these ports and Great Britain are under the same control as those which at the present time have carried on the trade principally from the port of Montreal. It might be argued that the law of supply and demand would regulate this question, and I myself being in favour of free trade as nearly as we can obtain it, would, in the abstract, concur in the argument that the law of supply and demand should be allowed to regulate this as all other matters. But if artificial means are adopted to prevent the law of supply and demand applying, and if those artificial means are such as to make the application of that principle impossible, then the time arrives for Parliament to intervene, and, as nearly as possible, apply the principle of supply and demand, and overcome the selfishness and greed of those who endeavour to prevent the application of that principle. Therefore if we cannot ascertain at Montreal the cost of carrying Canadian cattle to British ports on account of interference between supply and demand, we will be able to find the true value as a result of the application of the principle of supply and demand in adjacent ports, and transfer that rate and make it apply to the trade as conducted between our own port and foreign ports. It has been charged by the Dominion Live Stock Association, and it has not been contradicted, that the Canadian vessel companies carrying on business from Montreal have, for several years, entered into a combination whereby they exact excessive rates for Canadian cattle. There are five lines of steamers engaged in the cattle trade (there may be an odd tramp or two besides) namely, Allan, Donaldson, Dominion, Beaver, and Hansa. Some of the lines have, during the period, received subsidies from the Dominion Government for carrying the Dominion mails. Those subsidies, during the four years to which I allude, aggregated at least half a million dollars. Certainly, to that extent, to the extent of our patronage, the lines should show fair dealing towards the Canadian people, but I do not rest our contention on any such incidental or accidental circumstance as that. The Dominion Live Stock Association presented to the public in the early part of April a statement, a manifesto it has been called, which has been published throughout the country, and appeared in every journal of importance. It has, therefore, been brought before the attention of the vessel owners, and I think I am correct in saying that, up to the present time, no persons interested in the carrying trade have ventured to contradict any of the charges contained in the document. I have here a copy of the document. For two months it has remained uncontradicted, the only recognition of it, so far as we can see, being that for the time being the combination has collapsed, or has suspended operations, to resume them when opportunity arises. I remind the

House of that possibility, because it may be argued that no legislation is now needed, inasmuch as the companies have improved their methods; but inasmuch as they have maintained their combination, not only during the four years in question, but many years anterior to that date, it is not safe to run the risk of leaving the cattle trade, even for a comparatively short period, at the mercy of the steamship companies, which, in this respect, have such a very bad record. Now, I think it is fair that we should take as correct, statements which are admitted by the steamship companies to be correct. What are the charges which the men engaged in the cattle trade make against the combination of vessel representatives? The Dominion Live Stock Association, speaking of the representatives of the steamship lines, assert:

They have their agents in England cabling over constantly, as to the prices of cattle. If it goes up, they put up the freight rates, including rates for cattle already on board.

Where does the freedom of contract come in here? Exporters have large numbers of cattle at the port of Montreal—practically the only Canadian port from which they can be exported—these cattle are in the stock-yards or on the cars awaiting shipment; and the only possible way by which these animals can be marketed is to send them by the vessels, all of which are in the combination, and which follow the practice that is here charged against them. Where, I ask, is there any freedom of contract under circumstances like these? The theory as to fair and free contract is, that both parties should be free to submit or not to submit to its terms if they choose; but in this case there is no freedom whatever, because the cattle trade is entirely at the mercy of the carrying trade. If this statement is true, and it is not contradicted, and we must accept it as correct, it shows what greed will accomplish. The Dominion Live Stock Association goes on to say:

Each line has its representative at Montreal, and what is easier than for these representatives to meet weekly or oftener, and combine as to, cattle rates. They have their agents in England cabling them constantly as to the price of cattle. If it goes up, they put up the freight rates, including rates for cattle already on board. If the price falls, rates do not come down in proportion. If there is a large quantity of cattle at Montreal, the vessel men combine to exact excessive rates.

If the markets improve and shippers want to ship in time to take advantage of such improvements, up go the rates. In fact, every state of the market or exigency of the cattle trade seems to be taken advantage of by the vessel men to levy excessive rates. Buyers cannot ascertain before buying what the rates will be.

Thus with a well-grounded fear of being charged excessive rates, they have to buy in ignorance of what the vessel men will charge to carry the cattle to market.

Mr. MULOCK.

The rate may be \$7 a head, or it may be \$17.50. This uncertainty alone makes cattle buying extremely hazardous, to the great prejudice, in some cases, of the farmer who sells, in others, of the buyer. Why should a legitimate industry be reduced to the level of gambling?

Buyers, who in buying have not reckoned on a sudden squeeze by the vessel men, have lost heavily, some even being ruined or driven out of the trade. In any event this very element of uncertainty renders it extremely difficult for the buyers to know what they may safely offer for cattle. As a rule, shippers do not know what the rates are to be, until the cattle have been purchased, brought to Montreal, and loaded, and the vessel is ready to sail.

In some cases the rate is fixed after the ship has sailed with the cattle on board. In securing space, the shippers at times have to agree to pay whatever are the going rates. This means whatever the agents of the vessel owners combine upon, when the shippers are in their power.

In these and other ways the whole export cattle trade of Canada is now being paralyzed by one of the hugest combinations in Canada.

The first principle of a contract is that both parties to it are free to assent or not to assent to its terms. Here we have two interests, the cattle industry and the vessel industry, the latter dictating terms to which the former must submit. It is powerless to resist, for no other route is open, and the principal steamship lines coming to Montreal and engaged in cattle trade being subsidized by the Government and enjoying other advantages are practically able to keep other vessels, except an occasional tramp steamer, off this route. Thus the conditions render this monopoly possible, and it exists, and is exercising its arbitrary powers most tyrannically.

With practically no competition in rates from Montreal, our cattle carried from Montreal at excessive rates are landed at Liverpool, on the same dock, by the side of American cattle carried at competitive rates from Boston, New York, &c.

Both bring the same price in the English market, but the American farmer was paid more for his cattle than was the Canadian farmer, because of the lower rates. Thus shipping cattle are worth more in the Buffalo than in the Toronto market.

It now remains for the Canadian people to determine whether this condition of affairs shall be allowed to continue. Shall steamship lines, some of them largely subsidized by the Canadian Government, and all enjoying the advantages of Canadian ports, harbours and waterways, upon which millions of Canadian money have been expended, be allowed of their own arbitrary motion to exact just such rates as they choose from the products of this Canadian industry? or shall Parliament be called upon to intervene, as it has done in the case of railways and other powerful organizations, to protect the people from oppression?

In the unequal contest, the cattle dealers have struggled in vain against the powerful vessel combination but are unable to break it.

They now bring the matter before the public.

It directly concerns the Canadian farmer. If he is to be paid the fair value of his cattle it must be possible to market them at reasonable rates, in fact as cheaply as his American rival does.

But this question concerns more the Canadian farmer. The farmer in old Canada especially is being obliged to change his mode of farming by feeding his grain instead of selling it. If the market for his cattle is destroyed what becomes of his industry?

Now, Sir, these are charges made by men engaged in the cattle trade, who know what they are talking about. One of these is the president of the Dominion Live Stock Association.

Sir CHARLES HIBBERT TUPPER. What is his name?

Mr. MULOCK. T. O. Robson. The next who signs his name to these charges is Thos. Crawford, vice-president of the association, and it is also signed by Henry Bracken, John Dunn and A. J. Thompson. All of these gentlemen are, or have been engaged at one time or another in this trade. It would not, perhaps, be fair to charge that all the decline in the cattle trade is due to these practices of the vessel representatives; but from what those engaged in the trade have stated, I think it is fair to assume that the practices of the vessel representatives have had a very great deal to do with the decline, and I think I can very accurately remember a statement made by one of these gentlemen, when he was laying the grievances of the trade before the Government a short time ago. The First Minister will, perhaps, remember what I am about to refer to and will correct me if I am wrong. One of these gentlemen said somewhat as follows:—"Sir John, I may tell you, that I speak as a long life supporter of your party. I have been engaged in the cattle trade for many years, carrying on business largely in the city of Toronto, which was my headquarters for some years, but owing to the practices of the vessel owners I saw my colleagues in the trade ruined, and many of them who are not ruined abandoning the trade for fear of losing what was left to them, and I determined before I lost all my money to cease to be a buyer and shipper to England of Canadian cattle, so long as we buyers are at the mercy of the carrying trade. He further said: I have been obliged to transfer my buying and selling operations across the line to Chicago, where I can get competitive rates which I cannot get in Canada. My home is in Canada, my interest is in Canada, my people are living in Canada, but I am compelled to transfer my business to the States, because I refuse to imperil the rest of my fortune in the Canadian cattle trade until this state of affairs is put an end to. And he said further: Unless this is put an end to, I prophesy that in five years, the export of live cattle to England from Canada will be a thing of the past. That, Mr. Speaker, is the language of a man who knew what he was speaking about, a man who was well versed in the whole question, and who has suffered in connection with the Canadian trade. Now,

Sir, if that is reliable evidence, and there is no doubt that it is, we must not stand idle and fold our arms and wait until this valuable trade is destroyed. Feeling the importance of this matter, when I introduced the Bill, I was extremely solicitous that coming from a member of the Opposition, no circumstances should arise which would in the slightest degree prejudice a fair consideration of the measure and I was anxious that it should bring from the House the best opinions of the members from all sides, so that the case might be impartially dealt with without reference to party, but wholly in the interests of the trade, which I deem to be the interests of the country. For that reason, at the introduction of the Bill, and from every stage until now, and now as well, I have assumed the attitude of asking the House—the Government, of course, specially—to regard the measure and my attitude upon it as simply in the interests of the trade, and not to allow the slightest degree of partyism to intervene, which might, if introduced, prevent a proper solution of the question being arrived at. I hope that in dealing with the question in the future, it may be viewed from that non-party standpoint, and if so, I feel confident that in some way or other we will arrive at a proper solution. I know that it is customary when there is an effort to destroy a measure, to attract attention to some weak feature and to condemn a desirable movement by alluding to some immaterial incident connected with it. For example, it might be possible, if there were any members in this House so disposed, as I hope there are not, to create a prejudice against the granting of relief by pointing out objections to the measure which I had the honour to introduce. But that is not the way, I submit, in which the matter ought to be dealt with. If my Bill is not sound, if it will not meet the case, let somebody else propose a better method; that is the way to meet the case. I will lay down these propositions: that the facts will show that the trade in question is of national importance, and that its destruction will be productive of national evil. If we admit these two propositions, are we to confess that Parliament is powerless to redress a wrong or prevent an evil of this gigantic character? Or are we to admit that Parliament is able and willing to grant the necessary relief? It has been said that the Bill which I offer is a novel one. I admit that it is a novel one, but novel diseases require novel remedies; and I venture to say that you will not find another case on record of the whole carrying trade of one class of goods in a nation the size of Canada, practically under the control of one man. Therefore, if the proposition I offered was a novel one, I plead as a defence the novelty of the disease. Now, Mr. Speaker, I will not take up the time of the House any longer. The House knows what has happened in the past. I need not point out the

practical difficulties in the way of the successful carrying on of the cattle trade. It must be apparent to every hon. member that if the buyers who go out into the country to buy cattle for shipment to England, do not know what it is going to cost to land them in England, they are going to assume everything against the Canadian farmer in making the purchase. They have the argument in their mouths to enable them effectually to reduce the price they offer; and that it is not an unsound argument is shown by the fact that in the United States prices for cattle are higher than in Canada, because the freights from the United States to England, except in the immediate present, are lower than those from Canada, while our farmers are obliged to land their cattle on the docks of Liverpool, Bristol and London in competition with American cattle. The result has been that American farmers have got more per hundred pounds for live cattle in England than Canadian farmers. I am not going to be drawn off the discussion of this general question by the mere circumstance that during a portion of the present season, the rates from American ports have been higher than the rates from Canadian ports. There may be temporary reasons for that. I think the long-continued wrong done to the Canadian cattle trade entirely overcomes any such argument as that. While I rejoice to know that temporarily better treatment is being furnished by the vessel owners at Montreal, yet, in view of the past, I have no great confidence in the permanent conversion of the vessel owners. I have not the slightest doubt that if public opinion is drawn away from this question, and the opportunity again arises, history will repeat itself, and the Canadian cattle trade will again be at the mercy of the vessel owners. For these reasons, while I regret in one sense that my Bill is not likely to be discussed this session, owing to the Government requiring all the remaining days for their own work, I trust that some good may come out of it, if the Government will carry out the pledge given by the First Minister to investigate the question with the view to granting relief. I am sorry that the Government, through the First Minister, have declared themselves hostile to the Bill; but I am going to minimize that attitude as far as I can in my own mind, by taking the expression of hostility as applying simply to the particular form in which I have proposed relief. I am going to hope that it is a hostility not to the principle that we must grant relief, but simply to the particular form in which I have proposed to grant it. If I am right in that hope, then perhaps a better measure than I proposed will be the outcome of my action. At all events, until I am assured to the contrary, until I learn that the Government are going to be as bad as the vessel owners, I will be charitable to them and will assume that they are going to act on the lines of my measure or improve

Mr. MULOCK.

upon it, with the view of preventing a recurrence of the evil in the future.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, I think the hon. gentleman has enjoyed a very great advantage on the present occasion in discussing the question rather than in making any defence of his particular Bill; and, although he said once or twice that he would not discuss the Bill, and did not attach great importance to that particular measure or to the manner in which his proposed remedy should be brought about, he now and then intimated that the slightest hostility to that form of dealing with the question would be hostility to the cattle shippers.

Mr. MULOCK. Excuse me; I did not say so.

Sir CHARLES HIBBERT TUPPER. Then I am very glad to be corrected, and it does not matter which of us is correct in that particular, though by way of introduction to the brief statement I propose to make, that preliminary criticism appeared to me to be a proper one. Though this is not the time to go into the reasons why that Bill should not be adopted in its present form, I think the hon. gentleman would have very great difficulty in showing that it was either practicable or that it would in any way be of advantage to the farmers, for whom he seems to speak, in giving them an increased price for their cattle; though it was introduced ostensibly in the interest of the shippers or the buyers of cattle, not the producers. In dealing with a measure of this kind, I would desire not to curry favour with either of these three classes, pitting them one against the other. I am certain that the large majority of hon. members on both sides of this House will want to protect the interest of the farmer, the interest of the shipper and the interest of the ship-owner, and will not bandy about the figures to see who happens to have the largest amount invested in any particular interest; and I complain of the spirit in which the hon. gentleman has brought this question up, while saying that he hoped that no party spirit would be shown in the matter. I think that, viewing the subject from every standpoint, I could prove to this House without the slightest difficulty that the hon. gentleman does not understand the subject he has in hand. I could show that the speech he made in introducing his Bill is based on erroneous information, information which I was glad to see he did not use on the present occasion. His talking about rates showed that he had not looked into those rates in any year, and that he was years and years away from the record. I could go through that speech and show that the hon. gentleman is not able to give to any commission that might be obtained the slightest assistance in regard to the cattle trade. I have consulted the book, and I have failed to find any one man inter-

ested in the shipping of cattle who took any particular interest in the measure of the hon. gentleman, and I know that not one of them corroborates the statements made by him in the preamble of the Bill, or in the speech with which he introduced it. I would not have referred to that if I did not believe, from what the hon. gentleman has said on several occasions, that there is more or less of a desire to put these shippers of cattle and the farmers in an aggrieved position, and to hold the Government responsible. I do not think it is the right of the hon. gentleman to say, over and over again, that his statement that there is and has been an unfair combination on the part of ship owners to the detriment of shippers, is uncontradicted. I contradict that statement. I say there is no evidence to show that that charge is seriously pressed or can be seriously pressed, or has ever been seriously pressed.

Mr. MULOCK. I know you are wrong.

Sir CHARLES HIBBERT TUPPER. I can back up my opinion by facts.

Mr. MULOCK. You cannot.

Sir CHARLES HIBBERT TUPPER. Let the hon. gentleman take the prices of cattle and the rates of freight in the English market, and I can show him that every year there has been a lowering of rates to correspond with the lowering in prices. Are we to be told that it is a combination of ship-owners which has lowered steadily the rates of freight charged?

Mr. MULOCK. Does the hon. gentleman say that there has been no combination among the vessel men that I have alluded to?

Sir CHARLES HIBBERT TUPPER. I do not intend to repeat what I did say. I have said distinctly my opinion.

Mr. MULOCK. If the hon. gentleman says that, he says what he knows is not true—no, I do not mean that. He says what I know is not true. If the hon. gentleman asserts here that no combination has existed among the vessel owners or their representatives with regard to the freights that they were to charge on Canadian cattle to English ports—if the hon. gentleman says there was no such combination, I tell him he is in error.

Sir CHARLES HIBBERT TUPPER. That is rather milder. The hon. gentleman is in a most ridiculous position to-day. He is handling a subject which he is showing his complete incapacity to understand, and when I put to him a question about the rates, the hon. gentleman uses language which is coarse, and then has to follow it with language which is weak, and which he would not use if he were not quite so sure that he is wrong and I am right. The House will be surprised, after what the hon. gentleman

has said, touching the manner in which the ship owners have handled their business, when I tell them that this fluctuation of rates, which I have pointed out, is common to every shipping country in the world. And the hon. gentleman from Queen's (Mr. Davies), whose opinion perhaps the hon. gentleman will value more than mine, will tell him that rates of freight fluctuate very much. When prices are good, rates go up, and the ship owners make a little more money. Unfortunately they are down to-day, all over the world, and he is a rare bird who owns a ship and finds it giving him any return. Ship-owners have to take what they can get; and there is no country in the world that has undertaken to step in between them and the shippers and dictate to them how to manage such a delicate business in which such extreme fluctuations occur. I will give the hon. gentleman a little information, which will show him that my opinion is not without foundation. He will be a little surprised when I tell him that as few years ago as 1880, when a very small quantity of cattle apparently was being shipped from our ports, 34 dollars per head was the price charged. Does the hon. gentleman know the price per head to-day from Montreal, for instance?

Mr. MULOCK. I read the figures you quoted.

Sir CHARLES HIBBERT TUPPER. Does the hon. gentleman know the rates at which cattle are being shipped from Montreal to-day?

Mr. MULOCK. No.

Sir CHARLES HIBBERT TUPPER. Yet the hon. gentleman is raising a cry about the manner in which ship-owners are imposing rates. The rates to-day are 27 shillings and 6 pence, as compared with 34 dollars in 1880. Take 1890, which was a very big year, 1891, which was a good year, but in which less cattle were shipped than in 1893, and the subsequent years, and you will find the following rates were charged at this port, where there is a combine to keep up the rates and where the cattle shippers, according to the hon. gentleman, are at the mercy of the ship-owners:—

In 1891.....	57s.
In 1892.....	51s.
In 1893.....	43s.
In 1894.....	30s. to 27s. 6d.

I am not prejudging the case between the different parties, but that there is an exaggerated view taken by the hon. gentleman, which is not taken by the shippers and which cannot be substantiated, there can be no doubt. That there is cause, however, for inquiry we do not deny. When a body of men, such as these shippers of cattle, are not satisfied, when there is shown to exist on the part of the farmers the fear that some unfair advantage is being taken—and there are other questions than those

rates to which the hon. gentleman has alluded—it is our duty to have a full and fair inquiry, and not to treat the ship-owners as though they were already judged to be wrong. The business is one which requires most careful attention, being often in the most precarious condition through the extraordinary competition and lowering in prices, and the hundred and one difficulties ship-owners have to meet. But in 1891—and I ask the hon. gentleman to remember this, so that he may realize the so-called grievance is not so great as he would have it—what was the rate ruling then? It was 57 shillings, as against 27 shillings and 6 pence.

Mr. MULLOCK. What was it in Boston at the same time?

Sir CHARLES HIBBERT TUPPER. The hon. gentleman cannot draw me from my point, and I will refer to Boston later. My point is this. This subject was before Parliament in 1891. It was preceded, as it should be and will be again, by an inquiry, and the evidence was in the hands of members, the reason of the inquiry being the necessity of regulations respecting the shipment of live cattle and the authorizing their slaughter if they were not carried through in a proper condition. The subject now before the House was incidentally touched upon, and yet neither in Parliament nor in the country was there any challenge of the position the ship-owners were taking in the management of their own private property and affairs, although the rate then was 57 shillings, as against 50 shillings in 1893, and 27 shillings and 6 pence in 1894. The official information given me was 30 shillings in 1894, but an hon. gentleman who is in the business has told me that since then—the earlier part of the month—rates have come down to 27 shillings and 6 pence. The hon. gentleman asks what the rate was in Boston. Of course the rates vary every year, according to the cattle coming forward; and in order to make a fair comparison you must not merely compare the rates, but the corresponding conditions. In 1891, for instance, when we were charging 57s. in Canada, they were charging 42s. in Boston; and in 1893, when they were charging 43s. in Canada, in Boston the charge was 43s. But, this year, the rates in Canada are less than those in Boston or New York or Baltimore. So the hon. gentleman can see that Parliament can hardly come to a quick conclusion on a mere statement of these rates. One year the comparison is against us, another it is in our favour, but in every year there has been a marked falling off in these rates. Another subject I would mention is that there is an interesting journal published in Montreal called the 'Cattle Exporters' and Butchers' Advocate,' dealing thoroughly with the cattle export trade. While they mention a steady falling off in these rates, and the satisfactory

Sir CHARLES HIBBERT TUPPER.

adjustment of this question between the two interests involved, no prominence has been given to what the hon. gentleman pretends is a very burning and serious question. What I complain of, and I think it is a ground of fair complaint, is that when the hon. gentleman finds that a full and fair inquiry is to be had—a thing that should be asked for before legislation is suggested—he should put in an unfair position an interest that every man should seek to cultivate and guard as carefully as any other, the shipping interest. The allegation that there is a combination I have never seen a particle of evidence to justify. The rates must be fixed by vessel owners often acting in conjunction, but such a thing as a combination of the character the hon. gentleman has referred to, I do not believe exists to-day, and I do not believe it ever existed in connection with the cattle trade. The evidence, so far as I have been able to investigate, conclusively shows the contrary. Now, the hon. gentleman talks about the rates going up with the price of cattle, but he fails to add that the rates go down as well with the price of cattle. He seems to think it an extraordinary thing that the vessel owners should find out what the cattle are likely to sell for. But, with all due respect to him and to those interested in this trade, I think it reasonable that this should be done, for it is done in connection with everything carried in a ship. That is the way rates are fixed. The owners find out what the markets and the conditions will stand and endeavour to make the best bargain that they can. Another reason why we should hasten slowly and go into this matter with the greatest caution is, that no measure in any country in the world has ever ventured to go so close to a ship's business, as this does. The hon. gentleman could not instance a case of such a law being adopted. The conditions are admitted now to be such that no great complaint can be made. It may be said that is due to this agitation. Whether it is so or not is another question. I do not believe that the agitation has had anything to do with the change. The rates are low now because the cattle trade is not in the position we should like. There are many reasons for this, and the House is aware of what those reasons are. There is still another thing to consider. We have spent millions in making these Canadian ports attractive to shipping, seeking to bring to them ships having great tonnage. Now, will it be wise—and that is the question that requires very careful consideration—to make Montreal the only port in the world where the ship-owner is not free to make the best he can out of his ship's business? I put that same question to the cattle shippers, and they acknowledged it that it was a very difficult question to deal with, and they have not been able to give me a satisfactory answer. I hope they will be able to do so on a full inquiry being made. The point as I put

it to them was this: Suppose a maximum rate is fixed—and it is a maximum you want, that is all you are interested in. You want to have as many ships as possible come into port at Montreal. Are you going to encourage vessels called tramps—that is, vessels that are not on a regular route—to call at Montreal, when the owner knows that he will not be permitted to take advantage of the market so far as rates are concerned, but must submit to governmental supervision or a maximum figure which might be most unfavourable. I think that is a question that requires very careful consideration before you mark a port in that objectionable and novel way. I contend, therefore, that all these things call for very careful and thorough and impartial inquiries before Parliament can be in a position to form an opinion on this vexed question.

Mr. LAURIER. The House will be sorry. I am sure, that the hon. Minister of Marine did not adopt the moderate tone in which my hon. friend from North York (Mr. Mulock) opened this debate.

Sir CHARLES HIBBERT TUPPER. Did you say moderate tone?

Mr. LAURIER. Yes, he adopted a very moderate tone.

Sir CHARLES HIBBERT TUPPER. I thought the language exceedingly coarse.

Mr. LAURIER. Surely the hon. gentleman could not have heard my hon. friend's words. He represented his case in a very moderate tone. He made a statement which did not seem to sound agreeable to the ear of the hon. Minister. He stated that there had been a combine among the ship-owners at Montreal, and that statement seems to have grated upon the ears of the hon. Minister, for he immediately flew into a passion and denied the truth of the statement. That is a question of fact which has not yet been ascertained. My hon. friend says he has reason to believe that there is a combine. Would such a thing be so very extraordinary? Is it the first time that we have heard in Canada, or in this House, of combines among those of the same interest? Is it not a fact that such combinations of those having the same interests are daily recurring, combines to further their own interests? There may be such a combine or there may be not—I do not know. That is the question at issue. My hon. friend has asserted in the Bill, which, unfortunately, I fear, cannot be reached this session, that there is a combine. He gives that as a basis for his Bill. The legislation, he admits, is of an extraordinary and exceptional character, not at all in consonance with his views as a free trader, of what should be the ordinary legislation of this country. I am altogether of his opinion that the Bill is an exceptional one, and that it should not

be passed under any circumstances unless the preamble to the Bill stated and it was believed to be the fact, that there was a combine among the ship-owners in the port of Montreal. If there is such a combine, then I submit to the hon. gentleman who has just taken his seat: Would there not be occasion for extraordinary legislation in order to meet that evil, in order to meet that conspiracy against the public interest? I say there would then be an occasion to meet such a condition of things. I do not care to say that the measure proposed by my hon. friend would be the most adequate and the most conducive to the interests which he has in view. I am not prepared to say it ought to be adopted: but I have no hesitation in saying that if it were true, as stated by my hon. friend from North York, that there was a combination of the ship-owners against the cattle shippers, and against the farmers, and against the buyers of cattle, certainly it is the duty of the Government to interfere in that matter. Now the Government tell us, through the Minister of Marine and Fisheries, that there is to be an inquiry. An inquiry into what? I want to know if there has been no combination? The hon. gentleman tells us there is no combination because the rates fluctuate, and, on the whole, they have a tendency to go down. But surely he has no evidence that there is no combination.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman will allow me to correct a statement he has made once or twice. I did not wish to give evidence, personally, nor do I wish to be understood by the House as giving evidence that there is no combination. I objected as strongly as possible to the statement that there was admittedly a combination, and certainly I was able to contradict the statement that there was admittedly a combination. I did not pretend to have any evidence of my own.

Mr. LAURIER. I did not understand the hon. gentleman to give evidence of his own that there was no combination, but certainly I understood him to resent in a positive manner the assertion of my hon. friend that there was a combination.

Sir CHARLES HIBBERT TUPPER. Simply because it was not supported by any evidence.

Mr. LAURIER. This is the question at issue, whether there is such a thing or not. I am now pointing out that there is an assertion on one side and an assertion on the other side. The hon. gentleman tells us that there is to be an inquiry into the subject, and if so, I want to know what the inquiry is to be about if there is no combination. I should think the first thing to inquire into would be whether there has been a combination or not. There may not be any combination at the present time,

but because on this 25th June there is no combination, it does not follow that in the month of April, when complaints were first made, there was no combination. If there is no combination now, and there has been none, I am at loss to know what there is to inquire into.

Sir CHARLES HIBBERT TUPPER. I said nothing directly or indirectly to suggest that the inquiry would not cover the question of a combination. I certainly did not wish to limit the scope of an inquiry in that particular; on the contrary, I said we would approach the question from a fair and impartial standpoint, and hear all that could be said on behalf of the farmers, the shippers and ship-owners.

Mr. LAURIER. That may be, and that only justifies what I said a moment ago, that the hon. gentleman would have done better to adopt a moderate tone, in which case he would have expressed himself more clearly and more satisfactorily to himself and to the House. Then I understand that after all what the hon. gentleman meant, though he spoke somewhat in anger, was there would be an inquiry about everything, whether there was a combination or no combination. If such is to be the case, while I deplore that the hon. gentleman was not more explicit in his remarks—and, perhaps, he will understand that it is better to keep his temper under all circumstances—since he meant to say that the whole subject would be inquired into, that is in keeping with the remarks of the hon. member for North York, who stated in the concluding portion of his remarks that, to some extent, he was not sorry that his Bill would not come up for discussion this year, because the Government would undertake to make an inquiry into the ins and outs of this question, and what is the present condition of the trade? It is not enough to go into the question of rates, but the inquiry should cover the main question, of whether the ship-owners in the city of Montreal take advantage of their position to impose extra rates upon the shippers.

Sir CHARLES HIBBERT TUPPER. Certainly I would have no objection to taking advice from the hon. gentleman who has just taken his seat. He is certainly quite capable of giving it, and he is my senior in this House; but I must deny his statement that I spoke in temper. I may have shown indignation in reference to the charges made against the shipping interest, which I thought were unfair, but that I was in temper I deny. But I was a little hot, it is true.

Mr. DAVIN. As representing the farmers of the North-west, I congratulate the Government and the House, and I congratulate the farmers, that there is an intention on the part of the Government to inquire into the question raised by the Bill and by the

Mr. LAURIER.

speech of the hon. member for North York (Mr. Mulock). I confess that if it were necessary to discuss that Bill I should find it very difficult to agree with some of its principles, but I do not think it can be established that a reason might not be forthcoming why the Government should not take a course that would affect ocean freight rates in the interest of the farmer and the shipper. Now, it appears to be established that the ship-owner regulates his rates of carriage across the Atlantic by the prices that the cattle he carries will bring in Liverpool; and it would seem from the rates that the cost of carrying cattle is sometimes low and sometimes high. But there must be a rate for carrying cattle across the Atlantic that will give a fair profit to the ship-owner, and we can easily understand that a rate that would give a fair profit might fall very far below what he feels himself entitled to exact from the shippers of cattle, because of some price that happens to be ruling in Liverpool. I cannot agree with the principle that the ship-owner is entitled to regulate the price at which he will carry cattle across the Atlantic by the rate those cattle will bring in Liverpool, for that means simply that he himself becomes a speculator, he deals with the cattle almost as if they were his own. I do not intend to trouble the House at length on this question; I merely rose to express my satisfaction that an inquiry would be held into this matter. The question of the freight rates, the cost of carrying cattle from this country to Liverpool is vital to the west, especially, and of the greatest moment to Canada at large. It is a question that goes to the very marrow of our prosperity, and if it should be proved that the ship-owners have taken a course unjust to the farmer and to the shipper, then I consider that a case would be made out why the Government should interfere, and I will give you my reason. Who deepens the channel of the rivers, who builds the lighthouses, who gives all the facilities for the business carried on by the ship-owners? The Government of Canada, or in other words, the people of Canada; and, therefore, if it should turn out on inquiry that the ship-owners are guilty of any unfair dealing either to the shippers or to the farmers, I for one would believe that the Government should take action, and dealing with the ship-owners under those circumstances they would have my strenuous support.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Government of North-west Territory--Expenditure on Lieut.-Governor's house..... \$10,525

Mr. DAVIES (P.E.I.) I observe an increase under this item of about \$2,000. There was considerable discussion a year or

two ago in regard to the expenditure under this head, and in regard to the extravagance that had characterized it, to use a very mild term, and some facts were given, which were never controverted, showing extravagance that was intolerable, and deserving of very severe censure. This feeling was shared by hon. members on both sides of the House. Under these circumstances, to find an increase of expenditure in connection with that office is somewhat startling, and the increase requires explanation.

Mr. DALY. I have no idea to what the hon. gentleman refers. The proposed vote is made up as follows:—Travelling expenses, \$2,000; private secretary, \$600; clerical assistance, \$2,000; contingencies, \$500; stationery and telegrams, \$500; subscriptions to newspapers, \$100; Government House service, \$2,500; light and fuel, \$2,000. The increases are in connection with travelling expenses, clerical assistance and newspapers, the total increase being \$1,925.

Mr. MULLOCK. Is coal \$10 a ton in Regina?

Mr. DALY. Yes; and anthracite coal for furnace purposes is cheap at that there.

Mr. MULLOCK. Cannot native coal be used?

Mr. DALY. Anthracite is used generally for furnace purposes.

Mr. DAVIES (P.E.I.) I do not care about haggling about trifling expenses, except where it is necessary. But this is not exactly the time when an increase should take place in unnecessary expenses. Mr. Royal, the late Lieutenant-Governor, did not certainly incur the reproach of being an economical administrator. He managed to expend a fair and reasonable amount, and he seemed to have travelled all over the Territories, and also visited Ottawa, for which he received \$500 or \$600 in addition to payment of his travelling expenses through the Territories. I am not aware that the present circumstances justify any very large increase in expenditure. This is a small increase now, but if the House gives way to the demand of every Lieutenant-Governor, there will be increases from \$2,000 to \$3,000 within a very few years, and the Government will find itself face to face with an expenditure that will not be tolerated by the country. There is abundant evidence that in the present financial condition, when stringency exists everywhere, when private individuals are seeking to curtail instead of increase their expenditure, owing to the hard times and the difficulty to make ends meet, these constant and daily motions to increase the expenditure of public officials will not meet with a favourable response at the hands of the people. I am entirely opposed to this increased expenditure. I think the Government are yielding improperly to demands made in the direction of improper expendi-

ture at the present time. There may be a day, when times are good and the revenue elastic, when Parliament may be disposed to be somewhat bountiful in disposing of the taxes of the people, but the present time is not one when we should increase the controllable public expenditure, and I wish to place my opinion on record in protest against it.

Mr. MULLOCK. What is the meaning in the accounts contained in the Auditor General's Report at page D—186 of the following: Bell Telephone Co., rent, Government House stables, 12 months, \$36; rent, Government House and stables, \$36; and above there is another item, Bell Telephone Co., Government House, \$36. Are there telephones to the Government stables?

Mr. OUMET. When the new residence was built it was placed nearly one mile from the old House. The stables have not yet been built, and therefore the present stables are about a mile from the present residence. A special messenger would be necessary to communicate between the stable and the Government House, and so a telephone service is used.

Mr. DAVIES (P.E.I.) I thought the Minister of the Interior would have given an explanation of the increase of 100 per cent in travelling expenses. Last year Governor Royal paid two visits to Ottawa at an expense of \$600, and the balance of the \$1,000 was expended in travelling through the Territories. You now propose to take \$1,000 for additional travelling expenses. The distances in the Territories are not increased, and the points which the Lieutenant-Governor has to visit are not different from those Lieutenant-Governor Royal visited. I venture to say that you cannot blame Lieutenant-Governor Royal for being particularly parsimonious in his expenditure. I think he generally managed to keep up the dignity of his office so far as the expenditure was concerned, and I think the committee ought to have some information from the Minister as to why it is desirable that the travelling expenses of the Lieutenant-Governor should be larger than those of his predecessor.

Mr. DALY. It was found that the \$1,000 voted last year was not sufficient, and the present Lieutenant-Governor being new to his office will, of necessity, have more travelling to do. It must be remembered that the Lieutenant-Governor of the North-west Territories occupies a different position from any of the other Lieutenant-Governors. He is the executive officer of the Government, and it is necessary for him to visit the people from time to time who live long distances apart. I do not think any person can complain of the work that was done by Lieutenant-Governor Royal in that particular, or of what is proposed to be done by Lieutenant-Governor Mackintosh. The Lieutenant-Governor must travel to bring himself in

contact with the people, and to ascertain their condition. As I have said, he occupies a different position from the other Lieutenant-Governors.

Mr. DAVIES (P.E.I.) He certainly does to some extent occupy a different position. But it must be remembered that he occupies a very different position now from the position occupied by the incumbent of that office three or four years ago. Some years ago he had the administration of the affairs of the North-west, but to-day the North-west Territories is governed by an Assembly which possesses powers almost equivalent to those of Local Legislatures, and the Lieutenant-Governor there is now very much in the position of the Lieutenant-Governor of one of the other provinces. He has to be advised and controlled by the advice of his Council in almost everything.

Mr. DALY. You are mistaken.

Mr. DAVIES (P.E.I.) If the hon. gentleman looks at the powers delegated by this House to the North-west Assembly, he will find that they are nearly equal to the powers given to the Legislatures of the different provinces. This increase of \$1,000 will not be a temporary increase. I have no doubt at all but that it will become a permanent addition to the Lieutenant-Governor's salary, if it is voted by the House now. It is the experience of those of us who have been here for the last thirteen or fourteen years that once you make an increase like this, you are not going to get it back again. Every Lieutenant-Governor on getting into office will expect as a matter of course that he will be paid this perquisite, and will look upon it as a sort of a contract. This proposition to-day may not now arouse the people; the people may be interested in some other matters, but I venture to say that in the present temper of the people this increase of \$1,000 will not be sanctioned or approved, but that rather it is their desire and wish to economize and to reduce such expenditure.

Mr. DALY. The hon. gentleman will understand that this item in years previously was always \$2,000; but it was cut down to \$1,000 last year. That was found insufficient, so that we are now bringing the vote up to what it was before.

Mr. LAURIER. The hon. gentleman says that the amount of \$1,000 was found to be insufficient last year?

Mr. DALY. It was.

Mr. LAURIER. In what respect, and in what way was it insufficient? The Minister is in the secrets of the department, and we are not, and when he states that the \$1,000 was not sufficient he ought to be prepared to give the reasons why, and all particulars about it. What does the Lieutenant-Governor propose to do this year that he could not do last year for \$1,000? Are we to under-

Mr. DALY.

stand that the Lieutenant-Governor of the Territories was last year unable to discharge some duties which he should have discharged, because he had not at his command sufficient money? Had he to do anything which he was prevented from doing on account of this insufficiency? If a statement in detail is given to us to that effect, then we can understand the position, but the Minister simply comes before the House and says that the amount last year was insufficient. I do not dispute the accuracy of that, although it does seem extraordinary, but the House which votes the money has a right to know in what respect the Lieutenant-Governor could not discharge the duties which were incumbent upon him, and if that can be shown to the House, then I can understand why the Minister is asking for a vote of an extra \$1,000.

Mr. DALY. I made the statement to the House that the sum of \$1,000 voted last year was insufficient, and if the hon. gentleman looks at the Supplementary Estimates he will see a sum there of \$1,900 to recoup the shortage for the present fiscal year 1893-94. It is in order to avoid any future contingency of that kind that this sum is asked for. As a matter of fact, the present Lieutenant-Governor had to pay travelling expenses out of his own pocket, and he has to remain out of the money until such time as this is voted by the House.

Mr. LAURIER. It does not follow that the expenditure was necessary.

Mr. DAVIES (P.E.I.) More than that. It is a matter very much to be regretted that when this House votes a certain sum of money for a specific purpose, that any public official should undertake to incur two or three times the amount of that expenditure, and then come to this House and ask to be recouped. If the House has one function which it ought jealously to guard it is the function of watching closely over the public expenditure, and when the House votes \$1,000 or any sum whatever for a specific purpose, it ought not to lie—and constitutionally it does not lie—in the whim or the power of the officer who is to expend that money to incur increased expenditure. He is bound by the vote of the House, and he has no right to incur \$1 expenditure beyond that. I see by the Auditor General's Report that the expenditure of the Lieutenant-Governor in 1892-93 involved two trips to Ottawa. I suppose it is not intended that the Lieutenant-Governor of the North-west Territories shall visit Ottawa semi-annually at the public expense. I do not see what reason he would have to come here on public business twice a year. If the House votes a certain sum for the Lieutenant-Governor's expenses that sum should not be exceeded; but the fact of the matter is that we are losing control altogether of the expenditure of Government House in the North-west Territories.

Mr. DALY. In justice to the present Lieutenant-Governor I may say that it was not he who over-expended the money at all. Lieutenant-Governor Mackintosh found when he arrived there that there was an over-expenditure, and in order to discharge what he considered to be his duty he has had to expend the money for his travelling expenses out of his own pocket.

Mr. DAVIES (P.E.I.) The hon. gentleman does not understand me. I had no reference to the present occupant of the office, any more than to his predecessor.

Mr. O'BRIEN. I think the Lieutenant-Governor of the North-west Territories can now reach almost every town within his jurisdiction by railway.

Mr. DAVIN. No, no.

Mr. O'BRIEN. Well, nearly every town.

Mr. McDONALD (Assiniboia). No.

Mr. O'BRIEN. He can go to Edmonton and many other towns by railway. It must be remembered that this vote is giving the Lieutenant-Governor \$12 a day for travelling expenses for 150 out of the working days of the year. Will any one tell me that the Lieutenant-Governor of the North-west Territories is a man who needs to travel in such state that he has to pay \$12 a day during 150 days out of the twelve months?

An hon. MEMBER. Why one round of drinks costs that in the North-west.

Mr. O'BRIEN. I do not know what one round of drinks costs, but I do not think this country is bound to pay for the drinks of the Lieutenant-Governor. I dare say that there are men who would like to see things done on that scale, but the country should not pay for it. This is a ridiculous proposition to allow so much for travelling expenses.

Mr. MULOCK. It is, in my opinion, an entirely wrong step to propose to increase this expenditure. We have the Governor-General's establishment at Ottawa, and we have Lieutenant-Governors throughout the country, and every year the expenses in this respect are greatly increased. The increase proposed to-day is treated as a fair expenditure, and if we approve of it, and if it is adopted by the House, we are practically fixing it as a charge upon the country for all time to come. We are asked to-day to adopt an item involving an increase of about \$2,000 in the expense of Government House, which at 4 per cent represents the interest on \$50,000. Instead of our voting an increase, the proper thing would be to try to vote less. The Minister has not told us, for example, why an extra clerk is required, or why the Lieutenant-Governor should travel so much. All he says is that the Lieutenant-Governor is a Dominion officer. He occupies a sort of dual position, being a Lieutenant-Governor

nor under the control of his Cabinet up there, and an executive officer of this Government. Every Lieutenant-Governor is a Dominion officer, and yet we do not have to put items in the Estimates to pay their travelling expenses.

Mr. DALY. No, because the province pay them.

Mr. MULOCK. If that is the case, it is a good reason for the same being done in this case—for the expense being paid by those who will see that the travelling is done in the public interest. This \$2,000 for travelling expenses of the Lieutenant-Governor of the North-west Territories is practically an increase to his salary. I do not see how he can legitimately spend \$2,000 a year in travelling; and if it is in the interest of the North-west that he should travel, he is a constitutional ruler, and let those who are in a position to see that his travelling is in the public interest, pay his expenses. I do not think this vote should be conceded, and if no other hon. gentleman will do so, I will move that it be reduced by \$1,000. Before making that motion, I would like to know what clerical assistance is required, who is the proposed new clerk, and why he is to be appointed?

Mr. DALY. The only explanation I have is that the amount for clerical assistance required is \$2,000, that the amount voted last year was \$1,500, and that the existing staff are entitled to an increase, having been employed for some years on very small salaries.

Mr. DAVIES (P.E.I.) The hon. gentleman says that the provinces pay the travelling expenses of the Lieutenant-Governor. I am not aware that the provinces make any allowances to the Lieutenant-Governors for travelling expenses.

Mr. BAIN (Wentworth). The present position of this question strikes me as remarkably interesting. So far as my observation goes, hon. gentlemen's friends in the west are just now actively agitating in favour of the entire abolition of the Government House in Toronto, and the consequent saving to the province of \$20,000 or \$30,000 a year. I see my respected friend, the Controller of Customs, looking me in the face. He has, I suppose, just returned fresh from the field, and ready to gather the laurels of the campaign. He has been travelling during the last fortnight through Ontario, where his friends have been advocating economy in this respect. I understand that there is a strong feeling there that the rural population have to be content with a reduced income in consequence of the lower prices they get for what they have to sell. I do not know what line my hon. friend, the Controller, took, but I know that his friends in the west who are pressing so actively for economy in the administration of affairs of the province, are calling loudly for the abolition of Government

House in Toronto. Then, on what principle do hon. gentlemen propose that we should grant the Lieutenant-Governor of the Northwest sufficient to enable him to travel for half the year at \$12 a day, leaving out Sundays? I say it is simply preposterous, and the sooner we realize that the community are in earnest in wishing to have our expenditure kept within reasonable bounds, the better it will be for all concerned. But what I am chiefly concerned about, is to have hon. gentlemen opposite reconcile the position taken by their friends in the west with the position taken here to-day.

Sir JOHN THOMPSON. I think the hon. gentleman will have to settle the matter with his own friends, who hold a different view in the province of Ontario from what they do in this House.

Mr. SUTHERLAND. I am not in the habit of finding fault with any proper expenditure in connection with the expenses of the Lieutenant-Governor; but I agree with the hon. member for North Wentworth (Mr. Bain) that this particular time does not seem favourable for making so large an increase. If it is necessary for the Lieutenant-Governor to make visits throughout the Territories—and I can understand it might be so—the expenses should be provided for in a more businesslike way; a return of the expenses might be made, and then they might be paid by the Government, the Government taking the responsibility of their having been incurred in the public interest. It is hardly fair for the hon. leader of the House to say that my hon. friend ought to reconcile the matter with his friends in Ontario, because I understand that the hon. Controller of Customs has been actively supporting the position taken by the present Opposition in the province in favour of abolishing the Provincial Government House altogether. I think that hon. gentleman and others have referred to the hon. Premier of that province as corrupt and extravagant—

Sir JOHN THOMPSON. Question.

Mr. SUTHERLAND—and that he should be voted out of power for maintaining that expensive establishment. It does seem rather inconsistent that we should be called upon at the present time to vote such an increase for such a purpose, especially without more explanations than we have received.

Mr. LAURIER. My hon. friends have not, I think, been altogether fair to the Controller. It was not only a question of expense that he was discussing, but, if I am to believe a report which I saw in the 'Citizen' of this city the other day, he was also defending the sacred cause of Protestantism, which is in danger at the present time in the province of Ontario. But coming to the question before the committee, the reasons which have been given by the Minister of the Interior show con-

Mr. BAIN (Wentworth).

clusively that this item should not be allowed. I would not myself, under any circumstances, scrutinize this expenditure too minutely, but what is the fact stated by the Minister of the Interior a moment ago? Up to last year the amount allowed for travelling expenses was \$2,000, and last year the House, in its discretion, decided to reduce the amount by \$1,000. Now, the hon. gentleman says that sum is found insufficient, and we have to recoup the Treasury by an amount in the Supplementary Estimates to the tune of \$2,000, because the Lieutenant-Governor deliberately chose to ignore the will of the House. I want to know who is to govern this country—the Parliament of Canada or the Lieutenant-Governor of the Territories? When the Parliament of Canada, wisely or unwisely, limits the Lieutenant-Governor to an expenditure of \$1,000 in a certain particular, and when the Lieutenant-Governor deliberately, in defiance of that decision, spends what Parliament refused to allow him, it is trifling with the dignity of this House to say that we must grant the amount because His Honour chose to spend it. He should have confined himself to the limit fixed by Parliament. What reason can be given why the Minister of the Interior should endorse the action of the Lieutenant-Governor? He says that His Honour will have to pay it out of his own pocket. So much the worse for him. What reason can we give for setting aside the will of the representatives of the people? Every argument used by the hon. gentleman shows that the vote should be reduced to the amount of \$1,000.

Mr. MULOCK. I will move to reduce the item. Before doing so I wish to call the attention of the committee—

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

After Recess.

The House again in Committee of Supply.

(In the Committee.)

Expenditure connected with the
Lieut.-Governor's office... \$10,000

Mr. DAVIES (P.E.I.) The hon. member for North York (Mr. Mulock) was about to move an amendment. I do not know whether the Government have determined to accept the amendment.

Sir JOHN THOMPSON. It is quite evident he has thought better of it.

Mr. DAVIES (P.E.I.) I am not quite so sure. He was just about commencing a speech in favour of the reduction when the House took recess.

Mr. FLINT moved that the expenditure connected with the Lieutenant-Governor's office be reduced by \$1,000.

Amendment negatived.

Legal Adviser..... \$1,200

Mr. O'BRIEN. I move that the Solicitor-General be sent up as legal adviser to the North-west Territories.

Insane Patients—Manitoba..... \$30,000

Mr. DALY. The increase is inevitable. The increase of patients, especially among the females, has been such that we require this increased vote. Under the arrangement made with the Manitoba Government in 1892, the insane patients of the North-west are kept in the insane asylum at Brandon, and at Selkirk, at \$1 per diem. There is also the cost of transporting the patients from their homes. We may not spend the whole amount, but we want to provide against the contingency that arose this year, when we had not sufficient funds to meet the cost.

Mr. DAVIES (P.E.I.) Are there one hundred patients in that asylum?

Mr. DALY. That is the number it is estimated to accommodate, I believe.

Mr. MARTIN. I see that in the case of a person charged with insanity at Yorkton, for instance, he is taken from Yorkton to Portage la Prairie, thence to Regina, is committed for trial in Regina, and afterwards sent back from Regina to Brandon—and with two or three escorts during the whole trip. It seems to me there ought to be a better arrangement than that. What is the use of taking them to Regina to be committed. Cannot a justice of the peace commit?

Mr. DALY. There must have been some exceptional circumstances in that case, because the insane are committed by justices of the peace under the territorial law.

Mr. MARTIN. My impression is that, as a rule, they are taken to Regina.

Mr. McDONALD (Assiniboia). Under the statute a magistrate has to commit to Regina so that the Lieutenant-Governor can examine them.

Schools, clerical assistance, printing,
&c..... \$200,534

Mr. MARTIN. How much for schools?

Mr. DALY. The amount voted by the Assembly was \$108,000.

Mr. MARTIN. Then the \$92,000 odd, I suppose, is for clerical assistance to the Governor and—

Mr. DALY. We give it in a lump sum and they distribute it. In order to learn the items you have to see the records of expenditure of the North-west Territories.

Mr. MARTIN. I should like to say a word upon this item. I should more properly have spoken on the first item, but as I came in the question was about to be put by the Chairman, and it was passed as I rose to speak. When I was in the Terri-

ories, just before the House met, I found very great satisfaction among the people generally—at least those to whom I spoke—with regard to the present Lieutenant-Governor. But, Sir, I wish to enter a protest against his action since then. It is the custom for the Lieutenant-Governor to go about addressing meetings of various kinds. The Lieutenant-Governor held a series of meetings, in February or March last. I think it will be admitted by gentlemen on both sides of the House, that, no matter how strong a partisan the Lieutenant-Governor may have been prior to his appointment, after accepting such a position, he should be very careful indeed to say nothing that could be construed as partisan in its nature. At the meetings to which I refer, His Honour took occasion to discuss a question which, up there, is the prominent political question—the tariff. And he discussed that question, to my mind, very much from a party standpoint. I consider that his speeches in that respect were very ill-advised, and, while I say that, I wish, at the same time, to couple it with the remark that I have already made, that, in other respects, his administration, short though it has been, has been very satisfactory to the people on both sides of politics. I hope that this slight departure from what ought to have been his course, his falling back for the moment into his old habits, was more accidental than intentional. I am quite satisfied that his administration will be very much more popular if he abstains entirely from any reference to these disputed questions. It may be possible that, in discussing this question, he intended to discuss it from a non-partisan standpoint. But we can all understand how unlikely it would be that a gentleman who still, no doubt, holds very strong views upon these questions—having been a member of this House for many years, and having been engaged actively in the discussion of questions relating to the National Policy—could make his utterances on a question of that kind sound non-partisan to his opponents. I hope, therefore, that, in future, at any meetings His Honour may address, he will abstain entirely from any political allusion. I do not feel so much afraid of any harm that such allusions may do to the party to which I am attached, but I object, as a citizen, to the Lieutenant-Governor of the Territories, or of any province, entering in the slightest degree upon a discussion of the political questions of the day.

Mr. McDONALD (Assiniboia). May I ask where these meetings took place, and what was the reference to which the hon. gentleman objects?

Mr. MARTIN. One of the meetings took place at Moosomin, and another at Grenfell or Wolseley, or one of those points around there. Of course, I have to depend for my knowledge of what occurred upon

the newspaper reports of these meetings. So far as my information goes, I have found that these newspaper reports were quite correct; and, if they were correct, I certainly have to object entirely to the tone of the hon. gentleman's remarks.

Mr. McDONALD (Assiniboia). I heard His Honour at four of those meetings, and I have to dissent from the statement that my hon. friend from Winnipeg (Mr. Martin) has made. His Honour the Lieutenant-Governor did not refer to politics, and all the people who heard him were perfectly satisfied. The audience was a mixed one in every case.

Mr. MARTIN. I must thank the hon. gentleman for undertaking to speak for all the people there. It just shows the correctness of the remarks I am making. The hon. gentleman thinks that the Lieutenant-Governor's allusions were quite correct. No doubt they were from his standpoint, no doubt they were quite non-partisan from his standpoint; but from my standpoint, they were wrong. His views upon the National Policy do not coincide with my views, nor with the views of the people up there who think as I do. It is painful for any one to go to a meeting such as this and listen to remarks upon the burning questions of the day such as His Honour's remarks were. Will the hon. gentleman pretend to say that His Honour the Lieutenant-Governor did not refer to the question of the tariff at all in his speeches?

Mr. McDONALD (East Assiniboia). In a non-partisan way. The 'Free Press' had a report, and the hon. gentleman might read that.

Mr. MARTIN. I did read it, and that is the report I object to. His Honour warned the people against demagogues who were advocating tariff changes, and he was referring generally to the Liberals who took the opposite view. I am surprised that hon. gentlemen opposite should approve the Lieutenant-Governor going on to a platform and undertaking to say that those who advocate contrary opinions to his own upon the political issues of the day, were demagogues, and then undertaking to say that his opinion was the correct solution of the trade question. I say that it is all wrong. I do not complain, as I said before, because I think the attack has done the Liberal party any harm; but I say it does our institutions harm. My opinion is that it will help the Liberal party. People up there can easily understand why a man receiving \$7,000 a year salary and \$2,500 a year for travelling expenses, would think that the right hon. gentleman opposite was the great man of Canada, and that the party who had furnished him with this very nice situation were all patriotic individuals, and that those who sought to remove this gentleman from

Mr. MARTIN.

power were demagogues. I can quite understand His Honour Lieutenant-Governor Mackintosh taking the view that my hon. friend the leader of the Opposition and those who support him, were mere demagogues and not fit to be placed in power in this country, because it is not likely that the leader of the Opposition would appoint to office Mr. Mackintosh or anybody like him. So you can see at once that there would be good reasons for that gentleman seeing and talking the way he does. But I say that is not the way to lend dignity to the position of a Lieutenant-Governor. Would that be tolerated in the province of Ontario? Would the present popular Lieutenant-Governor of Ontario, who was quite as strong a partisan as the Lieutenant-Governor of the Territories, think for one moment of going upon the stump in any part of Ontario and alluding even in the most indirect manner to questions of that kind, undertaking to say that Mr. Mowat or any of the Liberal members from Ontario in this House were demagogues, because they advocated a different policy on those public questions from himself? Why, it is absurd, it is ridiculous. We never dreamed for a moment that the Lieutenant-Governor's conduct would be justified in this House, although from the applause that was given to the utterance of the hon. member for Assiniboia, it would seem that hon. gentlemen opposite think that it was quite a proper course for the Lieutenant-Governor of the Territories to go upon the stump and go into the question of free trade and protection, and to discuss what amendments should be made to the tariff, to say that in his opinion it would be wise that the tariff should be reduced in some instances, and so on—because that is what Mr. Mackintosh did on this occasion. Now, I take the position that he has no right to allude to these subjects, because it is impossible for him to allude to subjects of that kind in a non-partisan way, as the hon. gentleman claims he did. Then sentiments he expressed were directed against the policy of the Liberal party as laid down in this House, and as laid down in the country by the Liberal party. His views do not harmonize with the views we hold; he had no right to express any views upon this question, and certainly he had no right to attempt to abuse gentlemen throughout the country who were undertaking to advocate these doctrines.

Sir JOHN THOMPSON. I do not think there would be any substantial difference of opinion on the two sides of this House on the subject of the attitude which Lieutenant-Governors of the Territories ought to assume in addressing public audiences or in discussing public questions there. But if the assertions of the hon. member for Winnipeg (Mr. Martin) are sustained by his friends, there will be a profound difference of opinion as to what took place at the meet-

ings in the Territories which Lieutenant-Governor Mackintosh addressed. I myself have read with some interest the reports of addresses which he delivered there—I cannot undertake to say that I read all the reports, and it may be that the reports which the hon. gentleman has read differs altogether in character from those which I have read, but those which I have read convey to my mind a totally different impression of the addresses which the Lieutenant-Governor delivered in the Territories, from that which was made upon the mind of the hon. member for Winnipeg. But if the reports which he has read bear out the statements which he has made to-night, I will undertake to obtain for this House a complete refutation of them from Lieutenant-Governor Mackintosh himself; for I know not only his personal character and feelings, but I know perfectly well the disposition with which he performs the duties of his office and the feelings which have inspired him—I know them from personal correspondence—in going from place to place in the Territories, and endeavouring to bring himself into accord with the feelings of the people there and endeavouring to obtain their confidence, so that they might feel an assurance that they were ruled by a non-partisan Lieutenant-Governor, one who sympathized with their feelings and interests as regards public questions. I certainly do not blame Lieutenant-Governor Mackintosh for having warned the people of the Territories against demagogues; but from what I have read of his addresses and what I know of his feelings, I do distinctly repudiate for him the assertion that he characterized the Liberal party of this country as demagogues. I know such are not his feelings, and that he would be very far from giving expression to any sentiment so inappropriate as such sentiments would be. I admit that the line of argument the Lieutenant-Governor addressed to various meetings, might be considered in some parts of Canada, and might be considered by some in the Territories, as trenching upon politics; but we who are acquainted with the politics of the country in its widest sense will realize that he was patriotic in those utterances, and that he was well advised in the expressions which he used in regard to them. An attempt has been made to arouse a feeling throughout the Territories that the people there are being taxed for the benefit of the rest of Canada; and the burden of the speeches and the arguments which the Lieutenant-Governor has addressed to the people in the Territories, has been directly in the line of the arguments of the Liberal party in this House ever since I came here. He has taken upon himself the task of showing the people of the North-west Territories the great sacrifices which the people of the older provinces have made for the purpose of establishing the Territories upon a sound

basis of government, and giving them conveniences for civilization and growth of population. He has taken great pains at the public meetings which he has addressed, so far as I have read his speeches, to show the great expenditure which the Parliament of Canada has willingly incurred for the benefit of the people of the Territories. By that course he was making to the people there a complete refutation of the argument of the demagogues, and urging and cautioning the people on their part to guard against those who would endeavour to sever their interests from those of the rest of the people of Canada. But by any one who has followed the arguments and the discussion on public affairs in this House in relation to the Territories, it was distinctly observable that he was showing the people of the Territories that their duties and interests lay with the people in the other parts of Canada, and that there was not any disposition on the part of the people of the provinces to tyrannize over them with regard to the tariff or any other matter. He was showing them the burdens which the people of the other provinces were undertaking in respect to them, and in so far as he was admitting in their presence in the course of his argument the necessity of a reduction of the tariff in their interests, he was presenting those views which the people of the Territories pressed on him at various points with respect to their peculiar and local wants in relation to the revision of the tariff. In so far as he was dealing with the subject of demagogism in the Territories, he was calling attention to the fact which is pointed out everywhere, and which has received no more full recognition than in the ranks of the Opposition, that the increase in the burdens from which, during the past twelve months, the people of the Territories had suffered, had been incidental to the nature of their occupation and had been more widespread than the Territories themselves. In so far as that line of argument was concerned, and it is the line of argument which the Lieutenant-Governor pursued everywhere, he was doing a patriotic duty to the people of the country, and I would be the first to express regret if in relation to any of the great parties of the country he stigmatized them in the terms which the hon. member for Winnipeg (Mr. Martin) said had been applied to them. I say at once that is the view which I have gathered from the reports I have read of His Honour's addresses, and I have read many of them; it is the view which I am confident can be sustained by those who heard the Lieutenant-Governor, and even if the hon. gentleman should produce from partisan sources reports of a different character, which left on his mind the impression he has given to-night, I know sufficient of Lieutenant-Governor Mackintosh to be able to say that he will be able to produce evidence that the hon. gentleman has been mistaken and misinformed.

Mr. MULLOCK. I think the First Minister has rather admitted the case made against the Lieutenant-Governor. He has said that the drift of his argument was in a certain line, and that among other arguments adduced by the Lieutenant-Governor was that the people of Old Canada had made large expenditures on behalf of the Territories, and that the North-west has not been tyrannized over in regard to the tariff or otherwise. What sort of argument did he address to the people of the North-west to prove that they had not been tyrannized over with respect to the tariff? He had, of course, to produce a feeling of contentment among the people with regard to the tariff, and to establish in their minds the feeling that the tariff was not an unfair one for them. He had, therefore, to take up the line of argument adopted by every protectionist in this House and on every platform in the country. The First Minister gave away his whole case when he said that His Honour endeavoured to produce a feeling in favour of the tariff among the people, that he tried to show them they were not sufferers from, and were not prejudiced by the tariff. The First Minister went on to give an account of what had occurred, and if the First Minister's account is correct, he gave away the case.

Sir JOHN THOMPSON. Then I will persevere in it.

Mr. MULLOCK. Then it will be the duty of the House to persevere in denouncing the impropriety of His Honour's conduct. I thought the First Minister had overstated the case. If His Honour proceeded to try and satisfy the people of the North-west in regard to the tariff, that is what every Tory politician is endeavouring to do. Has not every one of them defended it?

Sir JOHN THOMPSON. I did not say His Honour had defended it.

Mr. MULLOCK. The hon. gentleman said that the Lieutenant-Governor proceeded to show that the people were not tyrannized over, that they were not being unfairly treated; on the contrary, that they were being fairly treated and that the tariff was in their favour—which is another way of putting it. That, however, is what every Government candidate has been advocating. That is what the Lieutenant-Governor has done officially, and it appears to have been done after consultation with the head office, and after an interchange of opinions with the Government, and His Honour then put forward those views with the weight of his office behind them. The case is a very serious one, in view of the admission of the First Minister, and if the Lieutenant-Governor does expose himself to such criticism, the hon. member (Mr. Martin) can simply be found fault with because of his moderation.

Sir JOHN THOMPSON.

Dominion Lands—Commissioner's salary \$5,000

Mr. MULLOCK. Who is the commissioner?

Mr. DALY. Mr. H. H. Smith.

Mr. MULLOCK. I think an attempt should be made to reduce the cost of the staff at Winnipeg. The sales of the land have fallen off.

Mr. DALY. When I come down with the Estimates to the committee next year, I hope to be able to show a considerable reduction.

Mr. MULLOCK. I think \$5,000 is an extremely large salary.

Mr. DALY. That was the salary paid his predecessor.

Mr. MULLOCK. What was the amount of sales last year?

Mr. DALY. The net revenue for the last financial year was \$374,000.

Mr. MULLOCK. How many officers are under him?

Mr. DALY. There are fourteen clerks in the office.

Superintendent of Mines \$3,200

Mr. DAVIES (P.E.I.) What are the duties of this office?

Mr. DALY. The title is a misnomer; the officer is not only inspector of mines, but inspector of timber and Dominion lands. Mr. Pearce, of Calgary, possesses a special knowledge of the country from Winnipeg to the coast, and he is continually inspecting ranches, timber and minerals. He is one of the most efficient officers in the service. He is really in charge of the Dominion lands in the North-west Territories, and has to do with the inspection of the ranches, timber and everything connected with the general superintendence of the Dominion lands from there to British Columbia.

Mr. MULLOCK. Does he report to his superior or to the department?

Mr. DALY. To the department. He is also a member of the Land Board, which is composed of that officer and the inspector.

Inspector of Agencies' salary . . . \$2,200

Mr. LAURIER. Who is that inspector?

Mr. DALY. Mr. Gordon, whose headquarters are now in Ottawa. He inspects all the Dominion lands offices and immigration offices throughout the country.

Mr. DAVIES (P.E.I.) As the removal from Winnipeg to Ottawa has proved so beneficial, in one case as the Minister says, I imagine that it might be possible advantageous for another gentleman to move here too, because his work is on somewhat the same line. Each of them is a member of the Land Board.

Mr. DALY. It is not quite the same, because Mr. Gordon is inspector of offices and he goes through the books and examines them about twice a year. He also inspects the immigration offices from Halifax to Vancouver.

Mr. MULOCK. Does that Land Board keep a minute of its proceedings, and forward them for record to the Government at Ottawa?

Mr. DALY. Yes.

Mr. MULOCK. It seems to me that it is as desirable, as good sound principles will admit of, that the administration of the Northwest lands should take place nearer the lands than Ottawa is. In fact if it were possible I believe it would be the proper place for the Minister of the Interior to carry on his operations.

Mr. DALY. The object of the creation of the Land Board was to have it on the ground.

Mr. MULOCK. The only thing about it is that I am afraid your commissioner devotes too much of his time to politics?

Mr. DALY. No; you are mistaken.

Mr. MULOCK. He must have given it up very recently.

Mr. DALY. Oh, no; I think your friends will certify that he does not interfere.

Mr. MULOCK. If so it is quite recently.

Mr. DALY. Ten years.

Mr. MULOCK. It is Mr. H. H. Smith. I think we met him in politics in a quiet way last election.

Mr. DALY. It must be another Smith—John Smith.

Mr. MULOCK. Oh, no; I know Mr. Smith quite well.

Secretary's salary..... \$2,000

Mr. DAVIES (P.E.I.) Would the Minister state briefly what duties he has to perform?

Mr. DALY. Mr. Burpee is the secretary, and he has a general supervision of the office, and has to do with the expensive correspondence at the commissioner's office, and the correspondence that takes place between the commissioner's office and the different agencies.

Mr. DAVIES (P.E.I.) How many clerks in that office?

Mr. DALY. Fourteen.

Mr. DAVIES (P.E.I.) Can the hon. gentleman state from his own knowledge that that very large staff is required there?

Mr. DALY. From what I saw of it when I was up there last, and from what I saw of it previous to my being a Minister of the Crown, I think they have all they can do. I expect to make some reductions there during

the coming year, because I believe that some of the things for which the office was originally created do not exist.

Mr. DAVIES (P.E.I.) The hon. gentleman does not promise any retrenchment, because he takes the same vote this year as last year.

Mr. DALY. It takes a little time to make reductions. You must understand that this has been engrafted on the system for some years.

Homestead Inspectors' salaries... \$8,400

Mr. FLINT. How many of these offices are there?

Mr. DALY. There are seven, each receiving \$1,200 a year, and \$1.50 a day for travelling expenses. The fees that are obtained more than repay the expenditure.

Mr. LAURIER. Are they not supplied with a horse and buggy each?

Mr. DALY. Yes; and that \$1.50 a day covers their own keep and the keep of the horse. I do not think you can do it much cheaper than that considering the expense of travelling up there.

Mr. LAURIER. I see by the Auditor General's Report that they also swap horses. Is that a part of their duty?

Mr. DALY. They could not do that without the instruction of the commissioner, and probably the horse got played out. If everyone in the service earned their money as well as the homestead inspectors the Government would lose nothing. They are out at all seasons.

Mr. MULOCK. I see on page E-152 of the Auditor General's Report, that Mr. Thompson is allowed \$2 a day living allowance. Why is he allowed more than the others?

Mr. DALY. At the time the Auditor General's Report was made out, there was no railway communication between Calgary and Edmonton, and probably he had extra per diem allowance.

Dominion Lands and Crown Timber Agents' salaries.....\$24,000

Mr. DAVIES (P.E.I.) This seems to be an outrageous state of affairs. If the figures I have before me represent the true state of facts it seems that we actually pay \$24,000 for salaries to these agents, and the receipts on account of Crown timber, including permits, seizures, &c., from November in one year to November in the other, footed up \$98,000. What do they receive besides that \$98,000?

Mr. DALY. \$37,739 in homestead fees, \$93,000 for cash sales of lands, \$77,000 for scrip, and so on. On page xix of my report you will find the whole statement set out. You will also find a report from each agent in the report.

Mr. DAVIES (P.E.I.) How many subordinates have they ?

Mr. DALY. In Winnipeg there are six, at Minnedosa one, at Yorkton two, at Brandon four, at Estevan two, at Regina four, at Calgary three, at Prince Albert two, at Kamloops one, at New Westminster three, and at Edmonton three.

Mr. DAVIES (P.E.I.) What is the total cost of working these agencies ?

Mr. DALY. \$43,726. The hon. gentleman must not overlook the fact that we do not get anything for homesteads except the \$10 entrance fee. We get scarcely anything from Dominion lands ; there are no pre-emption receipts, and the cash sales are very few compared with what they formerly were ; but the work is just the same.

Mr. DAVIES (P.E.I.) There is not as much work in making one entry as there is in making ten. I see that away back when the staff was about the same as it is now, the net revenue in one year was \$1,795,000, and in the following year \$1,042,000.

Mr. DALY. That did not keep up.

Mr. DAVIES (P.E.I.) It has been steadily dropping until last year it was only \$374,000. I do not want to take up time criticising, because I do not know enough about the work to be able to offer a very intelligent criticism ; but if the receipts have been dwindling down continuously, it is about time the pruning knife were used to lop the mouldering branches off.

Mr. DALY. The hon. gentleman will see that in those years he has mentioned the pre-emption fees were \$39,843, \$54,000, \$28,000 and so on. We do not get any of these fees now.

Mr. DAVIES (P.E.I.) I was struck by the totals, which have no doubt induced the hon. gentleman to come to the conclusion, which he says he has reached, that he will curtail the expenditure in his department. To pay \$40,000 or \$50,000 a year to collect so small an amount seems to me a state of affairs to demand the serious consideration of the hon. gentleman, and a very large reduction of expenditure.

Mr. MULLOCK. Is there any uniform salary for the registrars ?

Mr. DALY. The average salary is \$1,600, except at Prince Albert, where the registrar gets \$1,200, and at Battleford \$2,000.

Mr. MULLOCK. Running through these accounts in the Auditor General's Report, on page E-153, I see that there are a great many extra clerks employed. Who authorizes the appointment of these extra clerks, and on what are they employed ?

Mr. DALY. I think all the extra clerks mentioned there are authorized by Order in Council. Many of them have been in the service for ten years.

Mr. DALY.

Mr. MULLOCK. Is that not a violation of the Civil Service Act ?

Mr. DALY. No ; they do not get any superannuation. I think the term extra clerk is used only by the Auditor General. They are not on the civil service staff at all.

Mr. MULLOCK. You seem to be loading the thing down with extra clerks. In one office as many as fourteen are employed. In Calgary there are eighteen officials in the land office.

Mr. DALY. The Auditor General has the registry office and land office mixed up.

Mr. MULLOCK. There are eighteen clerks in Calgary in the public service, and surely there cannot be work for that number. I recognize the fact that they are not there all the year round, but a good many are. If there are eighteen in the land and registry offices, how many more are there in the Excise, Customs and Post Office Departments ?

Mr. MARTIN. I fancy the hon. member for North York is correct when he says these clerks in Calgary have plenty of spare time, for I noticed that at last Winnipeg election, they had plenty of time to come down and vote and spend a couple of days there, although it takes a couple of days to get to Winnipeg from Calgary, and a couple of days to get back.

Mr. DAVIES (P.E.I.) If the hon. gentleman will turn up Mr. Rowe's report, he will see that the receipts on account of Crown timber for twelve months only amounted to \$10,714, a ridiculously small sum to justify the retention of so large a staff.

Mr. DALY. That is the timber branch of his office. In addition, he is the agent of Dominion lands. That is the smallest part of his duties. There are thirteen clerks, and not eighteen as mentioned by the member for North York (Mr. Mulock).

Mr. MULLOCK. What other receipts are there besides timber dues ?

Mr. DALY. Homestead fees and everything pertaining to that branch of the service. On page 68, the hon. gentleman will see there is \$11,316.48 collected from Dominion lands.

Mr. MULLOCK. There are \$22,000 collected from the two branches at a cost of \$10,191. Do you suppose that any land company, conducted on financial principles, would maintain this office at such an expense ? The thing is perfectly ridiculous. We know that the land companies have reduced their expenses on account of the falling off in the value of business ; yet though the Government business has fallen off, we find no attempt at a reduction.

Mr. DALY. The hon. gentleman has taken the Auditor General's Report of 1892-93. There are three or four men mentioned in that report who are not now employed at

all. The amount of receipts do not indicate the labour of the offices at all. We have ceased to sell pre-emptions, and consequently the receipts from Dominion lands have decreased and will continue to decrease, but the amount of work that has to be done is just the same.

Mr. DAVIES (P.E.I.) I understand perfectly well that the amount of receipts do not indicate entirely the amount of work done. But still 50 per cent of the receipts paid out in salaries is so ridiculously out of all proportion, that no country would stand it, if the facts were made known. In 1882, when the receipts amounted to \$1,500,000, and everything looked booming, it was right that we should have a large staff, and the offices were filled in anticipation of the work we might fairly look forward to. But everything has since collapsed, and our receipts are nothing compared to what they were, and it is about time that we put our staff on a footing commensurate with the work.

Mr. DALY. The actual salaries paid are \$4,440, and that includes \$1,200 to the agent.

Mr. MULOCK. There are a lot of other expenses.

Mr. DALY. You cannot have an office without expenses. That amount includes everybody there at present. The Auditor General's Report is no criterion as to how the office stands at all, because it is the report for 1892-93.

Mr. MULOCK. That is the account up to 30th June ?

Mr. DALY. For the year ending 30th June, 1893, just a year ago.

Mr. DAVIES (P.E.I.) But the hon. gentleman must see that he is not asking any smaller sum than he asked for last year. Therefore, even though there may be a slight reduction in one town, there must be an increase in some other. The vote this year is \$24,000 ; last year it was \$23,700.

Mr. DALY. I admit there is no reduction ; but I think that before the end of next year there will be a considerable reduction.

Mr. MULOCK. Just to show how little is being done, I call the attention of the Minister and the committee to page 57 of the report of the Minister of the Interior. Crown Timber Agent Rowe writes to the Deputy of the Minister of the Interior under date of 6th January, 1894, as follows :—

SIR,—I beg leave to submit the annual report of the Crown Timber business of this office for the year ended the 31st October, 1893.

The output of timber for the Calgary Timber district has been much larger this year than heretofore, owing to the large number of settlers coming in.

Then he goes on to refer briefly and vaguely

to the business done, and, proceeding to discuss mining, says :

No mining claims have been recorded during the past year in this agency, the only mining business done being the issuing of permits to settlers to mine coal under royalty for their own use.

There was practically no business in the Calgary office with respect to mining, either to accommodate settlers or to bring in money. The only thing this officer did apparently was to look after the timber business. Turning to page 59 you see what he had to do about the timber, for there is given a tabulated statement of the work of the office. As my hon. friend from Queen's (Mr. Davies) says, the number of letters written was 2,234, or an average of about 7 a day. The number of letters received was somewhat larger than the number written. The number of free permits issued was 176, or an average of one every other day. The number of permits issued subject to dues was 10, or one every month and a fifth. The number of timber seizures issued was 3, or one every four months. The number of mill returns received and verified was 34, or about three a month. And schedule C, on the same page gives the number of saw-mills operated at 7. Now for that volume of business, the cost to the country is about \$11,000. Comment is unnecessary. It is a disgrace to the department, and a gross waste of public money.

Mr. MARTIN. Hon. gentlemen who have been discussing these matters and who are surprised to find so many officials in this office, are perhaps not aware of the circumstances of that country. I may say though I have been in the North-west for some time, it has only recently come to my knowledge what the employment of a large number of these officials is. On going into the Territories on a political mission just before the assembling of this House, I found that many of the presidents and secretaries of the Conservative associations, the active officers who do the political work of the party were these very officials. So, while it may not be necessary for the purpose of collecting Government money that there should be so many clerks at Calgary and other points, these gentlemen have very large additions to their duties in the way of active political work for the party of gentlemen opposite. I understand that complaint is made that the Government employ gentlemen in the older provinces nominally in the public service, their time being devoted secretly to political work for the party. But, in the North-west, these gentlemen publicly accept the positions of president and secretary of Conservative associations. So hon. gentlemen must remember that, even though the duties of the department may not require such a large staff, the duties required of these gentlemen may be much heavier than we suppose.

Sir JOHN THOMPSON. Carried.

Mr. DAVIES (P.E.I.) I do not think the hon. gentleman should ask that the item be carried without an explanation. The hon. member for Winnipeg (Mr. Martin) has made statements which are very serious and which, if true, call for the instant dismissal of these officers. It is only recently that a man named Campbell, keeper of a lighthouse in the Maritime Provinces, expressed in a letter to a friend his wish that he should support some particular candidate in the municipal election, because it would assist in bringing the Liberals into power. He was dismissed from his office, I understand, without superannuation or anything else, although he had paid regularly—

Sir JOHN THOMPSON. Not a word of explanation.

Mr. DAVIES (P.E.I.) I do not think the hon. gentleman should say there is not to be a word of explanation.

Sir JOHN THOMPSON. I was not speaking to you.

Mr. DAVIES (P.E.I.) The hon. gentleman spoke loud enough to be heard across the House, and I supposed he was addressing the chair. Of course he can please himself about giving explanations. The statements made by the hon. member for Winnipeg are startling, and it is disgraceful to the Government if it allows officers of this kind to continue to hold office. It is an accepted principle that men cannot discharge their duties properly if they accept positions of prominence in political societies and devote their time and energies to a work of any political party. It has been recognized on both sides of the House, ever since I came in the House, that it is a sufficient cause for the instant dismissal of any official that he has become an offensive partisan. If these men are paid from the public funds of this country to do their work they should hold themselves strictly aloof from political societies of either party. If these men are acting openly as presidents and secretaries of political societies they deserve instant dismissal, and I hope that the Prime Minister will not resist the request for explanation upon this point. The statements of the hon. member for Winnipeg are made not from hear say but from personal knowledge. If, after such a charge has been made, the Minister has not a word to say, these officers will accept it as an endorsement from the department and an intimation that, instead of discharging their duties they may devote themselves to political work for their party.

Mr. DAVIS (Alberta). I rise to refute the statement of the hon. gentleman from Winnipeg (Mr. Martin), so far as Alberta is concerned. I do not say a word with regard to any other constituency in the North-west. There is not now, and never has been, within my knowledge, a president or a secretary of any Conservative association, or of any

Mr. MARTIN.

other association connected with any political party holding any position under the Government. So far as Alberta is concerned none of the officers of the Government have interfered in the slightest degree with any of the elections that have been held in that constituency.

Mr. McDONALD (Assiniboia). I represent Eastern Assiniboia, and I desire to speak for that constituency. There has never been but one case of a Government officer holding a position of secretary of a Conservative association, and he has ceased to hold office under the Government.

Sir JOHN THOMPSON. I am much surprised at the declaration of the hon. member for Queen's (Mr. Davies), that after the statement of the hon. member for Winnipeg (Mr. Martin) the Minister of the Interior should rise and make some explanation. We have been for over two hours on one resolution, the salaries of a number of officers in the North-west connected with the service of the Dominion lands. If there is a complaint to be made as regards the conduct of any of those officials whose salaries we are voting, let us have the complaint stated and let us have his name. In relation to scores of officers, to make a general assertion that these men are members of Liberal-Conservative associations and spend their time in politics, is to make an assertion which ought not to be replied to; because the hon. member who makes that assertion can either specify the names of the offenders or he cannot; if he cannot, his statement is a disgraceful one, which merits no reply; if he can, justice to the public service requires that he should mention them, and until he mentions them, it is not surely for the Minister of the Interior to prove a negative with regard to all the officials in his service. Now, I would make in all calmness this statement with regard to our progress to-day. We went into Supply a few minutes after four o'clock, we have not yet passed the second resolution, and it is nearly ten o'clock. If it is the intention of our friends opposite that we shall not make any progress in Supply until after the Ontario elections are over, let us have a fair understanding on the subject, and we will go to other business; because the procedure of this House in Committee of Supply is such that a very few members can entirely obstruct progress in committee. I was reminded that the leader of the Opposition had given us to understand that we need not expect to make any progress until after the Ontario elections had been concluded; I really did not suppose that was the meaning of his observation upon the subject of our taking Mondays. But if it is understood that at this season of the year, when the heat is intense and the sittings of the House so uncomfortable, that we are not to be allowed to make any progress until the elections are

over, let us know it at once, and we will go to something else.

Mr. DAVIES (P.E.I.) I think the Prime Minister's statement is entirely incorrect. There has not been the slightest attempt to delay or obstruct the progress of proceedings. The hon. gentleman knows that the last session of the House on Friday witnessed a larger and more rapid passage of Estimates than on any previous occasion in the fourteen years I have been in the House. I have never in my life seen so much business carried through as was carried through on Friday night last. The hon. gentleman knows that the House did not meet to-night until half-past eight o'clock, it is now a little after half-past nine, and we have voted estimates amounting to \$170,000, including the whole of the Dominion lands chargeable to income, and we are on the last vote now.

Sir CHARLES HIBBERT TUPPER. You began by asking about the duties of officers whose salaries have been voted for eighteen years.

Mr. DAVIES (P.E.I.) Because we had noticed that the receipts from all those offices had been reduced so enormously that we thought it was time the staff should be reduced too, and we could not find out what the duties of some of them were.

Sir CHARLES HIBBERT TUPPER. As if you did not know what the duties of the land commissioners were?

Mr. DAVIES (P.E.I.) I do not think any one is able to tell.

Sir CHARLES HIBBERT TUPPER. You did not expect a very detailed answer.

Mr. DAVIES (P.E.I.) I asked a reasonable and fair question, to which I expected a reasonable answer, and with the report I have now in my hands, but which I had not under my hand at the moment, I think my hon. friend should see that I have asked no questions except what were legitimate. What I expected from the Minister was this, that when a statement was made such as my hon. friend made here with reference to these civil servants being engaged in political work, I expected to hear the Minister of the Interior make some answer.

Mr. DALY. Do you know why I did not answer? Because I did not believe it.

Mr. DAVIES (P.E.I.) He stated that he could name parties who took part in political work.

Mr. DALY. I put no faith in the hon. gentleman's statement, I did not believe it. Let him specify names and then I will answer.

Mr. DAVIES (P.E.I.) He made such a statement as ought to call from the Minister a declaration as to whether he sanctioned such conduct.

Mr. DALY. I do not sanction it, because I say such a thing did not exist.

Mr. MARTIN. I would like to say, with regard to the constituency of Alberta, whose member has spoken here, that the remarks I have made with regard to civil servants joining Conservative associations and taking an active part in politics do not apply to that constituency. But with regard to the hon. gentleman's constituency, I can give the names of two officials from Calgary, Mr. Amos Rowe, head of the office there, whose duties have been under discussion here for some time, and Mr. J. R. Sutherland, his assistant. These two gentlemen spent a week or ten days last November in political work in Winnipeg. They left their offices and came down to Winnipeg, and spent, I should think, a week or ten days endeavouring to prevent my being elected for the city of Winnipeg. Now, these are specific names that I offer. As to the constituency of Eastern Assiniboia, I repeat and emphasize the remarks I made before with regard to homestead inspectors. I am not very sure about their names, and therefore I will not mention them. But I can say this, that when I went there I was assured by most responsible and straightforward men, men whom I know to be reliable, that this was an ordinary practice. They did not make the charge as to one man, or as to two men, but as to the practice of the officials of the Government, saying that it was an understood thing that these men were active in political work, and held the secretaryship and presidentship of the local association. I took up the question on the platform in the presence of my opponents, and in no case was the charge denied. I may say that I will furnish to the hon. gentleman the names of those officials in Eastern and Western Assiniboia who have been active in elections and who have accepted those positions. I took it for granted, from the fact that I was assured this was the practice there for years, that these gentlemen considered it part of their duty to attend to this political work, to canvass for Government candidates, to join associations and become active in this way. But since the hon. gentleman repudiates that position, I will furnish him with the names of those who have done it. I may say that I spoke fully five or ten minutes in reference to this matter at Regina, at a public meeting which was largely attended by Conservatives, and there was no attempt whatever, either publicly or privately, to deny the statements I made. I may say that while I am able to mention some individuals there, I will not do so for fear I might mention some who are not as active as others. Under the circumstances, I shall not attempt to particularize now, but I will furnish this House with the names of those gentlemen who have taken the stand I have referred to.

Mr. McDONALD (East Assiniboia). I am very sorry the hon. member did not specify the names. I have lived for years in Assiniboia, and am one of the pioneers of that country. I am proud to say I have always been connected with the Conservative party, and I make the statement once more that I have never known but one of the Dominion officials to be an officer in a Conservative association, and he, to-day, has ceased to be such an officer.

Mr. LAURIER. Before this item is adopted, I would like to say a word with reference to the observations which fell from the First Minister. I am sorry to believe that hon. gentlemen on the other side are not in good humour to-night. It may, perhaps, be the result of the weather, which is very warm; at all events, on this side of the House we try to keep our heads cool. Now, I think the remarks of the Prime Minister were altogether unwarranted. Let me call attention to what took place to-day. We went into Committee of Supply at twenty minutes after five o'clock. We spent forty minutes, I admit, upon the first item for the expenditure in the Lieutenant-Governor's office, and I think the discussion was quite proper. At eight o'clock we had a division upon it; then four or five items were carried without a word of objection or even criticism, schools in unorganized districts, incidental justice, &c., addition to salary of clerks of Legislative Assembly, legal adviser, registrars, insane patients, Manitoba—not a word was said upon any of those items. Then we come to the next item, and not a word was said on that, but the hon. member for Winnipeg (Mr. Martin), and very properly so, called attention to some speeches made by the Lieutenant-Governor of the North-west, which elicited some remarks from the Prime Minister, which were quite proper. Then we went into the subject we are now discussing. It came up under item 254, but the hon. gentleman opposite will admit there are different subjects grouped under one head. We wished explanations as regards the commissioner's salary, but not a word more was said than was necessary. As to the duties of the superintendent of mines, some criticism was offered, and it was elicited from the Minister of the Interior that the title "Commissioner of Mines" is a misnomer, that he does not superintend any mines at all.

Mr. DALY. No.

Mr. LAURIER. Some criticism followed as regards the inspector, but certainly none of it went beyond the length that was legitimate. Now we are at the last item, and we have the statement made that certain officials under cover of their offices are carrying on political advocacy. I am glad to see by the silence of the Ministers that they do not approve of officers going into politics. I submit to the First Minister that these re-

Mr. MARTIN.

marks were not uncalled for, and that there was not one remark offered that was unnecessary.

Sir JOHN THOMPSON. I am not in the habit of reviewing discussions. If I chose to follow the example of the hon. gentleman I could give a rather ridiculous account of what has taken place to-day. Before six o'clock we were two hours in Committee of Supply, when the most rambling discussion heard in this House for years occurred. A discussion of one hour was carried on respecting the conduct of the Lieutenant-Governor of the North-west Territories, and it took place on a vote for schools in the North-west, and while two or three items were allowed to go through without discussion, they were all subsequently discussed on items to which they were not relevant. I move that the committee rise and report resolutions.

Committee rose and reported resolutions.

FIRST READINGS.

Bill (No. 153) respecting the incorporation and regulation of Joint Stock Companies—(from the Senate).—(Sir John Thompson.)

Bill (No. 152) respecting Insolvency—(from the Senate).—(Sir John Thompson.)

TRIAL OF JUVENILE OFFENDERS.

Bill (No. 112) respecting arrest, trial and imprisonment of youthful offenders was read the second time, and House resolved itself into committee.

(In the Committee.)

Mr. MULOCK. What is the difference between section 1 and section 1 of the code as repealed?

Sir JOHN THOMPSON. The object of the section is to make a separate time and place for the trial of juvenile offenders. That is now left optional. It is observed by a great many magistrates from motives of humanity, and a statute of Ontario provides that this shall be done in respect to offences against the law of the province.

Mr. MULOCK. There is probably no objection to young people, sixteen or under, being so tried, but I hope this measure will not be made a precedent, and the age extended to adult persons. The administration of justice should take place publicly, and not in camera, as is now becoming the fashion in many parts of the country. The administration of justice is educational in its effects on the general public, as well as punitive in regard to the persons under trial. Both features should be regarded and all trials of criminals should be conducted in public with the exception, perhaps, of such cases as are covered by this Bill. I do not know how far this measure goes, but per-

haps it is justifiable. Whenever trials take place secretly there is a danger of justice being interfered with through favouritism, influence, perhaps under regard for humanity, tenderness of heart and so on. As a rule I think it is unsound to withdraw the trial of accused persons from the eye of the public.

Sir JOHN THOMPSON. In reply to the hon. gentleman's inquiry, I desire to say that the language of the code is: "such persons under fifteen years shall so far as it appears expedient and practicable." This section is to make it obligatory with the justices in every case.

Mr. MULOCK. Have cases arisen calling for this change?

Sir JOHN THOMPSON. A great many magistrates decline to observe the code as not being obligatory in that respect.

Mr. MULOCK. I suppose there has been some recommendation from some of those various charities in favour of this Bill.

Sir JOHN THOMPSON. Yes, the change has been urged upon us by persons interested in the care of children. The Children's Aid Society has been very strongly recommended on account of their good work among children. The Ontario Government has joined their intercession with those of philanthropists to have this change adopted. The idea is that a person under twelve years, if a male, and under thirteen, if a female, shall be dealt with to a large extent by the magistrates and police, with the assistance of the officers of the Children's Aid Societies, whose business it is to see that homes are got for them, if it be possible; to see that their antecedents are looked into for the purpose of ascertaining whether their surroundings at home are such that they can be safely entrusted to their parents or guardians, or are such that in the cause of humanity they should be removed from their care. It is also intended to carry out more effectively the system of suspended offences with regard to children.

Bill reported, and read the third time and passed.

CONSOLIDATED REVENUE AND AUDIT ACT.

Bill (No. 127) to amend the Consolidated Revenue and Audit Act, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Sir JOHN THOMPSON. The object of the Bill is this: the officers who are engaged in the collection of the revenue were, when the Revised Statutes were passed, almost entirely officers of the Customs and Inland Revenue Departments, and the Acts with

respect to the officers of these departments gave ample protection against actions and prosecutions for the things which were done by them in relation to their duty. But certain changes have been made during the last five or six years, by which the collection of revenue is in many cases entrusted to a different class of officers. For example, the rents which formerly were collected by the officers of the Inland Revenue are now collected by the officers of the Railways and Canals Department and the protection which exists in the Act relating to the Railways and Canals Department, does not extend to their officers engaged in the collection of revenue. That is an example, and for this reason it was thought better to introduce this as an amendment to the Consolidated Revenue and Audit Act, in order that it shall have general application to all our officers engaged in the collection of revenue.

Mr. DAVIES (P.E.I.) Has the hon. gentleman considered about our jurisdiction in this matter?

Sir JOHN THOMPSON. Yes.

Mr. DAVIES (P.E.I.) Because the general impression is, and some of our courts have so decided, that we have no jurisdiction to describe the manner in which the pleadings shall be given, and notice of action.

Sir JOHN THOMPSON. It strikes me that we have the power to enact—I am only stating the argument, because no one can be dogmatic on such a point—by what class of officers our revenue shall be collected, and what shall be the conditions under which these officers shall perform their duty. We therefore have the right to limit the powers and rights of persons with whom they deal as well as to describe the rights and powers of the officers themselves. That is the principle upon which enactments of this character have been passed in former days. The only question which can be raised in regard to it—and a question which is more specious than otherwise—is: that while the power seems more clear when we are dealing with the special subject itself—as for example, with Customs or Inland Revenue—it appears more closely connected with that branch of legislation to say that the officers of those departments shall be clothed with the protection usually given to public officers as regards limitation of action and so forth; and it may seem more remote from the subject of legislation when we come to deal generally with those officers who are not immediately associated with the legislation affecting their department. Still, I think that the principle extends equally to the other class of legislation; that is, legislation which deals with our officers generally and does not deal with them in relation to the legislation of their particular department. The Imperial Parliament has passed an Act of a like character (chapter 61 of the Acts of 1893). I have had that carefully examined,

but I have not found anything instructive in it, or any improvement upon the provision that we had with regard to our officers previously. I am aware that during the proceedings in trials it has been customary to contest the right of our Parliament to legislate with regard to the protection of its officers, and with regard to evidence that should be received in proof of charges; but so far as my experience goes our right has not been negatived by any decision.

Mr. DAVIES (P.E.I.) I do not challenge the justice underlying legislation of this kind. I think it is fair and right that the different officers should be protected in the discharge of their duties when they proceed loyally to discharge them, even if in the discharge of them they commit trespass for which they are civilly liable. Nor can I challenge our right to legislate upon the performance by them of their several respective duties, and everything which is necessary and incidental to the performance of those duties of course entirely falls within the purview of our powers. But when you come to describe the manner and form in which actions shall be brought, the notice which must be given before it is brought, the mode in which the proceedings and pleadings must be conducted; then it seems to me that you are entrenching upon powers which are relegated exclusively to the Local Legislatures. At all events so it has been held in one or two cases in which I was interested, and it seems to me that the argument was irresistible that this was a civil procedure exclusively. However, if Parliament chooses to proceed along the line which I admit we have followed in the past, I have nothing more to say about it than to express my opinion that we are dealing with matters beyond our powers.

Bill reported, and read the third time and passed.

SPEAKER OF THE SENATE.

Bill (No. 89) respecting the Speaker of the Senate, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Sir JOHN THOMPSON. I believe that this Bill received the attention of the House to some extent last session. It has passed the Senate in two successive sessions. The circumstances which gave rise to it were connected with the indisposition of the present Speaker of the Senate, whose duties have been sometimes too onerous for him, considering his state of health, and whose duties have been, once or twice, interrupted by illness of a member of his family; the attention of the Senate having been in that way called to the inconvenience of there being no provision by which the Chair could

Sir JOHN THOMPSON.

be taken in his absence by another member of the Senate. It is not proposed by this Bill to provide for a permanent officer as a Deputy Speaker of the Senate, but it is proposed that when the Speaker is unable to proceed, or in his unavoidable absence, the Senate may call some other member to the Chair to take his place and discharge his duties. I am aware that important objections have been raised to the constitutional validity of a measure of this character. These found expression last session in a very learned and elaborate argument in the Senate by my good friend Judge Gow-an, and I think his observations on the subject were renewed this session; and I saw by 'Hansard' of last session that in this House they were challenged by very high authority, and considered worthy of an elaborate argument here. I do not profess at all to be such an authority as to undertake to override the objections which have been urged; but I submit to the House this principle is sound, namely, that a difficulty of that character should no longer remain unsolved, but should find a prompt remedy; and the proposition I have to make is that this measure shall be passed, providing that the Senate may call to its Chair in the unavoidable absence of the Speaker, a substitute, who may discharge his duties, but that the Act shall not come into force until its provisions have been carefully considered and reviewed as to their constitutionality. For that reason the Bill closes with a clause providing that its operation should be suspended for Her Majesty's own assent, to be announced by proclamation in the 'Canada Gazette.' Then only shall the Act come into force. In the meantime, my proposal is that we shall call the attention of Her Majesty's Government to the arguments which have been advanced against the constitutionality of the Bill, setting forth, in detail, those arguments, with such observations on the other side, as shall appear suitable and proper; that we shall ask Her Majesty's Government that the Bill be made the subject of consideration by the law officers of Her Majesty, in order that, if the doubts of its constitutionality are shared by them, Her Majesty may be pleased to give direction that Her Majesty's Government may initiate in Her Imperial Parliament, legislation to amend the British North America Act to the extent of authorizing the Senate to elect a Deputy Speaker under the circumstances I have mentioned. It seems to me that that is the most satisfactory way of solving the difficulty—better, perhaps, than the way proposed last session, which was simply to take hold of the subject by the force of a statute, passing it into law and leaving its validity to be questioned and settled afterwards. I need not, this evening, review the objections which have been raised against the constitutionality of this measure, although they are exceedingly interesting. They arise from this conten-

tion, that this power has not been expressly conferred upon the Senate, although it has been expressly conferred on this House, by the British North America Act. In these circumstances, I think this is the most appropriate way of meeting a difficulty which, I think, ought to be met and ought to be solved.

Bill reported, and read the third time and passed.

THE RATE OF INTEREST.

Bill (No. 129) further to amend the Revised Statute respecting interest was read the second time, and House resolved itself into committee.

(In the Committee.)

Sir JOHN THOMPSON. Those who were present when I introduced this Bill will remember that I explained its operation in relation to British Columbia, where a question arose in consequence of legislation in this House repealing the provisions of the interest Act, in so far as judgments were concerned in that provinces. A memo. on the subject, which was prepared for me states the case briefly, and I propose to read it. Certain correspondence has taken place relating to a draft Bill amending the law of interest, in so far as British Columbia is concerned. The Bill is in terms the same as 52 Victoria, chapter 31, which applies to the North-west Territories only. The occasion for the Act is that two judges of the Supreme Court of British Columbia have held that a judgment debt in that province carries interest at 4 per cent only; and as to county court judgments, under the decision of the Queen versus the County Court Judge of Essex and Clarke, 15 Queen's Bench division, page 704, it has been held that the judgment of a county court in England would not bear interest under the 1 and 2 Victoria, chapter 110, section 17, which enactment would appear to be inapplicable in the case of British Columbia. At any rate there would appear to be sufficient doubt on this question to justify the Act. Now, the language of the first and second Victoria, chapter 110, section 17, which is the authority applying to the question of interest on judgments, is as follows:—Every judgment debt shall carry interest at the rate of 4 per cent per annum from the time of entering up the judgment until the same shall be satisfied, and such interest may be levied under writ of execution on such judgment.

Mr. MULOCK. Is that a local statute?

Sir JOHN THOMPSON. This is an Imperial statute, and it applies to British Columbia, in consequence of the extent to which they have adopted the Imperial statutes. It appears to be the only provision left on that subject, and as hon. members will know, from the memo. I have read, in the first instance that only gives 4 per cent interest

on judgments, and has been held not to extend to county court judgments. The hon. member for New Westminster (Mr. Corbould) is more familiar with the subject than I am, and he will give any further explanations that may be necessary.

Mr. MARTIN. It strikes me that this question of interest upon judgments is a matter of provincial concern. I did not catch from the First Minister's statement that there were any circumstances which distinguished British Columbia from the other provinces; and unless there are, the other provinces, in undertaking to regulate the interest upon judgments, have exceeded their jurisdiction. Of course the British North America Act provides that the question of interest shall belong to the Dominion Parliament; but my understanding is that the word "interest," as there used, applies only to commercial cases. It appears in connection with bills of exchange and promissory notes, and I would understand how interest in commercial matters, for instance a law respecting usury, should be passed here. This question was brought up before the Supreme Court of Canada in the case of Morden vs. South Dufferin, two or three years ago. The question in dispute was whether the Manitoba Government Legislature has jurisdiction to provide for interest upon taxes. A law was passed in Manitoba providing that if taxes were not paid on a certain day, 10 per cent would be added as interest. The Manitoba court held that the Act was unconstitutional, and the Manitoba Government took the case to the Supreme Court. The Supreme Court decided both ways. In the first instance, the court decided that it was not necessarily interest, but the court went further and held that if the Manitoba Legislature had said that interest at the rate of 10 per cent was to be added to these taxes, that would have been perfectly constitutional. Of course, I do not desire to oppose this Bill, because it cannot do any harm, if the British Columbia authorities desire it. But it strikes me that if the course we are asked to adopt be right, then the course we have taken in Manitoba and the other provinces must be wrong.

Sir JOHN THOMPSON. I have not overlooked the view presented by the hon. gentleman. One could hardly do so because all the provincial statutes contain provisions of a similar character as regards taxes, and likewise provisions as regards the awarding of interest for non-payment of debts certain while they are in liquidation. I think that the view generally adopted is that the interest in those cases is awarded as a penalty for non-payment of the principal. In other words, it is damages for the delay in payment, and therefore comes within civil procedure. So, I think the line of reasoning with regard to taxes, is that the interest is prescribed as a penalty for non-payment of the amount within a specified time; but the

general view adopted here has been that as regards general legislation concerning all debts bearing interest, without any specified contract to that effect and without relation to civil procedure respecting litigation, such legislation is within our jurisdiction, and this Parliament has passed legislation with respect to the interest which judgments shall bear in the different provinces. We had such legislation with respect to British Columbia, but for some reason that is not in my mind at the moment, that legislation was dropped. Hence the difficulty that suggested itself to the courts in British Columbia and which we propose to remedy.

Mr. LAURIER. Does the hon. gentleman regard this question as free from doubt?

Sir JOHN THOMPSON. Not entirely.

Mr. MARTIN. I would draw attention to the case I refer to of South Dufferin vs. Morden. Supreme Court reports, Vol. 19, page 224. As the hon. gentleman has said, the decision of the court went more upon the question he has referred to, as to its being a penalty for non-payment, but Mr. Justice Patterson said:

I have no idea that either process, as employed in the adjustment of the amount to be exacted under the enactment in question, is a subject of the class denoted by the word "interest" in article 19. We find that article associated with others numbered from 14 to 21, all of which relate to the general commercial and financial system of the country at large. No. 19 is 'ejusdem generis' with the others, and does not, in my judgment, include the matter of merely provincial concern with which we are now dealing. This is a phase of the subject which it does not appear to me that we are required to consider exhaustively at present. It would appear that interest on judgments is just such a matter of provincial concern as interest upon taxes.

On section 1,

Mr. MULOCK. If it had been proposed to extend that clause to all the provinces, I think I would have suggested that the word "six" should be struck out and a lower rate substituted. But if British Columbia, through its representatives, declares that it is satisfied with the rate of six per cent, I would not interfere. But, as the rate fixed by statute—what is known as the legal rate of interest—has always been a somewhat lower rate than that which rules between individuals, to fix 6 per cent for the older provinces would be too high, however, since, as I suppose, they have a higher rate in British Columbia than this, I am not going to object to this rate being fixed.

Mr. CORBOULD. The rate of 6 per cent is a very reasonable one for British Columbia. We have been in the habit of paying a very much higher rate. When I first went to British Columbia the rate was 12 per cent. Since that time it has been 10 per cent, and later it has come down to

Sir JOHN THOMPSON.

8 per cent. We pay bank interest of 8 and 9 per cent regularly.

Mr. DAVIES (P.E.I.) It appears to me that in this matter—and I have thought over it a great deal since the Bill was brought in—the measure is within our jurisdiction. English common law, as I understand it, does not give interest on a judgment—

Mr. MULOCK. Until the verdict is entered.

Mr. DAVIES (P.E.I.) No, not even when the verdict is entered, does it bear interest. The judgment itself does not bear interest. You might afterwards sue upon a judgment and ask a jury to give you a verdict with interest. But the law is absolutely plain—and I have had it argued out and decided—that a judgment does not bear interest under the common law. Then, if it were true that each legislature had a right to regulate the interest on judgments, some of them might fix the rate at 10 or 20 per cent, contrary to the policy of this Legislature. I think we have the right to say that a debt, whether it is on a note of hand or secured under judgment and does not bear any specific interest, shall not bear more than 6, or 7, or 8 per cent. I think it comes within the provision of the British North America Act and is under our jurisdiction.

Bill reported, and read the third time and passed.

BOARDS OF TRADE.

Bill (No. 142) to amend the Act respecting the incorporation of boards of trade, was read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 1,

Mr. DAVIES (P.E.I.) What is the meaning of that?

Sir JOHN THOMPSON. The whole object is to give validity to the organization of some boards of trade that have been established in the North-west Territories, and as to which the legislation was not specific. Under this section this would describe a district as it is defined in the Territories.

Mr. DAVIES (P.E.I.) This deals with the whole Dominion.

Sir JOHN THOMPSON. Yes; but the change applies only to the North-west Territories. I was going to say that the question has arisen with reference to a board of trade at Edmonton. Application has been made to have the jurisdiction properly defined. The Minister of the Interior is anxious to relieve the board of trade from the difficulty in which they find themselves and that is the reason for making the Bill retroactive; we have all rights, of course.

Bill reported, and read the third time and passed.

CULLING TIMBER.

Bill (No. 124) further to amend the Cullers' Act, was read the second time, and House resolved itself into committee.

(In the Committee.)

Mr. LAURIER. What is the difference between the amendments and the present law ?

Mr. SPEAKER. I have seen the Bill just now for the first time, but I think the difference is this, that in the old Act it was provided that timber should be measured or counted, and with regard to square timber, it is a matter of absolute necessity for statistical and other purposes that the measurement at least should be made by a licensed culler. I think that is the difference between this Act and the old Act.

Sir JOHN THOMPSON. I will read the old Act, section 42 :

Nothing in this act shall make it compulsory to have any article of lumber measured, culled or assorted, under this act, if such lumber is shipped for exportation by sea on account, in good faith, of the actual and *bona fide* producer or manufacturer thereof ; but all other lumber shipped for exportation by sea, shall be either measured culled or counted, at the option of the person interested, by a licensed culler.

Bill reported, and read the third time and passed.

IRRIGATION IN THE N.W.T.

Bill (No. 134) respecting the utilization of the waters of the North-west Territories for irrigation and other purposes, was read the second time, and the House resolved itself into Committee.

(In the Committee.)

On section 4.

Mr. DALY. The chief provisions of the Bill are founded on legislation on the subject of irrigation passed by the Legislatures of New South Wales, and Victoria, and the Australian colonies generally, and by California, Idaho and Colorado in the United States. The most important provisions are contained in sections 4 and 5 in the Bill. Section 4 provides :

The right to the use of all water at any time in any river, stream, watercourse, lake, creek, ravine, canon, lagoon, swamp, marsh or other body of water whether surface or subterranean shall, for the purpose of this Act, in every case be deemed to be vested in the Crown until the contrary is proved by establishing any other right than that of the Crown to the use of such water ; and, save in the exercise of any legal right existing at the time of such diversion or use, no person shall divert or use any water from any river, stream, watercourse, lake, creek, ravine, canon, lagoon, swamp, marsh

or other body of water, whether surface or subterranean, otherwise than under the provisions of this Act.

This clause is taken from the Australian Act, the Act of the Colony of Victoria passed in 1886. It means that the right to the use of all waters at any time in any river, stream, &c., is forbidden ; also in so far as the riparian proprieties are concerned on lands for which the title is vested in the Crown, these rights are done away with entirely. It has been found in regard to irrigation in California that the question of riparian rights has given rise to more litigation than any other matter, and millions have been expended on it. The necessity for irrigation has arisen in the North-west Territories in that portion lying between the international boundary on the south and the Missouri Coteau on the east, which would cross the Canadian Pacific Railway at Mortlake, and run up to the Bad Hills and from there to the Rockies, covering forty-three million acres, and, therefore, it is necessary that measure of this kind should be passed and particularly as regards that portion of the North-west to which the Bill will be applicable. Irrigation has been commenced there on a small scale and has been productive of much benefit. At a meeting of the Irrigation League at Calgary resolutions were passed as follows :—

That this Convention, consisting of representatives of the agricultural and commercial of Central and South Alberta, desirous to impress upon the Dominion Government the importance of irrigation to the portion of the North-west Territories in question and the desirability of all action possible being taken by the Dominion Government and Parliament for the promotion thereof.

That in the opinion of this Convention it is most desirable in the best interests of the North-west Territories that a statute should be passed of the Dominion of Canada in which it shall be enacted that from and after the passing of such statute no person or corporation shall take, acquire, receive, or become entitled to any riparian right in any rivers free, watercourse, lake, creek, canyon, lagoon, swamp or marsh.

That this Convention impresses on Parliament the necessity of adequate protection of all existing water rights in the events of applications of irrigation charters.

The clauses in the present Bill will meet the views expressed by the Irrigation League at their convention.

Mr. MULOCK. They will go much further. They will interfere with a man owning a well on his own lot.

Mr. DALY. All those matters are provided for. In the literature entitled "Irrigation in the Territories" which has been spread broadcast, the Irrigation League say :

It has been demonstrated beyond all possibility of cavil that irrigation has worked wonders in the arid lands immediately to the south of our North-west Territory. It has also been shown by actual

experience that in the Territories themselves the same results follow the application of water to arid soils. Wherever irrigation has been attempted in Southern Alberta it has been absolutely successful. Many gardens in Calgary have been irrigated by means of the Calgary water works and although the soil of the Calgary bottom has not been regarded as very favourable either for farm or garden product the yield of roots and vegetables with the assistance of the water has been most abundant, great in size and excellent in quality.

The case of Messrs. Hull is mentioned, also that of Mr. John Quirk, on Cheap Creek, some ranchers on High River and Elbow River. In explanation of the sources from which we expect to obtain water the supply for irrigation purposes will be chiefly from the following rivers:—First, those which obtain their waters from the Rocky Mountains, and are at their flood when the water is most required, namely, between 20th May and 20th August: Red Deer, Ghost Bow, Kananaskis, Elbow, Sheep, High River, Old Man, Waterton, Belly, St. Mary's and South Saskatchewan. The water in them and all other sources of supply can no doubt be greatly increased in value for irrigation purposes by the erection of reservoirs or in the vicinity of said waters, storing the same. Second, those which head in the foot hills of the Rocky Mountains where, however, there is generally for a greater portion of the year a very considerable source of supply of water, namely: Beaver Dam, Dog Pond, Little Red Deer, Fish Creek, Little Bow River, Willow, Trout, Beaver, Lee's Creek and Milk River. Third, those which obtain their source of supply chiefly from the Cypress Hills and Wood Mountain, namely: Maple, Piapot, Skull, Swift Current Creek, Wood Mountain, Big Muddy, Poplar and White Mountain Rivers.

Mr. MULLOCK. How will water be distributed over the land?

Mr. DALY. By ditches, as in other countries. The same rules will obtain as in California, Idaho and Colorado, and in all States of the Union, and the parties will be subject to rules prescribed by the Order in Council, regulating the quantity to be used. The question of irrigation has become a most important one in many states of the Union. I find according to the report of the select committee on irrigation of the United States Congress, that over two-fifths of the area of the United States requires irrigation. It is estimated that one million two hundred thousand square miles, or one-third larger than British India, is covered by this area. All the country west except Washington and the northern portion of California require irrigation. We find that irrigation was first begun by the Anglo-Saxons of the United States in Utah, and the amount of land under cultivation by irrigation in Utah is 600,000 acres, which can be increased to about 3,000,000 acres. Why I mention Utah in this connec-

Mr. DALY

tion is, that as the hon. gentlemen may be aware, we have had a settlement of Mormons from there in the southern portion of the territory which is sought to be irrigated. These men have brought with them their knowledge and experience of irrigation and have illustrated there what can be done by irrigation. From conversations I have had with them, they tell me that this being a clay subsoil they can cover twice as much land with half the water that they could in Utah. As I explained previously this clause which we are considering, is taken from the Acts of the Victoria Legislature passed in 1886, and was the outcome of the experience that our cousins in Victoria had in relation to irrigation legislation. It was found that unless the principle was laid down that the right to the use of water at any time, in any river, stream, watercourse or body of water vested in the Crown, should be held by the Crown to be disposed of as it saw fit, that it would lead to interminable litigation and to the troubles the people of California had experienced. So far as subterranean wells are concerned, this Bill differs from the legislation of Victoria, as they did not provide for subterranean waters: but we took our provision in this respect from the legislation of California and Colorado.

Mr. MULLOCK. To what extent will you control subterranean waters? Suppose a man sinks a well on his own land himself, is he to own that?

Mr. DALY. Certainly and no person would have a right to interfere. He would first have to make application for a license, and then if he intruded on any other person's land, or deprived him of the water, he would have to make compensation. Clause 5 is intended to do away with the exclusive rights of riparian proprietors.

Mr. MULLOCK. Clause 5 goes further than that, and if that is what is intended the clause will have to be amended.

Mr. DALY. I propose to amend that clause by adding the words, "until the contrary is proved" before the first part of the clause.

Mr. MARA. The objection taken by the hon. member for North York (Mr. Mulock) is a good one. If a man sinks a well on his own farm, he certainly should have the right to that water and the Government should not attempt to deprive him of the water he requires.

Mr. DALY. That is provided for in a subsequent clause of the Bill. It is not the intention to deprive him of the water.

Mr. MULLOCK. Suppose a man sinks a well on his own farm which has been granted to him in fee simple, is he to have the exclusive use of that well or is he not? What is the policy of the Government in that?

Mr. DALY. He is to have the exclusive use of the waters in that well, but any person

desiring to go on the land for the purpose of sinking another well in order to get at the spring will be enabled to do it under the provisions of the Act. But he must compensate the owner, and he must not deteriorate or diminish the water of the owner in this well.

Mr. MULOCK. If it is intended to allow the owner of the land to have exclusive use of any water he succeeds in making available it will be necessary to amend sections 4 and 5.

Mr. DALY. Clause 30 provides for that.

Mr. MULOCK. Not at all. It does not give the exclusive use. The question is: is a man to own a well which he sinks on his own land or not?

Mr. DALY. Most assuredly he does. If the hon. gentleman will read section 30 in connection with section 5, he will see that that is provided for.

Mr. MARA. If a man sinks a well on his own property he should have not only the right to use that water himself, but to sell it to his neighbours if he wishes.

Mr. DALY. Under sections 5 and 30 he has the right to use the water for domestic purposes; but if by sinking an artesian well he takes water from people who have already sunk wells in the adjoining properties, he will be liable.

Mr. MULOCK. The Minister is going further than any of the Bills asked for, and I think he is getting into deep water.

Mr. DALY. I am not attempting to go further than the legislation that already exists in the states to the south of us. Ours is surrounded with greater safeguards. In Colorado and California the powers are broader than ours.

Mr. LAURIER. The case submitted by the hon. member for North York (Mr. Mulock), and the hon. member for Yale (Mr. Mara), is this: has a man a right to sink a well and use it exclusively for domestic purposes?

Mr. DALY. Most assuredly he has.

Mr. LAURIER. That may be the hon. gentleman's intention, but it is not expressed in the Bill.

Mr. MARA. But I maintain that a man who is successful in finding water on his own farm should have the right to use it, not only for domestic purposes but also for irrigation.

Mr. DALY. I would call the hon. gentleman's attention to section 8 and section 9.

Mr. MULOCK. I think the hon. Minister is confounding two principles. The ownership of water that comes in small quantities, percolating through the surface and ultimately creating springs from which wells may be made to supply sufficient water for domestic

uses, is always considered as vested in the owner of the land. The case is different where you are dealing with a flowing stream which may be intercepted by riparian owners, and may be used as it passes along without diverting the stream. A flowing stream does not become the exclusive property of any one, and therefore I can realize the justice of the Government protecting and making the very best use of streams, creeks and even large bodies of water in the form of lakes and basins. But the other class of water has always been recognized as the property of the owner of the land, and I would recommend the hon. Minister not to legislate further than the one class to which I have alluded. I would regard it as prejudicial to the settlement of the country. If a man is considering whether he will settle in the Northwest, and he is told that under our laws he may sink a well and yet not own it, and that his neighbour will have the right to set the machinery of Government at work and take from him a large portion of the fruits of his labour, he will be discouraged with the enterprise, and with such an unfair law on the Statute-book, may hesitate to take up land in our midst. Unless the principle has already been in force in other countries and the hon. gentleman has evidence as to how it works, he should hesitate before making the experiment here. The document representing the views of the people of the North-west does not, I understand, ask for legislation of this kind.

Mr. DALY. Subterranean waters have been recognized in California and Colorado as one of the chief sources for irrigation purposes, and it is just as necessary that the subterranean waters should be controlled, as the waters of creeks, lagoons, marshes and the other sources from which they come. We do not seek to take away from any one any rights he enjoys at present as regards water for domestic purposes.

Mr. LAURIER. You do.

Mr. DALY. Our legislation is based exactly on the legislation of other countries.

Mr. LAURIER. I have no doubt the Bill is a very useful one, but it would be well that we should know at once how we stand. Objection is taken, and rightly, I believe, that this law should not be so rigorous as to prevent a man sinking a well on his own property and using it. The hon. gentleman refers us to clause 8, which says that any water, the property in which is vested in the Crown may be acquired for domestic, irrigation or other purposes. But clause 4 provides all waters are vested in the Crown, subterranean as well as surface. Then clause 8 provides that all applications shall have precedence, according to the date of filing, and the purposes for which the right to water may be acquired are three classes: first, domestic purposes; second, irrigation purposes; and third, other pur-

poses. So that, if application be made for domestic purposes by a neighbour or a second neighbour, the proprietor of the land on which the water is found may only come third in rank, and his neighbours will be served before him, even for domestic purposes. The owner of the soil has not at all a privilege, but must take rank according to the order in which his application was filed. I understand that is not the intention of the hon. gentleman, but that his intention is to reserve to the owner of the soil his right in the water on his own land for domestic purposes. If that be so, the Bill does not carry out that intention.

Mr. DALY. I am sorry that I am not able to make myself clear or that the Bill does not explain itself. Section 30, it seems to me, preserves the right of the owner of the land to sinking wells thereon and using the water, and no person can take that right from him. According to clause 4, all waters are vested in the Crown, but a reservation is made protecting the exercise of any legal right existing at the time, and that legal right would mean the use of water for domestic or other purposes. However, as we are not likely to make much progress with the Bill to-night, I move that the committee rise and report progress, and ask leave to sit again.

Committee rose and reported progress.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 11.35 p.m.

HOUSE OF COMMONS.

TUESDAY, 26th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYER.

THIRD READING.

Bill (No. 89) respecting the Speaker of the Senate—(from the Senate.)—(Sir John Thompson.)

THE JUDGES OF THE SUPREME COURT OF CANADA.

House resolved itself into committee to consider resolution respecting the judges of the Supreme Court of Canada.

(In the Committee.)

Sir JOHN THOMPSON. I will explain briefly what the nature of the resolution is.

Mr. LAURIER.

The scheme for improving the salaries of the judiciary of Canada did not include, and does not include, any improvement of the salaries paid to the judges of the Supreme Court of Canada ; but it is believed that a concession might properly be made in regard to that particular Bench, which would tend to the improvement of their position and render to some extent more desirable the offices they hold, and that is by making provision that some of them may retire on full salary, instead of the two-thirds pension which falls to other judges for the time to come ; that is to say, when a judge has served for fifteen years and has reached seventy years of age it will be optional on his part to retire on full salary instead of the two-thirds salary allowed.

Mr. LAURIER. I am sorry to say that I cannot at all agree to the legislation now proposed. This resolution applies only to a certain class of judges, namely, to the judges of the Supreme Court. If there was any reason whatever for this legislation, there was no reason why it should apply to one class of judges and not another, and why it should not apply to all judges appointed by the Dominion Government. The hon. Prime Minister has given no reason why the course now proposed should commend itself to the judgment of the committee, and, moreover, I am at a loss to see why the judges of the Supreme Court, or the judges of any court should be allowed to retire on full pay and not submit to the ordinary law, that is to say that a judge should receive pay as long as he gives his services to the state, but as soon as he ceases to give an adequate return, he should no longer receive the full amount of his salary. The reason the hon. gentleman has given—in fact, he has given no reason but has simply made a statement—is not such as can commend itself to the judgment of the committee. I cannot agree to the motion, and if carried, it must be carried by the power of the Government, which of course they can exercise ; but at the same time I must say to the hon. gentleman that I do not believe the course he is pursuing will commend itself to the judgment of the people.

Mr. DUPONT. (Translation.) Mr. Speaker, the argument developed by the hon. leader of the Opposition commends itself to my judgment as quite logical ; as the principle involved in this proposition, if adopted, would, sooner or later, be made applicable to all the judges of the several courts of the Dominion. Should the Government not follow that course, they would not be dealing fairly by the other members of the judiciary, for the judges mentioned in this resolution receive a higher salary, and on resigning their office are given a larger retiring allowance than their brethren of the judicial order. The resolution now before the House, providing that judges shall retire on full pay whenever, after having reached the age of

seventy years, they have served for fifteen years, is not one which should commend itself to our favourable consideration. A judge who has reached the age limit cannot invoke as an excuse for remaining on the Bench, and for drawing a large salary, the expenditure connected with the maintenance of his family, for, at that time of life, his family is provided for, and all he needs is an annuity sufficient to enable him to support himself and his wife. Further, the salary of the Supreme Court and Superior Court judges are high enough, and their two-thirds pension is quite sufficient to maintain them in the position in which they should be maintained, even after leaving the Bench. It is not fair for judges, as they are sometimes wont to do, to compare their salaries with those received by judges in other countries. Their functions are just as exalted here as anywhere else; but as regards the remuneration of their services, it is quite different. In England and in the United States, judges are paid higher salaries, in proportion to the population and resources of those large countries. I fully concur in the remarks which fell from the hon. leader of the Opposition. We ought to bear in mind the fact that ours is still a young country, whose resources and wealth, being in course of evolution, have not yet reached their full development, and our means, therefore, are limited. On these grounds, I would urge the Government not to press the resolution now before the House. The salary of the Supreme Court judges is fixed at a rate high enough for the country to boast of its generous and fair treatment of the judiciary.

Mr. AMYOT. I fully concur in the resolution before the House, and I consider it a step in the right direction. I believe that all the judges of our superior courts should have the same privilege, not as a personal matter to them, but for the public good. The work imposed upon our judges of the Superior Court—I speak, of course, for the judges of the province of Quebec, because I know the amount of work they have to do is immense. When they have been on the Bench for fifteen years and have attained the age of seventy, surely they should have the right to withdraw, and not be compelled to stay on the Bench, enfeebled as they may be at that age and physically weak enough to prevent them from bringing to their important duties all the clearness of intellect which the proper discharge of their duties requires. I hope that this resolution is only a preliminary step towards a general law in the same direction regarding all the judges of the superior courts.

Mr. DAVIES (P.E.I.) I regret that I cannot at all agree with this resolution, or with the remarks of the hon. member for Bellechasse (Mr. Amyot). It will be noticed by the committee that if there is any value at all in the reasons of the hon. gentleman (Mr. Amyot) this resolution ought not to

pass; because if his reasoning is sound the resolution should be broadened in its scope and made to apply to the judges of all the provinces. Now, what is the resolution before us? We have a law at present which provides that in cases where the faculties of the judges are impaired, or where they become sick or unable to perform their duties, that ipso facto they can retire and receive two-thirds of their salary. There is a provision further, that whether they be sick or well, if they have served a certain length of time, irrespective of the state of their health, they can also retire and receive two-thirds of their salary. Speaking for myself, and speaking as a lawyer, I think that is a very liberal, a very generous and at the same time a just law. I know of no reason in the world why judges should be singled out, apart from and beyond all other officers of the public service, and be enabled when they have attained a certain age to retire, and to receive, after they have ceased to do any work for the community, the full salary that they received when they were actually doing the work. A few years ago there was a strong feeling existing in the province of Quebec and Ontario to increase the salaries of all the judges, or at any rate to increase the salaries of those of the judges who in the larger cities of the Dominion were supposed to do an exceptional amount of work. But, Sir, that proposition—if it ever went as far as a proposition—that suggestion was not received with approval by the general mass of the public, and I think I may go so far as to say that it did not meet with the approval of the majority of the members of this House. At any rate the expressions of opinion that were given in the House when the proposition came before it, would lead one to the conclusion that a large majority of the House were opposed to increasing the salaries of the judges. If that were the case a few years ago, I would like to know: are the conditions of the country so changed that it is desirable now to do in this respect what the House would not do a few years ago? I think myself that there are perhaps a few judges who do an exceptional amount of work in the city of Montreal, and perhaps in the city of Toronto, and that possibly it may be, in consequence of the extra duties they have to perform, that their cases might be supposed to require exceptional treatment. But, apart from that, I think it is pretty generally acknowledged that in the existing condition of things in this country, and compared with the salaries we pay to other officials, our judges are not underpaid. It has been very often questioned whether, with the salaries we pay at present and with the inducements we offer, we are able to obtain the services of the best men for the judiciary. But it must be apparent to hon. members, that it is not only the salaries we pay which induce eminent lawyers to accept the position.

The salaries may not be as large as the earnings of a first-class counsel; but a prominent counsel, who, perhaps, may be in receipt of from \$10,000 to \$20,000 a year, knows that if his faculties become impaired, or if ill-health visits him, his income disappears like snow before the summer sun and he loses it entirely. The practising lawyer, however eminent, is not guaranteed an income in perpetuity, but a judge who goes on the Bench and receives his \$6,000 or \$7,000 a year, knows that in good health or in ill-health, after he has served some fifteen years, he can retire from the Bench and receive two-thirds of his salary. And, if after he has served one year his faculties become impaired or his health becomes such that he cannot discharge his duties, he is enabled to retire instantaneously and also receive two-thirds of his pay. There are, therefore, very great inducements—and I do not say they are at all improper inducements—to leading counsel to accept positions on the judiciary. Glancing over the judiciary of the several provinces, we find very excellent men on the Bench. At any rate, it has been expressed in this House time and again, that, speaking generally, and with very rare exceptions, we have a right to be proud of the judges of the land. We have no reason to doubt that we have men whose experience and intellectual attainments fully justify their appointment to the positions they hold. Our experience since Confederation in Canada has shown us that so far from not having been able to obtain first-class men at the present salaries we pay our judges, and on account of the extra inducements we offer, we have succeeded in obtaining the best men for nearly all the judicial positions. That being the case, I submit that some very strong reasons should be given to this House to induce us to consent to what is undoubtedly a permanent addition to the taxes of the people. Have any good reasons in support of the passage of this resolution been given? I appeal to hon. gentlemen on both sides, whether any reason has been given for this increased taxation which should weigh for a second with anybody. The conditions of the country are not what they were a few years ago. Men are struggling in every condition of life to retrench their expenditure, and to try to live within their means. We know that times are hard. We know that men are looking forward, perhaps not with trembling, but at any rate with anxiety to the near future, and we know that prudent and cautious men in every walk of life in this Dominion are to-day curtailing their expenses in every possible way they can in order that they may live within their means. We know that there is a very large mass of the community who to-day are struggling to maintain a bare existence, and this is the time we are asked to increase the salaries and to improve the condition of men who are certainly receiving sums which

Mr. DAVIES (P.E.I.)

place them not only beyond the reach of want, but—I won't say in affluence—but, at any rate, in comfort. It may be asked, what is the particular proposition before the House? The proposition before the House is: that when any judge of the Supreme Court or Court of Exchequer has been fifteen years upon the Bench, whether he has been one year upon the Supreme Court Bench and fourteen years on the Bench of an inferior court: if he has spent fifteen years on the Bench and has reached the age of seventy he has the right, even though his faculties be unimpaired, and even though his health be perfect, to retire from the Bench, and for the rest of his life receive the same salary as if he were doing his work. I ask the House: can any precedent be found in any British-speaking colony or in any part of the Empire for this proposition? So far as I have been able to look at this proposal there is no precedent for it. There is no such precedent in England or in Ireland.

Mr. AMYOT. We will make one.

Mr. DAVIES (P.E.I.) My hon. friend from Bellechasse (Mr. Amyot) says we will make one. Well, I am trying to show him, that this is a most unfortunate time in the history of Canada to begin to establish such a precedent as that. If we are to begin a precedent of this kind, I think it would be well for us to allow the Imperial Government to show us the way. It will be time enough when a rich and wealthy nation like England deems it necessary to take this course, for us to follow a long distance behind in their footsteps. I submit to the House, there being no precedent to be found, that some very strong reasons should be given to induce us to form a precedent. The hon. member for Bellechasse (Mr. Amyot) has not attempted to offer my reasons to the committee in support of his proposition. He has simply submitted that the resolution does not go far enough, and if his argument is correct and his reasoning adopted, this proposition to allow a judge after he has been fifteen years on the Bench, and has reached the age of seventy years, to retire on full pay, must be applied to the Superior Court judges of every province in the Dominion. Is the hon. gentleman prepared to accept that?

Mr. AMYOT. Yes.

Mr. DAVIES (P.E.I.) He is prepared to accept that, and therefore he is logical. But I point out to the committee that we are most assuredly taking the first steps which will land us in the logical position which the hon. gentleman (Mr. Amyot) asks us to take. I ask the members of this House: are they prepared to do that? Why, Sir, it does not follow that if we want to compel men to retire at a certain age—and I am not adverse to that proposition—it does not follow at all that if you compel them to retire you are to pay them their full salaries while they are doing no work. On what

principle can you undertake to do that? Compulsory retirement at a certain age may be defensible, but why seek to compel them to retire, and at the same time continue to pay them the same salary as when they are discharging their work? I do not think it is right. At all events, it is not the principle adopted in England, in Ireland, or in any of the British provinces, so far as I know; and, if adopted by the House, it will have unfortunate results, and, as the hon. member for Bellechasse (Mr. Amyot) says, it must be carried to its logical conclusion and be made to apply to the judges of all the provinces. Now, what are the special circumstances? Have hon. gentlemen heard them? I know of no special circumstances. There is no reason for the Supreme Court being made strong by this resolution that does not exist in the case of the courts of appeal in the various provinces, if that reason exists at all. I do not think there is any ground for us to impeach the strength of the courts at present. If any of the judges require to retire, let them do so on the two-thirds pension! which is a very handsome pension, and is as much as this country can afford. I deprecate the introduction of the resolution, in the first place, because it introduces a precedent here which exists nowhere else—for you cannot stop where you are, but must make the same principle applicable to the courts of all the provinces; in the next place, because it involves an expenditure which the people of this country at the present time are not prepared to shoulder; and, in the third place, because it is inherently unjust. I deny the right of any man, I do not care whether he is a judge or other official, if he wishes to retire into private life, to receive the same salary as that which is a fair and reasonable one for the full exercise of his faculties, and the full discharge of his duties. Under these circumstances, I think the hon. gentleman would be wise to proceed slowly. I have no doubt that he has introduced the resolution with the best of motives; no doubt he has done so with the earnest desire to promote the efficiency of the courts; but this is the wrong way to do it. If the hon. gentleman brings in a proposition to provide for the compulsory retirement of the judges at a certain age, I have no doubt that such a proposition will receive fair consideration, irrespective of politics, on both sides of the House. This resolution should be considered without the least symptom of political feeling, for it is one above politics. I oppose it for the reasons I have stated, and I hope it will be opposed at almost every stage.

Mr. IVES. I agree with my hon. friend when he says that this is not a question of politics. It strikes me as being entirely a practical question. The Supreme Court of Canada is in one sense altogether different from any other court. It is the court of last appeal in Canada; and, considering the

fact that the expense of an appeal to the Privy Council in England is so heavy as practically to prevent the ordinary citizen from taking advantage of a resort to that court, it becomes all the more important that the last court of appeal in Canada should, at all times, be maintained in the highest state of efficiency, and that at all times the very best legal talent, the very soundest and highest wisdom, should be possessed by the judges of that court. Now, we are not speaking at all with reference to the court as at present constituted. No one has the slightest desire or intention of casting any imputation upon the skill, the wisdom and the ability of that court as at present constituted. But we are legislating, if we legislate at all, for all time in the future, or at least until some other Parliament shall find some better course to pursue. The hon. gentleman is quite right in saying that there is an alternative course—the course of compelling the judges to retire at a certain age. I must tell him that that course has been considered. I myself, for one, have entertained the idea, and have considered it and discussed it; but it seems to me, considering the salaries that we pay to the judges of the Supreme Court, that it is sufficiently difficult to get the best men under the present arrangement of a retiring allowance, with the permission for them to remain until they see fit to retire; and it would be absolutely impossible to obtain even third-rate men to take those positions if it were enacted by Parliament that the judges would have to retire without pension or salary at seventy years of age.

Mr. DAVIES (P.E.I.) The hon. gentleman must not misrepresent me. I never suggested that a judge should be compelled to retire without pension or salary.

Mr. IVES. If it were enacted by this Parliament that the judges were to be compelled to retire at seventy years of age, even on the present retiring allowance, it would be absolutely impossible to get the best men to take the position. It is only because of the honour and dignity of the position, and the fact that the judge may hold the salary as long as he may see fit to hold the position, and that the question of when he may retire from the position is entirely in his own hands, that we are able to get first-class or even second-class men to take the position for the salary at present paid, which is very much less than that paid to gentlemen in the same rank in England or in the United States. The hon. gentleman knows that the leaders of the Bar in the lower provinces, in fact, all over the Dominion are making much larger incomes than the salaries of the judges of the Supreme Court.

Mr. DAVIES (P.E.I.) No. I challenge that as far as the Maritime Provinces are concerned.

Mr. IVES. And the hon. gentleman knows that if you enact a law that the judges must retire at a certain age, on the present retiring allowance, even the salaries of the judges will be just as uncertain as the incomes of the leading members of the Bar. The hon. gentleman says that every member of the Bar knows that under certain circumstances he is liable to lose his practice. I deny that, unless he loses his health entirely, and is unable to work. The hon. gentleman knows that as a practical question this matter works out in this way: The judges of the Supreme Court continue in the position until they die, and, so far the hon. gentleman would not be able, I fancy, to point to a case where a judge asked for superannuation, or desired to retire on a superannuation allowance.

Mr. DAVIES (P.E.I.) Oh, yes. Judge Taschereau and Chief Justice Richards.

Mr. IVES. I may be wrong as to the fact; but as a practical question, in the great majority of cases, the judge, after he becomes old and unable to sit regularly in court, is obliged to ask for leave of absence. He is unable to attend the sittings of the court, frequently there is no quorum, frequently cases have to be re-argued before other judges, and an immense amount of inconvenience and detriment to the public is occasioned. Considering the smallness of the salary as compared with the salaries of judges in other countries, considering the age limit fixed, which is the limit of a man's life, according to the Good Book, considering the improbability of these men long enjoying the salary without doing the work, considering that the resolution and the measure proposed by the Government is calculated to give us a live, active, vigorous court as the highest court of appeal, and considering the importance of such a court, I do not see how any man, irrespective of politics, can object to the proposition.

Sir JOHN THOMPSON. I would not have spoken again, but when I find that our friends of the Opposition who have spoken had not heard what I had offered on behalf of the resolution, it is only right for me to assume that the remainder of the committee did not catch my remarks. If the leader of the Opposition and my hon. friend from Queen's (Mr. Davies) had heard what I said, I presume they would have had a better reason to advance against the resolution than the mere statement that I had said nothing. Therefore, I shall have to repeat what I said as regards the place which the Supreme Court of Canada is supposed to occupy in the scheme or policy of the remuneration of judges; but first of all, I beg to say that my own view is totally different from that which has been advanced as to the sufficiency of the remuneration of the judges of the superior courts of our provinces. I shall leave out of consideration, for the moment, the question

of the salaries of county court judges, because that involves other considerations. It involves necessarily the adjustment of remuneration from other sources, and there are two classes of judges there who have to be considered; but coming to the cases of the judges of the superior courts of the provinces, I contend that, even as regards the judges of the Maritime Provinces, the salaries are quite inadequate. They are very far below the emoluments derived by leading members in the practice of their profession. But saying nothing about that, they are quite below the suitabilities of the position of judges in the higher court of a province; and if you judge them by that standard, if you judge them by the standard of the emoluments a successful professional man makes in his practice, or by the salaries given in commercial life by monetary institutions, the salaries are twenty years behind the time. But when you come to greater centres, like Montreal for example, you find hard-worked judges—judges who were eminent and most successful in their practice at the Bar, asked to receive for administering justice in the highest court of that great province and metropolis a salary of \$5,000 a year, for which no respectable bank or large commercial institution would obtain a manager to-day. You ask a chief justice—I need not mention names—presiding over a judiciary like that of the province of Quebec, to serve us with his skill, eminence, and the labours which devolve upon him, for a salary of \$6,000 a year. I should suppose that merely to state the position would be sufficient to refute the argument that the judges are well enough paid. Go to Ontario, and we find there that the inadequacy of the salary is so glaring that the province of Ontario, and I think the Legislature, without any division upon political lines, stepped forward and said: The allowance made by the Federal authorities, charged by the British North America Act with the maintenance of our judiciary, is so glaringly inadequate that we will put it upon the statutes that every judge in our province shall receive from the province \$1,000 a year over and above what the Dominion Government allows him, until the Dominion Government makes up that allowance from its own treasury. Surely there could be no better indication of the public opinion of that province as to the gross inadequacy of the salaries we pay our judges there. They constitute the highest judiciary of a magnificent province—magnificent as regards its business, its wealth and its population; and they constitute a judiciary, not only of the highest character as regards attainments, but a judiciary fully and amply worked. No one can say that one of the judges of the higher courts of Ontario eats any idle bread to-day. But what I wish to call attention to, as justifying this particular resolution and the limits within which this policy is confined, is this: While it is our intention, as soon as the circum-

Mr. IVES.

stances will permit, to improve the salaries of the judges of the superior courts of the provinces, and while we think that a case has been made out clearly for the improvement of those salaries, it is not part of the policy of the Government, and I think it would be a policy to which it would be very difficult to get the approval of this House, to increase the salaries of the judges of the Supreme Court of Canada. They are now as high as Minister's salaries are. Seven thousand dollars a year appears to be a very liberal allowance for a judge of that court, and I have not heard of any proposition or any claim put forward for improving the salaries there. It would be very difficult to do it on account of the necessity which would follow for the readjustment of the other salaries, in respect of which there would be a comparison drawn. But I do assure the House that the necessity impresses itself upon me of improving in some way the position of that court as regards its emoluments; and I thought that, instead of pressing a measure for the increase of the salaries of the court, it could be more economically done, and done in a satisfactory way to the judges, by making the position a little more desirable by this addition, that after reaching the age of seventy years, with fifteen years at least of judicial service—at least five of which must be spent on the Supreme Court of Canada—they may then retire upon full pay. The grievance with regard to the judges of the provincial courts is not so much the inadequacy of the retiring allowance. It is the inadequacy of the annual remuneration, and to that we hope to apply a remedy. But with regard to the Supreme Court of Canada, the grievance is not owing to the salary, but there is—I shall not call it a grievance—but there is at least a favourable opportunity to improve the position of those judges without great outlay by improving the allowance on which they shall retire. And it has this advantage of tending to strengthen in the country that court, which, as my hon. friend, the President of the Council, says, requires everything we can possibly do to make it a strong court, as a court of last resort, as a court of appeal from the judiciary in Quebec and Ontario, to say nothing of other provinces, where the appeal comes from a strong judiciary, and where it is absolutely necessary, if we are to maintain our judicial system at all—if we are to maintain the structure at all in its present proportions and plan—we should make the keystone of the arch strong, durable and admirable. For these reasons, I thought this would be a convenient way, and an economical one, to improve that position and give an opportunity to make that court a strong one. I had two considerations in view: first, as regards the judiciary of the present, and I speak of them not only with the greatest respect, because I entertain that, in my inmost heart, for the members of

that Bench, but on account of the delicacy of speaking at all with regard to remuneration when it comes to individuals. I shall say simply this, that there are judges there who have served their country long, faithfully and efficiently, and who ought not, when they have attained the age of seventy years, to feel that they are constrained by the force of personal circumstances to remain on the Bench after the time arrives when they have not their full powers. Under the present system a judge is induced to remain upon the Bench by reason of this fact: that if he retires he must submit to a diminution of one-third of his income, which he may find it very inconvenient to submit to. As regards the future, we have something to do in the way of strengthening that court. I may take the province of Ontario as a very fair sample, because when we improve the circumstances of the judges of the other provinces we shall have them upon the same plane with the judges of the province of Ontario. Can we hope to strengthen the Supreme Court in the province of Ontario, where it is most desirable to strengthen it, when we find, as regards the Bar, that we cannot hope to secure for that high position the foremost men, for the reason that they make more than double the allowance of the Supreme Court judges? But we may have some hope—we should have some hope—of appointing to the Bench here some of the members of the judiciary of that province. For it would be all the better that they should have had training upon the Bench, a training which a judge of first instance gets, or the training which a judge of the Appeal Court of the province gets. But here are the facts: A judge in the province of Ontario receives \$5,000 from the Dominion Government; he receives \$1,000 from the province until the Dominion Government makes up that sum; he receives another \$1,000 from his circuit allowances, or else as additional salary as chief justice. So he receives now in his own province, without being required to move to Ottawa, fully the amount of the emoluments he would get by coming here to become a member of the Supreme Court. Can we expect that they will come here, even for the nominal promotion, if they receive no additional emolument, and there is no other attraction? We present to them that additional attraction which the hon. member for Queen's, P.E.I. (Mr. Davies), says is an inducement even to the members of the Bar who are earning far greater emoluments than the judges' salary, permanence of position and income. But we need to present the inducement of an opportunity of retiring on a liberal allowance. In this way we shall induce them to come here and replenish the strength of the highest court of appeal of the Dominion. These are the reasons why, at present, until we adopt a larger scheme for the improvement of the salaries of the judges, I think we should do this in the interest of the

court which is the highest court in Canada, and which we all desire to see the strongest court.

Mr. LAURIER. I have listened very carefully to my right hon. friend, but I must confess that the new reasons he has given have not at all modified the conclusion I had arrived at already. The right hon. gentleman has based his argument, to a large extent, upon statements which go to show that the judges in the superior courts in the different provinces were not sufficiently remunerated. That is a question which has been debated for some time, and upon which there seems to be some difference of opinion. It does not seem to be the opinion of this House that judges are not sufficiently remunerated. On two or three occasions the right hon. gentleman has introduced a measure with a view to increasing the salaries of the judges of the superior court, and on each of these occasions he has had to abandon the measure, evidently because the House, rightly or wrongly, is of the opinion—an opinion shared by many members on that side of the House as on this—that there was no cause for any increase of these salaries. At all events, let us suppose that the contention of the right hon. gentleman is sound, and that the judges of the superior courts of the provinces are not sufficiently remunerated. The logical sequence of such an argument would be the introduction of a measure such as the right hon. gentleman introduced a few years ago for the increase of these salaries. Such is not the measure now proposed; it is, indeed, of a very different character. What is the reason which has been adduced, first by the President of the Council, and then by the right hon. Prime Minister himself, in favour of this measure? The only reason is that this measure is calculated, as the Premier stated, to maintain the Supreme Court in the highest state of efficiency. I admit that the Supreme Court should be maintained in the highest state of efficiency, not for the reason which has been stated by the President of the Council and by the Prime Minister—that this is the court of highest resort in Canada—but simply for the reason that every court should be maintained in the highest state of efficiency. And, if every court were maintained in the highest state of efficiency there would be far less labour for the Supreme Court. So the argument applies no more to this court than to any other. Coming to a consideration of the court itself, if I understand my hon. friend aright, there is no complaint as to the sufficiency of the salaries paid to the judges of the Supreme Court. And, if we consider that the judges of the Supreme Court receive the same salaries paid to the Ministers of the Crown, they can hardly complain that they are not sufficiently paid. They have not the same responsibility, nor have they half the labour of a Minister of the Crown.

Mr. DAVIES (P. E. I.) And they have a permanency.

Sir JOHN THOMPSON.

Mr. LAURIER. And they have a permanency. A judge is paid the same salary as a Minister of the Crown, and he has this before him: that after a certain number of years, if his health fails him, he can retire upon the very liberal allowance of about \$5,000. Now, it is stated, however, that, in order to make the court still more efficient, the judge should be given his full salary if he withdraws from the Bench. I think that this proposition is altogether indefensible. I do not object, for my part, to the continuance of the present system, so that judges who have become disabled through age or who decide because of other causes to withdraw, may be assured of a very fair allowance, such as will enable them to maintain their station in life. But I challenge the opinion and judgment of every man in this House to say whether there can be any reason why a judge withdrawing from a court, and giving up his labours, should continue to receive the same emoluments from the country as while he was on the Bench. If the salaries are not sufficient let them be increased, but I enter the strongest protest possible against putting upon the Statute-book a law involving the principle which, as the hon. gentleman has indicated, may become applicable to all the courts, that the judges, whether they serve the public or not, whether they are able to discharge their duties or not, are to receive the same compensation from the public as if they were discharging their duties. The principle is a wrong one, and is not made to appear reasonable by any argument which has been advanced hitherto. Certainly I agree with my hon. friend that this proposition should not be assented to, but it should resisted at every stage.

Mr. SCRIVER. The right hon. gentleman himself has set the example of departing somewhat from the question which is under discussion before the House, and he has spoken at considerable length in regard to what he calls the inadequacy of the salaries given to other judges than those of the Supreme Court. In the few words I have to say on this question I shall speak from an experience limited to my own province, and I would say that with regard to that supposed inadequacy, we should make the question a practical one. Have we not already, with these so-called inadequate salaries, been able to obtain for the judiciary of the province of Quebec, men fully competent to discharge the duties intrusted to them? I would say that I do not believe that a man's professional income should be the only test of his fitness to occupy a seat on the judicial Bench. There may be accidental reasons. It may be that some lawyers have enjoyed opportunities of making a larger professional income than some of their brethren at the Bar, either by reason of some peculiar talent, or some peculiar branch of practice, or from other reasons. Speaking from my own know-

ledge of the Bar in Montreal, I do not hesitate to say that there are men now at the Bar, that there were men at the Bar who have been on the Bench, whose professional income was not half of that which forms the professional income of some members of that Bar who are quite as well qualified to occupy a position upon the Bench with dignity and efficiency as their brethren who have made an income very much larger. So I do not think this question of income should be the sole test of efficiency or fitness for a seat upon the Bench. But in all that has been said so far in the discussion of this question, the financial point of view has been the only one taken. I think we ought to consider that there is something in the position itself aside from the income attached to it, which makes it a desirable one for any man at the Bar to occupy. Look at the social advantages it gives, look at the opportunity which it gives a man, if he is such a man as he ought to be for that position, to inscribe upon the jurisprudence of this country opinions which will be carried down to all time. I think these are considerations which may fairly be supposed to operate upon the minds of men who make some sacrifice from a financial point of view in accepting this position. So far as my opinion goes, I am quite prepared to believe that not only have we been able, but that we shall be able in the future, to command the services of the most competent men for this position, among those who are now members of the Bar, either in Quebec province or in other provinces. So far as this particular question before the House is concerned, I must say that I fully agree with the hon. leader of the Opposition and the hon. member for Queen's, P.E.I. (Mr. Davies), in their opinion that the reasons given by the leader of the House have not been sufficient to justify us in adding to the emoluments of the men who are now upon the Bench. Those emoluments are large, and they have enabled us, I think we may fairly say, notwithstanding what the hon. President of the Council has been pleased to say, that even with the advantages that are now offered we can only obtain second-class men—I think they have enabled us to obtain first-class men, and that the judges upon that Bench have discharged their duties in a way to do credit to themselves and to be of very great advantage to the country. But I am not a professional man, and it is, perhaps, somewhat presumptuous in me to say anything on the subject at all. But I firmly believe that any attempt on the part of this House to increase the salaries of the judges of the Supreme Court, or the judges of the superior courts, would be frowned upon by the tax-payers of this country.

Mr. CHOQUETTE. (Translation.) Mr. Chairman, having promised to pair with my hon. friend, the member for Two Mountains (Mr. Girouard), who is on leave of absence, and in order not to give a silent vote on the

present resolution, I desire to enter the strongest protest possible against it. I have listened very attentively to the reasons given by the hon. Prime Minister and the hon. President of the Council (Mr. Ives), as also by the hon. member for Bellechasse (Mr. Amyot), and I must say that I failed to see how the Government could be actuated by any other than political motives in introducing this measure. I think this resolution is a mere attempt on the part of the Government, on the eve of a general election, to prevail upon certain members of the Supreme Court to come down from the Bench, and, if political report be true, thus to create vacancies for political friends, even for a Minister of the Crown. The hon. member for Bellechasse ventured to inform the House that the salaries so far paid to our judges were inadequate, and that he would support the resolution before the House providing that they should retire on full pay, such pension to continue during their natural life, and such provision to apply especially to the judges of the Quebec province. Now, when we bear in mind the course pursued by the judges in the past, I am of opinion that, far from being overworked, as stated, some of them had leisure enough to come down from the Bench to sit on certain "small Benches," to gain thereby the political favours which have since been lavished on them. Therefore, the reason offered by the hon. member, namely, that the Quebec judges do an exceptional amount of work is no reason at all, and on no such ground can either the resolution now before the House or the demand of the hon. member for Bellechasse be justified. The Quebec judges, or at least some of them, have no exceptional amount of work to do; on the contrary, they have plenty time to interfere with politics, and to further the political ends of the party which placed them on the Bench. Let us now see the reasons put forth by the hon. President of the Council. The efficiency of the Bench can only be promoted by paying judges sufficient emoluments, and at the actual salary, eminent lawyers cannot be secured to fill the judgeships. Now, how is it that, so soon as a vacancy occurs on the Bench, as many as fifty applicants apply for the position, and among them even Ministers of the Crown, comptrollers, solicitors-general who sit opposite? If the salary were inadequate to the exigencies of those who wish, through sheer spirit of sacrifice, to ascend the Bench, how can the fact be accounted for that so many seek the office? Moreover, should the statement of the hon. President of the Council be accurate, it would follow that, up to the present, none but second or third rate lawyers have been secured to fill up the judgeships. But we know that, in a great many cases, the Quebec judges appointed to the Bench, or the judges appointed to the Supreme Court, were lawyers of the highest standing in their profession. Should the resolution now before the House pass, history would repeat itself and superannuated judges,

like Judges Chagnon and Doherty would be seen, who after serving for 15 years or even less, begin to build up their practice anew as counsels. Such judges, not satisfied with their retiring allowance, enter into active competition with professional members of the Bar. Let me quote another case to show the adequacy of the salary paid to our judges, and in support of the contention that the position would readily be accepted by a large number of my hon. friends who sit opposite; I refer to the case of a lawyer, who made a yearly income of fifteen thousand dollars, holding besides the position of Senator, that of Speaker of the Senate, with an additional yearly salary of five thousand dollars. Now, so soon as the position of Chief Justice had been become vacant through the demise of the former incumbent, the Speaker of the Senate, Sir Alexander Lacoste, resigned his office and his Senatorship, gave up his practice, yielding a yearly income of \$15,000 as above stated, in order to accept a judgeship with a salary of \$6,000. Sir Alexander Lacoste, Mr. Chairman, it may be noticed, was no second-rate lawyer, but a man who commanded general esteem and respect. His political acts are open to criticism; but he is a man whose skill and attainments are unquestioned, and who commands general respect. Now, a judgeship is eagerly sought for and readily accepted, because of the permanency and on account of the fixed salary attached to it. The earnings of a practising lawyer may reach fifteen or twenty thousand dollars a year; still he is not guaranteed an income in perpetuity: he may suddenly lose his practice, if ill-health visits him or if his faculties become impaired; and then his practice dwindles into nothing and his income disappears, while no such thing takes place in the case of a judge. The judge knows that, if after he has served a fortnight, his health becomes such that he cannot discharge his functions, he can maintain his existence and that of his family. The case just quoted, in the instance of Chief Justice Lacoste, who was a lawyer of great eminence, amply demonstrates how unsound are the reasons given by the hon. President of the Council in support of the resolution now before the House. Although, as a rule, I am adverse to increasing the salaries of judges, still I would rather vote for an increase of salary, rather than give my assent to this resolution. I deprecate the introduction of that resolution, because it was brought forward by the Government, on the eve of a general election, to compel some of the Supreme Court judges to retire from the Bench, as above stated, in order to enable the Ministers to appoint political friends, and especially one of the Ministers. Under the circumstances, and on the ground of my inability to vote against the resolution, I thought it my duty to give a few words of explanation. I have done so in good faith and in the most moderate terms, in fulfilment of a duty I owe my constituency and my electors.

Mr. CHOQUETTE.

Mr. TARTE. (Translation.) Mr. Chairman, I feel warranted, because of the stand elsewhere taken by me on the question of the judiciary, to say a few words on the same. It always sounds strange to my ear to hear it stated that the judges are paid an inadequate salary. I have lived, for forty-five years past, in the province of Quebec; and I may boast of a quarter of a century of experience acquired in the enjoyment of a fully developed intellect. I got acquainted with most of the lawyers who have since ascended the Bench. I could, without any trouble, go through the whole list of the names, and prove that two-thirds of the men who are now sitting on the Bench, were not making, when they were lawyers, one-half the salary they are receiving to-day. The hon. members from the province of Quebec will bear me out in my statement.

Mr. IVES. Does not that prove the very statement I made?

Mr. TARTE. I am saying just the reverse. I am saying what my hon. friend knows to be true: that one-half of the men who are to-day judges, were not making, when they were lawyers, one-half the salary they are receiving to-day. (Translation.) To say that the judges do not receive a fair and reasonable salary is a most unfair statement, totally at variance with the facts. From the standpoint of a fair administration of the law, it is most important that none but men of sterling integrity and unimpeachable honour, men of the highest character as regards attainments, should be selected. I think it is also of the utmost importance that appointments to the Bench should not be made on the exclusive ground of political services to the party in power. Were the judiciary, as suggested by the hon. member for Bellechasse (Mr. Amyot), to be made absolutely and entirely independent of the country, and of all principles of honour and integrity, the outcome would be a corrupt Bench, that would set at defiance public opinion.

Some hon. MEMBERS. The Bench is already so.

Mr. TARTE. (Translation.) I hear several hon. members crying out: "The Bench is already so." I am not ready to go that length. Had I any good ground for expecting that a serious investigation might be made, I would not hesitate to move for it, and it would be of short duration. I could prove, I venture to say, that men have been appointed to the Bench because of their political services to the party. The hon. member for Bellechasse (Mr. Amyot), who might have been one of my witnesses two years ago, has no doubt forgotten several circumstances which, it strikes me now, he ought to remember perfectly well. While listening to the panegyric he has just been

bestowing upon the judiciary, I was carried back to the day not far distant when he hesitated not in stating, on the floor of this House, that there were found in the province of Quebec judges guilty of such a dereliction of duty that he, the member for Bellechasse, found himself under the necessity of protecting me against the outrageous tyranny and partiality of these magistrates. And this statement was borne out by the facts. At the time when I was exposed to the attacks of men who ought to have been sent to the penitentiary, and who, later on, were sentenced to prison, the hon. member for Bellechasse was then Crown Attorney at Quebec. At the time he exerted himself to protect me, and, although I believe he would not now exert himself in my favour to the same extent, still I am thankful to him all the same. But for the hon. member to come and tell us that the judiciary of the province of Quebec is above reproach, is to begin by the wrong end of the road, for everybody nowadays calls for an immediate and thorough reform of our judiciary by the Government, so as to give the ratepayers upright judges, commanding general respect. I am happy to state that, in the province of Quebec we may boast of having among our judges, men of the highest character, of unimpeachable integrity and honour, and worthy of the public confidence. But I should also add that some of our judges do not deserve the same eulogy. This is a state of things which calls for a change. I am then the only one to point out this fact? Or am I not rather voicing the public feeling? Is it not true that the Bar—there are lawyers among the hon. members who listen to me, and I invite them to correct me, if I am wrong—that the Bar has no confidence in some of the judges of the land? Members of the Bar in both cities of Montreal and Quebec called upon me, a few years ago, and told me: "Cause a parliamentary inquiry to be held and you will see how little confidence some of our judges deserve." But at the critical moment, when the necessary evidence was needed, the lawyers who had denounced the judges, told me: "If we were caught in that business, our position at the Bar would no longer be tolerable; we would lose all our cases before the judge." So that at the last hour, I was compelled not to move in the matter. Under the circumstances, I think it would be incumbent upon the Minister of Justice to take the initiative in the matter, and to order an inquiry to be held on the general administration of justice in the province of Quebec, for it is easy to realize in what a critical position a private member would find himself on undertaking to perform such a task. They say that the judges have no idle bread to eat. This is saying too much. Go and ask the members of the Bar, and you will hardly find ten lawyers to deny the fact that judges have so little to do that they spend most of their time doing extra work foreign to their functions. And at this time of speaking, are

not several judges busy making laws for the government of the province of Quebec? This is assuredly no proof of overwork in the judicial line. Those are undeniable facts. Sooner than bringing in resolutions to improve the salaries of the judiciary, and trying to make people believe such cock-and-bull stories about our hard-worked judges, let rather the Government reform the administration of the law, let them compel to retire men unworthy to sit on the Bench, let them lop the mouldering branches, let them cut to the quick and give us an unimpeachable magistracy. There are judges who, while ascending the Bench, have kept their political bias. You will often hear Liberal lawyers say that pleading before certain judges is tantamount for them to a certainty of losing their law-suits. I could substantiate this allegation by calling to witness several eminent lawyers of the Montreal Bar. At the time when I made a particular study of the issue now before the House, a suggestion was offered me as to how to remedy this state of things. It was to the effect that the Council of the Bar under the law, should have the right to suggest a certain number of names among whom the Government might select the candidates to fill up the vacancies occurring on the Bench. I was told by a number of lawyers that this mode of appointment seemed preferable to the one now enforced. I avail myself of this opportunity to convey the scheme to the knowledge of the House, and to the consideration of the Minister of Justice. I am perfectly aware that I lay open to the reproach of not having insisted upon an inquiry being held in connection with the administration of the law in the province of Quebec. Upon reflection, however, considering that the hon. Minister of Justice was conversant, as I believe he was, with public rumour, I think I was warranted in waiting for him to take the initiative. I am not the only one who has complained of the conduct of the judges of the land. The whole press, irrespective of parties, has loudly complained of it. It seems to me it was incumbent upon the Minister of Justice not to wait till a private member should undertake to impeach the judges. This was no easy task; far from it. The hon. Prime Minister, who is at the same time Minister of Justice, should consider those grievances and order an investigation to be held. When inviting the right hon. gentleman to take action in the matter, I think I am but voicing public opinion.

Mr. AMYOT. (Translation.) Mr. Chairman, I cannot allow the remarks just fallen from the hon. member for L'Islet (Mr. Tarte) to pass unchallenged. I do not stand up here as counsel for the judiciary of the province, to vindicate the honour and integrity of the Bench. Our magistracy stands in no need of being screened against such assaults; the record of our judicial Bench, in the province of Quebec, is well known; they have a right

claim to the respect and admiration of the people; go back as far as you like in the history of the province, and you will find that never did men of more distinguished unimpeachable character sit on the Judicial Bench. Talk about playing demagogue and wreaking revenge on those who have been instrumental in making you lose a law suit, but it is useless to attempt passing a general condemnation on the judges, unless you were prepared to make a charge and define your charge and name the individuals accused. It is not fair to cast aspersions to besmirch the Bench and then intrench oneself behind one's privileges as member of the House. The hon. member for L'Islet (Mr. Tarte) has just stated that he did not press the move for an investigation, because he had no evidence. Then, it is glaringly apparent, from his own statement, that his charges against the Judicial Bench were utterly groundless. His aspersions against the integrity of the judiciary were so many libellous and slanderous statements. Let the hon. gentleman give the names of those members of the Bench against whom he brings charges, and whose conduct he wishes to challenge. I am acquainted with all the judges of the Quebec Court of Appeals, and I may say, without any fear of contradiction, that they are all men of the highest character as regards attainments, uprightness of minds and loftiness of purpose. Take, for instance, Sir Alexander Lacoste, the Chief Justice of the court; can any man breathe even a suspicion about his conduct on the Bench? Is not his name the very synonym of honour and integrity? This eminent man used to make, as practising lawyer, from twenty to twenty-five thousand dollars a year, and he yielded to the entreaties of his friends and of the Government, and accepted a position on the Bench, with the understanding that his salary would be increased. Take the other members of the judiciary: had not Mr. Bossé, when he was appointed to a judgeship, a professional income of from twelve to fifteen thousand dollars a year? And are not the hon. Justices Blanchet, Wurtele, Hall and Baby men well qualified for the eminent position they occupy on the Bench? I have no hesitation in saying that more eminent men than we now have never sat on the Bench. Take the chief justice of the Superior Court, Sir Napoléon Cazeau. Did not the hon. member from L'Islet devote much space in his journal to extol his merits? I must confess that on a certain issue brought before that judge, I was less lucky than my hon. friend from L'Islet; still—despite the fact that the jury gave in a verdict in my favour—I never impugned the judge's motives. Are the hon. Justices Caron, Routhier and Andrews in any way open to the criticism of the hon. member for L'Islet? I have just quoted, Mr. Chairman, the names of four men who have inscribed upon every page of the jurisprudence of our country opinions which will be carried down as monuments of science,

Mr. AMYOT.

integrity, disinterestedness and independence of mind. Now, as a member of this House has thought it fit to use the privilege he momentarily enjoys under the constitution, not only to cast insinuations, but to launch accusations of a sweeping character against the judges, I may say this, as a practising lawyer for many years past, that the judges of the Supreme Court and of the Superior Court are men whom any country in the world would be proud of. The Supreme Court judges are really an ornament to the Bench. Opposition is offered to the proposition to allow a judge after he has been fifteen years on the Bench, and has reached the age of seventy years, to retire on full pay. Objection is offered to the principle of the measure. I do not wish to argue now the principle involved in the proposition; I merely say that, were our Supreme Court judges paid the same salary as judges in England, \$30,000 a year, they would, on retiring on their two-thirds allowance, have a salary sufficient to maintain themselves. The hon. member for Queen's, P.E.I. (Mr. Davies) asked the House if there were any precedents on the matter; I find that there are precedents for it in England. What salaries are the judges paid there? Some of them receive as high a salary as \$30,000 per annum. In England, any judge who has served ten years, can save enough money to have a competency in his old age. Should we wish to follow in the footsteps of England, let us first pay our judges a reasonable emolument, enough to make them independent, so that, when ascending the Bench, they may feel themselves above the reach of outside influences, calculated to bias their judgment, if not their conscience. The salaries now paid to the Supreme Court judges, in my opinion, are inadequate. The proposition now before the House provides a remedy for that deficiency to a certain extent. I submit that the principle of the measure should be further extended to all the other judges. Should this anomalous inadequacy, as stated by the Prime Minister, be remedied, then, I think judges would no longer need retiring on full pay, the two-thirds allowance being quite sufficient. And in this I think I am voicing the opinion of the enlightened portion of the community, of those who would secure for the country judges fully competent to administer the law; commanding general respect; and, with this end in view, favour an improvement of their salaries, fully adequate to the requirements of their exalted position. Complaints are also made of two judges who are actually busy with codifying the laws of the province of Quebec. Now, I do not contend that all their time is taken up in the performance of their judicial functions; and, where they think it fit to codify laws, I do not see why they should not do it. But I maintain it is irrelevant to the issue to bring in such matters as the "small Bench" and judges who have resigned their charge. And why so? Who presided over that

"small Bench" ? The hon. Justice Jetté, as the hon. member for Montmagny (Mr. Choquette) is aware.

Mr. CHOQUETTE. (Translation.) You did yourself attack the "small Bench" at the time.

Mr. AMYOT. (Translation.) I stated at the time that I felt proud of a man like Justice Jetté being called upon to preside over that commission, for he is a man who for learning and integrity is in the first rank of judges.

Mr. CHOQUETTE. (Translation.) It is the other judges, his colleagues, you spoke ill of.

Mr. AMYOT. (Translation.) If the hon. gentleman would only keep silent and listen to my remarks, that might enable him to understand the debate. The "small Bench" having been presided over by Justice Jetté, I submit that it was very unfair for the hon. member for Montmagny, to speak disparagingly of the same. So doing, the hon. member for Montmagny necessarily belittles also Justice Jetté who presided over it. Now, the hon. member for Montmagny just stated that Justices Chagnon and Doherty, superannuated judges, were, as practising lawyers, coming into competition with the Bar. What hence ? It follows thence, I think, that their two-thirds pension is quite inadequate, and that they have to resort to other means of livelihood, a proof that they should not have retired from the Bench. In my opinion, judges who feel their health too impaired to allow their prosecuting the fulfilment of their judicial duties any longer, will, in the future, be less impatient to give up their position, and retiring on a two-thirds allowance, quite inadequate for the maintenance of their families, as once they have resigned their charge, they will be compelled to build up their practice anew. A proof that the allowance granted them is quite inadequate. To sum up, I say that any scheme introduced in connection with the retiring allowance provision, or the increase of judges' salaries, with a view to securing their independence by improving their salaries, and thus remedying their actual inadequacy, shall meet with my approval ; whether it pleases or not demagogues, who are only too happy to seize upon any occasion of furthering their interests.

Mr. TARTE. (Translation.) The hon. member has thought it fit to trouble himself about my concerns. Possibly my business may not be quite as flourishing as his own affairs. But such is not the question at issue. The hon. member wants me to name the judges who have been spoken ill of. I know of a lawyer who, not so very long ago, commented very freely on the conduct of the judges. During the trial of the case alluded to during this debate, between the hon. member for Montmorency and myself, the tribunal was presided over by Mr. Justice Caseault. The hon. member has just told

us that we have a judiciary of the highest character ; but, I still recollect all the harm he said with regard to that judge, what frightful stories he went repeating about him, how he stamped the ground with his feet, how he foamed with rage, when writhing under the unmerciful lashes of the judge's whip ! The hon. member has apparently lost the recollection of an interesting episode of his life. The hon. member wants me to give the names ; I am going to gratify his curiosity. At the time when I was being persecuted by the scoundrels who had installed themselves in the Public Works Department, I was summoned before Mr. Justice Bossé. I have just as vivid a recollection of a fact then witnessed by several of our colleagues as if it were being enacted on the floor of the House at this very moment. We saw the member for Bellechasse entering the judge's room, holding in his hand a warrant of "nolle prosequi" ; we heard him say to the judge : "If you do not do right, I am going to file before the court the paper I hold in my hand." At the same period, this judge, we are told, was handed over a cheque, signed by Mr. Thomas McGreevy, for professional services in the days of yore. Such is the tenor of the statement made in prison by Mr. McGreevy.

Mr. BELLEY. (Translation.) What does that prove ?

Mr. TARTE. (Translation.) I will not attempt the task of convincing the hon. member for Chicoutimi and Saguenay (Mr. Belley.)

Mr. BELLEY. (Translation.) Substantiate your statement.

Mr. TARTE. (Translation.) The hon. member for Bellechasse (Mr. Amyot) asks for some more names. Here are some, in connection with the Mercier trial. Prior to his leaving the Bench, I knew, as well as several other persons, that Justice Bossé would go to Beauce to attend his son, whose sickness was problematic enough. I see on the Treasury Benches, a Minister now listening to me, who knew, at two o'clock in the morning, that Justice Bossé would leave the Bench during the trial.

Mr. AMYOT. (Translation.) Name him.

Mr. TARTE. (Translation.) The hon. member's interruptions are of no avail. As to what I shall say, I am my own master ; as to what names I should give to the House, I am the best judge. This I am prepared to state under my own responsibility as a member of this House : Let the Government order an investigation to be held, and they shall see whether the complaints I am now conveying to the House are well founded or not. Why not impeach, some will say, the judges whom you think guilty. Professional men who hear me are aware of the difficulties this course of action is beset with. Were a general investigation into the administration of justice to be held, it would come out how Mr. Justice Wurtele sat on the Bench

vacated by Mr. Justice Bossé, during the Mercier trial. Justice Bossé came down from the Bench, through fear of being impeached; such is the actual and true reason of the course followed by him, and the evidence will, sooner or later, come out. The course of justice is slow but sure. For a long time past, I had been looking, with some political friends, for the clue to the labyrinth where robbers were secreting themselves, and behold, at last, after many repeated attempts, we have succeeded in our efforts. A fortuitous circumstance has enabled us to track the robbers and denounce them. I am proud to say that there are to be found among our judges, men of unimpeachable character and integrity; but I am sorry to add that there prevails a state of frightful corruption in the province of Quebec. The names of Sir Alexander Lacoste and Mr. Justice Caseault have been mentioned. Mr. Justice Caseault's reputation stands high; he deservedly commands public confidence. Mr. Justice Blanchet comes in also for a share of that eulogy. I shall refrain from mentioning other names, lest I should hurt the feelings of those passed over in silence. As to Mr. Justice Davidson, he is now being rewarded for sending his report to Quebec. The hon. member for Bellechasse (Mr. Amyot) knows where the finishing stroke was put to that report.

Mr. CHOQUETTE. (Translation.) It was at Spencerwood.

Mr. TARTE. (Translation.) No, no.

Mr. BELLEY. (Translation.) You don't agree.

Mr. TARTE. (Translation.) The issue before the House is too important to warrant my paying any attention to an interruption from the hon. member for Chicoutimi and Saguenay (Mr. Belley). Where was the finishing stroke put to that report which brought about the dismissal of an administration supported by a majority? At midnight, on the eve of the day when the report was put in shape, Mr. Justice Davidson repaired to the residence of Mr. Justice Jetté, and there, he mistook a servant girl for a sister of charity. An hour later, he told somebody that it was a sister of charity who had opened the door for him at Mr. Justice Jetté's house. That occurred on the very night when he was discussing a report which put the whole country in a flurry and created a political crisis, the like of which had not yet been witnessed. If you are in earnest about that investigation, this fact alone should warrant its being held. But how is it that I had to interfere with this question of the judiciary? For twenty years past, it was my good, or ill, luck to be connected with the press. An editor has the privilege of learning many secrets; a lot of information is brought to him; many complaints are confided to him. So that it was in the exercise of my calling that I was made acquainted with these facts,

Mr. TARTE.

which are also known to the hon. member of Bellechasse (Mr. Amyot).

Mr. AMYOT. (Translation.) I deny that.

Mr. TARTE. (Translation.) The hon. member is aware of the fact that during the McGreevy trial, Mr. Justice Bossé behaved most shamefully. The hon. member, who was a witness to these facts, now denies knowing anything about them. It is fortunate that he is not the only witness; there are also other witnesses who are acquainted with the facts. As a lawyer, he knows that what I say is the unvarnished truth. In 1891, the hon. member for Bellechasse passed a eulogy on me, which, I confess, was underserved; still, in the course of his remarks, he said:

Previous to resuming my seat, I wish to re-echo the congratulations offered by the other members of the House to the hon. member for Montmorency (Mr. Tarte), for the courage evinced by him in bringing before the House this question; I know the difficulties he has had to cope with. As a crown attorney, I had to shield him from power influences, before the courts. He later on sat in this House; and I venture to express the hope, that, as the facts of the case are now before the country, we may expect from that quarter some measure of support.

I have here, Mr. Chairman, seven or eight witnesses who know that the hon. gentleman protected me from the knavery and malice of Mr. Justice Bossé. These are stern words, but they are just, because true. The question has been raised of increasing the salaries of judges. I submit that judicial reform ought to be attempted first of all. The facts I have just conveyed to the knowledge of the House are proof that the stand I have taken on this question is the right one. The incident which has just occurred here, the gravity of which cannot fail to attract attention, leads me to doubt whether I should not move for the immediate holding of the investigation already alluded to. Were this debate to be considered as a notice of motion, I am prepared to give such notice immediately. I do not want this investigation to be held at this late stage of the session; but let the hon. Prime Minister appoint a commission composed of eminent men, not members of the House, judges, for instance—although a parliamentary investigation would be more in conformity with our traditions—and I shall produce the evidence. I have made some researches in that connection, and whether any precedents for it are to be found in the English parliamentary records I am not prepared to say, but it is a fact that two or three investigations into the administration of the law have been held in the House of Commons of England. Should a similar investigation be held here, you may rely upon it, Mr. Chairman, that the administration of the law would be thereby much improved and public confidence in the tribunals now so greatly impaired, would be restored.

Mr. BELLEY. (Translation.) The hon. member for L'Islet has just stated that the hon. member for Bellechasse had afforded him protection in the course of a criminal trial at Quebec. The hon. member for Bellechasse, in his capacity of Crown Attorney, said to have brought in court a 'nolle prosequi,' to stay the proceedings in the event of the judge taking a certain position. I am not aware that the hon. member for Bellechasse has done so; but I say that should he have acted that way he made, as Crown Attorney, an egregious mistake. Should such an assertion prove true, it would give us a fair insight into the system inaugurated under the Mercier régime, previous to the elections of 1892. No sooner was a person charged with a serious offence in the criminal court, and should the person so charged happen to be a political friend of the Mercier Government—I had myself evidence of the fact in the county of Chicoutimi—they brought in court a 'nolle prosequi,' in order to stay the proceedings. The same system obtained. I presume, in the case of the member for L'Islet. Now, whether the retiring allowance of the Supreme Court judges should be increased or not, is a matter I am not prepared to discuss, as I wish to confine myself to the question raised by the hon. members for L'Islet, for Montmagny and for Bellechasse. The contention of the hon. member for Montmagny is that the Superior Court judges at Quebec have time to spare, as evidenced by the fact that they preside over commissions appointed for political purposes, and find time to serve upon commissions of inquiry into the scandals of the Mercier Government. Now, Mr. Chairman, I take it for granted that judges, under the circumstances, are bound to sit upon those commissions, when required to do so by the authorities, and such a course has been invariably followed by all political parties, not only in this country, but in England as well. The hon. member for Montmagny censures the judges for having served on commissions of inquiry. But who appointed them to those commissions? Who appointed the commission over which Mr. Justice Jetté presided? Was it the Conservatives or the Liberals? Why, the Hon. Charles Langelier, himself, the Provincial Secretary at the time, published the appointment of the commission. Now, Mr. Chairman, the Mercier Government, who had assumed the responsibility of appointing that commission, was bound to respect it, and would have acted more honourably in doing so, in view of the fact that they have to shoulder such responsibility in the future. Were the judges answerable for the Baie des Chaleurs steal of \$100,000? Were they responsible for the Langlais scandal as to the \$50,000? Was it not the Liberal party which derived all the benefit from those transactions at the elections of 1891? Were I disposed to cast such empty imputations as the hon. member for L'Islet has launched against the judges, I could ask him whether the

money was not distributed among the Liberals? Of course, the judges disclosed those facts; but they were not the guilty parties: the guilty parties were the Liberals, who have since sworn to be revenged upon the judges, because of the courage displayed by them in unearthing scandals unparalleled in the political history of the province. The hon. member for L'Islet further said that the judges were corrupt. Now, this is the first time since 1892 that we hear anything about the matter. During the electoral campaign of L'Islet in 1892, the hon. member had to resort to the fabrication of scandals which he scattered broadcast through the country; for the electors placed no reliance on him. The inhabitants of L'Islet said: "True, we do not repose any confidence in the gentleman, but as he states that corruption prevails among the judiciary, let us return him to Parliament so as to enable him to bring his charges before the House." At the time when the charges were made, they created quite a sensation, not only in the province of Quebec, but throughout the country; for people could not be brought to believe that corruption had crept in the judicial body to the extent stated by the hon. member for L'Islet. I have still a vivid recollection of the facts stated in his political platform. He therein said: "The magistracy is corrupt, and if you return me to Parliament I shall go and denounce on the floor of the House the corruption of the judges." The hon. member was duly returned to Parliament. He sat here last session. What has become of the charges he was to bring against the judiciary? Did he point out the name of a single judge?

An hon. MEMBER. (Translation.) He has just given two or three names.

Mr. BELLEY. (Translation.) Was there a single judge impeached before the House last session? Not a single one? The hon. gentleman did not move in the matter, and now, at this late stage of the session, on the occasion of the resolution introduced into the House by the hon. Prime Minister, the hon. gentleman raises his voice, only to plead that he is powerless; but such a plea will not meet with the approval of the province of Quebec, for all are agreed that the charges are utterly baseless, concocted out of a spirit of political revenge. The hon. member for L'Islet stands up in his place not to impeach the judiciary, but to tell hear-say stories, heard from McGreevy or from Montreal lawyers, statements which he says they are no longer able to substantiate. He further states that Mr. Justice Bossé did withdraw from the Bench, on the Mercier trial. I do not know whether the latter statement is correct or not. But in my opinion there is a wide difference between an act of weakness on the part of a judge and an act of corruption.

Mr. AMYOT. (Translation.) Will the hon. member allow me to correct him, and say that Mr. Justice Bossé did not withdraw

from the case. Two judges sat on the Bench, and one was enough. Mr. Justice Bossé, called suddenly to the sick bed of his son, had to come down from the Bench.

Mr. BELLEY. (Translation.) The hon. member for Bellechasse may rely upon my word that I did not stand in need of being corrected at all on the point at issue, for the good reason that I do not believe one single word of what the hon. member for L'Islet stated. The veracity of the hon. gentleman is well known. The contention is that it is not legitimate for judges to preside over such commissions. I submit that they are bound to do so, when required by public interest. Under the Mercier régime, a commission was appointed, on which sat Messrs. Beique and Malverin, with a view to investigating a charge brought against members of the Conservative opposition in the House. The newspaper 'l'Electeur' had charged the Conservatives with having received a bribe of ten thousand dollars, and pledging themselves, for that consideration, to the passage of an item of the estimates. After that commission had been appointed, what was the result? No sooner had the commissioners begun the investigation than the proceedings were stayed, because they were not vested with the necessary authority to compel the witnesses to give evidence. The hon. member for L'Islet, himself, who was one of the witnesses in the case, knows something about it. When he had been examined, he stated that he declined to answer, for fear of incriminating himself.

Mr. TARTE. (Translation.) I never made such a statement.

Mr. BELLEY. (Translation.) I think it was in the case that the hon. member made the statement.

Mr. TARTE. (Translation.) I never made such a statement before the commission of inquiry.

Mr. BELLEY. (Translation.) The hon. member, I think, declined to answer certain questions put to him regarding the use he had made of certain sums handed over to him.

Mr. TARTE. (Translation.) I say it again, I never made such a statement.

Mr. BELLEY. (Translation.) At any rate, the hon. member stated, on another occasion, and that time before a court of justice, that he declined to answer, lest he should incriminate himself. All are agreed, and the hon. member for L'Islet cannot deny the fact, that should the investigation in the Mercier case have been conducted by others than judges, right would not have been done to the same extent, and never would the horrors of that régime have come to light.

Mr. TARTE. (Translation.) I do not intend, Mr. Chairman, going into the questions raised by the hon. member for Chicoutimi

Mr. AMYOT.

and Saguenay (Mr. Belley) beyond saying a few words in explanation of the attacks directed against me by the hon. gentleman. He has just spoken of facts which took place at a time when he had not yet emerged from obscurity into political life, thanks to the ballot-box of Pointe-aux-Esquimaux. At all events, we have him now in our midst, sitting in this House, interfering with matters quite beyond his comprehension, matters, I say, he had better not drag into the region of acute parliamentary controversy, as while proving harmless in my case, they might prove very damageable to other parties the hon. gentleman has every reason, in his own interest, not to hurt. I have been treasurer of the Conservative party and never did I reveal party secrets. There are among the members who now listen to me, those who could bear witness to it. I have remained true to the friends with whom I sided at the time; it is only for an unexperienced man to come and talk after the inconsiderate manner the hon. member has done. The statements he has made to the House are so many untruths and he has been venturing on very dangerous ground. I have acted as treasurer of the Conservative party during three electoral campaigns, and when I was examined before the Royal Commission, the position I took was taken only after I had consulted with my political chieftains for the time being. The hon. member for Chicoutimi and Saguenay (Mr. Belley), who is quite a juvenile member yet, ought to act with more circumspection. I say again the position I took on that occasion, and for which I am now censured, was determined upon after consulting with and on the advice of my political chieftains for the time being.

Mr. BELLEY. (Translation.) That money never reached the county of Chicoutimi.

Mr. TARTE. (Translation.) I repeat it, I acted on the occasion mentioned, with the knowledge and advice of my former political chiefs.

Sir JOHN THOMPSON. I think, Mr. Chairman, that the hon. gentleman is wandering from the question before the committee.

Mr. TARTE. The hon. gentleman has accused me of things which he should know are not true, and am I not to be allowed to answer him? I am perfectly prepared to take my seat, but before doing so I must put myself right before the committee. The hon. gentleman says that in a certain inquiry, held in Montreal, I refused to answer certain questions, giving as one of my reasons that I was afraid of incriminating myself. I wish to state that I said nothing of the kind. I will add only this at present: that in taking the stand I took on that occasion, I acted with the advice of the Conservative leaders, and some of the hon. gentlemen on the other side of the House know what I mean. That

matter has already been brought before this House. I stated at the time that if a responsible man on the other side of the House was prepared to say that I had acted in a dishonourable way, or that I had kept one dollar of money that was, as they say, intrusted to me at the time, I would give up my seat. I said more than that. I said that I had prepared a full statement of all the facts which I had sent to the 'Minerve' newspaper of Montreal, and that after having seen this statement, Messrs. Tasse and Lacoste came to my hotel in Montreal with that statement in their hands, and asked me not to publish it. I acted as a loyal man. Some of the Ministers know that I have been acquainted with the secrets of the party during a number of years in the past. I have been treasurer of the party during three different elections. I did nothing dishonest, and I never gave away any of the secrets of my party. I am reproached to-day, by men who know nothing at all about what they are saying, with doing things that I have done in the interest of the party which I served so long, and in which I must say I have left friends who are still dear to me.

Mr. BEELEY. (Translation.) I never stated that the hon. member for L'Islet (Mr. Tarte) had pocketed the money handed over to him as treasurer of the Conservative party. His conduct as treasurer was altogether out of question, and I did not utter a single word on the matter. The hon. member is only trying to divert the attention of the House from the question at issue. I stated that an inquest was ordered to be held in connection with an editorial published by the 'Electeur,' of Quebec, charging the Conservative Opposition in the Quebec Local House with having taken a bribe of \$10,000 in order to let an item of the estimates pass, but I never said the hon. member had pocketed money when acting as treasurer of the Conservative party.

Mr. AMYOT. The hon. gentleman (Mr. Tarte) boasts of never having divulged any secrets intrusted to him. I say when he was intrusted with certain papers concerning the McGreevy enquête, it was not to publish them, but it was to show them to the chief of the party and to get advice from him, and it was a breach of good faith on the part of the hon. member for L'Islet (Mr. Tarte) to publish them. I assert that fact, and I defy him to get a contradiction from those who intrusted him with the papers. That is the way in which the hon. gentleman keeps secrets. The hon. member for L'Islet (Mr. Tarte) has said that in Montreal he did not refuse to answer a question put to him about a sum of \$10,000 given by Mr. Whelan, that he did not refuse to answer because he was afraid to incriminate himself, but he refused to answer so as not to incriminate others. I meet the hon. gentleman squarely there.

That accusation has been made before, and I will quote to him what 'Le Courrier du Canada' said on 23rd May, 1890, and he will find a like statement in 'L'Événement,' in the Quebec 'Chronicle,' the Quebec 'Mercury,' and in the press of the whole country. Messrs. Taillon, Flynn, Blanchet, Casgrain, Faucher de St. Maurice, Tourigny, Martel, and many others, declared that they never had received any part of the \$10,000 paid by Mr. Whelan. An enquête took place in Montreal.

Mr. TARTE. Let me look at the paper.

Mr. AMYOT. I will allow the hon. gentleman to look at the paper, although it is my private property. I will allow him to compare it with the original, which he will find in the library. An enquête took place in Montreal before Messrs. Beique and Malouin, when the hon. member for L'Islet (Mr. Tarte) was questioned in regard to those \$10,000 said to have been used to buy the Quebec Opposition. Those gentlemen could not obtain an answer from him. He said: "I refuse to answer because I do not wish to incriminate myself." Where are those \$10,000 now? The hon. gentleman refused to answer so as not to incriminate himself. Some time before that the hon. gentleman said that he did not want to divulge secrets. The whole secret remains still—where are the \$10,000? Because those accused of having received them never obtained one cent of them. But this is not the only time when the hon. gentleman refused to answer. There was a criminal suit in Quebec. Mr. Trudel, who had something to do with the Quebec waterworks, was accused of perjury. I am sorry I have not the papers here, but there is a whole pamphlet about the matter. The hon. member (Mr. Tarte) when he was examined as to his participation in the boodle paid by Mr. Trudel to buy councillors—when Mr. Tarte was asked under oath, "Did you receive any of the boodle?" What did he say? "I refuse to answer, so as not to incriminate myself." This man is so pure that he never revealed secrets, he is too kind. This man when the Mercier Government was in power, went to that Government and obtained a letter of credit for \$3,000. He got it discounted by Mr. Demers, a good Liberal. Later on he was asked why he had not done the job of printing for which he had received \$3,000, in order that Mr. Demers would be paid. What did he answer under his own handwriting in the press? It is reported in 'Le Moniteur' of 22nd December last, as follows: "Foreseeing difficulties I did not execute the order for printing." But he had \$3,000 in his pocket, and Mr. Demers lost them, and this was the conduct of a good and pure man whom everybody must believe. When this House knows him, as the country knows him, hon. members will attach no importance not only to his words, but even his handwriting. He

writes against me in the press, for he knows I have no paper to defend myself. But I charge him here, first, that in order not to incriminate himself he refused to answer at the enquête in Montreal, before Messrs. Beique and Malouin, whether he had received any part of the \$10,000 in respect to which charges had been brought against him.

Mr. TARTE. I never said anything of the kind; there is not a word of truth in it.

Mr. AMYOT. I charge the hon. member, in the second place, as appeared in the Quebec 'Chronicle,' that he refused under oath to state what part of the boodle he received from Mr. Trudel, and that he refused to answer the questions because he said "I do not desire to incriminate myself." I charge him with that, and when the hon. gentleman next attacks me in the House I hope to have the papers here and be prepared to read them. I charge him with having received \$3,000 upon an order of the Quebec Government, that he received that amount from a friend, and he did not execute the contract afterwards, and that he kept the money. I say that the man who throws accusations against his late friends is not worthy of belief, either when he writes statements with his pen or whether he makes them by speech.

Some hon. MEMBERS. Hear, hear.

Mr. TARTE. Before cheering, I think the Minister should at least have waited and heard what I have to say, because when such accusations are brought against a member of this House, even if he is not as high in station as a Minister, he is entitled to some little attention. The hon. gentleman, of course, is better known to the House than I am, as he has been longer in Parliament than myself. The hon. gentleman for Bellechasse (Mr. Amyot) and myself have not always agreed—we had at one time a very big lawsuit. I was then working in the ranks of the Conservative party and the hon. gentleman allied himself with the Opposition. He was a Nationalist—he was defending his country and its provisions. He was a Nationalist, receiving very large sums of money every year as patriotism increased in Quebec. I have in my hand some accounts which will prove to the entire satisfaction of the House the full measure of patriotism of the hon. gentleman. The hon. member became a patriot and a Nationalist in 1885, after having returned from the celebrated war in which he played so important a part. He came back and became a great patriot and a great Nationalist. In 1887 the Liberal party, that he sends to hell every day, came into power in Quebec, and then the hon. gentleman, with a friend of his at the time, Mr. Pelletier, became very deeply interested in the Liberal party of the province of Quebec.

Mr. AMYOT.

Mr. AMYOT. The National party was formed by the hon. gentleman.

Mr. TARTE. Let me deal first with the patriotism of the hon. gentleman. It is a very interesting question for us to-day. He has accused me of being a very bad man, of having received money, of having kept money. If half what the hon. gentleman has said were true, I would not be worthy of a seat in this House for half an hour. But the House knows, hon. members on the other side of the House know, for I was long enough with them, that what the hon. gentleman says is not the fact.

Mr. AMYOT. Oh!

Mr. TARTE. I did not interrupt the hon. gentleman (Mr. Amyot), so let him take his medicine in patience.

Mr. AMYOT. I say that there is no charge of boodling against me.

Mr. TARTE. When I was on the other side of the House we always used to cheer my hon. friend (Mr. Amyot) when he got up on the Liberal side of the House, because we knew that he was going to put his foot into it, and he has put his foot in it pretty deeply to-day. He has spoken about his purity. Well, let us see a little about it. He was very deep in the favours of the Liberal party of the province of Quebec, and each year the moneys that he received from the treasury of the province were increasing.

Mr. AMYOT. It was for professional services, and there was no harm in that.

Mr. DAVIN. I rise to a point of order, Mr. Chairman. This is going too far altogether. Here we are going into an interminable washing of dirty linen that nobody has the least interest in, and I hope you will call the question and let us vote upon it.

Mr. TARTE. Sir, it is only fair to me that I should not be left under the allegation of the hon. gentleman without an opportunity to defend myself. Here are the amounts paid him year after year—

Sir JOHN THOMPSON. I would not object, and I did not press my objection a little while ago, to the hon. gentleman making a reply to the attack that was made upon him. But if it is allowed to become a question of new attack and counter-attack there will be no end to it, Mr. Chairman.

Mr. TARTE. If the hon. gentleman allows me only one minute, I am prepared to give to the House the figures which prove that the hon. gentleman (Mr. Amyot) was paid by the Quebec Government year after year, more and more, and that he turned to the other side of politics when he ceased to be paid. I am prepared—

Some hon. MEMBERS. Order.

Sir JOHN THOMPSON. I submit, Mr. Chairman, that this is not the question before the House, nor has it relation to any attack made upon the hon. gentleman.

Mr. TARTE. I am not prepared to take my seat without giving the exact figures, if I am allowed to state—

Mr. McNEILL. I wish, Mr. Chairman, to rise to a point of order. So far this matter has been very disgraceful to the House of Commons, and if it is possible at all, I hope you will put an end to it.

Mr. CHAIRMAN. The committee have been out of order for certainly over an hour. It commenced by degree, as it always does on those occasions, and now it has gone so far that I am afraid if I put a stop to it, it would be an injustice to the man whom I think is purely and simply defending himself upon the present occasion. I hope it will be short. As the member for Bruce (Mr. McNeill) says, I think that for the sake of the dignity of the House, the sooner we put a stop to it the better.

Sir JOHN THOMPSON. I submit, Mr. Chairman, that any controversy arising out of the fact that an attack was made on the hon. member for L'Islet (Mr. Tarte)—irregularly it may be—should be confined to a defence against that attack. But I do protest, in the name of this committee, against a new attack being made now by the hon. member for L'Islet (Mr. Tarte) on a ground which, if admitted, will open up a discussion entirely new.

Mr. TARTE. I quite agree with the Prime Minister.

Mr. MULOCK. The hon. gentleman (Mr. Tarte) is not opening up a new line that is irrelevant.

Some hon. MEMBERS. Yes, he is.

Mr. MULOCK. The hon. gentleman (Mr. Tarte) is simply defending himself against his accuser by proceeding now to discredit his accuser who has made a charge against him.

Mr. TARTE. I quite agree with the Prime Minister that no new charge should be made, and I quite agree that we have gone pretty far outside the question. I may be guilty, to a certain extent, but I am neither the real nor the original culprit. Sir, I only wish to defend myself against the accusations which have been brought against me by the hon. gentleman (Mr. Amyot). He has said that I have refused to answer before the courts of justice. I have explained a minute ago that before the Beique-Malouin Commission, I refused to answer a certain question, not because I was afraid to incriminate myself, the facts are there, and my word is just as good as the word of the hon. gentleman (Mr. Amyot). The other accusation that was brought against me was that I received from the Mercier Government, \$3,000 for work that I never executed.

Mr. AMYOT. That is not what I said.

Mr. TARTE. What did the hon. gentleman say?

Mr. AMYOT. I said that a lettre de crédit was given for \$3,000, was discounted for the hon. member for L'Islet (Mr. Tarte) by Mr. Demers, and that the money came from Demers. The hon. member for L'Islet (Mr. Tarte) did not comply with the promise he made for his contract and Mr. Demers lost his money, and the hon. gentleman (Mr. Tarte) kept it. He has it in his hands.

Mr. TARTE. What took place is this. During the McGreevy-Langevin inquiry, I received an order for printing from the Quebec Government. I never received one cent of money from that Government. I attached the order to a note of mine that I had endorsed by Mr. Demers in Quebec. Unfortunately for me, later on my business was completely ruined. I am very sorry to be obliged to give an account of my personal affairs before this Parliament, and I congratulate the hon. gentleman (Mr. Amyot) that he is in a better position than I am in that regard. I did not execute the work ordered by the Government for the simple reason that the Government changed at the time, and I was ordered by the DeBoucherville Government not to execute the work. I did not get a cent from the Quebec exchequer; the Quebec Government never gave me a dollar. The man who endorsed my note has since put me into insolvency, and he has taken hold of my property. I gave up even my books to him, and yet the hon. gentleman (Mr. Amyot) is not even satisfied with that. My crime consists of not having executed the work, because the order to do the work was cancelled by the Quebec Government, and I never drew a cent from them. Now, Sir, this is the crime that I am charged with committing. It is made a reproach to me—not by a responsible party. I must say—that I refused to divulge secrets which the commission named by Mr. Mercier asked me to divulge, and which they had no right to ask from me. I insisted on my privilege before that commission, there was no crime about it. I am not going to go back on my old friends, and to say that they did dishonourable things, and that I did dishonourable things with them. I have suffered on account of this accusation, and I will suffer a great deal longer before I make public things that occurred between past friends and myself. If any of my hon. friends who were my peers at the time bring accusations against me I will be free to speak. But when men like the hon. member for Bellechasse (Mr. Amyot) accuses me—he was a Liberal at the time, and did not know what passed—I am perfectly justified in keeping silence. I was never reproached for that by responsible men. These are now what I am reproached with by the hon. gentleman (Mr. Amyot), but they are not crimes. I

have the misfortune of being ruined financially, and the hon. gentleman (Mr. Amyot), it seems to me, should have the good grace not to call the attention of the House to that. He knew very well that I did not pocket that money, and he knew very well that the Quebec Government never paid a cent of it. I want to know why he has entered into my private business? Are we to enter into the private business of every member of this Parliament? I do not say that there are dishonourable men here, but I do say that there are a great many political transactions which cannot very well bear the light of day. We are not all saints and angels here. Those of my hon. friends on the other side of the House who acted with me in the past, are, I suppose, just the same men that I knew them at that time. They use money now in elections as they used in the past—not for dishonourable purposes, but for organization purposes. Well, suppose I got some money in my hands, suppose I got some money to be used against the hon. member for Bellechasse, is that the reason he is cross with me? The hon. gentleman reproaches me with having received money from the Quebec exchequer. I did not receive money from the Quebec exchequer; but the hon. gentleman did—lots of money. Will you allow me, if I am within the rules of the House, to put before you the amounts which my hon. friend was receiving from the Quebec Government year by year?

Mr. DEPUTY SPEAKER. I do not want to curtail the hon. gentleman in his defence. He may defend himself, but if he brings new accusations, he will only prompt the other member to get up in reply, and there will be no end of it.

Mr. TARTE. I only want to defend myself. This is what the hon. gentleman received—

Some hon. MEMBERS. Order.

Mr. TARTE. I take the account from 'La Minerve,' a paper sacred to him at the present time—

Some hon. MEMBERS. Order.

Mr. TARTE. 'La Minerve' of May 28, 1890, says that he received in 1887, \$2,334; in 1888—

Some hon. MEMBERS. Order.

Mr. DEPUTY SPEAKER. I must ask the hon. gentleman not to bring these matters up, as they are new. The hon. member for Bellechasse will feel obliged to defend himself against them. They have no relation to this Parliament, and I ask the hon. gentleman not to do it.

Mr. TARTE. Then I will give only the total amount—\$13,000.

Mr. AMYOT. I positively declare that I never received a cent from the Quebec Government with the exception of taxed costs

Mr. TARTE.

or duly earned fees for professional services—costs which were duly earned in the courts. I was never accused of boodling. It is true. I was looked on, wrongly perhaps, as a good lawyer in criminal matters, and also in civil cases, which I generally won. All my accounts for those cases have not yet been settled by the Quebec Government; I hope they will be. But I never was accused of boodling in my life. I spent some years in the same political camp as the hon. gentleman, and all sorts of charges of boodling were made against him; but there never was one charge laid at my door. I came out of that dirty camp, pure and honest and clean.

Mr. TARTE. Mr. Chairman, the hon. gentleman has repeated his accusation against me, that charges of boodling were laid at my door. Well, Sir, I must answer that accusation. He says he has never been accused of boodling. The present Postmaster General, when Minister of Militia and Defence, accused him of having stolen public money. I repeated the accusation in my own paper. The hon. gentleman sued me. I pleaded the truth of the charge; and I gained my case against him. He was before the courts of Quebec, accused by Judge Casault himself of having stolen a horse, of having sold the horse, and kept the money. Twelve of his countrymen declared that I was right in accusing him of being a dishonest man. He had sued me for \$25,000 for making the charge against him. I think I can lay my hand on the charge of the hon. Mr. Justice Casault. The hon. member was accused of having had the colt in the North-west. It was a fine colt, it appears. The hon. gentleman brought the horse back from the North-west, and sold it and pocketed the money. Mr. Justice Casault said: "I could understand that an officer might become attached to a horse that he liked—"

Sir JOHN THOMPSON. I must appeal to you once more, Mr. Chairman, because if this conduct is allowed, no decent man will sit in this Chamber.

Mr. AMYOT. I am not going to be accused of new offences without offering a denial.

Mr. DEPUTY SPEAKER. The hon. gentleman may bring the matter up on something else.

Mr. AMYOT. I claim the justice of the committee. They are new charges, and I must have an opportunity of answering them. I will ask the hon. Postmaster General if he ever accused me of having stolen—

Mr. DEPUTY SPEAKER. I asked the hon. member for L'Islet (Mr. Tarte) to sit down, and he has done so.

Mr. AMYOT. Yes, after he made the assertion.

Mr. DEPUTY SPEAKER. I know the hon. gentleman is entitled to a defence; but I will ask him in the name of the committee to make it at another time. It seems to me

that we have gone too far, and that this is disgraceful to the House.

Mr. AMYOT. I want only to say this, Mr. Chairman: you will allow me to answer the charge—

Some hon. MEMBERS. Order; Chair.

Mr. DEPUTY SPEAKER. I ask the hon. gentleman not to proceed. There will be no end to it if he is allowed to continue. I know it is a personal matter, but if the hon. gentleman goes on, the hon. member for L'Islet will commence again afterwards. If the committee will sustain me, I will ask the hon. member for Bellechasse not to speak about the matter.

Sir JOHN THOMPSON. We can surely agree on the rule we have been acting on all along. This altercation began when hon. members came to discuss the Quebec judiciary, and to name them, and to find fault with one after another. But every one will agree that when the discussion has gone so far, and imputations are made upon an hon. member, he has the right to reply, but not to make an attack on new grounds. That was what I urged. I conceived that the hon. member for L'Islet ought to be allowed to reply, and I refrained from pressing any objection to his replying to the charge made by the hon. member for Bellechasse; but I interposed when he made new accusations, and I submit that you disregarded my objection, and allowed the hon. member for L'Islet to make so gross an accusation as that another hon. member for this House stole a horse. While this was an outrage on the order of the House, it was equally so not to permit the hon. member for Bellechasse the opportunity of denying the truth of the accusation.

Mr. AMYOT. I will only say this, that I sued the hon. gentleman, and, in spite of the charge of the judge, twelve jurymen declared that he was a vile calumniator.

Mr. MACDONALD (Huron). I want to make a few calm remarks on this question. I have had the pleasure of being a member of this House now for eight years, and I never saw it turned into such a bear garden as it has been this afternoon. I think we should conduct ourselves more in accordance with the rules of the House than we have been doing to-day. I want to say a few words with regard to the salaries of the judges. A few years ago the hon. Premier brought before the House a resolution to increase the salaries of the judges; but it was found, after a few days' conversation among the members on the subject, that the feeling of the House was strongly against any increase. So strong was that feeling that the hon. leader of the House thought it best to withdraw the resolution. He has seen fit to-day to bring in another resolution, not of the same character, but somewhat similar. I think he is adopting the Napoleonic style

of defeating his enemies, by taking us in detail. This year he brings in a resolution to increase the retiring allowances of the judges, and probably next year he will bring in another to increase their salaries. I think it was the hon. President of the Council who said that it would be fair to compare the salaries paid to the judges in this country with those paid in the United States. I am one of those who believe that every man who is called to discharge his duty in the interests of the state should be well paid—should be paid not only for his time, but for the ability he brings to the discharge of his duties. I am far from being one of those who would like to see the salaries of judges lower than they should be. But when I compare their salaries with those of other people, I feel they are reasonably high, and that it would be an injustice to the other classes if they were increased, or any advantages given them more than they possess at present. The right hon. First Minister said that the salaries of the judges in Ontario were about equal to those of Cabinet Ministers. I would ask any hon. gentleman if he does not believe that the salary given to a judge is sufficiently high when it is equal to that given a Cabinet Minister? Every one knows the arduous duties a Cabinet Minister has to discharge, and the great responsibility and the varied expenses entailed upon him on account of the position he occupies. Therefore, I think the judges are more than equally well paid as Cabinet Ministers. Again, we are told that living in the country to-day is much dearer than it was when the salaries were first fixed. If that be so in the case of the judges, it is equally so with regard to every other class in the community, and if living now is higher than it was formerly it would be unjust to tax other classes for the purpose of benefiting one or two. I wish to draw a comparison between the salaries of judges in this country and in the United States. The Federal judges of the United States are eight in number. The chief justice receives \$10,500, and his associates \$10,000 each. We have no court in this country comparable with the Federal court, because that is the highest court of jurisdiction in the United States, and although our Supreme Court is the highest court in Canada, yet is not the highest court of jurisdiction, because we send a large number of our cases to the Judicial Committee of the Privy Council in England. Therefore, the Federal judges of the United States are of a higher character than those of the Supreme Court of Canada. Take the circuit court judges of the United States, who are nine in number. Their salaries are \$6,000 a year, and they have to live in cities just as well as the judges in Canada, where their expenses are just as great. Mr. Justice May lives in Boston, where living is as dear as in Montreal or Toronto. Judge Blachford lives in New York; Judge Harlam lives in

Chicago. Chief Justice Fuller lives in Washington, where the expenses are as high as any city in the Dominion. Take, again, the United States Court of Claims. The salaries of the judges there are \$4,500 per year. Then there is the district courts of the United States, where the salary amounts to \$3,500 per year for fifty-one of the judges, \$4,000 per year for ten of them, and \$5,000 per year for one of them. Those judges are distributed throughout the various states, where living is, if anything, higher than it is in any of our provinces. In the Supreme Court of the District of Columbia, the chief justice gets \$5,000 and his associates only \$4,000, although they have to live in Washington, the centre of fashion and expense. Let me make a few other comparisons. Take the province of Ontario, with a population of 2,112,000. We pay our chief justice \$6,000 per year, and his associates \$5,000 per year. But in Ontario they receive about \$1,000 each in addition, which would make \$7,000 for the chief justice and \$6,000 for his associates. Compare with that province the state of New York, whose population is 5,918,000, and in that large state the chief justice has \$7,500 per year, and his associate judges \$7,000 per year. Take the province of Quebec, with a population of 1,489,000: its chief justice gets \$6,000 per year, and his associates \$5,000, while in Michigan, with a population of 2,094,000, the chief justice and the associate judges receive \$5,000 per year each. In Indiana, with a population of 2,192,000, the chief justice and his associates receive only \$5,000 per year. Take New Brunswick, which has a population of 320,000, the chief justice there receives \$5,000, and the associates \$4,000, while in Maine, with a population of 661,000, the chief justice and associates get \$3,000 a year. Again, in Nova Scotia, with a population of 450,000, the chief justice receives \$5,000 salary, and the associate judges \$4,000, whereas in New Hampshire, having a population of 376,000, the chief justice receives \$3,500 salary, and his associates \$3,200. Compare Prince Edward Island with Vermont. Prince Edward Island has a population of 109,000, and its chief justice gets a salary of \$4,000, and the associate judges \$3,200, while in Vermont, with three times the population, the chief justice and his associates get only \$3,000 a year. Let us take Minnesota and compare it with Manitoba. In Minnesota, with 1,300,000 population, the chief justice has \$4,500 per year, and his associates \$4,000, whereas in Manitoba, with only a population of 154,000, the chief justice has \$5,000, and his associates \$4,000. Compare Dakota with the Territories. Dakota has a population of 500,000, and her chief justice and associates receive \$3,000 per year each, while in our Territories, with only 67,000, the judges receive \$4,000 per year. In Montana, with a population of 132,000, the chief justice and his associates receive \$3,000 per annum. The chief justice in British Colum-

Mr. MACDONALD (Huron).

bia, whose population is 97,000, gets \$5,000, and his associates \$4,000. In Washington Territory, with a population of 349,000, the judges receive \$3,000 per year. You will see by this comparison, which the President of the Council (Mr. Ives) said would be a fair comparison, that we are paying our judges a very fair sum. It is said that it is difficult to obtain good men at those salaries, because many advocates make twice as much. But it must be remembered that the very best advocates do not always make the best judges. There are certain qualifications which a judge requires. He requires particularly good sense, an equitable temperament, a keen sense of justice and great patience; and you will frequently find these qualifications in attorneys who do not make \$10,000 or \$20,000 at the Bar, but who would make better judges upon the Bench than probably many first-class advocates. This will be admitted by every one, because all you want, other things being equal, is a man with broad common sense, a wide sense of justice in his heart, and a knowledge of the law. He does not require that technical or extensive knowledge of the law that an advocate does, because he hears the points discussed by the advocates before he has to form a conclusion. Further, Mr. Chairman, we know that the selections made in Ontario have been, on the whole, very good. We have nothing to complain of with regard to our judges in Ontario. It appears that the Quebec people are always at each others' throats about the judges in their province. I must say, from a knowledge of our judges for the last twenty-five or thirty years, that they are an ornament to the position they occupy, and I am glad to know that we are able to boast that our judiciary is one of the purest in the world. But if it has been possible to obtain these men in the past for the salaries the Government has given, it surely is possible to continue to obtain them. Particularly this will be seen to be the case when it is considered that the selections in Ontario have been made from one party only. Very seldom within the last fifteen years has a judge been taken from the Reform party. Good men have been secured from one party, and there are just as good men in the other party who have never been asked to sit on the Bench. I think there is nothing in the argument that it is impossible to get good men to occupy these positions. It must be of great advantage to the judge of the Supreme Court that he is able to retire with an allowance of two-thirds of his salary, giving him an income of over \$4,000. This annuity or superannuation must be taken into account when you consider the amount of their salaries in comparison with the income of the members of the Bar. Compare the position of our judges with that of the judges of the United States. There are many advantages on the side of judges here. In the first place, the judges in the United States have lower salaries than judges here.

There a man at the Bar is elected to a judgeship in the state of Michigan, let us say. He is elected to fill the place for a certain period. He must stand the expense of his election, and when he is defeated or retired, he must go back to build up his practice anew. Yet they have very excellent judges in many of the states, it being quite frequently the case that a man is chosen on his merits irrespective of party. If good men can be got in the United States to fill the judgeships under these conditions, surely in Ontario and the other provinces we should be able as we have been hitherto, in Ontario at least, to secure good men. Therefore, I think we should not increase the salaries of these judges, especially in the present depressed state of trade. The working people of this country have to work early and late in order to make both ends meet, and they cannot stand it that salaries of \$6,000 or \$7,000 should be increased by annuity or superannuation, or in any other way. Just let me give you a few facts, Mr. Chairman, which the people generally ought to know, and which hon. gentlemen of this House ought to know. The total average wages earned by men in the cities, towns and villages in this country from 1884 to 1890 was \$447 per year.

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

After Recess.

Mr. DUPONT. (Translation.) Mr. Chairman, I regret that, before recess, hon. members of this House, obeying the promptings of political animosity, should have made insinuations calculated to destroy public confidence in the judiciary of our province. I enter my protest against these insinuations, believing as I do that our magistracy is fully up to the standard of any other province of the Dominion. The hon. magistrates of the province of Quebec, irrespective of the political party from which they have been selected, are, in general, admired for their impartiality, their sense of justice and their legal skill. The respect evinced by the community for their judgments, is the best proof of their integrity. The insinuations made against the judges by the hon. members for Montmagny and L'Islet, are most unfair, harmful and calculated to injure the Bar and the Bench of the province, as well as the whole community. I look upon those insults as altogether gratuitous, baseless and prompted by political animus, for similar judgments were given by the judiciary of the province, under similar circumstances, against the Conservative party, and there was no outcry, no outburst of feeling from the Conservatives, who, on the contrary, respected and bowed to the decisions of the courts, without attempting to discredit them in public opinion. It is within our recollection that in 1874, judges who sat on a royal commission gave judgments against the Conserva-

tive party. Under the circumstances, I do not recollect the magistracy having been attacked by the Conservative party to any extent as it has been insulted to-day by members of this House. Despite the fact that the judgments in question had been instrumental in bringing about the downfall of the Conservative Ministry in 1874, we did bow to the decision of the court, which was presided over by eminent judges; this decision we did look upon as the law of the land. There is still another occasion when a judge of the province of Quebec, Sir A. A. Dorion, a Liberal in politics, was called upon to give judgment against a Conservative Legislative Councillor, and although the blow struck at the latter gentleman was a severe one for himself and his political friends as well, nobody animadverted to any such extent upon the decision given by Mr. Justice Dorion against the Hon. Pierre Lavallée. I do not wish to hold the Liberal party as a whole responsible for the invectives uttered by some of its members against the judiciary of our province; but I may say that, whenever the judgments of the courts affect the Liberal party, hon. members of this House, belonging to that political persuasion have no other answer to the decisions of the courts, however just they may be, but abusive language and invectives of the most revolting nature, uttered on the very floor of this House. I, for one, do protest against such unbecoming language, not to use a stronger term. Now, Mr. Chairman, I must say that from motives quite different from those which actuated the hon. members who addressed the House before recess, I am opposed to the resolution introduced by the hon. Prime Minister making provision that Supreme Court judges may retire on full salary. I do not think, Mr. Chairman, we should look to England for precedents as to salaries paid to judges. It is a matter of notoriety that in England it is the great landed families which are called upon to shoulder public expenditure and to contribute most heavily to the public exchequer. The burden of taxation falls more heavily upon the aristocratic classes, who have also decreed that the eminent judges to whom is intrusted the administration of the law should be paid very high salaries. I am not ready to admit that the fact of paying large salaries is calculated to promote the efficiency of the courts. With lower salaries, I am of opinion, that as good judges can be secured as those now administering the law, and that the burden of taxation borne by the people would be less heavy, without the administration of the law being less efficient. A comparison has also been instituted between judges and bank officers, and high officials in great monetary institutions. I think it is not fair to compare the salaries paid to magistrates administering the law with those paid by great financial or manufacturing establishments to their managers, to enhance their credit, and not with a view

to remunerate services. Such a comparison is neither fair nor reasonable. The salaries paid to judges should not be compared with the princely income paid to magnates of finance and trade. No adequate comparison can be instituted between judges and men drawing salaries as bank officials or managers of industrial or commercial establishments. There is a striking contrast evolved out of the comparison between salaries paid to judges with those paid to most wage-earners, especially in our community. All things considered, I am inclined to believe that the judges are being paid salaries far from inferior to those paid to wage-earners who struggle from one end of the year to the other, and who have to bear, in addition to that, a much heavier burden than that borne by the magistrates. The complaint is made that in some large cities our judges have an exceptional amount of work to do; that their average daily work is considerable, and on those grounds their position should be improved. I am of opinion, that should the judges be too hard-worked in those important localities, the Government should appoint new judges, instead of increasing the salaries of those who are in active service. It is better to increase the number of servants than to increase the salaries of those who are in active service. For should you increase salaries, the staff would still remain the same, and with a more considerable outlay, a better and more efficient administration of the law would by no means be secured, and complaints about the law's delays and the arrears in the legal business would still continue to be heard. I do not think that a higher salary will cause a judge to be more honest; and the question of income and amount of salary is not the only test of efficiency and honesty; impartiality in a judge is quite independent from the question of salary; in short, a judge who has at heart the case of his reputation and of his personal dignity, and who is fully alive to the sense of his exalted social position, will not be more so, whatever may be the scale of the salary he is paid. For, as a rule, when salaries paid either by monetary establishments, or by the Government, are on too high a scale, they constitute a danger to society. I think that, when a man is paid too high a salary, he may possibly not be inclined personally to lead a bad life, but the danger is that his children who rely on the father's salary, may, out of a belief that they are independent, eat the bread of idleness. Such is the danger which threatens the country with the loss of useful citizens whose lives are too often wrecked through idleness. Children would grow into better citizens, should they not rely upon the fortune of their parents—a fortune too often amassed at the expense of the community, of the citizens in all the walks of life, from the farmer to the merchant, and the toiler who struggles from one end of the year to the other to earn a

Mr. DUPONT.

paltry salary. The immense majority of our population look with a feeling of envy at the enormous salaries paid by the Government and by financial institutions, which have to charge high rates of interest and realize extravagant profits on their customers, in order to meet the expenditure. A feeling of jealousy is thus fostered in the lower strata of society against the upper classes. Such is the ground out of which European socialism has evolved with an alarming growth, which social and religious authorities are now trying to stay. I think the judiciary should be the first to set the example of a simple and austere life to the community; instead of striving to emulate the conduct of those upstarts, of those millions of fortune, who try to dazzle our people with their scandalous exhibition of their wealth. I say the judges of the land should so conduct themselves, and to bring up their children in such a way as to make of them citizens useful to the state.

Mr. MACDONALD (Huron). Before Six o'clock, in speaking of the salaries of the judges, I was about to draw a comparison between the average salary of the judges of this country and the average salary of the wage-earner; and while I think there can be no approach of the salary of the wage-earner to that of the judge, because they work in different spheres of life, still there should be a reasonable similarity between the two. I find on looking over the Bureau of Statistics that the average wages paid to families in cities and towns from 1884 to 1890, were \$447; and the expense of living during those six years averaged \$407, leaving a balance to the wage-earner and his family of only \$40 at the end of the year. Now, I find that the average salary of the judges is \$5,500; so you will see that one judge earns as much as twelve families. We will suppose now that each family averages five persons, that would give \$81.81 to each person in the workingman's family; but each member of a judge's family of five persons would have \$1,120; in other words, the salary of a judge would maintain sixty-eight labouring people. Now, I think that is a fair way to look at the question, and I am sure it is from that standpoint that the labourers of this country will look upon it. These men, whose earnings at the end of the year average a little more than the expenses during that year, will say that the Government have asked this House to increase the salaries of men who are now drawing as much as eleven or twelve families of labouring men. It may be said that we cannot draw a comparison between these two classes of people. But we must always remember that we should not impose a burden, as I said before, upon those who are struggling from one end of the year to the other to make both ends meet. The Government claim credit this year for reducing taxation upon the labouring people of this

country, and if they are to retain credit for that, they must not increase the public expenditure by increasing the salaries of judges which we believe are now sufficiently high. I think that the principle of superannuation is entirely wrong when applied to civil servants or to Government officials of any kind. I think no argument can be adduced to justify that practice. There is only one class that, in my opinion, should be pensioned, and that is the class of men who are drawn from various occupations in life, to fight the battles of our country, those who expose their lives in the interest of the country, who receive very little from it in wages, and who have to leave happy homes and families, and leave their country in many cases, to fight for us. This is the only class, in my opinion, that should receive a superannuation or a pension. We are now paying \$333,000 for pensions, superannuations and gratuities. We pay no less than \$33,000 for the superannuation of judges, and when the people of this country know that they are paying nearly a third of a million dollars every year into the pockets of men who are sufficiently paid when in the employ of the Government, they will come to the conclusion that there is a partiality shown in the distribution of the funds of this country. I think the Government would be unwise, especially at this particular juncture, in burdening the people of this country any more and any longer by increasing the superannuation given to the judges. As I said before, this is only the beginning of the end. Two years ago a resolution was brought down to increase the salaries of the judges all round, public opinion in this House and out of it was opposed to the measure, and the leader of the Government withdrew it. Now, this is the entrance of the thin edge of the wedge. Next year we will probably find an increase in some other department of the judiciary, and in less than five years we will have just what the resolution two years ago promised us. Therefore, I would urge upon the Government not to choose this time to impose additional burdens upon the people. Let the Government show economy in this matter by cutting down extravagant salaries and making the taxes of the people lighter, and I am sure they will receive the thanks of the people as well as the thanks of every member of this House.

Mr. GILLIES. In approaching a question of this kind, that appertains to the maintenance of the judiciary, we should endeavour to divest ourselves of bias and all feelings of political partisanship. Therefore, it behoves us not to give utterance to any expressions that would tend to lessen the respect for the judiciary which the people now entertain for them. I was pleased when, a few years ago, a resolution was introduced into this House to increase the salaries of the judges, and regretted that the Government saw fit to abandon, at least for a time, their

position on that question. For some time I have been of the opinion that the judges of the land were an underpaid class of civil servants. I was surprised at the reasons put forth against this resolution by the leader of the Opposition. He said that the salaries of the judges were either too low or they were high enough; if they were too low, they should be increased, and therefore he thought this resolution was radically wrong. I think that was the essence of the reasons he gave for opposing the resolution. I quite agree with the President of the Council who said that we should endeavour to have a strong court in the land, and if there is any court in Canada that should be composed of strong minds, it certainly is the court of last resort. Now, this resolution, I take it, is tantamount to increasing the salaries of the judges, and I think that is right. The resolution does not propose to increase the scale of their salaries, because that would affect, probably, a long list that cannot at present be disturbed, and therefore the salary is being increased indirectly, as expressed by the last speaker, and therefore meets the argument or objection of the hon. the leader of the Opposition. Now, the resolution says that a judge before he can come within the provisions of this resolution, must have been fifteen years on the Bench, or five years on the Bench of the Supreme Court of Canada. Now, if we want to have a strong court at Ottawa, we must hold out inducements to the very best men in the profession to take positions on that court. If we pursue a parsimonious policy such as has been pursued since that court was established, we shall necessarily fall short of attaining the object at which we are aiming. At present, a judge of the Supreme Court of Canada, if he seeks a superannuation, only gets two-thirds of the present salary of \$7,000, or a sum of about \$4,600 a year. Now, it may be very inconvenient indeed for a judge of the Supreme Court to retire upon any such salary. He may feel that the best part of his usefulness is gone, he is holding on very much against his will, and very much against his inclination, because the retiring allowance is not sufficient to maintain him and his family in the position in which they should be maintained. If this salary is continued at its present rate, he retires upon a sum equivalent to that which he is now receiving, and therefore when he finds that, through ill-health or otherwise, he does not perform the duties that devolve upon him with acceptance to the country, he will retire from the position, feeling sure that his maintenance will not be endangered. Now, it is absurd to compare the salaries of judges with those of labourers or people in similar walks of life, as the hon. member for Huron (Mr. McDonald) attempted to do. He is a physician, and he would be very sorry indeed if a scale of fees were adopted for his profession at the same rate as navvies are paid upon our railways. It is absurd to institute any such comparison, and

he himself would doubtless be one of the first to oppose any such a rate. Therefore it is only tardy justice that is now being done to the judiciary. As I say, they have been underpaid, and the move that is being now made should have been made years ago. The judges of the land should be independent of every adverse financial wind that blows, and should therefore be in a position to keep their minds at rest in regard to their financial affairs, so that they may devote their entire attention to the duties that devolve upon them. As was mentioned by the Prime Minister this afternoon, we have bank officials, bank presidents, and bank cashiers who are paid much higher salaries than even the highest salary that is paid to the judges of our land. When we compare salaries received by judges in the Dominion of Canada with those received by judges in the other British colonies enjoying responsible government, we find that our judges are paid considerably less. Take, for instance, the colony of Victoria, Australia, with a population of only 1,104,000, or one-fifth of that of the Dominion of Canada, and we find that the chief justice is paid a salary of \$17,500, and six puisne judges are each paid a salary of \$15,000.

Mr. MULOCK. Would you recommend that scale for Canada?

Mr. GILLIES. I am simply showing a comparison between a colony much inferior to us in population and territorial extent. Take New South Wales, with a population of one million, and the chief justice is paid \$17,500, and five judges are paid \$13,000 each. Take Queensland, with a population of less than 400,000, and the chief justice receives \$12,500, and four judges each \$10,000. Take South Australia, with a population of 300,000, and the chief justice receives \$10,000, and three puisne judges, each \$8,500. Take Tasmania, with a population of only 145,000 and the chief justice receives \$7,350, and each of the judges, \$6,000. Take Cape Colony, with a population of 1,500,000, and the chief justice receives \$12,500, and the eight puisne judges, \$8,750 each. These facts show that in each of these seven colonies, every one of the judges are paid far in excess of the judges of the Supreme Court of Canada, not to mention the judges of the different provincial courts. Victoria, with a population of only one-fifth of ours, with a territory only one-thirty-fourth of ours, pays its chief justice \$17,500, and each of the six judges, \$15,000. This fact alone shows how far we are behind our sister colonies in this respect. It has been said that inasmuch as the judges are paid as much as Cabinet Ministers therefore they receive a sufficient salary. To my mind, our Cabinet Ministers are entirely underpaid, and I say that wholly regardless of what party may be in power. In the colony of Victoria, the Prime Minister there re-

Mr. GILLIES.

ceives \$10,000, and the Treasurer, who corresponds to our Minister of Finance, receives \$10,000. If that is done in a sister colony like Victoria, how much more should we pay than we are now doing. I would be very sorry indeed to see the leader of the Opposition at any time when leading a Government in this House in the enjoyment of so small and miserable a salary as is paid to the present Prime Minister. If we go across to the United States, into that realm of democracy, where the hon. member for East Huron (Mr. McDonald) roamed this afternoon, we will find instances that will not at all bear out the proposition he was endeavouring to maintain when he instituted a comparison between salaries paid to judges there and here. What do we find? The judges referred to by the hon. gentleman to-day were purely state judges, and paid by the state. Their system differs radically from ours, inasmuch as all our judicial machinery is maintained throughout the Dominion by the Federal authority. In the United States the different States maintain their own judges. The only charge upon the United States general Government is for the maintenance of the Supreme Court of the Western States at Washington. The Federal judges in the United States are admittedly underpaid, and there is not a lawyer with whom you discuss the question in the United States who will not tell you that the Federal judges are lamentably underpaid. But take the city of New York. It has seven judges, each receiving \$17,500; twelve judges, each receiving \$15,000; five judges, each receiving \$12,000; and six judges, each receiving \$10,000. These facts show how miserably underpaid are our judges in comparison with the judges in the United States, and also how far astray the hon. member for East Huron (Mr. McDonald) was when he was labouring through figures connected with the United States for examples to bear out his argument. I therefore am strongly in favour of the resolution now proposed. While on this subject I would earnestly and respectfully draw the Prime Minister's attention to one branch of the judiciary in the province to which I belong, with the hope that he may direct his attention in that direction at the most favourable opportunity. In my province we have seven county court judges, some of whom, I venture to say, would favourably fill and fitly occupy seats upon the Bench of any court in the land. And in this connection I particularly refer to the gentleman that fills the position of county court judge in the district in which I myself live and practice my profession. Each of these judges is paid a small salary of \$2,400 a year. I speak with full knowledge of the subject when I say that they are sadly underpaid, considering their duties, skill and attainments.

Mr. DEPUTY SPEAKER. I must remind the hon. gentleman that this is outside of the

subject under discussion. I ask the hon. gentleman not to proceed with the subject.

Mr. GILLIES. I will not press that matter any further at present. I simply mentioned it for the reason that when the Government are again considering the matter I hope they will bear in mind the underpaid and under-salaried county court judges throughout Nova Scotia. I have given these instances to show how underpaid the judges of the Dominion of Canada are in comparison with the judges of other colonies, and how well directed the present resolution is in bringing about a remedy in regard to a matter that has, to my mind, been long looking for reform.

Mr. MULLOCK. I understand that the discussion is practically limited to the proposition involved in the resolution, namely, that this provision for retiring on full pay should be confined solely to members of the Supreme Court, or those who have graduated through the Superior Court or the Exchequer or Vice-Admiralty courts into the Supreme Court. That being the case, the issue before the House is comparatively simple, I think. It is proposed to have a system of retiring allowances applicable to the Supreme Court in marked contradistinction to the system in force as regards judges of the Superior Court. Take the case of a judge of the Superior Court. Take a puisne judge who receives from the Dominion exchequer \$5,000 a year. It is true that while he actually serves he receives from the provinces a certain other salary and he also receives some perquisites from the Dominion; but should that officer desire to retire he would only receive two-thirds of the \$5,000, or \$3,333, whilst if he should be so fortunate as to be promoted to the Supreme Court, and linger there perhaps after his usefulness has largely disappeared, he will be able to retire on a pension of \$7,000. I do not propose to consider the question altogether from a financial aspect, but still that is one of the views that cannot be lost sight of. Let me remind the committee of the growth of the expenditure on the administration of justice since the present Administration took office—I speak of the present Administration, assuming that it is the same Government as that which took office in 1878. At the time of Confederation the total expenditure upon administration of justice by the Dominion of Canada was \$291,242. From the time of Confederation to 1879 this expenditure had grown under the two Administrations which had during that period ruled the country, to the sum of \$577,896. Since that period fourteen years have elapsed, and the cost of administration of justice has grown to the sum of \$736,457, this amount being that which appears in the Public Accounts for 1892-93; in other words, the expenditure upon this branch of the public service has increased by nearly 30 per cent. Is there anything to warrant

that expenditure in the increased paying power of the people? Has the population increased? Has the National Policy increased the wealth of the country and our purchasing power to that extent? Will any hon. member pretend to assert that such is the fact? Does the hon. member for Richmond (Mr. Gillies) know that the people are able to sustain salaries on the scale paid by the Australian colonies?

Mr. GILLIES. I cited those salaries as a good guide.

Mr. MULLOCK. I am aware that if any one travels over the whole of the universe he will be able to find isolated precedents for almost any proposition. Whenever it is thought to incur expenditure beyond what can be done with due regard to our own resources and conditions, all that is necessary to be done is to cite examples of extravagance in some other colonies which have not yet gone into bankruptcy, and to cite this as a precedent to bolster up the case submitted. But hon. gentlemen will find that the salaries quoted as being paid by the Australian colonies were salaries fixed before the date of responsible government, when the Australian colonies were Crown colonies, when there was extravagance all along the line. To-day in many Crown colonies enormous salaries are paid.

Mr. GILLIES. Not so large as those.

Mr. MULLOCK. Take the salaries paid in the West India colonies

Mr. GILLIES. They are not so large as those.

Mr. MULLOCK. They are enormous, considering the resources of the people. To quote such salaries as precedents for the people of Canada is only harmful. It has ever been the case that if people could help themselves to the public exchequer they did so with a lavish hand. But, Mr. Speaker, the member for Richmond (Mr. Gillies) will not have the courage to suggest that we should follow the example of these Australian colonies. He would not say that because this Dominion is five times more populous than some of these colonies, that we should pay our judges five times more than they pay them. Nor would he venture to say that the salaries paid in these colonies ought to be adopted as the standard in our country. Although the question of the expense is a most important element, I do not think we should altogether discuss the question from that standpoint alone. I agree with hon. gentlemen who say that cheap justice, might turn out in the end to be extremely dear, and if the salary attached to the office was necessary in order to maintain efficiency, it would be unwise economy to stop at any price short of getting the most perfect system of administering justice. But it is not the salary which causes a judge to be honest. The position in society that a

judge occupies will always be a powerful incentive to the very best lawyers that the country can produce to ascend the Bench. Now, supposing the Minister carries out his scheme, what would be the result? We will have a very unwise discrimination between Superior Court judges and Supreme Court judges in the system of retiring allowances. Already we have seen what I think is a most reprehensible practice: the promotion of judges from a lower to a higher position. In my opinion—although it may not be a popular view—when a man is appointed to a position on the Bench it should be understood that that is the position in which he is to remain. It is well enough to hold out the inducement of promotion for good service, but all things considered, I am of opinion that when a judge once takes the emine, he should remain in the position to which he has been appointed, and he should have no inducement to look to one side or the other for promotion; but should discharge his duties unbiassed by any consideration: as to whether the manner in which he discharges those duties shall meet with public approbation or otherwise. There can be no perfect confidence in the Bench so long as the system obtains which has now become the fashion in the land, of judges being promoted from one court to another as they may please the powers that be for the time being. There should, therefore, be no inducement of a financial character to cause these judges to seek to leave the places to which they have been appointed in order to get a higher and more lucrative office. But under this scheme it is proposed not only to ignore the great Superior Court judges, but to establish a rule by which you discriminate against them and intensify the evil, if such has existed, of puisne judges regarding their present position as but temporary resting places, by holding out substantial inducements to them to seek promotion. Far be it from me to suggest that any judge of the land has sought promotion by any improper means, but human nature is human nature, and judges cannot be blind to the advantages of being in a position where the retiring allowance is \$7,000 a year instead of \$3,333.34. It would be too much to expect from human nature that these gentlemen should not endeavour, by means to them seeming strictly honourable, to reach the promised land. I, therefore, Mr. Chairman, in the public interest, deprecate this discriminating measure that the First Minister has proposed. If we compare the responsibility of the Superior Court judges—I speak more particularly with reference to the Bench of the province of Ontario—with the responsibilities of the judges of the Supreme Court, I venture to say, with all due respect to the judges of the Supreme Court, that the judges of the Superior court discharge more onerous duties, and that the efficient discharge of their duties more intimately concerns the welfare of the people. How many cases come to the

Mr. MULOCK.

Supreme Court? But a mere sprinkling of all the cases in the whole Dominion; while in the superior courts the mills are grinding daily and hourly almost all through the year. The volume of business done in the superior courts is many times greater than that disposed of by the Supreme Court judges; and only a very small percentage of the cases which pass through the Court of Appeal, say in the province of Ontario, ever find their way to the Supreme Court. In fact, in my judgment, the constitution of the Supreme Court is unsound. I never could see the wisdom of an appeal to the Supreme Court on matters of fact at all. At the furthest, the appellate powers of the Supreme Court should be limited to matters of a constitutional character arising out of the construction of Dominion statutes, and so on. The provision for an appeal to the Supreme Court from every superior court in the land, as exists to-day, is, I think, an unwise one; and, instead of moving in the direction in which the hon. gentleman is now moving, I think we should move to reorganize the constitution of the Supreme Court, and to provide for the superannuation, 'nolens volens,' of a judge who has ceased to be able to discharge his duties properly. Why, we have on the Superior Court Bench of Ontario to-day some of the most distinguished jurists to be found in the country. Think for a moment of the invidious comparison which the hon. Minister proposes to establish between their case and the case of the Supreme Court judges. Take the Court of Appeal of the province of Ontario. That court enjoys the unanimous confidence and respect of the profession, and of the whole public. There are upon the bench of the Court of Appeal judges who have passed the seventy years' limit mentioned in this resolution. Mr. Justice Burton, a distinguished jurist, of whom every member of the profession speaks with the utmost respect, who has been upon the Bench for more than twenty years, is now approaching his seventy-fifth year, if I dare venture to tell any one's age here; and yet that gentleman is to be retired, we will say, upon \$3,333.34, while some gentlemen who may be on the Supreme Court Bench for a much shorter period, and may be much younger men, are to be retired upon \$7,000 a year. Take the case of Chief Justice Galt, the Chief Justice of the Court of Common Pleas, who has served his country in his judicial capacity for a quarter of a century. He is over seventy-eight years of age. This Bill is not to apply to a chief justice who has served as he has and who has reached his age, but it is to apply to some person who may have served fifteen years in an Exchequer Court or a Vice-Admiralty Court and five years in the Supreme Court, and who happens to attain the age of seventy years. By a mere accident, through some circumstance beyond the understanding of the average man, the latter gentleman has

succeeded in graduating from the Bench of the Supreme Court instead of from the chair of the Chief Justice of the Court of Common Pleas. Take the chief justice of the province of Ontario, Chief Justice Hagarty, whose life has practically been spent on the Bench, who has been an ornament to the court, whose name is synonymous with all that is judicial and upright both as a citizen and as a judge, who has spent nearly forty years on the Bench, and who is now approaching fourscore years of age; yet he has to retire on two-thirds of his salary, while a seventy-year-old gentleman—I cannot call him a juvenile—because, forsooth, he happens to occupy a much more easy and comfortable position in the quiet of the Supreme Court, is to be favoured in the way proposed. I only point out these cases to show how unfair the scheme is, because there can be no question of the public service rendered by members of the Bench who have filled, as they have done for so many years, the high positions of chief justices of the provincial courts. But because I am drawing this comparison I am not now arguing in favour of a general increase. We must look at this question purely in the public interest. We must have due regard to the Treasury, and we must have due regard to the administration of justice; and if there is one on the Bench, I care not whether it is in the Supreme Court or in any other court, any man who has passed his period of usefulness, the law should be so amended that his case might be dealt with, and perhaps it would be wise to say that there should be a time limit beyond which no man should occupy the Bench. To-day, instead of amending the law, and dealing with cases if the public interest demands that they should be dealt with, it is proposed to offer a bribe to the members of the Bench to induce them to retire from the public service. That is not the way in which the public interest should be served in this House, or the manner in which the public moneys should be dealt with by the people's representatives. For these reasons I oppose this measure. It rests upon no principle. It looks to me as if it was formulated to deal with some individual case, which is covered up by a few words to make the measure appear general, whereas it is going to be special in its application. If so, it is more indefensible than could otherwise be supposed. But taking it as it appears upon the surface, as a scheme, if such it can be called, for relieving the Bench of those who have survived their period of usefulness, it is, in my judgment, radically wrong and indefensible in principle, and will be vicious in its influence and application.

Mr. LEGRIS. (Translation.) The question put to the House is, whether this resolution shall pass. Judging from the past, I am inclined to think so, considering that pro-

positions of the most extraordinary nature are wont to be adopted by a majority of votes. This resolution ought to be voted down by the House, as it involves principles of the worst description. In order to give more prestige to the position occupied by the Supreme Court judges, it makes provision that those judges, on retiring from the Bench, and giving up their labours, shall receive from the country the same emoluments as while they were on the Bench. I confess that never have I heard such an extraordinary proposition. These judges, after having first made an income in the practice of law, have occupied, if not the most conspicuous, at least one of the most honourable positions within the gift of the country, a position to which as considerable a salary as \$7,000 per annum is attached. It is now proposed that the people of this country, who are already groaning under the ever-increasing burdens of heavy taxation, shall be saddled with this further burden; that those judges, whenever they shall think fit to retire into private life—or rather, when the Government shall need a vacancy on the Bench to be filled up by one of their friends—shall receive the same salary as if they were doing the work, and fulfilling the important duties of their position. Now, Mr. Chairman, that this proposition is altogether indefensible, is evident from the debate that has been going on to-day. On the Government side, no argument has been adduced in support of the proposition. Two of the Ministers have explained the nature of the proposition, without giving any strong reasons for its passage. The hon. member for Bellechasse (Mr. Amyot) has addressed the House on that issue, but his utterances, I think, had better be relegated into oblivion. Another hon. member has endeavoured to impress upon the House the necessity of paying the Supreme Court judges an adequate salary. Have any good reasons been given in support of the passage of this resolution providing that judges, whether they serve the public or not, should be paid the same salary as if they were discharging the duties of their office? I do not think so. Plain common sense tells us that such a proposition should be resisted and voted down; the principle, if once adopted, should be carried to its logical conclusion and be made applicable to all the other courts. The hon. member for Bagot (Mr. Dupont) has given, among others, sound and plausible reasons why the Government should not press the passage of this resolution. It has been alleged, on the Government side, that the salary of the judges should be increased. Were it really necessary to do so, Mr. Chairman, I submit that their salary should be increased, while they are working. I deprecate the passage of a measure calculated to encourage them to eat an idle bread; for, should the judges, on retiring from the Bench, be guaranteed the same emoluments as while on the Bench, that would be an incentive to them for applying for superannuation and giving up the

duties the country expects them to discharge. If judges were actuated by no loftier motives than mere financial considerations, by a greediness and love of pelf, their sole ambition will be to retire from the Bench as early as possible; and the higher the salary paid to them, the less work they will do, as in the case of other high officials, whose services are in the inverse ratio of the high rate of their salary. Of course, man aspires to rest, and to procure a well-earned repose for his old age. These judges would be the first to apply to the Government for their superannuation. Another consideration I would point out is the advisability of putting into the hands of the Government such a dangerous weapon. Are not the members of this House deeply impressed with the danger of such a course? Who is blind to the fact that the Government are aiming at nothing less than creating a system of superannuation whereby judges may be tempted, in the expectation of a large pension, to vacate their judgeships in favour of friends of the Government? It was not fair to institute a comparison between the salary paid to judges and the income which some lawyers derive from their practice. As to the salary paid to the judges of the Supreme Court, I think it is quite adequate. There might possibly be found in large cities like Montreal and Toronto, practising lawyers who make a larger yearly income than the salary paid to judges. These, however, are an exception to the rule. Many lawyers, by way of advertisement, like to boast of their practice, and to magnify their income, far beyond the reality; so much the more so, as their statements cannot be controlled, and their practice thereby gains in importance. Besides, it is a well known fact that whenever a vacancy takes place on the Bench, the greatest trouble the Government experiences is not so much filling up the vacancy as making a selection out of so many candidates. Many lawyers, who are far from having a large and paying practice, are, however, men of great integrity and legal skill, with an extensive knowledge of the law, and very well qualified to occupy a seat on the Bench; they lack nothing in fact but the necessary influence to command a large practice among business men and litigants. They are none the less respectable for all that, and, if they were called upon to sit on the Bench, they would administer the law in a creditable manner. The question of salary is not only one that the Government should take into consideration, in order to secure good judges. Financial considerations may weigh to a certain extent in the balance; the Government may even look upon the increase of salary as a necessity—a proposal to which I cannot assent; but this is no reason for the Government to give judges a life allowance equal to the salary they receive while they serve the country, and to make it optional with them to retire from the Bench and live in idleness the rest of

Mr. LEGRIS.

their lives. This is nothing else but an extension of that grievous and unjust system which has come lately under discussion in this House: I mean the superannuation system, the advocacy of which the Government was loath to take, at the last session of Parliament. It will be remembered that when the superannuation question came up before the House last year, important reforms were promised for this year. Some changes did, no doubt, take place; still we find that there has been paid this year out of the public exchequer for that purpose a larger sum than the average yearly amount paid heretofore. Let the existing system be broadened and additions made to it in the shape of retiring allowances paid to judges, such as now in contemplation, and the community may, at last, awaken to the reality of the fact that after all, this is but a continuation of the odious superannuation system by which the public exchequer is drained in favour of civil servants, who, during their years of active service, have drawn large salaries. In my opinion, the fact that civil servants, on retiring from active service, should not have the means of maintaining a bare existence, evinces nothing else but improvidence on their part. I refrain from speaking at any greater length on the resolution, as nearly all the arguments put forth by those who spoke before me have been adverse to the measure. I only wish to enter my protest now against so strange a measure, lest I should not be in my seat when the House is called to vote upon the measure.

Bill reported.

Mr. SPEAKER. When shall the report be received—now?

Mr. LAURIER. I move in amendment that the report be not now received, but that it be received this day six months.

House divided:

YEAS:

Messieurs

Béchar, Bernier, Borden, Bowers, Brodeur, Brown, Bruneau, Carroll, Cartwright (Sir Richard), Christie, Colter, Davies, Devlin, Dupont, Fauvel, Flint, Forbes, Fraser, Geoffrion, Gillmor, Guay,	Harwood, Langelier, Laurier, Leduc, Legris, Lépine, Macdonald (Huron), Martin, Mignault, Mulock, O'Brien, Pelletier, Perry, Rider, Rinfret, Sanborn, Scriver, Tarte, Vaillancourt, Welsh, Yeo.—42.
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NAYS:

Messieurs

Amyot, Bain (Soulanges),	Hazen, Ives,
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Baker,
Barnard,
Belley,
Bergeron,
Bergin,
Blanchard,
Bryson,
Cameron,
Caron (Sir Adolphe),
Chesley,
Cleveland,
Corbould,
Costigan,
Daly,
Davin,
Davis,
Desaulniers,
Dickey,
Dugas,
Earle,
Grandbois,
Grant (Sir James),
Haggart,
Haslam,

Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
Leclair,
Lippé,
Macdonald (King's),
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McLean (King's),
McLeod,
Mara,
Patterson (Colchester),
Patterson (Huron),
Prior,
Robillard,
Ross (Lisgar),
Temple,
Thompson (Sir John),
White (Cardwell),
Wilmot.—51.

PAIRS :

Ministerial.

Opposition.

Messieurs

Roome,
Tyrwhitt,
Tisdale,
Masson,
Dyer,
Fréchette,
Taylor,

McGregor,
Grieve,
Charlton,
McMullen,
Proulx,
Godbout,
Sutherland,

Amendment negatived..

Mr. FORBES. The hon. member for Richmond (Mr. Gillies) was not in the House when the question was put.

Mr. SPEAKER. Was the hon. member for Richmond in the House and did he hear the question put ?

Mr GILLIES. I was not in the House and did not hear the question put.

Mr. SPEAKER. The name of the hon. member for Richmond (Mr. Gillies) must be struck out.

Mr. TAYLOR. The hon. member for Vancouver (Mr. Haslam) did not vote.

Mr. SPEAKER. Was the hon. member for Vancouver in the House, and did he hear the question put, and did he vote for or against the amendment ?

Mr. HASLAM. I was in the House and voted against the amendment.

Mr. CAMERON (Inverness). The hon. member for South Leads did not vote.

Mr. TAYLOR. I was paired with the hon. member for North Oxford (Mr. Sutherland).

Mr. DAVIES (P.E.I.) How would you have voted ?

The Clerk. Nays, 51.

Main motion agreed to.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Dominion Lands and Crown Timber Agents—Salaries .. \$74,000

Mr. MULOCK. Can the Minister say now how many persons are in the service of the

Government in connection with these departments in Manitoba ?

Mr. DALY. Seventy-six employees from Winnipeg to Vancouver.

Salaries of Clerks in Outside Service, Forest Rangers and Intelligence Officers..... \$43,726 25

Sir RICHARD CARTWRIGHT. Looking at the exceedingly small returns in the shape of revenue, I should like the Minister to state his views with reference to this expenditure, of which we have very little details except in the Auditor General's Report. Does he not think that considerable reduction could be made ?

Mr. DALY. This is made up of all the salaries of the officers in the commissioner's offices at Winnipeg and the different land offices from Winnipeg to Vancouver, also the forest rangers and all the other officers in the different offices of which I gave a detailed account the other night. I think I went into it pretty exhaustively, and hon. gentlemen opposite discussed everything.

Sir RICHARD CARTWRIGHT. I suppose I must take it for granted, if you tell me that you have duly put through—

Mr. DALY. I was. I think the hon. member for Queen's will agree—

Mr. DAVIES (P.E.I.) I can give assurances that we tried to put questions, but I will not say that we got a great deal of information.

Stationery, rent of rooms and contingent expenditure of Board of Examiners of Dominion Land Surveyors.....\$200

Sir RICHARD CARTWRIGHT. With reference to the receipts for land, there was one particular item which I wish to understand. Among the items making up the \$254,000 credited to us, there is an item of \$11,313 which is put down as trust receipts. What does that mean ? The hon. gentleman will find it on page F—76 of the Auditor General's Report.

Mr. DALY. The agents at the different points mentioned there were in the habit of depositing to their own credit in a trust account moneys they received from parties making application for land whose applications were in suspense. The Auditor General has since objected to that, and the money goes to the credit of the Receiver General. I do not think the account in the old form exists at the present time.

Mr. MULOCK. Can the hon. gentleman say how many candidates appear for examination each year, about ?

Mr. DALY. That information for last year is contained in the report of the department. If the hon. gentleman will look at

the report of the Surveyor General in Part II. of the report of the department :

Meetings of the Board of Examiners for Dominion Land Surveyors were held as usual in February and August. At the former meeting Adam Fawcett, of Uffington, Ontario, and W. D. Wilkinson, of Toronto, Ontario, passed the examination prescribed for Dominion Land Surveyor, and J. H. Antliff, of Montreal, passed the higher examination and was granted a certificate as Dominion Topographical Surveyor. Mr. G. G. FitzGerald, of Mill Brook, Ontario, passed the examination for admission as articulated pupil.

Mr. MULLOCK. How many candidates were there ?

Mr. DALY. The information is not given there. I will get you the information tomorrow.

Mr. MULLOCK. It is costing us \$1,200 to examine these four or five gentlemen. That is too absurd. I have never yet been able to see the necessity for this system of examination. The provinces examine for Dominion land surveyors.

Mr. DALY. No ; they examine for provincial land surveyors.

Mr. MULLOCK. What is the difference between the qualifications of Dominion and provincial land surveyors ? The duties of a Dominion land surveyor are to survey lands, I suppose. They are recognized under the same Act as the proper officers to deal with Dominion lands, and the attainments and skill required are the same, whether the land belongs to the Dominion or to the provinces. It is simply a multiplication of boards of examination. Can the hon. gentleman say whether a provincial land surveyor, but for some statute in the way, would not be able to discharge all the duties now discharged by a Dominion land surveyor ?

Mr. DALY. I do not think so. They have a different system of surveying in the provinces from what we have.

Sir JOHN THOMPSON. There is a difference in the qualifications required.

Mr. MULLOCK. If it is a survey of Dominion lands that is wanted, I should think that a surveyor capable of surveying provincial lands, would be able to survey Dominion lands.

Sir JOHN THOMPSON. The Dominion Lands Act prescribes a higher standard of qualification with a view to greater accuracy.

Mr. DALY. I understand that Dominion lands are surveyed on the rectangular system, while under the old provincial system they were surveyed in concessions and townships. Of necessity, provincial land surveyors would have to serve an apprenticeship in order to get the necessary information to enable them to survey Dominion lands.

Mr. MULLOCK. That may be so, but it appears to me that if a surveyor understands

Mr. DALY.

how to take his bearings, if he knows how to secure his point of commencement, he can then survey in any shape he is told. It is ridiculous to suppose that a provincial land surveyor, who knows how to lay out a lot, say of a quarter of a mile, or a mile and a quarter, could not also lay out a square mile of lots. That explanation won't go.

Mr. DALY. That is the best explanation I can give. I am stating what is the fact, although it may not appeal to the hon. gentleman's mind.

Mr. MULLOCK. It will be news, I think, to the provincial land surveyors to be told that they are not competent to lay out a piece of land in a rectangular form.

Mr. IVES. It will not be new to the provincial land surveyors to be told that they have to pass an examination and be admitted under the law before they can act upon a Dominion land survey. That is the law, and until the law is repealed, there is no use discussing the matter. The provisions of the law require that they shall pass an examination and be admitted as Dominion land surveyors, before they can work on such surveys.

Mr. MULLOCK. That is a very poor reason for continuing a bad law. If there is a stupid law like that on the Statute-book, it ought to be removed. We are told that four candidates passed this year, and one gentleman was passed as a cadet, and it cost \$1,200 to examine these gentlemen. The only reason given for maintaining a Dominion board of examiners is that provincial land surveyors who are educated how to lay out lots according to the provincial policy, may not be able to lay out a lot according to the Dominion policy.

Mr. DALY. Why don't you admit lawyers from Quebec to practice law in Ontario ?

Mr. MULLOCK. That is not the same thing. There are local laws.

Mr. DALY. Any man may read the statutes.

Mr. MULLOCK. That is not a good reason. An acre is an acre, whether it be in one province or another. You might as well pass an Act saying that no person could serve the Dominion in any capacity unless he passed some special examination that the Dominion laid down.

Mr. IVES. Allow me to correct the hon. gentleman. The hon. gentleman said a few moments ago that once the starting point was ascertained, it was easy for a surveyor to measure a rectangle. That is quite so. But the principle of establishing a starting point in surveying Dominion lands in the North-west Territories, is quite different from the principle of ascertaining the starting point in the surveys in the older provinces. In the North-west Territories they survey from longitude and from parallels of lati-

tude as reckoned from Greenwich. In a provincial survey their base is a river, or some concession line running along a river; they have no reference whatever to parallels of latitude or longitude. The chief part of the examination that Dominion land surveyors have to pass is how to ascertain the exact latitude and longitude from Greenwich, and that is entirely different from the system which is used under provincial surveys.

Mr. MULLOCK. I won't controvert the hon. gentleman, for I have no information on the subject. But I would remind him that that cannot be the reason, because nearly all the North-west lands were laid out by provincial land surveyors.

To pay salaries of extra clerks at head office, Ottawa, advertising, copying, etc. \$5,000

Mr. MULLOCK. The volume of business has gone down many fold. There should be a greater decrease.

Mr. DALY. It is not gone down an inch. The work is more onerous to-day than it was five or six years ago.

Mr. MULLOCK. It may be so, but from general observation it looks as if there was no head to the department.

Mr. DALY. There is no pumpkin head anyway, and that is what you have got on your shoulders.

Mr. MULLOCK. That is a very strong argument.

Mr. DALY. It is about as strong as the allusions you made, anyway.

Dominion lands, chargeable to capital—to provide for the amount required for surveys, examination of survey returns, printing of plans, etc. . . . \$100,000

Sir RICHARD CARTWRIGHT. I would be glad to know generally what the hon. gentleman proposes to do. It appears to me we have enough land surveyed and to spare in the North-west, for the wants of many millions of population; and really there is little use going on with further surveys until the land we have there now is occupied.

Mr. DALY. The amount asked for 1894-95 is proposed to be spent as follows:—Surveys in Manitoba: It has been found necessary to re-survey three detached blocks of land, one in the neighbourhood of Deloraine, one in the neighbourhood of Oak Lake, and one north of Shell River. The cost is estimated at \$25,000. It is also proposed to survey, for the purposes of Icelandic settlement three or four townships at the Narrows of Lake Winnipeg. The cost will be about \$3,400. North-west Territories: In the country lying between the second and third meridians, it is proposed to survey two detached townships. Estimated cost, \$1,783. West of

the third meridian the work will consist of the survey of the trail from Saskatoon to Battleford, which will cost about \$2,000. The bulk of the work will be west of the fourth meridian, where trails are required to be surveyed from McLeod to the international boundary known as the Fort Benson Trail, and to the Crow's Nest Pass; also from McLeod to Lethbridge. The cost of this work is estimated at \$4,000. In addition to this, it is proposed to subdivide and set out for settlement ten townships on the west side of the Calgary and Edmonton Railway, extending from the Red Deer River on the south, to the Battle River on the north. The cost of this work will be in the neighbourhood of \$7,600. Small detached surveys or road allowances will be required, which will bring the total cost of the work in the North-west Territories to about \$16,000. British Columbia: The needs of settlement will require that two parties be placed in the field next year, the cost of which will be \$10,000. Other surveys: To meet the demands of incoming settlement it will probably be necessary to make detached subdivision surveys in various localities other than these already specified, and for this purpose it is proposed to set apart a sum of say \$12,000. Office expenses: This includes the salaries of the clerks who are engaged in the examination and correction of the returns of survey, lithographing of maps, township maps, &c.; estimated cost, \$33,000, of which about \$20,000 will be required for salaries.

Mr. MARTIN. Why have new surveys to be made at points in the province of Manitoba?

Mr. DALY. Because the surveys made ten or twelve years ago were found to be defective. At that time there were not the same system as has been carried out during the last three or four years, and the surveyors did not do their work properly. It has been ascertained, as settlement has gone in, that the boundaries were not correct in some instances, and that the corner posts had not been put in or the mounds constructed. It is in order to correct that state of affairs that as immigration is taking place into that part of Manitoba, this work is required to be carried out.

Mr. MARTIN. What is the need of surveys of three townships at the Narrows of Lake Manitoba?

Mr. DALY. It is needed for settlement.

Mr. MARTIN. That would appear to verify the hon. member for North York (Mr. Mulock) with respect to carrying out an extensive system of surveys in advance of settlement. The hon. gentleman is, no doubt quite correct as regards many of the surveys having been badly done. I think that might be said to apply to the whole province of Manitoba.

Mr. DALY. No.

Mr. MARTIN. That has been my experience. I have found the surveys to have been rather badly done; complaints have been made that the mounds are not where they should be and that a great many inaccuracies have occurred in the surveys. But that is not the only reason. Where surveys have been made far ahead of the settlement, prairie fires have burnt the stakes out and the annual growth of vegetation and the tramping of cattle have caused the mounds to disappear, and the result has been that when settlers came along the country was practically as badly off as if surveys had never been made. So long as the surveys are carried out in a temporary manner, as they are in that country, force is given to the argument of not having surveys carried out until settlement is actually about to take place. The hon. gentleman may be right in regard to surveying townships near Lake Manitoba, although my impression was that there was plenty of land at present for the Icelandic settlement at Gimli. I do not speak positively, but I know there has been great trouble with the surveys. When the settlement came to take up the country it was found that the survey had been so badly made to start with, and on account of the system adopted, that the time which elapsed had the effect of obliterating the marks of the surveys. The stakes were burned in some places and bushes had grown up over the mounds, so as to make it almost impossible to find the marks left by the surveyors.

Mr. DALY. We have not used wooden mounds for five or six years, and the stakes that are used are altogether iron. The mounds if properly built will last for years and years. When you consider that these surveys have extended over a period of twenty years, it speaks well for the work done by the surveyors that so few were found defective. The present system adopted some seven or eight years ago, provides that the work shall be inspected in the season in which it is done, so that it is impossible for mistakes to arise which previously occurred. The hon. gentleman is incorrect in saying that generally through the province of Manitoba and the North-west Territories, there has been defective surveys.

Mr. MARTIN. I cannot speak with respect to the North-west Territories, but I have no hesitation in saying so with regard to Manitoba.

Mr. MULOCK. How many acres of land will be surveyed for this \$100,000.

Mr. DALY. That is a matter of calculation, but there are ten townships, 23,236,000 acres, west of the Calgary and Edmonton Railway which will be thrown open to settlement now.

Mr. MULOCK. Will this surveying be done by contract or day's work?

Mr. MARTIN.

Mr. DALY. The surveying will be done by the staff of the department. There are no contracts to be let this year.

Mr. MULOCK. Do you mean the permanent service?

Mr. DALY. They are not the permanent staff in the nature of being members of the civil service, but they have been on the permanent surveying staff for some years. There are about twelve surveyors with their parties.

Mr. MULOCK. What are these twelve surveyors doing during the period that the survey is not carried on?

Mr. DALY. They make out the examination and correction of the surveys, and make the plans and so on. They employ their time during winter in making up the work of the summer.

Mr. MULOCK. If there are twelve surveyors and their parties, has there been a reduction in the staff?

Mr. DALY. No.

Mr. MULOCK. Then how was it that the survey cost \$150,000 last year?

Mr. DALY. Because we let the rest of it out by contract over and above what these twelve people did. We did not use \$34,000 of the \$150,000 voted last year, and in addition to that \$34,000 which lapsed I make a decrease of \$50,000 on the vote of last year.

Building and maintenance of fish breeding establishments and lobster hatcheries.....	\$50,000
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Mr. O'BRIEN. Is the Minister satisfied that the results of the operations of the Newcastle hatchery, in the distribution of salmon-trout, and whitefish fry in the upper lakes, are at all commensurate with the expense?

Sir CHARLES HIBBERT TUPPER. I think so.

Mr. O'BRIEN. I think that is a very doubtful question. I have watched the operations there for several years, and I have come to the conclusion that the fish sent out from the hatcheries are altogether too young and too immature to fight for their lives in the waters of the great lakes. The best means of ascertaining that fact would be by reference to Lake Simcoe, which has a limited area of water, in which no netting has been allowed for a number of years, and where the close season has been most carefully observed. Millions of salmon-trout fry have been put in that lake from the Newcastle hatchery, but yet there is no perceptible increase. If the distribution of fry were of any service at all it ought to show itself there, but so far it has not. The opinion I have come to is: that the fish from the Newcastle hatchery, having to be moved at a very early period of their lives, because the water at Newcastle

becomes too hot for them to live in, they are placed in the waters of the great lakes before they are sufficiently matured to survive. I know Mr. Wilmot's enthusiastic pursuit in that particular branch of the service, and I am thoroughly satisfied he is doing a good work for the country, but I believe that that Newcastle hatchery, so far as regards the distribution of fry in the great lakes is concerned, gives very little return for the money spent.

Mr. MARA. This spring the Minister sent whitefish fry to some of the lakes in British Columbia. I would like to know if he intends to send fry also to the other large lakes, such as Lake Columbia, Lake Shushwap and the Kootenay lakes. I think myself it would be better if the Minister could erect a cheap hatchery some place at or near the line of railway, from which the fry could be more easily distributed than under the present system. There would be less loss, and I think it would be cheaper in the end than sending the fry from Winnipeg.

Sir CHARLES HIBBERT TUPPER. The sending of fry out to British Columbia this year was rather an experiment; but so far as the reports go the transmission was wonderfully successful, especially considering that it was the first time. The placing of fry in the waters the hon. gentleman has referred to, and the method of sending the fry there, are under consideration with a view of meeting his wishes if possible. Of course it depends upon the success in the gathering of the eggs and the number we have for distribution; but if we can manage it I would be very glad to follow up what we have done so as to meet his suggestion. I will also consider whether it would not be better to adopt the plan he mentions, and have temporary hatcheries out there for that purpose.

Mr. PRIOR. I would ask the hon. Minister whether he has made up his mind on the question of sending bass out to British Columbia?

Sir CHARLES HIBBERT TUPPER. We do not deal in bass at all. It is a very complicated business, and we have never been able to undertake the artificial hatching of bass.

Mr. PRIOR. I am told by Mr. Wilmot that it would be possible to send bass out there. There are a large number of suitable lakes for bass in British Columbia, in which there are no fish at the present time. A great number of people in British Columbia are anxious that this suggestion should be carried out by the Government, and I would ask the Minister to consider if he cannot do so.

Sir CHARLES HIBBERT TUPPER. I would be very glad to further any scheme of that kind if it could be found possible, but I am absolutely certain that we have not

the means to comply with the hon. gentleman's request. The subject has been brought before me several times, and on each occasion it involved considerable expenditure. I have failed to find anything in the reports which would lead me to believe that a sufficiently strong case had been made out to warrant me in asking Parliament for that expenditure.

Mr. WOOD (Westmoreland). Before this item is passed, I wish to say a word or two with regard to a very important fishery in the county which I represent, and some of the adjoining counties. I refer to the shad fishery in the Bay of Fundy. Some three or four years ago I called the attention of the Minister to the great decrease which had taken place in this fishery. Within the last few years I have also called his attention to the recommendation of the fishery inspectors: that a close season should be adopted which would apply principally to the River St. John, the harbour of St. John and the Shubenacadie River in Nova Scotia, where these fish are caught in great numbers during the spawning season. There has been a conference of the fishery inspectors held recently, and I find that among the recommendations which that conference has made, is the following:—

That a close time for shad be established for Quebec, Nova Scotia, New Brunswick, and Prince Edward Island from 1st March to 20th June with weekly close time as at present.

I believe, however, that this recommendation has never been acted upon, but I see by the report of the Minister that this matter is under the consideration of the department. I wish merely now, while this matter of fish hatcheries is under consideration, to ask the Minister if he has considered the advisability or practicability of hatching the spawn of the shad, and by this artificial means stocking the rivers at the head of the Bay of Fundy. It is very important that this fishery should be restored if there is any possibility of doing it. It was in former years a very important fishery, but it has declined, and threatens to disappear entirely unless some means are taken either to protect the fish during the spawning season or else to stock the rivers by artificial means.

Sir CHARLES HIBBERT TUPPER. I am sorry the hon. gentleman was not here the other afternoon when I spoke briefly on this subject. A considerable number of people were opposed to this policy of artificial fish culture altogether; one hon. gentleman to-night said it did no good. On the other hand, I think the vast majority of those who have looked into the subject believe in artificial fish culture, though most of the critics find fault, and perhaps with justice, with the way in which the work is, in many cases, carried on. I am now carrying out a very rigid system of inspection such as has not hitherto prevailed, and am also

going thoroughly into the manner in which the existing hatcheries are operated. I stated, in answer to an hon. gentleman who suggested that we should take up cod, that I preferred to feel the ground a little firmer under my feet before undertaking that work. So I would say as to shad, though I venture to think that they could be very successfully handled. Shad have increased in the New England States, where they are hatching out shad, and where they complain that the shad they are hatching out come into the Bay of Fundy and are caught and eaten there. In British Columbia, also, I think, there was a prevalent opinion that fish hatched in Southern California came up into our waters. So that in the meantime, while watching the operations of their hatcheries, we have some advantage from them. But, speaking more seriously, I do not propose at present to extend the operations of the fish hatcheries.

Mr. DAVIES (P.E.I.) I am glad to hear that the hon. gentleman does not propose to extend the operations of these fish hatcheries. I have myself watched the reports of them every year. It is a most interesting and important subject, and if we could be satisfied that the fry increased the quantity of fish in our rivers and estuaries, it would be a great blessing to Canada. But I do not think we can come to a conclusion one way or the other as yet. I have not been able to find from the department any data from which we can form a conclusion that the work has been successful, and I think it would be unfair for any one to jump to the conclusion that it has been unsuccessful. The experiment is in a tentative stage, and what the results may be the future alone can solve. I notice that the gentleman who has charge of the work relies every year very much upon the quantity of fry he distributes. He says:

The general progress of the work done, and the gross out-put of fry from the several fish hatcheries in the Dominion during the past season are of a very satisfactory character, as will be shown by the accompanying schedules, showing a grand total of 258,314,000 young fish, which were bred, and distributed in the waters of Canada, during 1893.

That is very good as far as it goes; we have that intimation every year; but what we are seeking to get at is, do these young fry come to maturity, and do they swell the quantity of fish we have in our rivers and estuaries? That point has not yet been solved. Although the Minister is quite justified in asking the House to continue the grant to carry on the fish-breeding establishments, I am glad he is not increasing the grant, because the experiment has not yet been solved satisfactorily.

Mr. O'BRIEN. I do not wish the Minister to suppose that I question the value of fish culture; but I do not think the hatchery at Newcastle can succeed, because it

Sir CHARLES HIBBERT TUPPER.

violates too many of the laws of nature. I think that if that hatchery were on the shores of Lake Huron, it might produce good results. I think the hatcheries in the United States are producing good results, because they are conducted under different principles.

Sir CHARLES HIBBERT TUPPER. I would like to say for the Newcastle hatchery that it has been successful. To show that it has been, I may mention that there is a lake in the eastern townships which never had a whitefish in it until it was stocked with whitefish fry from the Newcastle hatchery; and now my department is worried by applications from resident farmers to be allowed to take these fish with the net, because they cannot take them by hook and line. There is real proof. Mr. Marler, of this city, who has himself fished in the lake, has informed me that before the fry were put in the lake from the Newcastle hatchery, those fish were totally unknown there, but he has since caught whitefish that had arrived at maturity.

Mr. COLTER. When this item was under discussion the other evening, some hon. gentlemen expressed themselves, as some have done to-night, as doubtful about the usefulness of these fish-ways. I can only speak for the one on the upper part of the River St. John, and I am very glad to say that so far as I am able to judge, it has been a decided success. Previous to the building of that hatchery, there were no salmon caught on the River St. John or its tributaries with the fly; but since that time, both on the St. John River and on its tributaries there is very fine fly fishing. For instance, I suppose there is no better stream for fishing in the province of New Brunswick than the Tobique. On the Maduxnaqueag, a branch of the River St. John, if the hon. gentleman comes down in the month of June, I will show him hundreds of salmon trying to get over a nine-foot dam, because there is no fish-way. I hope the Minister will soon see his way to putting a fish-way on that river. I am told that a few years ago the mills were burned and the dams destroyed, and in that year a very large number of fish went up the stream; and if we only had a fish-way on that river now I think it would equal if not excel the Tobique for fly-fishing. I had occasion some time ago to call the Minister's attention to the netting of fish in the River St. John, between Fredericton and Woodstock, and I do so again to-night. I believe the law is that you can set nets in tidal waters a certain number of days. Now, they claim on that river that the tidal waters extend some twelve or fourteen miles above Fredericton, but that is a disputed point, and fishermen are allowed to set nets there and catch large quantities of salmon. Above that point they are not. Now, below the point where they are allow-

ed to set nets, there is a large number of islands, and the river is consequently divided into a number of channels. People set nets and catch enormous quantities of fish, and yet they are prevented from setting nets above that point. This has caused hard feeling among the people of York and Carleton, and I hope the hon. Minister will see his way clear to look into the matter, and, if possible, have one law for all. If it is necessary to stop netting altogether, do so, but do not stop it on one section of the river and allow it on the other.

Sir CHARLES HIBBERT TUPPER. I am very much obliged to the hon. gentleman for mentioning the difficulty to me, which he did a few days ago. The real difficulty is, that while we have the power, under the Act, to fix the tidal boundaries, that has not been done. I have asked, at any rate, for full particulars by official report, and will be very glad to deal with the matter. The other subject to which the hon. gentleman has referred is also being attended to.

Mr. FORBES. Can the hon. gentleman give information as to the success of the lobster hatchery at Pictou? I heartily approve of the breeding of various kinds of fish. Coming from the south shore of Nova Scotia, I know that every effort which can be made available to increase this great industry will meet with our hearty approval. This year, on the south shore of Nova Scotia, there will probably be a large shortage in the lobster catch, which is most regrettable, and I think this a fair opportunity to call the attention of the Minister to the necessity of having fish hatcheries on that coast. While I heartily approve of the establishment of these scientific hatcheries throughout the Dominion, I would like to see some tangible proof of the actual beneficial results. The hon. gentleman's own return shows that a number of eggs have been put in the various waters of Canada, but whether with any direct beneficial result is a matter of grave doubt. I believe the result is beneficial, but to a much more limited extent than the hon. Minister believes. In a lake like Brome, which is an inland water, the fish cannot escape, and that offers no criterion. But on our shores and coasts and estuaries, there is much less chance to prove the beneficial results of the hatchery; and if the hon. gentleman could furnish such proof, any vote to aid the development of this great industry would have the support of the Opposition. I also wish to draw attention to this fact, that under the *modus vivendi*, the fishermen of the United States have almost equal privileges with ours, in our fisheries. Practically, they have equal privileges, with the exception of seining mackerel. The lobster business to-day is carried on by our own men with the aid of American capital, and is practically an American industry. It is of great benefit to our fishermen, and I would

like to see it kept up to the very best possible standing by the enforcement of proper regulations and the establishment of hatcheries on the south shore of Nova Scotia. On the north shore, or the Northumberland Straits coast, both of the island and the mainland, the prospects of the lobster catch is very good, indeed, while on the south shore it is very poor; and it would be wise for the hon. Minister to seriously consider the advisability of establishing other hatcheries on the south shore of Nova Scotia.

Legal and incidental expenses.... \$5,000

Sir CHARLES HIBBERT TUPPER. There is an increase of \$2,000 here. We have been vigorously enforcing the laws, and that involves great expenditure, though we have got, in fines, a very large revenue owing to these prosecutions. In round numbers we have obtained \$100,000, of which \$20,000 is for fines and penalties. The violations have been terrific. Wherever a fishery shows signs at all of exhaustion and capitalists go out, then in come the poachers to make a final raid. We have been always short in our vote for paying these costs, and have had to hold over claims where the amounts were justly due. Instead, therefore, of asking the smaller amount, I am asking for the amount my officers say will be required.

Mr. DAVIES (P.E.I.) It would be interesting if the hon. gentleman would publish in his report the fines which are collected. I am in receipt of constant inquiries, asking if I cannot find out the names of the parties who have paid fines during the season. There is an idea, which seems generally to prevail, that partiality is shown by the fish wardens. I have a letter from an old school friend of mine, whom I know to be a thoroughly respectable and reliable man, in which he expresses the same idea as prevailing in the locality he comes from. I do not want to mention the locality, because I do not wish to throw reflections on the fish warden there without being certain they are well founded.

Sir CHARLES HIBBERT TUPPER. I will think over that. I know of no case of the kind, but I can assure the hon. gentleman that any officer guilty of the like will be instantly dismissed. It is quite possible, as we have an enormous number of officers, that one or another might show favouritism, but he would do it at the peril of his position. I know of no case that has been left unpunished that has been brought to my notice.

Sir RICHARD CARTWRIGHT. A simple precaution, such as my hon. friend speaks of, would be a great safeguard against an abuse of power. What is the maximum and minimum rates of fines?

Sir CHARLES HIBBERT TUPPER. Twenty dollars is the maximum.

Mr. BOWERS. I desire to call attention to the fact that in Digby County, where there has been a little violation of the law, the Minister, through his agents or lawyers has seen fit to punish the party, and some of the cases—

Sir CHARLES HIBBERT TUPPER. May I ask what cases the hon. gentleman refers to—the bounty cases?

Mr. BOWERS. Yes.

Sir CHARLES HIBBERT TUPPER. Those prosecutions were undertaken on the information of the hon. gentleman himself.

Mr. BOWERS. I am not trying to evade any responsibility in the matter, as I only placed the charges that were put in my hands before the Minister.

Sir CHARLES HIBBERT TUPPER. I think it is only fair the fact should be mentioned. I am not going to take all the responsibility.

Mr. BOWERS. What I wanted to call attention to is that in his report for 1892 the Minister states that in the county of Gloucester there were 500 cases of parties who applied for bounties fraudulently. Why did not the hon. gentleman punish the infraction of the law by these parties as he did those in the county of Digby?

Sir CHARLES HIBBERT TUPPER. Every case of suspicion brought to the notice of the Department of Marine and Fisheries is instantly investigated, and, where there was any prospect of substantiating the charge, all the papers immediately transmitted to the right hon. the Minister of Justice for his consideration, with the request that if the case is a proper one for prosecution, it may be followed up. Not one single exception can be shown since this system was adopted a year or so ago. The hon. gentleman from Digby (Mr. Bowers) very properly drew attention to the cases in his own county. Instructions were given to go on with the cases, and certain parties were found guilty. In Gloucester the money was not paid over, but the record of all the facts we could obtain was transmitted to the Minister of Justice. And these parties still are prevented from sharing in the fishing bounty.

Mr. BOWERS. Again, in the county of Victoria, to which I called the Minister's attention. I understand that a man there collected a bounty for his dog, named Peter. Now, why was no punishment inflicted upon this man?

Sir CHARLES HIBBERT TUPPER. I will answer the hon. gentleman. In the cases in Victoria the grand jury threw out the Bill. It is unnecessary to say what the evidence was. But evidence that we

Sir RICHARD CARTWRIGHT.

considered sufficient to found conviction upon was treated in that way by the grand jury.

Mr. BOWERS. I understand the hon. member for Victoria took a trip to Ottawa about that time.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman, so far as the department with which I am concerned—and it is the one which deals with these cases—is absolutely incorrect, if he thinks the hon. member for Victoria affected the statement of these cases.

Mr. BOWERS. I accept that statement. That is all right. I want to call the attention of the Minister to another matter. Last fall at Grand Manan, some of our vessels were there, and, for infraction of the fishery laws, the crews were fined \$10 each by Captain Pratt. They called my attention to another vessel that belonged to Grand Manan, and was in the same predicament that they were in. But, in looking over the return, I find only the vessels from Westport were fined.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman hardly treats me fairly. I would be quite willing to follow up such a case, but he has never given me the particulars of it.

Mr. McDONALD (Victoria, N.S.) The statement now made by the hon. member for Digby (Mr. Bowers) I have seen in the press in different parts of the country, to the effect that I came up here and tried to intercede with the Government for the parties charged with fraud. I rise to say that the hon. gentleman was quite mistaken. I did not come here on that business at all. I came here on Saturday, and the Ministers were nearly all away. I saw the Minister of Marine, but only spoke with him for a moment while he was getting into a cab. But I told him that I would be here again on Monday, and wanted to see him on business. But I did not see him, had no conversation with him, and never spoke to one of the Ministers with reference to the bounty frauds. On Monday I had a telegram from the county stating that warrants were issued. These people were my friends in the county and I was asked to come down and I was retained on their behalf. So far as the Department of Justice is concerned, everything they possibly could do in the matter was done. They had the assistance of very able counsel from Halifax, who remained five or six weeks in the county, and they had also the assistance of the fishery inspector, Mr. Bertram, who did everything not only in the way of prosecution, but, as I believe, in the way of persecution of these parties. The matter was in the courts at least two or three weeks, and all the cases were investigated. A large number came before the Supreme Court at Halifax, as the Government tried to get a mandamus to prevent the magistrate trying them in a

summary manner. But the mandamus was dismissed, and all these cases went before the grand jury, of which at least one-half were Liberals, and the vote of the grand jury stood eighteen to five against finding the bill. And when no bill was reported, if I recollect aright, the judge declared that he thought the grand jury had done perfectly right. I never spoke to a Minister in reference to these matters during the time the prosecutions were going on; I did not write a letter to any of them on the subject, as I believed it was useless, they having taken a determined stand. Therefore, I state clearly and emphatically that the insinuations of the hon gentleman are not justified by the facts.

Mr. MARA. I would like to call the attention of the Minister to the case of the Okanagan lake and river. About twenty years ago these waters were well stocked with salmon. But some bands of American Indians just south of the boundary line have placed traps or wires across the river thus preventing the fish from ascending to the spawning grounds. I know that the department cannot exercise authority over the American Indians; but such representations might be made to the American authorities as would induce them to take steps to prevent the closing of the river to such a degree as to keep the salmon from reaching the spawning beds.

Sir CHARLES HIBBERT TUPPER. I will be very much obliged if the hon. gentleman will take the trouble to write a formal communication to my department stating what he has ascertained, when I shall be happy to follow it up in the direction he suggests.

Mr. FAUVEL. Before this item is passed, I wish to call the attention of the Minister to the unfair distribution of these bounties. I find that in our gulf and ocean sea fisheries the following received bounty:—

In 1892, 13,774 boats manned by	23,812 men.
In 1891, 17,701 do do	33,507 do

Decrease, 3,927	9,695
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In 1891, 705 vessels manned by	5,352 men.
In 1892, 668 do do	5,252 do

Decrease, 37	100
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The amount paid to fishermen in 1892 fishing and boats was, say 23,812 fishermen, \$85,202; fishing and vessels, say 5,252 fishermen, \$74,550. Of this number, Nova Scotia was represented by 4,611 men, the balance being divided among Prince Edward Island, New Brunswick and Quebec. When the bounty system was first established in 1884, \$2 per ton was paid to vessels. Boats were placed under three categories, viz.: 14 to 18 feet keel, \$1; 18 to 25 feet keel, \$1.50; 25 feet and upwards, \$2. The average tonnage of a boat of 25 feet keel measures about 8 to 10 tons each. In 1892 the bounty

paid to vessels was raised to \$3 per ton, and the rate paid to boats irrespective of size was only \$1. In 1892 the highest bounty paid by fishermen in vessels was \$21; to boats, \$4, which I consider a very unfair division of the bounty funds. The reduction in the number of boats receiving bounties from 1891 to 1892, is accounted for by an Order in Council prohibiting fishing with gill-nets on the shore. Now, the Minister is aware that these bounties were established for the purpose of recouping in some measure the fishermen of the gulf who had suffered loss through encroachments of fishermen from the United States during the treaty of reciprocity. In those days large mackerel fishing existed in the Bay de Chaleur, now there is none. The only fish these fishermen can take is herring, which is taken with gill-nets. Now the Minister is aware that where men take herring in gill-nets, they are deprived from participating in these vested rights, because these are certainly vested rights to those old fishermen in the counties of Bonaventure and Gaspé. The Order in Council states that those who fish only a few hours a day and attend to their farms the rest of the day, cannot participate in the bounties. Now, it is only in the night that men can fish herring; therefore, they are deprived of vested rights which they held in 1884. A number of bona fide fishermen of the county of Bonaventure leave their homes during the summer and pass over to the north shore and fish there three months or upwards, and return home to fish the remainder of the season in their own boats in Bonaventure County. When they leave their homes the boats they use on the north shore are owned by outfitters from the counties; when they return home they fish in their own boats. A number of these fishermen claimed bounties on their own boats when they returned. These outfitters have received the bounties for their boats, and the fishermen have been deprived of the bounty. For that reason they cannot participate to-day for any fishing bounty in that county. It is a clerical error on their part and nothing more. I have taken from the Department of Fisheries a certain number of claims of which I will give you a few instances:

Joseph Anglehart, pere, claims to have fished during the whole season at Magpie and Paspebiac, with Adolphe Loisel in his own boat, though he appears to have fished the greater part of the season at Magpie in Le Boutillier Bros. boat, with Michel Dennis. Joseph Fabien Duchesneau, fils, claims having fished the whole season to 1st November, at Paspebiac, in his boat. This claimant it appears fishes on the north shore with his father, to the 30th August in Robin & Co.'s boat. Charles Theriault claims he fished the whole season in his boat with his son John A. This man fished most of the season with John Darosville, in Robin & Co.'s boat.

Now, this Charles Theriault came to see me

when I visited my county a few days ago, and he told me he had not received any bounty for the last three years. I asked him the reason, and he gave me the palpable reason, which I did not transmit to the Minister because I had already transmitted the same reason to him on several previous occasions. On those occasions the Minister had verbally promised me that he would cause an investigation to be made. I received since then three letters from him. The first letter stated that he would make an investigation, the second continued in the same strain, and the third said he did not see his way clear to open the question. Now, I have been to the department and ascertained that some of those cases are valid. Two men were debarred from the bounty on account of dual claims. These people go to the north shore and fish for an outfitter there. When they go home these men make claims as fishing for themselves on the south shore. Now, I have proved that there is a claim made by a man named Onesime Huard, who is debarred this year from his bounty for that reason. That man returned from the north shore on the 26th August, and the application that he is reported to have made before a fishery officer on the north shore, is dated on the 9th September. Now, I think it is only right that the Minister should make an investigation through his officers. He is aware that these fishery officers are not always trustworthy. He has been obliged to dismiss one of those officers who laid these claims before these uneducated fishermen. They do not know how to read or write, and very often these claims are not even read over to them before they are signed. I am certain that if an investigation was made into these claims the Minister would be surprised at the manner in which some of the fishery officers have been acting in those counties. I have spoken with Commander Wakeham, who has been in charge of the service for several years past, and he says that these men should be paid, because they are an uneducated set of fishermen, and they have vested rights. Certainly I would not plead for these men if they were not bona fide fishermen.

Sir CHARLES HIBBERT TUPPER. In my opinion the hon. gentleman has not put any of these cases as fairly as I would expect him to do. In the first place, he cannot expect me to deal with these individual claims out of a total of over 40,000 claims, without giving me some notice. As to this gill-net business, the hon. gentleman is the first person I have heard in the House or out of it, say that the action of the department was not in the interest of the fishermen. I am certain that he does not speak as the representative of bona fide fishermen, nor for the class for whom this bounty was intended. He has referred to Dr. Wakeham. Dr. Wakeham is a man of great experience in the gulf fisheries. It was he who, at the

Mr. FAUVEL.

instance and in the interest of those fishermen, recommended to me that this regulation should become law, because it would debar only those who were not genuine fishermen from participating in the bounty, thus leaving more for the genuine fishermen. The effect of the law is that a man who is really attending to his farm and puts out a sedentary apparatus or a gill-net and goes away, shall not share with the men who pursue fishing as a regular avocation, who go out and risk their lives in open boats or sailing boats. These were the class for whom this bounty was meant, as an encouragement and assistance in that perilous business, men who fish in waters in which the United States fishermen had for a certain term been allowed great advantages to their detriment. That regulation has not been complained of. It was adopted in the interest of these fishermen, and it gives to the bulk of the fishermen who are engaged in the business, more bounty than they otherwise would get, and only rules out men who are in no fair sense fishermen, but are men for whom the bounty was never intended. In regard to the statement about claims, the hon. gentleman read enough to show that the men were guilty of falsehood. I cannot accept the statement that they were ignorant. Parliament supported me when I propounded the policy that in order to prevent fraud we should administer the fund in the strictest possible manner, and that every man in order to be entitled to the bounty must in every respect be honest and above suspicion, and where there was fraud or reason to suppose fraud the case would be followed up, and the man would be debarred from sharing in the bounty and having an opportunity of perpetrating further frauds on his fellow fishermen. The hon. member for Digby (Mr. Bowers) spoke of frauds on the department. These will become a thing of the past. Upright, honest and intelligent fishermen will obtain far more bounty under the present than they could possibly obtain under the old system, or under the system which the hon. gentleman would like to obtain, where great indulgence would be given to those men, which will be a great mistake in my opinion. We make them take the responsibility, if they cannot read or write, of consulting proper parties in whom they have confidence to prepare claims for them, and by these claims they must either stand or fall. Where claims contain falsehood and misrepresentations we reject such applications, and I am satisfied that honest fishermen of every district will approve our administration of the system. It is only by so acting that we can administer a law that is exceedingly difficult to administer, because we have to take evidence within reasonable time, and are called upon to consider the evidence and deal with over 40,000 claims; but if our regulations were less severe, and we exercised fewer restrictions, delay would oc-

cur whereby the payment of the bounty would be delayed months or even a year, while under the present system it is paid to the fishermen quickly.

Mr. FAUVEL. Does the hon. gentleman think that the fishermen are infalible, and do not make errors?

Sir CHARLES HIBBERT TUPPER. If they make mistakes they suffer for them.

Mr. FAUVEL. With respect to gill-nets, the hon. Minister is already well aware that four or five petitions have been sent to the department regarding these nets. The hon. gentleman need not say that this is the first time he has heard any complaint.

Sir CHARLES HIBBERT TUPPER. On the part of the bona fide fishermen.

Mr. FAUVEL. Most assuredly those people had vested interests with respect to fishing, which no one can deny. Regarding the claims of the fishermen, I certainly ask that an investigation may be made, because if the case goes to the Minister of Fisheries it is held that the officers are right and the fishermen wrong, and such a proceeding is very unfair.

Mr. BOWERS. With respect to the fishing bounty, I desire to ask the Minister whether any moneys are paid to the fishery overseers for distributing the bounty?

Sir CHARLES HIBBERT TUPPER. We obtain special authority from Parliament every year in the Supplementary Estimates to pay these officers.

Mr. BOWERS. I have received a letter from the fishery overseer at Westport, in which he asks whether he would receive any remuneration or not for distributing that bounty.

Sir CHARLES HIBBERT TUPPER. The fishery overseers receive compensation in due course, after it has been voted in the Supplementary Estimates.

Mr. BOWERS. I desire to call the attention of the committee to one or two bounties which during the last two or three months I have endeavoured to get settled at Ottawa, but with respect to which I have received no satisfaction. One is the case of the 'Phoebe' and 'Emma Small,' of Digby County. Captain Melanson belongs to Port Gilbert in Digby County. He went to the custom's officer last spring and asked for a license. The custom-house officer not being able to find a license in the office, was unable to give the captain a fishing license. The vessel had to go on its fishing cruise, and it did not return until the fall. The law states that when a master of a vessel has no license, the master or owner cannot draw a bounty. But in this case the captain could not get a license when he applied for it. About the last of November Fishery Overseer Kinney came to Weymouth, where those who claimed the

fishing bounty had to submit their licenses to the officer so that they might be forwarded to the department. That man having no fishing license forgot about the matter, and therefore he did not see Mr. Kinney when he came on the 25th of the month. On the 28th he wrote Mr. Kinney at Yarmouth, and he proceeded there about 1st December and laid the matter before him. It seems hard that in this case neither the captain nor the crew should obtain the fishing bounty, when the fault was really due to the custom officer at Port Gilbert. If the captain had received a license when he asked for it, there is no doubt he would have obtained the bounty. The Minister has informed me that his failure to receive the bounty was not on account of the failure to get a license, but because he did not make any application. The man having no license before him simply forgot the matter; but the law allows up to 30th November in which to make his claim. On 28th November he wrote to Mr. Kinney, and between the 1st and 5th December he proceeded to Yarmouth to lay the matter before the department. Mr. Kinney laid the matter before the department, and the case stands in that way at present. I insist that the Minister should grant the bounty to that man, for the omission to take out a license was not due to the captain's fault. There is another case, and that is the schooner 'Maudie,' of Digby, which cleared 29th March. The captain neglected to take out a fishing license until July 5th. Then the vessel took out a license and fished until 10th July, five days. Then the vessel was laid up until 2nd September, when she was got ready, but did not take out her clearance papers until 9th September, when she fished to the end of the year. These periods together make more than three months, which is the period required by law in order to receive the bounty. The Minister says that the vessel was not fishing three months. The overseer, Mr. Kinney, being in Digby November 18th, the owners were forced to make affidavit as to their claim on the 18th, but the law says that the year does not end until 30th November. His vessel was fitting out for the fishery from 2nd September, when the captain took charge, to 9th September, when she cleared from Customs, and it was exactly the same as when she was fishing, because all our vessels come into harbour and sometimes lay there a week or a fortnight in bad weather. In both of those cases I see no reason why the men should not have their bounty, and I ask the Minister to try and consider this matter in a different light from what he has considered it.

Sir CHARLES HIBBERT TUPPER. I tried hard and I will try again.

Mr. PRIOR. Whilst on this subject I would like to call the attention of the Minister of Marine and Fisheries to the necessity which exists for the Government doing something on behalf of the deep-sea fisheries in British

Columbia. We all know that the salmon fisheries of British Columbia have attained very large proportions, but up to the present time the deep-sea fisheries are only in their infancy. Several attempts have been made by different parties at great expense to themselves, to find out where the black cod and halibut banks are situated. As we all know it takes quite a large amount of money to prospect for these banks in the first place, and afterwards to find markets for the produce of the fishery. I feel certain that if the Government could see their way to assist these men in British Columbia—whether by giving a bounty by tonnage, or in any way they think fit—to develop this industry, that in a very short time they would find it would become a very lucrative business, and that a large revenue would accrue to the Dominion Government from it. From our experience of these fisheries on the Pacific coast there can be no doubt that if our deep-sea fishermen were assisted out there, in a very few years they would prove that the Pacific fisheries are as valuable, if not more valuable, than the fisheries on the Atlantic coast.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman (Mr. Prior) refers to a very important subject, but all I can say at this time is: that the Government have followed with a great deal of interest the attempt that was made, and which was unfortunately not successful, to deal with that matter. The Government would be only too glad to assist in every reasonable way any efforts in the direction indicated; but these efforts to be successful must be, I think, the result of private enterprise as was the case on the Atlantic coast. I know that a great deal of information is being collected and tabulated with regard to Pacific fisheries. I do not think that there is any trouble there in finding fish in abundance, because I know that the California fishermen have found any amount of fish there. The trouble evidently was in connection with finding a market. One well-known fisherman, Captain Sol. Jacobs, navigated there and fished with great success, but he is back again on the New England coast and fishing on the banks. I think there are other difficulties and that the trouble is not connected with any ignorance as to the locality of the cod or halibut.

Mr. PRIOR. It is found to be very expensive to get proper refrigerators so as to get the fish to market.

Sir CHARLES HIBBERT TUPPER. That is the difficulty.

Mr. FORBES. If the Government are to be asked to supply boats, and seines, and nets for the fishermen of British Columbia, I want to put in a similar claim for our eastern fishermen. Nova Scotia fishermen, in their enterprise and skill, are capable of competing with the fishermen of any country in the world, and we would only be too proud to

Mr. PRIOR.

send the captains from Nova Scotia to teach them in British Columbia how to fish and where to find fish. But I rose to draw the attention of the Minister to another matter. He has proposed new regulations shutting out from the bounty all catches of fish in trap-nets, pound-nets, weirs and gill-nets. Now, it might be quite reasonable for the Minister to do that under certain circumstances.

Sir CHARLES HIBBERT TUPPER. It is only done under certain circumstances, and any way it is not as the hon. gentleman states.

Mr. FORBES. I will state a case in which the Minister refused the bounty, and in which the fish were caught long before his Order in Council or enactment was published. I do not want to be understood as at all approving of the principle of the regulations issued by the Minister, because I do not believe that he should shut out the fishermen who catch their fish by nets.

Sir CHARLES HIBBERT TUPPER. They are not shut out.

Mr. FORBES. They are shut out by your regulations.

Sir CHARLES HIBBERT TUPPER. Not by any regulation of my department.

Mr. FORBES. The regulation says: "No bounty shall be paid on fish caught in trap-nets, pound-nets or weirs, or fish caught in gill-nets by parties pursuing other occupations than fishing." Does the Minister discriminate between a man fishing six hours with a gill-net and a man fishing six months with a gill-net, provided the proper quantity of fish to entitle the man to the bounty are caught? If I understand the Minister correctly, he would shut out from the bounty a man who catches 2,500 pounds of fish with a gill-net, and who has used that gill-net for three months, but not, perhaps, consecutively, in fishing. Although the man may catch that fish within thirty days, and occupy the rest of his time looking after his household duties, or attending to his farm, or curing these fish that have been caught. There are a dozen ways in which a man's time may be occupied, and yet he may be properly called a fisherman. It is putting too much power in the hands of the Minister to permit him to say, that fishermen who must brave the deep and earn a precarious living even under the best circumstances, can be shut out per force because they are a certain time on shore gilling and packing these fish.

Sir CHARLES HIBBERT TUPPER. These people are not shut out.

Mr. FORBES. But it is possible to shut them out under the regulation proposed by the Minister. A few years ago two fishermen in the county of Halifax named George Fredericks and Judson Hubley put their

claim for bounties before the department, and the Minister refused to pay them. He asked his officer, Mr. Hockin, of Pictou, to investigate, and Mr. Hockin suggested that the claimant should make a solemn declaration of the facts of the case. They did so, copying a draft declaration prepared by the said inspector of Fisheries, and in his own handwriting, and this was sworn to before the inspector. For doing that, the Minister ordered a charge of perjury to be laid against Mr. Hubley, and that he should be arrested and tried for the offence. The trial took place, and the Minister endeavoured to prove that the man had committed perjury in this clause of the affidavit, which read: "That he fished with George Fredericks from the 15th of July to the end of November." Counsel representing the department contended that a "fisherman" meant a man continuously engaged in the fishery for three months, and just such a man as is described by the Minister's own Order in Council. These two fishermen were out seining mackerel, and, after they had caught their mackerel, they landed them upon the wharf, and occupied some days in preparing the fish before putting them in barrels and salting them down. Subsequently, they went out in their boats and watched for the mackerel to school again. In this way their three months time was occupied, and much more than the required amount of fish was captured. They made a claim for their bounty, but the Minister refused it, and after requiring their declaration, he alleged perjury, and a criminal trial was had, before Mr. Justice Ritchie and a jury. After two days' trial, the jury came to the conclusion that the men were fishermen under the terms of the Minister's regulations, and in the common acceptance of the term.

Sir CHARLES HIBBERT TUPPER. How does the hon. gentleman know? All they said was, not guilty. The hon. gentleman cannot say what conclusion they came to.

Mr. FORBES. I beg the hon. Minister's pardon. I was there, and defended these men. The whole issue was, whether they did fish, in the common acceptance of the term, according to the hon. Minister's regulations; and the judge and the jury both agreed that the men were not guilty of the charge made by the hon. Minister.

Sir CHARLES HIBBERT TUPPER. Did the judge allow the case to go to the jury?

Mr. FORBES. Certainly, because it was a matter more of fact than law. The judge was not there to decide what was meant by fishing; that was to be gathered by the evidence submitted; and the jury decided, and the judge concurred in the verdict, that these men were not guilty of the charge of improperly claiming the bounty.

Sir CHARLES HIBBERT TUPPER. Who was the judge?

Mr. FORBES. Judge Ritchie. In the face of all that, I think the Minister should pay these men their bounty, which they honestly earned, and to which they are entitled. I think the Minister should decide the case instanter, and let these men have their bounty.

Sir CHARLES HIBBERT TUPPER. I have decided instanter, against the men.

Mr. FORBES. But I contend that the hon. Minister is wrong; and if he has any heart or compassion for these men, who struggle in the deep, and brave all the storms to get their living, he should say, "I acknowledge that I was in error in coming to the conclusion that they were not fishermen, and I bow to the decision of the court," but the Minister persists in his decision against these men.

Sir CHARLES HIBBERT TUPPER. You do not think those men ought to get the bounty?

Mr. FORBES. I do really think they ought to get their bounty, and I want the Minister to reconsider his decision in regard to the men. I want him also to state why he will not publish the list of applicants for bounties. These bounties are intended for bona fide fishermen. Spurious ones should not receive them, and I thoroughly appreciate the effort made by the Minister to suppress this evil, so that honest fishermen may get their share. After exercising all due caution, the Minister should see that every man who has earned his bounty should get it, whether he is a Liberal or a Conservative. The two men in this case happen to be Liberals; but I do not want to be forced to say that, and I do not want the people of the community to say, although they are saying it to-day, that it was because of their political proclivities that they did not get the bounty. I say that the Minister could do away with that clash of feeling that exists between the two parties as to who should get the bounty, instead of setting up his own 'ipse dixit' against the decision of the court. In administering the bounty fairly, without respect to party, he will get the generous help of the fishermen of both parties. Let him publish a list of the applicants for bounties, and have it posted in the custom-houses or the post offices of the several districts, so that the fishermen may see whether such and such a claimant is entitled to his bounty or not. They know the name of each fisherman, the times he has been fishing, and the number of boats he has, and if they find among a dozen claimants that five or six are bogus, they will assist the Minister in stopping the evil, even though the bogus claimants might be good Liberals. But the Minister will not give any help to these men; he will do nothing; he confines the matter to his department. If the Minister would take this suggestion from the Opposition and publish the list, I think

a great deal of good would be the result. The bounty would be distributed with less expense to the country, with less worry to the department, and with more satisfaction to the fishermen. I hope the Minister will tell me why he does not make this payment to those two fishermen, Hubley and Fredericks, most deserving men and fishermen, to whom I have referred.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman put everything on paper on this subject, and I went into it on paper—and I must say that he argued it on paper far better and made a much stronger case than he has done to-night; and I refused to pay these men.

Mr. FORBES. That was before the verdict of the court?

Sir CHARLES HIBBERT TUPPER. After the verdict of the court. Those men were indicted for perjury, and were acquitted on that charge, but they were guilty of falsehood and of attempting to steal that bounty, and they will not have an opportunity of doing that while I am at the head of the department.

Mr. FAUVEL. Has Prof. Prince anything to do with the oyster culture of the country?

Sir CHARLES HIBBERT TUPPER. No; Mr. Kemp is the man.

International Fisheries Commission... \$2,000

Mr. DAVIES (F.E.I.) What is that?

Sir CHARLES HIBBERT TUPPER. Commander Wakeham has been appointed by Her Majesty, and Mr. Rathbun by the United States Government as a commission to make a survey of the waters contiguous to the two countries, and to deal with the question of purse-seining mackerel. It will take them fully two years to complete the survey.

To provide for the payment of Mr. Fabre's salary and contingencies of his office..... \$3,500

Mr. DAVIES (P.E.I.) Is it not about time that item was dropped?

Mr. O'BRIEN. I am glad to have the opportunity of expressing my own views with regard to Mr. Fabre's office in Paris. I am bound to say that his attention to his duties and the great efforts he makes to meet the wishes of all those who may be visiting Paris and who come from Canada, cannot be too highly commended. I had a very strong prejudice against this vote. I thought it one that ought not to be maintained; but I am bound to say that both Mr. and Mrs. Fabre do all they can, in a social and every possible point of view, even for those who have no special claims on their attention, to benefit Canadians who visit that country. I am not discussing the question whether this office is worth maintaining in the public interest, but I do feel bound to express my opinion personally of the very great services

Mr. FORBES.

Mr. Fabre, in his position, renders to Canadians visiting France.

Sir RICHARD CARTWRIGHT. Enabling any gentlemen or ladies who go to Paris to have a good time generally. I am bound to say that although there may be something to be said from my hon. friend's standpoint, it is a very curious argument for maintaining an immigration commissioner. I cannot see, for the life of me, that the country is benefited by the services Mr. Fabre may render to such ladies and gentlemen who ought to be perfectly well able to take care of themselves, who avail themselves of his services for making pleasant their visit to Paris. I want to know whether a report was sent in by Mr. Fabre, and also what number of immigrants he claims to have sent to this country?

Mr. DALY. I do not understand that his duties are confined to immigration.

Sir RICHARD CARTWRIGHT. He was sent for that purpose or supposed to be.

Mr. DALY. I do not see that.

Mr. DAVIES (P.E.I.) That was explained a few years ago to be the nature of his position.

Mr. DALY. It is one of his duties, and he certainly attends to it.

Mr. DAVIES (P.E.I.) The Finance Minister did not tell us he had any more.

Mr. DALY. He has other duties. Hon. members who have visited Paris can speak more by the book than I can. Mr. Fabre did make a report, I remember seeing it. It was made direct to the High Commissioner, as far as immigration is concerned, but has not been printed.

Sir JOHN THOMPSON. I have only a general idea of what his duties are in connection with immigration. Being in connection directly with the High Commissioner's office, he attends to any immigration matters that require to be attended to where he is,—to the distribution of literature, correspondence with agents, and matters of that kind. I happen to know, from my stay in Paris, that the whole time of Mr. Fabre is occupied in connection with Canadian affairs. He, and Madame Fabre too, as the hon. member for Muskoka (Mr. O'Brien) has said, give great attention to any visitors there who may desire their assistance. I am sure that is due to their kindness and courtesy; but, apart from that, Mr. Fabre's time is fully occupied attending to Canadian business, and the business of Canadians in Paris. There is a very considerable colony of Canadians living in Paris, some 40 or 50. I had the pleasure of meeting them there, and found that they look upon Mr. Fabre, not only as a representative of their country, but, in a certain sense, as their guardian, who looks after their interests in every way

he possibly can. His connection with Canadians in that respect was highly satisfactory and creditable to him, and I had occasion to know besides that in his office he was constantly occupied in answering inquiries in connection with Canadian matters—giving information about Canadian trade and continually giving interviews to business men who desired to be informed on Canadian commercial affairs, and looking after the interests of distressed Canadians. In matters of that kind, he was continually referred to from the British embassy, as being the direct representative of Canada. I had had absolutely no knowledge, except such as I got from the debates in this House, of what his duties might be in Paris, and I was surprised to ascertain how fully his time was occupied in attending to Canadian affairs, and how creditable a representative he made in every sense. I am not speaking in that way on account merely of social kindness, because I was not in a position to need that during my stay, but it was very gratifying to see how devoted he was to Canadian business, especially to the interests of Canadians who live in Paris and follow pursuits there in connection with their professions. His mission in Paris is one very useful and creditable to this country.

Sir CHARLES HIBBERT TUPPER. I have great pleasure in being able to confirm what my right hon. colleague and leader has said respecting Mr. Fabre. I was a very long time in Paris, and I can say that I felt exceedingly proud to find our country so well represented. I say without the slightest hesitation that he is a credit to us. I could appreciate his official standing because I had much intercourse with officials, both with Mr. Fabre and the various officers of the French Government. His standing there is greatly to our advantage. Those who know Mr. Fabre know of his intellectual ability and know that he would be likely to make a good impression, and Canada has that position in the world at large and before the French people that it would be greatly to our discredit if we had not a direct representative. Our agent is able to help us in a hundred and one ways. Charged as I was with very difficult duties, there were many ways outside entirely of hospitality or personal kindness in which he was of use to me, and I availed myself of his kindness, and I am very glad, indeed, to be able here to express my indebtedness to him. I was also a witness to the many inquiries made relating to a matter which is not yet before us, the French treaty. I observed many inquiries made of Mr. Fabre respecting the trade of Canada, and the fact that he was on the spot and able to put these people in a position to obtain accurate and definite and satisfactory information with respect to the prospect of any particular line of business to the extension of which they were looking—was satisfactory. There

is, however, a very large colony of Canadians in Paris, particularly young men, and we in this country pay very little for the great advantage we are able to give these young men. They go there to study art or medicine, or other sciences, and it is a great thing to have so kind a friend and so good a counsel as Mr. Fabre, and his treatment of them was such as to reflect a great deal of credit upon him. I have reason lastly to say that I believe that every dollar that has been paid by this country to Mr. Fabre has been well earned, and that if he were taken away from Paris, and no competent man put in his place, we should gain nothing, and lose a great deal.

Survey, construction of roads, bridges and other necessary works in connection with the Hot Springs reservation, Banff station, North-west Territory. \$7,000

Sir RICHARD CARTWRIGHT. I thought we had provided sufficient roads there. How is this money to be expended?

Mr. DALY. This sum is to be spent in salaries, waterworks and roads, a bridge across the Bow River, bridle roads and contingencies. The revenue for last year was \$198,233, and from the 1st July, 1893, to the 1st May, 1894, was \$2,427. So we are getting in a return of within \$2,000 of what we are spending.

Further amount required for plant for printing bureau. . . . \$5,000

Sir RICHARD CARTWRIGHT. Is it necessary that we should go on purchasing plant for this institution?

Mr. COSTIGAN. No doubt the hon. gentleman will accept the explanation sent me by the Queen's Printer. He tells me that this item is intended to cover renewals of type and other plant and material which may be required throughout the year. There is nothing so far in view, but the contingencies of the public service may, at any time, demand that a font of type should be strengthened or some machine bought, and this is intended to cover such cases, and may or may not be required. But it is requisite that it should be available.

Towards the expenses of determining the boundary line between Canada and the United States of America between the southernmost point of Prince of Wales Island and 141 meridian of west longitude, and in Passamoquoddy Bay. . . . \$45,000

Mr. DAVIES (P.E.I.) This seems to be a very large amount to be required this year.

Sir RICHARD CARTWRIGHT. What will the total expense be?

Mr. DALY. The item is \$15,000 less than it was last year, and in this \$45,000 we include the expense of determining the bound-

aries between Alaska and Canada, and also the Passamoquoddy Bay work. I think I stated last year that the amount that would probably be required for the work on the Alaska boundary would be \$150,000. We are going to come within that considerably.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. What business does the hon. gentleman propose to take up to-morrow?

Sir JOHN THOMPSON. If they are ready, the Bill to provide the Quebec subsidy, and the common school funds, and Supply.

Sir RICHARD CARTWRIGHT. In that case, I would mention that my hon. friend from West Ontario (Mr. Edgar) will probably have a motion in reference to certain transactions of the Postmaster General and the member for Three Rivers (Sir Hector Langevin).

Motion agreed to; and the House adjourned at 12.05 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 27th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

THE FRENCH TREATY.

Mr. RIDER asked, 1. Are the following the only articles of Canadian production which are to be admitted into France, under and by virtue of the so-called "French Treaty Act of 1894," at minimum tariff rates, to wit: Canned meats; condensed milk, pure; fresh water fish, eels; fish preserved in their natural form; lobsters and crayfish, preserved in their natural form; apples and pears, fresh, dried or pressed; fruits, preserved, others; building timber, in rough, or sawn; wood pavements, staves, wood pulp; extract of chestnut and other tanning extracts; common paper, machine-made; prepared skins, others, whole; boots and shoes; furniture of common wood? 2. What will be the rate of import duty imposed by France upon each of the items dealt with by the terms of the said treaty? 3. What is to be the treaty definition of the term "preserved in their natural form," as applied to fish, lobsters and crayfish? Also, what will the item "furniture of common wood" comprise?

Mr. DALY.

Sir JOHN THOMPSON. I have not compared the list, but if the hon. gentleman will glance at the Bill introduced for the purpose of ratifying the French Treaty (Bill No. 147) he will find in the schedule, a copy of the treaty itself, and the articles there enumerated are the only articles which will be admitted under that treaty.

Mr. RIDER. What about the latter two clauses of the question?

Sir JOHN THOMPSON. All that we can say upon the subject is in that treaty. When I move the Bill, as I propose to do within the next few days, I will bring down any correspondence we have that may throw light upon that subject.

Mr. LAURIER. Will the hon. gentleman bring down the correspondence before the treaty is taken up?

Sir JOHN THOMPSON. Yes; I will try and do so.

MR. GEORGE HICKEY.

Mr. FORBES (for Mr. McCarthy) asked, 1. Has Mr. George Hickey been recently appointed to any position in connection with the Williamsburg or any of the canals on the St. Lawrence? 2. If so, what was the position to which he was appointed? When was the appointment made, and at what salary? 3. What are the duties which Mr. Hickey has to discharge? By whom were the duties, up to the time of Mr. Hickey's appointment, performed, and what the salary of the person performing the same? 4. Is such last-mentioned person still in the employment of the Government, and what duties does he now perform? 5. Is the office to which Mr. Hickey is appointed a newly-created one?

Mr. HAGGART. Mr. George Hickey has recently been appointed to a position on the Rapide Plat Canal. He was appointed inspector on the Rapide Plat Canal works. The appointment was made on the 4th June, 1894, at a salary of \$100 per month. His duties are to see to the putting in of the foundation, &c., of the lock at Morrisburg, a very heavy, difficult work requiring to be thoroughly well done. No person held the position before him as the work had not, until quite recently, reached that stage which required such an officer to constantly overlook it. It is a new office, created by circumstances in connection with the state of the work.

BUSINESS OF THE HOUSE.

Sir JOHN THOMPSON moved:

That when the House adjourns this day, it do stand adjourned until Friday next at 3 p.m.

He said: Mr. Speaker, to-morrow is the anniversary of Her Majesty's coronation, and

there might be good reason in the judgment of the House to refrain from the transaction of business on that day. But this will be more especially the case inasmuch as to-morrow will be the opening of our conference with delegates from the various colonies, principally of Australia, with reference to communication between the different colonies, and trade within the Empire. And inasmuch as it is desired on the part of the Government to extend a welcome to these delegates from the sister colonies, and to signify that by asking members of Parliament to attend the opening ceremonies, I propose that we shall not sit to-morrow for the transaction of business. I might also say, Sir, that it was the disposition of the Government that the House should abstain from sitting on Monday next, the 2nd of July, as being the day on which the foundation of Confederation will be commemorated. I omitted, in proper time, to put my motion on the paper to that effect, and therefore I am entirely at the will of the House as regards sitting or not sitting on Monday. I thought proper to mention this to-day in case there would be any disposition on the part of members of the House to express an opinion as to whether we should sit or not on Monday.

Mr. LAURIER. Mr. Speaker, I very willingly agree to the proposition of the right hon. gentleman that the House should not sit to-morrow. The first reason that the right hon. gentleman gave, that to-morrow is the anniversary of Her Majesty's coronation, I do not believe is the main reason that should actuate us, because we have not been in the habit of observing that day. But the other reason which the right hon. gentleman gave, is one which, I believe, will commend itself to the favourable judgment of all the members of this House. We will be very willing that the Government shall extend every courtesy possible to the delegates of the sister colonies who are now visiting us, and anything that the Government can do in that respect I am sure will have the cordial approbation of every member on this side, as well as on the other side of the House. I willingly endorse also the suggestion of the hon. gentleman that we should sit on Monday, as we are not to sit to-morrow. I would suggest that we should celebrate Confederation Day to-morrow—

Some hon. MEMBERS. No, no.

Mr. LAURIER. I was going to suggest that we might combine the two, keeping to-morrow not only for Confederation Day, but for the wider confederation which may perhaps be the result of the conference which is to take place here. If we are to have the blessing of a prorogation—and I suppose it is a blessing which ought to be appreciated on the other side of the House—it is important that we should not lose a day other than

those which we cannot avoid losing. Therefore, for my part, I willingly give my approval to the suggestion of the right hon. gentleman that we should not sit to-morrow, but that we should sit on Monday next to transact business.

Motion agreed to.

THE QUEBEC JUDICIARY.

Sir JOHN THOMPSON moved that, on Friday next, the House resolve itself into committee to consider the following resolution:—

That it is expedient to provide, with respect to the Court of Queen's Bench and the Superior Court in the province of Quebec, that if the Chief Justice resides at Quebec, the judge residing at Montreal who is appointed by the Governor General in Council to perform the duties of Chief Justice in the district of Montreal as it is comprised and defined for the Court of Review, or, if the Chief Justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor General in Council to perform the duties of Chief Justice in the district of Quebec as it is comprised and defined for the Court of Review, shall receive in addition to his other salary, \$1,000.

Motion agreed to.

DOMINION DAY.

Mr. KENNY. Before the Orders of the Day are proceeded with, I would beg to call the attention of the House to a matter which has just been referred to by the right hon. leader of the Government. I allude to the question whether it is desirable that the House should sit on Monday next. Now, it is my individual opinion, and I believe that opinion is shared by many hon. gentlemen on both sides of the House, that in this young Dominion of ours we should endeavour to do all that in our power lies to cultivate a thoroughly loyal Canadian sentiment. It is eminently the duty of legislators to set an example in that respect. I remember that in the year 1891 under very exceptional circumstances the House sat on the first day of July. On the present occasion we have the honour and the pleasure of having in this community representatives of all the more important colonies of the Empire; and, occupying the position which we do as the leading, the oldest and the most important of those colonies, and bearing in mind, as the hon. leader of the Opposition has said, that possibly these deliberations may result in a still greater confederation, I think we would hardly be showing the representatives of the other colonies an example of a very loyal Canadian sentiment if we did not observe our national holiday. Under all the circumstances, I express the opinion—I am not sufficiently familiar with parliamentary forms to know exactly in what shape it should be put before the House—that we should not sit on Monday next.

Mr. HAZEN. Mr. Speaker, I simply wish to say that I fully concur in the remarks made by the hon. senior member for Halifax. I think that from a Canadian standpoint it will be a very great mistake for us to sit on the day appointed by statute as Dominion Day. It is the only holiday we have that may be regarded as a purely Canadian holiday. We have holidays of a religious character, and holidays of a wide national character, such as the Queen's Birthday; but I think it would be a very great mistake for this Parliament not to observe the day set apart by the laws of this country as a purely Canadian holiday. I remember in 1891, when, as the hon. member for Halifax says, under very exceptional circumstances this House sat on Dominion Day, there was not a newspaper in Canada, I think, which did not reflect unfavourably upon our action in so doing. I think the sentiment of this country desires that Dominion Day should be observed by the people of this country; and unless this Parliament sets an example in that respect, we can scarcely expect to arouse Canadian sentiment on the subject, and have the day observed as it ought to be observed throughout the Dominion. I agree entirely with the remarks of the hon. member for Halifax.

Mr. AMYOT. I am certainly of opinion that we must encourage a national sentiment, but there is another consideration also. We are arriving at a period when it will be impossible for any man, not independent by fortune, to serve his country in this House, the sessions are getting so protracted. If all the press of the country blamed Parliament for sitting on Dominion Day, in 1891, I must say that I did not see anything of the kind in the press of Quebec. We believe in working for the country; but we do not believe in that exaggerated idea that to work for the country it is necessary to remain idle for a whole day. There are in this country, due to many circumstances, a great many holidays, and we have been even making another new holiday for the workmen. I think the 1st of September. We have our religious holidays, we have the Queen's Birthday, and I do not know how many other sorts of holidays; but if we lead the people to suppose that to respect something we must remain idle before it, I think we are forming a wrong public opinion. For my part, though I will, of course, submit to the desire of the majority, I must call the attention of the House and the Government to the fact that the sessions are becoming so long that a man who is not independent by fortune will not be able to come here as a member. You will then have as members those who are very rich, which does not necessarily imply talent, or men very poor, for whom the sum of a thousand dollars will be a means of living.

ELECTRICAL MEASUREMENTS.

Bill (No. 117) respecting the units of electrical measure, was read the second time.

Mr. KENNY.

considered in committee, reported, and read the third time and passed.

ELECTRIC LIGHT INSPECTION.

Bill (No. 118) respecting the inspection of electric light was read the second time, and House resolved itself into Committee.

(In the Committee.)

On section 2,

Mr. MULOCK. This section says: "the expression 'contractors' means any company or person undertaking," and so on. Under the Interpretation Act the word "person" includes company, so I do not see the necessity for this expression in the Bill.

Mr. WOOD (Brockville). There may not be. I move that the words "company or" be struck out.

Amendment agreed to.

On section 4,

Mr. MULOCK. I do not think that subsection 3 should come in here at all. This is not a Bill to indemnify persons supplying electrical power. This is a Bill to put in force some system of measuring the degree of electrical energy supplied. Why should you pass a clause which has no relation to the subject under discussion, indemnifying certain contractors in case, for some reason, they fail to carry out their contract?

Mr. WOOD (Brockville). The hon. gentleman seems to be confounding this Bill with the other. I stated that while this Bill might be subject to criticism, the other could not be. The hon. gentleman must see that in case that there is a tremendous storm which so affects the wires that the company cannot furnish the electrical energy contracted for, it would not be fair that they should be mulcted in damages for not supplying the light, when the obstacles in the way are wholly beyond their control. The other Bill is called "An Act respecting the Units of Electrical Measure," while this is "An Act respecting the Inspection of Electric Light."

Mr. MULOCK. Exactly. The Bill has nothing to do with the carrying out of contracts. It deals with the question whether contractors are delivering the quantity of electrical energy that is supposed to be delivered. It is to apply the Government standard to this system, establishing machinery for the application of the system to measurement. It is not a Bill to enable persons who are selling electric light to carry on their business in any particular way. But here you are putting in a clause indemnifying those who furnish electricity in case of failure to carry out their contract. Apart from the impropriety of introducing such a section into this Bill, the question arises whether you have jurisdiction. You are undertaking here to say that men who have

entered into a contract to deliver certain goods shall not be liable for breach of contract in case they fail to do so under certain circumstances. What jurisdiction has Parliament to deal with such a subject?

Mr. WOOD (Brockville). The latter part of the hon. gentleman's objection had occurred to my mind before I introduced the Bill. But the Bill is one that was framed with very considerable care. The objection raised is, first, whether we have jurisdiction to deal with the matter referred to in this particular section, and, secondly, whether we ought not to leave it to the general law as to damages.

Mr. SPEAKER. If the second subsection stands, the third subsection ought to be allowed to stand. The second subsection provides:

The variation of pressure at any purchaser's terminals shall not, under any conditions of the supply which the purchaser is entitled to receive, nor at any time, exceed three per cent from the declared constant pressure.

Mr. WOOD (Brockville). We propose to change that to 4 per cent.

Mr. SPEAKER. But, in any case, if you impose upon the company or person supplying the light this condition contained in the second subsection, surely it is not unreasonable to say that if the variation of the pressure is caused by unavoidable circumstances, the company supplying the light shall not be liable.

Mr. WOOD (Brockville). We might add some words to subsection 2 to meet the difficulty.

Mr. MILLS (Bothwell). Where do we get jurisdiction to deal with this subject at all? Even supposing we had jurisdiction to deal with the subject of electricity, where do we get jurisdiction to regulate contracts in relation to electricity?

Mr. WOOD (Brockville). I believe it to be a matter of trade and commerce. If I remember aright—I was not in the House at the time—when the Act regulating weights and measures was introduced the hon. gentleman took objections to the Bill on the ground of jurisdiction. He was opposed at that time by Sir Charles Tupper and others. It was decided that this House had power to deal with such questions. As to the other, I am not quite so clear.

Mr. MILLS (Bothwell). Even admitting what the hon. gentleman says, that we have jurisdiction over trade and commerce, I do not see how this comes within our jurisdiction any more than the establishment of a cotton factory. We have nothing to do with the regulation of factories or with the manner in which factories shall be carried on. If they are carried on fraudulently you have jurisdiction, because then they come within

the law; but the mere industrial operation is a matter of property, and after the product of that industry is put upon the market it comes within your control to regulate it as an article of commerce. But here it is not a matter of regulating something that is an article of commerce, it is with regard to the production of the article, taking it from its elemental condition and bringing it into that condition which will enable you to put it upon the market. After it is produced the putting it upon the market might, under certain circumstances, be made a matter of trade and commerce, although I do not see how that could be so in this case, because here you are not sending it abroad, it is a domestic commerce, and comes within the rules laid down by the Privy Council in the Parson's case. The distinction pointed out there with regard to the meaning of trade and commerce in the Act of Union between England and Scotland seems to imply fraud, and that would exclude this subject from the general control of the Dominion, and place it under the control of the particular province. That is speaking of the subject generally. Then with regard to subsection 3, it seems to me that you are undertaking there to regulate a matter of purely civil rights.

Mr. DICKEY. I would ask the Controller if he has considered the effect of taking this jurisdiction? The very subsection under consideration may involve a great deal more than appears in it; the negating of liability in one case may involve a liability in another case over which we have no jurisdiction. I would direct the attention of the committee to section 5 immediately afterwards, by which it appears to me that the electrical companies are made insurers; an absolute liability is thrown upon them to maintain their wires in safe condition. This subsection raises very much the same question. I do not think there can be any doubt about the jurisdiction of this Parliament to establish a unit of measurement, and to appoint officers to see that that unit of measurement is properly applied in the various localities. I would have no objection to a Bill for that purpose, but I think that unless the department has some very strong reasons for interfering with the rights of private contract between the supplier and the supplied, the committee should hesitate before they enter upon this field, which may be a very wide one.

Mr. MULOCK. I think the Minister should take that clause out.

Mr. WOOD (Brockville). I will drop it for the present. It may be necessary; I would like to think it over for a while. Let this subsection stand.

On section 5,

Mr. DICKEY. I may say to the committee that I am a director of an electric company, and to that extent I am interested

in this matter. But it is only fair I should lay my views before the committee. I would ask the Controller if he could not substitute some other word for "safe." Throwing responsibility on the electrical company for the lines being in a safe condition means in effect that they are responsible for all damages, and I scarcely think that can be the intention of the department. I would suggest that the word "proper" be substituted for the word "safe."

Mr. WOOD (Brockville). I will accept the suggestion.

Mr. SPEAKER. It seems to me that would still involve liability on the part of the contractors that it might be dangerous to impose upon them.

On section 6,

Mr. SPEAKER. That is a very extraordinary clause, too, it seems to me; in fact, the whole Bill seems to me to be an extraordinary Bill. This clause would give the contractors power to go into anybody's house and tear up the floors to examine the wires, or do anything they chose in the premises to which they are supplying the light. I think both the 5th clause and this one are very bad.

Mr. WOOD (Brockville). I can hardly conceive that a case like that would arise. The hon. gentleman knows better than I do that the current passes through the earth, and I do not think the contractors will have to do anything more than go into a man's cellar to find out where the difficulty is.

Mr. MULOCK. There is a great objection to this clause. It makes it necessary to act rather promptly, but here the company is authorized to send an inspector or some workman into a man's house on an hour's notice, and rummage through the premises, without there being any provision in the Bill that evidence shall be furnished to a householder that the person visiting his house are duly authorized agents of the company. How is a householder on one hour's notice to know that the person demanding the right to inspect is an officer of the company? He comes and produces a letter, it may be an unauthorized document, and he says: Here is a notice; and the people are told that there is a law on the Statute-book that on one hour's notice they must allow any person who likes to go through their houses. What will that lead to? We know it is a very convenient thing for persons with bad intent to go on one excuse or another into a man's premises to ascertain the lay of the land for further operations of an illegal character. I think the committee ought to surround this power with safeguards. Persons whose premises are to be inspected should have some evidence of a proper character that the person pretending to be an officer of the company is a duly authorized officer, and there should

Mr. DICKEY.

be a further provision that the contractors should give security, so that if the premises are damaged by the inspector, they shall be restored to their former condition. The clause in itself is very objectionable. I would suggest to the Minister to provide for these two features, for indemnity to the householder for any injury done to his property, and for proper evidence being furnished in advance that the person claiming the right to inspect is the duly authorized agent.

Mr. WOOD (Brockville). The clause simply means that officers of the company can, if necessary, enter the premises for the purpose of ascertaining where the difficulty arises and what the difficulty is. The same privilege is now granted in the case of gas inspection. If we are to use it as an argument that a person may represent himself to be an agent of an electrical company, thereby enter the house and steal some property, that is a matter which Parliament cannot provide against. A like privilege has also been given in regard to water.

Mr. MILLS (Bothwell). In what respect would this differ from the case of water-works under municipal control? Let me suppose that some one provides himself with motive power and appliances for electrical purposes, there being no connection with any electrical company, the individual merely availing himself of the existence of electricity to furnish himself with light. What right has Parliament to regulate his affairs, or interfere with the matter at all, other than as regards the criminal law, to guard against the individual trying foolhardy experiments which might endanger the life of his family and servants? Let me take another instance, and I mentioned it when the Weights and Measures Act was under discussion. Suppose this Parliament had jurisdiction over weights and measures, and it undertook to say that there should be no such measurement as an acre, and suppose it undertook to regulate the surveys of land, and to interfere with operations being carried on by any of the provinces. The hon. gentleman surely would not be disposed to carry his jurisdiction that far; and yet he is carrying his jurisdiction that far in the present Bill, because, admitting that this Parliament has a right to regulate the supply of electricity, a new element just under the same authority as weights and measures, in what way would Parliament obtain jurisdiction over private acts of an individual, which have nothing whatever to do with the subject of contracts?

Mr. MACLEAN (East York). From my experience of these companies, I think it very necessary that such a clause should exist in the law. I have known a case in Toronto when men had to go all round the city to find out where the trouble had occurred in regard to the electrical current. The whole city was thrown out of light and

the use of the street car service, and all the factories depending on electrical power were thrown out until it was found out where the break had occurred. It is absolutely essential that electrical companies should be enabled to enter premises in order to ascertain where the trouble had arisen.

Mr. MULLOCK. No one objects to that.

Mr. MACLEAN (East York). The companies should have power to enter a private house. Hon. members are aware that there is a switch-board inserted inside the wall, whereby the current enters the house, and the officer of the company should have the right to go to the switch, make the necessary test and, if required, cut off the current. The servants of a great many companies have the right to enter a dwelling or factory and see where the trouble is as regards their particular service. As regards the general principle of the Bill, my experience is that it is high time we had a law to regulate the supply of electricity and measure it.

Mr. FORBES. The remarks of the hon. member for East York (Mr. Maclean) are scarcely applicable to the present Bill, as will be seen by the several provincial Acts which have given power to the electrical companies. Nearly every one of the companies has a charter from a Provincial Legislature. Under it the company is given power to enter premises and make an inspection. Section 6 very closely approaches to a violation of the principle of private contract. A local company has a charter, under which it agrees to sell electricity, and powers are given to the company at any time to enter the premises and inspect the condition of the appliances. Under this Bill a similar power is to be given to the contracting company. Thus two powers are given by different Legislatures to such company, and these powers may contradict. There is no danger that the customer will use electricity as he sees fit, and if beyond the powers given him by the terms of his contract with the company supplying electricity, then it is a matter for the company, and this Parliament should not interfere. So long as the principle of the Bill is limited to the mere regulation and inspection of electricity and the condition of the appliances, I think that will be satisfactory. The controller of the electricity should have the right to inspect the electrical power and apparatus; but if it is proposed to go beyond that point and define what kind of wire shall be used and during what hours of the day and night the supply shall be granted, and in other ways interfere with the contract between the customer and the company, then I think such powers are in excess of those possessed by this Parliament.

Mr. WOOD (Brockville). I think the element of danger which accompanies the operation of electrical power is sufficient in

itself to oblige us, in point of reason, to adopt measures to ensure the protection of the public.

On section 7,

Mr. DAVIES (P.E.I.) Will the Controller submit the grounds on which he claims this House has jurisdiction to pass this Bill. Nearly every clause of the Bill contains provisions respecting matters which are clearly within the jurisdiction of the Local Legislatures. I do not know whether or not the hon. gentleman has given much attention to that phase of the case. If he has given thorough attention to it and is convinced that he has jurisdiction, there is no use of our continuing to discuss the Bill if he intends to press it. I think the hon. gentleman will find that every lawyer in the House is of opinion that the hon. gentleman is going largely beyond the jurisdiction of this Parliament. We cannot interfere in contracts of this kind. It does not come within the definition of trade and commerce as defined by the decision of the Privy Council. You might as well interfere as regards the sale of a piece of cloth and say that it shall be so many yards long and so many wide before it shall be sold. These electrical companies are very properly incorporated by Acts of the Local Legislatures, and they carry on operations the same as private persons. For as to interfere and assert jurisdiction in this way seems to be doing something that this House should not sanction, because the matter, in my opinion, is one entirely for the Local Legislatures. I would like to hear from the Controller whether he has given serious consideration to that feature, and whether he has determined absolutely that we have the power to pass this law.

Mr. WOOD (Brockville). I have given all proper consideration to that phase of the subject, and I have no doubt at all—I speak now from having read the Act about a year ago when considering this Bill—that when the British North America Act gave us absolute power as to inspection of weights and measures, it clearly brought this subject within our jurisdiction. It was on that interpretation of the British North America Act that we enacted a law here regulating the inspection of gas. If we have not jurisdiction to regulate the electric light system, then we have no jurisdiction whatever to regulate the inspection of gas, for the one operation is carried on by the same means and almost the same apparatus as the other.

Mr. FORBES. There is no doubt at all that Parliament has authority to send a Government inspector, but it is a different thing altogether when you use the word "contractor" in the Bill. If the word "contractor" meant an "inspector," I could understand it, but according to your defini-

tion it means a private manufacturer supplying electricity to private customers. I refer the Minister to cap. 102 of the Acts of the Nova Scotia Legislature, 1887, incorporating an electric company, where it provides: That any duly qualified officer may enter buildings at reasonable times to inspect the meters, fittings, &c., regulating the supply of gas and electricity and ascertain the quantity thereof. That clause is incorporated in every charter creating electrical companies in Nova Scotia. It would not be so difficult to understand the principle of the Bill if the word "contractor" meant a Government inspector.

Mr. WOOD (Brockville). Whilst not recognizing the constitutionality of the Act the hon. gentleman has referred me to, I am quite willing to give due weight to his suggestion that the words "any Government inspector" may be used in place of the word "contractor."

Mr. FORBES. Does the Controller accept that suggestion, then?

Mr. WOOD (Brockville). Yes.

On section 9,

Mr. SPEAKER. It seems to me that the Bill ought to be confined altogether within the limits of the Gas Inspection Act. I do not, of course, propose to discuss the question of constitutionality, because I am not a lawyer and I do not profess to know anything about it. But reading this Bill, as I have read it to-day for the first time, it seems to me that it goes a very great way beyond the Gas Inspection Act, and that whilst it would be perfectly proper, I think, for this House to pass a measure providing for the inspection of electric light in the same mode in which gas inspection is provided for; yet when the Bill undertakes to deal with contracts between the supplier and purchaser of electricity, it is going rather too far.

Mr. WOOD (Brockville). The section to which the hon. gentleman (Mr. Speaker) has referred does not relate to contracts at all. The essential principle of this Bill is to insure the public safety against the use of improper materials, and at the same time to enable contractors every facility to see that they are not going to put in improper materials. That is doing justice on the one hand and not any injustice on the other.

Mr. FORBES. It would be better to leave it altogether to the inspectors of the insurance companies.

Sir JOHN THOMPSON. It will be too late to have inspectors after we are all blown up.

Mr. WOOD (Brockville). I may say to the hon. gentleman that all the older and larger companies are satisfied with this Bill.

Mr. FORBES.

Mr. SPEAKER. You refer to the electrical companies?

Mr. WOOD (Brockville). Yes. I refer to pretty nearly those in very small places, and as to them the Act may only be put in force from time to time at discretion.

Mr. MARTIN. This Bill makes it necessary that electric light companies should furnish electric light by meters, and that may be very well as regards the larger towns and cities. But I draw the attention of Parliament to the fact that in small places—for instance, in Manitoba, outside the city of Winnipeg—it is almost impossible that electric light companies can exist upon the basis of supplying by meters. In these towns it would not be possible to start a company to supply meters, unless a very high rate were charged, because there would not be enough electricity used, and before electricity is introduced the merchants of these small towns enter into an agreement to take so many lights at such a rate. It is going too far to compel all companies to supply by meters, when a contract to the contrary exists between the purchasers and themselves. There surely is no public interest for us to interfere with contracts of that kind. No public evil exists, and I would suggest that such companies in these small towns I have referred to should be exempted from the provisions of this Bill.

Mr. DALY. Read clause 13.

Mr. MARTIN. That does not meet the case, because clause 13 leaves it at the pleasure of the purchaser.

Mr. WOOD (Brockville). I think the objection which the hon. gentleman takes is not of much force. He refers to what is known as the Edison meter, which I may tell him is so rapidly going out of use that it is seldom now used. It is not the intention to put this Act in force where the Edison meter is in use, because it is only used by people who are unable to provide themselves with a better.

Mr. MARTIN. It is not a question of meter at all. I refer to cases where the light is supplied by contract on a flat rate of so much per light per diem.

Sir RICHARD CARTWRIGHT. In almost all the small towns where the electric light is used there is no meter; but the Bill leaves it optional to any single purchaser to insist on meters being introduced, and that is precisely what my hon. friend objects to. You are dealing with a number of established companies who have gone into the electric light business on a small capital, on the understanding that their customers will use a certain number of lights, and if you compel the purchase of meters, you will disorganize these little companies to a great extent.

Mr. WOOD (Brockville). There is no intention of compelling those who are under the contract system to use the meters. It is only intended to put the Act in force in those cases where there are inspectors and proper means of inspection. We do not intend to put the Act in force in small places where there is no competition, and no proper means of inspection. But the loud complaint which has come from every large town and city in the Dominion for the last two or three years, long before I had any connection with the Department of Inland Revenue, has been this: you cause a proper inspection to be made of gas, and there is not a single argument for the inspection of gas that does not make for the inspection of the electric light; you compel the users of the electric light to compete unfairly with the users of gas. These reasons were so strong to my mind, and to the minds of those who gave any consideration to the question, that we determined to introduce this Bill. Realizing the conditions that exist in some places where there is no competition, and where there are no proper inspectors, we do not intend to apply the Act to those places, and there is to be no appointment of new officers. These are the reasons why the Bill has been introduced. I may say to the hon. member for Winnipeg that I fancy the consumers of the electric light in that city will be quite satisfied that there should be a proper inspection of their lights, even though it be by the candle system.

Mr. MARTIN. My remarks were not intended to apply to Winnipeg, but to the small towns throughout the country, like Portage la Prairie and Calgary, where there is no gas, and where the electric light has been put in at the flat rate, independent of the amount of electricity used.

Mr. HAGGART. How does this Act interfere with that? Why should the customer ask for a meter to be put in when under the contract he pays the same price, whether he uses the light one minute or twenty-four hours?

Mr. MARTIN. For this reason. Take the case where it is necessary to have a certain amount of electricity contracted for before it would pay to invest the necessary capital in an electric light plant. The contracts are made for a year, and you provide means here by which one of the purchasers, who perhaps does not use enough at a meter rate to equal the flat rate, could say to the company: "I will not pay this rate any longer; I want you to put in a meter." The company would be bound to do it.

Mr. HAGGART. Oh, no.

Mr. MARTIN. Oh, yes. The thirteenth section says so. I quite accept the explanations of the hon. Controller, because he has made it clear that the Act is not intended to affect such companies; but I would suggest that in order to make that clear there should

be a separate clause in the Act providing that it shall not apply to towns in which there are no gas companies competing.

Mr. HAGGART. I cannot understand yet the reasoning of the hon. gentleman. The electric light company enters into a contract with a number of individuals to supply the light, and they can use it either one minute or the twenty-four hours of each day. What possible object, then, has the purchaser to say to the electric light company: Put in a meter and measure the current for me?

Mr. MARTIN. I will show the hon. gentleman in a moment what the object is. Take a small town where there is not sufficient consumption at the ordinary meter rates to warrant the putting in of a plant. The consumers have agreed to put in a certain number of lights at certain fixed rates. The hon. gentleman forgets that the flat rate amounts to a great deal more than the meter rate would in those small towns; so that the effect of the Bill would be to place these small companies at the mercy of any of the purchasers who chose to insist upon a meter being put in. As there would not be enough purchasers at meter rates to pay the company, it would be forced into bankruptcy.

Mr. FORBES. The position described by the hon. member for Winnipeg applies to the city of Halifax, where the old gas company carry on an electric light business, and the meter system is not in force.

On section 10,

Mr. MARTIN. I would suggest that this clause should be in the Criminal Code instead of here for the same reasons as have been advanced before.

Mr. SPEAKER. I think that clause ought not to be carried. It provides:

Any person who maliciously or fraudulently abstracts, causes to be wasted or diverted, consumes or uses any electricity shall be deemed guilty of theft and punishable accordingly.

Sir JOHN THOMPSON. We will let that clause stand.

On section 11,

Mr. MULOCK. The objection pointed out before is present here in an aggravated form. There is nothing to prevent any one entering, when he thinks proper, the premises of another and examining every corner from garret to cellar and taking out all the wires and fittings, and there is no safeguard against misrepresentation or abuse. He should be required to produce his authority.

Mr. WOOD (Brockville). We can meet that objection by adding words requiring him to produce written authority from the inspector.

Mr. MULOCK. I think he should be required also to leave that written authority with the person whose premises are entered.

Mr. WOOD (Brockville). I do not think that is necessary. The criminal law provides for the punishment of persons who enter a house illegally.

On section 12,

Sir RICHARD CARTWRIGHT. What kind of training or instruction does the hon. gentleman propose to give these officers? A man may be able to inspect a gas meter, and be very unfit to inspect electric meters.

Mr. WOOD (Brockville). According to the opinion of experts, any one capable of inspecting a gas meter, can, with very little instruction, learn to inspect an electric meter.

Mr. MARTIN. Section 7 provides that the inspector may be called upon to determine whether the company has rightly decided that there was a leak in the house.

Mr. WOOD (Brockville). I think the hon. gentleman is mistaken. I do not wish to affect knowledge, which I do not possess, about these matters, but I have taken pains to instruct myself by inquiring of those who have the knowledge and I speak on good authority.

Sir RICHARD CARTWRIGHT. Do you propose to have these officers subject to a regular examination before appointing them as electrical inspectors?

Mr. WOOD (Brockville). The weights and measures inspectors never were expected to pass a technical examination. That is required of those in the Excise Branch. But the others have all been instructed by properly qualified men. The efficiency of the inspection depends, as the hon. gentleman knows, upon the accuracy of the instrument used. I thought at one time that the inspection of petroleum was quite a difficult thing until I got hold of an instrument. I find it is a very simple process, and that a man of average intelligence can make the inspection. I am informed that the inspection of electrical meters is as simple as the inspection of gas meters.

Sir RICHARD CARTWRIGHT. I doubt that.

Mr. WOOD (Brockville). I speak on very good authority.

On section 13,

Mr. SPEAKER. This is the clause, I think, to which the hon. member for Winnipeg (Mr. Martin) was taking exception. It provides that meters must be supplied when demanded by the purchaser. As has been stated by the hon. member for Winnipeg, in many small towns the rates have been fixed—and this applies more particularly to commercial rates—at so much per lamp for the year; and, as a general rule, these rates have been satisfactory both to the contractors and to the purchasers. It seems to me that that mode of dealing with the supply

Mr. MULOCK.

of electricity ought not to be imperatively interfered with by a Bill passed by this House.

Mr. HAGGART. I cannot see how it interferes with it.

Sir RICHARD CARTWRIGHT. It enables the purchaser to compel the company to provide a meter.

Mr. HAGGART. A meter for electrical purposes only measures the quantity. There would be no object whatever in a purchaser who pays so much per lamp per year insisting upon having a meter.

Sir RICHARD CARTWRIGHT. I am afraid the hon. gentleman does not allow enough for the "cussedness" of human nature. If the consumer happens to have a dispute with the company, or if he desires to make it unpleasant for them to collect what is due, this clause is a ready weapon against the company. What does the hon. Controller consider the cost of the electric meters he requires to be used? I believe they are rather costly instruments.

Mr. WOOD (Brockville). From \$15 to \$20.

Sir RICHARD CARTWRIGHT. In the case of such small companies as Mr. Speaker is referring to, there may be a very considerable number of consumers, though they may not consume much individually. And this clause may put a tax on such a company of \$2,000 or \$3,000 to supply meters. This may be a matter of very small consequence in large towns, I grant; and I do not think that in the case of large towns great objection to this clause could be taken.

Mr. WOOD (Brockville). The case might be met by a small amendment in line 22, so as to make it read, "shall, in places where an inspector is appointed."

Mr. IVES. Referring to the remarks of the hon. the Speaker, I quite agree that it would be a hardship where the consumer had contracted to take lights at so much per year to put it in their power to avoid his contract under the terms of a statute passed now. But contracts of this character would be very much improved, if the purchasers of electric light had the power to insist upon the measurement of the electricity he received. In a small town, for instance, the company furnishes to Mr. A. so many lights at so much per light per year. The contract is for a sixteen candle-power light, as a rule. But the cheat in the business is that they do not furnish a sixteen-candle-power light. They put in a sixteen-candle-power lamp, but owing to the failure of pressure and voltage, the light is less than sixteen candle-power. I would not have the law read so as to place it in the power of the man who has contracted to pay for so many lights at so much per year to break up the contract and refuse to comply with its terms; but I would declare that he might

buy a meter and place it within his power to compel the company to furnish the quantity of electrical energy contracted for.

Sir RICHARD CARTWRIGHT. If you put the cost of the meter upon the consumer, there would not be the same objection.

Mr. WOOD (Brockville). Practically it is furnished at the cost of the consumer in any case.

Mr. MARTIN. The meter does not show the quality of the light used, but only the total amount of electricity furnished within a given time. I think section 4 meets the point the hon. President of the Council has raised. It provides that the company must declare the supply of electrical energy they propose to furnish. The trouble is that the pressure of electrical energy is not kept up. That is provided for by section 4. This meter would simply show how much electricity each man had during that time, it would not show whether the sixteen-lamp power had been kept up. I think the amendment of the Controller does not go far enough. How would it affect this case? He would appoint the inspector of weights and measures at Winnipeg to be the inspector of light companies, and the inspector of weights and measures is the inspector all over Manitoba. Would he have jurisdiction over electric companies all over the province?

Mr. WOOD (Brockville). We appoint an inspector at certain places where it is proposed to inspect companies from time to time. There are two systems in which the purchaser is interested; one is the contract system, the other is the meter system. The contract system is going out, and the meter system is being substituted. From all the information I can gather, it will be but a short time before the meter system is universal. Now, there is no means by which you can test the quality of the electric light that is supplied by the meter system. We can, however, under section 5, test the quantity that the purchaser gets, and we want to protect him as to the quality of his light when he has a meter.

Mr. SPEAKER. A very important question is the one of who will defray the cost of the meters. The cost ranges from \$12 upwards, according to the number of lights they are required to register. In a house where there is a large number of lights, a larger meter is required than where there is a small number. Suppose the company was required to put in to every purchaser's establishment where he was asked to do it, a meter where there were only five lights. The average rental of those meters is only 20 or 25 cents a month; the contracts do not extend beyond a year in any case, and they may be terminated before that time. It seems to me it would be a great hardship to require the contractors to purchase meters

and put them into every man's establishment who demanded that they should be put in, although his contract did not require it, and although he was paying a certain rate per annum for each lamp that he used in his establishment. So far as my experience goes—and I may say, as the hon. member for Cumberland stated, that I am a shareholder in one of these electrical companies, therefore, perhaps, I cannot speak with so little prejudice as I might otherwise do—but so far as my experience goes, the arrangements for supplying electricity to merchants by the year in small towns such as the one I live in, have been quite satisfactory, both to purchasers and to the contractors, as regards the quantity of light, and the pressure that is supplied to those lamps. If the pressure is not sufficient and the light is not what it ought to be, the consumer will very soon notify the company to take out the lamps.

Mr. WOOD (Brockville). I do not think we are quite so far apart, after all. If you allow the section to stand we will see if we cannot cover the case of lights supplied under the contract system as well as under the meter system.

On section 16,

Mr. SPEAKER. I suppose the department has some information with respect to this portion of the clause which reads "or to be capable of being made to register." What is the meaning of that?

Mr. IVES. To make that more perfect it should be stated that when working at its full capacity, or at any other pressure, it shall not vary more than 3 per cent.

Mr. WOOD (Brockville). We have passed clause 5, and we have substituted the word "four" for "three."

Mr. IVES. That would apply to the case of a wire working at its full capacity, but not to any other case. If you have a voltage of less than sixteen candle-power, then your wire is working at less than its full capacity, and your provision does not apply at all.

On section 31,

Mr. SPEAKER. What provision will be made for the verification and stamping of the meter in places where no inspectors are appointed? I understand this clause is not to be applicable generally, but only in certain cases.

Mr. WOOD (Brockville). Only when the Act is in force.

Mr. SPEAKER. Would it not be in force although inspectors were not appointed?

Mr. WOOD (Brockville). No.

On section 35,

Mr. SPEAKER. What is the nature of that certificate of registration? Many of

these companies are organized under the Joint Stock Companies Act of the Local Legislature, and are required to register and furnish certain documents. Would this apply only to those companies which are subject to inspection under this Act, or would it apply generally?

Mr. WOOD (Brockville). It would apply to all companies that would be subject to inspection under the operation of this Act.

Committee rose and reported progress.

IRRIGATION IN THE NORTH-WEST TERRITORIES.

House resolved itself into committee on Bill (No. 134) respecting the utilization of the waters of the North-west Territories for irrigation and other purposes.

(In the Committee.)

On section 4,

Mr. DALY. In order to avoid any discussion such as arose the other night on this Bill, I propose to strike out all the provisions relating to subterranean water.

On section 5,

Mr. LAURIER. What is the legislation in California and the other western states in regard to subterranean waters? Are they included in the lands vested in the Crown?

Mr. DALY. They are. In California they are not; they neglected to provide for that there, and the neglect gave rise to a great deal of litigation. So far as riparian rights are concerned, they are still observed; but we have no immediate use for subterranean waters, and I am willing to leave them out.

Mr. MILLS (Bothwell). Their decisions are different from ours. For some time our law was unsettled, but recently the courts have come to the conclusion that where the courses of subterranean waters are known, they are covered by the same rule as surface waters, but where they are mere soakage through the soil, the rule does not apply. I am inclined to think, looking at the decisions, that the subterranean waters would be included under the operation of this clause.

Mr. DALY. No; and we simply desire to include the waters mentioned, such as rivers, streams, watercourses, lakes, lagoons, and so on. We do not intend this to affect any subterranean waters. However, the hon. gentleman's statement of the law is, I believe, correct.

On section 7,

Mr. MILLS (Bothwell). The first subsection provides that any person holding rights shall obtain a license or authorization under this Act. That phrase seems ambiguous as it stands. It might mean either a duty on the part of the authorities to grant a

Mr. SPEAKER.

license or a duty on the party to take out such a license. I think it should be made clear what is intended.

Mr. DALY. It is intended to be the duty of the party to take out a license. I will look into the phraseology.

Mr. LAURIER. Is the license to cost any money?

Mr. DALY. No; there is no fee charged any person who has already commenced works and takes out a license.

Mr. MILLS (Bothwell). Suppose a man were working upon his own land and projecting works, and there was a natural flow of water through his lands, there would be no difference between him and one who resides away from the stream.

Mr. MARA. It is intended to charge a fee of \$5 if a small farmer attempts to take water from a stream to irrigate his own land only?

Mr. DALY. Yes.

Committee rose and it being Six o'clock, the Speaker left the Chair.

After Recess.

RELIEF OF JAMES ST. GEORGE DILLON.

Mr. SUTHERLAND moved second reading of Bill (No. 148) for the relief of James St. George Dillon.

Sir HECTOR LANGEVIN. I think it is the custom, in fact the rule, that the evidence taken before the other House shall be in the hands of members of this House before the Bill is considered. I have not received the evidence, and I think under these circumstances the Bill should be postponed to another sitting of the House. I am not in a position to consider the Bill at the present time.

Order allowed to stand.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Intercolonial Railway—Increased accommodation at Ferona. . . \$2,000

Mr. McMULLEN. Some explanation is required of this item.

Mr. HAGGART. The expenditure is required for a branch to the iron and steel works at Ferona, on the Intercolonial Railway.

Mr. McMULLEN. Do the proprietors of the works contribute anything towards this extension?

Mr. HAGGART. It is customary, when a railway has large customers adjoining the track, to construct a branch into the works.

Mr. McMULLEN. The same system should be adopted by the Minister of Railways as is followed by the ordinary railway companies. The only outlay made by either the Grand Trunk Railway or the Canadian Pacific Railway Company in constructing branch lines to mills, &c., is to provide the iron. It is not fair that when \$50,000,000 have already been sunk in the Intercolonial Railway, for which no return has been received, and when the railway pays barely running expenses, that money should be expended in building branch lines to iron mills. It is further increasing the expenditure of the people on the Intercolonial Railway, and Parliament should only consent to branch lines being built according to methods adopted by other companies.

Mr. HAGGART. At Feron Junction large iron smelting works have been established. Large traffic results to the Intercolonial Railway, and since the station has been established there, it has been found that the accommodation provided by the siding is quite insufficient. It is to provide for an extra line: \$500 being required for the land and \$1,500 for the grading and siding.

Mr. McMULLEN. I know a place in western Ontario where the Grand Trunk Railway on an average obtains ten or twelve car loads of freight daily. The proprietor had, however, to build the branch line entirely, except furnishing the iron. The Grand Trunk Railway and Canadian Pacific Railway had lines there, and, therefore, he had the advantage of competition. In the case now under consideration there is no competition experienced by the Intercolonial Railway, and, therefore, the Government could dictate their own terms.

Mr. FRASER. This outlay is not for the company at all. The company has built twelve miles of railway, which is an important feeder to the Intercolonial Railway and is for the benefit of the Intercolonial Railway, which receives freight brought over the company's own line. This expenditure is required for the end of the line of twelve miles, and all the freight over that road is brought to the Intercolonial Railway.

Mr. DAVIES (P.E.I.) Will \$2,000 cover the whole expense?

Mr. HAGGART. Yes.

Bedford and Dartmouth Branch.. \$198,000

Mr. McMULLEN. Will that sum complete the branch, and what amount has been already expended?

Mr. HAGGART. It is to complete the branch; there has been no expenditure made on it up to the present time.

Mr. McMULLEN. What will be its length?

Mr. HAGGART. About seven miles. They are abandoning the bridge from Halifax to Dartmouth, and it was found cheaper to make the connection by land. The cost of rebuilding the bridge would be \$235,000, and the cost of building the branch line is only \$198,000, and as the people of the town demanded the latter, and as it was found to be cheaper and better, it was decided to make connection by rail.

Mr. McMULLEN. What are the gross receipts from the freight over that line?

Mr. FRASER. While the Minister is getting that information I wish to say that the Government are to be commended for building this branch road in the way they propose. I do not know what engineers recommended the building of a bridge in the first instance, but it was a most stupid thing for the Government to do, and if there is to be connection by railway with Dartmouth that communication should be on the line the Government now propose. It was a very fortunate thing for the Government and the country that the bridge fell without a train being on it.

Mr. HAGGART. I think the hon. gentleman (Mr. McMullen) will find in the report of the department the freight traffic from station to station on the Intercolonial Railway. I have not the information at hand which he asks.

Mr. McMULLEN. When we are asked to consent to an expenditure of nearly \$200,000 we ought to have all the particulars as to the traffic on that line which would justify us in making that expenditure.

Mr. HAGGART. Independent of the receipts altogether we are obliged to make railway communication with Dartmouth. The line is cheaper than the bridge, the people of the town want the branch line, and we, therefore, propose to build it.

Sir JOHN THOMPSON. The Government contracted with the town for the building of the branch railway into Dartmouth, and the town furnished the right of way extending something like six miles. The Government laid the rails and it is simply a question of whether it will be operated, either by a bridge across the harbour such as was carried away, or by a line of railway connected with the Intercolonial Railway. The bridge having been carried away, this appropriation is for the line of railway.

Mr. McMULLEN. How long is it since this preliminary arrangement was entered into?

Sir JOHN THOMPSON. It is fully ten years; when Sir Charles Tupper was Minister of Railways.

Mr. McMULLEN. Has nothing been done since that time?

Sir JOHN THOMPSON. The bridge has been built, the town furnishing the right of way. The branch has been operated ever since, and there is an undertaking on the part of the town to pay \$20,000 a year for a period of years towards the expenses of operating the railway. The town has been sued for its contribution and it claims the benefit of a provision of the contract: that the town shall have the receipts of the railway after the working expenses have been paid. It is claimed by the town that the receipts from the freight and passenger traffic more than equal the running expenses. However that may be, we lose our whole benefit of the contract with the town unless we operate the branch, and it is impossible to operate it unless we give connection with the Intercolonial Railway. This money is to supply that connection, since the bridge was carried away.

Customs—Salaries and contingent expenses of the several ports, Nova Scotia..... \$111,470

Mr. McMULLEN. There is a decrease in that amount. How does that occur?

Mr. WALLACE. Some officers died at the port of Halifax and their places were not filled.

Mr. McMULLEN. The Controller is speaking in a very low voice and we cannot hear. He does not usually address the committee in such a mild manner as that. Perhaps something has occurred in the province of Ontario to make him so mild. I hope the hon. gentleman is not ill.

Mr. WALLACE. He feels better on account of his own constituency than the hon. member for North Wellington does.

Customs, New Brunswick ... \$92,035

Mr. McMULLEN. There is an increase here; how is that?

Mr. WALLACE. The city of St. John has one additional officer, and there are some slight increases in the salaries of the other officers.

Mr. McMULLEN. What were the gross receipts at the city of St. John last year and the year before?

Mr. WALLACE. The receipts last year were \$839,000, and the year before I think about \$800,000.

Mr. McMULLEN. Does the Controller consider it necessary to increase the expenditure by \$1,775 for an increased revenue of \$40,000?

Mr. WALLACE. That is the total increase for the whole province, not the city of St. John alone.

Mr. McMULLEN. What are the other increases?

Sir JOHN THOMPSON.

Mr. WALLACE. They are \$50 increases at Dalhousie and Fredericton, and an increase at Woodstock, where we have had to put a man on the boundary for a stretch of country that was not protected before, at a cost of \$500 or \$600.

Customs, Prince Edward Island \$19,225

Mr. DAVIES (P.E.I.) Has the hon. gentleman made the appointment to the vacancy there yet?

Mr. WALLACE. It is not proposed to fill the vacancy; but Mr. Bremner, the chief clerk, is to be promoted to the position of surveyor. Mr. McLeod, the present cashier, will be made chief clerk, and one of the others will be promoted to the position of cashier.

Mr. DAVIES (P.E.I.) The hon. gentleman appears to have ignored Mr. White's claims. He was senior in appointment to Mr. McLeod.

Mr. WALLACE. Mr. White is the junior of Mr. McLeod; that is the statement in the civil service list. Mr. McLeod was appointed in 1877, and Mr. White in 1878.

Mr. DAVIES (P.E.I.) Mr. White had been in the service some years before that. He had been employed in the office a number of years before Mr. McLeod was there at all, though he had not received his commission or been put on the permanent list. As a matter of fact, I believe Mr. McLeod received his actual commission before Mr. White got his; but I understand that it was only due to the negligence of a former collector that Mr. White had not received his commission before. The hon. gentleman will recollect that he received from the inspector of the custom-house, reports upon the qualifications of Mr. White which ought to be very satisfactory indeed, and I was in hopes, in consequence of these, and also of the fact that he had been in the office so many years before Mr. McLeod, and was practically the senior officer, that he would have got the promotion.

Mr. WALLACE. I do not recall that the statement was made that Mr. White was the senior officer. This is the first intimation I have had of that.

Mr. DAVIES (P.E.I.) I will ask the hon. gentleman kindly to look over the papers and see if the facts are not as I have stated. I have nothing to say against Mr. McLeod at all; but I think the facts are such as to justify Mr. White in asking for the promotion.

Customs, Quebec..... \$125,175

Mr. McMULLEN. There is an increase here.

Mr. WALLACE. That is very largely at the port of Montreal.

Mr. McMULLEN. What is the staff at Montreal?

Mr. WALLACE. About 180 or 190 officers. A little more than one-third of the business of Canada is done at that port. The average cost of collection throughout the Dominion is about $4\frac{1}{2}$ per cent; in Montreal it is only 2 per cent.

Mr. McMULLEN. The hon. gentleman knows that the larger the amount collected at one port the less it can be done for.

Mr. WALLACE. The business of the port has increased enormously during the past year, the collections amounting to \$431,000 more than in the previous year. The increase of expenditure is not in proportion to the increased business.

Mr. BRODEUR. What is the cause of this increase?

Mr. WALLACE. The expenditures all around have increased. The incidental and other expenses have increased. We have placed a number of those who were on the temporary staff—men who were occupying responsible positions, having large amounts of money passing through their hands—on the permanent staff. Some who were only employed during the summer months are now employed all the year round.

Mr. BRODEUR. Would the hon. gentleman give the names of those whose salaries are going to be increased?

Mr. WALLACE. There is Mr. D. Cuthbert, who is appointed assistant appraiser there. He came from Toronto to take the place of Mr. Davidson, who was sent to Toronto, and that involved an increase. Mr. Meagher is transferred from the temporary to the permanent staff.

Mr. BRODEUR. Is the salary of Mr. Lanthier, one of the assistant appraisers, increased?

Mr. WALLACE. No. Mr. Laurin, Mr. Corbell, Mr. Thomas Davis, Mr. Belair, Mr. L. D. Perham, Mr. Porteous, Mr. Chambers, Mr. Robertson, and some others have had their salaries increased.

Mr. BRODEUR. I would draw the attention of the hon. gentleman to the fact that I think he should have increased the salary of Mr. Lanthier, who is one of the assistant appraisers, and a most efficient officer. I know the work he has to do, and he is certainly doing much more than some of those whose salaries have been increased. I do not want to complain of the increases in the case of certain officials, but I think if the hon. gentleman's attention had been drawn to this, he would have increased Mr. Lanthier's salary.

Mr. WALLACE. Mr. Lanthier is assistant hardware appraiser, and he receives the highest salary paid to any assistant ap-

praiser in any of the ports of the Dominion. He gets \$1,300 a year.

Mr. BRODEUR. Is that the highest which may be paid?

Mr. WALLACE. No, I do not think we have fixed a limit.

Mr. BRODEUR. I presume there is much more work in Montreal and much more important work than in other cities, and there is no reason why the same salary should be paid.

Mr. WALLACE. There is more work, but we have more officers to do it. Take the appraisers at Halifax: the chief appraiser gets \$1,200, whereas Mr. Lanthier, an assistant appraiser, gets \$1,300. He gets the highest pay for any assistant appraiser in the service.

Mr. BRODEUR. I understand that in the amounts voted last year of \$130,000 is included the salary of the collector of customs. No doubt when the hon. gentleman asked us to vote that salary last year, he was under the impression that the collector would be appointed during the year. The appointment, however, has not yet been made. The port of Montreal is certainly the most important in the Dominion. The late collector, Mr. Ryan, died in January, 1893, and yet his assistant has not yet been appointed. We know the reasons why, but the trade is complaining to a certain extent for not having some one there who is responsible for the position. I do not wish to complain of the assistant collector. I think he is very competent to do the work, and that if the Government want to do justice to the port of Montreal, they should appoint him as collector. He has been in the service many years, has always done his duty well, and there is no serious reason why he should not be appointed. At any rate there is no reason why we should not have a collector of Customs appointed. I understand we are on the eve of general elections. Probably the Government will be induced to bring on the elections as soon as possible after the great victory they have just gained, and should be prepared to fill the appointment. At all events, I feel it my duty to protest against the delay in appointing a collector of customs.

Mr. McMULLEN. I notice that there are over a hundred tide-waiters in Montreal. What are the duties of these officials, and why is there such a number?

Mr. WALLACE. At present we have hardly enough tide-waiters. We have a request for the appointment of more, but instead of appointing more, I have taken men temporarily from the office to perform the duties. There are twenty or thirty ocean steamers coming in on one day as well as a number of other vessels constantly arriving. The whole water front of Montreal is lined with vessels. The tide-waiters must carefully see to the cargo and papers of each vessel,

so that a large staff of capable men is required.

Mr. McMULLEN. The duty of a tide-waiter, then, is to see that each vessel is subject to the regulation custom dues, and that all these are paid.

Mr. WALLACE. Not only vessels, but railway trains as well. Those who attend upon the arrival of railway trains are also called tide-waiters or landing-waiters.

Mr. McMULLEN. Does the hon. Controller keep a hundred tide-waiters employed the year round?

Mr. WALLACE. We have not so much work for them in winter. A large number of these men are employed only by the day, and we have to dispense with the services of a portion of them during winter. The custom is to put them on half time, one man working one month, and another man the next. There is still a great deal of business to be done, but it is done at the railway station and fewer men are required.

Mr. McMULLEN. How many permanent tide-waiters are there in Montreal?

Mr. WALLACE. About 23 to 25 permanent.

Mr. McMULLEN. How does the hon. gentleman choose the men when it becomes necessary to increase the number? It seems to me that it must be very awkward having to engage men in that way. Of course it is not desirable to keep them the year round. But how are they taken on?

Mr. WALLACE. These men are employed from year to year. Since I assumed the control of the department I have not employed more than three or four new men. The men employed are all old members of the staff who have had experience in the duties to be performed. Those whose services have been dispensed with temporarily are taken on in the spring.

Mr. McMULLEN. I have been looking into the receipts for customs. It can easily be understood that when the receipts at any port increase an increase may be expected in the number of men employed, and, therefore, in the expenditure. I find that in 1887 the customs receipts were \$22,378,800, and it cost to collect this sum, \$817,131.62. Last year we collected \$20,910,662 at a cost of \$924,900, so that we paid \$105,000 more than in 1887 to collect about \$2,000,000 less than in that year.

Mr. WALLACE. In 1887 we collected three or four millions of dollars on sugar, which required very little work from the Customs Department, the money being paid in large sums, sometimes \$50,000 or \$60,000 at one time. It takes very few men to supervise a cargo of sugar. That has been cut off almost entirely by making sugar free up to 16 Dutch standard. So there is a great

Mr. WALLACE.

deal more work done to-day in the Customs Department than was then done seven years ago for an equal amount of money.

Mr. McMULLEN. But the hon. gentleman knows that sugar entering is subject to the same inspection, and very careful account must be kept of the importation.

Mr. WALLACE. Almost the same work has to be done as before, but the sugar comes in duty free, and we have three or four millions less money. In other departments, at the port of Montreal, the port at Toronto and others, business has increased very largely, and, of course, that makes more expense.

Mr. McMULLEN. The hon. gentleman surely does not mean—

Mr. LANGELIER. I see that in the customs in Quebec, there is a total decrease of \$2,200, but there is an increase of \$200 in the salaries of the permanent staff. Will the Controller of Customs please tell me what permanent officers are to have increases in their salary?

Mr. WALLACE. Mr. Giroux gets \$150, Mr. Belanger \$50, Mr. F. W. Gray \$200, Mr. Gouin \$100, Mr. Doucet \$100.

Mr. LANGELIER. Is there any increase for the appraiser of dry goods, Mr. Dion? He is one of the best officers of the whole custom-house. I have never heard any complaints against him among the merchants of Quebec.

Mr. WALLACE. There is no appropriation in the Estimates for any increase.

Mr. LANGELIER. The merchants of Quebec have recommended strongly an increase of his salary. He is in a very responsible position, there has never been any complaint, and he is a very efficient officer. He has been in that line of business as chief clerk for the largest dry goods firm in Quebec, that of Thibaudeau & Co. He gets, I think, some \$1,200 a year, and the salary of his predecessor was \$1,400. For several years his predecessor did not perform his duties on account of illness, and Mr. Dion had to perform them at a very small salary. He was then appointed to the position, and since that time his salary has been increased, but he does not yet receive the salary which has always been considered the regular salary of a dry goods appraiser, which is \$1,400 a year. I call the particular attention of the Controller to that case.

Mr. WALLACE. I will examine into it.

Mr. DEVLIN. Have there been any dismissals or resignations from the staff in Montreal during the last year?

Mr. WALLACE. I cannot recollect any dismissals. I have no record of any resignation.

Mr. DEVLIN. Who is at the present moment assistant collector at the port of Montreal ?

Mr. WALLACE. Mr. O'Hara is the assistant collector and the acting collector. It is the only port in Canada that has an assistant collector.

Mr. DEVLIN. Is he a good officer ?

Mr. WALLACE. I think he is a pretty good officer.

Mr. BRODEUR. Have any complaints been made against him at Ottawa ?

Mr. WALLACE. We are none of us perfect.

Mr. DEVLIN. Is it the intention of the Government to continue Mr. O'Hara in the position of assistant collector, even after the appointment of a new collector ?

Mr. WALLACE. That is his office.

Mr. DEVLIN. Is it the intention to continue the office in existence after the office of collector shall have been filled ?

Mr. WALLACE. That office was created when Mr. Ryan was collector, by Mr. O'Hara being made assistant collector.

Mr. DEVLIN. I understand that the office of collector was last filled by Mr. Ryan, and that when Mr. Ryan was collector of customs, Mr. O'Hara was assistant collector. Now I am putting the question on account of a remark which the hon. gentleman made to the effect that it was the only port in Canada in which there was an assistant collector of customs. It appears that to-day the two positions are very well filled by the one gentleman. I was asking if, in case the office of collector should be filled by the appointment of somebody else, the office of assistant collector would continue in existence ?

Mr. WALLACE. I presume so. I do not see any reason why it should not. There is an assistant collector at the port of Montreal because the business is so very large at that port, justifying the appointment of an assistant to the collector.

Sir RICHARD CARTWRIGHT. It is very remarkable, under these circumstances, that nearly eighteen months have elapsed without the appointment of a collector. It certainly does appear a very extraordinary thing that if a collector is necessary, the vacancy should have continued eighteen months.

Mr. BRODEUR. Could the Controller of Customs give us some reason why there has been so long a delay in the appointment of a collector ?

Mr. WALLACE. We expect to appoint a collector at a very early day.

Mr. BRODEUR. I want to know the reason why no appointment has been made for so long a time.

Mr. WALLACE. Perhaps there is a difficulty in getting a gentleman to accept the office.

Mr. LANDERKIN. Is it the intention of the Controller to abolish the office if nobody will accept it ?

Mr. WALLACE. We expect it will be filled very soon.

Mr. TARTE. (Translation.) I feel surprised at the hon. Controller of Customs giving such a lame excuse to vindicate his delay in appointing a collector of customs at Montreal. The reason stated by him for not filling the vacancy, is that he could not get a person well qualified to discharge the duties of the office. Among the several names I have heard mentioned in this connection, are those of well qualified citizens of Montreal, who are disposed to accept the office. The claims of those persons to the office are supported by several members of this House. Let me mention, among others, the name of Mr. Guillaume Boivin, who is an influential merchant of Montreal, perfectly well qualified to fill the office. His candidature as above stated, is endorsed by twelve or fifteen members of this House, and by the Chamber of Commerce of Montreal. I have mentioned that gentleman's name to show that the Controller of Customs was quite mistaken when he stated that it would be difficult to get a gentleman to accept the office. The hon. Controller of Customs must be joking ; he cannot mean what he says. He must have taken that course on other grounds. The Government have promised the office to one of the hon. members of this House. The hon. member for Cardwell (Mr. White) has been promised the situation, at any rate, he is practically appointed. When the hon. member for North Simcoe challenged the Government to open the county of Cardwell, the challenge was declined, because the hon. Controller of Customs, in spite of his lofty eloquence and his influence over a certain class of Ontario electors, has not been influential enough to meet in front the hon. member for North Simcoe. I do not understand why the city of Montreal and the general trade of the country should be made to suffer, because the Controller of Customs is not influential enough to secure the election of one of his followers. The trade of Montreal repeatedly insisted on the appointment being filled. I am aware that several of my colleagues, who sit here, have urged the Government to fill the office ; the appointment has not yet been made, and the public suffer to a certain extent from it. The Government cannot give a single respectable reason—if I am allowed to use the term—to justify their course ; and meanwhile, we are kept here waiting and we are being told that there is nobody willing to accept the position. Well, I say again that the hon. member for Cardwell (Mr. White), who sits and votes in this House, is practically appointed to fill the vacancy. I submit that this constitutes certainly a breach of the

independence of Parliament. I say that public interests are interfered with and the House of Commons mocked at.

Mr. LANDERKIN. What reply does the Controller make to that?

Mr. TARTE. I think I shall have to repeat my speech in English.

Mr. LANDERKIN. The House is entitled to some information on the question put by the hon. member for L'Islet (Mr. Tarte).

Mr. WALLACE. I have given all the information asked for.

Mr. DEVLIN. The hon. member has made a very important statement.

Mr. McMULLEN. The item might be allowed to stand, so that the Controller will be able to see a translation of the hon. gentleman's speech to-morrow.

Mr. LANDERKIN. I think it is very important that the position of Controller should be filled by a gentleman who understands the dual language.

Ontario..... \$299,850

Mr. LANDERKIN. Has the attention of the Customs Department been called to a case of smuggling of bicycles that occurred at Port Hope last fall? If so, who smuggled? What was the result? Did an investigation take place, and what penalties attached to those adjudged guilty of the offence?

Mr. WALLACE. I have no recollection of any case of smuggling at Port Hope.

Mr. LANDERKIN. Has the attention of the department never been called to it?

Mr. WALLACE. It may have been, but it has not been brought before me. We have hundreds of cases occurring throughout the Dominion, but I cannot recollect any such case at Port Hope.

Mr. LANDERKIN. I understand Mr. Evans, harbour master at Port Hope, smuggled two bicycles; that the matter was brought to the attention of the department; that no deliverance has been made, and no revenue has been collected.

Mr. WALLACE. I will let the hon. gentleman know.

Mr. BRODEUR. Has the hon. gentleman any information that smuggling has occurred in connection with the construction of the Sault Ste. Marie Canal last year?

Mr. WALLACE. Not that I recollect.

Mr. BRODEUR. I have read in the newspapers that smuggling had been carried on by some persons employed in the construction of the Sault Ste. Marie Canal. I should like to know if the Government have any information on the subject.

Mr. TARTE.

Mr. WALLACE. We are making seizures almost every day in some part of the Dominion, but I cannot recollect any seizure made in regard to parties engaged on the construction of the canal.

Mr. LANDERKIN. The Controller has met the statement I made in a trivial manner. I have been informed on good authority that this offence against the customs law was committed at Port Hope. I have been further informed that the gentleman is a personal friend of the Controller, and I have been further informed that owing to that fact no steps have been taken by the department in connection with the matter. It is due to the department, to the Controller and to the country that some explanation should be given in regard to the matter.

Mr. WALLACE. Many cases relating to seizures have not yet been disposed of, owing to my attention having been given to the revision of the tariff. But we give every man the same treatment in my department; if any one is guilty of wrong-doing, we do not shield him.

Mr. LANDERKIN. You have no knowledge of this case?

Mr. WALLACE. There may have been some correspondence with my department. If a seizure is made, it is usually done through the special branch. The report will be made to the department, and the case will come before me in due course. This case has not come before me, officially at any rate.

Mr. LANDERKIN. This case occurred last fall, nearly a year ago, and was afterwards reported on. It would be very singular if the circumlocution office could delay the progress of an investigation for almost a year.

Mr. WALLACE. It would be. If a seizure had been made last fall no doubt it would have come before me long before this time, and have been disposed of. But an article might have been smuggled a year or two ago and the seizure made only a week ago. I presume the case mentioned is a very recent one, so far as its seizure is concerned. I am quite sure there was no seizure made in the case referred to last fall, or it would have come before me for decision before now.

Mr. LANDERKIN. Then if the seizure was made a week ago the case would not have been disposed of. You were not here, but in other parts of the province.

Mr. WALLACE. The hon. gentleman was not absent because he was afraid to go back to his constituency.

Mr. LANDERKIN. I understand the Controller was out at Omemee. At Owen Sound, I believe, there is a port of entry, and there was a gentleman there entered whom the Controller did not want. I believe he was in a good many other ports;

that he was in three different places in Huron, and three gentlemen were entered there whom the Controller did not want entered. The Controller's travelling allowance should be increased.

The CHAIRMAN (Mr. Mills, Annapolis). The hon. gentleman will please confine himself to the item.

Mr. LANDERKIN. I think I have the right to discuss the Controller's department. It is a very proper subject to bring before the House, and should be brought up in a more formal way. If the Controller absents himself from the House when serious matters are going on in the country which require his supervision, I have a perfect right to complain, and especially when he is not prepared to answer questions in regard to the case of smuggling to which I called his attention, and in regard to which he knows nothing.

British Columbia... .. \$62,195

Mr. McMULLEN. What is the cause of this increase?

Mr. WALLACE. Increased duties, principally in the Kootenay district, and also in Vancouver and Victoria. There have been some new customs ports established there during last year.

Mr. McMULLEN. How many?

Mr. WALLACE. One at Caslow, on Kootenay Lake.

Mr. DEVLIN. How many officers are employed?

Mr. WALLACE. One officer, at a salary of \$1,000. We are making provision for an appraiser at Vancouver.

Mr. DEVLIN. Is he appointed yet?

Mr. WALLACE. No. In the Kootenay country there are two or three new offices that we propose to employ men at; not the whole of them at salaries, but we propose to utilize the services of postmasters or other officers who may be there, and whose services can be got for less than you could send competent men to perform the duties for.

Mr. McMULLEN. How have you managed up to this without an appraiser at the port of Vancouver?

Mr. WALLACE. A gentleman named Turner is acting as appraiser now. He is in the Customs Department, and has other duties to perform.

Mr. McMULLEN. If the duties have been fairly carried out, could not the hon. gentleman appoint the man who was discharging them? During five years we have increased the expenditure in connection with customs by \$110,000, and now that the revenue is falling off we should endeavour to curtail

the expenses in proportion to the decrease. I would suggest to the hon. gentleman that as he has got along so well without an appraiser at Vancouver that he should appoint one of his staff there to the office, and not incur a further expenditure by appointing an officer at a high salary.

Mr. WALLACE. The office of appraiser is an important one, and we should have a thoroughly capable man to fill it. If we can find a man in the department there who is thoroughly competent we will appoint him from the staff. Although we have a large number of statutory increases this year, and increased business at many ports, we have cut down the expenditure to the same sum as last year.

Mr. McMULLEN. It is to be hoped that the hon. gentleman will find an efficient man for the position in the employment of the Government. After the statement he has made, it would be rather a reflection on the officers if he has to go outside the department.

Mr. WALLACE. We may have a whole staff of competent book-keepers and clerks, but not one of them might be so well versed in the quality and prices of goods as to be suitable for the position of appraiser.

Mr. McMULLEN. If the acting appraiser has been discharging his duties efficiently he certainly would be the proper man to appoint to the office.

Mr. WALLACE. We propose to increase the efficiency at that port by having a capable and competent appraiser. Captain C. A. Worsnop, the surveyor there, is a very capable man.

Provinces generally—To cover any unforeseen changes necessary to make in staff... .. \$5,000

Mr. McMULLEN. What portion of this vote was used last year?

Mr. WALLACE. \$3,500 was expended last year, and this year it is estimated that there will be very little of it used.

Mr. BOWERS. I wish to ask the Controller if the officer at Sandy Cove, N.S., is still holding his office? I called the hon. gentleman's attention to some smuggling there last year, and he told me he would inquire into the matter. Has the matter been inquired into, and with what result?

Mr. WALLACE. The officer is still continuing to perform his duties there, and I think he is more vigilant than he was before. We have sent our inspector to inquire into the matter.

Mr. BOWERS. It seems strange, after the Minister of Marine and Fisheries entered an action against him, and, I think, proved the accusation, that he should be allowed to hold a position under the Government, especially as I think the revenue amounts to

only about \$25 a year on an average, for which the officer is paid \$150 to collect.

Mr. WALLACE. What is the name of the officer to whom the hon. gentleman refers?

Mr. BOWERS. Mr. Bishop.

Mr. WALLACE. The report of the inspector in that case has not come to hand.

Sir CHARES HIBBERT TUPPER. Neither has the report of the trial.

Mr. BOWERS. Has the officer been suspended in the meantime?

Mr. WALLACE. No, we have not suspended him in the meantime. The inspector goes down and investigates, and if he finds cause for the suspension of the officer he suspends him. Pending the arrival of the inspector's report, we would not suspend the officer without some special evidence to justify his suspension; we would not surmise that he was guilty until the investigation proved him to be guilty.

Mr. BOWERS. Has the inspector been sent down?

Mr. WALLACE. He has been sent, and may have concluded the investigation, but his report has not arrived here yet.

Mr. BOWERS. I notice in the local papers that the charge against him in connection with the bounty matters has been proved.

Mr. FRASER. I would like to ask the Controller of Customs if he expects to make the appointment of a collector at Sherbrooke, N.S.?

Mr. WALLACE. We have an acting officer there now, and we expect to have a permanent one appointed within a few days. His name has been submitted to Council.

Mr. FRASER. For some time that office has been dangling, the work being done by an outside officer. The delay in filling the office is extraordinary.

Mr. WALLACE. We have an excellent officer there performing the duties, and so long as we have an officer to spare it would be well to let him remain.

Mr. FRASER. If the hon. gentleman has an officer to spare there is no need of his making an appointment. If we turned up all the officers to spare, we might save a lot of appointments. I think the reason, and it might as well be stated, is that the Controller finds some difficulty in making the appointment, and that is why the officer from outside is sent there.

Sir JOHN THOMPSON. So many good men want it.

Mr. FRASER. I accept the explanation.

Mr. BOWERS.

Mr. McMULLEN. It is a singular thing that a man should be allowed to discharge the duties of a collector of customs who over a year ago was charged with a fraudulent transaction, prosecuted by the Minister of Marine and Fisheries, and proved guilty, at least so far that he has been committed for trial. The Controller of Customs admits, in the face of all these facts, that he is keeping the man in the full service of the country, not even suspending him. It appears to me to be an exceedingly imprudent and improper thing to allow a man of that kind to continue to act as a collector of customs.

Mr. WALLACE. I think the hon. member is hardly justified in making these remarks. My recollection is that the hon. member for Digby (Mr. Bowers) mentioned some rumours a year ago, and I asked him to make specific charges against the officer, if he had any; and those charges were not made until some weeks ago, during the present session. As soon as they were made I authorized our inspector to go down and make a thorough investigation. We are not to suppose that this man is guilty until the investigation proves that he is guilty. If it does, of course we will dismiss him at once; but we cannot do that until we have the report of our inspector, which will be here almost any day.

Mr. BOWERS. I think I brought the matter to the Controller's attention last year by writing a letter to him.

Mr. WALLACE. Yes, by saying there were rumours of some kind. I asked the hon. gentleman to state what the charges of wrong-doing were; but he did not make those charges until a few weeks ago.

Mr. LANDERKIN. Does this item include the travelling expenses of the Controller when he went up west a few weeks ago to uphold Meredith, defend Protestantism and denounce ecclesiastics? We saw it reported that he seemed to be very lonesome because the hon. member for North Simcoe (Mr. McCarthy) was not with him to denounce ecclesiasticism and defend Protestantism.

Mr. WALLACE. When I go out electioneering, I go at my own expense.

Mr. LANDERKIN. Then we had better drop this item; we do not need it.

Board of Customs and outside detective service, including \$400, salary of Commissioner of Customs as chairman of the Board.....	\$26,150
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Mr. McMULLEN. What is the salary of the Commissioner of Customs now?

Mr. WALLACE. Two thousand eight hundred dollars as Commissioner of Customs and \$400 as chairman of the Board of Customs.

toms. He has not received anything yet as chairman of the Board of Customs. He was only appointed chairman since the session began.

Mr. LANGEЛИER. The hon. Controller must have read the correspondence of Mr. Lyman, in which he complains that there never was a Board of Customs in existence. It may have been provided for by law, but never met as a board, or rendered any decisions. After the reply made by the hon. gentleman to a question I put some time ago, Mr. Lyman wrote another letter, in which he states distinctly that though there may have been individual consultations among the members of the board, they never met as a board, except, perhaps, since the session opened.

Mr. WALLACE. When I became Controller, we had no chairman of the board until Mr. Watters was appointed in the early part of this year. The board did not meet as a board until we were pretty well through with the new tariff. The board was then called together on the 21st May, and continued in session until the 7th of June. We had the advantage of having some of the other appraisers before the board to interchange opinions as to the rating of articles under the new tariff. Every day we are writing to our Dominion appraisers at the ports of Halifax, St. John, Montreal, and Toronto, submitting samples of cases that come up for adjudication, and getting decisions from the different appraisers as to the classification for duty of different articles, concerning which there are points in dispute. During the year we have had thousands of cases submitted in that way to the Dominion appraisers.

Mr. LANGEЛИER. That would not remedy the complaint made, which is not that individual members of the board are not consulted, but that the board, as such, never met together until this session. The trade in Montreal and Quebec complain that there are no regular meetings of that board, before which they can lay complaints, and the Controller must be aware that one of their grievances is that different rates are charged at different ports. I was told by some importers at Quebec that at times they would have their goods passed through the Montreal customs-house so as to get the advantage of the ruling there, and on the other hand Montreal importers would, in some cases, have their goods entered at Quebec where a lower rate was charged. To remedy such complaints, it would be necessary for that board to have regular and frequent days of meeting.

Mr. WALLACE. We have improved on the system which prevailed when Mr. Parmelee was commissioner. Our system provides a ready answer to all inquiries. For instance, a merchant of Montreal or Que-

bec sends for a ruling. We do not wish to decide the question off-hand here, but we send to an appraiser at Montreal or some other port, get his opinion in a few days as to the classification or rate of duty, and come to a decision, so that the public are more promptly served, and get more accurate justice in this way than if we called the board together at long intervals as we would have to do, because they can only meet at long intervals. These appraisers have their own duties to perform at their own ports and can very easily give a decision from there. We have introduced a careful system of checking, so as to have the same rates of duty charged at all our ports. If an article is entered at one port at a different rate of duty than that charged at another, our checkers take note of it at once. We are getting an admirable staff of young men, competent and vigilant, and will secure a uniform appraisement at all the ports. If a different entry is made at Montreal than at Toronto, that is detected at once, an inquiry is made, and a decision given as to the rate of duty, which is made uniform.

Mr. DEVLIN. Is this \$400 simply to provide for the commissioner's salary as chairman of the board?

Mr. WALLACE. There was \$400 last year, and this is \$400 additional.

Mr. DEVLIN. Was the position of chairman created last year only?

Mr. WALLACE. No, it has always existed. When Mr. Parmelee was Commissioner, he had \$800 as chairman of the board. Then it was changed and divided into two parts—\$400 as chairman of the board, and \$400 as Chinese commissioner. It is now proposed to make the amount \$800 for the chairman of the board.

Mr. LAURIER. I would like to ask the hon. gentleman whether the Board of Customs, which, as he said a moment ago, met for the first time in many years—

Mr. WALLACE. No. As I understand it before I came in, Mr. Parmelee, as Commissioner, Mr. Watters as assistant, and Mr. Jessop were here, making a quorum of a board among themselves. They usually got Mr. Blackwood, of Toronto; Mr. Ambrose, of Montreal, and one or two others to come down here to assist in deciding points arising. We have never before had a formal sitting of the Board of Customs such as we had this time, and the reason why we required it was that we had an entirely new tariff and many cases came up for consideration.

Mr. LAURIER. There never was such a meeting of the board as there was this time. Very well. Is it the intention of the Controller that the board should meet regularly at fixed times, or only at his call?

Mr. WALLACE. Not at fixed times, but as the necessity arises. If a number of difficult questions come up for decisions, we may call the board together at any time. The only expense entailed by the meeting of the board is the travelling and living expenses of those who come here. They receive no extra remuneration as members of the board.

Mr. LAURIER. The board, at the meeting just held, must have reached some decisions, or adopted regulations.

Mr. WALLACE. They have given opinions, which opinions do not become decisions until I endorse them. They have given a large number of opinions which I am now considering.

Mr. LAURIER. Is it the intention of the hon. gentleman, when he has gone through these opinions, to lay them on the Table of the House for the opinion of Parliament?

Mr. WALLACE. I had not intended to do so. We will send to the different ports those opinions that are approved. Of course I will lay them on the Table if necessary. But, even if they should not be ready for the House this session, any member of Parliament can get a copy by writing to the department.

Mr. LANGELIER. They should be made public for the information of the trade.

Mr. WALLACE. We send a copy to every board of trade, and every one who writes for them can obtain a copy.

Sir RICHARD CARTWRIGHT. If it is the intention to send a copy to every board of trade, I think they should also be published in the 'Gazette,' where they will be generally accessible, and remain in a certain fashion, as of record.

Mr. WALLACE. We usually publish the decisions in the newspapers.

Sir RICHARD CARTWRIGHT. The 'Gazette' is the proper and official medium, and there those who are concerned can get the decisions in due sequence.

Mr. WALLACE. I do not see any objection to that.

Mr. DEVLIN. It is quite possible the Board of Customs may not meet again during the year.

Mr. WALLACE. We believe that the new tariff is so perfect that it will not require any meetings of the board for some time.

Mr. DEVLIN. Will the salary of \$800 continue, in that case?

Mr. WALLACE. The meetings of the board are a very small portion of the chairman's duties. He is performing these duties every day, sending out the decisions to the appraisers throughout the Dominion, and corresponding with them and with others.

Mr. LAURIER.

Mr. DEVLIN. As chairman of the Board of Customs, and not as Commissioner?

Mr. WALLACE. Yes. We have a Board of Customs composed of dry goods men, hardware men, grocery men and druggists. It would be more satisfactory, for instance, on a dry goods question, to have the opinion of three or four dry goods appraisers than to have the opinion of the board. Suppose a decision is asked for from Montreal, we ask the appraisers at Quebec, at Halifax, St. John, Toronto and Hamilton as to what have been their rates and classification of the goods, and in that way we come to a decision, having better advice on the subject than we could get from the Board of Customs.

Mr. DEVLIN. I suppose there are other expenditures in connection with the meeting of the board besides this \$800?

Mr. WALLACE. There are the travelling and living expenses of those coming here. These are all the expenses in connection with the meeting. Of course, there are other expenses in connection with the Board of Customs.

Mr. DEVLIN. The hon. gentleman said there might not be another meeting of the board this year. I would like to ask the Controller of Customs what sum is spent on the Board of Customs, and how it is spent? That, of course, includes, as I understand it, the \$800 for his salary as the chairman of the board.

Mr. WALLACE. There are a number of other services included in that vote. The salary of Mr. McMichael's staff and their travelling expenses are included. Then we had last year a special staff on the Lower St. Lawrence paid out of this amount.

Mr. DEVLIN. How much were they paid?

Mr. WALLACE. The total expenditure was \$2,949, and Mr. McMichael's staff was paid a very large amount. That staff was employed all over the Dominion in detective service.

Mr. DEVLIN. Of course, I do not want to ask the hon. gentleman anything unreasonable, but this is a strange subject. Here is a Board of Customs which only meets now and then, and we are asked to vote a sum of \$26,150 for this Board of Customs. I think it is due to the committee that we should know exactly how this money is expended.

Mr. WALLACE. I will give the hon. gentleman the expenditure for the ten months of the present year. Salaries, \$4,964.32; Lower St. Lawrence, \$2,949; Mr. McMichael's staff, special detective branch, \$9,038; extra clerks, \$1,022; Mr. Robitaille's salary, below Quebec, \$300; telegrams, \$129.25; ferry service, \$367; freight, \$51.13; travelling ex-

penses, \$257.45; sundries, \$17.10. That makes a total of \$19,313, and we expect the balance will be expended during the remainder of the year.

Mr. DEVLIN. The hon. gentleman gave in the first instance \$4,000 to salaries. To whom were these salaries paid?

Mr. WALLACE. I have not a list of the salaries here, but I can tell the hon. gentleman from memory some of the names. Mr. Belton is his assistant in Toronto; Mr. O'Keefe is his officer in St. John, N.B., and there are two men, Mr. Shaughnessy and Mr. Bonness at St. Stephen. Mr. Robertson is a special officer in Montreal, and another one, whose name I have forgotten. We have had two men on the Detroit River between Windsor and Sarnia; one died a short time ago, and we have only one there now. Then we have several others who are employed from time to time. There is Mr. Trowbridge, of Toronto, whose salary is charged to the Toronto staff. He is taken away from there occasionally for service along the Niagara frontier. There are a large number altogether throughout the whole Dominion.

Mr. DEVLIN. The hon. gentleman stated a few moments ago that recently the Board of Customs met frequently, but previously had not met for a long time. The salary, no doubt, was voted for the chairman of the Board of Customs. Was that salary paid even when the board did not meet?

Mr. WALLACE. There has been no salary paid to him as chairman of the board, since I became Controller.

Mr. DEVLIN. Then the \$800 voted last year was not expended?

Mr. WALLACE. I think not.

Mr. DEVLIN. Then in case there should be no meetings of the board of customs in the coming year the salary would not be paid?

Mr. WALLACE. The salary was not paid, because we had no chairman of the board until this winter, about the beginning of the session of Parliament. Although the duties were being performed, there was no chairman appointed by Order in Council, and therefore there was no one who could be paid the money that was voted by Parliament.

Mr. DEVLIN. It is quite possible, as the Controller has admitted, that there may be no meeting at all of the Board of Customs during the coming year. Of course, the chairman would not then be called upon to act. Will he still receive the salary of \$800?

Mr. WALLACE. He will be performing the duties of chairman, because he may be sending out to the appraisers at the differ-

ent ports and getting information, and seeing that uniformity is secured.

Mr. DEVLIN. Are these duties altogether distinct from those belonging to his office as Commissioner of Customs?

Mr. WALLACE. No; they are not.

Mr. DEVLIN. But he is paid a good salary, is he not, as Commissioner of Customs for attending to these very duties? The amount was not expended last year.

Mr. WALLACE. It had been expended until I became Controller. After Mr. Parmelee left, there was no chairman of the board for a year or more, and therefore nobody was paid.

Mr. DEVLIN. The Controller will understand that I am not criticising the office. It is a simple proposition that a special salary should be created for a purpose, which purpose may not exist, and that even should it exist, the duties may be performed by a gentleman who is supposed, at all events, to attend to the duties that belong to another office to which he has been appointed, and to which a good salary is attached. The committee is asked to vote a salary of \$800 to this man. This is a new departure, it did not occur last year. The hon. gentleman has said himself that it was quite possible the board might not meet at all, and still he asks us to vote a salary of \$800 to a gentleman who is already receiving a very large salary for the purpose of attending to the duties that belong to his office. I do not think it is a fair explanation.

Mr. BRODEUR. Is the Commissioner of Customs at the same time chairman of the board?

Mr. WALLACE. Yes.

Mr. BRODEUR. According to law the Commissioner of Customs is also chairman of the board?

Mr. WALLACE. He is appointed by Order in Council.

Mr. BRODEUR. Is the chairman of the board always acting Commissioner of Customs? Is that provided by law?

Mr. WALLACE. The custom has been that the acting Commissioner of Customs has been chairman of the board, but he has to be appointed to that position by Order in Council.

Mr. BRODEUR. Is it provided by law that the chairman of the board shall be Commissioner of Customs?

Mr. WALLACE. No.

Mr. BRODEUR. If I understand rightly the complaint made against Mr. Watters, this officer should not be appointed chairman of the board. I observe in an article

published in the 'Trade Review' in October last, the following:—

Is the Mr. Thomas J. Watters above referred to the same Mr. Watters who is known as Her Majesty's Commissioner of Customs for the Dominion? If so, our merchants may well view with alarm the augmentation of the private business interests of the Commissioner of Customs, since, as affairs stood before the consummation of this big mining deal, a number of our merchants had the greatest difficulty in getting important questions affecting their interests in connection with the Customs attended to. Letters and telegrams involving most weighty considerations remaining unanswered for an unwarranted length of time.

The charge made in the 'Trade Review' is a very serious one; it is that the Commissioner of Customs has not answered letters and is interested in private business which occupies the greater part of his time. Under these circumstances, I think the Government should not have appointed him to a new position. That was why I asked whether Mr. Watters was appointed by law or under Order in Council. If he was appointed by law, it would be different; but when such a serious charge is made against him, that he does not answer letters, that many important matters are delayed and that he has too much work to do, I do not think it is fair and just, on the part of the Government, to give him a new position. I suppose the Controller is aware of the charge that has been brought against Mr. Watters, and I suppose he has made an investigation; and if so, I presume the Controller will state the results to the committee.

Mr. WALLACE. Charges were made against Mr. Watters by a gentleman living in Ottawa. These were submitted to Mr. Watters, and I received his reply to the effect that he is not now connected with any business interest, that he had purchased property and become interested in mining property, but that he is not now interested in any such property directly—that he has disposed of his property by deed or otherwise. I may say that Mr. Watters is giving strict attention to the duties of his office, and the statements made that he was continually absent from his office were not correct. I was at the office every day and Mr. Watters was in attendance; I do not think he was away during the year any longer than would be covered by the holidays usually allowed to all officers of the Government.

Mr. McMULLEN. What is the name of the party who brought the charge?

Mr. WALLACE. Mr. Clemow.

Mr. McMULLEN. With respect to the proposed increase, I think that as Mr. Watters already receives \$2,800 per annum salary, and \$400 additional allowance, making \$3,200, no addition is necessary. I do not think the Controller is justified in asking the committee to consent to an increase to

Mr. BRODEUR.

\$3,600; \$3,200 is a very respectable salary for a Commissioner of Customs, and I have no doubt that if the Controller was not in his present position, he would be very glad to have the opportunity of filling the position himself. The Controller should recast many of the rules and orders of the Council, and regulations connected with the collection of Customs. I have been looking over some of the port accounts, and I find that a great many do not collect the amounts paid for salaries. At Arichat, \$2,600 is paid in salaries, and an increase of \$100 is proposed, when the total receipts are \$1,507. At Baddock, the receipts are \$1,935, and the expenditure, \$2,050. At Bridgetown, the receipts are \$679; salaries, \$860. At Margaretville, the salaries are \$725; receipts, \$650. Barrington, salaries, \$1,410; receipts, \$679. Port Hawkesbury, salaries, \$1,320; receipts, \$1,903. Port Hood, salaries, \$975; receipts, \$731. In the province of Quebec we find at Cookshire the salaries paid are \$2,875, and an increase of \$600 is proposed, while the receipts are \$3,886. At Perce, the salaries are \$1,200, and the receipts, \$580. Here are a number of ports in which the entire salaries are double the collection. It is absurd to ask us for an increase of \$600 at the port of Cookshire, where the entire receipts are only \$3,800.

Mr. WALLACE. It is hardly fair to make a bald statement like that without an explanation. It is quite true that in some ports receipts are small, but these are preventive stations rather than collection stations. For instance, at Baddeck we have six different outports, and the whole expenditure is \$1,500, divided between seven or eight men. Along the seashore and the frontier we have to have men watching so as to prevent smuggling, and the expenditure is in excess of the receipts. While that is the case, there are ports like Berlin, Ont., for instance, where the collection is \$60,000 a year and only one officer is employed.

Mr. McMULLEN. A few evenings ago I drew attention to the fact that the North-west Mounted Police are utilized as preventive officers, and I dare say they do desirable service, but I think their expenses should be charged to the Customs account and not to the North-west Police expenditure.

Mr. WALLACE. They are all withdrawn from our custom service along the Manitoba frontier.

Mr. McMULLEN. The President of the Council stated the other night that their services are largely used as preventive officers.

Mr. WALLACE. That has been the case, but their services are now dispensed with in Manitoba. We pay a commission of 5 per cent on all collections made by these officers.

Mr. McMULLEN. Do they get that in addition to their salaries?

Mr. WALLACE. I presume so.

Mr. LANGELIER. This expenditure to prevent smuggling along the River St. Lawrence is money well employed. I would like to know from the Controller what steps he intends to take to put an end to that smuggling? A great deal of good was done some years ago, when the 'Constance' was put upon the track of the smugglers in the Gulf, but now again very great complaints are made of the smuggling of strong liquors and tobaccos. Complaints are made not only by those engaged in trade, but by the clergy and all the people at the head of the population below Quebec, that a large quantity of whisky is being smuggled into the country. I have been told by those who suffer from that smuggling that the only way to put a stop to it would be to station officers of the Customs Department at St. Pierre-Miquelon, who would frighten away these smugglers.

Mr. WALLACE. I am afraid they would frighten away the special officers first.

Mr. LANGELIER. Oh, no, they are quiet people on those islands, and the officers would be protected. It appears that the smugglers buy whisky in the United States, send it to St. Pierre Miquelon, which, being a free port, they pay no duty, and then they smuggle it into Canada, so that these islands have become the headquarters for that illicit trade. They get any manifesto they choose from the Customs authorities at St. Pierre. For instance, they will say they have a cargo of fish when they have really a cargo of whisky, and they will come on that manifesto into the St. Lawrence. After they leave St. Pierre-Miquelon it is almost impossible for the 'Constance' to catch them, as they have very fast schooners. Some time ago a great fuss was made about a seizure of smuggled whisky, but I was told in Quebec—whether correctly or not, I do not know—that the officers of the 'Constance' had been simply bamboozled. These clever smugglers buy an old rotten schooner in Quebec, and put six or seven barrels of water mixed with whiskey on her, and then some one goes to the Customs officers with the information, and they seize the rotten schooner; whereas, at the same time a very fast schooner with six or seven hundred barrels of strong liquor, lands her cargo and makes her escape. The officers go there on a fool's errand, and seize the whisky that is half water; the smugglers make a show of fight, and the customs officers come back to Quebec, speaking very highly of their exploit, and saying that their lives were in danger, when as a matter of fact there was no real attempt made to fight with them. While the officers are occupied with that rotten schooner, the large schooner with 500 barrels of

whisky on board has time to land. I do not blame the officers, because smuggling has come to be an art, and is very thoroughly carried on. The only way to stop it is to station officers at St. Pierre et Miquelon, and to have them telegraph to any steamer that may be put on the track of the smugglers to arrest them. Even if there were no increased revenue, I think it would be worth all the money the Government are spending to stop that trade, which is demoralizing all the population along the banks of the lower St. Lawrence; yet I think the Government are receiving in revenue more than the \$12,000 they are expending on this service. There was comparatively little smuggling last year, and of course if there is not so much smuggling there is so much more revenue derived from strong liquors. I do not blame the Government for spending this much. I think they should spend three times as much, if necessary, to put an end to that abominable trade, which is so demoralizing to the whole population in that part of the country.

Miscellaneous—Day books, ledgers, printing, stationery, etc., for various ports of entry and for legal expenses... \$15,000

Mr. BRODEUR. What amount was expended last year for printing, and was any printing done outside of the Printing Bureau?

Mr. WALLACE. None whatever was done outside of the Printing Bureau. The expenditure for nine months of last year for printing was \$8,455.

Mr. BRODEUR. On page D—261 of the Auditor-General's Report I see that \$9,387 was expended for printing, and that \$1,903 was expended on paper at the Printing Bureau. So I am led to believe that the first amount was not expended at the Printing Bureau. Am I right in that?

Mr. WALLACE. It was all expended through the Printing Bureau; no goods are ordered except through it. These goods are for all the ports of the Dominion. We supply stationery, printed forms and all the books of account required at all the customs ports of the Dominion.

Mr. BRODEUR. I see also on the same page that \$300 was paid to Mr. J. S. Hall for legal services in the case of the Queen v. Denery et al. Could the hon. gentleman tell us when that case was instituted, and what kind of a case it was?

Mr. WALLACE. It was decided before I became Controller. All I had to do was to order the payment of the account. I have no personal knowledge of it; but I can find out.

Mr. BRODEUR. I find also an item of \$49 paid to the same gentleman for ordinances. What are these ordinances?

Mr. WALLACE. That is the item of writs of assistance. These are the authority given to our officers through the Department of Justice to go into houses and search, and the Department of Justice charges us a fee for every one of these writs of assistance we require.

Mr. MULOCK. I would like to ask the Controller of Customs whether there is any system of making known the treatment awarded to persons found guilty of smuggling? Is there any public report of how all such cases are dealt with?

Mr. WALLACE. I do not think it would be advisable to publish a report. There are many cases in which a man unwittingly violates the law and incurs the penalty. To publish a report of such a case would be like branding him as a criminal.

Mr. MULOCK. That does not commend itself to my mind as a sufficient answer to the question. There are various ways of looking at the matter. One way, I think, is to see that the powers vested in the Government are exercised on general principles, and not in an arbitrary way. I am not making any charge, but there is a very great discretionary power in the department—the power of fining, of compromising fines, of confiscating property and so on. It appears to me that when an importer has violated the law, his case should be made public, so that public opinion will be directed at all times towards the manner in which the department exercises these extraordinary powers, and importers would be a great deal more careful. This would have the effect also of causing a uniform system of treatment to be adopted, and do away with the temptation to follow the arbitrary treatment in the old days when cases were decided by the rule of thumb, and the decision rendered depended more or less on the length of the chancellor's foot. This would have the effect of saving the department from importunities by political friends. How many such cases are adjudicated upon in a year on an average?

Mr. WALLACE. Two or three a day.

Mr. MULOCK. There is no reason why these two or three cases per day should not be given to the public, as are the numerous cases which go through the court? Let the press have access to the records, and I am satisfied that the public interests will be advanced by the publicity thus given to all these administrative acts.

Mr. WALLACE. Parliament can always have the fullest information of all the transactions as in the case of any other department. Only the other day information was given as to the penalties imposed on a Toronto merchant, quite a number of years ago; and had a similar question been asked with reference to other merchants at the same time, the information would have been equally

Mr. BRODEUR.

given. There is no desire for secrecy beyond that which prevails in any department; and in no department of the Government are the books open to every newspaper correspondent who wishes to gain information as to any of the transactions.

Mr. LANGELIER. Are those men who are employed as special officers in various parts of the country restricted to certain districts? Is their jurisdiction local?

Mr. WALLACE. They are all under the charge of Mr. McMichael, who can send them wherever they are required.

Mr. CHOQUETTE. How are they paid?

Mr. WALLACE. Usually a salary of \$50 a month and a share of the seizures.

Mr. LANGELIER. Some of them act in a very arbitrary manner, which they would not dare to do if restricted to a particular locality. I know of a case in which a Mr. Belton made a claim on a manufacturer in the city of Quebec. He went to that manufacturer and said: You have a machine there which has been undervalued in passing through the custom-house, and unless you pay me so much money I shall seize the machine. The party resisted saying: I do not know what is the price of the machine, I saw it mentioned in a catalogue sent to me by a firm in the United States. I did not go there and I do not know the value of the machine. It was passed at the custom-house at exactly the price I paid for it. But the other said: That is not the market price at the place of manufacture, and I am going to seize the machine. Of course the firm did not want to be blackmailed—for it was simply blackmail. This man came again to the manufacturer and said: You have another machine—the machine had been in use five or six years—and that also was undervalued. He could not get anything out of him for that machine, for it was worn out, and they told him he might seize it if he liked. In the end he accepted a half or a third of what he had demanded in the first place. There must surely be some rule in these matters. These officers cannot go about exacting just what they please. If he was right in the first place as to the fine that should have been imposed, he had no right to accept less. But when he saw it was a case of accepting less or going to law, he compromised. I do not speak from hearsay; these facts came within my personal knowledge; I was a witness to the occurrence.

Mr. WALLACE. I will be glad to investigate if the hon. gentleman will give me such particulars as he has of the case.

Mr. LANGELIER. This is an old affair—about three years ago.

Mr. WALLACE. It is not too old to be investigated.

Mr. LANGELIER. The hon. gentleman must admit that it is a most undesirable

system, that an officer of that kind should be at liberty to exact what he can get. It is simply an abuse of power. We must not forget the position in which these people find themselves. For instance, a man threatens to seize a machine which is absolutely necessary to the running of a manufactory. Of course he could get almost any sum of money, for the parties would rather pay than to have their establishment shut down perhaps for weeks.

Mr. WALLACE. Suppose that in the judgment of the seizing officer a certain fine should be paid. It is not for him to carry out that decision. He must communicate the case to the department.

Mr. LANGELIER. But in this case it was not reported to the department. The officer acted as though he had absolute power.

Mr. WALLACE. If the hon. gentleman will furnish me the names, so that the case may be identified, I will show him the evidence, the statement made by the seizing officer and all the facts in the possession of the department.

Mr. LANGELIER. I shall be glad to give the hon. Controller the facts, for this case came under my personal knowledge. The parties came to me and asked me if it was possible that citizens could legally be treated in that way. I suggested that he should allow the parties to deposit the money on condition that they should have time to deal with the Department of Customs. But he would not accept anything of that kind. He wanted the money and said if he did not get it he would seize the machine and stop the establishment.

Mr. WALLACE. I will investigate the matter if the hon. gentleman will give me the facts.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 11.25 p.m.

HOUSE OF COMMONS.

FRIDAY, 29th June, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DOMINION DAY ADJOURNMENT.

Sir JOHN THOMPSON. Mr. Speaker, since I drew the attention of the House to the subject of an adjournment over Monday next, I have ascertained that there is a very general feeling in the House in favour of the observance of that holiday ; and I sympathize very much indeed, as I have done on previous occasions, with our friends who

feel the burden of a long session, and the inconvenience to business which results from their long absence while attending to their parliamentary duties. Nevertheless, considering the fact that the House has very seldom to adjourn in order to observe a holiday peculiar to Canada, as this one is, because our sessions are generally past when that holiday arrives, I think the observance of it will be satisfactory to the majority of the members of the House ; and I am sure it will be very satisfactory to the country, if members are willing to make the sacrifice on this occasion. For these reasons I move

That when the House adjourns this day, it shall stand adjourned until Tuesday, 3rd July, at 3 o'clock.

Mr. LAURIER. Mr. Speaker, in view of the evidently general desire that we should adjourn over Monday, I shall not, for my part, offer any opposition to this motion. But, perhaps, Sir, it would not be amiss if at this time I reminded the right hon. gentleman that in future years it would be a great public convenience if, instead of waiting till the 15th of March before calling Parliament together, he were to call it together much earlier, say in January.

Sir JOHN THOMPSON. Yes, that seems to be the general desire at this time of the year.

Motion agreed to.

QUESTION OF PRIVILEGE.

Mr. TARTE. Mr. Speaker, before the Orders of the Day are called, I wish to call the attention of the House to an interview published in 'L'Événement,' of the 28th instant, between the Hon. Thomas McGreevy and one of the editors of the paper, as follows :

I never spoke to Mr. Tarte since April, 1890, when those papers were published in the *Canadien*, nor did I, either directly or indirectly, hold any intercourse with him, since that time. I cannot therefore have told him nor did I actually tell him that I had given Mr. Justice Bossé a cheque, in connection with the trial in question.

Now, Mr. Speaker, I never said, either in the House or elsewhere, that Mr. McGreevy told me that he had given a cheque to Mr. Bossé. What I said, and what I repeat, is this, that a gentleman came to me, as he went to some other members of this House, and told us that Mr. McGreevy told him that he had given a cheque to Mr. Bossé. I said that in this House, and I never said anything else. Unfortunately for us, there is great inaccuracy in the French reports of the House. Every member of the House who speaks in French will bear me out in saying that we are not reported as we should be. I am not prepared to say which of the two reporters is not a stenographer ; but every member of the House who speaks in French will bear me out when I say

that we are not reported verbally. I want to put myself right on this point, because I do not want to appear as having said things that I did not say. Every one knows what I said here: I did not say anything more.

CHIEF JUSTICE OF QUEBEC.

House resolved itself into committee on the following resolution:—

That it is expedient to provide, with respect to the Court of Queen's Bench and the Superior Court in the province of Quebec, that if the Chief Justice resides at Quebec, the judge residing at Montreal who is appointed by the Governor General in Council to perform the duties of Chief Justice in the district of Montreal as it is comprised and defined for the Court of Review, or, if the Chief Justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor General in Council to perform the duties of Chief Justice in the district of Quebec as it is comprised and defined for the Court of Review, shall receive in addition to his other salary, \$1,000.

(In the Committee.)

Sir JOHN THOMPSON. I have to ask the committee to make a verbal correction in the resolution by leaving out the reference to the Court of Queen's Bench, in the second line of the resolution. It should be only with respect to the Superior Court. The draughtsman was under the impression that that reference had to be made, inasmuch as the enactment in the Revised Statutes is especially made an enactment with reference to the Courts of Queen's Bench and Superior Court. Of course, this particular amendment relates only to the Superior Court. The two sections of the Quebec Statutes, 2316 and 2317, Revised Statutes, provide:

2316. Whenever the Chief Justice shall reside in the city of Quebec, the judge appointed by competent authority to perform the duties of the Chief Justice of the said Superior Court, shall perform such duties in the district of Montreal as it is comprised and defined for the Court of Review, and he shall reside in the city of Montreal.

2317. Whenever the Chief Justice shall reside in the city of Montreal, the judge appointed by competent authority to perform the duties of the Chief Justice of the said Superior Court, shall perform such duties in the district of Quebec, as it is comprised and defined for the Court of Review, and he shall reside in the city of Quebec.

The position is thus made of the person performing the duties of chief justice in one city or the other, whereas the provision of our own statute, which it is now proposed to alter, is that the remuneration of the acting chief justice is to fall to the senior puisne judge of the bench in the city where the chief justice is not residing. This is to put our statute in such a shape as to conform to the organization provided by the Quebec Legislature.

Mr. TARTE.

Mr. LAURIER. Who is the competent authority?

Sir JOHN THOMPSON. I presume by that is meant the authority having the appointment, which is, of course, the Governor in Council.

Mr. BRODEUR. I do not exactly understand the words concerning the Court of Review. We only have one Superior Court, and the Court of Review is simply a branch of the Superior Court. This point has been put several times before the courts of Quebec, and it has always been decided that the Court of Review is not a distinct and separate court, but a branch of the Superior Court. It would be better to strike out the words concerning the Court of Review. I do not think that in the statute any mention is made of the Court of Review, and I do not think it is necessary to make any mention of it now.

Sir JOHN THOMPSON. I see the force of the hon. gentleman's suggestion, but I think it is not the Superior Court and the Court of Review which is referred to here, but the district of Montreal and the district of Quebec as defined by the Court of Review.

Resolution reported.

N.W.T. IRRIGATION.

House again in committee on Bill (No. 134) respecting the utilization of the waters of the North-west Territories for irrigation and other purposes.—(Mr. Daly.)

(In the Committee.)

On section 40.

Mr. MILLS (Bothwell). This seems to be rather extraordinary power to confer.

Mr. DALY. The section is copied word for word from the Dominion Lands Act, and no grievance has arisen under its operation.

Mr. MILLS (Bothwell). The Minister will see that the party might be subpoenaed from the most distant part of the North-west Territories.

Mr. DALY. It does not say that the Minister only may subpoena, but that "the Minister or any one specially authorized by him" may do so. So the party does not need to come down there. We have had occasion to enforce this clause as part of the Dominion Lands Act. It is done through the inspectors of Dominion Lands agencies.

Mr. MILLS (Bothwell). I am not saying that the power will necessarily be abused, but it seems to me that so long as the Minister proposes to deal with the party, he ought not to deal with him outside the territory in which he resides.

Mr. DALY. It is never done, and will not be done.

Mr. MILLS (Bothwell). The law ought to provide that it shall not be done.

On section 44,

Mr. MILLS (Bothwell). What are the means for ascertaining the quantity of water to which the party is entitled? You can ascertain the quantity he is using, but how is the amount he is entitled to to be ascertained?

Mr. DALY. By clause 36 the unit of measurement is fixed. That clause provides:

Under this Act the discharge of one cubic foot of water per second shall be the unit of measurement of flowing water, and the cubic foot or acre foot the unit of measurement of quantity. The acre foot is equivalent to 43,560 cubic feet.

By that process of measurement they can ascertain how much he is entitled to.

Mr. MILLS (Bothwell). They can ascertain the quantity if they know how much he was entitled to; but the hon. gentleman will see that my question as to the determination of this particular provision, lies behind that. Supposing a man is using water, is there anything in the Bill—I remember nothing—by which you ascertained what quantity of water he is entitled to per acre, or per 100 acres?

Mr. DALY. No, that would be a matter of contract between himself and the company, as to how many acres he is entitled to have irrigated.

Mr. MILLS (Bothwell). This seems to relate to the quantity to which the company is entitled—"Provided also, that no person who at such date is using the water of the said works, shall be deprived of the quantity of water he is entitled to." I do not know how that is to be ascertained.

Mr. DALY. The hon. gentleman will see that in subsection 2 of section 49, the Governor in Council may "define the duty of water according to locality and soil." That gets over the difficulty.

Bill reported.

SUBSIDIES TO THE PROVINCE OF QUEBEC.

Bill (No. 150) respecting subsidies granted to the Government of the province of Quebec by statute 8 of 1884, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Sir RICHARD CARTWRIGHT. When this matter was under discussion, I called the attention of the First Minister to the fact that, apparently, there was no item in our liabilities corresponding to this amount of \$2,500,000, and the right hon. gentleman will remember he agreed to look into the matter and offer an explanation.

Sir JOHN THOMPSON. I made the explanation in answer to the hon. member for Queen's (Mr. Davies) in the absence of the hon. member for South Oxford (Sir Richard Cartwright), on the following day. The answer is that the amount did not appear in the Public Accounts; it has been treated ever since the passage of the Act of 1884, as an annual charge.

Sir RICHARD CARTWRIGHT. In what shape does it come then?

Sir JOHN THOMPSON. It is like a subsidy payment.

Sir RICHARD CARTWRIGHT. Under what head does it appear?

Sir JOHN THOMPSON. The public debt. Bill reported.

THE COMMON SCHOOL FUND.

Bill (No. 151) respecting the Common School Fund was read the second time, considered in committee and reported.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Royal Military College..... \$70,000

Mr. MULOCK. Before this motion is concurred in, I desire to offer a few observations. Some sessions ago I called the attention of the Government to the manner in which this institution was being used, in the hope that attention having been directed to it, the Government would have seen fit to reorganize the institution and limit its sphere to the object Parliament had in view when determining to establish the college. I regret to say, however, that so far as my research has gone, the only effect of attention having been called to the school has been to intensify the evil of increasing the expense and ignoring the object of Parliament in establishing the school. What was the object of Parliament? It is set forth in the statute itself. In 1874 Parliament was asked to establish a military college, and without at this moment referring to the cost expected to be involved, let me call the attention of the House to the intention of Parliament on that occasion. I will read from the Act, chapter 36 of the Statutes of 1874, the Act establishing this military college. It reads as follows:—

Whereas it is expedient to make further provision for the education of officers of the militia in military knowledge and matters connected with military instruction, Her Majesty enacts as follows:—

Section 1. An institution shall be established for the purpose of imparting a complete education in all branches of military tactics, fortification, engineering, and general scientific knowledge on subjects connected with and necessary to a know-

ledge of the military profession, and for qualifying officers to command and for staff appointments, such institution to be known as the Military College, and to be located in some one of the garrison towns of Canada.

That statute declared the object Parliament had in view in establishing that school, and the purpose for which the school should be utilized, namely, imparting a military education, and no more. The institution was to be established in a garrison town, and on reference to the remarks made by the First Minister at that day, it appeared that the First Minister stated that the institution was to be established in a military town where it would be possible to utilize existing buildings and thus render it unnecessary to erect independent buildings for the purposes of a school; and further the Minister stated that the expenses would not exceed \$8,000 a year, the staff of the school numbering two or three professors. That was the picture held up before the people in order to obtain their consent to the establishment of this school. How has the spirit of the Act been lived up to? The object was to provide properly qualified persons to take charge of the permanent corps, not to educate persons in a general way for the ordinary affairs of life, and the inducement was held out to the youths of the country to attend this school upon the representation that when qualified, that is to say when they graduated, the graduates of the school would get the first chance to be appointed in the military corps of Canada. So we had on paper a school established by Parliament for the purpose of training men in military knowledge to be subsequently appointed to positions in the permanent corps of Canada, and thereby extend the usefulness of the school to the militia service of Canada. But the spirit of the Act and the expressed policy of Parliament in relation to it has been disregarded from time to time, until now the school has come to be merely an educational institution, imparting an education it is true of a military character, but also of a general character, and the main object of the statute seems to have been lost sight of. For example, I should like to call the attention of the Minister of Militia to the regulations and orders of the militia of Canada, and particularly to regulation 990, which is as follows:—

The Royal Military College is established for the purpose of imparting a complete education in all branches of military tactics, fortification, engineering and general scientific knowledge on subjects connected with and necessary to a thorough knowledge of the military profession and for qualifying officers for commands and for staff appointments.

Then section 8 goes on to say:

In addition the course of instruction is such as to afford a thoroughly practical scientific and sound training in all departments which are essential to a high and general modern education.

Mr. MULOCK.

By what authority is that statement placed in the Militia Regulations of Canada? There is no Act of Parliament warranting it—it is in direct opposition to the Act of Parliament. It states that this school was to be established for the only purpose of imparting a military education. Here we have it stated: "In addition, the course of instruction is such as to afford a thoroughly practical, scientific and sound training in all departments which are essential to a high and general modern education." Well, Sir, if a military training had such a result as a mere incident of the training, one could not find fault if a military training were so beneficial. But the regulation expressly intimates: that a modern education, a general education, an education qualifying persons for various walks in life other than military, is now one of the principal purposes of the school. In that way there has been an absolute disregard of the intentions of Parliament, and consequently an unnecessary increase of the public expenditure. I need not for one moment press upon this House the impropriety of the Dominion of Canada embarking in the cause of general education. It is contrary to the Imperial Act of Confederation itself, which never contemplated such education as is here held out to be one of the functions of this college. Education of this kind, education according to the perverted use being made of the college, is within the exclusive jurisdiction of the various provinces. The people of the different provinces have established their school system and the college system, and for the Dominion Parliament to duplicate that system is a pure waste of public money. It is clear from these regulations which I have read, that the intention of this Parliament, to say nothing of the intention of our Confederation Act are wholly set at naught. I called attention to this matter a couple of sessions ago, and I was in hopes that that would have been sufficient to have induced a change of policy on the part of the Government and a corresponding advantage to the public. On that occasion the Minister of Militia (Sir Adolphe Caron) had just vacated office, and the present Minister of Trade and Commerce (Mr. Bowell) had succeeded him. During the incumbency of the then Minister of Militia (Sir Adolphe Caron) the matter had also been slightly referred to, but it was pointedly brought to the attention of the House in the session of 1892. On that occasion many of the figures and arguments that I have to trouble the committee with now were presented, and the Minister (Mr. Bowell), fresh in office, gave this pledge to Parliament. I quote his words from 'Hansard': "Whether some attempt should be made to reduce the expenditure, is a matter which shall receive the attention of the Government." At that time the expenditure for the year was \$63,949.31, and the Minister (Mr. Bowell) declared that the Government would give attention to the matter, with a view of re-

ducing the expense. Now, what has been the result? A year has since elapsed, and instead of there being a reduction of expense, as the Minister pledged himself to, the expense for the fiscal year just past is \$70,584.73, or an increase of nearly \$7,000. One might very properly look into the internal management of this institution, in order to see the occasion for this expense. According to the return laid on the Table this session, there are fifty-eight students at that college, and to impart to this number of students a military training, and also as this prospectus says: a general education of military character, we find that the staff engaged to train these fifty-eight men consists of a commandant, six professors engaged in teaching the ordinary civil branches I presume, a number of military professors and instructors—I do not know how many—and various other officers, numbering in all fifteen. Then we have three staff-sergeants, three sergeant-majors, nine labourers, storemen, eleven servants, or a total number of thirty-six, according to the Auditor-General's Report, engaged in looking after an institution, which teaches fifty-eight students. Now, what has been the product of this institution since it was established? The Act of Parliament passed in 1874, and the school was established in 1876. The course of instruction contemplates men entering and attending four years, after which they are graduated, the result of the school being tested, and properly so, by the attainments of its graduates. Since the establishment of the school there have been 195 graduates. The expenditure, instead of having been limited to the modest sum of \$8,000 a year for the staff, and a few thousand more for incidental expenses, has grown to be some \$70,000 a year, and from a return laid upon the Table of the House during the present session, it appears that the public exchequer has been taxed to the extent of \$1,140,763.76 for pay and maintenance alone. In addition to this cost, there is an item for repairs, of \$69,058.72. There was also expended on the buildings—I suppose in the erection of buildings—\$110,321.88. Now, for the purposes of the calculation I have made, I do not charge the whole of that capital account to the cost up to date, because these buildings are there yet, and will be useful for the carrying on of the school; but I think it is fair, in order to make the calculation that I propose to submit to the House, that I should charge as part of the annual maintenance a reasonable sum by way of interest upon the cost of the buildings. That rate of interest, which I venture to submit is a reasonable one, I have taken at 4 per cent. If, therefore, we add to the two items I have given for pay and maintenance and for repairs, interest at 4 per cent per annum upon the capital invested in buildings—not for the whole period, but for a portion of the repairs, say for 14 years instead of 18 years—we have to add to the items I have mentioned the sum of \$61,779.76.

In other words, for whatever good the country has received from this school up to date, it has cost us, in money paid out, the total sum of \$1,271,602.24. In connection with this, I may say that the students have paid, in fees since the establishment of the school, in all, \$279,917.80; and this, I propose to take account of in order to show the exact cost of the school to the country in comparison with the results realized. Now, testing the work done by the total number of graduates, 195, we find that their education has cost the country and the graduates, together, the sum of \$6,521 each. If we deduct from this amount the contribution of the graduates, which I make to be \$1,436 per capita, we have a net cost to the country for every graduate of that college, from its establishment to this moment, of \$5,085. Now, what has the country got in return for this? I am not going to dwell upon the lavish and luxurious style of education which prevails in the institution. It does seem an extraordinary thing for Canada that an education at the Royal Military College should have cost the students and the country combined no less a sum than \$6,521 for a period of four years, or an average of over \$1,500 a year, at least four times what it ought to cost, and what it does cost in the ordinary educational institutions of the country. But whether it is a rich man's school or a poor man's school, I ask what has the country got in return for the 195 graduates who have been the product of this institution at this expense? The return laid upon the Table of the House has given some information as to what has become of these 195 graduates; but there is an attempt made in this return to minimize the failure of the college by including here and there cadets, and showing what has become of them. I submit that the real test is to take the case of the graduates, and ascertain what they have been doing since they left the college. I cannot, at this moment, lay my hands upon the exact part of the return bearing on that point; but, speaking from memory, I think it shows that some seventy-seven have obtained appointments in the Imperial service, and that of the balance, nine graduates and two cadets have been appointed to positions in the permanent corps, and two graduates to the Royal Military College staff. In other words, of all the graduates and undergraduates of the Military College, from its commencement to this moment, but thirteen in all occupy positions in connection with the permanent corps. It is true, that of the graduates, some thirty in all have been appointed to positions in the departments; and on this point I would dwell for one moment. I question whether the country will sanction a system of education such as this, if its end and aim is to educate the youth of the country in order to qualify them to fill ordinary civil positions in the public service. I doubt if there is a single branch

of the public service that requires the existence of the Royal Military College in order to train men properly to discharge the work of any of those departments. It is quite true, I have no doubt—it ought to be the case—that any graduate of the college who has received the education, military and civil, which they represent they are now giving, would make a most useful public servant, and be especially valuable in connection with our Public Works Department or our Department of Railways and Canals. But the question is, whether it is necessary to have such a college to promote that sort of education, inasmuch as there are in the country other institutions specially engaged in doing that work, and doing it well. So that I do not think it can be taken as an argument for the present management of the college that thirty of its graduates have been landed into comfortable positions for life in the civil service. I think it is going too far to pay \$5,000 of public money to qualify a man to enter the civil service, there to be taken care of through life, and pensioned at the end of his life until he shuffles off this mortal coil. So I decline to test the utility of the college by any results which have been derived in connection with civil appointments. But, for the purpose of argument, I will give the House the full benefit of all such appointments, and see what the practical result of this mode of utilizing the graduates of the college has been. The Government return shows that of all the graduates and undergraduates from the commencement to this moment, but forty-three are engaged in the public service, military and civil. Eleven graduates are in the permanent corps; two cadets are in the permanent corps, and thirty graduates, are scattered through the departments at Ottawa and elsewhere—forty-three in all. It has cost to educate these forty-one graduates and two cadets, to the country and themselves, \$29,577. If you deduct from that the contribution by the students themselves, it leaves a balance of \$23,063 as the net cost for the education for each one of those men who are in the public service to-day. If we throw out of the calculation the two cadets—because I do not think we can fairly test the utility of a college by pointing out what has become of the men who, for one reason or another, have refused to receive the education necessary to give them a degree—if we test it by reference to the forty-one graduates in the public service, we find that of these forty-one graduates, nine have entered the permanent corps, and two are in the military college, the remaining thirty having lucrative positions in the civil service. It has cost in all to educate these forty-one the sum of \$831,014. Deduct the sum of \$6,827, which is the contribution of each cadet towards his education, and you have, as the net cost to the country for the education of each

Mr. MULOCK.

one of these forty-one persons, no less a sum than \$24,187. I would like to know why we should, in ascertaining the good results flowing from this institution, credit it with the educating of thirty men for civil appointment here and elsewhere, inasmuch as that same education could have been perfectly well obtained in our various other educational institutions throughout the country, without the extra cost of one dollar. Does any one say that the thirty graduates of this college who are in the civil service, could not have been as well fitted for that service if they had studied at their own homes or attended other colleges in their own provinces, without any cost whatever to the country except that incurred in maintaining local institutions? Therefore, it is reasonable—especially having regard to the fact that the only object of the establishment of this institution was to prepare men for military appointments or to prepare men to educate our militia—to conclude that the only fair test is to ascertain what the country is obtaining in return for the expenditure in the direction Parliament moved, when it sanctioned the expenditure on this institution. Parliament agreed that the object of this scheme was to furnish men with a scientific military education for the benefit of the Canadian militia. And the question now is, how far has that object been attained by this vast expenditure of public money to which I have referred? I want to give full credit to the school, and assuming that the thirteen military men, eleven graduates and two cadets, now engaged in connection with the militia of Canada, are highly educated, possess all the military education and skill that the school could most successfully impart—giving credit to the institution for having educated these thirteen people to the highest degree, I find that the total cost of the education of these men amounts per head to \$97,815, from which we must deduct the contribution of these students, as I have done in the other cases, amounting to \$21,532. Or, in other words, these thirteen men, now in the public service, have cost the Dominion \$76,283 each for the education given them. But I must eliminate also from the list two of these thirteen, who never acquired the education that the Act contemplated, who did attend the college, but left, either because they failed to pass the examination, or because, for other reasons, did not choose to pursue their studies. Therefore, the sum total of the whole transaction is this, that since the college was established for the purpose of imparting military education in connection with the Canadian militia, there have been appointed, according to the spirit of the Act, eleven men and no more. So that the actual result of the college has been that eleven graduates have been appointed to military positions in Canada at a cost per capita of \$116,600, and deducting from that the

amount realized by the college in fees, namely, the sum of \$25,427, we have this net result, that it has cost \$90,153 for every one of the eleven graduates now filling any position, as contemplated by the Act, in connection with the militia of Canada. And that is not due to the fact that there have not been vacancies in the Militia Department. There have been, during the period I have referred to, manifold the number of cadets appointed, and I am told that the department has systematically ignored the graduates, and made the appointments solely for political reasons. The Government has utilized largely the college in order to furnish them with extra political patronage, ignoring the interests of the militia and the object of Parliament. I will read a paragraph from a letter sent me, and the hon. Minister will know how far it is correct. I know nothing of the facts myself, but speaking of the policy of the Government, the writer says :

The practice is to appoint gentlemen with political influence, without any qualifications, and then allow them to take a course of only three months in their own schools and a further course of three months attending lectures at the Royal Military College at Kingston. If that is considered sufficient education for the officers of the permanent corps, it is difficult to see the utility of maintaining the Royal Military College and having cadets spending years acquiring that knowledge which the Government does not utilize after they have graduated. I need not point out to you that the amount of military knowledge obtained in this three months course at Kingston is necessarily very elementary. The previous course at their own schools consists but of drill, &c., and of course none of the higher branches of the profession. The regulations restricting commissions in the permanent corps, is apparently held out as an inducement to young men to go to the college, under the belief that the Government will give them the preference for commissions in the permanent corps, and it is unfair that they should be ignored. At the present moment—

I call the attention of the Minister of Militia to this statement, made in March last, the date of the letter, I do not know whether it is correct or not :

At the present moment there are two officers of the permanent cavalry at Winnipeg, one appointed in 1882, and the other in 1885, taking this elementary course at Kingston. These officers are away from their duty as instructors at the cavalry school at Winnipeg, and should be officers competent to give that instruction. Again, the graduates of the college do not attach themselves to military corps at camps of instruction, &c., because they would have over them permanent corps officers who know very little of their profession.

There was recently a vacancy in the Militia Department, of assistant to the militia architect, and it was naturally supposed that some graduate possessing scientific knowledge of military engineering would have been appointed, but, in place of this, a young

man was appointed who does not possess any military education or training. Now, Sir, I happened to read a reference to the very policy of the Government in the report of the college laid upon the Table last session. But in connection with what I stated a moment ago as to the object of the Act having been disregarded, and a general education being now apparently one of the main objects of the college, I will again emphasize that statement by quoting from the report of the commandant of the school to the Government, which is found in the report of the Department of Militia for the year 1891-92. Speaking of education, it says :

But fortunately the status of Canada, as a part of the Empire, has made it fitting and wise to modify the system of instruction followed at the Royal Military College, so that while the military demands of the country upon it, may be duly supplied, its cadets are trained to take their place amongst their fellow-countrymen, as highly and technically trained gentlemen, in most practical professions, and in a large measure prepared to enter the learned professions.

It certainly shows the progress made in disregarding the intention of Parliament when the school itself, in a public report, can openly announce that it is, totally disregarding the main objects which justified its establishment, that it is practically a training school for the learned professions. The report goes on to say :

We sincerely hope that the time is not far distant when the Government may feel themselves justified in giving full effect to their Order in Council, of a date certainly prior to 1882, in which it is declared that so soon as there are a sufficient number of eligible graduates, appointment to permanent militia corps will be made solely from this list.

In 1878 that pledge was given, and upon that pledge the 195 men that I have referred to, entered that college and pursued an undergraduate career. It goes on to say :

And after sufficient length of service and rank has been obtained by graduates, permanent militia offices will be filled therefrom.

The pledge was given to the country in 1878, a pledge which has found its place in the public records, and yet it has never been lived up to. The report goes on to say :

If untrained gentlemen are better qualified than the technically trained military graduates of this college, to officer the Canadian permanent corps, then indeed, it must be admitted that—for military purposes—the school is at present superfluous.

I need not comment upon that statement, it is made by the commandant of the school. Now, what do I find as showing the effect of this departure from and disregard of the object of the Act? In the report of the college laid upon the Table this session, the commandant, reporting to the Minister of Militia in reference to the school, says :

Recently as the college has been established, and limited as is the accommodation it affords—turning out from ten to fifteen graduates a year—its students are to be found in the church, practising law, medicine, agriculture and civil engineering, engaged in commerce, railway management, and in private and public companies, employed in postal departments, in ordnance factories, in the Dominion Customs Department, the Geological Department, the Marine and Fisheries Department, and serving in the North-west Mounted Police force, in British Colonial employment, in the Canadian permanent militia, and in Her Majesty's regular forces.

And no doubt they will be found in the various walks of life so long as the system is maintained of conducting this school as an ordinary high school or university, instead of confining its operations to the purposes for which it was established; and so long as that takes place, so long will you have to maintain an enormous staff such as this, until the people in indignation decide to abolish the school altogether. I can understand how the hon. gentleman can, in a spirit of boasting, point to the glory reaped by Canada from having a military school where young Canadians can be trained and graduated into the Imperial army. But, Sir, don't you think that if that was the only object of the maintenance of the school, it would have been better to have allowed these seventy-seven men to take their military training in some of the old-established schools of England? Surely we are not, of this age, going to maintain a military college in Canada which, in fourteen years, sends seventy-seven officers to the Imperial army and eleven to the Canadian forces. I submit, therefore that the Government is censurable in the highest degree for their perversion of the object of this school, and unless they recede at an early moment from this false position, and comply with the spirit of the Act, by reducing the staff, and by altering the course of study so as to limit it strictly to the kind of study intended by the Act, the course of public opinion, I think, will demand a more radical treatment of the whole question. Was it part of the intent of Parliament at the time that this should be a school receiving young men with the merest rudiments of education, that they should be taken in hand, as in high schools and in colleges, and taught English history, French and German and the ordinary subjects to be found in the curriculum of every one of our provincial teachers' institutes? Sir, that was not the object of the establishment of this school; and I impress upon the Minister now that he ought at the earliest possible moment to thin out the staff and bring back the expenditure strictly to what is necessary in order to maintain that school, or else assume the responsibility of an indignant community demanding its early abolition.

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

Mr. MULOCK.

After Recess.

RELIEF OF JAMES ST. GEORGE DILLON.

Mr. McMULLEN (for Mr. Sutherland) moved second reading of Bill (No. 148) for the relief of James St. George Dillon.

Sir HECTOR LANGEVIN. Mr. Speaker, at six o'clock I saw the hon. member for North Oxford (Mr. Sutherland), who has charge of the Bill, and it was understood between us that the Bill should be postponed until Wednesday, when the private Bills will come up and when we expect to dispose of it.

ROYAL MILITARY COLLEGE.

Mr. PATTERSON (Huron). I must dispute the premises upon which my hon. friend from North York (Mr. Mulock) bases his argument with respect to the Royal Military College—viz.: that the intention, when this college was first established, was that it should be a purely military institution. I find that the Hon. Mr. Ross, who had charge of the Bill to establish the institution, stated as follows. I quote from the 'Debates' of 1874:—

The question might now perhaps be suggested as to what would become of these cadets after the completion of their education. He thought it might be safely asserted that if they failed to receive immediate military employment, the several industries of the Dominion would absorb their services in the advancement of civil pursuits. The scientific knowledge and the habits of discipline which would be acquired at such a school would naturally fit them for various branches of civil employment, while they would always be ready to place themselves at the service of the Dominion should occasion arise. It would be impossible to make every cadet a competent officer for the higher commands, as the temperament and natural abilities of some might not fit them for military life. But then in that event, the public would have the advantage of their industry in various civil pursuits and their education and training would tend to make them more generally useful even as civilians.

That was the key-note of the speech of the hon. Minister in charge of the Bill for the establishment of the Royal Military College. I think that the return which was brought down to the House this session shows, that as far as practicable, a very fair amount of employment in Canada has been given to the graduates and cadets of the Royal Military College. I find that in the Imperial cavalry service sixteen graduates of the college received commissions. Now, as regards some of the commissions given, I may say that there was a period when the Imperial service was short of officers, and when the Imperial authorities were glad to get cadets from Kingston without waiting for them to graduate and gave them commissions in the Imperial service. In the Royal Engineers twenty-six gentlemen from the college re-

ceived commissions. Among the engineers also some received commissions who had not graduated, their services being required before they had time to complete their school work. In the infantry, seventeen officers who were graduates and ten cadets received commissions. Appointments have been made to the Canadian Mounted Infantry, to the Royal Regiment of Canadian Infantry, to the staff of the Royal Military College and to the Mounted Police. In the civil service of the Dominion appointments have been made in the Geological Survey, in the Fishery Department, the Hydrographic Survey, the Marine Department, the Post Office Department, and the Militia Department. And in connection with this department, I may say that the hon. gentleman made a charge that I had given employment to a gentleman who was not a graduate of the Royal Military College. I did, for a couple of months, during this session, give employment to a young gentleman who was a graduate of the school of technology in Toronto. He was employed to do some work which was absolutely necessary. He is not now in the department. I did not employ him as a political favour, because the gentleman and all his friends belong to the party of gentlemen opposite. He got the position because he was eminently well fitted for it, and he discharged his duties during the short time he was employed in a highly satisfactory manner, and now he has gone back to the ordinary work of his profession as a civil engineer in outside work. Other appointments have been made in the Department of the Interior, in the Government cartridge factory, the Cornwall Canal works, the Soulanges Canal works, and one graduate is employed in the work of the delimitation of the boundary between Alaska and Canada. One appointment has been made on the Toronto Harbour works, and one in the Dominion Lands Branch of the Department of the Interior. One graduate is employed in the Department of Agriculture, and one as collector of customs, and one in the office of the Provincial Secretary of Ontario. So that in military and civil employment we have altogether, between the Imperial and Canadian service, 138 who were graduates or cadets of the college. I really think that is a very good showing. It never was contended for a moment that Canada was a military country, or that it could by any possibility furnish military employment to all the graduates of the college. And I do not think that the late Hon. Alexander Mackenzie, when he decided upon establishing the college, ever thought for a moment of establishing it upon purely military basis or with a view to giving solely military instruction; and what I have read from the remarks of the Minister of Militia of that day in introducing the Bill convinces me that it was the intention, while fitting them to take military service if necessary, to employ the graduates, as far as possible, in civil engineer-

ing on the public works of the country. I received a report from General Herbert on this subject, and he said that, according to his calculation, there might be on an average possibly two vacancies annually in the Canadian permanent force. I may say that I am giving graduates of the college preference in the permanent force; but I think we should also consider the claims of the militia of the country as well, and even if we were to give all possible vacancies in the permanent force to graduates of the college, only two graduates each year could be employed, and therefore the vacancies would not in any degree absorb the number of graduates turned out, who number from thirteen to fifteen each year. It is my desire to give employment as far as possible to the graduates, and a number of them are being employed at the present time. The General in a memorandum states that an experiment in regard to providing temporary employment for the graduates is now being made, the Quartermaster-General employing eight of them in a topographical survey in the Eastern Townships, and as the work on which they are engaged progresses, a large number might be employed in future. I find that on an important occasion when the militia's services were called into requisition, the graduates of the college were found exceedingly useful. In a debate which occurred during the session of 1885, as reported in 'Hansard,' the following remarks were made:—

Mr. CAMERON (Middlesex). Would the hon. gentleman inform us how many military school graduates are now in active service in the Northwest?

Mr. CARON. As far as I can remember, there are twenty-six in the force at the front, and that is really a very large percentage.

Sir RICHARD CARTWRIGHT. That is nearly all who have graduated and are in the country.

Mr. CARON. Yes, and that includes the men who are in the infantry schools and also the General's aide-de-camp, and three in the Mounted Police.

Sir RICHARD CARTWRIGHT. I am very glad to hear that statement: it shows conclusively these young men have all done their duty.

In a debate which took place in the House in 1881 an hon. member who was a member of the Opposition at that time said:

I have had much pleasure in visiting the Royal Military College during several years, have seen the working of the institution and have one of my boys there. I must say with all due deference to several hon. members who have spoken on the subject that I know of no institution in this country as well deserving of the money spent on it, and if five times as much was spent a good return would be given to the Dominion.

The present Lieutenant-Governor of Ontario, Mr. Kirkpatrick, who at that time resided in Kingston, offered some remarks which may be of interest to the House. He said:

I think it is right to say a few words with respect to the Military College vote in consequence of the remarks made by the hon. member for West Middlesex (Mr. Ross), wherein he seemed to think the staff of the college has been unnecessarily increased in cost during the last two or three years. I am sure if he will reflect he will see that the cost of the staff a few years ago when the college was started could not be expected to be so great as that of the present day, when the college is in full working order. I think the college has not failed in any degree to give the country the value which it was thought it should render when it was originated. If the work done by the staff be compared with the Toronto University, and the total cost of the two staffs be compared the comparison will be in favour of the Military College. The salaries of the professors at Toronto University aggregate considerably over \$35,000, whereas the salaries at the Kingston College amount to only \$26,000. Then the staff of professors at Toronto University teach only five months in the year; and the Kingston professors teach ten months in the year, and the professors are not only professors, but do the duty of tutors, and are with the students from early morning until ten o'clock at night. I know from experience that the staff at Kingston is as hard-working and does its duty as faithfully as any staff could possibly do.

I might read a great many more remarks offered by hon. members on both sides of the House which were favourable to the continuance of the college, and it was quite a surprise to me to see the stand taken by the hon. member for North York (Mr. Mulock), who is supposed to be a friend of education, and who has distinguished himself by the way he has promoted the welfare and prosperity in a broader sense, of the Provincial University. I do not consider that a return of the cost of each student at Toronto University will show as low an expenditure per head as a return of the students of the Royal Military College. I have not the figures worked out, but I will have them worked out at a future date. No one proposes to curtail the usefulness of the Provincial University because a return in dollars and cents is not immediately shown. Take Upper Canada College: Every student there costs \$3,500 annually. Still, on account of the usefulness of the college, in the wisdom of the majority it is retained and it is flourishing, and I believe it is a very useful institution.

Mr. MULOCK. The figures which the hon. gentleman is giving to the House are entirely erroneous.

Mr. PATTERSON (Huron). I am perfectly certain I am correct, and the figures will astonish the hon. gentleman. I am saying at the present moment that every student in Upper Canada College costs over \$3,000 annually.

Mr. MULOCK. That is a great cost; but I have nothing to do with Upper Canada College.

Mr. PATTERSON (Huron).

Mr. PATTERSON (Huron). I am merely showing that we cannot measure the usefulness of an institution by taking an account of the capital expenditure, and considering the number of students, then calculating the cost per head, and saying they cost so much. I do not mean to say that the Royal Military College is perhaps all that the hon. gentleman who established it would desire it to be; but we are not a great military nation, and we are disposed to walk in the ways and cultivate the arts of peace. The hon. member for North York (Mr. Mulock) would not wish me to largely increase the permanent force in order to find military occupation for the graduates of the college. It is a fortunate thing for us that we do not require the services of many military men, and I may assure the House that so far as my policy is concerned I desire to give employment to the graduates who are trained at the college, and I desire to employ them either in the civil or military service of Canada, but in the course of my efforts to carry out that policy, I have found that in some instances graduates prefer not the civil or military service of Canada, but the profession of civil engineering. When a vacancy occurred in the artillery, I offered it to Mr. DeBoucherville, who passed last year with great distinction. So soon as a vacancy occurred I telegraphed that gentleman, offering him a position in the Military service. He declined the position, stating that he preferred a civil engineer's life to a position on the permanent force which is ill-paid and affords very little prospect of promotion in after life. I do not wonder at his choice; he is a man of distinguished ability, and will be able to win a high position in any walk of life he chooses to pursue. So far as the management of the college is concerned, I may say that before this matter was mooted by the hon. gentleman (Mr. Mulock), I have given attention to the question as to whether it was possible to reduce the number of professors, and my attention to this subject will not be lessened in consequence of the remarks of the hon. gentleman. I intend to give it my special attention. I have been considering the wants of the college, and this year I have advertised the entrance examinations very extensively in all parts of the country, and I have hopes that there will be a larger attendance at this institution. I am with the hon. gentleman in the desire that a good education should be given there in the curriculum that is now taught. I am also with him in the desire that the money of the people should be expended usefully for the benefit of our young Canadians who choose to attend that college. But so far as I am concerned, I do not agree in the remarks of the hon. gentleman that the Kingston school is to be treated as a purely military institution, and that nothing should be taught there which would fit a man for the ordinary routine of life in other walks. I am carrying out as

far as I can the idea of the gentleman who established the college, and I think it would be impossible for us to hold out more hopes to the graduates than the present inducements: that they shall get four commissions in the Imperial service, and that they shall get the preference as far as possible for positions in the permanent forces of Canada and the North-west Mounted Police. In many cases the graduates of the Kingston college have been appointed to these positions, and I think that is as far as I can reasonably go. I intend to give my personal attention to the matter and see if any policy can be devised by which the expenses of that institution, which have been gradually increasing, can be reduced. It is my anxiety that the college should be conducted in such a manner and at such a cost to the country as to increase its popularity, because I desire to make it, in the interest of the country, as useful an institution as it possibly can be.

Intercolonial Railway—Branch
from or near Bedford to Dartmouth..... \$198,000

Sir JOHN THOMPSON. I move to alter the wording of this item, so that it may read, "from some point on the Intercolonial Railway between Windsor Junction and Bedford to Dartmouth." Windsor Junction is about four miles further, and it may be found more convenient to make the junction at a point beyond Bedford.

Sir RICHARD CARTWRIGHT. Would the alteration proposed, under any circumstances, increase the cost of the construction materially?

Sir JOHN THOMPSON. It probably will not. Bedford is a somewhat inconvenient place; there is a steep decline there. It is quite uncertain that the Railway Department will be asked to make the change, but they wish to consider the subject, and for that reason to have it left open.

Mr. McMULLEN. Have there been any preliminary surveys of the proposed route?

Mr. HAGGART. There was a survey made when the Intercolonial Railway was originally built. That is partially available, and the staff on the Intercolonial are surveying alternative lines to see which will be the cheapest and best.

Amendment agreed to, and resolution, as amended, concurred in.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Cornwall Canal..... \$450,000

Mr. HAGGART. This sum is required to cover the following estimated expenditures during 1894-95:—

Sections 1 and 2.....	\$100,000
Section 3.....	65,000
Section 4.....	75,000
Section 5.....	15,000
Sections 6 and 7.....	50,000
The dam at Sheik's Island.....	100,000
Section 8, Gilbert & Sons, blasting and dredging.....	25,000
Section 10.....	20,000

The estimated cost of the enlargement is \$4,000,000. There has been expended to the 1st March, 1894, \$2,922,192.

Mr. LAURIER. I notice that a few days ago the Exchequer Court gave judgment against this Government in favour of Gilbert & Sons, in connection with a contract which has been cancelled. Will the hon. gentleman explain?

Mr. HAGGART. That is on the Galops Rapids. It is the channel for which the Mackenzie Government, in 1876, let a contract for the purpose of building a channel outside the Galops for the passage of boats down.

Sir RICHARD CARTWRIGHT. That does not arise out of that transaction.

Mr. HAGGART. No. It is under that contract the judgment was obtained. The judgment, I believe, is for \$200,000 with leave to move to lessen the amount. When I came into the department the work had been completed over three years. There was some dispute as to whether the parties were entitled to a certain amount. I contended they were not, but the court has given them judgment.

Mr. GIBSON. The hon. Minister, in explaining the Sheik's Island dam, said he came to the conclusion, after examining the work himself, that the plans adopted by Mr. Page were entirely wrong, and that the changes made were made in the interest of the country. He said further that he was justified in letting the work to Davis & Sons without a tender, on the assumption that they had offered to do the work at \$10,000 less than the engineer's estimate. I find, by the return brought down, upon examining prices and quantities according to the engineer's estimates, that the Government have over-estimated Davis & Sons to the amount of \$67,295. It is rather singular that this firm should have known the exact amount of the engineer's estimate. According to this return, there is nothing, in my mind, to justify the action of the Government, upon the advice of the Minister, in awarding this contract to Davis & Sons. The hon. gentleman said in committee that on account of the nature of the work, it was advisable to give them the contract; and it seems to me, from the return brought down, that the change was initiated entirely by the hon. Minister himself, because I find a letter here, dated 6th May, 1893, addressed by the chief engineer to Mr. Haggart:

MY DEAR MR. HAGGART,—You having decided to build the Sheik Island dams in connection with the Cornwall Canal enlargement, it becomes necessary to provide for their construction. The superintending engineer, Mr. Rubidge, has prepared a detailed estimate of the cost, which amounts for the works of construction to \$384,000 and for land and damage \$30,000, making an aggregate of \$414,000. It appears by the statements made by him that the requisite impervious material for the inside or upstream slope of the dams cannot be had near these sites, and that it will therefore have to be obtained from "abroad," the nearest and most available point being on contract 4, William Davis & Sons, contractors; and further, inasmuch as the interests of these two works—the dams and section four—are so closely interwoven with one another, owing to certain modifications in the works of construction at Lock 20, on Section 4, it would appear to be in the public interest to extend the Davis contract to cover the said dams as at their contract prices, allowing \$30,000 for land and damages, the cost would amount to \$404,485, or some \$10,000 less than the superintending engineer's estimate. Under all the circumstances, if it can be done, I strongly recommend the Davis contract No. 4 be extended to cover this work, if the Messrs. Davis & Sons are willing. The superintending engineer shares my views in this matter.

Yours faithfully,

COLLINGWOOD SCHREIBER,
Chief Engineer.

On looking over the Auditor General's Report and the prices at which the work was awarded to Davis & Sons, I find that in item No. 5, general earth work, they were getting 30 cents a cubic yard, and item No. 7 for lock-pit excavations, 32 cents, and on the whole section generally 32 cents per cubic yard. Now, according to Mr. Rubidge's estimate, there are 36,000 cubic yards of earth excavation in the seats of the dams, and which Mr. Rubidge, instead of calculating the cost at 32 cents, allowed 50 cents a cubic yard, or over-estimated on that item alone \$6,480. Then there were 83,000 cubic yards of embankment allowed at 50 cents a yard, \$41,500, when the contract price was 32 cents, making an over-estimate of \$14,940. Then there were 5,000 cubic yards of tow-path embankment, which is also allowed at 50 cents per yard, whereas the contract price was 32 cents, making an over-estimate of \$900. Then, in the matter of puddling—and the Minister and chief engineer laid great stress upon the impervious material required to keep the water in the canal—Mr. Rubidge allowed \$1 per cubic yard. I venture to say that any contractor in the Dominion would have been glad to do the work at 50 cents. However, I find that Davis & Sons' contract price was 75 cents per cubic yard, and there is in that item alone an over-estimate of \$3,750. Then the next item of consequence is 43,000 cubic yards of stone crib-filling, which is allowed for at \$1 per cubic yard, whereas Davis & Sons are doing the work on other sections at 50 cents per cubic yard, so that on that item the engineer

Mr. GIBSON.

was kind enough to allow the contractors \$21,500 more than they should have got. Then on the rock excavations the engineer very liberally allows \$1.50 per cubic yard on 3,000 cubic yards, amounting to \$4,500. The contract prices of the other rock excavation then being done by Davis & Sons upon the other section was \$1.10, or upon this item the engineer over-estimated \$1,200. Then there were 19,000 cubic yards of riprap and quarry waste. Perhaps the Minister will undertake to explain the difference. But I want to tell him as a practical man, that there is practically no difference. The engineer allowed \$1.50 instead of \$1 a yard, which was the price on the other portions of the work, showing an over-estimate on this part of the work of \$9,500. Then there was 6,500 cubic feet of pine timber, at 50 cents. The contract price of Davis & Sons on the other sections was 35 cents per cubic foot, so that there was an over-estimate on the timber of \$975. Then there was an item of 6,300 cubic yards of masonry on the cut-off wall for which the engineer allowed \$8 a yard, notwithstanding that work of a similar kind was being done by the same contractors on the other section at \$7 a yard, making an over-estimate of \$6,300. There was 1,750 cubic yards of random-course masonry for which the engineer allowed \$8. The contract price for this also was \$7, an over-estimate of \$1,750. Now, summarize these items:

Earth excavation in seats.....	\$ 6,480
do do embankments..	14,940
do do towpath.	900
Puddle.....	3,750
Stone filling in cribs.....	21,500
Rock excavation.....	1,200
Riprap and quarry waste	9,500
Pine timber.....	975
Masonry cut-off wall.....	6,300
do random course work.....	1,750
	<hr/>
	\$67,295

This is the amount estimated over and above the price at which Davis & Sons were doing the work, and the engineer comes down to the Minister and recommends him to accept the tender of Davis & Sons on the ground that they had agreed to accept it at \$10,000 less than his estimate. I have only taken a few of the more prominent items, so I think it may fairly be assumed that the engineer had made an estimate of \$75,000 more than the same quantity of work was being done for on the other section. On a previous occasion, speaking from the information then at hand, I said I could not see any possible excuse for this change being made in the work, or, at any rate, any good reason given by the Minister in his explanations to the committee for giving this work to Messrs. Davis & Sons. The section is an ordinary piece of work, as is known to every one who has had a practical experience in works of this kind. If any practical man will look over the engineer's estimate and

by the reports he would see that there is nothing to justify the action of the Government. He cannot say that Davis & Sons had any special material upon their section, or that they had any special claim on account of the work being contiguous to their section, to justify the contract being given without public competition. I think it was unreasonable to give \$404,000 of work without public competition. We might as well give up the idea of tendering for public works, if it is to be in the power of the Minister, or in the power of the Government upon the advice of the Minister, to let large works of this kind to a favourite contractor simply because he happens to be in the vicinity of the work to be done, particularly when that contract is given at a price higher than the work could be done for. It will be very interesting to watch the final estimate when it comes before the House. I venture to predict that it will be more than \$404,000. I do not think the engineer was fair in making his estimate. If an engineer was making an estimate upon a work simply to arrive at a just conclusion of the value and to prepare the Government to provide money enough for the work, such an estimate would be all right. But when he comes to the Minister with a recommendation to give the work to a certain contractor on the ground that they were willing to do it for \$10,000 less than the Government engineer's estimate, I think the engineer was misleading the Minister, considering that his estimate was \$75,000 or \$80,000 higher than similar work was being done for by the same contractors. It would seem that there must have been some collusion between the engineer and the contractors, or how could they say that they were willing to do it for \$10,000 less than the engineer's estimate? It is wrong to mislead the members of the committee by the pretense that a better bargain was being made than would have been made had the work been put up to public competition, and as a member of the committee I protest against this method of giving contracts for public works.

Mr. BERGIN. I was sorry to hear the hon. gentleman who has just spoken asperse the character of the engineer and intimate to the House that there had been collusion between the engineer and the contractor, particularly, when, but a few moments before, he had stated to the House that the Minister had given this contract to favourite contractors upon his own mere motion. Now, I take issue with the hon. gentleman upon all these points, as I take issue with the hon. leader of the Opposition, who said, in discussing this question a little while ago, that he did not see anything to justify this change in the character of the work, seeing that Mr. Page had already condemned the work, and had stated that it could not be carried out. I do not think that any stronger evidence could be given that Mr. Page, the

late chief engineer of canals, was in error when he said that the construction of the upper dam would certainly cause a rise of the water that perhaps would carry destruction to the American side and would involve us in international trouble, than the fact that a temporary dam was constructed last year to enable the permanent dam to be built, and the water did not rise sufficiently for the rise to be measured. It did not raise the thousandth part of an inch, and the water runs by it now as it did last year, round the head of Sheik's Island, between that island and Barnhart's Island and the American shore, without having caused the water to rise, as I said, the thousandth part of an inch in the main channel of the St. Lawrence. The hon. gentleman said that he could not discover any justification for any physical change in the character of the work. Now, Sir, I do not believe that the hon. gentleman knows anything at all about the character of the work.

Mr. GIBSON. The hon. gentleman misunderstood me. I was speaking of the section that was required to be given to Davis & Sons, because they had suitable material on their section.

Mr. BERGIN. Just as I said—the hon. gentleman did not know what he was talking about.

Mr. GIBSON. We will see that later on.

Mr. BERGIN. I do not know if the hon. gentleman has been there, but if he has been, he certainly did not use his eyes to advantage. I think I shall be able to show before I get through that it was a matter of necessity to get the material for this dam, the earth to make the impervious banks, from Davis & Sons. Now, if the hon. gentleman had inspected the record, if he had consulted the debates in this House, he would have discovered reasons why it was necessary to build these dams, and he would have discovered reasons which justified the Minister, under the advice of his engineer, in giving this work to the Messrs. Davis. I showed in this House five years ago the character of the bank of the Cornwall Canal, particularly between Mille Roches and Brownell's Bay, as it was called in the original estimate. Some years ago Mr. Samuel Keefer, now dead, but then president of the Society of Civil Engineers, one of the ablest men of this country—and this country has produced a great many able men—in addressing that society at Montreal, said:

It has been suggested that some reference should be made to the first construction of the Cornwall Canal, the enlargement of which is now in progress, especially to that portion of it between Moulinette and Mille Roches, where the breaches have occurred, and it is my intention to do so, not in this address but in a paper specially prepared with illustrations, to be read at one of the regular meetings of the

society. Having spent nearly six years of my younger days as assistant engineer, under I. B. Mills and Colonel Phillpotts, resident engineers in its construction, I may claim the privilege of contributing the facts in relation to the formation of the banks that have come under my observation.

This much, however, may be said here.

The canal and its banks were constructed of ample dimensions. The canal was 100 feet at bottom and 10 feet deep. The embankment was raised to 14 feet above canal bottom, and made 12 feet wide at top with slopes on either side of two to one.

That portion of the canal embankment on the upper reach, which for upwards of a mile in length, from Moulinette to Mille Roches, holds the water in the canal at a level of about 20 feet above the branch of the St. Lawrence, which runs alongside, is in fact founded upon the treacherous clay bottom in which were found springs of water, and in part in side-cutting permeated by streaks of sand. The embankment over this ground was formed with extra care, the earth being laid on in courses with carts, and where the outer slope ran out into the river, it was protected by boulder stones along its outer edge. Where springs were found under the seat of the embankment they were led out to the river's edge by French drains.

Now, I may say that in the construction of locks 19 and 20, which are now completed, it was found that the character of the bank was even worse than I represented it five years ago. It was found that the banks were not only built with broken boards and split planks, but it was found that trees were felled and allowed to lay upon the banks, and that the earth upon which this bank was built was neither mucked nor grubbed. The black muck was left there, and this heavy bank was built upon it, and built on the edge of the river. Under that muck was a treacherous clay, so that the water, on reaching it, undermines everything above it. Photographs were taken of these banks when they were building the locks, for they were obliged to do then what ought to have been done nearly half a century before—to muck and to grub the soil before building the banks upon it. I am sorry I have not here the photographs which were taken of the condition of the banks at locks 19 and 20.

Mr. LAURIER. What year?

Mr. BERGIN. I think it was three years ago that they made that excavation. But I may say that although locks 19 and 20 are built where the banks were least treacherous, it has been found necessary to puddle them, and to put in almost a mile of crib-work to keep the banks from slipping away into the river. The same mistake that was made in the first construction of the canal was made in the last construction, and the locks are built in the river instead of being built inland. I go further, and say that these locks ought not to have been built at all, that they were not required, and that lock 19 ought not to have been built in any event, although there is excuse

Mr. BERGIN.

for lock 20. Lock 20 ought really to be the foot of the canal, and vessels going down ought to drop into the river at that point, and going by the river they would be at Valleyfield, 33 miles away, as soon as they reach now the mouth of the Cornwall Canal, under the present system of lockages. But the contract had been given, and it was impossible for the Minister to alter that. Now, I come back to that section of the work which this gentleman says, in the absence of all evidence, it was not necessary to construct.

Mr. GIBSON. I did not say that.

Mr. BERGIN. You said there was no reason to alter the physical character of the work.

Mr. GIBSON. I said there was no physical feature in connection with the work that I could see from examining this document, that justified the Government in giving it to Davis & Sons, without a tender.

Mr. BERGIN. That is an entirely different thing. The hon. gentleman made two statements that I have separated, and I intend to deal with them separately. One is the physical character of the work, and the other the justification for giving the contract to Davis & Sons. If the hon. gentlemen who were in the House in 1885 will read the statement I made then to the House, they will find that I pointed out that all the serious breaches that occurred in the canal occurred in that section between Mille Roches and Sand Creek, and that they all occurred from the same causes. I pointed out that that portion between Mille Roches and Brownell's Bay was built upon a treacherous foundation, that was neither grubbed nor mucked, as has since been shown, and that it was not built in a way to secure the safety of the bank; that on the contrary, it was built upon the same plan as the engineers, who constructed the Cornwall Canal had constructed the Erie Canal. It is miraculous that the banks have not suffered more breaches, and that there has not been more injury done to the trade and commerce of this country in consequence of the faulty construction of the banks in that portion of the canal, than they have already been subjected to.

Mr. LAURIER. Miraculous.

Mr. BERGIN. Almost. God watched over us, just as He is giving us good crops now. There are engineers and there are engineers. The engineers who were employed at that time, were employed because Canadians had not the same confidence in the ability and the skill of our engineers that we have to-day. They went abroad for engineers, thinking that the Americans knew more about engineering than we did, and the engineers that they employed fully sympathized with that feeling. And to show that they could do what Canadian engineers said ought not to be done, and

was not proper to be done, they built a canal in the river, and they said that they would save £30,000 sterling by doing so. The whole character of the work of the Cornwall Canal was put in peril, because of that estimated saving, and we have paid five times that amount since in repairing damage to the canal that was caused by adhering to that plan, which everybody else said ought not to be employed. Those three and a half miles of bank are perfectly rotten. The eight feet of good bank that they placed on the north side so as to protect the bank and prevent the water from going through, after half a century's exposure to rain, wind, storm, ice and flood has been all worn away, and you can scarcely travel twenty yards on the south side of that bank in the hottest weather without seeing clear water trickling through it. The hon. gentleman, whose practical knowledge has not very much impressed me during the course of his speech, will tell the House that where clear water runs through such a bank there is mischief brewing not very far away. It has been through the constant care of a large staff, headed by a skilful superintendent, Mr. D. A. McDonald, that the bank has been kept from slipping away by constant additions being made of good material, and on account of stone being placed outside. That is one of the reasons why the Minister, upon the report not only of his own engineers, but of an engineer of the highest character not belonging to his department, and who was asked to make a careful examination of that work, ordered these dams to be constructed. By constructing these two short dams the Minister got rid of three miles and a half of rotten bank, which was a serious menace to the trade of the country. At any moment that bank is liable to break away and run into the river, when the trade of the country will be stopped; and for that reason the Minister was perfectly justified in building these dams. The other night, on a different subject, the attention of the House was called to the fact that the Act regarding railways and canals, or rather the two amending Acts, one amending the Railway Act and the other the Canal Act, contained two sections which are identical, and in those sections it is provided that the Department of Canals shall not give out any contracts except under tender, unless there is some danger threatening, that compels action. This is the case in regard to giving out this contract. The Minister saw that there was in that bank a menace to the trade of the country, that it was liable at any moment to give way, and that it would cost a very large sum, as shown by the report of the engineers, which I will read, in order to strengthen the canal, and that to enable vessels to pass through it would be necessary to cut into the north bank of the river—not of the canal, but of the river—so as to widen and strengthen it, and it would cost \$900,000 more to do that than would be required to build the dam, as I shall show by the

reports of the engineers. With respect to the north part of the bank: in Mr. Page's first report he called attention to the fact that it would be necessary, because of the increased weight of the water which would be in the canal when it was deepened to sixteen feet, so affording fourteen feet of navigation, to make the bottom of the canal ninety feet instead of 100 feet. When I argued that it was not safe to leave the bank in that condition, or to use it at all, but that dams should be built. Mr. Page said he would not take anything from the north wall of the canal, but would take all the excavation from the bottom and throw it over the south wall. He gave an estimate of the cost, and in the concluding paragraph of his report he said he would retain that material, which was not of good character, by placing stone over it. An estimate of the cost of the stone to support that wet material taken from the river was more than the whole of the works which he had recommended to be put under contract. He showed also that in the last contract he would be obliged in a great many places to go into a bank of hard-pan, forty feet high, and the estimate of that work was nearly \$1,000,000 more than the dams cost, and more than these dams would have cost if there had been no contract for sections, part N. 5, 6 and 7 with Messrs. Gilbert. That firm has been allowed \$125,000 for the work already performed, and since June, 1891, they have done little or no work; in fact, those sections, part of No. 5, 6 and 7 have been abandoned since that time and that much money at all events, more than \$300,000 has been saved by the abandonment of the work, and should be included in the saving which the construction of these dams will cause to the country. I think I have shown that in view of the condition of that bank there is perfect justification for the Minister acting on the report of the engineers, giving out this contract without tender. Dealing with the question as to whether the Minister had done that upon his own motion, as the hon. gentleman said, I beg to read a report made to Mr. Trudeau, the late chief engineer of canals, dated 23rd April, 1891.

Mr. LAURIER. Who made that report?

Mr. BERGIN. Mr. Rubidge, engineer of the canal. It is as follows:—

I beg to inclose herewith a statement showing the cost of completing the Gilbert contracts, and of further improving the channel way when affected by the proposed dams, also the comparative cost between completing the contracts, including the widening and so forth on the north side of the canal as provided for in the specification and the construction of the proposed dams.

Appended to the statement sheets 2 and 3 containing abstracts from the estimates of cost of (a) Widening and deepening the canal from Cornwall to Mille Roches, (b) Widening the canal on the north side, deepening and so forth, and flattening the curves from Mille Roches to near the head of Sheik's Island without interfering with the old embankment.

(c) Widening and generally perfecting the alignment of the canal either north or south of the old embankment from Mille Roches to near the head of Sheik's Island, and (d) the construction of the proposed dam.

Now, Sir, let me call your attention to the fact that the construction of these dams is not a new thing, nor a matter of yesterday. At the time of the construction of the canal the commissioners, having grave doubts—because there had been already very many slides and great portions of the work had slipped into the river almost as soon as completed—called upon the administrator of that day, to send Captain Cole, of the Royal Engineers, who was serving with Sir John Colborne and Mr. Fleming, an engineer of repute, and Mr. Thompson, and asked them to report upon the plan of Mr. Mills. Now, what did Captain Cole say?

In altering their plan to meet the wishes of the country, Judge Wright and Mr. Mills stated that they were aware of the greater cost of No. 1 (the inland route), but preferred the latter as a more perfect work. The latter gentleman thought the saving might be £60,000. I imagine that this will be found under the mark, but nothing certain can be given until a survey of the points to be improved has been made. The first and principal feature of the natural course about to be adopted, is the damming below Brownell's Bay. Having given the subject such consideration as imperfect accounts of the localities, and Mr. Ridout's map of Canada, enabled me to give, before I visited the spot, I concluded that we might construct these works advantageously, and I found the reality greatly surpassing my expectations. If an embankment be thrown across the passage above Brownell's Bay to Sheik's Island, the water lot may be finished without pumping, and the dams below constructed without the usual expense of an artificial waste weir, or the shifting of a temporary one in the dam itself as the work progressed. The water being thrown around the outer channel by this embankment, no difficulties remained to contend with. This bank, I advise, should be permanent, with a masonry waste weir of sufficient dimensions to feed the locks and mills, with a spur or jetty thrown forward (as at present from the wooden lock) to catch the upper level of rapid as it passes at right angles across the mouth of the passage. This difference of level is about two feet. The extra expense of making this work permanent would scarcely exceed that of a temporary coffer-dam, independent of the masonry cheeks of the sluice-way—and a guard of three or four feet against the spring floods would be much less costly than the same guard placed on the dam and lock at Moulinette. The advantage would be acquired of relieving the works below at any time, in case of leak in the dam or locks, which may be required in spite of all previous care of the engineers, from the carelessness of the contractor, or from some defect in the lock itself which would require remedy; much, it is true, may be done by previous care in the foundation of dams, and the examination of the rock under them and the locks—all apparent fissures being filled with cement and covered with a little masonry. The advantage, also, will be given by the bank above, of letting in water by degrees and watching the effect produced.

Mr. BERGIN.

so that all defects may be remedied before the navigation opens. The backing might also be allowed some time to consolidate before the water is let in. This work I call embankment because it does not raise the level of the water, but merely retains it at the level required. All these details, and many more, will better be known to the resident engineer. I will merely state, that the masonry of dams should be arched key work, well wedged up; this saves extra masonry, and if well performed, there is no use in mortar or cement being added, but broken stones and shingle should in either case be placed about 4 feet thick on the back of the masonry to prevent the passage of the gravel and clay of the slope above. The water should not run over, for several reasons, and a guard of 2 feet will be ample against the wash of the surface water. All these arrangements were concurred in by the engineer, and from hence downwards, no discrepancy of opinion appeared; all details being left to the judgment of the resident engineer, including the formation of sluices at each dam.

Commenting on this, I then remarked:

Now, one would suppose, as Capt. Cole evidently supposed, that this proposition of his would have been carried out; but it was not. Mr. Geddes, who was also consulted by the engineers, speaks of this plan, too. He says:

"The lower level leaves the upper, by locking down 17 feet to the surface of Brownell's Bay: said bay being raised $5\frac{1}{2}$ feet by a dam at Mille Roches, holding up the water 13 feet above its present surface of that place, thus producing a depth of 10 feet of water through the bay.

"The artificial lake thus produced, would afford a fine piece of navigation for three miles, but destroy the valuable water power of Moulinette, and what is more serious, produce, in the canal line to be carried from Mille Roches onward in much of the distance for the first three-quarters of a mile, cutting 17 feet deeper than by pursuing the upper level, beyond which there is 9 feet between the two levels.

"Few localities equal this in the facility of making said dam, or founding a water lock, at the head of Brownell's Bay: a low embankment shuts all the water from the north aside at Sheik's Island, leaving dry land to build the water lock on at the head of Brownell's Bay, and the dam at Mille Roches. This embankment at the head of Sheik's Island, Mr. Mills values at but \$450; a canal from the head of Brownell's Bay to Mille Roches he estimates at \$103,980.

"The value of three miles of an artificial lake, instead of a canal, would be the set-off against some excess of expense which probably will be incurred by following the lower level."

Mr. Fleming reported in the same way. Then Mr. Mills made a second report, in which he practically admitted what these gentlemen had said, but stuck to his first plan, because of the £30,000 sterling difference in the cost, and Mr. Mills, before leaving the country, made a final report, in which he said:

But before you pronounce it the economical, the judicious, and altogether the best plan to be pursued, you must consider what it accomplishes and

what you have got for your money. In the first place, you have got an imperfect improvement, and one which does not secure the ends contemplated; secondly, the works and construction of the improvement, the business, the commercial operations of the whole country are jeopardized upon an expected and oft-occurring casualty, which may be avoided for the sum of £25,000 or £30,000; thirdly, in case of repairs being necessary they must be done at greater expense, and the same advantage cannot be taken of the season for repairs. These are matters which are perfectly within the comprehension of your board, and I hope they will receive the consideration which they deserve.

At that time what Mr. Page said to me at the head of the canal was said by the commissioners to Mr. Mills upon the receipt of that report. It was this: We have expended so much money now, that we must go on and finish it. I think, Sir, I have said sufficient to show that this three and a half miles of bank, which is a menace to the trade of this country at the present moment, and has been a menace to trade for several years; is a bank which ought never to have been constructed. I say that the dams recommended by all these great engineers should have been constructed in the first place. I omitted to mention two of the engineers, and very great men they were in their day. I refer to Mr. Clewes and Mr. Barrett, than whom no more scientific men ever came to this country. They both recommended the construction of a canal inland, which would be perfectly free from the danger of ice shoves and from the overflow of the St. Lawrence River. They too left on record plans which, although they are not brought down to the House, are in the department and should have been brought down, to show that these dams should have been constructed, and that in the event of improvement in vessels and larger vessels being used in the canal, that should it be widened and deepened, and should go out into the river at lock No. 20, at what was then called French's Rift. That, I think, the Minister will yet do. I think in the interest of the transport trade of this country it would save about four hours in the passage of vessels from the head of the canal to Valleyfield to have this drop-lock constructed at Lock 20. And now let me call your attention to another report made a few days afterwards by Mr. Rubidge, to show that the Minister, who could only act upon the recommendations of his officers, was guided, not by them entirely, but by the best scientific skill that this country affords—by a man whose honour is unimpeached, a man who under no circumstances would recommend the Minister to construct a work of this kind unless it was necessary to be done in the interest of the country; I mean Mr. Walter Shanly. I have here a statement made by the late Mr. Killaly, containing an approximate estimate of the value of work required to be done to complete the Gilbert contracts when affected by the proposed

dams, viz.: the one-sixth of section V, the whole of VI and VII, and one-fourth of VIII:

Mr. Killaly's statement	\$328,652
Robertson's balance, "stone toe"....	875
Total, less land required....	\$329,527
Deduct Robertson's estimate of work done.....	120,216
Total to complete contracts.	\$209,311

This is the sum to be paid to Mr. Gilbert to complete the work. The approximate estimate of the value of the work required to be done to render the channel way on the above-named Gilbert contracts practicable for the passage of large vessels by deepening and widening it, and by flattening the curves on the north side of the canal as represented on plan No. 2 would be \$477,836. That is, for a bank 40 feet high, composed of hard-pan, instead of two short dams on the river. Here is a comparison made by Mr. Rubidge as between the estimated cost of the proposed dams and the completion of the contracts affected thereby, namely: the one-sixth of section B, the whole of VI and VII, and one-fourth of VIII, including also the deepening and widening of the channel way, and flattening of the curves not now under contract:

Cost of completing the contracts....	\$209,311
Cost of deepening and widening, &c.	477,836
Total to complete contracts.	\$687,147
Estimated cost of proposed dams....	351,269
Excess of cost of enlargement over that of dams	\$335,878

Mr. Rubidge estimated the cost of widening the canal on the north side and deepening the channel, including flattening the curves to improve its alignment from Mille Roches Bridge to the site of the proposed upper dam near the head of Sheik's Island, as shown on plan No. 2, at \$477,836. The estimated cost of widening, deepening and generally straightening the present location, to perfect the alignment from Mille Roches Bridge to the site of the proposed upper dam, near the head of Sheik's Island as shown on plan No. 1, was \$709,336; namely: excavation, 784,395 cubic yards at 40 cents, \$313,758; embankment, 709,448 cubic yards at 50 cents, \$359,745; riprap, 23,888 cubic yards at \$1.50, \$35,833; total, \$709,336. We have the testimony of Mr. Page that this embankment is hard-pan and cemented material; and I maintain that the contractor who takes that work at 50 cents a yard will not make a cent out of it. Now, the Minister had before him a report of the late Chief Engineer of Canals, Mr. Trudeau, who went down there and spent some time over the work, and saw it for himself; yet he could not understand how it was that any one could think for a moment of building a bank in such a place as where the canal bank is built, when a few short dams would give a magnificent lake three

and a half miles long and 300 feet wide, with 26 feet of water at the upper dam and 42 feet at the lower dam. I said to him that I believed the late Chief Engineer of Canals had obtained his appointment through the late Mr. Mills, upon his recommendation, and I believed also that the kindness which Mr. Mills had shown to him as a young man, helping him in every possible way, until he placed him in charge of that work, caused him, not to throw any reflection on Mr. Mills, but on the contrary, to endeavour to carry out the plans which Mr. Mills proposed; and whilst I condemned him for doing that work, I could not in my heart help respecting the loyalty of the man to his benefactor. That is the only way in which I can explain his doing the work in the way he did on the Cornwall Canal. Not satisfied, however, with the testimony of the late Chief Engineer, Mr. Trudeau, not satisfied with the recommendation of Mr. Rubidge, not satisfied with the recommendation of Mr. Killaly, the Minister visited the work and saw what a great mistake had been made; he saw that our canal, instead of being a straight and perfect work, was so crooked and so imperfect that even though the banks were safe, it could hardly be made fit for the navigation of such vessels as will navigate that canal when it is completed to 16 feet. What is the opinion of Mr. Shanly, the greatest engineer this country has produced, who is consulted more by American engineers upon all great works than any other engineer in America, who is called upon, wherever there is difficult work to be performed, to give his opinion by the companies engaged in it before they set their own engineers at work? This gentleman was consulted by the acting Minister at that time, the Hon. McKenzie Bowell, and this is Mr. Shanly's report to him:

MONTREAL, 25th August, 1891.

SIR,—In compliance with your request I will now state my views touching the improvement of that part of the Cornwall Canal, about 3 miles in length, fronting what is known as Sheik's Island in the St. Lawrence.

The existing canal here closely skirts the river, but at a high level (from 20 to 35 feet) above it, and is very crooked presenting in its alignment a succession of reversing curves extremely inconvenient in the movement of large vessels. It was on this section that the breach in the embankment occurred in the late autumn of 1888, the cost of repairing which, some \$50,000, represents but a small portion of the loss to the country taking into account the loss to trade through the interruption of navigation.

I may say that the Board of Trade of Montreal estimated the loss in demurrage alone to be over \$5,000,000 to the country.

Sheik's Island belongs to Canada and is separated from the adjacent (Canadian) mainland by a channel narrow and shallow as compared with the vastness of the river; from the immense volume of water in which the quantity stolen by the Sheik

Mr. BERGIN.

Canal is, again by comparison, infinitesimally small. The channel is not navigable.

The enlarging of the 3 miles of old Canal is under contract and a considerable amount of work, to the value of not much short of \$125,000 already done upon it.

The plan of enlargement increases the original depth of 10 feet to 16-2 feet and surface width from 140 feet to 156 feet; but whereas the bottom of the old Canal is 100 feet wide the "improved" work is to be only 90 feet on bottom. A diagram hereto attached makes it simple to understand how these figures "fit in." Indeed to make properly clear the general description here attempted of the relative positions of the Canal, as it exists, of Sheik's Island and Sheik channel, the map of the locality, prepared by the Engineer in charge of the Canal works, should be in view.

The new locks of the Cornwall Canal, corresponding to these of the whole St. Lawrence system, are of a size to admit vessels 225 feet long and 44 feet wide "over all." Propellers fully up to these dimensions have already been built for the Welland Canal trade and, doubtless, only await the completion of the system to pass downward to Montreal and Quebec. Ogdensburg is now their eastern port.

On the three mile section of the Cornwall Canal now in discussion there are places where two such vessels could not pass one another, the dimensions of the canal being as above given; and more than half the distance would be awkward navigation for one such vessel with the track all to herself.

With such a condition of things, is it to be wondered at if the hon. Minister, having seen for himself, should consult his engineers and the most able man in the profession in the country, and should be guided by their advice.

The enlargement work under contract is estimated to amount when completed to \$325,000; of which there have been already expended some \$125,000; cost of work still to do on a single track channel, \$200,000; to go outside the present contract and improve further to the extent of flattening the obstructive curves so as to make these crooked three miles even fairly practicable for convenient navigation would involve work enough to cost in addition to the \$200,000 contract, work still to do not far short of \$500,000, bringing up the total outlay for unavoidable improvement to \$700,000; and even then with all the large quantity of work done that that large sum of money would be needed to pay for these three miles of the Cornwall would still probably be the worst three miles on the whole length of the St. Lawrence system of canals, the Welland included, and would fail to satisfy the claims of navigation. Before many years, supposing the above sum of money expended and the limited improvement, it would in effect be done, further straightening and widening would be clamoured for and again, a further outlay of \$200,000 found necessary to fully complete the improvements of which that particular section of the canal is susceptible and which the exigencies of traffic will insist on being made. The final improvement of three miles will thus have reached \$900,000.

And yet the Minister is to be condemned,

because he chose to avoid an expenditure of \$900,000, and preferred to pay \$31,000 to the Gilbert Bros. for giving up their contract. Mr. Shanly goes on to say :

In the early days of Cornwall Canal construction, more than half a century ago, the mode of treating this particular part of the undertaking was a "vexed question" with the engineers of the time. Two plans were proposed : one as seen in the "old" canal to-day ; the other the converting of the Sheik's Island channel into a still water basin by means of dams—one at the head, the other a little above the foot of the island—so as to raise the natural surface to the artificial level of the canal. The record tells that (what would now be considered) a trifling difference of cost in favour of the plan adopted formed the chief reason why it was finally adopted. The curvature so embarrassing to the free handling of the large propellers of this, our time, was of comparatively light account in the movement of the largest vessels of fifty years since. Comparing the cost of properly enlarging the original canal, now with that of carrying out the Sheik's Island scheme of improvement the scale turns in favour of the latter, and by no uncertain balance. To enlarge and improve, generally, the existing canal so as to be no more than fairly convenient for the largest class of vessels would cost, as has been stated above, about \$700,000 ; the alternative plan (all contingencies provided for) \$400,000 ; apparent saving on the Sheik's Canal plan, \$300,000. But a considerable portion of the expenditure already made under the contract now in force—about \$125,000—would be lost should the "dam" idea take shape, thus reducing the actual present saving in cost of construction to \$175,000. Improved even to the full extent that an expenditure of \$900,000 could bring about, the three miles of canal so improved, would not then as a piece of convenient navigation compare in excellence with the three mile basin into which the Sheik's Island channel can be converted at not very much to exceed one half that amount of cost.

Before undertaking to write on this subject, I had been upon the ground and made such an examination of what had been done in the past and what is now being done, as to leave it not doubtful in my mind that in order to perfect and make permanent what is now and on the present plan of improvement always will be an unsafe section of the Cornwall Canal, a radical change of plan is expedient. Enlarge and improve as you may on present lines, the embankment, the giving away of which has already caused serious injury to trade, will ever remain a "standing menace" to the surety of navigation. Very high and closely fringing the river it rests on a risky foundation and with the depth of water in the canal much increased over what it was in 1888, a re-enacting of the fifty thousand dollar break of that year would prove greatly more serious both as to the cost of repair and consequences to trade. I do not hesitate to express my belief that the wisest plan of improvement to adopt, wisest alike from the financier's and the engineer's point of view, will be to build the dams.

The appropriating of the Sheik's Island channel to canal purposes would of course be to divert it from its natural course as a 'side issue' of the main river, causing that share of the 'great waters' now flow-

ing Sheik channel way must thereafter stay with the parent body, and I have heard it suggested that such an addition to the volume of water passing down by the southerly (United States) channels, might possibly form the basis of an international question by so raising the water level along the New York shore as to cause damage to property. If you were to stand for a moment, facing westward, on the high point at the head of the island, and view (which you would do with a feeling akin to awe) the mighty river hurling its waters directly towards you over the great rapids of the Long Sault, and then, wheeling to the right, note the insignificance of the discharge to the north of the island, waded across by cattle any summer day, you would very quickly come to the conclusion that, if it be advisable in Canadian interests to proceed to the construction of the dams, you may with safety do so without fear of protest from our neighbours.

It has often happened, no doubt, that an untenable pretense founded on the most shallow pretext has caused hinderance and annoyance in the prosecution of important work, and, therefore, I would meet the suggestion of possible international complications in this case with the counter proposition that, in the event of the erection of the dams being decided on, two or more, United States Hydraulic Engineers of repute be engaged to examine the several channels and report the possible effect on the main body of the river or the closing of the northerly one. They would of a surety report that there would be no appreciable effect at all and that any pretense set up to the contrary would be frivolous and vexatious. Should it be deemed expedient to act on this suggestion, I would further suggest that one at all events of the referees should be an officer of the United States Corps of Topographical Engineers.

I have the honour to be, sir,
Your obedient servant,

W. SHANLY.

To the Honourable

MACKENZIE BOWELL,
Acting Minister of Railways and Canals.

No person who knows the high character of Mr. Shanly and his great attainments in the profession of which he is the head in this country will for a moment believe that he made this report for the purpose merely of changing the character of the work, because, forsooth, some one had said that it ought to be so changed. Mr. Shanly made this report knowing that his character as an engineer would give force to it. And, to show that he knew how impregnable his position was, he suggested to the Minister that he should get the highest military engineering authority in the United States, associated with some other great civil engineer in that country to report upon this question as to whether this work could cause any international difficulty. Not satisfied with all this, the present Minister, when he came into office, visited the place. He saw the relation of the work, the river, and the island, and he asked himself, as every man did, but the man who built that bank, how it was possible that anybody would build

three and a half miles of bank when there ought only to be about 1,200 feet, and had built that long bank in a great river like the St. Lawrence, instead of building it inland where it would be out of all danger from the rise and fall of the mighty river, and had built it at such a height that the weight of the water in it, even if it had been properly constructed would be almost sufficient to carry it into the river below. And not only that, but the chief engineer had actually expended \$125,000 in deepening the canal where this treacherous bank existed, forgetting that when he had reached a depth of ten feet there was a bank below, resting upon what? Upon rock. No, Sir, but resting upon black muck, which had never been removed, and underneath it shifting sand and clay, through which the water was all the time running. Mr. Shanly was certainly in possession of all these facts, because the engineers who were constructing locks 18, 19, and 20, placed before him the photographs taken when the reef had slipped away, showing not only the trees lying where they were felled, but the boards and planks and the barrow tracks and rails all traversing the banks and forming sluiceways to allow the water to pass under the bank and carry it away. Not only was the canal improperly constructed so far as this bank was concerned, but even now in its final construction, under this improvement, as it was called, the entrance to the canal is very difficult. It is a shame to this country to have the entrance to a canal, such as this is to-day. One would suppose, Sir, that the canal, being built to facilitate navigation, would, at all events, be made straight, so that vessels would not run the risk of running upon the toe of a bank on one side or the other. But the entrance, instead of being straight—why, the Minister thought there was something wrong with his eye when he first saw the guard lock from the deck of a steamer—it is thrown across the canal, not quite at right angles, but at a very large angle, making an entrance as bad as any canal entrance that exists, unless it be the entrance to the mouth of this canal itself, which has already caused so much damage to vessels. Now, Sir, there is not a professional man in this country, unbiased and without some little fad of his own to foster, but believes that these dams should have been built. No man in Canada who knows the condition of the banks; there is no man who has worked on the canal for a month; there is no lockmaster on the canal who has ever been above the lock below Mille Roches; no man who has worked on the repaired scows on the canal has been able to see how anybody could be induced to build such a canal high above the river with a muck bottom and with clay and sand for an under-structure. It is objected that the Minister had no right under the law as it stands to give this contract without tender to Davis & Sons, Mr. Shanly, who is an

Mr. BERGIN.

honest man, and who had no object to serve except the interests of his country, points out what was the state of the canal at this time. The present system is the worst system of letting contracts for public works ever introduced into this country, a system for which hon. gentlemen opposite are responsible. Not only was the Minister justified in giving out the contract as he did, but he would have been criminally negligent of his duty had he put it up to tender in the face of the great danger to this country of leaving that three and a half miles of bank unprotected. And why did he give it to these men? Testing pits were sunk everywhere in the neighbourhood to find good material that could be made impervious to water for the construction of these dams. It could not be found. But these gentlemen had excavated close by material that could be used for that purpose, and, therefore, they were in the best position to perform the work. I heard the hon. member for Lincoln say that any contractor would sell the stone that would be necessary for these banks. There was plenty of stone there, or near by; it was not stone that was wanted, it was earth of the character necessary to construct these dams. Would you expect the Messrs. Davis, having an advantage of that kind, to hand it over to some other contractor? Not at all, it is not in human nature to do that sort of thing. But the Messrs. Davis said they would do it for \$10,000 less than the estimate made by the engineer. The estimate made in 1891 was \$404,000, and they agreed to do it for \$386,000, or \$18,000 less than the estimate of the engineer. I am not going to follow the hon. gentleman through the weary waste of figures which he quoted, and which are not applicable, and which cannot be justified as he put them, because he did not show the character of the earth, and of the cribwork, and of the riprap which were to be used in the work. I say that the Minister is to be commended for giving it to these men, because the delay and the danger to the bank forced him to get the work promptly done. He felt the peril which Mr. Shanly pointed out the canal was in and would be in. Even if it had been enlarged on the north side, and straightened and the curves flattened, it would never be a safe canal, it would always be exposed to the same danger; and for these reasons the Minister, seeing how great the danger was, and that he could not afford to delay a single hour, called upon the Messrs. Davis and asked them for what they would do this work? He said: You have the plant, and you have the material, and you must do it in two years or two years and a half. The Messrs. Davis took it at the price I have named, more than \$10,000 under the sum which the engineer had estimated the work would cost. After that contract was entered into, the Minister visited the works again, and I went with him to the head of the canal on a steamer. After he came back he sent

for the Messrs. Davis and said to them: You must construct this work and make these dams safe for this coming summer. And, Mr. Chairman, the Messrs. Davis had to expend \$45,000 or \$46,000 in buying extra material, so that they might put a stronger force upon the work to complete it within the stipulated time, and I believe the two dams will be finished this fall, the delay and the danger will have been averted, and these men will have expended \$45,000 or \$46,000 in extra material in order to complete the work within the time that the Minister required it to be done. They have not made any extra charge for the extra material and plant they have furnished. Therefore, I think, when you take the petty \$75,000 which was all that the member for Lincoln could rake and scrape together, even without showing us the character of the material or the character of the work that was to be done, without a shadow of foundation for his arguments—I say when you consider all that, I think every man who looks at the matter dispassionately and who does not wish to make political capital out of it, will believe with me that the Minister was not only justified, but he would have been criminal if he had neglected to do this work in this way. I think the contractors, who have agreed to do the work at so much less than the late engineer of canals said it could be done for, deserves great credit for executing so great a work in so short a time.

Mr. HAGGART. For the better understanding of this question I may be allowed to make a full explanation in regard to this work. I am sorry the hon. member for Lincoln (Mr. Gibson) has left the House while I am discussing this item, because he seems to have a practical knowledge of details, and I am sure, from his fairness, that when he had heard the explanation he would accept it if he found it to be correct. I am confident that any person who visits the work will see at once, that from an engineering point of view, the plan that is at present adopted is the best one that possibly could be adopted; and I think every one, whether he be an engineer or otherwise, who visits the work will wonder why this plan was not adopted from the first. Not only is it the safest plan, but it would have been by far the cheapest plan at first, and it would have rendered the canal navigable in a far shorter time than it is now. In order to give a full explanation of the subject, I have prepared a memorandum giving the whole progress of this work from its inception, and the reports of the different engineers on the subject. Before proceeding with this explanation I may state in reply to the hon. member for Lincoln, that he very lightly dealt with the question whether the plan at present adopted is not preferable to the other. His principle argument seemed to be that this work which is at present given to Davis & Sons, is intimately connected with their contract, and was given to them at a price in excess of what

it could be done for by tender; that the duty of the Government was to have asked for tenders for the completion of this portion of the work instead of giving it to Davis & Sons. This is the memorandum I have prepared:

At the time the enlargement of the Cornwall Canal was under consideration, Mr. Samuel Keefer, on the 17th February, 1885, addressed a memorandum to the Honourable John Henry Pope, the then Minister of Railways and Canals, pointing out the difficulties and dangers attending the enlarging of the upper end of the old canal, and suggesting that in his opinion the proper scheme would be to dam the channel which runs between Sheik's Island and the mainland on the Canadian shore at the upper end of the island, and at Mille Roches, thus forming a basin about three miles in length, and from 600 to 1,500 feet in width, which would be much easier to navigate than the old winding canal. The scheme did not commend itself to Chief Engineer Page, and preparations for the enlargement of the Cornwall Canal were continued, tenders were invited and received, the contracts for the section of the canal west of Mille Roches and opposite Sheik's Island being awarded to the Gilbert Dredging and Blasting Company. On the 11th October, 1888, a serious break occurred on this dangerous and troublesome section of the canal, to repair which cost no less a sum than \$47,658.89. On the 2nd November, 1888, Messrs. Gilbert Dredging and Blasting Company entered into contracts for the enlargement of this section of the old canal. Mr. Samuel Keefer, towards the close of 1888, addressed the department, referring to the break which occurred in the canal, and drew attention to his memo. of 17th February, 1885, proposing the construction of the Sheik's Island dam, and the hon. member for Cornwall, Dr. Bergin, strongly advocated the abandonment of the old canal line between Mille Roches and the upper end of Sheik's Island, and the adoption of the Sheik's Island dam scheme, by the adoption of which navigation would be very much improved, and the risk of interruption to navigation by breaks occurring in the treacherous banks of the old canal would be avoided. The matter was again brought to Chief Engineer Page's attention, and on the 27th February, 1889, he reported, referring to the break in the canal bank, which occurred on the 11th October, the year previous, and also to Mr. Samuel Keefer's memorandum in favour of the Sheik's Island dams, and winding up his report condemning the scheme of the Sheik's Island dams, and presuming the work of enlargement and deepening would be proceeded with and carried out as provided for in the respective contracts entered into with the Government. The work of the contracts with Messrs. Gilbert Dredging and Blasting Company was proceeded with. On the 13th and 18th of March, 1889, the hon. member for Cornwall addressed Parliament upon the subject of the Sheik's Island dam scheme, strongly advocating its adoption in preference to enlarging the old tortuous canal.

In 1890 the department again had the matter of the Sheik's Island dam scheme under consideration, and Superintending Engineer Rubidge furnished plans of the proposed site of the dams. Early in January, 1891,

the Cornwall Board of Trade sent a copy of a resolution, strongly urging the adoption of the Sheik's Island dam scheme in the interest of the trade of the country, which was referred to Chief Engineer Trudeau, who suggested that his proposal to give the enlargement of this section of the old canal a breadth at bottom of 100 feet would in some measure meet the views of the petitioners. On 24th January, 1891, the Montreal Board of Trade addressed the department, suggesting that a commission of independent engineers be appointed to inquire into the question of location and improvements of the canal, and on 17th February, 1891, an Order in Council was passed giving authority to appoint a commission of three engineers to inquire into the question of the location and improvement of the canal, with a view to ascertaining the best means of securing permanency and safety for this canal in its enlarged form, having due regard to the effect that might result from any action taken in damming up a channel of the river. By Order in Council of 24th April, 1891, Messrs. Shanly, Turner & Kennedy were appointed. Upon being notified of his appointment, Mr. Shanly declined to act, and the commission did not issue, but Mr. Shanly at the request of Hon. Mackenzie Bowell, acting Minister of Canals, made an examination into the question of the enlargement of the canal fronting Sheik's Island, and on 25th August, 1891, submitted his report, recommending the formation of a basin by damming Sheik's Island channel, in preference to enlarging the old canal, and he expressed the opinion that to make this section of the old canal fairly satisfactory for navigation it would cost, at least for unavoidable improvements, no less a sum than \$700,000, and even with this large expenditure it would be in his opinion the worst and most dangerous of any part of the St. Lawrence or Welland canals, and if improved to the full extent would entail an expenditure of \$900,000, and as a piece of convenient navigation would not even then compare in excellence to the basin formed by the carrying out of the Sheik's Island scheme, which he estimated to cost about \$450,000. In August, 1891, the Messrs. Gilbert Dredging and Blasting Company were ordered to cease work on the section of their contract, which would be affected by the adoption of the Sheik's Island dam scheme, which they did accordingly. The matter of constructing dams was taken into consideration by the Government, and upon my taking charge of the department early in 1892, I gave the matter careful consideration, visiting the locality during the summer season, to familiarize myself with its general features. I was so struck with the advantages of the scheme of damming the Sheik's Island channel in preference to continuing the enlargement of the crooked and dangerous route of the old canal, that I concluded the proper course in the interests of trade and navigation to adopt it. I was

Mr. HAGGART.

also struck with the mismanagement shown in the building of the canal. The lock of the Cornwall canal is not placed in the direction of navigation; the lock, instead of being placed inside for its protection and for lessening the liability of the banks giving way, were placed outside, and the weirs were inside. I cannot conceive how an engineer with his senses about him could never build such a canal in the place where it is constructed.

Mr. LAURIER. Who is the engineer?

Mr. HAGGART. I believe it was Mr. Page. I consulted with Mr. Trudeau, and he rather favoured the construction of the work under the old contract. I requested Mr. Shanly to again take up the question. On 5th September, 1892, he reported that no amount of expenditure, in his opinion, could make the old canal otherwise than a most inconvenient, unsafe and in every respect objectionable piece of canal navigation, and he added, the adoption of the dam plan as opposed to the proper enlarging of the old canal would produce: first, large economy on first outlay; second, direction and depth at once secured by the erection of the dams only; third, complete safety from breaks and slips, and he reported much what he has otherwise said in his report of 5th August, 1891, favouring the dam scheme. In December, 1892, Mr. Trudeau was superannuated after long service, and was succeeded by Mr. Schrieber, whom I requested to look carefully into the matter, and he, in consultation with Mr. Rubidge, went carefully into the question. Mr. Rubidge prepared an estimate of the cost, amounting to \$414,000, which Mr. Schrieber considered a fair price for the work, and he strongly supported the dam scheme as being greatly in the public interest. As to the question about the separation of the contract of Messrs. Davis for the building of the dam scheme, the hon. member for Lincoln (Mr. Gibson) did not apparently understand that these works were intimately connected. In order to carry on this scheme for the building of dams and to give the navigation required, it was necessary that the lock for which Messrs. Davis had contracted should be increased in height, that seven hundred yards of masonry extra were required and also additional nearly 20,000 of earth excavation, and the taking of 40,000 cubic yards of earth from the very works which Messrs. Davis were completing. Under these circumstances, and in consultation with the engineer, I found that in order to complete the work it was necessary to enter into arrangement with Davis & Sons, or abandon the work until the time had expired for the completion of the contract. I asked Davis & Sons at what price they would undertake the completion of the work. They offered to complete it at the schedule prices of their contract—and the schedule prices of their contract, should be extended to and made to apply to the new work. I was very care-

ful about extending the work to Messrs. Davis, and I ordered the Chief Engineer not only to report whether the prices for the work were fair and reasonable, but also to inquire into all similar works at different points in the canals in that section of the country, and find whether the prices which Messrs. Davis were receiving were in excess of the prices paid for the work in other sections. Mr. Schreiber reported that the extension of the contract price then being paid to Davis & Sons for the completion of the Sheik's dam and the enlargement of the works, the use of the material out of the dam and the construction of the enlargement of the bank of the canal was as low as the work could be done at contract prices, and were as low as prices received by contractors on different sections along the canal. Under these circumstances, and on the recommendation of Mr. Rubidge and Mr. Schreiber, I recommended that the contract of Messrs. Davis be extended for completion of these works. I knew that these works were so intimately connected with Davis & Son's contract that it was impossible to separate them, and that even if the works were separated, the probability was that no contractor would be able to send in a tender at a less price than that which Messrs. Davis were receiving. That was my opinion anyway at the time. That was the information I got on comparing their contracts with the other contracts. The hon. member for Lincoln (Mr. Gibson) must remember that it is not a lump sum contract that the Messrs. Davis got but that it is simply an extension of their old contract at the contract schedule prices that they had for No. 4, and in which a great part of the work was comprised and embodied in that contract of No. 4, and which they were entitled to anyway. The hon. gentlemen opposite know perfectly well that Messrs. Davis, and all the other contractors, who contracted for work in that section of the country, did so by tender, and it was awarded to them as they were the lowest tenderers. Under these circumstances, I felt perfectly justified in recommending to Council the awarding of that contract to Messrs. Davis & Sons.

Mr. LAURIER. Mr. Chairman, from my perusal of the papers brought down by the Minister with regard to this question, I would not—although I am not at all an engineer—be prepared to say that when the canal was located, there must have been good reasons why a portion of it should not have been located along Sheik's Island. As was stated by the hon. member for Cornwall (Mr. Bergin), the question was fully inquired into at the time the canal was built. Nearly fifty years ago the very question which is at issue now in the House was fully considered. The engineers had to determine whether they would locate the canal along Sheik's Island, and after having given

a good deal of consideration to that view, they came to the conclusion, for good reasons to themselves, at all events, that the canal should not be located along Sheik's Island, but that it should be located where it is to-day, and where it has been ever since that time.

Mr. BERGIN. I beg to correct my hon. friend. All the engineers, with the exception of the two Americans: Mr. Mills and Mr. Wright, supported the dams. Beginning with Sir John Colborne, no very inefficient engineer, Captain Cole, Mr. Geddes, Mr. Fleming, Mr. Barret, Mr. Clewes, and others, all condemned the building of that bank and recommended the dam.

Mr. LAURIER. However that may be, the work was not done according to the opinion of these eminent men. The Government of the day followed the opinion, not of these men, but of other men quite as eminent in their profession. Some fifty years have now elapsed, and the question arises as to the arrangement of the canal, and again does the very question come up as to whether the canal should be enlarged at the place where it had been located, or whether it should be improved along Sheik's Island. As doctors disagree, so engineers also disagree. Men of very eminent ability, I admit, recommended the other course—and no greater authority, I believe, could be adduced, in favour of the plan, which has been finally adopted by the Government than Mr. Shanly. Mr. Shanly, amongst others, decided, that it would be preferable to place the canal along Sheik's Island, and even to abandon the old canal, and all the money that has been spent upon it, cast it into the river, as it were, and build the canal anew. This was the plan suggested by Mr. Shanly, supported by Mr. Keefer and other men of ability. But, as I said a moment ago, engineers will disagree, and against this view was the view of a man whom we all respected, a man who had been in office for a great many years, and against whose reputation either as a man of honour or as a man competent in his profession, never a doubt was raised. Mr. Page, after having given the matter due consideration, concluded that it was better, for reasons which at the time he gave to the Minister, to locate the works where they were, and to continue the canal at the place it had existed for fifty years. The hon. gentleman (Mr. Bergin) gave the reasons of Mr. Shanly for coming to a different conclusion from Mr. Page. Now, let me give to the House the reasons then given by Mr. Page to the Minister, who asked for a special report upon this. Mr. Page reports:

Of the feasibility, efficiency and safety of enlarging the present canal in the manner described in the specification on which the work is let, the slightest doubt is not entertained by me; but as regards forming the 'Sny,' or north branch of the

river, into a navigable channel, by means of dams at both ends of Sheik's Island, it must be confessed, that my perception is quite as obtuse as was that of 'the late John B. Mill,' who, it appears 'failed to see the importance of it.' It is quite true that the volume of water that passes down the 'Sny' is very small, compared with the main body of the River St. Lawrence; at the narrowest place immediately below the rapids the sectional area of the water way at the lowest stage of the river is about 600 square feet, all of which passes through the dam at Moulinette, and the openings made in it.

When the river is at its high stages the volume that passes down the 'Sny' is of course proportionately greater. In January, 1888, during an ice-jam, large quantities of ice passed down the north branch and destroyed in a great measure the mills and dam at Moulinette. If there had been a dam at that time at the north-west point of the island it is fully believed that no one can say, with any degree of certainty, what would have been the result, nor indeed what would be the effect at any time, of closing the north branch of the river.

The St. Lawrence is on too grand a scale to admit of the probable result of interference with it to be even approximated by the use of formulæ fairly applicable to ordinary streams.

It is a well known fact that the river has been seriously affected by causes either little understood or altogether ignored by those desirous of accomplishing certain objects—apparently irrespective of ulterior results.

The effect of cutting loose a sheet of ice in a bay, then swinging it across the channel, has been known to lead to the drowning out for a time of a considerable tract of land along the margin of the river, and the closing of a branch of the river at the head of the Beauharnois Canal is well known to have led to a vast deal of trouble and an outlay for land damages of nearly \$400,000.

It is true that the branch of the river above mentioned was much larger than the "Sny" which Mr. Keefer now recommends to be closed; still, the latter is in the same direction as the former. Besides, no matter what the effect might be, a case would be opened that might lead to complications with a foreign country.

As full information has now been obtained relative to how the banks were made and the class of material in them, no doubt need be entertained of their being made secure without resorting to the formation of a large pond, that could not by any possibility benefit the navigation especially as it would be nearly two miles from the upper end of the canal and at least six miles from its lowest end, where the water-way in both cases is throughout of the usual sectional area.

Now, Sir, these reasons of Mr. Page have their force. I do not contend, nor will I pretend for a moment, that the contrary view has not also its weight and its force; but between these conflicting opinions of Mr. Page on the one side, and the other engineers on the other side, the Minister of Railways and Canals at the time, who was a competent man of business, as every one knows; the Hon. John Henry Pope—I believe as good an administrator as we ever had in this Government—came to the conclusion that he would follow the advice

Mr. LAURIER.

of Mr. Page against all the other engineers, and he decided to give the contracts as recommended by Mr. Page. Now, the successor of the Hon. Mr. Pope, the present Minister of Railways and Canals, says: that looking at the case, it was inconceivable that such a gross mistake as that was ever perpetrated. The hon. gentleman (Mr. Haggart) goes so far as to say: that there was not a man, even a labourer who ever handled a shovel upon that canal, who did not feel convinced that it was a grievous blunder to place the canal where it was. That might have been the opinion of the man who handled a shovel on the works. It was not the opinion of Mr. Page, quite a competent man, nor the opinion of Mr. Pope, another able and competent man. Now, Sir, between these conflicting authorities, the Minister at that time decided in favour of one authority, and adopted a certain course, and three or four years afterwards another Minister discards everything, says the thing was absurd, that it was a blunder, which was observed even by the most ignorant man who handled a shovel on the work, and takes it upon himself to stop the works, to cancel the contract that had been entered into by his predecessors, and thereby to throw away \$125,000 which had been paid upon that contract. The conclusion is that if the present administration of the Department of Railways and Canals is justifiable, the previous administration of that department was blundering, to an extent which has been characterized by a supporter of that Administration, the hon. member for Cornwall and Stormont.

Mr. BERGIN. I did it on the floor of this House during the existence of that Administration.

Mr. LAURIER. I do not deny it. I do not deny that at the time the hon. gentleman characterized the action of the Minister as absurd and stupid; but the Minister took no notice of the hon. gentleman's statement. I remember it very well: I think the hon. member spoke for three days on the subject at one time.

Mr. BERGIN. Only two.

Mr. LAURIER. Let us say two; I am surprised at the hon. gentleman's moderation. Still, for two days he attacked the conduct of the Minister, impugned his judgment, and spoke in as strong language as he has done to-day to show that the action of the department was absurd and stupid; I think he used those words, and even stronger. But if these words fell on the Minister's ears, he did not heed them, for he continued the contract. The hon. gentleman, however, was more successful with the successor of Mr. Pope; he prevailed on him to grant what he could not obtain from Mr. Pope, that is to say, the cancelling of the contract which had cost the country \$125,000. It would have been just as well for the country

if the whole of that money had been thrown in the St. Lawrence.

Mr. BERGIN. Quite.

Mr. LAURIER. The money was absolutely lost. That is a very severe reflection on the Government, which the hon. gentleman has always supported. I am sure that I would not be guilty of such a reflection as that, and I am bound to accept the hon. gentleman's judgment, and say that the department acted very stupidly. That is a point for him to settle with the Department of Railways and Canals. I will not be so severe as the hon. gentleman; I will not say that the department acted stupidly, nor will I say that it acted wisely in this matter. I will go further. Looking at the papers which have been brought down, I would not say, with my limited knowledge and my poor administrative ability, that at the time the canal was built, had I been at the head of the department, the reason given by Mr. Shanly would have prevailed upon me to locate the canal at Sheik's Island rather than at the bank of the river. There are very good reasons for that course, I admit. But in matters of that kind it may be difficult to decide in favour of one course or the other course; there may be reasons for one view, and reasons for the other view. Everything considered, the department came to the decision that it was better to adopt that course. I will not say it was the wisest course. The reasons appear strong to me for the other course. Mr. Mills appears to have been a competent engineer; Mr. Page was a man of undoubted ability, and Mr. Trudeau was a man of undoubted ability, and they seem to have come to the conclusion that it was better to maintain the canal where it had been first established. Under these circumstances, the Minister assumed a heavy task, when at the solicitation of the hon. member for Cornwall and Stormont he cast all these decisions aside, and cast the contract aside, and wasted \$125,000 of the public money. That is not all. The contracting firm have made a claim against the country for damages, and a very valid one it is. They had the faith of the country pledged to them; a contract was awarded to them on the faith of the Minister, after tenders had been asked and received, and therefore their contract could not be cancelled by the Government without the Government rendering itself liable for damages. Those damages, if I remember rightly, amount to about \$130,000, so that the result of this is that we have sunk deliberately more than \$250,000 of public money, against the advice of engineers, quite as competent as the engineers now followed. I say the opinion of Mr. Page in this matter is quite as respectable as the opinion of Mr. Shanly, great as his opinion is, and there is as much to be said for one side as for the other side. Under these circumstances, I maintain that the conduct of the Government cannot be defended or justified, because

whatever the reasons may be in favour of the one course, when the Government have deliberately taken the other course, not in haste at all, but after due consideration, it is impossible to conceive that there was anything for them to do but to execute the contract which had been granted with their eyes open, and after full consideration. Now, the hon. member for Cornwall and Stormont, in his zeal says, first of all, that it was the duty of the Government to cancel the contract, and then, without waiting a day or an hour, or a minute, or a second, to give the contract at once to Davis & Sons, who were the contractors on the neighbouring section. And why? Because, says the hon. gentleman, of the danger to navigation; the canal is at present in such a shape that it is a constant menace to navigation.

Mr. BERGIN. Mr. Shanly says so.

Mr. LAURIER. He does not say that the work should be given without competition.

Mr. BERGIN. He says the condition of the canal is a constant menace to navigation.

Mr. LAURIER. That was not the opinion of Mr. Page, and Mr. Shanly, when he said that, never implied or wanted any one to understand, that the canal was liable to break at any moment. The canal had been in existence for forty years. There was one break in 1878.

Mr. BERGIN. There were several breaks before that.

Mr. LAURIER. There might have been. But, as stated by Mr. Page in his report, the nature of the soil was now better understood, and only two years previously the canal had been repaired at a cost of \$50,000. Under these circumstances, shall we be told that the Government could not have waited for two months or six weeks in order to obtain tenders? There can be no justification whatever for their having granted this contract against the letter of the law. I wait for the department or the hon. member to give some reason for that. The only reason given by the hon. gentleman for the department not having obeyed the law is that the canal was a menace to navigation. That is only metaphorical language. The canal was there, open to navigation, and there was no reason to believe that in three months more it would not be there. Therefore, the fact of the Government having granted the contract without any competition, against the letter of the law, is a fact for which the Government must be held responsible.

Sir RICHARD CARTWRIGHT. There was another branch which I did not notice that the hon. Minister dealt with, and that was the statement of my hon. friend from Lincoln (Mr. Gibson) that, in a great variety of cases, the arrangement, which I understood the hon. Minister to say had been made with Messrs. Davis & Sons, to do the work at the

same rates in the new contract as in the old, had been departed from. The statement of the hon. member for Lincoln (Mr. Gibson) was to the effect that in certain classes of work, which were done under the old contract at 50 cents, the engineer allowed \$1; that in other classes, which, under the old contract, were done at 75 cents, he allowed \$1.10, and so on, making up a total difference of some \$67,000, besides a variety of minor items, swelling the whole up to \$75,000 or \$80,000.

Mr. HAGGART. I stated before that the hon. gentleman was entirely mistaken. The contract is the extended contract of Davis & Sons, on the schedule price that they were charging before, and these prices apply to the whole work.

Sir RICHARD CARTWRIGHT. Then there is a flat contradiction between the hon. Minister and the hon. member for Lincoln on a matter of fact.

Mr. HAGGART. The memo. on which the contract was made is on the Table of the House. I listened to the remarks of the hon. member for Lincoln, and when I heard him make these charges, I immediately sent for the memo. of contract, and inquired of the chief engineer if these statements could possibly have any foundation. I found out that I was perfectly correct, and that it was a simple extension of the schedule prices of Davis & Sons.

Sir RICHARD CARTWRIGHT. The hon. gentleman is at variance with my hon. friend on a question of fact, and I will leave the matter in my hon. friend's hands.

Intercolonial Railway..... \$3,200,000

Sir RICHARD CARTWRIGHT. In dealing with a huge vote like this, involving any quantity of details, it is always desirable that the Minister who is responsible should give some kind of a general statement of the position of the work.

Mr. HAGGART. When I made my statement to the House last year, only seven months of the then fiscal year had elapsed, but from the results of those seven months, I estimated that at the end of the year, on the 30th June, 1893, the earnings and expenses of the Intercolonial Railway would about balance, and that the loss on the operations of the Prince Edward Island Railway would be in the neighbourhood of \$60,000. This estimate proved to be very close to the actual figures. The Intercolonial Railway not only paid operating expenses, but made a profit of \$20,161.69. The loss on the operating of the Prince Edward Island Railway was \$63,731.75, or less than one-half the loss of the previous year; and the profit on the Windsor branch was \$17,426.60. So that taking the whole of the Government railways into consideration, the loss on the year's operations was only \$26,124. In 1891-

Sir RICHARD CARTWRIGHT.

92, the gross earnings of all these railways amounted to \$3,136,393.51, and the working expenses to \$3,748,597.75, showing a loss on the year's operations of \$612,204.24. In the year 1892-93 the gross earnings were \$3,262,505.62, and the working expenses \$3,288,629.62, the loss for the year being \$26,154. The saving to the country that has been effected has therefore been \$586,080.24. This improved state of affairs was brought about partly by an increase in the earnings and partly by a decrease in the expenditure. The earnings on the Intercolonial Railway increased \$120,057.12; the earnings on the Prince Edward Island Railway increased \$5,247.73; and on the Windsor branch, \$807.26, making a total increase over the previous year of \$126,112.11.

Sir RICHARD CARTWRIGHT. I do not want unnecessarily to interrupt the hon. gentleman, but he might state whether that increase was caused by a larger amount of freight or passenger traffic or by any alteration in the rates.

Mr. HAGGART. I will give the details afterwards. The expenditure was reduced to the amount of \$459,968.13. Of this \$394,059.50 was in connection with the Intercolonial Railway; \$63,284.21 in connection with the Prince Edward Island Railway; and \$2,624.42 in connection with the Windsor branch. The greatest reduction was on the Intercolonial Railway, that being much the largest road. In the mechanical department, which has the running of locomotives and cars, there was a reduction of \$110,778.40, and in the traffic department, which has to do with the stations and trains, the reduction amounted to \$30,244.65, being a total in the two departments of \$141,023.05. This reduction is mainly due, either directly or indirectly, to a reduction in the train service. When I looked into the railway management, I came to the conclusion that the train service was greater than the actual requirements of the traffic warranted, and I had it remodelled so as to reduce the expenditure and at the same time provide every necessary accommodation. In the reduction of the train service, the wear and tear of locomotives and cars was reduced, and it was possible to make considerable reduction in the number of the men employed running the cars and repairing them, and also in the quantity of material of all kinds used for these purposes. For instance, in respect to locomotives, there were fewer enginemem, firemen and cleaners needed, and the saving by this was \$18,390.38; less fuel was used, making a saving of \$26,102.00, less oil, tallow, waste, and small stores were used, a saving of \$9,054.30; fewer repairs were necessary, a saving of \$39,636.25; the water service cost \$1,786.32 less. Then in regard to cars, fewer repairs were necessary, and on passenger cars there was a saving of \$7,127.64; on postal, express and baggage cars, \$3,021.04; on freight cars and vans, \$1,420.14; less oil and waste was

required to lubricate the axles, a saving of \$3,450.15. Fewer conductors, train baggage masters and brakemen were required, causing a reduction of \$14,628.02; the reduction in the number of employees at stations made a saving of \$19,000.00. In the maintenance of way department there was a reduction of \$244,787.44. This department of the railway service bears the cost not only of the repairs and renewals of the track, the bridges, the buildings and all other works of the railway, but it also bears the cost of any new works or improvements of existing works, for which the money is not supplied by a separate vote of Parliament. These new works and improvements had hitherto been made with a pretty free hand. I found when I went over the railway that it was well provided with good stations, sidings, &c., in thorough repair, making it the best road I ever travelled over, and I gave orders that all the existing works were to be maintained in a thorough state of efficiency, but that new works and improvements were to be done sparingly, and only in cases of necessity, and that then they were to be executed in the most economical manner. The number of extra men required was, therefore, much less, and there was also a large saving in materials. The saving in wages was \$72,563.17, in rails and fastenings, \$75,142.30, in ties, \$28,476.31, in timber and lumber, &c., for bridges, cattle-guards, fences, &c., \$45,965.71, wharfs, \$1,568.27, buildings and platforms, &c., \$20,646.70. The railway in all its departments has been well kept up, and is in as efficient a condition as ever before. The various officers in charge give me this assurance, and the fact that it has passed successfully through a very cold and stormy winter, said to have been the most severe in the lower provinces for twenty years, should be good evidence that its efficiency has not been impaired. With respect to the Prince Edward Island Railway, many of the remarks made about the Intercolonial Railway will apply. It has been efficiently maintained. The savings have been made by remodelling and reducing the train service, and by making fewer improvements. On account of the large mileage of railway and the small amount of business, it has been very difficult to reduce the train service and at the same time make it quite satisfactory to all parts of the island. The savings in the mechanical department was \$6,319.79; in the maintenance of way and works, \$50,376.25; traffic department, \$4,444.41; general charges, \$2,143.76, a total of \$63,284.21. The Windsor Branch is 32 miles long, extending from Windsor Junction to Windsor. It is operated by the Windsor and Annapolis Railway Company under a lease which gives them running powers into Halifax. The Government maintains the railway and works, for consideration of which the company pays the Government one-third of the gross earnings. The earnings accruing to the Government were \$34,316.11, an increase of \$807.26 over the previous year. The expenditure for maintenance of way and works

was \$16,889.95, a decrease of \$2,624.42 from the previous year. The net earnings were \$17,426.16 in 1892-93, an increase over that of the year previous of \$3,431.68. A deficit in the years 1891-92 in the working of these roads, amounting to \$612,204.24 has been reduced in the year 1892-93 to \$26,124.00, such results having been attained in the manner in which I have related. I hope to congratulate the country year after year with the same tale as regards the working of these roads as I am enabled to do to-day. I find that even with a falling revenue I am enabled to show as goods results on the operation of these roads for the first ten months of the year ended 30th April. I will give you the figures:

	1893-94.	1892-93.
	\$ cts.	\$ cts.
INTERCOLONIAL.		
Earnings.....	2,471,375 99	2,550,110 29
Working expenses.....	2,498,404 09	2,491,368 41
Loss.....	27,028 05	58,741 88
PRINCE EDWARD ISLAND.		
Earnings.....	129,937 00	134,996 25
Working expenses.....	191,488 81	184,413 14
Loss.....	61,551 81	49,416 89
WINDSOR BRANCH.		
One-third earnings.....	27,211 80	29,364 67
Maintenance.....	14,901 57	9,499 58
Profit.....	12,309 23	19,865 11

The aggregate of which shows a net loss for the first ten months in 1893-94 of \$76,270.63, and in 1892-93 of \$88,293.66, which figures indicate somewhat similar net results at the close of the year on the 30th June, 1894, as for the year which ended on 30th June, 1893, and such may be looked for as each successive year passes by, so long as the present vigorous policy is enforced. Upon the Intercolonial in 1879 with 714 miles of road in operation the staff of employees consisted of 2,928, being a fraction over 4 men to the mile, whereas to-day with 1,142 miles being worked there are 3,623 men only employed, equal to a fraction over 3 men to the mile of railway, whilst it is well understood that as the mileage of road in operation increases, the number of employees do not necessarily increase at the same ratio, nevertheless one man per mile of railway is a very marked reduction. I would like to give the committee details as to the gross earnings and the working expenses, and where savings were effected.

Sir RICHARD CARTWRIGHT. The point I had reference to was as to how the additional profit had been made.

Mr. HAGGART. I am ready to give all the details, but it is a very long statement.

Mr. MILLS (Bothwell). Has the Minister any statement showing the relative charges per mile of carrying freight per ton as compared with other railways?

Mr. HAGGART. That is all given in the report of the Railway Department. I brought down a return in answer to a motion of some hon. gentleman, giving the cost per mile on the Intercolonial Railway as compared with

the Grand Trunk Railway, the Canadian Pacific Railway and some other roads.

Mr. MILLS (Bothwell). I was asking as to the charges for carrying freight and passengers.

Mr. HAGGART. I gave the rates per mile for carrying freight and passengers. I will now read a statement of the gross earnings and working expenses on the Government railways for the last year, as compared with the previous year:

GOVERNMENT RAILWAYS—Year ended 30th June, 1893.

Railway.	Gross Earnings.	Working Expenses.	Gain.	Loss.
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
Intercolonial	3,065,499 09	3,045,317 50	20,181 59	
Prince Edward Island	162,690 42	226,422 17		
Windsor Branch	34,316 11	16,889 95	17,426 16	
	3,262,505 62	3,288,629 62	37,607 75	63,731 75
Deduct.		3,262,505 62		37,607 75
Loss.		26,124 00		26,124 00

GOVERNMENT RAILWAYS—Compared with the previous Year.

1891-92.....	3,136,393 51	3,748,597 75		612,204 24
1892-93.....	3,262,505 62	3,288,629 62		26,124 00
Decrease of expenses.....		459,968 13		
Increase of earnings.....	126,112 11			
Decrease of loss.....				586,080 24

INTERCOLONIAL RAILWAY—Compared with the previous year.

1891-92.....	2,945,441 97	3,439,377 00		493,935 03
1892-93.....	3,065,499 09	3,045,317 50	20,181 59	
Decrease of expense.....		394,059 50		
Increase of earnings.....	120,057 12			
Gain.....			20,181 59	

PRINCE EDWARD ISLAND RAILWAY—Compared with the previous year.

1891-92.....	157,442 69	289,706 38		132,263 69
1892-93.....	162,690 42	226,422 17		63,731 75
Decrease of expenses.....		63,284 21		
Increase of earnings.....	5,247 73			
Decrease of loss.....				68,531 94

WINDSOR BRANCH RAILWAY—Compared with the previous year.

1891-92.....	33,508 85	19,514 37	13,994 48	
1892-93.....	34,316 11	16,889 95	17,426 16	
Decrease of expenses.....		2,624 42		
Increase of earnings.....	807 26			
Increase of gain.....			3,431 68	

Sir RICHARD CARTWRIGHT.

INTERCOLONIAL RAILWAY EARNINGS—Compared with the previous year.

	1892-93.	1891-92.	Increase, 1892-93.
	\$ cts.	\$ cts.	\$ cts.
Passenger traffic.....	1,002,912 74	961,427 94	41,484 80
Freight traffic.....	1,868,823 84	1,803,529 03	65,294 81
Mails, express and sundries.....	193,762 51	180,485 00	13,277 51
Totals.....	3,065,499 09	2,945,441 97	120,057 12

INTERCOLONIAL RAILWAY—Compared with the previous year.

	1892-93.	1891-92.	Decrease, 1892-93.	Increase, 1892-93.
Mechanical department.....	1,395,978 66	1,506,757 06	110,778 40	
Track department.....	763,147 96	1,007,935 40	244,787 44	
Traffic department.....	708,325 12	738,569 77	30,244 65	
General charges.....	196,256 77	189,263 60		6,993 17
	3,063,708 51	3,442,525 83	385,810 40	6,993 17
Car mileage—Credit.....	18,391 01	3,148 83	15,242 18	
Totals.....	3,045,317 50	3,439,377 00	401,052 67	6,993 17
Deduct.....		3,045,317 50	6,993 17	
Decrease, 1892-93.....		394,059 50	394,059 50	

I have full details of the mechanical department if the hon. gentleman would like to have them.

Sir RICHARD CARTWRIGHT. The only point I specially wished to know about was whether the profits of \$120,000 obtained in 1893, had arisen from more passengers and freight being carried, or from increased rates being charged.

Mr. HAGGART. I do not think there was any change, except a small increase in freight. We did away with one species of railway passenger ticket.

Sir RICHARD CARTWRIGHT. Then the rates and the traffic remain the same?

Mr. HAGGART. The rates remain nearly the same, but in some places there was a slight increase in the freight rate on through traffic; and there was a doing away with a class of passenger tickets which made a considerable difference in the passenger rates.

Sir RICHARD CARTWRIGHT. I suppose a saving was made by practically doing away with some gratuitous passengers, dead heads?

Mr. HAGGART. The main saving was effected by doing away with a lot of trains

which were considered unnecessary. I have full details of the earnings, traffic department, wages, fuel, light, conductors, and everything else, but at this late hour of the night I do not think I will trouble the House to read them.

Sir RICHARD CARTWRIGHT. I will just say this, that it is very evident from the statement of the Minister of Railways that the criticisms made in former years from this side of the House on the extravagant management of the Intercolonial Railway, were most amply justified. I am not in the least degree disposed to detract from the energy and exertions which have been used by the Minister and his officers in producing a more wholesome state of affairs, and I do not care at this time of night to say much as to the manner in which his predecessors managed the road. His own statement of itself, and some remarks that he made as to the extremely lavish character of the expenditure, show very clearly that for a number of years many hundreds of thousands of dollars of the public money were uselessly expended in the management of the Intercolonial Railway. There is one point, however, to which I wish to call attention, namely, that, practically speaking, this road represents a capital of

about \$50,000,000, the annual interest on which amounts to \$2,000,000. Although, of course, we have to wait and see how far the present measures may operate without detriment to the maintenance of the road, we have to remember that, although this present showing is a very great reduction as compared with the expenditures by the hon. gentleman's predecessors, we are in this position: Here is a road on which the annual interest paid on capital is equal to \$2,000,000, and the Minister tells the House that the revenue is cent per cent as compared with the expenditure. I am sorry to see, however, there is, even under the hon. gentleman's management, a sum placed to capital account no less than \$300,000 or \$400,000 last year, and as much this year. It appears to me the time has come when the country should expect to obtain a moderate revenue from the railway. On all other great railways, the maximum expenditure does not exceed seventy or seventy-five per cent, and, as the Minister is aware, it is in a great many cases very much below those figures. I am willing to make very considerable allowance for the circumstances that this road was not, in all respects a commercial undertaking, but still I think that, even under those conditions, we should be able to operate the Intercolonial Railway at an expenditure of something less than cent per cent of the total receipts. I trust the Minister will be able to assure the House that he will be able to reduce the percentage of expenses to something less than cent per cent of the receipts. I grant that, as should like to know if the hon. gentleman has made a considerable reduction; but some small revenue should be obtained on an outlay of \$50,000,000 of the public money, on which the country is paying interest. I should like to know if the hon. gentleman is able to hold out any hope that he will be able to reduce the expenses still further, to say 80 or 85 per cent of the total receipts, so that, at all events, the country may be able to obtain some return, even one per cent would be a great desideratum on the capital stock of the Intercolonial Railway.

Mr. HAGGART. I am afraid that, in view of the rates charged for freight and passengers, and which have been in force ten or fifteen years, it will be impossible to promise the hon. gentleman any such return.

Mr. McMULLEN. How do the rates compare with those on the Grand Trunk and Canadian Pacific Railways?

Mr. HAGGART. The passenger rates are about the same, but the freight rates are considerably lower than the roads mentioned.

Mr. McMULLEN. On coal, no doubt.

Mr. HAZEN. On flour, no doubt.

Mr. McMULLEN. It cannot be on flour; the Intercolonial Railway is not able to

Sir RICHARD CARTWRIGHT.

carry flour to the lower provinces as cheap as the American lines from Boston. What percentage of trackmen has the Intercolonial Railway?

Mr. HAGGART. Half a man per mile.

Mr. McMULLEN. Is the Minister aware that the Canadian Pacific Railway has considerably reduced the percentage of trackmen?

Mr. HAGGART. I do not think it has yet got as low as the Intercolonial Railway.

Mr. McMULLEN. Does the hon. gentleman know that, on the Canadian Pacific Railway, the rate at the present time is one-quarter of a man per mile?

Mr. HAGGART. I do not think it is.

Mr. McMULLEN. I know it is.

Mr. HAGGART. From the best information I am possessed of, it is not.

Mr. McMULLEN. I have the information from the roadmasters on the Canadian Pacific Railway, from their own lips, that it is a quarter of a man per mile.

Mr. HAGGART. You have wrong information.

Mr. McMULLEN. My information is correct.

Mr. HAGGART. I have given the information I have, and I try to keep myself posted on this subject. I gave the hon. gentleman my opinion, and I have asked my Deputy, and he says I am correct.

Mr. McMULLEN. The Deputy is misinformed. I have it from the roadmasters of the Canadian Pacific Railway that on the road between Montreal and Toronto the percentage is a quarter of a man per mile.

Mr. MONTAGUE. The hon. gentleman is taking one section, whereas he should take the average of the whole line. There is a great difference between Montreal and Toronto and other sections.

Mr. McMULLEN. The hon. gentleman is late in interjecting information which is already in the possession of the committee. I am aware that now there are two men for every eight miles; the number was formerly three, and it was reduced to two. We are at the present time losing two million dollars a year on the Intercolonial Railway, or four per cent on the capital invested. There is yet room for large reductions. The hon. gentleman from South Oxford (Sir Richard Cartwright) has directed attention year after year to the great extravagance on the Intercolonial Railway, and men by the hundreds have been employed who have not been required, and the best evidence of this is the number of men discharged within the last few years. Several years elapsed since we took up this question, and since then we have forced from the Government a reduction in the number of men employed,

and yet I am satisfied there is room for considerable saving to be effected if the road were operated with the same economy, care, and ability that characterize the management of the Grand Trunk and the Canadian Pacific Railway.

Prince Edward Railway..... \$250,000

Mr. BORDEN. I observe that a saving on the permanent way on the Prince Edward Island Railway seems to be very much smaller than the saving on permanent way upon the Intercolonial Railway. The saving appears to be about 11 per cent on the Prince Edward Island Railway, and it would seem that something like 33 per cent of the total saving on the Intercolonial Railway was on permanent way. I would ask the Minister whether he has maintained the efficiency of the Intercolonial Railway as it was prior to the reductions in cost of maintenance and permanent way?

Mr. HAGGART. My instructions to the officials are, that every part of the road-bed, the bridges, the fencing and everything else shall be maintained in as complete and efficient a manner at the end of the year as it was at the beginning, and my information from them is that it is so.

Mr. BORDEN. The saving strikes one as being enormous—something like a quarter of a million of dollars—on the Intercolonial permanent way. It is very clear, as pointed out by the hon. member (Sir Richard Cartwright) that there must have been outrageously extravagant expenditure prior to the beginning of these economies. I would like to know how it comes that the difference is so marked between the saving on the Prince Edward Island road and the saving in this respect on the Intercolonial Railway.

Mr. HAGGART. There is not only the saving in the maintenance of the way on the Intercolonial Railway, but there was a large expenditure, which I think was useless, for sidings and other works, which at present we do not consider necessary.

Geological Survey \$60,000

Sir RICHARD CARTWRIGHT. I think we might let this item pass, it being the usual vote, but I would make the reservation that as the House is very thin we will take in concurrence any conversational discussion on the item which may be needed.

Mr. BORDEN. I understand that it is the practice of the department to give cabinets containing geological specimens to the different schools and colleges throughout the country. I was told by the Professor of Natural Science in Acadia College, in my county, that he had made an application a year or two ago for a cabinet of mineralogical specimens, and had not received it. I call the attention of the Minister to the fact,

and I hope if the cabinet has not been already sent to Acadia College, that it will be soon forwarded.

Mr. DALY. We do furnish these specimens to the different colleges. If the hon. gentleman will write me a letter stating the college to which he alludes, I will see that the matter is attended to. If there has been delay, it is probably because there are so many orders to fill.

Mr. BORDEN. I will be glad to write the letter to the hon. Minister. Professor Coldwell of the Acadia College, told me in conversation within the year, that he had forwarded an application, but that he had received nothing except a mere formal acknowledgment of the letter.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.50 p.m.

HOUSE OF COMMONS.

TUESDAY, 3rd July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 154) further to amend the Acts respecting the Civil Service.—(Mr. Costigan.)

FAST LINE AND FRENCH TREATY.

Mr. LAURIER. I would ask the right hon. the First Minister if he would have the tenders with regard to the fast line, which were asked for, put upon the Table? And does the right hon. gentleman intend to bring down more papers with regard to the French Treaty?

Sir JOHN THOMPSON. I will make inquiries about the tenders, and I beg to lay upon the Table informally a file of other papers in connection with the French Treaty.

THIRD READINGS.

Bill (No. 134) respecting the utilization of the waters of the North-west Territories for irrigation and other purposes.—(Mr. Daly.)

Bill (No. 151) respecting the Common School Fund.—(Mr. Foster.)

PROVINCE OF QUEBEC SUBSIDIES.

Sir JOHN THOMPSON moved third reading of Bill (No. 150) respecting certain sub-

sidies granted to the Government of the province of Quebec by chapter 8 of the Statutes of 1884.

Mr. LAURIER. It seems to me that this Bill is objectionable in some particulars. I do not intend to offer any objection to its provisions in so far as the payment to the province of Quebec of the capital of the moneys voted in 1884 is concerned, but the Bill, as it is now, is in some respects objectionable. It seems to provide for the payment of the capital sum to the Treasurer of the province without making any provision as to the manner in which the money is to be applied. The hon. gentleman no doubt proceeds under the statute which was passed by the Quebec Legislature at its last session, the principal provisions of which are as follows:—

1. In order further to carry out the provisions of the Acts 45 Vic., chapter 21, and 49-50 Vic., chapter 2, which appropriated the price of the sale of the Quebec, Montreal, Ottawa and Occidental Railway, and the railway grant by the Dominion of Canada, under the Act of Canada, 47 Vic., chapter 8, to the sinking funds created by the Acts of this province, 37 Vic., chapter 2; 39 Vic., chapter 4, and 41 Vic., chapter 1, for the loans of this province, made in the years 1874, 1876 and 1878, the Lieutenant-Governor in Council may name or appoint one or more trustees or agents, either in Canada, England or France or elsewhere, and may, on such conditions as may be deemed advisable, provide for the payment over to such trustees or agents of the sums received or to be received from the proceeds of the sale of the Quebec, Montreal, Ottawa and Occidental Railway, or from the interest to be received thereon, and from the railway grant of \$2,394,000 made by the Dominion of Canada, under the Acts of Canada, 47 Vic., chapter 8, or the interest to be received thereon.

2. Should the said sums so to be received and the amount already received on account of the sale of the said railway or on account of the said grant, be more than sufficient to provide for the sinking funds, up to the time of such payment to the said trustees or agents, the Lieutenant-Governor in Council may, on such conditions as he may deem best, appropriate or authorize the use of the balance of such moneys for the redemption or conversion of the public debt generally, provided satisfactory dispositions are made by the Lieutenant-Governor in Council, for the payment into the sinking fund or to the said trustees or agents, in each year thereafter, of a sufficient amount to meet the requirements of the said fund.

The provisions of this last statute amount simply to this, that the moneys which are to be paid to the province, under the present Bill, are to be applied to the discharge of the public debt generally. This Act of the province of Quebec seems to me objectionable, in so far as it did away with provisions which had already been made for the application of this grant. In 1886, the Legislature of Quebec appropriated the money in the grant which had been made in this Parliament in 1884. The Act 49-50 Victoria provides as follows:—

Sir JOHN THOMPSON.

The sum of \$2,394,000 granted by the Government of the Dominion of Canada to the Government of the province of Quebec, in consideration of its having constructed a railway from Quebec to Ottawa, known as the Quebec, Montreal, Ottawa and Occidental Railway, shall be appropriated to the payment of the consolidated debt of the province, whenever the Dominion Parliament shall authorize the capitalized sum to be paid.

Those terms are general.

Such sums shall be paid into the funds created for the redemption of the loan effected under the provisions of the Act 37 Victoria, chapter 2, and shall be applied to the payment of so much of the loan made in virtue of that Act, and shall form part of the sinking fund created for the redemption of that loan.

Here it is provided that the grant of two million odd dollars made by the Parliament of Canada shall not be applied to the discharge of the debt of the province generally, but to the discharge of a special debt, that is the debt made in 1874, which, as we know, was the debt created for the construction of the North Shore Railway—not the whole of it, but a part of it. It seems to me it was, perhaps, an imprudent measure on the part of the Legislature of the province of Quebec, when it did provide for accepting this capital sum, not to carry out the disposition of the Act, but to make another and different application of the money which they had appropriated in 1886. We shall be told that this matter concerns only the province of Quebec and is altogether within the purview of their powers, and that it is not for us to look into the manner in which they apply their money. Generally there may be some truth in that statement, but I think we have the right on this occasion to look after the disposition of the money voted by the Parliament of Canada to the province of Quebec, because from the first, when the moneys were voted from the Parliament of Canada to the province of Quebec, the Parliament of Canada vested in the Government of Canada powers to look after the disposition of that money. I would refer the hon. gentleman to our own statute, 47 Victoria, chapter 8, section 2, in which is to be found the following:—

The subsidies to the province of Quebec shall be capitalized and the interest shall be payable at such time and in such manner as the Government of Canada shall agree upon with the Government of the said province.

Now, we have seen how this was agreed upon. It was agreed upon that the interest should be payable, but that whenever the capital and not the interest was paid, the capital should be applied as provided by the legislation of 1886, in reduction of the debt of 1874. So rigid was this provision that the money should be applied to this and no other, that section 4 of the Quebec statute of 1886 included the following:—

The Provincial Treasurer is prohibited from employing, even temporarily, any part of the said sum, or of the interest to be derived therefrom for any other purpose than that above enacted.

Under these circumstances, I will move the following amendment:—

That the Bill be not now read the third time, but that it be referred back to the Committee of the whole House with instructions to amend the same so as to provide that the said sums shall be paid according to the provisions of 49-50 Vic., chap. 2, into the funds created for the reduction of the loan effected under the provisions of the Act 37 Vic., chap. 2, and shall be applied to the payment of so much of the loan made by virtue of that Act, and shall form part of the sinking fund for the redemption of the loan.

Sir JOHN THOMPSON. The amendment introduces a new principle into the legislation of this House, which, I think, the House will find it very inconvenient to follow. This Parliament, in the year 1884, set aside a capital sum for the benefit of the province of Quebec, and determined that the interest of that sum only should be paid to the province as an additional subsidy for the benefit of the province, and that the capital sum should not be paid. But the two Governments have agreed in thinking that, under present circumstances, it would be better for both parties that the capital sum should be paid over. The Dominion of Canada is paying the province of Quebec 5 per cent upon that capital sum, and the condition of the money market is such that the money can be replaced, so far as our treasury is concerned, with money borrowed at a rate less than 4 per cent, probably $3\frac{1}{2}$ per cent, including all charges and commissions. As regards the province of Quebec, in consequence of its state of indebtedness, while the province is receiving only 5 per cent from the Dominion treasury, it is paying more for its money now than it is receiving. Therefore, the arrangement by which the province shall receive the capital sum, and we pay it, is distinctly for the benefit of both parties. The province has made, or is about to make, an arrangement with its creditors by which this money is to be applied to the reduction of the public debt of the province, and, that being well ascertained and secured by the Act of the province under which we propose to pay the money to the province, we think that all the interests that this Parliament is in any way called upon to look after and safeguard are well looked after and safeguarded. The particular application of the money for the benefit of the province, that is the particular portion of the public debt to which it shall be applied we think is a matter in the care of the province itself, and we believe that it will be well cared for by the Legislature. The proposition of the hon. leader of the Opposition is that, inasmuch as the province of Quebec, after the passage of the appropriation for the benefit

of the province in the way of a capital sum secured, with interest at 5 per cent, the Provincial Legislature resolved that the interest should be appropriated toward the sinking fund of a particular debt, we should see to it that the capital sum shall be applied to reduce that part of the provincial debt of Quebec. Now, I submit that this Parliament ought not to be charged with the duty of carrying out any provincial arrangement of that kind. Under the understanding with the creditors of the province, it may be that the original arrangement is to be carried out, or it may be that the sums to be diverted. The same power that pledged it to the payment of a particular liability may pledge it to the payment of another, and though the provincial statute has been passed more than six months, no allegation has been made on the part of anybody that good faith is being broken or the province has, in any way, misappropriated any portion of this money or that it contemplates any misappropriation. For this Parliament to step in and declare that the province of Quebec, though entitled to the capital sum, shall not have power to use it in a certain way, and that we shall see that the province does not disregard the right of its creditors, would be most offensive to the province of Quebec, and would burden this Parliament with the duty of looking after all the moneys appropriated for the different provinces.

Amendment negatived, and Bill read the third time, and passed.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply.

Cornwall Canal..... \$450,000

Mr. LAURIER. I beg to move in amendment that this resolution be not now concurred in, but that it be resolved:

That in 1888 the Department of Railways, then presided over by the Honourable John Henry Pope Minister of Railways, decided to enlarge the Cornwall Canal;

That representations were then made to the said Minister of Railways by different persons urging that the portion of the said canal between Mille Roches and Moulinette should be abandoned and a new channel substituted thereto by the erection of two dams, one at the foot and the other at the head of Sheik's Island;

That it was represented to the said Minister that the new channel would offer material advantages over the section of canal between Mille Roches and Moulinette;

That after having had the whole matter investigated by competent engineers, the said Minister of Railways decided that in the public interest there should be no change in the location of said canal and that it should be enlarged where it had been originally placed;

That Parliament voted appropriations for the enlargement of the said canal between Mille Roches and Moulinette, and that a contract for the construction of the necessary works was entered into on the 2nd November, 1888, between the Department of Railways and the Gilbert Blasting and Dredging Company who were the lowest tenderers for the same ;

That after the said works had been partly completed and after a sum of \$125,000 had been paid to the said Gilbert Blasting and Dredging Company under their contract, the department about the year 1891 cancelled the said contract with the said company in order to have the said canal located along Sheik's Island according to the suggestions made to the said Department of Railways in 1888, and then declined by the said department, the said department thereby entailing upon the tax-payers of Canada a loss of \$125,000 paid to the said company as aforesaid and a further loss of over \$30,000 claimed by the said company as damages caused to them by the breach of contract on the part of the department ;

That later on a new contract for the construction of two dams, one at the foot and the other at the head of Sheik's Island, was entered into by the Government with the firm of William Davis & Sons for the price of \$384,000, and that the said contract was so awarded without any tender being asked for the construction of said works ;

That the action of the Department of Railways in cancelling a contract for works approved by Parliament and substituting other works without the authority or sanction of Parliament was unconstitutional and dangerous to the public interest ;

That the action of the Department of Railways in cancelling the contract with the Gilbert Blasting and Dredging Company, when a sum of \$125,000 had been paid to the said company for works which thereby became perfectly useless, and when a further sum of over \$30,000 was claimed by the said company as damages for refusal of the department to carry on their part of the contract, has inflicted upon the ratepayers of this country a loss of over \$150,000.

That the action of the Department of Railways in letting the construction of the dams at Sheik's Island without tenders has openly and deliberately violated the law of the land, and that the whole course of the Government in these matters deserves the severest censure of this House.

At the last meeting of the House we had this matter debated at length, therefore I will offer no remarks on the subject, but content myself with merely placing this amendment in your hands.

House divided on amendment of Mr. Laurier :

YEAS :

Messieurs

Allan,
Bain (Wentworth),
Béchar, d,
Bernier,
Borden,
Bourassa,
Bowers,

Innes,
Landerkin,
Laurier,
Legris,
Lister,
Lowell,
Macdonald (Huron),

Mr. LAURIER.

Brodeur,
Bruneau,
Carroll,
Casey,
Charlton,
Choquette,
Christie,
Colter,
Edgar,
Forbes,
Fraser,
Geoffrion,
Gibson,
Grieve,
Gillmor,
Guay,
Harwood,

McGregor,
McMillan,
McMullen,
Mills (Bothwell),
Monet,
Mulock,
Paterson (Brant),
Perry,
Proulx,
Rinfret,
Rowand,
Sanborn,
Scriver,
Semple,
Sutherland,
Yeo.—47.

NAYS :

Messieurs

Adams,
Amyot,
Bain (Soulanges),
Baker,
Belley,
Bennett,
Bergeron,
Blanchard,
Boyd,
Cameron,
Cargill,
Cleveland,
Coatsworth,
Cochrane,
Corbould,
Costigan,
Curran,
Daly,
Davin,
Davis,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds & Gren.)
Fréchette,
Gillies,
Girouard (Two Mountains),
Grandbois,
Grant (Sir James),
Haggart,
Hazen,
Hodgins,
Hughes,
Hutchins,
Ingram,
Ives,
Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Macdonald (King's),

Macdonell (Algoma),
McAlister,
McDonald (Assiniboia),
McDonald (Victoria),
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McKay,
McLean (King's),
McLeod,
McNeill,
Madill,
Mara,
Masson,
Miller,
Mills (Annapolis),
Montague,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pridham,
Prior,
Putnam,
Robillard,
Roome,
Ross (Lisgar),
Simard,
Stairs,
Taylor,
Temple,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Wallace,
Weldon,
White (Cardwell),
White (Shelburne),
Wilmot,
Wilson,
Wood (Brockville),
Wood (Westmoreland).—85.

PAIRS :

Ministerial.

Opposition.

Messieurs

Reid,
Pope,
Ross (Dundas),
Ferguson (Leeds),
Barnard,
Macdowall,
McKeen,
Denison,
Bryson,
Smith (Sir Donald),
Carling (Sir John),
Calvin,
Metcalf,
Ferguson (Renfrew),
Stevenson,
Cockburn,
Sproule,
Ryckman,
Dugas,
Baird,

Langelier,
Leduc,
Delisle,
Mignault,
Davies,
Tarte,
Boston,
Welsh,
Lavergne,
Martin,
Frémont,
Cartwright (Sir Richard),
Rider,
Campbell,
Beith,
Featherston,
Bowman,
Godbout,
Vaillancourt,
Préfontaine,

Pelletier,
Girouard (Jacques Cartier),
Jeannotte,
Boyle,
Burnham,
Bergin,
Carignan,
Lippé,

Beausoleil,
Somerville,
Livingston,
Brown,
Flint,
Devlin,
Dawson,
Fauvel.

Mr. TAYLOR. The hon. members for Montcalm (Mr. Dugas), and for Lambton (Mr. Moncrieff), have not voted.

Mr. DUGAS. I was paired, Mr. Speaker. I would have voted against the amendment.

Mr. MONCRIEFF. I was not in the House when the motion was read in English, and I think it was read in French when I came in. If I had heard it I would certainly have voted against the amendment.

Amendment negatived, and resolution concurred in.

COUNTY COURT JUDGES, B. C.

Sir JOHN THOMPSON moved concurrence in the following resolution reported from committee :—

That it is expedient to provide that the salaries of the judges in the county courts of Cariboo, New Westminster, Yale, Nanaimo and Kootenay, in the province of British Columbia, shall be \$2,400 each per annum.

Resolution concurred in.

SUPERIOR COURT—PROVINCE OF QUEBEC.

Sir JOHN THOMPSON moved concurrence in the following resolution :—

Resolved, That it is expedient to provide, with respect to the Superior Court in the province of Quebec, that if the chief justice resides at Quebec, the judge residing at Montreal who is appointed by the Governor General in Council to perform the duties of chief justice in the district of Montreal as it is comprised and defined for the Court of Review, or, if the chief justice resides at Montreal, the judge residing at Quebec who is appointed by the Governor General in Council to perform the duties of chief justice in the district of Quebec as it is comprised and defined for the Court of Review, shall receive in addition to his other salary, \$1,000.

Mr. BRODEUR. Mr. Speaker, before this motion is concurred in, I think it is my duty to offer a few remarks to the House in order to oppose, if possible, its adoption. I would like to know if the right hon. the Premier has been informed that the provincial law on which he bases this resolution, is in force? Judging from the remarks made by the Premier the other day, he appeared to be under the impression that the law in the province of Quebec on which he relies, has been proclaimed. I am under the impression that that law is not yet in force.

Sir JOHN THOMPSON. Would the hon. gentleman be good enough to explain in what sense he thinks it is not in force.

Mr. BRODEUR. Yes. That law would have to be put in force by proclamation, and I have not yet been able to discover after diligent search that it has been proclaimed. Perhaps the Government has been informed that the proclamation has been issued.

Sir JOHN THOMPSON. Yes, I have been so informed by the Attorney General of the province of Quebec.

Mr. BAKER. It was proclaimed on the 12th of May, 1884. It is to be found in the official 'Gazette.'

Mr. BRODEUR. But the law in question was passed by the Quebec Legislature in 1887, and the proclamation of 1884 would not apply to it.

Mr. BAKER. It was proclaimed in the month following its passage by the Quebec Legislature. It will be found in the official 'Gazette.'

Mr. EDGAR. Which year?

Mr. BAKER. I thought it was in 1884; but at all events the law was passed in one month and the proclamation was issued in the month following.

Mr. BRODEUR. I think the hon. gentleman is misinformed. There was a statute passed by the Quebec Legislature in 1884, providing that when the chief justice resides in Quebec, the senior judge residing in the district of Montreal discharges the duties of chief justice in that district. I understand that the law of 1884 is still in force, but what I contend is, that the new law of 1887, providing that the acting chief justice for the district of Montreal should not be the senior judge, but should be a judge appointed by competent authority, has not yet been proclaimed. Section 3 of that statute of 1887, provides that it shall only come into force by proclamation, so that if there has been a proclamation issued in 1884 as the hon. member (Mr. Baker) says, it would have no relation to this Act. In the Act of 1887 it was specially provided by section 3, chapter 12, that the law should not come into force until it was proclaimed, and I understand that that proclamation has not yet been made. Now in 1888, we had the Revised Statutes of the province of Quebec by which some previous statutes were revised and some of those were not revised. The statute of 1884 is one of those which have not been revised and abrogated. The best proof that I can give the Prime Minister that the proclamation has never been issued is: that in the Revised Statutes of 1888, it was specially provided that the law should be put in force by the proclamation, and though I have searched since 1888 in the official 'Gazette' for the proclamation, I have not found it. Appendix "A" of the Revised Statutes of Quebec contained the following :—

Appendix comprising the schedules of Acts and parts of Acts to be repealed from the day on which the Revised Statutes of the province of Quebec take effect, in so far as the said Acts relate to the province of Quebec, and are within the powers of the legislature thereof.

We see in that appendix the statutes which have been repealed, but we do not see chapter 7; so we must infer that the statute of 1884 has not been repealed. We see besides, in the same appendix, that chapter 12 respecting the constitution of the Superior Court had been revived, except the last clause of section 1 respecting the present officers, and section 3 concerning putting the law in force. So it is clear to my mind that if the proclamation had not been issued—and I do not know if it has been issued, but although I have searched elsewhere, I have not found that the proclamation has been issued—the law of 1888 had not been put into effect, and the law of 1884 was still in force. Moreover, we see section 3 of the statute of 1887 has not been repealed. But if we consult the articles referred to by the Prime Minister, articles 2316 and 2317 of the Revised Statutes of the Province of Quebec, we find an asterisk placed after each of those sections, and it is stated in the foot note at the bottom of the page that those two sections shall come into force on proclamation being made or something to that effect. Consequently, taking that note which refers to articles 2316 and 2317, and taking the appendix, which forms part of the statute, we can come to no other conclusion than that the law of 1884 is still in force, and therefore the law of 1887 is not in force. Of course I do not know if the proclamation has been issued; of course, it would materially change the position if the proclamation were issued, but my impression is that the proclamation was never made. And I must add that the resolution submitted by the Government is a very dangerous one under the present circumstances. 'La Minerve' during the last month published special articles on this question, and in one of the articles, published on 11th June, 1894, it distinctly asserted that if the Government wanted to appoint some other judge in Montreal as acting chief justice than Mr. Justice Jetté, they should pass a special Act. That article contained a proposed change in the law which was practically identical in its wording and expression with the terms used in the resolution now before the House. Must we infer from that fact that the Government has submitted this resolution in order to prevent Mr. Justice Jetté becoming acting chief justice of the district of Montreal? At all events 'La Minerve' in these articles, written or inspired by Senator Tassé, one of the leaders of the Conservative party, declared that if the Government want any other acting chief justice in Montreal than Mr. Justice Jetté they should pass a special Act in order to prevent that judge becoming acting chief justice. It is not necessary for

Mr. BRODEUR.

me to say many words concerning Mr. Justice Jetté; but I assert, and I challenge any member of the Bar of the district of Montreal to contradict my assertion, and the Minister of Public Works, who is well acquainted with Mr. Justice Jetté, will say with me that there is not a judge more just and more highly respected in the district of Montreal than is Mr. Justice Jetté. I understand by 'La Minerve' that the Government should appoint some other judge, and in order to do so pass a law so as to enable them to appoint an acting chief justice. It would be a great mistake on the part of the Government to pass such a law under the circumstances. If the Government should make such a move, we would be under the impression that the Government desired to prevent Mr. Justice Jetté becoming acting chief justice. I repeat, that nothing can be said against that judge—that he is a most respected judge, that he is a most able and talented man among the judges in the district of Montreal. He has been professor of civil law in the University of Laval for many years. He is senior professor of Laval University, and I believe he is respected by every one, not only in the district of Montreal, but throughout the province of Quebec. Then why should the Government endeavour to pass a special Act in order to prevent that judge becoming acting chief justice? If the Government desire the judiciary to be respected, if they desire justice to be as pure as possible, and the judges to be respected not only in the province but throughout the Dominion at large, the Government should not endeavour to adopt the action proposed and to pass a law which has a special meaning as in this case. I may say to the hon. Prime Minister that I observe that Conservative newspapers of Montreal, like 'Le Monde,' admits that there is no man better qualified than is Mr. Justice Jetté for the position of acting chief justice for the district of Montreal. It is true that Mr. Justice Jetté was, twenty years ago, a member of this House, and was a Liberal. But I do not think that fact is sufficient to prevent that judge, who is so able and respected, administering justice so efficiently as to prevent him from becoming acting chief justice. There is, in fact, no reason why the Government should press the resolution submitted. What would be the condition of affairs if such a law were passed? According to the British North America Act the constitution of the courts is in the hands of the Local Legislature. It has been decreed by the Local Legislature that the senior judge in the district of Montreal shall be acting chief justice at Montreal, when the chief justice resides in Quebec. On the chief justice being appointed, and I understand Sir Napoleon Casault will be the man appointed, Mr. Justice Jetté will be the senior on the Bench in the district of Montreal, and he will be, ipso facto, acting chief justice. We would be in a very curious posi-

tion if the Government appointed some other one than the senior judge. Suppose it should appoint Judge Loranger, Judge Gill or Judge Davidson as acting chief justice. The judge thus appointed would receive the additional salary of \$1,000, but he would not possess the authority of the acting chief justice. We would have an acting chief justice, but at the same time he would not have the power to draw the additional allowance of \$1,000 provided by this resolution. Under these circumstances the Government should not pass the resolution submitted, or continue to press it. It would be better to make no change in the law in order that the senior judge should be acting chief justice, and should receive the salary. The change the Government propose is this: to change the words "senior judge" to the words "the judge appointed by a competent authority." That is to say, that the Government wishes to secure the appointment of the acting chief justice. Is there any reason to change the law? Why not allow the senior judge to perform the duties of acting chief justice? I see no reason why this resolution should be passed, and I hope the Government will not press it.

Mr. BAKER. I do not deem it necessary in considering this question to discuss the relative merits or demerits of the judges of the province of Quebec. They are all honourable men, and are all able, upright and impartial judges. But my learned confrère, the member for Rouville (Mr. Brodeur), has fallen into an error in the discussion of this question. It is true that the law as originally passed by the Legislature of Quebec provided that the functions of acting chief justice should be exercised by the senior judge who resided in the city of Montreal when the chief justice resided in Quebec, and vice versa. In the course of time the hon gentleman's leader came into power in the province of Quebec, and it did not suit him to travel on the highway that had been travelled by the previous Legislature, and it was Mr. Mercier, whom the hon. gentleman followed with such devotion while he reigned in the province of Quebec, who introduced the new law. It was he who, animated by the hope of having patronage to be dispensed to his friends, thought it was not best that the senior judge should exercise the functions of acting chief justice, and it was he who introduced and carried through the Legislature the law which provided that one of the judges of the Superior Court might be appointed by competent authority to exercise the functions of acting chief justice. This law was enacted under the regime of Mr. Mercier, and it was duly proclaimed. The proclamation will be found on pages 1146 and 1147 of the official 'Gazette' for the year 1887. I repeat that it was Mr. Mercier who passed that law, and the Dominion statute provid-

ing that an extra amount of \$1,000 annually should be paid the senior judge was necessary in order to make it square with the law as it existed at the time the provision was made for the extra salary. It now becomes necessary, in order to harmonize the Provincial and Dominion Statutes and make the salary go with the appointment, to amend the Consolidated Statutes, and to provide that the extra salary of \$1,000 shall be given to that one of the judges of the Superior Court who may be appointed by competent authority to exercise the functions of a chief justice. If this law were not passed, and an acting chief justice were appointed by competent authority, as he is bound to be appointed now, the senior judge would get the extra salary, while one of the judges who might be appointed by competent authority would exercise the functions. The hon. gentleman is entirely under a misapprehension in supposing that the law was not proclaimed. It was proclaimed in due course, and is in force; and this Bill is necessary to make the salary go with the appointment. If any blame attaches to any one for changing the law, it must be laid at the door of the late leader of my hon. friend.

Mr. LAURIER. What is the date of the proclamation?

Mr. BAKER. The 11th of June, 1887.

Resolution concurred in.

Sir JOHN THOMPSON moved for leave to introduce Bill (No. 155) further to amend the Act respecting the judges of Provincial Courts.

Motion agreed to; and Bill read the first time.

NORTH-WEST TERRITORIES.

Bill (No. 149) further to amend the Acts respecting the North-west Territories was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 5,

Mr. CHARLTON. Is it proposed to allow sheriffs' fees in addition to a salary of \$500?

Mr. DALY. Yes. The only change in the law is to give the Legislative Assembly power to legislate with respect to the remuneration, by fees or otherwise, of sheriffs and clerks. As the law now stands, they have not that power.

On section 6,

Mr. CHARLTON. What is the effect of this?

Mr. DALY. This repeals sections 60 and 61 of the Act. Section 60 provides that each clerk shall be paid such fees as the Lieutenant-Governor in Council prescribes, and section 61 provides that any sheriff or clerk may, with the approval of the Lieutenant-

Governor, appoint a deputy. In 1891 these sections were amended, but we are repealing them now, as there is no further necessity for them.

Mr. MILLS (Bothwell). You now allow the sheriff to arrange that by contract with his deputy?

Mr. DALY. Yes. The Act of 1891 provides:

Each sheriff and clerk shall appoint a deputy or deputies at such places within the district and with such powers as are from time to time determined by an ordinance of the Legislative Assembly.

In case of a vacancy happening in the office of sheriff or clerk by reason or death, incapacity or otherwise, his deputy may perform his duties until a successor is appointed; and where there is no such deputy the judge usually exercising jurisdiction within the judicial district may appoint a person to fill the vacancy in the meantime.

The Legislative Assembly may, subject to the provisions of this Act, define by ordinance the powers, duties and obligations of sheriffs and clerks, and their respective duties.

Mr. FRASER. Was that law repealed by a subsequent law now being repealed?

Mr. DALY. The clause now being repealed was amended in the way I have read, and that should have been repealed in toto at the time.

Mr. FRASER. The effect will be that that will be the law?

Mr. DALY. The law will be as provided by the statutes of 1891.

Mr. FRASER. Which were not repealed by the other Act?

Mr. DALY. No.

Mr. MILLS (Bothwell). Would it not be more consonant with the general principles of government if the Lieutenant-Governor, on the advice of his Council, had the power of making the temporary appointment instead of the judge?

Mr. DALY. This seems to satisfy the views of the people there.

On section 7,

Mr. MILLS (Bothwell). It seems to me that restriction of three years' residence in the Territories is unnecessary. If a man is a British subject and has the other qualifications, there ought to be no restrictions as to period of residence.

Mr. DALY. This is framed exactly in accord with the desire of the North-west Government. Apparently the consensus of opinion there with reference to the appointment of police magistrates, is that they should have the qualifications given here. Any person after three years' residence would have a better idea of the administration of criminal and municipal laws in the Territories than one who had just arrived.

Mr. DALY.

Mr. MILLS (Bothwell). The duties of magistrates relate mostly to the administration of laws of Canada and not simply to those of the Territories, and in every part of Canada the magistrates will possess that knowledge.

On section 10,

Mr. DALY. At the time of the passing of that North-west Territories Act the prohibitory liquor law was in force, and there was no recourse in the case of a debt due for intoxicating liquor. Since then a license law has been passed, and this is to permit the authorizing of wholesale dealers and others to recover debts due for the sale of liquor, which they cannot do now.

Mr. DALY. Section 5 in the Act of 1888 related to proceedings at elections, and subsection 4 to the payment of members. We are providing that they may provide for their compensation themselves, and also have the right to enact laws respecting proceedings at elections.

Mr. MILLS (Bothwell). The hon. gentleman is still deferring the day when responsible government will be introduced into the Territories. When you confer upon them the power of electing a Legislature, I do not see why the principle of responsible government, to the extent of their authority, however little that may be, should not be introduced. By section 17 the Legislative Assembly may from time to time appoint a committee of four persons from among its members to advise the Lieutenant-Governor in relation to the expenditure of territorial funds and of any moneys appropriated by Parliament for the Territories. To what extent is the Lieutenant-Governor bound by the advice of these four persons? Is he at liberty to disregard it? There is no reservation, no indication of any responsibility resting upon the parties. I do not see any ground of responsibility here or any theory or principle upon which the work of government is to proceed. I have looked over some of the expenditure of the Territories, and it seemed to me they were very extraordinary; but there has been no opportunity of bringing them under the attention of Parliament. I think we ought to adopt some intelligible rule or principle and establish real responsibility.

Sir JOHN THOMPSON. Does not this enactment really cover the whole ground when we read it in connection with the other enactment in force? We have authority to send instructions to the Lieutenant-Governor; so have the Executive in the mother country power to send instructions when a Governor General is sent here. So far the provisions are parallel. Then there is an enactment that the committee shall advise the Government on all matters of expenditure. These are the matters in relation to which this Parliament deals with the Territories. Parliament passes the appro-

priation necessary to carry on government in the Territories. It then enacts that the Governor shall be advised by the Executive Committee as to these expenditures. There is no enactment that the Governor shall take their advice, nor is there any enactment that the Governor General shall take ours. But the constitution proceeds on the assumption that when it is the will of Parliament that the Government is to be advised, it is the will of Parliament that he shall follow the advice. As to the other matters governed by ordinances, such as appointments, it is enacted that they shall be made and other things done by the Governor in Council, which is defined by the interpretation ordinance to mean the Lieutenant-Governor and the Executive Committee.

Mr. MILLS (Bothwell). The hon. gentleman knows that under our constitutional system the law distinguishes—or, at all events, the conventions of the constitution distinguish—between the royal will and the personal will of the sovereign. But I do not see any provision by which that rule or principle would be applied in this case. Under our constitutional system the Governor chooses his officers. The royal will is that they shall be chosen from the party having the majority in power. I apprehend that here the majority would make the choice. You do not leave the Governor any discretion at all as to who his advisers shall be. You put the whole discretion in the Legislature, which, it seems to me, is not the most convenient or most satisfactory system, because there may be personal and active canvass amongst members of the Legislature as to the appointments, which could not exist if the will of the Lieutenant-Governor or his discretion were allowed some play. But, if their will or advice is not followed, under a constitutional system, they would tender their resignation. What would be the effect here? The Legislature is chosen by the people, not by the Governor, and the Legislature might insist that they should continue to be his advisers. I do not see, myself, how this system could be practically worked out. If it has not produced friction, it must be because there has been either a great deal of indifference or a great deal of forbearance.

Sir JOHN THOMPSON. I do not think that any friction has been caused. This is the system they have been working under. If a difference of opinion occurred between the Governor and his advisers, the Legislature might insist that he should have the same set of advisers, and in that case we would give them greater latitude.

Mr. MILLS (Bothwell). You do not give them the power of dissolution.

Sir JOHN THOMPSON. No; the power of dissolution remains here. But they would apply to the Federal authorities to ask the Lieutenant-Governor to act on their advice.

Under our present system, and especially under the system as it would be under this Bill, the expenditures are practically under the control of the Legislature. It only extends so far as the Legislature may please to give them the discretion in matters of expenditure. In all other matters, as I said, their ordinances provide practically that he shall take their advice, because he has to act upon the advice of the Executive Committee.

Mr. MILLS (Bothwell). It seems to me that what we ought to do with regard to the public moneys expended in the Territories under the supervision of the Territorial Government is to give them a lump sum and let them decide how these moneys shall be distributed and for what purposes they shall be employed. I am quite sure that any member of the House who will take the trouble to look over the appropriation for schools will see that it is out of all proportion to similar expenditures in any other province in the Dominion. There cannot be the same interest in the use of the money that there would be if a larger sum were appropriated by direct taxation or in some other way by the people themselves. As long as we say for what purpose the money shall be employed, we are practically keeping the Legislature in leading strings and preventing responsible government from developing.

Mr. DALY. It seems to me the feeling on the part of the present Council, as well as of the Legislature, is that the present system is preferable, that they do not want responsible government. So far as the lump sum appropriation is concerned, they practically have it now, because in the Supply Bill it was enacted that no vote for the fiscal year 1893-94 should lapse, consequently they can expend whatever is left of any vote this year without any other authority than the Supply Bill. I may say for the information of the hon. gentleman that this clause is adopted word for word from Ordinance No. 1 of 1892. Subsection 2 must not be overlooked. It provides:

The said committee shall be styled "The Executive Committee of the Territories," and the members thereof shall severally hold office until their successors are appointed.

That is to get over the difficulty that will probably occur this year. The House there will be called together in August and then an election will be held, as the Legislature will expire by the effluxion of time. This provides for the Executive Committee being in power in the meantime until the Legislature is elected and the successors of the present Council are appointed.

On section 21,

Mr. CHARLTON. What is the reason of that?

Mr. DALY. This transfers from the Dominion Lands Act the clause that existed there since 1893. The clause reads :

The Lieutenant-Governor and Assembly of the North-west Territories may, with the consent of the Governor in Council, close up any road.

And so on. Action has always been taken by the Lieutenant-Governor in Council ; but in order to comply with the provisions of the Act of 1892, it would be necessary to await the action of the Assembly before any road could be closed up, and this new clause overcomes that difficulty. It was a mistake at the time it was passed, but it was overlooked. All the Orders in Council so far have been passed with the consent and advice of the Lieutenant-Governor and his Council, and it is to overcome that difficulty that subclause 2 provides that they are declared to have been and to be valid.

Bill reported.

FRAUDULENT SALE OR MARKING.

Bill (No. 123) in restraint of fraudulent sale or marking, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 2,

Mr. CHARLTON. Would this section prohibit the sale of adulterated articles that are professedly so, for instance, of coffee that is adulterated with chicory ?

Mr. WOOD (Brockville). No, it does not interfere with a compound article of food. The only change this section makes to the law as it now stands, is in adding the words, "exposed for sale."

On section 3,

Mr. CHARLTON. Might not a penalty of \$100 in some cases be excessive ?

Mr. WOOD (Brockville). This is the law at present. We are merely re-enacting the law here.

Mr. CHARLTON. Even if we are, if anything in the old law was liable to criticism, it may be criticised now. It strikes me that a retail dealer selling an inconsiderable quantity of some article that may be impure or have been adulterated, if made to pay a fine of \$100, would be treated rather harshly.

Mr. WOOD (Brockville). If the hon. gentleman had been in his seat the other day he would have heard the hon. member for South Oxford (Sir Richard Cartwright) contend that we were not going far enough in this direction.

Mr. CHARLTON. That would not bind me to think that we were not going too far.

Mr. DALY.

On section 5,

Mr. WOOD (Brockville). I want to add a new clause, in accordance with the suggestion of the hon. member for South Oxford :

The penalties prescribed by this Act shall, as respects the third item mentioned in Schedule B, not become operative until the first day of October, 1894.

Mr. CHARLTON. Is that with regard to Paris green ?

Mr. WOOD (Brockville). No, in regard to vinegar.

Bill reported, and read the third time and passed.

IN COMMITTEE—THIRD READING.

Bill (No. 118) respecting the Inspection of Electric Light.—(Mr. Wood, Brockville.)

THE INSURANCE ACT.

House resolved itself into committee on Bill (No. 111) to amend the Insurance Act.

(In the Committee.)

Sir JOHN THOMPSON. I have given notice of some amendments. I do not, however, propose to take them up to-day, but simply to consider the Bill as submitted by the committee.

Committee rose and reported progress.

INLAND REVENUE DEPARTMENT—DRAWBACKS.

House resolved itself into committee on resolution (page 4889) respecting drawbacks on certain goods.

(In the Committee.)

Mr. LAURIER. Is there any departure proposed from the existing law ?

Mr. WOOD (Brockville). No. What we have to do now is to go to the Treasury Board to grant drawbacks in certain cases, such as when there is a batch of sour beer made. The hon. gentleman who was Minister of the department of which I am Controller, will know what that means.

Mr. LAURIER. What do you propose to do ?

Mr. WOOD (Brockville). To give it by departmental order instead of going to the Treasury Board. Where alcohol is purchased and used as part of the raw material in the manufacture of patent medicines, we propose to allow a drawback to the extent on the medicine that is exported. Where there is malt used and the beer turns sour it is destroyed under the supervision of one of our officers, and we propose to allow a drawback on that.

Mr. McMULLEN. Would it not be better to allow these drawbacks by statutory provisions rather than to give power to grant them by Order in Council? Under this resolution the House practically parts with its power of supervision over these matters.

Mr. WOOD (Brockville). We ask that the department shall have power to give these drawbacks and not the Governor in Council. The practice has been that the department shall make a recommendation to the Treasury Board for a drawback, when the inspector reports that there has been a sour batch of ale made, and never in a single case has the Treasury Board gone back on the recommendation of our inspector. However, it causes considerable delay to get the sanction of the Treasury Board, and I think the hon. gentleman would have sufficient confidence in the department that it would do at least, that, which is merely a matter of detail.

Mr. McMULLEN. I do not for a moment challenge the accuracy of the transactions of the Department of Inland Revenue. But is it wise to give the head of each department power to regulate the terms upon which these drawbacks shall be made? If this power is given, the representatives of the people will have no control over it, nor will they know anything about it.

Mr. WOOD (Brockville). This simply refers to malt purchased for use in the manufacture of beer. That malt is made under the supervision of one of our officers, and is put into the process of manufacturing beer. The beer turns out to be sour; our officer is on hand, and sees that it is destroyed. For twenty years the practice has been, acting on his report, to recommend the Treasury Board to refund the amount of duty paid upon that. The Treasury Board does not meet every week, or every month, sometimes not for two months; and for this reason there is a good deal of delay. I am not very particular about it, however.

Mr. LAURIER. If the hon. gentleman is not particular about it, I think he had better give it up altogether, because the principle is not a sound one—the principle of vesting authority in an officer of the department to remit duties without being subject to any supervision. There may, perhaps, be occasions where it would be an injustice to exact the duty, as in the case just mentioned by the hon. gentleman. We ought not to subject the manufacturer to the payment of duty on an article which is not saleable; but to confer upon a departmental officer the power to remit the duty, may be the occasion of introducing abuses which the law has thus far guarded against, by putting a supervisory authority over the departmental officer. The reason the hon. gentleman gives for the change is that delay is caused, nothing more. This may cause inconvenience to the manufacturer, but I fancy not

very much; and, since the hon. gentleman is not very particular, I think he had better leave the law as it is. He says the Treasury Board does not meet once a month, or once in two months; but there could be no harm in its meeting oftener if necessary.

Mr. WOOD (Brockville). I will ask that the resolution be adopted now, and, as I have to ask for some other powers in the Bill to be founded on the resolution, we can have full time on the Bill for discussion, whether this provision should be retained or not. I have not the slightest desire to insist on the passage of this portion of the resolution if it is objectionable to the committee.

Mr. LAURIER. I am not objecting to the resolution being adopted, but I would advise the hon. gentleman to consider the proposition again, when I think he must come to the conclusion to leave the law as it is. He is proposing to vest in an officer of the department, that is to say, in the head of the department, powers now vested in the Treasury Board.

Resolution reported.

CRIMINAL CODE AMENDMENT.

Bill (No. 126) further to amend the Criminal Code, 1892, was read the second time, and House resolved itself into committee.

(In the Committee.)

Sir JOHN THOMPSON. Most of these changes are mere corrections of errors in printing.

Section 207, by adding at the end thereof the following subsection:—

2. The 'public place' in this section includes any open place to which the public have or are permitted to have access and any place of public resort.

Sir JOHN THOMPSON. This is a provision about vagrancy and loitering in any street, road, highway, or public place, so as to include lanes, passage-ways and alleys, to which the public have resort, but which are not public places in the sense of ownership by the public.

Section 208, by striking out the following words in the second and third lines: 'before two justices of the peace.'

Sir JOHN THOMPSON. This relates to the offence of vagrancy. Hitherto it has been in the jurisdiction of one justice of the peace. The Act requires two justices of the peace to sit.

Section 540, by striking out the words 'Part XI, Escapes and Rescues; any of the sections in this part.'

Sir JOHN THOMPSON. Section 539 refers to the court of general or quarter sessions of the peace, and section 540 says that no such court as mentioned in the next pre-

ceding section has any power to try offences under any of the following sections, and we wish to add escapes and rescues to the jurisdiction of that court.

Mr. LAURIER. That is, you make them indictable offences?

Sir JOHN THOMPSON. Yes. I wish to move for leave to add the following paragraph immediately after section 549, to be called 549a:—

Any person who is charged before two justices of the peace with any offence, under sections 523 and 525, may, on appearing before the justices, declare that he objects to being tried by them, and thereupon such justices shall not proceed to the trial but shall deal with the case in all respects as they would on a charge made before them for an indictable offence, and the case may be prosecuted on indictment accordingly.

This is in relation to what are called trade union offences. An assault committed during a strike, for instance, or anything of that kind. They are rather serious offences, and it has been held by one judge in Ontario that the effect of a revision of the law in the code has been to put these entirely in the jurisdiction of the magistrate, and this is to restore the right of the prisoner to a trial by jury if he wishes one.

On section 5.

5. Whenever, in the province of Quebec, it has been decided by competent authority that no term of the Court of Queen's Bench, holding criminal pleas, is to be held, at the appointed time, in any district in the said province within which a term of the said court should be then held, any person charged with an indictable offence whose trial should by law be held in the said district, may in the manner hereinbefore provided obtain an order that his trial be proceeded with in some other district within the said province, named by the court or judge; and all the provisions contained in this section shall apply to the case of a person so applying for and obtaining a change of venue as aforesaid.

Mr. LAURIER. I think this is very objectionable. At present in the province of Quebec, the Attorney General may order that the regular term shall not take place. This is often done when there are only minor cases; but if there were a capital offence and if the Attorney General were to give such an order, it would be in the power of the prisoner to ask for a change of venue. I would not find fault with the practice of the Attorney General ordering that there shall be no term, when there are no offences of any great consequence to be tried; but I think that whenever there is a man charged with a grave offence, it should be the duty of the Attorney General to order his trial to proceed. By this provision, you furnish a temptation to dispense with the regular terms, and force the prisoner either to remain in jail or stand his trial somewhere else.

Sir JOHN THOMPSON.

Mr. OUMET. The province has full jurisdiction in the administration of justice, and the Attorney General has now the power to dispense with a useless term. In the case of a grave offence, we must take it for granted that the Attorney General would not use this power. When a man is in jail under a charge of murder, it would be quite unreasonable for the Attorney General to postpone the term for six months. At all events we have nothing to do with that. What we are doing now is to give the prisoner the option of getting his trial elsewhere, when the Attorney General does dispense with the term.

Mr. LAURIER. The Attorney General might not dispense with the term in the case of murder, but might do so in a case of felony. A man might be in jail for larceny or for arson, and the Attorney General might say that as there was only one case, there would be no term, and the accused would have to remain in jail or stand his trial in the neighbouring district where he might not have the same facilities for defence.

Mr. OUMET. We must presume that the Attorney General will duly weigh all the reasons; and if he dispenses with a term of the criminal court, when he should have held one, he is responsible to the Legislative Assembly for his conduct.

Mr. CURRAN. I think my hon. friend, the leader of the Opposition, has perhaps misconceived the bearing of this particular section. We give no additional powers whatsoever to the Attorney General, and we make no attempt whatever to change the law as it stands with regard to the holding or withholding of a term. That remains as it is, and the Attorney General will exercise his authority in the future exactly as he has done in the past. The only change that is made here is for the benefit of the prisoner himself. The prisoner being incarcerated, if the Attorney General exercises the power of dispensing with the term then the prisoner may exercise the privilege given here of having his trial in an adjoining district.

Mr. OUMET. There is another remedy given to the accused. He may take out a writ of 'habeas corpus' and the judge under the powers vested in him would allow him out on bail if the circumstances were shown to warrant it.

Mr. LAURIER. That is quite enough. What I object to is the extension of the power. If the Attorney General does not hold the court, then the prisoner would have to make application as suggested by my hon. friend (Mr. Oumet). But, under this law the prisoner would be more likely to be led to take his trial at some other place, perhaps Quebec or Montreal. The section applies only to the province of Quebec. Why not to the other provinces as well? Because it is not considered possible that in these

provinces such a contingency should arise as there being no court at the proper time for the prisoner to have his trial. I do not object to economy being observed as far as possible, but there are limits beyond which it should not go. If the prisoner is in jail, he has the right to a trial by a jury of his countrymen. The law provides that that trial shall take place where he resides, and that rule is not departed from except when good cause is shown. But now you want to deprive the prisoner of the benefit of that rule.

Mr. CURRAN. It is a privilege given the prisoner.

Mr. LAURIER. You force the man to remain in jail for six months unless he is willing to take the option of being tried in a district where he is not known, where he has no friends and to which he may have no means of bringing his witnesses. Every man knows the advantage to a prisoner, who is supposed to be innocent until he is proven guilty, being tried where he is known. The common law of the land gives him that privilege. You say you want to do him a favour. I call it the reverse of a favour. Let the law stand as it is, and the Attorney General will be more likely to have sittings of the court even when there are but few prisoners to be tried. Take the case of Chicoutimi, for instance. This is about a hundred miles from Quebec and a hundred miles from Charlevoix. Say there is one man incarcerated, charged with arson or larceny. The Attorney General would be tempted to issue a proclamation dispensing with the term, in which case the prisoner would be given the option, which the hon. gentleman calls a privilege, of remaining in jail six months longer, or being carried to the city of Quebec for his trial, at great additional expense to himself. I do not want that he should be placed in such a position.

Mr. BELLEY. (Translation.) I fully concur in the remarks fallen from the hon. leader of the Opposition. The amendment now before the House, if adopted, would result in bringing about the objectionable change contemplated by the hon. Attorney General of the province of Quebec, when he introduced in the Legislature, a few years ago, his Bill respecting the reorganization of the courts of the province. The very substance of the amendment now under debate had been embodied by the Attorney General in his first Bill, when he contemplated transferring all criminal cases to the courts in the larger cities; thereby depriving the counties of Charlevoix and Chicoutimi of their criminal jurisdiction. The hon. Attorney General, however, soon understood the objectionable nature of such a change; he felt that it would be most unfair, on the grounds stated by the hon. leader of the Opposition, to compel the prisoners to take their trial in some other districts where they are not known; and he, therefore, gave

up the idea of embodying the objectionable clause in his Bill for the reorganization of the courts, which came before the Legislature last year. Should we now adopt the proposed amendment, the very objection which the Attorney General tried to obviate would recur. Suppose the Attorney General, on what he may think good grounds, were to dispense with the regular term of the court to be held in January, 1895, at Chicoutimi; prisoners who had been waiting in jail for their trial, for over six months, could, undoubtedly, avail themselves of the privilege of appealing to the provisions of this amendment. But would you force them to remain in jail for six, twelve, fifteen months, until the Attorney General should deem fit to grant them a term. The amendment now under consideration, Mr. Chairman, embodies the same objectionable feature, and would, I think, result in bringing about the very same state of things which the Attorney General tried to obviate by striking off this clause from the Bill introduced by him in the Legislature last session.

Mr. LAURIER moved that the clause be struck out.

Amendment negatived: yeas, 20; nays, 26.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again in committee on Bill (No. 126) to amend the Criminal Code, 1892.

(In the Committee.)

On section 806, of schedule.

Mr. EDGAR. At this point I would suggest an amendment to come in just after section 662. A few weeks ago the House voted the second reading of a Bill affecting the law of grand juries, but owing to the state of public business the third reading will not be reached. With the consent of the leader of the House, I would suggest that the clause which was carried by the House in that Bill should be adopted in this place as part of the general criminal law. Therefore, I would move an amendment that this be added as an amendment to section 662:

Notwithstanding any law, usage or custom to the contrary, seven grand jurors instead of twelve, as heretofore, may find a true bill in any province where the panel of grand jurors shall not be more than thirteen, provided that this subsection shall not come into force until a date to be named by the governor by proclamation.

Mr. OUMET. Would the hon. gentleman tell us what he means by the words "when the panel is not more than thirteen?" Is it the actual panel, or is it the summons panel?

Mr. EDGAR. The panels which are called to do business, the necessary number to do business. This provides that there shall

always be a majority, that there shall never be less than seven.

Mr. OUMET. In our province the number of jurors summoned is always twenty-four, twelve English-speaking and twelve French-speaking. As a rule, twenty-three is the number who act.

Mr. EDGAR. In the first place, this does not come into force until proclamation by the Governor; in the next place, it only applies to provinces where the panel has been reduced to thirteen.

Mr. TISDALE. Do the provinces regulate the panel?

Mr. EDGAR. Yes.

Amendment agreed to.

Committee rose and reported progress.

SUPPLY—EXPENDITURE ON ELECTIONS.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. EDGAR. Mr. Speaker, before you leave the Chair, I desire to address some observations to the House. On the 22nd November last, a trial was brought to a close in this city which, in some ways, partook of the nature and importance of a state trial. The defendants in that trial were Thomas McGreevy and N. K. Connolly, and the charge for which they were tried was that of conspiring to defraud the Quebec Harbour Commissioners and the Governor in Council in connection with procuring contracts and with improper dealings in connection with those contracts, the contracts being for very large and important public works between the Quebec Harbour Commissioners and the Government, on the one hand, and Larkin, Connolly & Co., a well-known firm of contractors, on the other hand. The expenditure connected with these works was very large, and their construction extended over some years. The result of the trial was the conviction of the defendants, Messrs. Connolly and McGreevy, and they were sentenced by Mr. Justice Rose, who conducted the trial, to one year's imprisonment in the common jail of the country. Great and unusual public interest attached to that trial, and it was quite to be expected that it should be so, for a good many reasons. One was the prominence of the defendants. The Hon. Thomas McGreevy had been in public life for many years. He was a prominent figure in this House from Confederation to 1891. He was not exactly in the Cabinet, but he was next to the Cabinet in supporting the Conservative party while they were in power, and also while they were in Opposition. N. K. Connolly, the other defendant, was a wealthy man, and a very large and well-known contractor in

Mr. EDGAR.

the country. This trial attracted public interest for another reason. We know quite well, from the comments of the press at the time, the trial aroused public interest in the events of 1891, when remarkable disclosures were made before a committee of this House respecting Messrs. McGreevy & Connolly, and others, which were, to a large extent, the cause of the downfall of one of the Conservative leaders. That trial also suggested to the public, and brought to the minds of the people something that happened in 1892. The 'Globe' newspaper published throughout the country, with great enterprise, lithographic facsimiles of certain documents, and those documents were also brought to the attention of the House. Then it must be admitted that the interest the public took in that trial was not lessened by the remarkable circumstance that instead of serving out their term of one year, the prisoners were allowed out at the end of three months of their sentence. Another matter which still further excited public interest about the trial was the fact that, arising out of those investigations of 1891, where it was disclosed that the Government had been robbed to an enormous extent by the contractors and by Mr. McGreevy, a civil suit had been brought by the Government to recover large sums from those contractors, and that civil suit is still pending in the courts. I cannot help feeling that another, and a still greater reason for public interest attaching to that conspiracy trial was the fact that it was well known that a leader of the Conservative party was still remaining within the Cabinet, although he was largely interested in the distribution at least of the funds that were found to have been criminally received by Mr. Thomas McGreevy from those contractors. I certainly think that the country expects to hear something from Parliament this session, the first session after that trial, on the subject at least of the political aspect of that trial, and the duty devolves on me to-night to bring before the attention of this House what I think is the fair and reasonable conclusion to be drawn from the evidence and records that are before this House in respect to the political action of two of my fellow members who are in this House to-night. What was the consideration, the purpose and object of that conspiracy of which those men were found guilty? It was the obtaining of money by Thomas McGreevy from contractors in exchange for improper influence and secret information supplied by him to them. That was its object. What was its result, in a pecuniary sense? The result of that conspiracy was that large sums of money were actually paid over by the contractors to Thomas McGreevy, and were received by him, and that out of those moneys a large sum was paid to Thomas McGreevy by the contractors for a specific and clearly-defined object and purpose, that was for the election expenses of the Con-

servative party. Now, Sir, the amount of these moneys was estimated by one of the counsel for the Crown, Mr. Osler, in his address to the jury at the opening, at something over \$119,000, and the judge, in his charge, said that \$117,000 may be considered upon the evidence to have gone for election expenses, while other sums were shown before the parliamentary committee, to have gone for political purposes in addition to those I have mentioned, and for other general pecuniary purposes. This might be very interesting, indeed, to investigate further, but I will confine myself now to the political purpose to which those funds were devoted. What I contend is this: That the conspiracy was, to the extent of its providing those funds for the elections, a political conspiracy. The plea may be made that the political object lessened the crime and in anticipation of a plea or defence of that general nature, that the political object of this conspiracy ought to lessen the crime, one of the counsel for the Crown, in opening the case for the jury, made some remarks which I will take the liberty to quote. Mr. Osler said to the jury:

Those items of larger expenditure with altered entries amount altogether to \$119,438. Now, what is to be said about these? It is said, and will probably appear in evidence before you, that these items were paid out by this firm of contractors to Mr. Thos. McGreevy and others for the purpose of being expended in election expenses connected with various elections that went on from time to time. Well, gentlemen, it will be for you to consider whether that circumstance does not aggravate instead of lessen the offence. If these moneys were paid out for the purpose of corrupting electors it is worse, not better, for the defendants. It is a very serious crime for you to consider if a man by irregular practices obtains public money for his own pocket that is one thing, but if he obtains it for the purpose of influencing the minds of men in exercising their franchise, and that money comes from public contractors, one of the most serious offences against good government and the community that is possible is committed.

Again, after the evidence had been put in, and after the appeals had been made by counsel for the defendants to the jury for acquittal on the ground of the political character of this expenditure, Mr. Osler said:

It is suggested by my learned friends, on the other side, that we should have invited those whom my learned friend Mr. Blake, chose to call the *Noblemen* of the country, whoever he may mean. I apprehend he means those higher in authority. By that suggestion he means that something was done with this money which was wrong further on beyond the hands of Thomas McGreevy, and that these are the men we ought to get at. But Thomas McGreevy's counsel says:—"I decline to give those away. I stand dumb. I won't say what I did with the money. I won't say who received it." And he chooses to take the consequences of that, he chooses to plead to you that this was honourable on his part.

What is it that he conceals? What sort of honour is it that calls forth that concealment? And the great poet has described that sort of honour in describing Launcelot's dealings with the Queen:

"His honour rooted in dishonour stood,
And faith unfaithful kept him falsely true."

Now, did the judge, when he charged the jury, tolerate, for a moment, such a plea as that? He dealt with it as an able and upright judge might be expected to do, and I quote from his charge to the jury, as follows:—

It is no defence to say that this contract was let, or this influence was given or the service was rendered in consideration of a money subscription being given by contractors to assist any Government, any Minister, any member of Parliament in either corrupt or legitimate expenses. The whole confidence of the public in the administration of public affairs would be gone, the whole watchfulness over contractors would be taken away, and the contractor who would sink his conscience sufficiently to give the largest sum would be the man who would have the ear of the departmental officer, and be able to pull the largest amount of money out of the public exchequer. * * * *

It has been suggested in the course of this trial that such things are not uncommon, and that if it did occur it was in pursuance of a system. If so, it was a system as vicious as can be suggested, and as improper as can be perpetrated.

In passing sentence the judge pointed out in language that could not be misunderstood that there were other offenders on whom the vengeance of the community should be visited. He said:

The offence is one which affects many, which is against public policy, which is against the good government of the people and cannot be lightly treated, and yet I have no desire, and shall not yield to any cry for severe punishment which might visit upon single offenders the vengeance of the community, or the justice which ought to be administered towards many.

Is it a secret any longer as to who were the beneficiaries of those election funds? It was a mystery before the jury, who had no evidence before them to show who were the "noblemen" of the country, those high in authority referred to by Mr. Osler. Is it, to-day, a mystery who these were? Even the judge had no direct proof by which to identify the Government, the Ministers, the members of Parliament he referred to, who were assisted by these subscriptions, under a system which he characterized as "as vicious as could be suggested and as improper as could be perpetrated." That evidence does exist to-day. It is written in the records and papers before this House. It discloses the names of those who received the proceeds of the conspiracy from the minor culprits who were found guilty, and it throws upon this House the responsibility of acquitting or condemning the beneficiaries under that conspiracy. The evidence to which I will direct the attention of hon.

gentleman is mainly to be found in two appendices of the Journals of this House. Appendix No. 1 of the Journals of 1891, contains the evidence taken by the committee on Privileges and Elections on charges made by Mr. Tarte, then the member for Montmorency, against Mr. Thomas McGreevy and Sir Hector Langevin. The appendix to the Journals of 1893, in this other blue-book, is a report of a Royal Commission on charges against Sir Adolphe Caron and is accessible to all the members of this House. It will be remembered that the inquiry of 1891 was somewhat restricted by the refusal of Mr. McGreevy to answer questions that were asked him as to the disposal of the election funds that came to his hands; and it will also be remembered that the inquiry of 1893 was also considerably restricted by the Government on that occasion voting down a motion for a full inquiry. Yet, fortunately, an important portion of this very conspiracy fund is traceable with absolute certainty from its criminal source to its disgraceful and corrupt destiny, the debauching of the electorate by two Ministers of the Crown. In order to trace a considerable portion of this conspiracy money, I would quote from page 909 of the blue-book of 1891. Mr. Thomas McGreevy was examined, and he admitted that he had received \$55,000 for political purposes. He was asked by the chairman of the Committee on Privileges and Elections, the hon. member for Jacques Cartier (Mr. Girouard), who is still the chairman of that committee, the followinig questions:—

Q. You say you got \$55,000 for political purposes?—A. Yes.

Q. You did not say on behalf of which party; I think the committee would like to know that?—A. The Conservative party.

Q. Exclusively?—A. Exclusively.

Q. Nothing went to any other party?—A. No.

The amount was proved to be much larger than this; but we will confine ourselves to the amounts that are admitted. Now, coming right down to a particular occasion, to the general elections of 1887, and taking Mr. McGreevy's admissions in that old inquiry, he says at page 908:

Q. As a matter of fact, you actually received in connection with the election of 1887 \$20,000?—A. Yes, \$20,000.

There is other evidence, given by Robert McGreevy and by Murphy on that occasion, showing other and larger sums; but I will not waste the time of the House in discussing whether that evidence should be received or not. We come down to this clear and distinct admission which cannot be denied. Now, what was the position of Mr. Thomas McGreevy in 1887? He said very frankly to the chairman that this money was expended exclusively for the benefit of the Conservative party in the elections of 1887;

Mr. EDGAR.

but then we find that he occupied a special position of trust and confidence in the ranks of the Conservative party in the district of Quebec: he was the political treasurer for his party in that district. This is proved by himself in the Tarte inquiry at page 997; it is proved by himself in the Caron inquiry at pages 161 and 162; it is proved also by Sir Hector Langevin in the Tarte inquiry at page 1,136; and Sir Adolphe Caron himself, in the inquiry of 1892, at page 224, says:

McGreevy received all election funds for the district of Quebec.

Now, in following up this \$20,000 item, it is important to know if it was set apart and applied to any special purpose, or if it was thrown into a general reptile fund and distributed among and for the benefit of Ministers, members and candidates. It is clear, from what I will show to this House, that it came under the control of the managers of the general fund, and that they were the beneficiaries of the sum. Take Thomas McGreevy's evidence on that point. In the Tarte inquiry, at page 997, his evidence is as follows:—

Q. Did you take receipts from the parties to whom you paid the money?—A. Well, I had other moneys besides that.

Q. Would you make any exceptions in the political moneys received from Larkin, Connolly & Co.?—A. Well, I will tell you. This money was spent in the general election of 1887. I had other moneys besides that, and they were all mixed together.

Then he says:

They were all mixed up together. They were mixed up with others—the other moneys I had. I got them in confidence. I have a large number of receipts, covering a much larger amount than that, but there is no distinguishing between them. The money is all mixed up together; I cannot distinguish between the two.

Now, Mr. Speaker, so far we have it made perfectly clear that the funds McGreevy received were large election funds, in part the proceeds of the conspiracy. We have it made clear that he was the treasurer for the Conservative party for the district of Quebec in the general elections of 1887, that a large portion of the conspiracy funds went into the elections, and that they formed part of a mixed reptile fund for the district of Quebec. Now, this one branch of the case is complete, and compromises the Conservative party, first, of the district of Quebec, and, secondly, of all Canada, so long as they do not repudiate and denounce the transaction. But now, what do we know of any and the amount of other contributions to this mixed reptile fund? We know perfectly well from the blue-book that Sir Adolphe Caron himself collected for this fund \$25,000, which he handed over to this same Mr. Thomas McGreevy. He collected it from Senator Ross, who was president and prac-

tical owner of the Lake St. John Railway Construction Company, who had got Dominion subsidies for that railway passed and afterwards assigned to him to secure his advances to the contractor; and, if anything was left over, he got it from the Construction Company. We see all that on pages 223 and 224 of this blue-book of 1893; and the strange part of it is that it appears from the evidence in that blue-book that after this gift of \$25,000 in February, 1887, by the late Mr. Ross to Sir Adolphe Caron, for this fund, there were \$262,000 of subsidies granted by the Dominion Government to this very Lake St. John Railway Company, every dollar of which subsidies were to go to Mr. Ross. And that \$25,000 was not paid openly; it was not entered openly in Mr. Ross's books. You will see by his book-keeper's evidence in the report of the Royal Commission, at page 177, that it was not charged to election funds at all. It was charged to Mr. Beemer, the contractor; but it was paid by Mr. Ross's hands into Sir Adolphe Caron's hands, and carried by him in dirty bank notes and bills and put into Mr. Thomas McGreevy's hands for the political purposes of the campaign. Why, Sir, in this 1887 election fund, we find that Mr. Beemer, the contractor for this railway, is shown by his books to have contributed \$25,000 towards this election fund, which he marked with the letters "G.E.F." these, he explained, not being the initials of the Finance Minister, but General Election Fund. But the other initials, which also appear in his books, "A.P.C." he had to admit were the initials of the Postmaster General. The evidence is so very curious and contradictory as to these items contributed by Mr. Ross and Mr. Beemer, that, when this report was discussed before the House, a gentleman so much accustomed to analyse and sift evidence as the hon. member for Simcoe (Mr. McCarthy), was forced to the conclusion that there was not one sum of \$25,000, but two separate sums. And the photograph of a letter which I have in my possession, and may refer to later, shows that the hon. member for Three Rivers (Sir Hector Langevin) did not think that Mr. Ross was even doing his duty when he gave the \$25,000, but referred Mr. Valin to him to get more money, should he require more, and not be able to get it from Mr. McGreevy. So far as we have evidence or can find out, there was not one dollar of disinterested contribution to this general election fund of 1887. It was all from contractors or subsidized patriots—every cent of it. It was much worse than Judge Rose could ever have imagined it was, when he made the comments I have read. Now, another branch of this case is to find out who controlled and who distributed this mixed fund for 1887. In the evidence given before the Royal Commission, Mr. McGreevy threw some light upon that. He said that two things were arranged apparently. He said:

163

It was arranged that there was a certain amount of money, and it was to be paid according to orders.

Q. I want to know who it was that directed and controlled these arrangements?—A. At what time?

Q. We will say during the elections of 1887?—

A. I think it was Sir Hector Langevin and Sir Adolphe Caron. They consulted about it:

Q. You say Sir Hector Langevin and Sir Adolphe Caron. Were there any others?—A. I am not aware of any others. I have paid without written orders some, but the bulk of it was paid out in written orders.

Sir Adolphe Caron is very explicit on that point, because in his own evidence, at page 224, he explains the whole thing in this way:

Mr. McGreevy was one of a committee composed of three, the Hon. Sir Hector Langevin and myself being two of the three, and Mr. McGreevy being the third and the treasurer for the purpose of that campaign. These amounts were distributed after discussion between the three members of that committee, Sir Hector Langevin, myself, and Mr. McGreevy. They were distributed in what we considered to be the legitimate and indispensable expenses of the various counties which we were looking after in the district of Quebec.

We may have to see what these gentlemen's ideas of legitimate and indispensable expenses were on that occasion; but at any rate that is what Sir Adolphe Caron said about them. It is just to observe that Sir Adolphe Caron includes Mr. McGreevy in the committee, whereas Mr. McGreevy modestly disclaimed control himself, and said he simply handled the money for the other two. That, however, does not make very much difference, for if he were not on the committee, no doubt he knew a good deal about it. Then Sir Adolphe Caron further gives us light on that point. He says at page 228 of the report:

The three members of the committee discussed together, and we decided that such and such a county would receive so much. No amount, to my knowledge, was ever given out until we three agreed that that amount should be given.

It is therefore clear, beyond a shadow of doubt, that both Sir Hector Langevin and Sir Adolphe Caron were active agents in controlling and distributing the whole of this immense fund, including at least \$20,000 which came out of this conspiracy money in connection with which McGreevy and Connolly were sent to jail. It is also clear that if any sums were paid out of the funds for their own constituencies, both were parties to the payments, because Sir Adolphe Caron says: "No amount was ever given out until we three agreed that amount should be given." I think, therefore, Mr. Speaker, that in the motion which I shall place in your hands shortly, I am absolutely bound to include both of those gentlemen who controlled and distributed every cent of that fund. I propose to include them both, and under the

circumstances I do not see how I can avoid doing so. They both shared the benefits of that fund and should share the responsibilities. In the months of April, May and June, 1893, the Toronto 'Globe' displayed its remarkable newspaper enterprise by publishing a series of documents purporting to be lithographic fac similies of orders, letters and receipts of Sir Hector Langevin and Sir Adolphe Caron, passing between these gentlemen and the Hon. Thomas McGreevy as treasurer in 1887. I have procured copies of the papers of these dates, and will lay them on the Table for the information of any members who may desire to inspect these beautiful photographic engravures. A large part of these documents are also on record in the proceedings of this House and in the 'Hansard' of the 15th June, 1892, so that any member may refer to them. Now, the genuineness of these has never been denied. In the Royal Commission Sir Adolphe Caron does not dispute the documents relating to himself, which were produced by Mr. McGreevy. But, in view of any dispute as to these relating to Sir Hector Langevin, I obtained from the 'Globe' people original photographs—which I have here and which I submit for inspection by members of the House—of orders and receipts, &c., something over thirty in number, which connect Sir Hector Langevin with the distribution of these funds in a most striking manner. Now, it will be found that there were written orders on this fund given by Sir Adolphe Caron for twelve counties, and by Sir Hector Langevin for fifteen counties. A number were for the same county, but, in all, they covered twenty separate counties. This does not include Quebec West, but the treasurer himself provided carefully for that—his own constituency—out of the fund under his own control, but, apparently without anybody's order. No orders have been produced for Quebec West. But I do not suppose that Mr. McGreevy would go through the formality of making an order upon himself to pay for himself. Now, Sir Adolphe Caron ordered at least \$5,100 to be paid for his own county out of the fund. Admitting that he subscribed nothing more, we have an idea of what he considered legitimate and indispensable election expenses. Sir Hector Langevin's election cost the fund \$13,150, as shown by vouchers which I have here. The list of vouchers which I hold in my hand connected with the election at Three Rivers covers the period between the 31st of January and the 3rd of March, and includes these items: \$500, \$1,000, \$1,500, \$1,000, \$4,000, \$2,000, \$3,150, total \$13,150. Now, the hon. member for Three Rivers (Sir Hector Langevin) said, in 1891, in the course of his evidence, which I may have to refer to a little later on, that he took care not to know anything about any expenditure for his own county. He was very particular about that. He did not know anything about any of

Mr. EDGAR.

these matters anyway, but about his own county he was particularly careful to know nothing. But he had forgotten what he had said to Mr. McGreevy in a foot note to an interesting letter I have here. Because, after all these sums, excepting the last \$3,150 had been paid to various gentlemen under orders from Mr. Panneton, the manager of the Bank in Three Rivers, La Banque du Peuple, and Sir Hector Langevin's chief election pusher—not agent, but promoter—we find the following letter dated the 26th of February, 1887,—the election was held on 22nd February—addressed to Mr. McGreevy. The letter is in French, but perhaps hon. gentlemen will excuse me from reading it in French. I will translate it.

Some hon. MEMBERS. In French.

Mr. EDGAR. I am afraid that a good many English people would not be able to understand my French, but perhaps that would not be so bad if I was able to believe that the French members could understand it.

MY DEAR MR. MCGREEVY,—The battle is finished and we remain victorious. I felicitate you upon your success. We are indebted yet in the sum of \$2,689. Sir Hector last evening gave me this word—which you will find herein. I have done for the best. He ordered me not to lose this election. Pelletier has spent on his side at least \$6,000. The fight has been terrible. As this sum has been borrowed from a friend, and as it will be due on Tuesday, will you have the amount deposited on Monday and telegraph it to me. If you prefer to see me, telegraph Monday morning early and I will go down at half past eleven A.M. Sir Hector wishes that nothing shall be neglected. Bien à vous.

P. E. PANNETON.

Then there is this:

I have learned that \$7,000 has been spent by the committee of Pelletier. In the last two days he has made enormous efforts. Destroy this.

P. E. P.

And here is a little memorandum at the bottom of the page, and in a handwriting which I think we all know—

MY DEAR MR. MCGREEVY,—Please hear the bearer.

Sir HECTOR LANGEVIN.

That prayer was heard. You will remember that in this letter Mr. Panneton asked for \$2,689. Apparently, on the 3rd March Mr. McGreevy had not yet paid the amount, for Mr. Panneton addresses Mr. McGreevy again—

MY DEAR SIR,—The draft in question has been drawn. It is by A. G. Gouin. I have added \$281 to settle some accounts of which I did not know before. It will be presented to you to-morrow morning by the Banque du Peuple. Our friend wishes that all should be arranged in order to avoid all disagreement. We are going to take means not to have any protest.

Yours truly,

P. E. PANNETON.

And here is the draft drawn by Mr. Gouin for \$3,150 on Hon. Thomas McGreevy, Quebec, dated at Three Rivers, March 3rd, drawn at sight, and marked paid. That shows also what Sir Hector Langevin's ideas were of legal and reasonable expenses. Now, you will remember that he cautiously refrained from connecting his name with any order, but, if you will remember, Sir Adolphe Caron has told us that no amount was ever given out until "we three" agreed what the amount should be. Therefore, all three knew what was given to Three Rivers. I can tell you, as a fact of interest, that there were only 640 votes polled for the hon. gentleman at that election. Although there is evidence of a great deal more money provided for this Three Rivers election that I will not refer to, here alone we had \$13,150 paid for these 640 votes, or over \$20 apiece out of this blessed fund. Those are moderate and reasonable election expenses, of course. Now, what does the law say about things of that kind at elections? Section 118, chapter 8, of the Revised Statutes of Canada, says:

The payment, advance, loan or deposit by or on behalf of any candidate, before, during or after an election, otherwise than through the regular agents, is illegal, and the person making the same is guilty of a misdemeanour.

Section 120 says:

The statement of election expenses shall include payments made by the candidate, and any agent or candidate who wilfully furnishes to the returning officer any untrue statement, is guilty of a misdemeanour.

Now, Sir, we have the published election expenses of Sir A. P. Caron for the county of Quebec, in 1887, as follows:—Personal expenses, \$58; expenses of agents, \$846.46; in all, \$904.46, Mr. H. A. Turcotte being the agent who vouched for that being accurate. Now, deducting that from the \$5,100, for which we find his own orders for his own county, it leaves to be classed as illegal, a balance of \$4,193.54, the payment of which looks very much as if it might possibly be considered by a court and jury to be a misdemeanour if it were brought before them. I am, however, only dealing with political iniquities to-night, not misdemeanours. Now, we have also the published election expenses of Sir Hector Langevin for Three Rivers, in 1887. They are also in their way very curious, and exceedingly moderate: personal expenses, \$30; agent's expenses, \$887.09. They are very particular about cents; it is well to be so when one is honest and above-board. That leaves to be classed as illegal expense, a balance of \$12,232.91. Did the Minister of Justice direct the prosecution of his colleagues? Or will he do so? I do not ask any verdict of misdemeanour against them; I only ask a political verdict from this House. Now, there is another feature in this case. At the Tarte inquiry in 1891, Mr. McGreevy was examined, but

persisted in refusing to give particulars as to how he spent the election funds of 1887, received from Larkin, Connolly & Company. Afterwards, in 1892, when he was examined before the Royal Commission, he changed his mind. I cannot tell you all he was asked, but on that occasion in 1891, when he repeatedly refused to answer, he said:

I decline to answer, it is a matter of confidence.

I decline because I cannot separate them from the other moneys.

I decline because it was given to me in confidence.

I decline because I could not properly separate it.

I decline because it has nothing to do with this.

I decline to give the names because I was a trustee of these funds, and it was to be kept in confidence. I am not going to make a breach of confidence.

Now, Mr. McGreevy had declined to compromise Sir Hector Langevin at that time; that is clear, and the opportunity existed for Sir Hector Langevin, if he chose to do so, to make a denial of his knowledge. Sir Hector Langevin was also examined after Mr. McGreevy had refused positively to answer, and decided to go to jail, decided to be expelled from the House, before he would open his mouth. Sir Hector Langevin was called before that committee and examined, and he did not refuse to answer. I think myself it would have been better for him if he had. Being examined under oath by Mr. Davies, these are some of his answers, as found at page 1.136 of the evidence:

Q. For your own election was there never any money distributed from the party funds?—A. I am not aware of any.

Q. To whom would it be paid if for your benefit?—A. I do not know. I take care when an election comes on to know nothing of the kind.

Q. It seems to me, that as political leader of the party, you must have been aware of large sums of money paid to others for political purposes?—A. Mr. McGreevy never told me those things and I never asked him.

Q. Are you aware that Mr. McGreevy paid, as Treasurer of the political fund, large sums of money for political purposes in Quebec?—A. I do not know. He may have done so, but I do not know.

Q. Your answer is that you do not know that he paid any personally. You may have your presumption but you do not know?—A. I say that I do not know personally that he has done so. I believe that he contributed to these elections, but I have no knowledge about my own elections.

Q. Or other elections?—A. If I were asked how much Mr. McGreevy has contributed to this election or that, I do not know.

Q. It is not the contributions of Mr. McGreevy, but the contributions from the fund that he was Treasurer of?—A. That is what I mean.

Q. You never applied to him for money for political purposes during these elections?—A. I do not know that. I might tell him that there were wants in a certain county or another county. I may have told him that.

Q. Did you specify approximately the amounts that would be required?—A. I do not think so.

Q. You would leave it entirely to Mr. McGreevy to say what amount would be given to each district?—A. Yes.

Q. I do not want names. I want generally the amount?—A. I can not give you that information.

Q. You swear you cannot give any information on that point?—A. I never knew what amount he might have for election purposes in his hands as treasurer or organizer.

Q. Did you apply to him for political purposes to be paid in any part of Quebec?—A. No.

Q. And you are not aware that he paid any?—A. No. I believe he has, but I do not know.

Q. Did you direct any body to do that?—A. Do what?

Q. To go to Mr. McGreevy and see that moneys were paid for political purposes?—A. I might have referred parties who came to me: "You must go and see Mr. McGreevy; I have nothing to do with that." If you ask me to name any person, I could not do it.

Now, Mr. Speaker, you have seen what happened about his own election. You have seen his own directions to Mr. McGreevy: that he was to hear the bearer Panneton, and you have also heard from the bearer Panneton what it was for and what he got, and you have heard that Sir A. P. Caron swore that no amount was ever given out "until we three agreed what amount should be given," and that \$13,500 is covered by those amounts distinctly and clearly. Then as to the other cases apart from Three Rivers, we have seen that he arranged for the fund, that he and Sir A. P. Caron sat down and apportioned the whole of it, and he distributed part of it. I have here, as I say, thirty-two different orders of his own, signed by himself, containing directions in detail, many of them. Some of them I might trouble the House with reading. For instance, here is the first one to Mr. McGreevy about Mr. Valin:

MY DEAR MCGREEVY,—Mr. Valin has come. He says that he wants some help for his legal expenses.

Oh, yes; legal expenses; always legal expenses.

Do what you think proper and necessary and send him for any more to Senator Ross. This county is very hard.

Then there is at the foot of the letter a receipt for \$500. These letters are all signed by Sir Hector Langevin in his own handwriting. This \$500 was received by Mr. Valin. Again, in regard to the county of Portneuf. There is a final amount on 21st February of \$200. The papers show that the treasury had been previously drawn on for \$3,000. Here is a letter to Mr. McGreevy:

MY DEAR MR. MCGREEVY,—Please let Mr. Dionne have \$200 for legal expenses, on account of Portneuf. That is the last.

Mr. EDGAR.

This shows the scrupulous care exercised in intrusting the funds to proper parties, so that they might not go wrong. I will now read a letter from Sir Hector Langevin to Mr. McGreevy, dated 17th February, 1887. It relates to St. Maurice, and is as follows:—

MY DEAR MR. MCGREEVY,—Mr. F. L. Desaulniers has sent the bearer, Mr. F. M. Gelinas, a trustworthy man, to receive the balance of what comes to him for his legal expenses in St. Maurice. Please do so.

H. L. LANGEVIN.

P.S.—You should obtain a receipt of course.

"Received \$500, F. M. Gelinas."

That shows the businesslike care and accuracy with which the whole matter was carried out. It is extraordinary that Sir Hector Langevin's memory was so utterly blank as regards the whole of this subject in 1891. I hope these papers will refresh his memory to-night. Here is another document showing the care that Sir Hector took—it relates to the county of Rimouski. It is a letter to Mr. McGreevy:

DEAR MR. MCGREEVY,—Mr. Charles Taché, brother of our candidate in Rimouski, leaves tomorrow morning for Rimouski. I think you might on the balance allotted for legal expenses of that county let him have \$800. He is a safe man.

Received, \$800, J. C. Taché.

He is a safe man—they were all very careful about the kind of men to whom they intrusted the balance. There were orders signed by Sir Hector Langevin for all of these. Here is another document which shows the trouble Sir Adolphe Caron sometimes gave Sir Hector, and I think it was hardly fair. This letter is in regard to the Bellechasse election, and is as follows:—

MY DEAR MR. MCGREEVY,—Mr. Bealleau (Narcisse), brother of Isidore Bealleau, our candidate in Bellechasse, has come down with Mr. Labrecque, for balance of what may come to the election for legal expenses. It is urgent it appears. Please do what can be done. They have been running after Sir Adolphe all day. They cannot find him. Perhaps you might tell them where he is.

I do not know whether the hon. member for Bellechasse will take any interest or not in this communication. Possibly the party was told where Sir Adolphe Caron was; but at all events these matters were kept quiet and he took a receipt for \$500. I dare say I have presented enough facts to refresh the hon. gentleman's memory; but I could run over the whole business. In Beauce he wants to intrust \$200 to a faithful friend. It will be observed that they are all faithful friends apparently, because the amounts were rather in excess of the amounts required for legal expenses. An hon. friend says legal appropriations. They were not in excess of the appropria-

tions, but they were in excess of the statements of legal expenses published by the candidates. For what reason was Mr. McGreevy expelled from this House? He was expelled for refusing to answer inquiries of this kind. Sir Hector Langevin did not. I will not characterize the nature of his answers; I will leave that to the House to do so. Now, Mr. Speaker, it is reasonable to ask, what have Sir Hector Langevin and Sir Adolphe Caron to do with this particular sum of \$20,000 received from Larkin, Connolly & Co. for the 1887 elections? I say they have everything to do with it. Mr. McGreevy has explained it in the evidence I have read. There were certain moneys placed in his hands—the evidence is to be found at page 162—and orders were given to pay them out. It was arranged, he said, that there should be a certain amount of money, and it was to be paid out according to orders. The evidence was as follows:—

Q. I want to know who it was that directed and controlled these arrangements?—A. At what time?

Q. We will say during the election of 1887?—

A. I think it was Sir Hector Langevin and Sir A. P. Caron; they consulted about them.

Q. You say Sir Hector Langevin and Sir A. P. Caron; were there any others?—A. I am not aware of any others.

Those gentlemen, Sir Adolphe Caron and Sir Hector Langevin, had intimation of the exact extent of the funds, because Sir Adolphe Caron, in his evidence, at page 228, said:

The three members of the committee discussed together, and we decided that such and such a county would receive so much.

Therefore, they had the whole funds before them when they arrived at that decision. There is direct evidence that both knew of this large contribution by Larkin, Connolly & Co. But no direct evidence was required. They accepted the money, they gave no possible or pretended consideration for it, to Mr. McGreevy at least, and they dealt with it and distributed it as if it was their own. Did they suppose it dropped from the clouds? Did they shut their eyes to other sources of supply, besides the McGreevy source? No. Sir Adolphe Caron had his eyes open, and kept them open, and received in bank notes \$25,000 with his own hands. He did not shut his eyes to the source of supply. So far it appears that not a cent of the reptile fund came from disinterested political supporters. Can any sane man believe that either of those gentlemen was ignorant of every one of the foul sources of supply? Was the nature of the fund so irreproachable, was its object so pure, was its distribution so legitimate, that the distributors could wrap themselves in a mantle of virtue and sternly demand from Thomas McGreevy to know that this golden stream only flowed from pure and unpolluted sources? No. It was never pretended that

they asked such a question of Thomas McGreevy, or ever received or could have received such an assurance, a false assurance from him. They knew all about the Larkin-Connolly fund. They knew as much as we knew, and a great deal more. What were the relations of Sir Hector Langevin and Mr. McGreevy? They were of a prolonged and intimate character. For ten years Mr. McGreevy had lived with him in his house, and they had shared the same office. In public and private life they were bound up together. The evidence shows—I can give all the pages—that Mr. McGreevy during this time indorsed, financed and floated a \$10,000 note for Sir Hector Langevin, and paid the interest on it out of his own pocket for years and years for Sir Hector Langevin. The evidence also shows that Mr. McGreevy contributed \$35,000 to support Sir Hector Langevin's personal organ 'Le Monde.' Mr. McGreevy in a moment of weakness disclosed to his brother his relation to Sir Hector Langevin. Here is a letter dated 1st of March, 1886, which was quoted by the judge at the conspiracy trial, submitted to the jury, and also to be found in this report of the proceedings of 1891, as exhibit J-2 at page 20. Mr. Thomas McGreevy writes to his brother:

I have had a long interview with Perley on harbour works and graving docks at British Columbia. Fleming was to have signed his report to-day on harbour works. It will be shown to me as soon as signed. I will see it to-morrow and Sir Hector and myself will decide what is to be done for future. He will adopt my views. I will see you and Murphy about it before doing anything. It is a big thing for the future.

Can there be any possible question about Sir Hector Langevin's relation to Thomas McGreevy. What was Thomas McGreevy, convicted for? He was convicted of conspiring, and using his influence with Ministers in order to wring a reptile fund out of contractors. Is it not infinitely more discreditable for these very Ministers to have conspired, as they did with Mr. McGreevy, to use that very fund to debauch and corrupt the people at the general election? Is it not more disgraceful to have conspired as they did, with Mr. McGreevy, to flood their own constituencies with enormous illegal sums out of these very funds collected by a crime? Mr. Speaker, before the Carleton jury were brought, only Thomas McGreevy and N. K. Connolly, and again to quote the judges charge to the jury:

Those who stand high or low may be equally guilty, and it might be right to have them brought before the Bar of Justice and their punishment awarded them, but with that, neither you nor I have anything to do.

And the judge was right. But with that this House and every member of it has everything to do. I bring before this House for their judgment two of the offenders, and

I ask, not that a criminal but that a political sentence be passed upon them. I charge that common political decency demands a verdict and a sentence at our hands. When these glaring facts of political corruption are laid before you, as I formally lay them before you now, you cannot, you dare not, ignore them. Are we to advertise ourselves as a pack of arrant hypocrites and pass here laws against electoral corruption; and place severe laws upon the Statute-books against trifling offences, and yet allow these crimes to go without condemnation. Shall the illegal expenditure of a dollar, unseat, or perhaps disqualify a member of this House before a judge, and shall illegal expenditure of \$4,000 by one Minister in his constituency, and \$12,000 by another Minister in his constituency, not meet with the censure of this House? Mr. Speaker, after the disgraceful exposure of 1891, the First Minister was a party to the celebrated profession of lofty virtue expressed by the promise that the Government would bring to justice all offenders, be they high or low, rich or poor. What has he done? The inquiry of 1891 at the instance of Mr. Tarte, and the investigation, pressed on by members of that committee who are not on the Government side of the House, disclosed facts for many weeks, in spite of the strenuous attempts to suppress these facts by counsel, hired and paid by the Government for that purpose. At any rate the facts of this conspiracy were disclosed, which was partially tried last November, and the Minister of Justice was forced by the parliamentary inquiry to institute that trial. The Ontario Government took part in it also, and after many adjournments it was pressed to a trial and the judge and the counsel for the Crown commented on the absence of the greater culprits. Why did the Minister of Justice not prosecute them? The Minister of Justice knew every damning fact which I have laid before the House, as well as we know them to-day. Why did he stay his hand? Why, Sir, it was to save a colleague and to save his party. I wonder if I might not venture to quote to the Minister of Justice these words which were applied by Mr. Osler to Thomas McGreevy: the words of Tennyson, as to Launcelot's position. Is it not a fact that the Minister of Justice, too, was in the position that:

His honour rooted in dishonour stood,
And faith unfaithful kept him falsely true.

Then there was a civil suit which is in progress to-day. How could the Minister of Justice avoid bringing the civil suit, when this big volume of 1891, is full of the clearest proofs that the country was robbed and defrauded by these contractors. It is a long time since 1891, and the civil suit has not been finished yet. I do not know whether it will be or not, but I want to draw the attention of the Minister of Justice to the fact that he knew then, as well as we know now, that at least \$20,000 of that money that he

Mr. EDGAR.

is suing these contractors for, was traced directly into the very hands of his colleagues, and was spent by them for his and their benefit for illegal and corrupt purposes. A public crime was added to the private one of Thomas McGreevy. Why is not the law put in motion to recover at least that \$20,000 as to which the evidence is conclusive? Why did he stay his hand? I would answer again: to save a colleague and to save his party. Is any colleague worth saving at such a price, Mr. Speaker? Can any party be saved from the acts of its leaders unless it repudiates those leaders? And, Sir, is it necessary for me to say anything as to the necessity of bringing these matters before the House at this session of Parliament? Why, Sir, the charges arise from that trial and that verdict and that sentence, and from the judge's language, which constitutes an invitation to Parliament to take action on these matters, if any words that ever fell from the lips of a judge could be so construed. Moreover, I want this House to understand clearly, that this House heretofore has not judged in this matter—not at all; nothing like it. In 1891, how did Sir Hector Langevin clear himself from the charges brought in connection with this conspiracy fund? Why, Sir, he denied receiving or expending or distributing any of these moneys. That was the evidence that was before the House when the House considered the report of the Privileges and Elections Committee in 1891. Was that a true state of affairs? Do we not know now, from the evidence that we have here in unlimited quantities? The evidence of Mr. McGreevy contradicts that; the evidence of Sir Adolphe Caron contradicts that; and the orders by the dozen given by the hon. gentleman under his own hand and signature also contradict that evidence. Therefore, I say that was not an adjudication so far as Sir Hector Langevin is concerned. Then, Sir, as to the hon. Postmaster General. In 1893, the evidence taken under the Royal Commission was considered by this House; but there was no reference in that Royal Commission anywhere to the Larkin, Connolly case—no reference whatever to it in the inquiry as it was sent by this House to the Royal Commission. I had made a charge, and asked for a committee of this House to inquire into it, which included and covered this conspiracy of Larkin, Connolly & Co., for the appropriation of election moneys; but, Sir, that charge was struck out by the House at the instance of this Government. And, Sir, you will remember that the inquiry of that Royal Commission was limited to two railways, to the subsidies granted to those railways, and to matters connected with those subsidies; and upon those matters alone did the House pass judgment. Yes, Mr. Speaker, an inquiry was asked by me involving these very election funds, and refused by the Government, on the excuse that the time for petitioning against mem-

bers implicated in corruption had elapsed. But, Sir, that excuse cannot avail to-night. I ask to unseat no member. I ask for no committee of inquiry. I simply have brought evidence before you, clear and conclusive evidence, and ask you to deal with it. Even to those who cynically affect to believe that politics is only a game, and that votes are the stakes we play for, I say, let us at least have an honest and fair game, and let us unite in punishing those who are caught cheating and playing with loaded dice. Neither would I appeal to others on any very lofty ground of political morality. I only say that in common justice, influenced by a proper regard for public opinion and for the opinion of our own constituents, we ought to visit with our censure the transactions which I have submitted to this House. For that reason, Mr. Speaker, I move :

“That all the words after the word ‘That’ be left out, and the following inserted instead thereof :—‘from the public trial and conviction of Thomas McGreevy and N. K. Connolly for conspiracy to defraud, and from evidence and papers already before this House, it appears that large portions of the moneys which were found, upon said trial, to have been criminally received by the said Thomas McGreevy from Government contractors were so received by him for the purpose of being expended in elections in the interest of the Conservative party, and for distribution by Sir Hector Langevin, M.P., and Sir Adolphe Caron, M.P., for the election of themselves and of other supporters of the Government at the general elections held in February, 1887.

“That it further appears that large portions of the said moneys, together with other large sums collected by Sir Adolphe Caron from those interested in Governmental railway subsidies, were expended and distributed by Sir Hector Langevin and Sir Adolphe Caron, and in lavish and illegal amounts, to assist in the election of themselves and of other supporters of the Government, in the district of Québec, at the general elections of 1887.

“That the said Sir Hector Langevin and Sir Adolphe Caron were then, and are now, members of this House, and on the roll of Her Majesty’s Privy Councillors for Canada, and the said Sir Adolphe Caron is a Cabinet Minister and Postmaster General.

“That, in the opinion of this House, the said Sir Hector Langevin and Sir Adolphe Caron are deserving of the severest censure for their connection with the said transactions, and that it is a public scandal and an injury to the reputation of Canada that Sir Adolphe Caron should continue to hold the position of a Minister of the Crown.”

SIR HECTOR LANGEVIN. When I was tried in 1891 before the Committee on Privileges and Elections, I appeared before that committee of my free accord, believing by the evidence that had been brought out to that moment that, though the charges were not specific against me, nevertheless I should not leave the statements made before that committee to go to this House and the country unchallenged. That is the reason why I went there. I was sworn in, I gave

my evidence, I was cross-questioned by the lawyers, and by the members of the committee, and finally the report came before this House. The report was put to the vote, and the report was in my favour. The majority of this House declared that I was not guilty of the charges brought against me. The hon. gentleman who has just spoken and who is endeavouring to try me the second time—that is not British justice—trying to bring up again everything that was before that committee and that was weighed by this House and set aside, in so far as I was concerned ; trying to bring all that up again here, and try me the second time. It will be for this House and the country to decide whether I am to be singled out and tried in that way. It is the first time in this or any British country that any man in my position, or in the most humble position, has been thus tried the second time. I may say this, that when I give my evidence, whether it is without the oath or with the oath, I give my evidence, as far as I recollect things at the moment. And therefore if I am mistaken, it is not wittingly, but because my memory fails me. I was brought up once before a court of justice in Quebec as a witness in a case that had been tried years before, and finally, after going from court to court, was sent back to the first court to be tried the second time. When I was there before the judge, I said to him : “Your honour, I will give you my evidence as I recollect it now. It may be different from what I gave ten years ago. When I gave it then, I gave it according to my recollection at that time, and to-day I will do the same, though the two evidences may be different.” And I was told that my statement was a proper one, and that I had only to give the evidence as I recollected it then. Now, I am not under oath here, but it is the same as if I were. I state on my honour what I now will say to the House. I never knew that any money had been paid out or was being paid out by the department over which I was presiding or by the Government to which I belonged—I never knew that money was improperly being paid or had been paid improperly. By the rules of the department, by the evidence of the engineers, by the reports that were there, the moneys that were paid were properly paid. If anything were paid beyond that, I knew nothing about it, and I do not know it now. Now, about contributions by the contractors, as mentioned by the hon. member who has brought this charge. I must say that I never knew that these contractors had paid any money to that fund. I do not know it now ; I never knew it. Mr. McGreevy, if he had any money put in that fund, never told me from what source it came, and I did not know it. That was not the first time Mr. McGreevy had been the treasurer of the party for election purposes. He had been before, and the moneys that may have been paid then were paid for what I thought, and what I believe still, was legal.

There are certain sums of money that are expended in every election, and I have no doubt there is not a gentleman in this House, there has not been a single member in the House of Commons for the last ten or fifteen years, or more, who would say otherwise. There are necessary expenses that are paid, and you may try to hide it, but it is the fact. It is known all through the country; it is known on both sides of the House, and both sides have done the same thing. Now, it is stated by the hon. gentleman that \$20,000 had been put in the election fund of 1887. That I do not know; that I did not know. All I knew was that when Mr. McGreevy had been the treasurer of the party, money came to his hands from contributions from the party; and I had no doubt that the contributions and the moneys he would have in his hands in 1887 would come from the same sources—that is to say from the different men of the party who could afford it, and would not be ashamed to admit it. The hon. gentleman has brought two or three special charges against me. In order to bring a charge against my late colleague, the present Postmaster General, about Mr. J. G. Ross, he says: the House must see that it was understood that Mr. Ross was giving money, and Mr. Ross was president of the company in which Sir Adolphe Caron was interested, either one way or the other. And to show that it was known, he said: look at what Sir Hector Langevin says: Mr. Valin comes to him for some help for his election, and Sir Hector Langevin writes to Mr. McGreevy, saying: Here is Mr. Valin who requires some money for his election; give him what you can, and refer him to Mr. Ross. What were the relations of Mr. Ross to Mr. Valin? He was his partner in business. They were joint proprietors of many vessels. It was quite natural that I should say to Mr. McGreevy, the treasurer of the party: Send him to his own partner; let him go to Mr. Ross. If he requires help he should get it there. The hon. gentleman tries to show that when I made my statement after the election of 1887, and gave the amount that had been expended for my legal expenses in my election I was keeping aside the largest portion of the money expended, and I was, therefore, violating the law, which says that the statement of that kind made in the official gazette, if not correct, is held to be a misdemeanour. Well, Mr. Speaker, I gave my statement as it was. I stated that my personal expenses had been \$30, and that the money paid beyond that by my agents for the hire of halls for the holding of public meetings and other expenses amounted to \$887.09, and the vouchers were there for the total amount, \$917.09. That was the amount of the legal expenses, and if I was again to make that statement I would say that that was the amount I paid, and I paid that out of my own pocket. Now, the hon. gentleman says: Look at these statements. Here

Sir HECTOR LANGEVIN.

you have \$13,150 of expenses beyond that, and that came from that fund and it came from the money that Mr. McGreevy obtained from Mr. Connolly, or that Mr. Connolly paid to the election fund. It may have come from that or any other source, but not by my order or at my request. I do not know anything of these expenses. The way to learn about that is to call in the gentlemen whose names are in the list and ask them whether I knew anything about the expenditure or whether they ever consulted me about it. They know perfectly well it is not so. The hon. member who brought these charges says there is a draft for something over \$3,000 by Mr. Panneton, and that that draft was paid by Mr. McGreevy. He says also that Sir Hector Langevin sent Mr. Panneton down to Mr. McGreevy. Well, the hon. gentleman who knows French so well should have understood what was meant by those words in French, give him a hearing—*veuillez l'écouter*.

Mr. EDGAR. It happens to be in English.

Sir HECTOR LANGEVIN. Yes; but not written by the hon. gentleman, but by me, a Frenchman. If the hon. gentleman had written it in French, it would probably not have been in the form which would have conveyed to the ears of Frenchmen just what he intended. At all events, I did not order that to be paid, and it was paid without my knowledge. Now, about the \$20,000 mentioned by the hon. gentleman, I did not know that it had been paid into the fund. I knew that a fund was being formed, and that my hon. friend, the Postmaster General, had deposited money for the fund in the hands of Mr. McGreevy. He had a right to put the money in the hands of the treasurer the same as I had that right. And when I drew upon that fund by an order upon Mr. McGreevy, I was only drawing money that I had deposited in his hands and for which I have his receipts. I have those receipts in my pocket here. I remember that Hon. Mr. Sheyn, who represented the same division as the leader of the Opposition, had his election protested and it was proved there that he had expended \$7,000, and the court decided that that was not an illegal expenditure, that it was one that could be defended, and he defended it, and he was maintained in his seat. Mr. Speaker, the hon. gentleman has said that in my evidence I declared that I never obtained money from Mr. McGreevy. What I received was from the fund to which I had contributed. It was left entirely to him to pay it or refuse it. Then the hon. gentleman speaks of notes that had been discounted by Mr. McGreevy for a number of years. Well, that is an old story; that took place previous to all these matters; that was brought before the committee of 1891, and it has been shown that there was nothing in that charge for which I could be reproached. Besides, I may say that these notes, to the tune of \$10,200 have been paid

entirely by myself. I will not go any further into details. I think I have answered the charges made against me, and I leave the case in the hands of the House. This is the same House, with the exception of a few changes that have taken place during the last three years, which fully investigated the charges when they were first made, and by the majority of whose members I was acquitted. To-day these charges are brought up again. For what object? What the hon. gentleman expects to gain by a renewal of these charges to-night, I do not know; but I believe that the House and the country will say that it is not just to try a man the second time, and I have no doubt that the verdict you will give in this matter will be sanctioned by the country.

Sir ADOLPHE CARON. Mr. Speaker, the case which the hon. member for West Ontario (Mr. Edgar) has just submitted to the House, has not the merit of novelty. It is a re-hash of old charges which have been already brought by that hon. gentleman before this House and before the country, and which have been judged by this House and by the country, and if the success the hon. gentleman will meet with to-night is not greater than it has been in the past, I think he had better transfer to some other member the care of public and political morality, and wash his hands once and for all of that mission. When I heard the solemn tones of the hon. gentleman, and heard his deep voice when talking about this terrible corruption which was scandalizing him, I thought he could hardly be the same gentleman who for so many years had been the manager and the manipulator of the most corrupt election fund that has ever been organized in Canada to debauch the electorate. Sir, those who were in public life for a number of years will remember the Northern Railway and the scandals which have since attached to the name of the hon. gentleman in connection with it. Sir, I have been in active political life since 1872. I have never refused to fight when occasion arose: I have carried more than one battle into the camp of the enemy, and I leave to those who are acquainted with the facts to say whether I was worsted in those engagements. Sir, I like to fight an open fight, but the hon. gentleman is not conducting an open fight when he stands up and makes charges that are not substantiated by the evidence, when he insinuates charges, and brings them up year after year, session after session. At the opening of this session the Opposition papers proclaimed all over the country that they were going to bring charges against the Government and against the Conservative party that would not permit the Government to remain upon the Treasury benches for three weeks after the opening of Parliament. Sir, they little know, although their experience would warrant a better knowledge of the Conservative Government and the Conservative party—

Mr. LAURIER. Hear, hear.

Sir ADOLPHE CARON. Yes, the hon. gentleman has tried it also, and to-day he is leading a forlorn hope, condemned by the people of Canada at every general election. I say that the hon. gentleman from West Ontario must know very little of the Conservative party and of the Conservative Government if he imagines that such threats, such charges, such small attacks as these would lead the Government to resign in three weeks. Sir, we have met more formidable enemies, we have fought bigger fights, and we have remained in our places by the aid of public opinion. We have remained on the Treasury benches supported by the people of Canada, ever since the Opposition, in a moment of forgetfulness on the part of the people, sat here during one Parliament and proved that they were utterly incapable of governing this country. What has the hon. gentleman said? Has he brought any charge? Has he specified his accusation? No, Sir, but in solemn tones he has tried to impose on this House, as he tried to do on a former occasion, and I expect that the result to-night will be what it was on former occasions. What was my course when the charges were brought against me? One morning I read in the 'Globe' charges made against me that I had received money in a corrupt way, and for a corrupt purpose. Did I attempt to conceal what I had done? I did not. What I did then I would do again. I take the responsibility for everything I did on that occasion, and I say to this House to-night that those gentlemen who took my advice in conducting their elections were not responsible for a single thing which was done on that occasion. Before this House of Commons to-night I assume the responsibility of everything which I did on that occasion. Well, as I say, these charges were brought against me in the 'Globe,' and the next morning my answer was in the papers, and published broadcast over the Dominion of Canada. Did I wait for an investigation to say what I had done? I did not; I admitted what I had done. I was called upon to appear before a commission, and was put to considerable personal expense, and before that commission what I had published in the papers, was proved, but nothing was proved beyond what I admitted. The hon. gentleman speaks of my connection with Larkin, Connolly & Company, and attempts to show that I received money, or had a knowledge of the money which these gentlemen contributed towards the fund. To-day I state here, and I would state it under oath as I state it on my honour to-night, that I did not know of my personal knowledge that Larkin and Connolly contributed a cent to the fund in the hands of Mr. McGreevy. They may have contributed hundreds of thousands of dollars; they may have obtained funds from other people. I know not. I know what I did. I did only that

which I would do again. Is it a crime—am I to be told it by a gentleman who was connected with the most corrupt election fund ever known in this country, the Northern Railway contribution, to help in elections those who, while possessing the necessary talents and qualifications which would make them valuable additions to the House of Commons, unfortunately are not possessors of sufficient wealth to permit them to go and fight a political campaign? Take up the list of those receipts, which I published on my responsibility in the newspapers of the country, and if any man can show me that in the several counties which I looked after, the amounts we contributed were likely to be of any possible use for corrupt purposes, I say such a man does not believe what he affirms. We have not in the province of Quebec unfortunately, as in the other provinces, notably Ontario, a network of railways which permit the candidates and their friends to travel at small cost through the large counties, and no one knows this fact better than many of the hon. gentlemen who are sitting on your left, Mr. Speaker, for they well know that the vast extent of the counties has been brought up time and again as a matter that should be remedied by this House by legislation and by a redistribution of seats, which not only is a necessity but would also put an end to the expense.

Some hon. MEMBERS. Hear, hear.

Sir ADOLPHE CARON. Hon. gentlemen opposite may laugh, for it is all they can do on this occasion. I say to-day that if we had a redistribution of seats in Quebec, a fair redistribution, whereby no injustice would be done to any party, but a redistribution geographically which would place the province in a position so that parliamentary candidates could compass constituencies without being put to enormous expense, it would put an end to the necessity of raising political funds, as we did at those elections. But when I tell this House that under the regime of that pure man, the friend of the leader of the Opposition, Mr. Mercier, I fought the fight in the county of the hon. member for Chicoutimi and Saguenay, and at the same time I was attacking one of the fortresses of the Liberal party, Rimouski, which had for thirty years been in the hands of my opponents—when I tell the House that in Chicoutimi I had to travel nearly 300 miles in a cariole over the mountains of the Saguenay to meet opponents and fight the political battle, they will understand the position. Fortunately I had means to meet such an expenditure. But I ask, would it be fair and right that men otherwise qualified to be returned as members of Parliament and who would be an ornament and an honour to this House, and who were candidates whom the people wished to return, should not be assisted in meeting the legitimate expenses they are obliged to incur? Does it come well from the Liberal party, especially in

Sir ADOLPHE CARON.

view of the democratic views they advocate, that because a man has no means, he should be prohibited from seeking political honours? As I have already stated, I took the responsibility for what I did. I did it myself, my friends are not responsible for it. I took the whole responsibility on my shoulders, and I disclosed the source from which I got the money expended. What did I do? The moment I got the money contributed by a man who on more than one occasion had assisted me before, and who had been a friend in my youth, a man, moreover, whose views coincided with my own on political matters, a man who took deep interest in the policy which was being advocated by the party to which I belong—when that man, a millionaire, who at his death left ten or twelve millions, gave me funds, not dirty notes, as the hon. gentleman designated them—and I may say that by passing through my hands and being used to help the party to which I belong in the most legitimate manner possible, they did not become in any degree more dirty than when they were placed in my hands—I placed that money in the hands of a committee appointed for the purpose of looking into these matters and deciding who should be helped and who should not be helped. On more than one occasion candidates came to us who did not require equal help with others, and, of course, it is obvious to hon. members that some candidates had more means than others, and the amounts which appear in the statement I made before the Royal Commission, before which I asked to be examined, although not called as a witness, represent exactly what took place. But I made a similar statement months before in the newspapers, and it was published broadcast through Canada. I have nothing to be ashamed of, and I have nothing to be ashamed of on that occasion, or before or since. The hon. member (Mr. Edgar) in the course of his argument did not base any charge preferred against me on any evidence which he produced. I will give an example. The hon. gentleman said that a gentleman still remaining in the Government was connected with the distribution of the funds received from Thomas McGreevy. Mr. McGreevy himself when examined as a witness stated that I deposited in his hands a certain fund and drew against that fund. It will be seen by examining the receipts and statements published that not only did I not draw on any other fund, but I did not draw an equal amount to that which I deposited. Every amount contributed during that election appeared, and the receipts have been published. I take the full responsibility for that action, and for assisting my friends, because it was necessary to assist them under the peculiar conditions existing in the districts of Quebec which I was looking after.

Some hon. MEMBERS. Oh, oh.

Sir ADOLPHE CARON. In view of the fact that expenses connected with elections

in that province were very considerable, and the fact that large sums had to be paid to carters for conveying candidates and their friends to meet opposing candidates in the different parishes, to rent houses and to make speeches. Hon. gentlemen opposite did that, but they have not the manliness to admit it. Hon. gentlemen opposite do it, and the day may come when it will be possible to show to what extent they have done it. Now, Mr. McGreevy was examined before the Royal Commission, but Mr. McGreevy did not attempt to say that I had any possible knowledge that he contributed even a 5-cent piece to the general election fund. I was organizing and campaigning for my friends in eight or ten counties, attending meetings both day and night, and my time was fully occupied. I had no knowledge outside of what I did myself. The hon. gentleman (Mr. Edgar) is not able to put his finger on a single piece of evidence in the depositions of Mr. McGreevy or any other witness to show anything in reference to me, except that I contributed \$25,000 for the purpose of helping my friends legitimately. There is no evidence to show that I was personally aware of any amount being contributed except that Mr. McGreevy had been for years the treasurer of the party, and at that period Mr. McGreevy personally was not very friendly to me, and there was no possible reason why I should have investigated anything more than what I knew to be my personal contribution to the fund. The hon. gentleman from Three Rivers (Sir Hector Langevin) has, to my mind, explained in a satisfactory manner, the charges brought against him, personally. I do not know whether he contributed, nor do I know to-day if any one else contributed in addition to myself. Not only did I not go outside of my contribution, but I remained a long way inside of the amount I contributed to help my friends. The hon. gentleman (Mr. Edgar) repeats his charges, as a member of Parliament, sitting here behind his desk. But when he was asked to come to Quebec before the Royal Commission and do as I did—stand up under the solemnity of an oath—the hon. gentleman's dignity, if you please, would not permit him to appear before the commission. He had not the manliness to come before that commission but he reserved himself for these brilliant attacks which he makes against me in this House. He had not the courage to be examined under oath, and to swear before the judges what he was prepared to stand by. He remained in Toronto, and, I presume, he said to himself: I will allow this commission to take its course, and I can always fall back on my old method, of standing up on a motion to go into Supply and, repeating the old story, which I have learned and can say by heart, but you do not get me to go before a Royal Commission and swear to my statements. The most extraordinary statement made by the hon. gen-

tleman (Mr. Edgar) was that because Mr. McGreevy's counsel sat perfectly dumb, it must be that it was Sir Adolphe Caron and Sir Hector Langevin who contributed the money towards that fund. He says that Mr. McGreevy preferred going to jail rather than to disclose anything connected with it, and he concludes that I must have known all about the contribution of Larkin, Connolly & Co. He says that the beneficiaries of the contributions are perfectly well known now. Mr. Beemer was examined before that commission, and other contractors were examined, and I ask any impartial mind to read that evidence and to see if there is one word in it which discloses any names. I ask them to read the evidence before the Royal Commission or before the trial that took place in Ottawa, and to see if there is a word in that evidence pointing to me as knowing a single thing about the contributions by contractors, if any were made. It is altogether disingenuous of the hon. gentleman (Mr. Edgar) to say that the beneficiaries are perfectly well known now. The hon. member (Mr. Edgar) feels very sore because the House of Commons by a very large majority submitted the investigation of this matter to a Royal Commission. Surely, at the end of this long session, we are not going to discuss again, matters which have been decided upon by Parliament after long and serious discussions and prolonged sittings of the House. The House of Commons decided that the matter should be submitted to a commission, and it was submitted to a commission, and it comes in very bad part from the hon. gentleman (Mr. Edgar) to now criticise what the House of Commons did on that occasion. The judges who investigated that matter showed no partiality—they were perfectly right in showing no partiality—and they discharged their duties in such a way that when their report came before this House, a very large majority of the members declared that the matter should rest where it did then. The hon. gentleman (Mr. Edgar) says that Mr. Ross very secretly handed over \$25,000 to Sir Adolphe Caron. Well, there was no secrecy about the matter, because, within twenty minutes after I received it, it was known to all those who took an interest in the election. There was no reason why there should be any secrecy about it. I take the responsibility of my acts, and I want no secrecy about what I do. The hon. gentleman has referred to Mr. McGreevy's statement, which I know very little about except from what the hon. gentleman has said, as to his not belonging to the committee. Well, I am not aware of Mr. McGreevy ever having made such a statement, because he did belong to that committee, and belonged to it for years before I had anything to do with the management of political matters. Now, Mr. Speaker, I think I have met the arguments which have been advanced by the hon. gentleman

on this occasion. So far as my part in the transaction is concerned, I have stated openly and frankly on more than one occasion what I did do. The matter came before the House. The hon. gentleman has not elicited a single new fact to-night. His speech consists of a repetition of the charges which were brought by him on more than one occasion before this House. I see nothing in what the hon. gentleman has stated to-night which changes the case as it first came before the House of Commons, and as it came on a second occasion more recently, when it was again brought before the House by the hon. gentleman. So far as I am personally concerned, I am perfectly willing to leave my case, and the part which I had in the transaction, in the hands of the members of the House of Commons. It was submitted to a Royal Commission, as I have stated, before which I went uncalled and volunteered my own statement under oath. The hon. gentleman did not condescend to come to Quebec to be examined. I stated there what I have stated to-night. Nobody can make anything more of it than I made on that occasion. I disclosed everything I knew. I am prepared to stand or fall by what I have done, and, considering that I have helped my friends to the extent that I have considered legitimate, I say that under the same circumstances what I did on that occasion I would do again to-morrow in order to help my friends.

Mr. CHARLTON. Mr. Speaker, in following the case under the consideration of the House to-night, one is struck with the statement made by the hon. Postmaster General (Sir Adolphe Caron) and the hon. member for Three Rivers (Sir Hector Langevin), that they are being tried twice for the same offence. Now, Sir, no member of this House should be ignorant of the fact that the charges preferred by my hon. friend from West Ontario (Mr. Edgar) never were tried by this House, and that those charges, when preferred before by my hon. friend, were changed by the hon. members and their colleagues, who were permitted by the majority of this House to quash the indictment preferred against them and frame a fresh indictment against themselves and select their own judges. This House has not passed on this case; and therefore the protestations of innocence by the two hon. members concerned should strike the House as being aside from the question and far-fetched. The hon. Postmaster General tells us that the party in power have been kept in power, notwithstanding all the charges made against them for the last fifteen or sixteen years, by the convictions of the people, and that the fact that they have been successful at the polls on several occasions is a sufficient answer to the charges preferred against them to-night, and to the charges which have at various times been preferred against them in connection with the management of public affairs. Now, Sir,

Sir ADOLPHE CARON.

no individual in this House is, I presume, ignorant of the fact that influences have been used in the elections in this country different from mere appeals to the convictions of the people. I presume that no member of this House is ignorant of the fact that as long ago as 1872 a general election of this country was largely influenced by the expenditure of a very large sum of money obtained by the sale of a public charter on that occasion, and that the Government, in the election following that election, were defeated in consequence of the indignation of the people at the sale of that charter, and the realization for it of nearly \$300,000, which was expended in that election. And, Mr. Speaker, if the truth were told—if all the secrets connected with the prosecution of elections and the administration of affairs in this country were laid bare, I venture to say that it would be found that in every general election since the general election of 1878, the Government have been sustained, not by the convictions of the people as to the good character of their policy, but by the use of means of a similar character to the means used in 1872, and I venture to say that when the time comes, as probably the time will come, when the secret history of the electioneering devices of this Government are laid bare, the country will stand appalled at the extent of the improper influences that have been used in these various elections. We have inklings of these things. We know enough of them to know definitely and positively that the assertion made by the hon. Postmaster General that the sustaining of the Government is due to the convictions of the people is an assertion that does not rest upon any sufficient foundation.

The hon. gentleman says that the other side had five short years of incompetent discharge of duties as the administrators of the affairs of this country. Well, Sir, the other side were in one sense incompetent. They were incompetent in the use of those influences and means which have been used by their successors; they were incompetent in the protestations of innocence when innocence did not exist; but they were not incompetent in giving to this country a pure and honest and economical administration. The one period in the history of the Dominion of Canada that reflects credit upon the country and upon the Administration is that period extending from the year 1873 to the year 1878—the period when the Government reduced the controllable expenditure, when its operations were characterized by the strictest economy, and when the affairs of this country were managed with prudence and regard to the interests of the people.

The hon. Postmaster General says, with reference to these charges: I met these charges, they were referred to a Royal Commission, and that commission has tried these charges and has found me to be innocent. Sir,

these charges were never referred to a commission. The charges preferred by my hon. friend from West Ontario (Mr. Edgar) on the floor of the House of Commons have never been tried. The hon. member and his colleagues put those charges aside, and trumped up charges to suit themselves, and upon the indictment they themselves had drawn in place of the indictment drawn by my hon. friend from West Ontario, the Royal Commission passed its judgment. The hon. Postmaster General says that my hon. friend from West Ontario refused to visit Quebec and attend the sittings of that Royal Commission—that he refused to go there and substantiate his charges. Sir, my hon. friend from West Ontario refused to be guilty of the mockery of going to Quebec to give evidence and conduct a case, not on charges which he had preferred, but on charges which he had not preferred, and to sanction by his presence the swindle—if I may use the expression—the legal swindle of substituting one set of charges for another, and leading the country to suppose that the Royal Commission was passing upon the charges my hon. friend had preferred, when they were in reality not passing upon those charges at all, but upon charges specially chosen and constructed for the purpose of deceiving the public and assuring the acquittal of the Postmaster General and those connected with him in this matter.

My hon. friend says that he himself deposited a fund with Mr. McGreevy, and that he drew upon the money he himself had placed in the hands of that gentleman. He does not take us into his confidence so far as to tell us from what source this money came. I should like if he would have taken the House into his confidence to the extent of informing us from what source he realized the large sum of money which, according to his own account, he placed in the hands of Mr. McGreevy. He tells us that if we could have a fair redistribution in the province of Quebec, it would not be necessary to get up political funds such as he got up; and he thus inadvertently makes an allusion which amounts to the confession that he himself and those associated with him got up a fund that was used in the election of 1887, the treasurer of that fund being Mr. McGreevy. Now, Mr. Speaker, two or three prominent facts stand out in this connection. There had been a trial in connection with these charges, and two individuals were sentenced for conspiracy in securing funds for election purposes in an improper manner. These two individuals were convicted and sent to prison. Their names are Thomas McGreevy and N. K. Connolly. These men were sent to prison, but released after serving a very small portion of their time, and they were released under circumstances which leads certainly to the inference that there was something hidden, something under the surface. These men, sentenced to a penal term, were released after two or three

months, on a mere pretext; and the inference the country will draw is that they had the Government in their power to a certain extent, that they could have made a revelation which would have been embarrassing to the Government, and that owing to the hold they had on the Government in this respect, and the fear in which the Government stood with regard to possible revelations, they were released. For what were these men sentenced? For raising money in an improper way for certain purposes. For what purposes? For the purpose of being expended, as it was, by the Postmaster General, by the hon. member for Three Rivers, and by other members of the Conservative party. There was, therefore, no doubt a sense of injustice on the part of those who had benefited by the acts for which these men were condemned. There was a sense of injustice in these men serving out a sentence for doing what they were only mere agents in doing and what was done for the purpose of maintaining in power certain members of the Government and the Conservative party.

The history of this transaction, if it were known from the beginning, would show, I have no doubt, that Mr. McGreevy had been ruined by his devotion to the interests of his party. It would show that he served the party faithfully in his capacity since 1878, that he was the trusted agent of the party and knew the secrets of the party, and that the leaders of the party knew exactly how he got the money, what amount he got, and for what purposes it was expended. The whole course of these transactions proves that Mr. McGreevy was the confidential agent of his party, that its leaders must have been cognizant of what he was doing, and have known perfectly well where he obtained the money. If the history of the transaction were exposed fully, there could be no question but that McGreevy and Connolly would not be the only parties who would be held responsible. Mr. McGreevy was ruined by his services to his party, and the same is true in a great measure of Mr. Connolly. Mr. Connolly, I have no doubt, found that the contracts which he secured, under the circumstances and under the conditions he was obliged to agree to, placed him in a worse position, squeezed him worse, and made him suffer greater loss than if he had taken the contracts in an honest manner at the lowest possible figure at which the work could be done. The whole operation was not satisfactory in a pecuniary sense to Connolly or McGreevy or any of the parties having connection with it. And when my hon. friend from Ontario (Mr. Edgar) preferred his charges in 1892, those charges were taken in hand by the Government and were set aside and others substituted, and when those substituted charges were referred to a Royal Commission, the whole of the proceedings became a perfect farce. And

when any member of the Government stands up to-day and assumes that those charges have been passed upon, they are assuming what has not occurred. They avoided a trial of these charges by exercising the power which resides in their hands. The Conservative majority, under their control and at their bidding, took the course of evading justice by preventing an investigation of the charges preferred by a member of this House on the Opposition benches. The whole of this transaction reminds me of the story told by Abraham Lincoln of a man accused of stealing hams, and whom he was retained to defend. The proof was conclusive that the man had stolen the hams. Four witnesses swore that on a moonlight night they had seen him going into the smoke house and carrying away load after load of hams. When Mr. Lincoln heard the evidence he abandoned the case and refused to address the jury. But the jury retired and shortly afterwards brought in a verdict of not guilty. Mr. Lincoln asked the accused if he could explain the verdict, and the man said in reply: "The way that occurred was simply this, every one of them jurymen had one of them hams." That is the case with these charges to-night. These gentlemen stand by each other; they defend each other. The majority of the House changed the charges, and referred the substituted charges to a commission, and the whole course in relation to the transaction shows that all these gentlemen are interested; it shows that they all got one of these particular hams, and are bound to clear the persons charged. But the country understands perfectly well that this Government, from various sources, derives large sums of money for election purposes. Hon. gentlemen who have spoken do not deny that they have used large sums in elections, and they retort: you resort to the same methods. But, Mr. Speaker, if we use money, we necessarily derive that money from different sources and use our own funds. We have not the manufacturers' trust to appeal to; we have not the railway subsidies to toll; we have not the contracts to let out in such a way as to sweat them by taking a portion of the money; we have not all these sources of party revenue to use for election purposes. We charge that the Government is guilty of doing these things; we charge that this is carried so far that the political morality of the country has been debauched. And my hon. friend from West Ontario (Mr. Edgar) deserves the thanks of this country, Mr. Speaker, after having been thwarted in 1892 by the substitution of another set of charges for those he preferred, allowing the criminal to prefer his own indictment, and choose his own judge, and, though knowing that he is foredoomed to defeat by the votes of an adverse majority, for attempting to secure a verdict upon the naked charges he has made in such a way as to prevent the sub-

Mr. CHARLTON.

stitution of another set of charges for those he has presented.

Mr. MULOCK. I do not propose to go into the details of this charge, but I rise to express my surprise, my amazement at the action of the Government, the action of those involved in this charge to attempt to have the matter passed over without a word being offered. The two gentlemen accused have offered their explanations, but, Sir, is there not something due to this House and to the country on behalf of those who are not involved directly in these charges, but who choose to make themselves responsible by standing by the accused? Has the Minister of Justice, who, above all others, is sworn to direct the administration of justice, not to favour the House and the country with his views? Why, Sir, the Minister of Justice owes it to Canada, as I have already pointed out on the floor of this House, to explain how he dared to open the door of Carleton jail three months ago and discharge the criminals who had been sentenced after enormous expense for a crime which more or less extends beyond themselves. Do you suppose, Mr. Speaker, that if these had been ordinary criminals, the administration of justice would have been thwarted in their favour, and that by those to whom it has been especially entrusted. No wonder that, under these circumstances, the Minister of Justice and his colleagues are dumb. No wonder they would like to see this discussion brought to an end at the earliest possible moment. Why, Sir, many a poor wretch condemned for some minor crime, perhaps for stealing bread to save the famishing child from death, has received a far more severe punishment than was meted out to these men. Has there ever been a case where such an unfortunate has been set at liberty under such circumstances? But when a political crime has been committed and thousands and hundreds of thousands taken from the public Treasury, and, worse, when the fair name of the country has been smirched, and Canada made a scandal in the eyes of the world, and when, after years of trial and investigation, at last, two of the guilty persons are brought to the Bar of justice and condemned, is not something more due to the country than the wretched doctor's certificates when these men are set free again. I believe that the country will witness with amazement this scene of the whole Government party receiving with round after round of applause two of the accused who stand here and glory in what has been done, who say they are not ashamed of it, but would gladly repeat the disgraceful transactions should opportunity arise. And, Sir, what explanation have they to make to the statement made by the hon. member for Three Rivers (Sir Hector Langevin) who just now objected to being singled out for accusation here? Singled out! Whom did he refer to? He

could not refer to the others in this charge, for he has not been singled out from them. He and the Postmaster General were accused together. How comes it that the hon. member for Three Rivers has fallen from his high position if he were not guilty? Mr. Speaker, for many years I have heard accused persons declare in this House that there was nothing in the charges against them, and then, in almost every case, I have seen these charges established. Therefore, it is not sufficient to convince me of their innocence to hear a bold declaration of innocence made here where no cross-examination is possible. Again, I ask, can the Minister of Justice offer any explanation why, in this state of affairs, public opinion has been outraged and defied, and he, instead of administering justice has actively interfered to prevent justice being done, notwithstanding the pledge he made when he assumed office that not one guilty man should be allowed to escape. Why, Sir, the scandals of 1891 from top to bottom have culminated in nothing but the prostitution of justice. Dozens of public servants were suspended for following the bad example of the times, who had become, as it were, lowered as to their morality in the discharge of their public duty because of the atmosphere in which they were moving, suspended for the time being, and afterwards restored to office, some of them not only restored to office, but paid, I believe, full pay for the time during which they were suspended, and a Deputy Minister of the Crown suspended, reduced to the ranks, and re-instated. I saw in today's paper that another Deputy Minister who had been expelled from the service, has been restored in order to enable him to retire on a superannuation. And to-night we have the final act of this disgraceful episode in our country's history, all the Government supporters, or nearly all of them, with violent rounds of applause, applauding those who glory in their shame. Add to this the culmination of the whole affair in its endorsement by the silent action of the Government, and I venture to say that this disgraceful page of Canadian history is complete.

House divided on amendment of (Mr. Edgar) :

YEAS :

Messieurs

Allan,	Grieve,
Bain (Wentworth),	Guay,
Beausoleil,	Harwood,
Béchar, d,	Innes,
Beith,	Landerkin,
Bernier,	Laurier,
Borden,	Leduc,
Boston,	Legris,
Bourassa,	Lister,
Bowers,	Lowell,
Bowman,	Macdonald (Huron),
Brodeur,	McGregor,
Brown,	McMillan,
Bruneau,	McMullen,
Campbell,	Martin,
Carroll,	Mignault,
Cartwright (Sir Richard),	Mills (Bothwell),
Casey,	Monet,

Charlton,
Choquette,
Christie,
Colter,
Dawson,
Devlin,
Edgar,
Edwards,
Featherston,
Forbes,
Fraser,
Geoffrion,
Gibson,
Gillmor,
Godbout,

Mulock,
Paterson (Brant),
Perry,
Proulx,
Rider,
Rinfret,
Rowand,
Sanborn,
Scriver,
Semple,
Somerville,
Sutherland,
Vaillancourt,
Yeo.—65.

NAYS :

Messieurs

Amyot,	LaRivière,
Bain (Soulanges),	Leclair,
Baker,	Lépine,
Belley,	Lippé,
Bennet,	Macdonald (King's),
Bergeron,	Macdonell (Algoma),
Bergin,	McAlister,
Blanchard,	McDonald (Assiniboia),
Boyd,	McDonald (Victoria),
Boyle,	McDougald (Pictou),
Cameron,	McDougall (Cape Breton),
Cargill,	McInerney,
Carscallen,	McKay,
Chesley,	McLean (King's),
Cleveland,	McLennan,
Coatsworth,	McLeod,
Cochrane,	McNeill,
Cockburn,	Madill,
Corbould,	Mara,
Costigan,	Masson,
Craig,	Miller,
Curran,	Mills (Annapolis),
Daly,	Moncrieff,
Davin,	Montague,
Davies,	Ouimet,
Desaulniers,	Patterson (Colchester),
Dickey,	Patterson (Huron),
Dugas,	Pope,
Dupont,	Pridham,
Dyer,	Prior,
Earle,	Putnam,
Fairbairn,	Rosamond,
Ferguson (Leeds & Gren),	Ross (Dundas),
Ferguson (Renfrew),	Ross (Lisgar),
Fréchette,	Simard,
Gillies,	Smith (Ontario),
Girouard (Jacques Cartier),	Stairs,
Girouard (Two Mountains),	Taylor,
Grandbois,	Temple,
Grant (Sir James),	Thompson (Sir John),
Haggart,	Tisdale,
Haslam,	Tupper (Sir C. Hibbert),
Hazen,	Tyrwhitt,
Henderson,	Wallace,
Hughes,	Weldon,
Ingram,	White (Cardwell),
Ives,	White (Shelburne),
Jeannotte,	Wilmot,
Kaulbach,	Wilson,
Kenny,	Wood (Brockville),
Lachapelle,	Wood (Westmoreland).—102.

PAIRS :

*Ministerial.**Opposition.*

Messieurs

Dugas,	Vaillancourt,
Barnard,	Davies,
Baird,	Welsh,
Bryson,	Flint,
Burnham,	Fauvel,
Calvin,	Langelier,
Metcalfe,	Tarte,
Stevenson,	Préfontaine,
Carpenter,	Livingstone,
Carling, (Sir John),	Delisle.

Amendment negatived, and House again resolved itself into Committee of Supply.

(In the Committee.)

Expenses in connection with the
superintendence of insurance. \$8,000

Sir JOHN THOMPSON. The increase of a thousand dollars is due to the fact that this is a quinquennial year for the insurance companies, and additional investigations have to be made as to the profits of the companies.

Department of Queen's Privy Council of Canada—to pay, notwithstanding anything in the Civil Service Act, the following clerks their salaries from 1st January to 30th June, 1894, viz. :—

W. C. Debrisay	\$415.00
F. Chadwick.....	452.50
J. R. Fraser.....	362.00

Sir RICHARD CARTWRIGHT. What are the circumstances under which these extra charges are demanded ?

Mr. IVES. These three clerks have been temporary, and they are being made permanent from the 1st of July. They are in the Main Estimates as permanent clerks, and this amount is to pay them their salaries up to the 1st July, from which period they become permanent clerks.

To provide for the payment from 1st January to 30th June, 1894, to H. P. Buck, the amount allowed for passing in two optional subjects...\$50

Mr. McMULLEN. Why is this ?

Mr. IVES. Mr. Buck is my private secretary. When he came into the service, he came in as a third-class clerk at \$400. Having passed in optional subjects, this is to put him as he is entitled to be under the law.

To recoup the vote for unforeseen expenses for amount appropriated to the contingencies of this department.....\$2,200

Mr. IVES. The only explanation of this is that the contingencies of the department were insufficient last year. The contingencies of the department provide for the transmission of messages between the Government and the Governor General, wherever he may be throughout the Dominion. It is impossible to know beforehand exactly what will be required. The vote last year was short, and proved to be inadequate to meet the service.

Mr. McMULLEN. Where was this incurred ? It is due to the committee that some explanation should be given why we are asked to vote \$2,200 in excess of the amount anticipated last year. The hon. gentleman presented an estimate last year covering what he conceived to be the necessary sum ; why are we asked for \$2,200 more ?

Mr. MULOCK.

Mr. IVES. I am not prepared with the exact details, but I may tell the hon. gentleman that the amount of contingencies in the department of the Privy Council is expected and is required to cover the expenses of messengers travelling between the seat of Government and the Governor General, wherever he may be in the Dominion. It is also intended to cover the clerical work which is required to be done. The clerical work last year in the office of the Privy Council has been fully 25 per cent more than it ever has been in any previous year ; the number of folios copied in the copying room of the Department of the Privy Council has exceeded by 25 per cent that of any other year. The money voted for this purpose last year was rather less, if I mistake not, than the usual amount, and proved inadequate.

Mr. McMULLEN. Can the hon. gentleman say what kind of copying was done ?

Mr. IVES. The copying that I refer to is the copying of Minutes of Council for the Auditor General's, and other departments, and for the public. This last year a very large amount of extra work has been entailed by the voluminous correspondence between the Government of Canada and the Colonial Secretary with regard to Behring Sea, and other matters. This matter is all type written, in the Department of the Privy Council, never less than two copies are made, and where we cannot get hold of the appendices which are attached to Minutes of Council, they have to be copied. I have given one instance of the extra work that has been required, but there are others. I can assure the hon. gentleman that the whole thing is connected with the extra amount of work which has been entailed upon the department by the increase in the number of folios of Minutes of Council and Orders in Council that have been copied during the last year.

Mr. MILLS (Bothwell). The hon. gentleman, I think, stated before, or some of his colleagues did, that the practice had grown up of undertaking to discharge, in the Council Chamber, a great deal of work that had before been done departmentally. I think that is a practice to be deprecated, and the line under our constitutional system is well drawn between work, which has to be undertaken by the Government at large, and which requires an Order in Council in order that it may be properly done, and work that a Minister may undertake, departmentally. There may be works which belong to a Minister alone, and on which he may deem it expedient to take the opinions of his colleagues before they are made the subject of an Order in Council, and the statement made by the hon. gentleman shows that the practice tends to diminish the responsibility of the Minister.

Department of Justice—To pay Mr. J. W. Hughes for his services from the 1st to 31st January, 1894, notwithstanding anything to the contrary in the Civil Service Act. \$77 50
 To pay R. F. Harris for two optional subjects from 1st July, 1893, 1st July, 1894. 100
 Further amount required for contingencies. 2,000

Sir JOHN THOMPSON. Mr. Hughes is a temporary clerk, and has been employed in the department for a number of years. He has not passed the examination, and, therefore, is not permanently employed, and every year it is necessary to drop the payment of his salary for one month and ask for its payment by a special vote. Mr. Harris is a third-class clerk, and is entitled to be paid for two optional subjects since the date of his appointment, July, 1893. The amount for contingencies is required under these circumstances. The department has been for some years calling on Parliament for a larger vote than was asked last year. The amount was reduced last year by \$5,000, and it was hoped that the contingencies would be brought within that amount. The department failed to do so by \$2,000.

To cover expenses incurred in prosecuting persons guilty of personating at Civil Service examinations at Montreal. \$150

Sir RICHARD CARTWRIGHT. I do not rise to object to this item; but in this connection I desire to say that in reading over the report presented by the Civil Service Commissioners it appears to me they were guilty of slurring over the offence committed in a way that was not creditable to that board. They should have made a full statement to Parliament of what had occurred, and if the statements made in the House are approximately correct, the commissioners can see that a very large number of facts should have been stated by them in their report. I forget the names of the commissioners, and I do not know who was specially responsible for the report of the commissioners, but I distinctly recollect that the language used by the commissioners with respect to those offences left a very considerable portion of the facts subsequently disclosed in Parliament entirely in the dark, and the board greatly diminished the real gravity of the offence.

Department of Public Works—Contingencies. \$500

Mr. McMULLEN. Why is this amount required?

Mr. OUIMET. The amount voted for printing was \$1,500, and for stationery, \$1,400. The first vote was short by \$300, and the second \$200.

Kingston Penitentiary—To provide for the salary of Rev. J. V. Neville, chaplain, at \$1,200 per annum, from 1st December, 1893, to 30th June, 1894, notwithstanding anything to the contrary in the Penitentiary Act. \$116 67

Sir RICHARD CARTWRIGHT. Perhaps the hon. Minister will explain this vote?

Sir JOHN THOMPSON. It is to provide for the payment of a chaplain at the maximum instead of the minimum salary.

Sir RICHARD CARTWRIGHT. Is a chaplain appointed for a certain fixed period?

Sir JOHN THOMPSON. He is appointed permanently, but they occasionally move.

Mr. MILLS (Bothwell). If he does wrong, I suppose you keep him there?

Sir JOHN THOMPSON. No; the chaplains are an exception to the rule, for if they do right we try to keep them.

Binder twine machinery--Kingston Penitentiary. \$29,000

Sir RICHARD CARTWRIGHT. Where was this procured?

Sir JOHN THOMPSON. It was procured under contract with Mr. Connors, who purchased it in the United States. I think I can say that my binder twine mill is the best in Canada as regards equipment and modern improvements. I can recommend my twine to any one who wants it.

Sir RICHARD CARTWRIGHT. Has the hon. gentleman made arrangements with the other proprietors, and particularly with the hon. member for Halifax (Mr. Stairs) so as to prevent undue competition and secure a reasonable profit to the penitentiary?

Sir JOHN THOMPSON. We are manufacturing for the last two months, and I think the prices are 7 and 8 cents per pound; the 8 cents being for pure manila of the very best quality.

Mr. BAIN (Wentworth). What is the capacity of the factory?

Sir JOHN THOMPSON. I expect there will be an output of five or six hundred tons a year, but for this season, as we only began in the spring, we shall have about 150 tons ready before harvest.

Mr. BAIN (Wentworth). Could the Minister state where the motive power was obtained that runs this machinery?

Sir JOHN THOMPSON. It was procured from the same contractor, but I am not sure whether it was purchased in the United States or not. In the Supplementary Estimates for next year I have a vote for this, and I will get the information before they come down.

Sir RICHARD CARTWRIGHT. How many hands do you propose to employ?

Sir JOHN THOMPSON. About sixty hands most of the time.

Mr. McMILLAN. Is that 8 cents per pound at the penitentiary, or delivered at the stations from which it is ordered? If that is not so, those who live in the neighbourhood of the penitentiary will get it cheaper, but I think the Government should give the farmers all over the country a chance, and deliver it at the railway stations at the same price.

Sir JOHN THOMPSON. We pay the freight to a certain point westward; I think as far as Owen Sound, but beyond that freight is charged.

Mr. SPEAKER. Is it intended that this twine shall be sold directly to the small merchants throughout the country? I suppose it will be sold to any person who wishes to purchase it at the price?

Sir JOHN THOMPSON. Yes. The prices I mention are for less than a car-load, and we will make a reduction on car-load lots.

Mr. SPEAKER. Will more than one car-load be sold to any one purchaser?

Sir JOHN THOMPSON. Not during the present season at any rate.

Sir RICHARD CARTWRIGHT. The question Mr. Speaker has raised is one of some consequence. I take it that the Government of the country going into this business, it is desirable that they should in a general way distribute this as evenly as possible, and not allow the whole output to be purchased by one or two merchants. That might modify to a considerable extent the value of this enterprise.

Sir JOHN THOMPSON. We will take care of that.

Mr. McMILLAN. Can a single farmer send in his order and get it sent to his address?

Sir JOHN THOMPSON. Yes, he can.

Mr. McMULLEN. After taking all the expenses into consideration, about what percentage will remain for the work of the convicts at these prices of 7 and 8 cents?

Sir JOHN THOMPSON. I have stated the prices from memory, and as my memory for figures is not very good, it may be that I have made a mistake.

Mr. MILLS (Bothwell). These are the prices of the Ontario Government that you give?

Sir JOHN THOMPSON. I am inclined to think that I am a cent or a half a cent below those prices. We have taken into consideration all the expenses which the ordinary manufacturers would estimate on: a fair interest on the capital, the working expenses, salaries of foremen, fuel, salaries of engineer and clerk of industries, who will attend to the orders, and all the miscellaneous expenses which will be included in the operation of such a factory. We have computed the

Sir RICHARD CARTWRIGHT.

prison labour at 50 cents a day, and we think that the prices will leave a very liberal profit.

Sir RICHARD CARTWRIGHT. Is it to be a cash business?

Sir JOHN THOMPSON. It is to be cash except for car-load lots.

Mr. McMULLEN. If the Government keeps the price of this twine down to the lowest possible point, I have no doubt that this factory will be an advantage to the farmers of the country, because it will bring down the prices of other manufacturers. The price of twine has been higher than it should be, and it has been a considerable drain on the resources of the farmers, considering the very low price at which grain is now sold. I would prefer that the Government should report a small loss at the end of the year, rather than that they should make a profit by keeping up the prices. I should like to see the price below 7 or 8 cents, and I hope that the Government will be able to sell it for less than that.

Manitoba Penitentiary—Increase of salary (\$1,000) to mason and quarry instructor \$400

Sir RICHARD CARTWRIGHT. I should imagine that for \$700 or \$800 you ought to obtain the services of such a person, unless he has some special qualifications. Prima facie, a salary of \$1,000 for a permanent officer is rather more than is required.

Sir JOHN THOMPSON. I only took a vote for \$600, but I am informed that a good mason and quarry instructor cannot be got for less than \$1,000. We are preparing for the building of a stone wall around the prison and intend to do a good deal of work of this kind.

Mr. McMULLEN. In Manitoba, where they have such a long holiday in winter time, this man has virtually nothing to do at all. They do not do stonework in winter time.

Sir JOHN THOMPSON. They do. In the summer time we get the stone out of the quarries, and in the winter time it is cut and dressed.

Legislation—House of Commons. \$7,296

Mr. DEVLIN. I would like to ask who does the work of French translation for the House?

Mr. SPEAKER. The work of French translation for the House of Commons is done by a staff called Sessional French Translators. These men do as much work as they possibly can during the session, and during the recess as much work as they can perform is given them, and if they are not able to do the whole of the work during the recess, some of it is given to other people.

Mr. DEVLIN. Can the hon. the Speaker tell me who are the members of this staff?

Mr. SPEAKER. I speak from memory : Mr. Prieur, Mr. Gelinas, Mr. Moffet and Mr. McMahan.

Mr. DEVLIN. Is Mr. Bouchard on this staff ?

Mr. SPEAKER. No.

Mr. CHOQUETTE. He is on the staff of the Debates.

Mr. SPEAKER. The Debates, as the hon. gentleman understands, are directly under the control of the Debates Committee, who report directly to the House, and the Speaker has really nothing to do with the appointment of either the 'Hansard' reporters or the amanuenses. Their salaries are fixed by the House itself, and they are under the direct control of the House. Their duties practically cease at the end of the session, although some work is required to be done afterwards. Whatever work is left undone at the end of the session by the French translators is required to be done by them during the recess for the amount provided, \$1,000 per annum.

Mr. DEVLIN. My reason for bringing this matter up to this. I understand that Mr. Bouchard is one of the translators of the Debates, employed at a regular salary, a very good salary ; and I lay special stress on this, because the Speaker said a moment ago that the translators were constantly occupied during the session, and sometimes between sessions. This may be the case also with the translators of the Debates, who are supposed to be officers of the House. The reason I mention Mr. Bouchard is that I am informed, that in addition to his position in this House he fills the position of editor of a newspaper in the city of Hull, 'Le Spectateur.' He is the recognized editor of that paper ; there is no secret about it ; and he is able to give his attention to that at the same time he is supposed to be here as a translator. My objection is this, and I think it is a good one, that if Mr. Bouchard wishes to attend to the duties of editor of this paper, he is welcome to do so ; but I do not think the country should be called upon to give a special salary to editors, who give all their time and attention to their papers.

Mr. SPEAKER. As I said before, the translators are under the control of the Debates Committee, and I assume that they are satisfied with the amount of work done by the translators. At all events, the translators are paid for the work of the session, and if they do not complete their work during the session they are required to complete it during the recess, and a sufficient amount of their salary is kept back to ensure the work being done.

Mr. DEVLIN. Are they allowed to give their attention to other occupations during the session ?

Mr. SPEAKER. I could not say.

Mr. OUMET. An ordinary day's work is ten hours, and if one of these gentlemen choose after that to work at something else. I should think there is nothing in the regulations of the House to prevent him.

Mr. BRODEUR. There is one thing very sure, that the translation of the Debates is in a very backward state. We are now at the 3rd of July, and I think we have not received the translation up to the end of May. Such a state of things is quite intolerable. If we want to send away the Debates in French, we have to wait a very long time to get them. There is no reason why these Debates should not be delivered eight or ten days after the speeches have been made. I suppose the gentlemen composing the staff are working, but perhaps the staff is not sufficient, and I think the Government should see that it is increased in order that we should have the Debates as soon as possible.

Mr. OUMET. If I am not mistaken there are two reasons for the delay in placing the French edition before this House. The first is that the French translators have to wait for the revised edition, and it often happens that some of the speeches are kept back by the hon. members to correct them, for five or six days, sometimes longer. The edition we have before the House is the unrevised edition. Another reason for the delay in the distribution of the French edition is the delay in the printing. I have not to account for that. I was told the other night by Mr. Beaulieu, the chief French translator, that they were as much as 300 pages ahead of the printers, so that the delay is not the fault of the translators.

Mr. AMYOT. Let me say in support of this, that on Thursday, the 14th June, 1894, 3,400 columns of the English version had been translated and delivered to the printers, while all that the printers had printed was only 2,236 columns, leaving 1,000 columns in their hands not yet printed. That is not the fault of the translators. On the 18th June, 3,584 columns translated of the English version, comprising nearly the whole of the sitting of the 1st June, had been delivered to the printers, and they had only printed 2,368 columns, leaving over 1,100 columns not yet in type. It is evident that the delay cannot be charged to the translators, who do their work properly. I would like any hon. member to specify what speech he required corrected and translated into French and distributed, which was not translated and distributed. Those young men have very poor salaries ; they are able men, who do good work, and should not be found fault with for something for which they are not at all responsible.

Mr. LAURIER. Then the fault is with the printers. Who is responsible for them ?

Mr. BRODEUR. I have not charged the translators with neglecting their work, but I was only inquiring where the fault lies. If

the fault is with the printers, the printers should be made to correct it, and do better justice to the French members. The French version of the debates is only up to the 1st June. Whether that be the fault of the printers or the translators, the Government should interfere so that justice may be done. We are in need of those speeches, and want to distribute them, and I do not see why the work should be so far behind. I am not complaining, as the hon. member for Bellechasse (Mr. Amyot) insinuated, against the translators, but I am only trying to find out where the fault lies.

Mr. MARTIN. I must take exception to the remarks of the hon. Minister of Public Works when he says that when a translator puts in a certain number of hours for his money he is quite at liberty to engage in any other line of business. That cannot be entertained for a moment. It will be seen at once that if a man is engaged in some other business he comes here with his faculties dulled and is not in a position to do the work for which he is paid. It has been said that these men receive a small salary: \$1,000 for the session cannot be called a small salary for this work. The proposition of the Minister of Public Works is perfectly absurd: that because a newspaper editor, who is engaged in bolstering up his cause and that of other members of the Government—a kind of work which requires, under the circumstances, a great deal of ability—cannot obtain much remuneration for his labours, that kind of wares not meeting with a ready sale in the country, and there being no profit in the business, except in so far as being supported by the Government, he is justified in placing him here and paying him \$1,000 per session for working so many hours per day, when the work he is doing for the House is only his nominal work, and the real work he is engaged in is that of editing a newspaper in hon. gentlemen's interests. Surely a statement of that kind cannot be made in seriousness. A few nights ago I drew the attention of one of the Ministers to a similar state of affairs in another part of the country, where an official, supposed to be devoting his whole time to the service of the Government, and receiving adequate remuneration, was really editing a paper. I am glad to say that on that occasion I heard no such statement as that expressed by the Minister of Public Works. On the contrary, the hon. Minister expressed great surprise, and said he had no knowledge of the circumstance, and I am glad to say that since then the name of this gentleman complained of has been removed from the newspaper as editor in chief. No doubt the cases are quite similar. It is not the case of a man doing occasional work for the Government, but of a man being supposed to devote his whole energy and ability for the time being to the service of the Government. But it is quite impossible to earn \$1,000 as a translator for the Government and at the same time edit a newspaper. I could not

Mr. BRODEUR.

allow the occasion to pass without expressing my entire disapproval of the principle laid down by the Minister of Public Works.

Mr. AMYOT. I am glad to see the hon. member for Winnipeg (Mr. Martin) take the French translators under his charge and protection. But I do not like general charges. Would he kindly say what part of the 'Hansard' has been badly translated? We French-Canadian members believe that we understand something of the French tongue, and yet we find that the 'Hansard' is well translated. The hon. gentleman says it is impossible that Mr. Bouchard could be up at his work, because he edits a newspaper. I would, therefore, ask the hon. gentleman to specify what speech or what particular portion of 'Hansard' has been badly translated.

Mr. TAYLOR. The hon. member for Winnipeg makes the charge that this French translator, Mr. Bouchard, is working for the Government. Such is not the fact. He is working for the House. There is a committee appointed to superintend the debates, of which I am a member. It is composed of hon. gentlemen on both sides, and it employs these translators. This gentleman is one of the most efficient on the staff. Each member is allotted a certain amount of work to do per day by the chief translator. Some may take the work and do it at home, and others may do it here. And if this Mr. Bouchard does his stated number of columns it is none of our business that he writes a letter or two for his newspaper—that is nothing to the members of the committee, so long as he does his work faithfully and efficiently. He is not doing that work for the Government, but for the members of this House, and hon. gentlemen on that side of the House are just as much responsible as those on this.

Mr. LAURIER. This is a new departure from the rules which were well understood when the French translators were appointed. Some years ago, in 1882 or 1883, when the late Minister of the Interior—the late Hon. Thomas White—was chairman of the committee, a report was adopted by this House, and at that time it was understood that the shorthand writers should receive \$2,000 a year, and that their services might be taken advantage of by the Government at any time during the recess, and the translators were to receive \$1,000, and were to be free to take up any occupation they liked during recess, but during the session they were to give their whole time to the House. It is nothing extraordinary and nothing unfair that they should be expected to give their whole time to the business for which they are paid. After the session they are free to go into journalism or anything else they like. Those translators who were dismissed some time ago had written about politics in a manner offensive to members of the Cabinet. But that case does not affect the principle I speak of. The hon. gentleman would bear

me out that the members of the staff are supposed to give their whole time during session to their work.

Mr. DEVLIN. The hon. member for Bellechasse (Mr. Amyot) did not exactly understand the statement I made a few moments ago. I did not wish to reflect on the manner in which these gentlemen do their work as translators. No doubt the translation is done in a manner agreeable to both sides. That may or may not be the case. But that was not the point I was making. It appears that I was wrong in bringing it up, according to the hon. member for Bellechasse. This gentleman is in receipt of a salary of \$1,000 from the public chest for work which he is supposed to do during the session. But besides doing this work during the session he is at the same time occupied in writing a political paper which is supposed to be under the immediate control of the Minister of Public Works. Consequently, I pointed it out as a little strange that the Minister of Public Works should have been able to secure the services of an employee of this House to direct this newspaper, which is his special organ. I entered my protest, and notwithstanding what has been said by the hon. member for Bellechasse, I still protest. The Postmaster General, speaking to-night, said that he liked a fair fight. So do we all. But I would ask any hon. gentleman if it is fair that one side should be able to secure as political writers for their papers those who are drawing large salaries as employees of this House? We are not asking this House to censure these gentlemen who are writing on political subjects and misrepresenting the words and actions of members of this House. We simply lay down the proposition that if these gentlemen are paid \$1,000 for their services to this House they should give their time to their work, and not be occupied at the same time in the business of misrepresenting and calumniating members of this House.

Mr. MARTIN. The hon. member for Leeds (Mr. Taylor) seems to think it is quite impossible for us to criticise this item because these gentlemen happen to be in the employ of a committee of this House. The hon. gentleman apparently did not observe my remarks were directed to the principle laid down by the Minister of Public Works, which would apply in all cases as well as this. But the hon. gentleman has taken occasion to point out that this particular gentleman is employed by a committee of this House, composed of members on both sides, and to infer that we on this side are as much responsible as gentleman opposite for the fact that he is allowed to do newspaper work. The hon. gentleman says he "writes a letter or two." That is not the charge; the charge is that he is the editor of a newspaper published in Hull, I think. I would be very much surprised, indeed, if the Liberal members of that committee were aware that such was the state of affairs. I

am satisfied if they had been aware of it they would not have tolerated it or the position laid down by the hon. member that because this gentleman had done a certain amount of work he is at liberty to go into any other business, and be paid at the same time \$1,000 for his work for this House. If he is able to do that it simply means that there are too many translators, and that the work allotted to them is not sufficient to take up their whole time. I appeal to the House and the country if the salary paid them is not sufficient to engage their whole time. Being paid such a salary, there can be no circumstances under which it is justifiable that they should be engaged in other work. I do not mean writing an occasional letter, but I mean substantially engaged in other work as this gentleman is, and the gentleman to whom I referred the other day, Dr. Barrett, of Winnipeg. I was surprised to hear the proposition laid down by the hon. gentleman. It is not one that will stand criticism. This is not a matter merely for this House or a committee of the House or the Government. This amount of \$1,000 a year is taken from the people by means of taxation, and it is the people whose interests are to be protected. They are entitled to the man's whole time under these circumstances, and it is a gross abuse to use the people's money not for the purpose of having the business of the people done, but to enable those on one side of politics to be furnished with writers for their political press.

Mr. OUIMET. I wish to correct a statement made by the last speaker. I say that the gentleman who edits the 'Spectateur' of Hull is not doing that work for the money he receives from this House. Whatever he earns in writing a few articles in the 'Spectateur,' is paid by somebody else.

Mr. TAYLOR. It is news to me that this translator is an editor of a newspaper. If that is any crime, as the hon. member for Winnipeg seems to think, I ask him now to have his Liberal friends bring the matter up at the next meeting of our committee on Friday next, and we will investigate it.

Mr. MULOCK. The hon. gentleman is not putting the case fairly. My hon. friend from Winnipeg did not say that editing newspapers was a crime, he said it was a crime to use public money to promote a private enterprise under cover of discharging public duties.

Mr. OUIMET. The statement is not correct. I have just denied that he does any work outside of this House which is paid for by money voted by this House.

Mr. LAURIER. Who is editor of the 'Spectateur'?

Mr. OUIMET. Mr. Bouchard is one of them, and he is paid a thousand dollars a year for it.

Mr. LAURIER. The rule has always been that during the session they are to devote their whole time to the work for which they are paid by this House; outside the session they can do what they please.

Mr. OUMET. He does his work here.

Mr. MULOCK. The Minister of Public Works has admitted the whole case; he admits that this translator has a regular calling, that of editor of a newspaper.

Mr. OUMET. Every one of them is editor of a newspaper.

Mr. MULOCK. I will confine my remarks to this one case. The hon. gentleman admits that his regular calling is that of editor of a newspaper, and while he is carrying on that calling, his entire services are engaged by this House. Now, it is clear that you have more French translators than you require if one of them can carry on a regular calling and at the same time discharge his duties to this House which he is paid to discharge. You may as well try and strip the transaction of any bias and look at it fairly. I am tired of these protests against mispending public money. We ought to be able to approach a transaction like this and say honestly whether this service is being used in order to promote a private enterprise. We ought in all cases to avoid the very appearance of wrong-doing, and we should not employ men and allow them to think that they can land in the public service and then carry on other engagements to the prejudice of the public exchequer. The fact is there ought to be some guard for the public funds, and to allow men to be nominally hired by the country, but to discharge other duties, is a grave breach of trust on the part of Parliament; it is a breach of trust in the highest sense of the word, because there is no appeal to any other tribunal except the people. The admission of the Minister is proof positive that you have more translators than you require.

Mr. SPEAKER. I think the committee has overlooked the fact I pointed out when this discussion commenced, that if the work is not completed during the session these men are required to complete it during recess. Although some objection may be made by the French members to the non-completion of the work at the earliest moment possible, yet, as there has been no increase in the number of translators on the 'Hansard' staff for a great number of years, as the work is increasing every year, and as this work has to be performed during the recess, which is not performed during the session, the committee will see that the country is not losing anything.

Mr. DEVLIN. Who are the two extra clerks?

Mr. SPEAKER. The hon. member will have to ask the leader of the Opposition

Mr. OUMET.

and the leader of the Government to give explanations upon that point.

Library of Parliament—To provide for a bonus of 15 days' extra pay at \$2.50 per diem in compensation for the shortness of the session of 1893, to the following sessional messengers, viz.: Joseph Lafontaine and T. W. Hodgins, \$37.50 each. \$75

Mr. McMULLEN. That is a very strange item. When the sessions are short then we vote an additional allowance, and when the sessions are long, we vote an additional allowance.

Sir JOHN THOMPSON. I quite agree that we pay in both cases.

Public works and buildings--
Kingston Graving Dock, balance due on construction of iron caisson. \$782.97

Mr. OUMET. This is a re-vote. In 1890 a contract was made with the Dominion Bridge Company for the construction of a caisson for the sum of \$17,782.97. The contract was given for a bulk sum, and when the work was completed the contractors contended that a larger number of pounds of iron had gone into the building of the caisson than they expected, and they filed a claim for extras. The Chief Engineer made a report that the contract having been made on specifications, and for a bulk sum, no extra amount should be granted. Seventeen thousand dollars were paid at the time, and the \$782 now asked for remained in abeyance. I understand the contractors are willing to take their money, but as it has lapsed since, we have to re-vote it.

Public Buildings, Nova Scotia—
Halifax Quarantine Station on Lawlor's Island, revote of lapsed balance. \$8,417

Mr. OUMET. This amount is to provide for a Governor General's warrant issued at the end of 1893. A certain sum, \$65,000, was voted for the equipment of Grosse Isle Quarantine Station in the Estimates of 1892-93. On 1st July, as the work was not completed, the amount lapsed, and, in order to meet the emergency, a Governor General's warrant was necessary.

Mr. MULOCK. Was the work let by contract?

Mr. OUMET. There were several contracts.

Mr. MULOCK. Were tenders invited by public advertisement?

Mr. OUMET. All except a contract for an outhouse and baggage-room, amounting to \$487.

St. John Custom-house. \$36,000

Mr. OUMET. Part of this work has been done by day labour, and part by contract.

The St. John custom-house was burnt, and nothing but the outside walls remained. At the time the estimate was given by the chief architect, it was stated that the cost of rebuilding would be \$150,000. For divers reasons, this sum has been exceeded. I will read the report of the chief architect :

The original approximate estimate of the cost of reconstructing this building with the same materials, exclusive of the supply of furniture, was \$150,000.

The original building, the cost of which was \$330,500, was not fire-proof. It was constructed with wooden joists, wooden stairs and the external walls were furred with wood and lathing, and the roof was covered with slate and felt.

Owing to the condition of the burnt building an accurate estimate could not be made until the work was started. It was found when the work had begun that the damage done to the stone and brick work exceeded the original calculations, and a much larger portion of it had to be taken down and rebuilt with new materials, and additional piers had to be built in the towers to strengthen them. The restoration of the towers and attic story was both difficult and dangerous and required extra strong scaffolding, and the greatest precaution had to be taken to prevent the towers and chimneys from falling.

While the work of the restoration of the stone work was going on, the question was discussed as to whether it would not be in the interest of the department to expend an additional sum to that of the first estimate in order to make the building fire proof and the chief architect was instructed to make a statement of the additional cost which that change in the mode of construction would involve. This estimate, a detail of which is given in the schedule A hereto annexed, amounted to \$38,000, and it was decided to alter the mode of reconstruction so as to have a fire proof building.

As now constructed, the joists are of iron with brick arches and concrete. The stairs are of iron, and the external walls are lined with terra cotta plaster on the terra cotta, the entire roof is covered with copper and concrete floors are made in the basements. The dados and bases of the interior plastered walls are of cement and one additional vault and five sets of fire proof doors have been provided.

In addition to making the building fire-proof, this mode of construction will render it much less expensive to heat, and it is thought that the improvement in the building is well worth the additional expenditure made.

The work is being carried on partly by days' labour and partly by contract, the materials being procured in every instance by tender and those materials being worked by mechanics and labourers under the direct supervision of a superintendent detached from the department.

Mr. MULOCK. Who was superintendent ?

Mr. OUMET. Mr. Adams, one of the permanent clerks in the department.

Mr. BOWERS. Was the lumber supplied by contract ?

Mr. OUMET. Yes. Tenders were asked for lumber.

Mr. BOWERS. I called attention to the fact that excessive prices were paid for spruce.

Mr. OUMET. Tenders were invited from every firm in St. John that could supply the lumber required. Of course, first-class material was required.

Mr. McMULLEN. Then tenders were not advertised for ?

Mr. OUMET. They could not ; but tenders were asked as the work progressed. The work was being done by day labour, and as the walls were half burnt, we could not ascertain at once what would require to be taken down. As a matter of fact, we could not enter into a contract ; every stone had to be tested. The plumbing and heating and many other kinds of work were done by contract.

Mr. MULOCK. Can the hon. gentleman state the names of the firms that were invited to tender ? If the hon. gentleman could state the names we would know exactly the position, and we would be aware that the work was not simply placed in the hands of the hon. gentleman's political friends.

Mr. OUMET. I may assure the hon. gentleman that every firm interested in each trade was invited to tender, without any distinction of party.

Mr. MULOCK. Who was the chief architect in charge of the work ?

Mr. OUMET. Mr. Fuller.

Mr. MULOCK. That is the same gentleman who superintended the Langevin block. He makes a great many extras in all public works.

Mr. BORDEN. I understood the Minister to say that the original buildings had been discovered not to have been fire-proof. That is news to me, because I understood that it was built in sections, separated by iron doors, with all necessary precautions against fire extending from one part of the building to another. It is stated that when the fire broke out there was nobody to look after the building, that the separating iron doors had been left open, and that not one of these fire-proof advantages had been availed of. When I asked some information about this a couple of years ago no investigation had been then made, and I would now like to know if there has been an inquiry into the cause of the fire.

Mr. OUMET. An investigation was made, but the cause of the fire could not be discovered. When the fire was first noticed it was in the roof ; it had taken in one of the lower stories and was carried up between the wall and the plaster. The building was not fire-proof, although it was thought to be. As to whether the iron doors were closed or not, it had nothing to

do with the fact that the fire went up from the lower to the higher story.

Mr. MULLOCK. Does this item finish the transaction ?

Mr. OUIMET. Yes.

Mr. MULLOCK. There will be no more money asked for ?

Mr. OUIMET. No more for the building.

Mr. MULLOCK. What rate of wages was paid for the various trades ?

Mr. OUIMET. The regular wages of the place.

Mr. MULLOCK. Who was clerk of works on behalf of the Government ?

Mr. OUIMET. Mr. Adams was sent down from here and remained there until the work was completed. He is in the architect's department, and is a carpenter and builder.

Heating Public Buildings, &c.,
Ottawa \$9,000

Mr. OUIMET. The lighting of the Printing Bureau and the staff was under the charge of the Secretary of State, and it was transferred to our department.

Mr. MULLOCK. This is only a transfer, and there is no increase really ?

Mr. OUIMET. There is a small increase resulting from the shortening of the hours. The men were employed for twelve hours consecutively, and it was represented that these hours were too long, and instead of two relays, I provided for three, but we slightly decreased the number of employees.

Mr. MULLOCK. My question has reference solely to whether there has been an increase in the heating and lighting.

Mr. OUIMET. There has been an increase in the lighting on account of the electric light being substituted for gas or gasolene.

Mr. MULLOCK. This item refers to Ottawa, and we do not use gasolene here. Are you putting in any more telephones ?

Mr. OUIMET. No. There was a payment of \$400 for telephones ; this amount has been added to the main estimate as voted, as it was not provided for last year.

Mr. MULLOCK. I observe that you are putting telephones into the private houses of officials and charging them to the public. Will the hon. gentleman say what telephones there are in private houses that are charged to the public ?

Mr. OUIMET. The Ministers have telephones in their own houses, also their secretaries, and the Deputy Ministers, as a rule, and in my department the chief engineer has one. I think on the whole it is a saving.

Mr. MULLOCK. I would not object to these.

Mr. OUIMET.

Experimental Farms—improvements,
renewals, repairs, &c..... \$1,200

Mr. McMILLAN. I would like to know which of the farms this sum is to be spent upon.

Mr. OUIMET. At Indian Head, \$619.41 ; at the Central Farm, \$385.41 ; at Agassiz, B.C., \$165.

Mr. McMILLAN. I would just say that I think the time has come when there should be a separate appropriation for each farm, and the accounts of each should be kept by themselves, so that we could easily tell what is spent on each farm, and what it is spent for.

Port Maitland—Repairs to break-water—to make good to A. McKimmon, contractor, the extra expense he had to bear, considering that the timber required for the works let had to be procured in summer instead of winter, as calculated on by him..... \$273.75

Mr. MULLOCK. What is the reason for this ?

Mr. OUIMET. The work was advertised for early in the fall, but the contract was not entered into until late in the spring, and some damage was caused to the contractor, who had not sufficient time to buy his timber in the right season ; and this vote is recommended by the chief engineer to indemnify the contractor.

Mr. MULLOCK. But a contract is a contract. The contractor agreed to supply this timber at a certain price. Surely he could have purchased \$273 worth of timber in winter. Was this the fall preceding the performance of the work ?

Mr. OUIMET. It was on account of no fault of the contractor. The contract was entered into and signed long after the tenders were received, and this gives the contractor a claim in equity, which the chief engineer thinks is reasonable.

Mr. MULLOCK. I cannot take this explanation at all, and I think the item should stand until the Minister furnishes me information of the details that warrant us in departing from the contract.

Mr. OUIMET. I will give the hon. gentleman the report of the chief engineer in which this is recommended.

Sir JOHN THOMPSON. At the wish of the hon. gentleman, we will let the item stand.

Public Works, Prince Edward
Island—Nine Mile Creek \$84

Mr. YEO. Is it the intention to bring down any further votes for public works in Prince Edward Island ?

Mr. OUMET. Yes, in the Supplementary Estimates for this year. These estimates are for the year expiring 30th June last.

Mr. YEO. I am glad to hear the hon. gentleman make this statement. There are several works in Prince County, P.E.I., which require attention. One in particular, I brought to his notice at Brae. It was begun by the people, and the work done by them is in danger of being carried away unless the Government pay attention to it soon. The hon. gentleman promised two years ago that this work would be completed. He has not completed the work at Brae, and has not undertaken any work at West Point as he said he would. I hope the two works I have referred to, and those referred to by my colleague some time ago, especially Summerside Harbour, will receive the hon. gentleman's attention.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and the House adjourned at 1.30 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 4th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SOULANGES CANAL.

Mr. HARWOOD asked, Why certain proprietors of lands expropriated by the Government, for the construction of the Soulanges Canal, whose deeds were signed and executed nearly a year ago, have not yet been paid? Is it the intention of the Government to pay them interest on the amounts involved?

Mr. HAGGART. There is no record in the Department of Railways and Canals of a deed of property on the Soulanges Canal having been signed and executed and payment therefor not made.

PURSE-SEINING, SEINING AND TRAWLING.

Mr. GILLIES asked, Have the Government entered into any negotiations with the United States, by correspondence or otherwise, with the view of entering into a joint agreement by which the system of purse-seining, seining and trawling, now pursued beyond the three-mile limit, with such damage and injury to the fishing grounds upon the Atlantic coast,

may be rendered unlawful and prohibited in future by the joint action of the two Governments?

Sir CHARLES HIBBERT TUPPER. The Government have entered into a convention with the United States, which, though not dealing specifically with the subject of purse-seining, seining and trawling, contemplates a general investigation, which is now proceeding, which will deal with the subject to which the hon. gentleman refers in his question. Of course, no action will be taken until the commissioners have reported.

SUPPLY—LAKE ERIE FISHERIES.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. TISDALE. Before the House goes into Committee of Supply, I wish to bring a matter to the attention of the House and of the Minister of Marine and Fisheries. While this is largely a local matter, I would ask the forbearance of the House for bringing it up at this late period of the session, as I had not the opportunity, as I thought, without interfering even more than now with the proceedings of the House, of bringing it up before. But, while this is largely a local matter, it still affects the whole question of fishing in Lake Erie. In bringing the subject before the House I do not purpose making any attack upon the Minister or the department. I act as a matter of duty and in response to a very large petition which has been forwarded to me by my constituents asking me to bring the matter to the attention of the Minister, and also to bring it up for discussion in the House. I propose, therefore, to read some correspondence which has passed between us, and, after doing that, to show wherein the Minister and myself, and my constituents to a certain extent, disagree. The fishermen in my district consider that they have some grievances. The questions that have arisen are four in number: First, the question of prohibiting fishing altogether in the month of November, and the question of further limiting the number of nets that are allowed to be used in that district. Secondly, the abolition of the use of seines in what is called the Inner Bay of Long Point, a largely land-locked bay within my constituency. There are some other matters of minor importance that the petition deals with, which will be named when I come to read the petition. I may say that a somewhat active state of friction and discussion has existed on some of these subjects since 1892. I propose to read the correspondence that has passed, and then I propose to point out the wishes of the fishermen, and also to express my own views. I will be as brief as possible, but it is necessary to read the correspondence in order to get the matter properly before the House.

The first letter is dated 29th October, 1892, and is from the Deputy Minister of Fisheries. He says :

I am to inform you that as an additional protection to whitefish and salmon-trout, the Minister has directed that no fishing whatever shall be carried on during the month of November.

That was directed to the overseer of my district. On the 7th November, 1892, having learned of it, I wrote to the Minister as follows :—

SIMCOE, 7th November 1892.

HON. C. H. TUPPER,
Minister Marine and Fisheries,
Ottawa.

DEAR SIR,—I learned with much surprise and regret the instructions you had issued prohibiting all fishing during this month. I could not believe it was true and so telegraphed, in your absence, to your deputy to learn if it was intended to be applied to places where whitefish and salmon-trout were not caught, as I learned that Overseer Sharp was notifying all fishermen. I received a reply that it was general and applied to all. Now, as representing a constituency upon Lake Erie where there are a number of poor fishermen who use only the seine and who fish where salmon-trout and whitefish are never caught and to whom this prohibition means distress and suffering to their families, as this is their best month, and who were not allowed heretofore to fish from April 15th to September 1st, being practically only four months in the year and by this order reduced to three months, I most strongly protest against both the order and its sudden infliction. I protest against it also in behalf of gill-net herring fishermen. Some I have who have been all summer getting their nets ready and waiting for the cool weather when the herring are most valuable and can be handled without danger of loss and at less expense, and these men had been only fishing 10 days when came this sudden and to them and me, this seeming arbitrary and totally unexpected order.

I further protest in behalf of all fishermen on this coast against any order which closes fishing where the fish for the protection of which it is made, do not run or propagate, as being unjust in principle, unnecessary in practice, and tending to promote dissatisfaction for cause. More I could properly say upon this subject, but I content myself here for the present, with this brief protest.

Yours faithfully,

D. TISDALE.

I may say that the order was suspended for that cause. In September, 1893, another circular was issued to the same effect in regard to November. Upon that I wrote to the Minister in October, 1893 :

DEAR SIR,—The fishermen in my riding have been to me in reference to the circular recently issued (September 13th, 1893) to the overseers to stop fishing, entirely, during November.

The fishermen of this county (and I can say the same to a great extent, for Elgin, Haldimand and

Mr. TISDALE,

Monck) catch almost entirely herring and coarse fish, and have always done so. There has, therefore, never been any close season in November, except for whitefish which they can easily and always have restored to the water with no damage to speak of. They all feel very much aggrieved at the issue of such a circular. As matters stand at the present time I feel they have good reason. If you have issued the same circular to the divisions covering the other counties I have mentioned, I know the fishermen and members there feel the same, as we all have from time to time consulted together in reference to the fisheries and the same circumstances apply to all. In fact I may say from all the information I can get, the same circumstances apply to the whole of Lake Erie, except at the extreme western end they catch more whitefish.

Before entering into the fuller details of the matter which I propose to do at considerable length, let me call your attention to a couple of matters that in my judgment should have great weight in the prevention of the enforcement of what the circular contains.

Firstly : You will remember that during the session of 1892 (last year) I told you I had (with other members) arranged to bring a delegation from nearly the whole length of the Canadian shore of Lake Erie to meet you upon the then talked of close season for herring in November.

This was finally abandoned upon your announcing that you would make no alterations in the close season regulations that year, but would appoint a commission to inquire into and take evidence and report upon that and other matters connected with the fisheries in the great lakes. You appointed the commission and they took a lot of evidence covering Lake Erie amongst other lakes, but they did not conclude their labours nor have they reported, or if they have, neither the report nor the evidence has been printed and distributed so that the Lake Erie fishermen or the members representing them have been able to see them. I am informed that no report has been agreed upon and issued by the commissioners even as far as they have gone. The fishermen will, I think, have good cause for complaint under these circumstances, if November is closed against catching any kind of fish, as it will be doing so without giving them a chance to be heard or without letting them see either the evidence or report of the commission appointed to take evidence, examine into and report upon the matter they wished to be heard upon, action in reference to which, and their hearing upon which, was deferred to enable this commission to be appointed, take evidence, examine into, and report so as to decide upon whether any, and if so, what action should be taken. If I am correctly informed the commission have never yet discussed and made, or decided upon, an actual report.

Secondly : The statement in the first three lines of the circular that the gill and pound-net licenses of the division of Overseers Sharp and Price (covering my riding) are made to expire on the 31st October must have been made by you under a misapprehension of the facts, at all events so far as pound-nets are concerned. I have personally seen all of the pound-net licenses in Overseer Price's division and they are all for "the season of 1893," and I have been informed by Overseer Sharp upon

inquiry made by me of him that all of the pound-net licenses in his division read the same. The same reading as in former years.

As to what may have been the term of the pound-net licenses issued east of Overseer Sharp's division, I have no information, but I have seen the licenses for four (4) of the pound-nets in Elgin, next west of Sharp's division and they all read as follows: "To fish as follows during the season of 1893, with four pound-nets," &c. I presume all others in the county of Elgin, or Haldimand, or Monck are not different—it would be manifestly unfair not to treat all alike. So that the reason given in the circular that the licenses were made to expire on the 31st October, for the purpose of ensuring a strict observance of the close season and compelling parties to have their nets out of the water by the 1st of November, falls to the ground, as in fact at all events quite a number of the nets do not so expire, and I take it the unfairness of treating part differently from others similarly situated and affected is so apparent it needs no discussion. But in addition to these reasons, either of which I submit are very strong against the enforcement of the circular this fall, I have much more to say.

Matter striking deep at the root of the very existence of Canadians fishing in Lake Erie if hampered at present by such regulations.

If a cruiser is to be put on this lake this autumn I think it bad policy and unwise to irritate the fishermen in this way. For the protection of the Erie fisheries it would have been sufficient to confiscate the nets and refuse to renew the licenses of any fishermen bringing proscribed fish to the shore. Regulations relating to marketing and waste of immature fish and fish caught out of season should now be made stringent and invariably enforced.

The American catch of fish in Erie in 1880, 1885 and 1891, three years, amounted to 154,669,541 lbs. to our 18,766,367 lbs. They fish every inch of this lake on their own side with pound and trap-nets and have for some years swept the entire lake from start to finish with their gill-nets regardless of the national boundary line.

As to gill-nets: in 1885 they had \$79,507 in value of gill-nets to our \$2,028. The increase in American nets since that date has been enormous and ours trifling.

All this season the Americans have fished this lake to within sight of our shore. This outrage has been going on for years. Is it not sufficient, and will it not be good policy to wait and see the result of driving four-fifths of the American Lake Erie fishermen into their own depleted waters?

In the meantime why worry a few poor men holding on the whole lake but \$5,000 worth of gill-nets, some of them sturgeon gill-nets fished only in June and July and a few others whitefish gill-nets which cannot be used in November. It would be right to destroy whitefish gill-nets, but it is even doubtful whether any are in use except at the west end of the lake. I have yet to learn that there is one steam tug in use fishing gill-nets on the Canada side of Erie. In 1885 the Americans had steam fishing tugs and vessels on Lake Erie to the value of \$178,000, while we had none. In the same year they had other boats in value of \$126,557 to our \$50,296. The Americans have largely increased their nets and steam tugs since the above dates, but the increase on this side has

been in comparison trifling. The coast line of Erie is 375 miles, and all the gill-nets we fish on this lake would not be as great in extent as the seven American tugs I saw fishing off the entrance to Long Point Bay, had in our water at that time. By referring to "Georgian Bay and Lake Huron" in supplement No. 4, Fishery Reports 1892, page 177, you will see how small a thing this gill-net fishing is on our side of Erie. The gill-nets of Georgian Bay and Huron are also almost wholly for trout and whitefish while those of Erie are for herring chiefly. The Huron and Georgian Bay nets amount to 416,330 fathoms (about 470 miles), valued at \$211,330.

The few gill-net men who fish in Lake Erie will be an effective water patrol, but they do not fish except for sturgeon from 15th May till 20th September. The fine twine of gill-nets cannot be tarred. Without tarring it would rot in a few days in the warm water of this lake in the summer months. The Americans fish their gill-nets all season round for reasons afterwards explained. They fish at greater profit and less expense than our fishermen.

It will be from our gill-net fishermen and the crews of our pound-net tugs that the captain of any cruiser will from time to time get his information of American depredations and trespassing. There are telegraph offices at the landing places and villages about every 5 miles on our immense length of coast. The captain of a cruiser would be about as effective as a blind man unless our pound and gill-net men kept him informed in these matters.

The only craft we now have left on our coast of Erie are fishing craft. Force our Canadian tug boats and nets out of Erie on the 31st of October and half a dozen cruisers would not protect this lake. If it is done it is not improbable that many of our fishermen, discontented and irritated at being thrown out of work, would join and fish with these American trespassers. If occasionally the Americans lost a little of their fishing twine, what would they care? On the contrary if the waters are protected by a cruiser, and our fishermen continuing to carry on the business co-operate with the cruiser, valuable American tugs as well as nets would be seized, and traps well planned laid for them. This outrage can only be broken up with the friendly and active co-operation of our fishermen.

The ease with which the Americans can fish almost the entire waters of Erie can scarcely be believed unless seen. From Buffalo, Sandusky and Detroit, their coast is one long line of large towns and cities, no other lake is like it, not even Ontario. All these American towns and cities have their fishing outfits, steam tugs and boats and having fished when and where they please they return with their fish direct to the consumer. They return to large cities. Our fishermen land their fish in sparsely-settled localities and small villages on this side and then freight or express them at large expense by rail to those same American cities or to the interior of Ontario.

The American fishermen have a quadruple advantage as to profits. We pay 60 cts. per ton on our coal for fishing tugs and \$1 per ton freight. They pay nothing, nor freight, nor express charges on their fish, nor license fees for fishing their own or our waters, and they have no close season.

November is the harvest month for American fishermen. Our cruiser will require to be active and well informed to stop this profitable plan of fishing our waters, and the advantage of the friendly co-operation of our fishermen should not be overlooked. This co-operation cannot be given if they are driven to the forests in November.

If our fishermen left their nets on the 31st October, the men will leave for other work or to endeavour to get it, and that ends the fishing for the year.

The permission given to begin fishing again on the 1st December is wholly delusive and shows a want of practical knowledge of the fishing business as well as the climate of this part of Canada. An exceptional season permits a little December seine and gill-net fishing, but not sufficient to warrant a return after lifting in October.

There are four States fronting on Lake Erie. Each has its own regulations. They are as suspicious of and antagonistic to each other as they are to us. Had we had one State to deal with, or better still, the Federal Government, it is just possible an example of proper fishing might have some effect, but with four grasping and selfish States it will not be so. They have not even yet put a close season upon whitefish. We will bring them to their senses and secure uniform regulations more quickly by continuing to catch, at all events, the herring, pike, suckers, mullet, catfish, perch, coarse fish and those destructive vermin peculiar to Lake Erie, called blue pickerel.

I am satisfied that more than one-half the American Lake Erie fishermen will be bankrupted if our cruiser does her work properly.

As to pound-nets:

The wording of the circular upon which this letter is based in its relations to pound-nets practically closes pound-net fishing on the 15th of October. Any fisherman with five or more pound-nets to attend to must devote his whole time and service for a fortnight to taking up nets. Fishermen begin to take up their nets about the 10th of November, taking the most exposed nets out first.

Why not let the pound-net men continue to catch the herring, pike, blue pickerel, and all except whitefish? There are no trout in this lake.

The catch of whitefish in Georgian Bay and Lake Huron aggregates 6,074,756 lbs. and the catch of salmon-trout 4,975,259 lbs., preponderating largely in excess of all other fish. In Lake Erie it is the reverse; our catch of whitefish (no trout) amounted to 311,950 lbs. in 1892, while the catch of ravenous predatory and coarse fish, including herrings, amounted to 9,023,175 lbs. Why stop the catch of these coarse and other fish which disturb nature's balance in Lake Erie? They prey upon the young of all the finer kinds of fish. These coarse and ravenous fish all spawn in the spring months and are in the best condition for food in November. The public want these fish, and they are better out of the lake or considerably reduced in number if hatcheries are to show satisfactory results in these waters.

There is now a close season for maskinonge, bass and pickerel in the spring and summer months when they spawn and are unfit for food. To forbid catching these fish in November with nets, practically puts two close seasons upon these fish, in the spring and summer when unfit for food

Mr. TISDALE.

and in the fall when in their prime. But the whole array of coarse fish caught in this lake are spring and summer spawners and in the very best condition for food in November.

Climatic conditions and a preponderance of whitefish and salmon-trout over other fish has made it proper to make variations in fishing regulations, and more particularly in the size of mesh, in several of the upper lakes. Lake Erie is a coarse fish lake, the water is in summer twenty degrees warmer than in the other lakes (except St. Clair). Any commissioners, called upon to suggest regulations to grapple with these questions and fail to make regulations which will enable the public to get the best of food fish when in prime condition, can hardly be called a success.

Our catch of coarse fish in Erie in 1892, amounted to 1,142,100 lbs., and the pickerel, chiefly blue pickerel, which may be classified as vermin, amounted to 1,494,115 and pike 129,800 lbs. In addition to these fish, tons of sheepheads, eelpouts and dogfish, all most destructive to the young of the finer sorts of fish, are caught in pound-nets, not enumerated, but thrown away.

Any evidence I have seen indicates that the young of the whitefish do not come to the shores or within reach of pound-net leads in the autumn months. They come to the shores in certain localities in July and August—to the warm water. Nearly all the pound-nets used in Lake Erie are taken out of the water in August and part of July. The fishery reports, however, show that the catch of whitefish in Erie is almost confined to that portion of the Lake west of Long Point Island.

I could give you many more reasons why the regulations in the circular referred to should be suspended for the present, but I feel that this letter has reached a proper limit.

You can refer to Report of Fisheries, 1891, pages liii, liv, lv for many of the figures I have given you.

Yours faithfully,

D. TISDALE.

In reply the Minister wrote:

MINISTER OF MARINE AND FISHERIES,
OTTAWA, 12th October, 1893.

MY DEAR MR. TISDALE,—Referring to your recent conference with me, and your communication of the 4th October, respecting the fisheries of Lake Erie, I have concluded to send out, for this year only, instructions relating to pound-nets, gill-nets and seines, covering the close season for whitefish, as per inclosed copies of same.

I may say at the same time that I have abundant evidence to satisfy me that the fisheries of Lake Erie will rapidly decrease, and ultimately be destroyed if I am not permitted to strictly enforce the regulations respecting the breeding seasons, and to that end, during such time prohibit absolutely the use of pound-nets, gill-nets and seines.

Yours faithfully,

CHARLES HIBBERT TUPPER.

DAVID TISDALE, Q.C., M.P.
Simcoe, Ont.

The following are the circulars :

12th October, 1893.

SIR,—I am directed by the Minister to inform you that, as Inner Bay is not frequented by whitefish or salmon-trout, seine fishing may be carried on there as usual, during the month of November, under license.

I am, Sir, your obedient servant,

WM. SMITH,
Deputy Minister of Marine and Fisheries.

Mr. DAVID SHARP,
Fishery Overseer,
Port Ryerse, Ont.

(Circular.)

DEPARTMENT OF MARINE AND FISHERIES,
OTTAWA, 3rd October, 1893.

SIR,—Adverting to a circular from this department dated 29th October, 1892, directing that as an additional protection to the whitefish and salmon-trout in Lake Erie, it had been decided that no fishing whatever would be allowed during the month of November, such being the close time for the above named fish, I am to inform you that with the view of meeting as far as possible, the wishes of many fishermen, the Minister now directs that herring gill-nets may be fished during the month of November, in such portions of Lake Erie where the local fishery officer is satisfied and reports definitely, upon his own responsibility that no whitefish or salmon-trout frequent the grounds for spawning purposes.

The fee, which is invariably payable in advance, is fixed at \$5 per boat, with a maximum limit of 2,000 yards of gill-nets to each boat.

I am, Sir, &c.,

WM. SMITH,
Deputy Minister of Marine and Fisheries.

(Circular.)

DEPARTMENT OF MARINE AND FISHERIES,
OTTAWA, 12th October, 1893.

SIR,—The Minister directs me to inform you that after examining the forms of licenses issued this year for pound-nets, and that no notice was given to pound-net herring fishermen that they were to take their nets out at the end of October, and considering the fact that the Commissioners appointed to investigate into the subject of a close season and regulations in Ontario, have not yet reported, he has directed those instructions which required that all fishing for herring be prohibited in November be withdrawn.

You are therefore to permit fishing for herring under existing pound-net licenses, so long only as no whitefish or salmon-trout are caught. When there is evidence that fish other than herring, which the Fishery Regulations forbid being taken during November, are caught in any of these pound-nets such nets shall be immediately seized and secured, the license therefor cancelled, and prosecution immediately directed for the full penalty. You are to warn all fishermen that they run this risk in fishing for herring in November.

You are to forthwith report what assistance you require, and what expenditure is necessary to

enable you to keep a strict supervision of all nets in your division during November.

I am, sir, your obedient servant,

WM. SMITH,
Deputy Minister of Marine and Fisheries.

The next correspondence took place in the spring of this year :

MY DEAR SIR CHARLES,—Your favour of the 23rd inst. duly received and I have delayed answering. In October last I went to considerable labour in compiling statistics as to the amount of fishing on the American side of Lake Erie from Buffalo up to and opposite the west end of my county as compared to the amount allowed on our side for the same distance. I also incidentally compiled a lot of other statistics, etc., in the same line about Lake Erie. All of these and considerable other information I sent you in a letter in the early part of October.

I learn that James Johnson having sold his nets to Thomas Cope whose mother owns the land in rear of the station heretofore occupied by Johnson, the department now refuse to license Cope for this station.

Considering the relative contrast as to the fishing on the American shore and their catch in Erie as compared to ours, the fact they have no close season, nor fees, nor regulations, and that you are going to impose an additional close season this year, that in spite of the fact that the Americans have fished our waters, which you purpose stopping this year, the amount of fish in my district have not decreased as shown by the catch, don't you think you can at all events permit my fishermen to have the quantity of nets heretofore employed? If I add to this the fact that these seines catch very largely coarse fish, surely you should not demur, and I can further add that you have given notice that after this year seines must go in the Inner Bay. I therefore recommend that in view of my statements you reconsider your instructions or decision and grant Thomas Cope the ground of James Johnson, for a seine license. All of the new names I have mentioned are good fishermen and have never had a black mark. I have never asked you to increase the number of seines, but I do ask you to let me keep the limited number heretofore granted at work.

I am satisfied that it will not only be just and fair and in the interests of the fisheries in the long run but will better enable me to make acceptable the regulations of the department. If it is to be all regulation and restriction by and by the fishermen will have to stop or a rebellion against the whole thing will occur. Please oblige me with an early reply as the fishermen must now get ready for spring when the ice will go.

Yours faithfully,

D. TISDALE.

The Minister replied as follows :—

MINISTER OF MARINE AND FISHERIES,
OTTAWA, 1st March, 1894.

MY DEAR TISDALE,—I have your letter of the 28th February, touching my decision in the cases of Jackson, Snooks and Cope.

There is only one point that it seems necessary for me to add to my former letters on this subject,

and that is, that considering the decision not to grant seine licenses next year, and permitting them in certain cases this year, simply on account of previous use and want of notice, and the decision to inquire further, I have no grounds to abstain from enforcing a most justifiable rule.

You and I, of course, differ as to overfishing in the Canadian waters of Lake Erie.

All my information goes to show that overfishing has taken place.

In the estuaries of the salmon rivers in the lower provinces, the same condition of affairs has existed, and we have rigidly adhered to the rule which is being applied to Lake Erie. Moreover, we do not recognize the transfer of licenses there, and when a licensee dies, we take advantage of that state of affairs to abolish the stand.

I may be wrong, but I believe that were I to meet your views in these three cases, it would be necessary for me to give up any attempt to restrict the fishing of the great lakes, or to enforce necessary regulations.

I have striven to meet your views, and have shown, I think, a desire not to act without information, and a readiness to reverse any action of mine which might seem to be contrary to the object we have in view, or without proper foundation in fact, or without cause. Yours faithfully,

CHARLES HIBBERT TUPPER.

These are the letters on one branch of the subject. I will now proceed to read the correspondence on the other branch, and it is necessary to do so as I propose to base my argument on the information contained therein. The Inner Bay of Long Point is largely a land-locked bay, and some years ago, before the present Minister took office, important questions arose in regard to it. Questions arose then as to the question of allowing fishing in the Inner Bay, and I propose to read some of the letters on this subject. The first letter sent to the then Minister of Marine and Fisheries in August, 1886, reads as follows:—

SIMCOE, ONT., 2nd August, 1886.

The Honourable

The Minister of Marine and Fisheries, Ottawa.

DEAR SIR,—I beg to urge the desirability of stopping all fishing by seine, pound or other nets on what is known as the Inner Bay of Long Point. These waters are very shallow, and are the great breeding ground for the fish on our shore (north shore of Lake Erie), and the fish are destroyed by thousands, and spawn by bushels by drawing the seine in this bay during the spawning season. The nets on the Inner Bay this season, are practically under the control of one man who has berths in the Outer Bay.

This matter has been brought before me frequently, and only last week by a resident fish merchant, and I can refer you to Dr. J. M. Salmon Normandale, who has given the matter years of study and investigation, and who are anxious that the above should be acceded to.

Yours respectfully,

H. H. GROFF.

Mr. TISDALE.

SIMCOE, ONT., 14th April, 1888.

The Honourable

The Minister of Marine and Fisheries.

DEAR SIR,—In justice to your department we are bound to suppose that the laws regulating the fisheries are intended to advance those interests. Seeing a notice a few days since that you intend placing whitefish and salmon-trout fry in the Inner and Outer Bays of Long Point in this county, the only natural breeding grounds I know of (of any extent), on this shore, I take the liberty of pointing out the effect of the present law and leave you to judge how wise it is. Being the secretary of a shooting preserve, I might be supposed to have an axe to grind, in trying to stop fishing on these shores; this is not the case, the question stands on its own merits and I leave it to Mr. Kerr for decision.

The waters of the Inner Bay of Long Point are warm and shallow, and are the natural spawning beds of the different varieties of fish that frequent the waters of Lake Erie. The law says that we shall not angle in these waters for bass, until after the 15th July, why? because the bass is coming in to spawn up to that time, but on the other hand you allow the seine to be drawn for pickerel, up to the 15th April, and tons upon tons of these fish are taken in these waters, when they are coming for the same purpose as the bass. Such legislation is child's play; you prohibit the natives angling for a few hundred bass while you allow tons of a more valuable fish to be destroyed—and further, hundreds of bushels of spawn are drawn up on the beach and destroyed every year.

I may say by way of explanation that the fish come into the bay and work along the shores within easy reach of the same.

Yours respectfully,

H. H. GROFF.

P.S.—Only yesterday I saw pickerel in our market full of spawn (destroyed in the act of breeding.)

H. H. G.

I may say that Mr. Groff was not conversant with the facts in regard to that, and those letters were not acted upon. That, however, was the commencement of this agitation. So far as the Minister and myself are concerned, our correspondence dates from March, 1893. The Minister then sent a letter to his overseer, of which this is a copy:

353/93

DEPARTMENT OF MARINE AND FISHERIES,
OTTAWA, 8th March, 1893.

Mr. D. SHARP,

Fishery Overseer,
Port Ryerse, Ont.

SIR,—The department having decided, on the recommendation of the Fishery Commission, to issue no seine licenses for the public waters of Lake Erie, owing to their destructive nature, the license applied for by you on behalf of Frank Jackson

will not be granted. The money (\$8) remitted on his behalf is herewith returned.

I am, sir,

Your obedient servant,

WM. SMITH,
Deputy Minister.

That letter was written, as I understand, under a misstatement of the facts and without the authority of the Minister, but, at all events, it started the agitation again about taking away the seine licenses. I then wrote to the Hon. Mr. Costigan, acting Minister of Marine and Fisheries, as follows:—

March 9th, 1893.

Hon. JOHN COSTIGAN,
Acting Minister of Marine and Fisheries
Ottawa.

MY DEAR SIR,—I have just learned that the department is holding a number of seine licenses in my riding on some question. I wish to state that if for any reason the department may wish to withhold seine licenses as a rule there is no reason, in my opinion, why these should be withheld. These licenses have been issued for years in a locality totally unfitted for any other sort of fishing and to men who make this their means of livelihood. To take them away takes their means of subsistence and maintenance of their families. The fishing is of a nature that no other thing can be substituted in its place. The fish are of a coarse kind and for years have not decreased in quantity. There can be no question as to this locality being allowed this means of fishing, and the withdrawing such licenses would be practically closing the fisheries for no good to the public or protecting the growth of fisheries of this sort. I can only further say that I am very strong in the opinion that it will be a great injustice to these fishermen and the locality without any resulting good to the public.

I feel it my duty to strongly protest against any refusal to renew their licenses and I shall have to combat any such decision in all legitimate ways in my power.

I shall be obliged if you will give this matter consideration and if possible try and see your way of continuing to these men the licenses which they have enjoyed for years.

I shall be glad to have your decision at as early a date as is consistent with your other engagements.

Yours faithfully,

D. TISDALE.

The Minister replied as follows:—

MINISTER OF MARINE AND FISHERIES,
OTTAWA, 15th March, 1893.

DEAR SIR,—Having reference to your letter of 9th instant, respecting the issue of licenses for seine fishing at Inner Bay; I beg to inform you that these licenses have been issued and have been sent to Overseer Sharp for countersignature and delivery.

Yours faithfully,

JOHN COSTIGAN,
Acting Minister of Marine and Fisheries.

Lieut.-Col. TISDALE, M.P.,
House of Commons,
Ottawa.

The following correspondence then took place:—

OTTAWA, 23rd March, 1893.

Hon. JOHN COSTIGAN,
Acting Minister, Marine and Fisheries,
Ottawa.

SIR,—I inclose for the information of the department a letter from Mr. Frank Brock, one of the most intelligent, best informed and influential men in my riding, about the seine fishery question in my riding.

I am, sir, &c.,

D. TISDALE.

ST. WILLIAMS, 21st March, 1893.

DEAR SIR,—As our representative in the House of Commons, I address you respecting the regulations recently issued by the Fishery Department, as received by Mr. Sharp, Fishery Overseer, to the effect that the department had decided, on the recommendation of the Fishery Commission, not to issue seine licenses for the public waters of Lake Erie, owing to their destructive nature.

In the interests of the people in this vicinity, I would respectfully request you, as our representative to use your influence which we know is considerable and justly so, with the department in having the said regulations withdrawn. It has had an alarming effect on the whole people here, and has created a great deal of dissatisfaction. There cannot be found a man in this whole section who will attempt to defend the enforcement of such a regulation. It is looked upon by all classes in the community as an injustice, to the owners of seines, to the young men and labouring class, who are given employment in the fishing industry during the fishing season, and who in the event of its being enforced, would be compelled to go elsewhere to gain a livelihood; to the merchants, mechanics and others who have to a certain extent assisted in maintaining said labouring class and their families during the winter, expecting to be repaid out of the proceeds of their labour in the seine fishing industry.

In regard to the destructive nature of seine fishing the evidence of all parties here, who have any knowledge of it, is to the effect that it is not as destructive a method of fishing as pound-net fishing. And I contend that it is more in the interest of the section in which it is carried on than any other method of fishing, owing to the fact that the money derived from the industry is distributed among so many people and amongst a class who must put it into circulation to obtain the necessaries of life for themselves and their families.

Again, the aforementioned regulation is not in conformity with the avowed policy of the Conservative party, as enunciated by the Hon. Mr. Foster in his speech on the budget, particularly in his remarks regarding the duty on coal oil and binder twine. He contended, and rightly too, that it would be unjust to the men engaged in the oil industry and who had their capital invested in it, to remove the whole duty, and thus sacrifice their capital and render their plant valueless, but this regulation of the Fishery Department goes even further than that, it not only sacrifices the capital

of the fishermen and renders their plant valueless, but it takes from them the crude material the fish, while the oil men would still have the crude oil left to them to pump and refine if they saw fit. It is also against the principles of the protective policy in this respect. The Government do not protect cotton for instance, the duty on imported cotton is for the protection of the men engaged in the manufacture of cotton, the cotton manufacturers and the mechanic employed by them, then why protect the fish and not the fishermen?

My own opinion, and I believe it is the opinion held by a large majority of the people in this section, irrespective of party, is that our fishery regulations are sufficiently stringent for the protection of the fish until such time as some international agreement can be arrived at between the United States and Canada, by which both countries adopt and enforce the same close seasons and the same methods of fishing in the public waters contiguous to both countries. Judging by the dissatisfaction created by the new fishery regulations, it looks to me like a combine in favour of the pound-net, to force the gill-net and seine fishermen out of the business and give them (the pound-net men) a monopoly of the fishing industry.

In conclusion, I am and always have been a strong supporter of, and firm believer in, the Conservative policy, and since my residence in the county of Norfolk I have used what ability and influence I have in your favour, and have never had any reason to regret doing so, and I would again respectfully ask you, on behalf of a large portion of your constituents, and in the interests of the Conservative party in this county, to use your influence with the Fishery Department in favour of the withdrawal of the aforesaid regulations. Trusting I have not trespassed too much on your valuable time by writing at such length,

I am, sir, &c.,

FRANK BROCK.

To Col. TISDALE, M.P.,
Ottawa.

P.S.—A largely signed petition will be forwarded to you by Thursday's mail for presentation to the Fishery Department.

F. B.

MINISTER OF MARINE AND FISHERIES,
OTTAWA, 11th April, 1893.

DEAR SIR,—Referring to your letter of the 23rd ultimo, inclosing a communication from Mr. Frank Brock, of St. Williams, respecting the seine fishery question, I beg to state that it is the opinion, not only of the department, but of all persons thoroughly acquainted with the different kinds of nets used in fishing, that the seine is the most injurious of all and has brought, about the present depletion of fish in the waters of Canada to a greater extent than any other mode of fishing.

Whilst seine fishing may be permitted during this year, the question of its total prohibition in 1894, or its restriction for use in such waters as to limit its destructive effects in the taking of certain of the better kinds of fish, and of the young and

Mr. TISDALE.

immature of all kinds, will receive careful consideration.

Yours truly,

JOHN COSTIGAN,
Acting Minister of Marine and Fisheries.

Lieut.-Col. TISDALE, M.P.,
Simcoe, Ont.

Then, on the 25th March, 1893, I inclosed the department a petition signed by a number of persons:

OTTAWA, 25th March, 1893.

Hon. JOHN COSTIGAN,
Acting Minister Marine and Fisheries,
Ottawa.

DEAR SIR,—I inclose a petition herewith against abolishing seine fishing in my riding.

This was got up before they learned you had considered the matter upon my showing and kindly ordered the issue of such licenses as usual. I, however, forward you the petition for the information of the department and as some index of the feelings up there and of the reasons given for them.

It is signed by 598 people, all men of substance too.

I have no doubt it would have been even much more numerous signed, if I had not advised them of your action.

Yours, &c.,

D. TISDALE.

To the Honourable the Minister of Marine and Fisheries, Canada:

The petition of the undersigned electors of the county of Norfolk hereby request that your department grant seine licenses for fishing in the public waters of Lake Erie.

Your petitioners having been informed that your department have decided on the recommendation of the Fishery Commission not to issue seine licenses for fishing in the public waters of Lake Erie, owing to their destructive nature, pray that you reconsider that decision and issue licenses as in former years. Not knowing the nature of the commissioners' report, your petitioners do not know what showing they make in regard to the destructive nature of seine fishing, but are firmly of the opinion that seines are not as destructive of fish-life as pound-nets that are recognized by the department and allowed to fish.

The fishermen of this county have about \$6,000 invested in seines, boats and other appliances necessary to their occupation, and the seine fishing industry gives employment to about 150 men, who would be thrown out of employment if the above regulations were enforced and many of them compelled to go elsewhere, perhaps outside the country, to obtain a livelihood. The fishermen have also gone to considerable expense making preparations for the opening of the fishing season of 1893, buying new seines and repairing the old ones, and their whole outfit would be a total loss if the above regulation is enforced. Many of them have their total capital invested in their fishing outfit, and it would be a very serious pecuniary loss to them, besides taking from them their means of gaining a livelihood. The seines would be good for from

three to five years' use, and admitting that the regulation is one that is necessary for the protection of fish-life (which we do not), your petitioners say that it is an injustice to those engaged in the industry to enforce it without giving at least two seasons' notice.

Your petitioners in conclusion respectfully request that the above regulations be not enforced, but be withdrawn until such time as an independent commission of persons not connected with the fishing industry be appointed to examine into and report thereon.

And your petitioners, as in duty bound, will ever pray.

County of Norfolk, March 22nd, 1893.

I have to add that they were misinformed about the Fishery Commissioners having made a report, but for that the Minister was not responsible. In January, 1894, I again addressed this letter to the Minister :

January 8th, 1894.

Sir CHARLES H. TUPPER,
Minister of Marine and Fisheries, Ottawa,

MY DEAR SIR CHARLES,—Some of the gill and seine fishermen of Sharp's division have given him the money some days since for their licenses and owing to the open weather could now be fishing. I wish you would have Sharp instructed that as far as the gill and seine men are concerned that he may on receipt of the fees of those who had licenses for the past year and whom he has nothing to report against, allow them to fish as soon as he gets the money, reporting such permission to you as given. It always takes several weeks to get the licenses back as they have to go through several hands, and be entered in several books in the department. When these small fishermen pay it is desirable they get leave to fish, as soon as the weather is fit.

Yours faithfully,

D. TISDALE.

I received this letter in reply :

MINISTER OF MARINE AND FISHERIES,
OTTAWA, 10th January, 1894.

MY DEAR TISDALE,—I have your letter of the 8th instant, respecting the wishes of some of the gill and seine fishermen of Sharp's division.

I should like very much to meet your wishes, and give the instruction which you desire, viz., to permit those men who fished last season to continue fishing on payment of the fees for their licenses to Sharp, but in view of the condition of the fisheries of Lake Erie, I hope you will not think me unreasonable if I prefer to adhere to the system that obtains elsewhere, namely, to allow no fishing until the license is delivered into the hands of the fisherman.

On the other hand, I shall see that every effort to expedite the consideration of the applications for licenses, and I think no unreasonable delay will take place.

I do not wish to conceal either that the respite during the consideration of the licenses is in itself of some benefit to the fisheries, and will not be an unusual experience to the fishermen.

The applications for seine licenses are being looked into.

Yours faithfully,

CHARLES HIBBERT TUPPER.

D. TISDALE, Esq., M.P.,
Simcoe, Ont.

Then, on the 12th January, the Minister addressed me as follows :—

MY DEAR TISDALE,—Having further reference to my letter of 10th instant, I beg to state that, after due consideration and taking the advice of officers in my department competent to give an opinion on such matters; I have come to the conclusion that, owing to its injurious nature, especially in shallow creeks and marshy bays opening directly on Lake Erie, seine fishing should not be allowed in the Inner Bay of Long Point.

The local fishery officer has accordingly been advised, and the money sent by him on behalf of Mrs. Ferris and D. and F. Jackson returned.

Yours faithfully,

CHARLES HIBBERT TUPPER.

Col. D. TISDALE, M.P.
Simcoe, Ont.

The following circular was sent to the overseers. It was sent to me with a suggestion that I should offer any remarks I thought fit.

DEPARTMENT OF MARINE AND FISHERIES,
OTTAWA, 8th January, 1894.

SIR,—It has been suggested to this department that the use of seines, hoop-nets, fyke-nets and trap-nets might be allowed in the inner bays of Long Point and Turkey Point for the taking of coarse fish generally, without injury to the higher grades of fish frequenting these waters, provided always that such fishing be not allowed during the hot months, say, June, July and August.

In connection therewith I beg to ask you to please state your views on this subject, and to request you to answer separately each of the following questions :—

1. Do schools of very small lake herring, white-fish, &c., from two inches in length and upwards abound in the marshy shallows between Long Point and Turkey Point?
2. During what months are catfish, perch, pike and other coarse fish most abundant there?
3. Are pickerel plentiful there? During what months?
4. What fish would hoop-nets or fyke-nets, set in these waters, chiefly take?

I am, &c.,

Deputy Minister of Marine and Fisheries.

Memo. on suggested use of seines, hoop- or fyke-nets, &c., in Inner Bay of Long Point—

Different points in Lake Erie vary so much that fishing privileges allowed in one place would be harmful in another.

The Inner Bay of Long Point and Secord's Bay within Turkey Point open widely to the lake, while there is also direct communication with the

open water by a narrow channel, on the south side of the bay.

Such a bay is a natural resort for the fry of lake herring, whitefish, &c. (locally called minnows and confused with small worthless fish) and seining should be very limited, or wholly prohibited.

Open creeks of this kind are quite unlike canals or slow running rivers, such as the Grand River, which are not so accessible to fry.

I am averse to the use of seines in such places, in order to protect immature fish.

There is less danger in the use of hoop- or fyke-nets set near the bottom for the capture of catfish, mudpouts, suckers and inferior fish. The shoals of better fish, from my observations at Rondeau, frequent the surface as a rule and are less likely to enter fixed hoop-nets near the bottom. I had also evidence from Lake Erie fishermen that in June, July and August great shoals of herring fry come in shore and during those months fishing in shallow waters should be prohibited.

Perhaps the local officer of the department might furnish replies to the following questions:—

1. Do shoals of very small lake herring, whitefish, &c., from 2 inches in length and upwards, abound in the marshy shallows between Long Point and Turkey Point?

2. In what months are catfish, suckers, perch and other coarse fish most abundant there?

3. Are pickerel plentiful there? What months?

4. What fish would hoop- or fyke-nets, set in these waters, chiefly take?

E. PRINCE.

Jan. 2nd, 1894.

I replied as follows:—

SIMCOE, 16th January, 1894.

SIR CHARLES HIBBERT TUPPER,
Minister of Marine and Fisheries, Ottawa.

MY DEAR SIR CHARLES,—I have yours of the 11th instant, inclosing your queries to Mr. Prince, his memo. and the circulars you sent to Kerr, Harris and Sharp and asking me for any points I might have to offer. I am obliged for the opportunity, as the Inner Bay is a locality I know well of my own knowledge and from frequent observation ever since I can remember. I may note that the actual license to the seines in the Inner Bay of Long Point cease April 15th, commencement of close season for pickerel, and do not again permit fishing until September. Mr. Prince has either not had information about the Inner Bay or has been misinformed. I rather infer from his memo. he has gathered his information from its appearance on the map, where it appears as he describes it. My actual knowledge of the place will make it appear quite different from a fishing standpoint. Many years ago the narrow channel he speaks of as a direct communication with the open waters on the south side of the bay, was in a different place and was much larger and was a channel through which, no doubt, fish passed, the bay was much deeper and the communication with the Outer Bay at the east end of the Inner Bay was altogether different from now. The Inner Bay at that time was, as I said, much deeper, and moreover the water was kept comparatively clear by the channel before mentioned and the communication as it then stood between the Inner and Outer Bay. Many years

Mr. TISDALE.

ago, over 32, probably 40 years ago, what was called the "cut" (the channel between the south side of the Inner Bay and the lake) filled up with sand and a new one opened where the present cut is. The present one was always insignificant compared to the old one and sand swept down through it at all times but especially in times of storms and winds which are frequent, not only gradually filling the "cut" but the bay also until now and for many years past the "cut" is merely a little passage that a skiff (except in times of storms) can hardly pass through and the bay has become so filled up and grown up on the bottom with weeds over a great part of its bottom, that it is a shoal place with muddy and rily water at all seasons. When storms come and raise this water through the cut it is so dirty, and the water off the shores in the lake is also both rily and rough, so that no fish can come through, nor do they use it from the smallness and nature of the water and its approaches when the elements are quiet. Since I have been in the House (1887) I had occasion to inquire into the matter carefully in connection with the fisheries. I got some spawn from the department one year and found as a result of my inquiries it would not do to deposit them in the Inner Bay. No herring or whitefish are caught there. Herring frequent the Outer Bay. However plentiful herring and whitefish ever become in the Outer Bay they would never frequent the waters of the Inner Bay, small or large, as the water is not of their sort. No shoals of herring or whitefish of any length for years and years have been seen in the Inner Bay. The coarse fish are there all the time. As for years fishing only has been allowed, say about 15 days in the spring, as it is about the 1st April before the seines can get in on account of the ice and they are stopped by their licenses until September, it is hard to say whether in the months other than the fall months these coarse fish would be more plentiful. The fishermen catch most during the time they are allowed to fish, between October 15th and November 20th, of coarse fish.

Pickerel are in the Inner Bay more or less the whole season. They spawn up in the marshes where neither seine, hoop- nor trap-net can disturb their spawn. In fact the only catch of pickerel which amounts to anything is made during the fifteen days in April before the close season when they are on the way to spawn.

On the north side of the Inner Bay, where there are nearly all the seine licenses, I don't think hoop- or fyke-nets could be set in more than two or three places as there are no creeks or currents to speak of. Trap nets might be used, but how far they would be successful as compared to seines I am not able to say.

On the Long Point side of the Inner Bay hoop-nets could be easily used, as also trap-nets—good places for both. In the Inner Bay, on the north side, there are no places for hoop-nets, nor none for trap either, except it might be at Turkey Point, which is practically part of the Inner Bay fishery. On the Long Point side in the Outer Bay all the way down to the Bluff there are some excellent places for hoop- and trap-nets both, these being outlets from marshes. In none of these places do, I think, herring ever run up, but I have not had opportunity either of a personal observation or to get it from the actual experience of others like I have with the Inner Bay.

So far as the Inner Bay is concerned I am very positive that, at all events for the season allowed by the present license system there that neither herring nor whitefish are or will be disturbed or in any manner injured or taken, and that as to pickerel their spawning grounds nor small fry are in no way nor will be in any way disturbed or injured by allowing hoop- or fyke- or trap-nets, and also seines to be used there. The great body of fish caught will be of a coarse nature and, in my opinion, better out of the water so far as the more valuable fish are concerned.

Yours faithfully,

D. TISDALE.

January 22nd, 1894.

Sir CHARLES HIBBERT TUPPER,
Minister of Marine and Fisheries, Ottawa.

Re Seines, Inner Bay, Long Point.

MY DEAR SIR CHARLES,—I wish to supplement my letter of the 16th inst. by some further statements in reference to the suggested abolishing of seine fishing in this bay. My letter was written before I was aware of the suggestion of abolishing seine fishing therein, and addressed more to the general question in the memo. of Mr. Prince, which you sent me in yours of 10th inst. I gave reasons pretty fully in my said letter of 16th inst., why I think seine fishing ought not to be prohibited in this bay. However, as that was not the question I was then considering, I did not call your attention to the fact that of the seines allowed in that locality, not all are in the Inner Bay. The total number of seines including those Mr. Harris, are as follows: 7 at Long Point by Mr. Harris, 7 above the "cut" outside of the Inner Bay, in Lake Erie, where there is no marshy shore or inlets, and 4 in the Outer Bay, near Turkey Point, or at Turkey Point, and 15 or 16 in the Inner Bay, on its north side.

In all these cases, the fishermen, except Harris, are small fishermen, who have by great efforts and economy got together their little outfit. They have in each case, cleared the ground where they drag or draw their nets at a cost of at least \$200 each. Their outlay in boat, seines, &c., will gross in all \$5,000 to \$8,000. About 100 to 130 men are required to work these seines, all local and all needing this employment. If any good reasons can be given to show, notwithstanding what I say in my letter (which I cannot conceive) why seines should be abolished even in the Inner Bay, then, certainly, trap-nets as well as hoop- or fyke-nets should be allowed as the small fish or minnows would not be injured by the trap-net—the trap-net can also be used where the hoop or fyke would not work. Again, in consideration of the long existence of the seine fishing, the seine men in such a district as this should be allowed a certain time to change so as to get the benefit of wearing out their present appliances, say, one or two years, as investigation should show would be fair. Turning these poor men adrift in poverty suddenly would be cruel and is not necessitated to prevent any such destruction of fish, if any, as they may cause.

I have still to reiterate my previous opinion and statement that in the Inner Bay with fishing allowed only to April 15th, in spring, and after 1st September no valuable fish will suffer, and that even

if herring are amongst the minnows in the bay, they will not suffer as they certainly will not appear in this bay before April 15th and will depart before the fishermen fish to any extent in the fall, which is generally not until after 1st October. Herring large enough to be distinguished as such certainly do not appear in the Inner Bay at all, and I do not believe, from the nature of the water there, that they ever appear amongst the minnows where the seines are drawn and they certainly do not spawn there.

In no case or event can I see that where seine fishing is allowed outside of the Inner Bay can it do any harm, as they are neither spawning grounds or places frequented by immature fish.

Yours faithfully,

D. TISDALE.

SIMCOE, Jan. 25th, 1894.

Sir CHARLES HIBBERT TUPPER,
Minister Marine and Fisheries, Ottawa.

MY DEAR SIR CHARLES,—I duly received yours of the 23rd with copy of mine of the 22nd, for which I am obliged.

Thanks for your promise to consider the seine matter and to let me have a reply as early as possible. I hope you will be able to let me have decision without delay as it is now getting to be about as late as fishermen can wait to put up ice, etc.

I would suggest that I show a case at all events where but little, if any, damage (in any case or in any view) can be done by leaving the seines for this year. Then while at the session I can have full opportunity to go into details with Mr. Prince and arrange for him to come up in the summer and go over the ground personally and come to a definite conclusion as to whether the seine must go, and if so, what shall succeed them and to what extent. I would like him also to meet the fishermen if he has time. At all events I will see he is taken all over the ground in such a way as to give him fullest opportunity of personal observation. The fishermen could then be informed in the early autumn as to what would be allowed next year. The report of the commission would be out and things take on a definite shape.

I had a very interesting and instructive interview with Mr. Prince, the opportunity for which I have to thank you.

Yours faithfully,

D. TISDALE.

MINISTER OF MARINE AND FISHERIES,
OTTAWA, January 30th, 1894.

D. TISDALE, Esq., M.P.,
Simcoe, Ont.

MY DEAR MR. TISDALE,—Recent correspondence on the subject of seine licenses in Long Point Bay has indicated to you that there are grave reasons for prohibiting the use of seines in shallow waters opening into the great lakes.

The seine is peculiarly destructive, and to its use must be largely attributed the existing depletion.

Further, the disturbance and injury to the shoals of immature fish and newly hatched fry in shallows where the seine is used, has had the most disas-

trous effects. It would appear useless to hatch and plant fry to supplement the natural supply of young if in resorting to shallow water in spring they are thus destroyed.

There is every reason to look upon Long Point Bay as such a resort, though I am aware that the main spawning grounds of the whitefish and lake herring are further west.

Taking into consideration the special circumstances of Long Point Bay, I have decided that this prohibition of seining which I shall feel bound to enforce next season, shall not come into force during the present season.

The commissioners' reports on the lake fisheries will shortly be issued, and will contain further evidence upon this matter, and the postponement of the prohibition will afford ample warning to the seine fishermen that I shall not feel justified in causing seine licenses to be issued next season.

Yours faithfully,

CHARLES HIBBERT TUPPER.

Now, I propose discussing some of the points raised by this correspondence, and quoting very shortly some statistics for the information of the Minister and the House. So far as I am concerned—and I wish the hon. Minister to understand that—I propose to discuss now the part of Lake Erie which I know something about, and in reference to which I am able to obtain statistics. I will make use of the hon. Minister's statistics and the statistics of the United States; and I propose to refer to the east half of Lake Erie, that is, from the line of the county of Elgin to Fort Erie. Since I have had the

honour of representing a district, I have not asked the Minister to extend the number of nets, but I have insisted on his allowing the existing number to remain; and the only extension I have asked has been that he should, as he kindly did, open the fishery on Long Point Island, which opened forty or fifty miles of new coast. I wish further to say to him, in reference to my fishermen, and the fishermen generally on the east half of Lake Erie, that they are reasonable and honest fishermen; and I think he will agree with that, because he will remember that in 1892, as mentioned in one of these letters, I spoke of a delegation from the whole length of the lake, whom I had the pleasure of meeting. Delegates from the western end of the lake proposed to co-operate with those from the eastern half; but we separated for this reason. Neither my fishermen nor myself were willing to ask the Minister to abolish all regulations whatever, while the fishermen of the west end wanted that done; and whatever representations they made to the Minister they made as a separate body, and we from the eastern end, to that extent, have acted separately since. What we wish and what we are willing to take is not an unreasonable amount of fishing; but we claim that the number of the nets in our district ought not to be reduced; and I propose to quote some statistics which I think, from my standpoint, it will be difficult to show do not make out a case, to that extent, at all events. Now, as to the whole of Lake Erie:

FISHERY Report, 1893, Pages LXXII and LXXIII.

COMPARATIVE TABLE—Number and Value of Tugs, Vessels, Boats, Nets and Number of Fishermen both sides of Lake Erie, 1885 and 1889.

	FISHERMEN.		TUGS AND VESSELS.				BOATS.			
	Number.		Number.		Vessels.		Number.		Value.	
	1885.	1889.	1885.	1889.	1885.	1889.	1885.	1889.	1885.	1889.
Canada	346	465	.....	15	.....	\$ 22,600	185	233	\$ 50,296	\$ 18,520
United States ...	4,298	2,181	53	42	\$178,200	143,000	1,483	1,063	120,557	127,556

CANADIAN LAKE ERIE, 1893, FISHERY REPORT, PAGES 312 AND 313.

	1893.	1893.	1893.	1893.	1893.
Canadian.....	519	20	\$ 61,050	249	\$ 18,715

Mr. TISDALE.

FISHERY Report, 1893, Pages LXXII and LXXIII.

COMPARATIVE TABLE—Number and Value of Tugs, Vessels, Boats, Nets and Number of Fishermen both sides of Lake Erie, 1885 and 1889.

POUND-NETS.				GILL-NETS.		SEINES.		Total Value.	
Number.		Value.		Value.		Value.			
1885.	1889.	1885.	1889.	1885.	1889.	1885.	1889.	1889.	
		\$	\$	\$	\$	\$	\$	\$	
Canada.....	132	195	37,965	65,575	2,028	1,950	3,330	3,953	116,598
United States..	928	1,838	252,285	483,920	75,507	94,978	8,320	2,150	851,604

CANADIAN LAKE ERIE, 1893, FISHERY REPORT, PAGES 312 AND 313.

1893.	1893.	1893.	1893.	1893.	1893.
		Fathoms.			
202	\$ 76,970	21,260	\$ 5,305	4,220	166,260

FISHERY Report, 1893, Pages LXXII and LXXIII.

COMPARATIVE TABLE—Yield and Value of Fish caught both sides of Lake Erie, 1885 and 1889.

	WHITEFISH.		SALMON-TROUT.		HERRING.		STURGEON.	
	1885.	1889.	1885.	1889.	1885.	1889.	1885.	1889.
	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.
Canada	186,080	306,213	.....	.....	5,935,400	6,902,563	459,265	411,741
United States.....	3,531,855	3,323,772	106,900	66,703	19,354,900	37,200,850	4,727,950	1,244,607

CANADIAN LAKE ERIE, 1893, FISHERY REPORT, PAGES 312 AND 313.

	1893.	1893.	1893.	1893.
Canada	256,240	.....	6,043,034	356,690

FISHERY Report, 1893, Pages LXXII and LXXIII.

COMPARATIVE TABLE—Yield and Value of Fish caught both sides of Lake Erie, 1885 and 1889.

PICKEREL AND PIKE.		ALL OTHER FISH.		TOTAL LBS.		VALUE PER REPORT.		ACTUAL COMPARATIVE VALUE.	
1885.	1885.	1885.	1889.	1885.	1889.	1885.	1889.	1885.	1889.
Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	\$	\$	\$	\$
Can. 702,802	1,030,729	371,180	974,508	7,653,900	9,625,754	242,774	487,604	242,774	487,604
U.S.	14,583,471	23,734,912	7,143,929	51,556,517	63,563,359	1,109,096	1,033,758	1,675,680	3,413,228

CANADIAN LAKE ERIE, 1893, FISHERY REPORT, PAGES 312 AND 313.

1893.	1893.	1893.	1893.
1,563,600	1,192,011	9,750,594	339,019

The total number of men in 1889 employed in the fishing industry in Lake Erie was, on the Canadian side, 465; on the American side, 2,181. The value of appliances on the Canadian side was \$116,000; and on the American side, \$851,000. In 1893, the value of the Canadian appliances had only increased to \$166,000. I have not the increase of the Americans, but I am sure they more than doubled. The quantity of fish caught in 1889 on the American side was 63,000,000 pounds as compared with 9,000,000 on the Canadian side; the value, according to the report, was \$487,000 on the Canadian side, and \$1,000,000 on the American side. Now, that is obviously not cor-

rect, because the fish was just as valuable on the American side, and if the Americans caught seven times as much fish as we did, they must have caught about \$3,500,000 worth. There is another reason why I think we should not stop the herring fishing in November. In 1885 there was caught, on the Canadian side, 7,600,000 pounds; in 1889, 9,600,000 pounds; and in 1893, 9,700,000 pounds. So that if you take the whole of the lake, there is only a difference of 2,000,000 pounds from 1885 to 1893. To summarize these statistics shortly, because that is the only way to get a brief view, I will read the following statement:—

SUMMARY.

CANADIAN.	No. Men.	No. Tugs.	No. Boats.	No. Pound-nets.	Fathoms Gill-nets.	Value Seines.	Total Value.	Total Lbs. Fish Caught.	Value.
1889.						\$	\$		\$
All Lake Erie....	465	15	233	195	8,000	3,953	116,598	9,625,754	487,604
1893.									
All Lake Erie. ..	519	20	249	202	21,260	4,220	166,260	9,750,594	339,019
AMERICAN.									
1889.									
All Lake Erie....	2,181	42	1,063	1,838	540,000	2,150	851,604	63,563,359	3,413,228

This is as to the whole of Lake Erie. I now propose to confine myself to the case directly of the district I have mentioned. I cannot, from the way statistics are prepared, ascertain what my district produces, and so have

Mr. TISDALE.

taken—which is certainly a fair way from my standpoint—the east half of Lake Erie, from the east line of the county of Elgin to Fort Erie, and have compiled statistics from 1888 to 1893, as follows:—

CANADIAN Coast, East Line, County Elgin to Fort Erie.

NUMBER and Value Tugs and Boats and Fishing Material, Kinds, Quantities, Value, &c., Fish Caught.

YEAR.	No. Men.	TUGS AND VESSELS.		BOATS.		POUND-NETS.		GILL-NETS.		SEINES.		Total Value.
		No.	Value.	No.	Value.	No.	Value.	Fath.	Value	Fath.	Value	
1888.....	205	6	\$ 6,300	73	\$ 3,698	30	\$ 9,745	12,655	\$ 1,730	3,648	\$ 3,340	\$ 24,813
1889.....	217	8	7,900	71	3,322	31	11,820	7,092	1,850	4,508	3,323	28,215
1890.....	236	5	5,600	89	4,500	30	8,400	23,750	6,549	5,225	3,665	28,714
1891.....	222	8	12,050	101	4,540	27	7,600	25,610	6,005	5,217	2,550	32,745
1892.....	242	12	20,200	104	5,917	33	11,300	20,550	4,850	7,340	4,300	46,067
1893.....	344	10	13,850	107	5,635	35	10,600	19,100	4,725	7,295	3,720	38,530
Average for six years.....	1466	48		545		186		108,757		33,233		
	244	8		91		31		18,126		5,539		

CANADIAN Coast, East Line, County Elgin to Fort Erie.

NUMBER and Value Tugs and Boats and Fishing Material, Kinds, Quantities, Value, &c., Fish Caught.

WHITE-FISH.	SALMON TROUT.	HERRING.	STURGEON.	PICKEREL AND PIKE.	ALL OTHER FISH.	Total.	
Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Lbs.	Value.
95,596.....		613,833	185,982	345,996	149,224	1,390,631	\$ 84,400
68,388.....		554,625	122,240	349,307	293,010	1,387,570	67,146
23,440	1,500	439,500	135,720	240,570	205,490	1,046,220	53,551
46,067	250	353,950	129,910	153,724	179,077	862,978	41,848
70,350	800	494,380	68,680	340,040	441,430	1,415,690	64,003
48,610.....		669,940	88,870	320,610	357,105	1,485,135	56,984
						7,588,214	367,932
Average.....						1,264,702	61,322

Now, if you take the opposite shore, because that is the object of these statistics, what do you find? Take from Buffalo to Unionville, which is opposite the west end of the district I have taken on our side of the lake, and includes fourteen cities and large towns, the American official statistics—

the last I have—for 1885. We had 244 men fishing, as against their 2,004. We had eight tugs and they had twenty-six. We had ninety-one boats, and they had 324. We had thirty-one pound-nets, and they had forty-five. We had 18,126 fathoms of gill-nets, and they had about 2,000,000 fathoms,

or 2,000 miles. We caught 1,264,702 pounds of fish, as against 19,000,000 pounds of fish caught by them. Or a value of fish caught by us of \$61,322, as against \$599,830 value caught by them. This was in 1885, and I am comparing their catch in 1885 with what we caught in 1893. Under those circumstances, taking that district, there is no case made out at all for a reduction of the nets. I am speaking for my own district, and each district ought to stand or fall upon its own position. In 1893, all the statistics I could get on the other side were those of the city of Erie. What do we find? The city of Erie had in 1893 \$300,000 capital invested, or more than double our whole lake, while the east half of Lake Erie on our side had only \$38,500 of capital invested. The city of Erie caught 12,000,000 pounds of fish, or 3,000,000 more than we did in the whole lake, and on the east half of the lake we caught only 1,400,000 pounds. The city of Erie had thirty-four tugs, 100 pound and trap-nets, over 200,000 fathoms of gill-nets. While, on the whole of our east half of the lake, we had only ten tugs, thirty-five pound and trap-nets, and 19,000 fathoms of gill-nets. Let me also call attention to another thing which still exists there, though I am glad to say the hon. Minister has largely reduced it. The Americans fish there with scores of tugs and miles of nets, with which they follow the fish. I have caught them in Lake Erie, when I first started the agitation; and the fishermen of Lake Erie, whatever other fault they may have to find with the hon. Minister, I give him credit for what he has done in the way of putting cruisers in those lakes. Those American tugs take their nets on board, put them down one day, and the next day take them up and put down others. I have caught several tugs myself at this work. I went out because there was a question raised by the fishery officers, and took the trouble, with some of our fishermen, to keep watch, and satisfied myself that the Americans were fishing inside our waters. They follow the fish from one end of the lake to the other.

Mr. DICKEY. What date was that?

Mr. TISDALE. Last year, about August. I made a special trip to Ottawa about it. In spite of the American fishing in the district I represent—or, say the east half of Lake Erie—we are catching as many fish as in 1888. But since 1888 there has been no extension of fishing privileges. Since 1888 we have not asked or urged the Minister to make any extension. But we want permission to keep up the nets we have. And if the statistics, as I claim they do, show that, in spite of the American fishing the quantity caught has not decreased on our side, then, if he will, as he has kindly done, stop this fishing by the Americans, I hope the day will come when there will be a marked increase of the fish, for the Americans have been taking fish

Mr. TISDALE.

persistently in large quantities in our waters with their miles and miles of nets. I am not discussing the general policy of fish preservation. I am speaking only of the state of affairs in my own district. While it may be true—and the Minister should know the facts better than I—that the fisheries in Lake Erie as a whole are being depleted, in my district, I am confident, it is not so. I feel very strongly that he ought to allow us to continue to carry on fishing to the extent we have heretofore done. I have never asked for an extension, except in one new fishery, which gave a new and additional coast of forty or fifty miles. Now, with regard to the cruisers, I want to read one letter I have received from a fisherman, and, in connection with this, to say that as soon as the Minister was satisfied that these Americans were committing the depredations that have been claimed, he took prompt and energetic action to stop the practice by sending a cruiser last fall, and, this year, two cruisers. And this letter shows the result:

Those Erie fishermen to my own knowledge have for years fished Lake Erie from 20 miles east of the east end of Long Point, to 30 miles westward of the west end of Long Point Island, regardless of the national boundary line. They were, and are, the smartest of gill-netters and wherever fish swam they would follow. The gunboat scare has frightened them this season up to date, and I am informed that fully half of the gill-net fleet at Erie is laid up: The 'Petrel' is off somewhere now; I did not ask Captain Dunn where he was bound for. The 'Dolphin' is here smartened up with a very efficient police boat, ample, I think, to protect this coast. The captain is a good one and knows his business and these waters, without asking questions of any one.

I think that we ought not to be so closely restricted, because so much has been gained by keeping out the Americans, whose work was formerly so detrimental to our fishing. With regard to the pound-net fishing, in November, I think it makes very little matter, for this is a different class of fishing and a different capacity of fishing from the gill-nets and seine-nets. Still, I think seine and gill-nets should not be prohibited in November. With us the ice never goes out until the first of April. In July and August, and a large part of June as well, it is too hot for gill-nets. What is the consequence? The gill-net fishermen have a short period of say a month in the spring. They recommence in September. As the water cools in September and October the fishing improves, but the season is cut short by the prohibition of this class of fishing in November. I am not speaking of gill-netting in the sense ordinarily understood—with tugs—but in the limited way in which we carry it on there. And there is no salmon-trout or whitefish where the gill-nets and seines are fished in my district, while there is nothing to show that there is any lessening of the quantity of herring caught in my district, even with the immense operations heretofore

carried on by the Americans. The season for seines ends about the 20th of November, and for gill-nets, about the 1st of December. The coarse fish do not spawn in the fall, and, as the whitefish and salmon-trout do not run on the same fishing grounds, there is no reason why we should not be allowed to use seines, but, on the contrary, many reasons in favour of it. I have here a petition which I desire to read, as well as the letter accompanying it. This is the letter :

ST. WILLIAMS, ONT., 28th May, 1894.

Col. D. TISDALE,
Ottawa, Ont.

DEAR SIR,—I send you to-day by mail the petition for presentation to the Minister of Marine and Fisheries. The general feeling is against sending a deputation to present it, and in favour of your presenting it to the Minister and bringing on a discussion on the question on the floor of the House. Therefore in accordance with the wishes of the people, I send you the petition and request that you give it your best attention on the lines indicated. There are 368 names on the petition, including a large proportion of the best men in our party in the riding, also many prominent men in the opposite party.

It seems to me that the idea should be impressed strongly on the Minister's mind, that it is not a question that affects only the fisherman, but that the whole community is affected and some of us to a larger extent perhaps than any one fisherman. The same argument and the same policy applies here that was held by Mr. McNeill in his speech a short time ago on the duties on cottons, viz., that it was not alone the men who found employment within the walls of the cotton mills who were benefited by it, but the whole people in the locality where the cotton mills are in operation. The Minister will no doubt admit that Mr. McNeill's argument on that point was sound, and the same argument should apply to this matter, and would be equally sound.

Trusting you to do the best you can for us in this matter.

I am, yours respectfully,

FRANK BROCK.

The petition reads as follows:—

To the Honourable the Minister of Marine and Fisheries:—

The undersigned petitioners, electors of the county of Norfolk, understand it is the intention of your department not to issue seine licenses for fishing in the public waters of Long Point Inner Bay, after the present season. We believe seine fishing in the Inner Bay is not a destructive method of fishing. It can be carried on by men with small capital. It employs more men for the quantity of fish caught, than any other method of fishing. Practically, the whole money earned by the seine fishermen, is put into immediate circulation in the neighbourhood, thus stimulating all other occupations; while with the larger operations of pound-net and gill-net fishing, comparatively few men are engaged to catch the same quantity of fish, and the bulk of the proceeds is

deposited in the banks to the credit of the net owners. The fish caught in the summer are of the rough class, such as the catfish, sheepheads, &c. There are no whitefish or salmon-trout or herring caught in the bay.

We also believe that men should be appointed as overseers, in whose judgment and business capacity the public, as well as the department, has confidence; and that printed or written notice of all changes in the regulations, should be sent to each license holder. An instance of the unsuitableness of the present method may be found in the recent cases against Clark and Secord for fishing before their licenses arrived. These men declared on oath they had no intention of violating the regulations, and were not aware of having done so, until their nets were seized. In the face of these facts their licenses were cancelled and their nets destroyed. And we believe, all circumstances considered, that the punishment inflicted was unnecessarily severe, and that they have been unjustly dealt with by the Fishery Department. This seemingly wanton destruction of valuable property has given the public just grounds for the dissatisfaction which exists. Therefore the petition of your petitioners humbly prayeth :

1st. That your department continue to issue licenses for seine fishing in the public waters of Long Point Inner Bay.

2nd. That seine fishing be allowed at all times, except during the present close season for pickerel.

3rd. That the local overseer be empowered, on receipt of payment for licenses, to grant applicants permits to fish until their licenses are received from the department.

4. That the law which provides that nets, &c., be burned for violations of the regulations, be so amended, as to make first and second offences punishable by fines, third offence punishable by cancellation of license.

And your petitioners, as in duty bound, will ever pray.

County of Norfolk, April 24, 1894.

Now, with regard to the petition, I have only one or two remarks to make. I agree entirely with the first clause as to seine fishing in the Inner Bay, as expressed in the petition, which gives many reasons on the subject. But there are other reasons which I should like to state. In the first place, the seines have been there from time immemorial and the catch has not decreased. Further, no herring or whitefish can be caught there. The water is not suitable for them, and they could not live there. I believe that the more coarse fish caught the better for the increase of the finer fish, for these coarse fish are of a predatory nature, and I believe that one of the reasons why, in some parts, the finer fish are becoming scarce is that too many of the coarse fish are allowed to go uncaught. There is no destruction of valuable fish there or of spawn in any shape, and the industry by seines employs more men and is more beneficial to the locality. I believe there are places where seine fishing ought to be prohibited, I am not saying where they are; but I do

say that this locality, this particular bay, is not one of them, the facts, when the Minister investigates them, will, I believe, compel him to arrive at the same conclusion. I trust, therefore, that this summer he will, as he has partly consented to do already, send one of his officers there to examine into the matter, and that he will remove this restriction. There is no other way that this bay can properly be fished. Neither hoop-nets, pound-nets, nor trap-nets can be used there, and the coarse fish breed in thousands, and are destructive to the finer fish passing out into the clear waters where the better class of fish exist, and they destroy them by thousands. In regard to the period of fishing which the petition mentions, I urge upon the Minister that he should allow the season to be extended in the bay, as requested in the petition. The reasons that formerly existed when restriction was enforced as to summer fishing, no longer exist, because the advent of a railway enables the fish to be marketed daily when packed in ice, which could not be done at the time the regulation prohibiting summer fishing was made. Of course in regard to the other matters mentioned in the petition, they are largely departmental, but I hope the Minister will consider them carefully, and, I trust, favourably. At all events, give the overseers greater power to issue permits to fishermen upon receiving payment for licenses. I suppose the House will be glad to know that with these brief remarks, and with these short letters, I am through. I thank the House for its kind attention. I have made my remarks briefer than I would have done under other circumstances, but I consider this matter one of the first importance to my district, and I think one of the first duties of a member of Parliament is to his constituents, and while not unduly taking up the time of the House, not to neglect the opportunity of advocating their interests in this House.

Sir CHARLES HIBBERT TUPPER. I dare say that while the House may have felt some impatience in that the hon. member for South Norfolk (Mr. Tisdale) has thought it necessary to occupy so much time, there may be a little fear that, as this is a question upon which I have already spoken briefly for three or four hours this session, I may find it necessary to follow the hon. gentleman through all his interesting remarks. I hope, however, that without any offence to him, I may be able to cut short what I desire to say respecting the points he has mentioned, because many of them, if he will allow me to say so, have been anticipated and dealt with by me on the occasion to which I have referred. The hon. gentleman is not one of those who are opposed to the fishery regulations, and I am glad to be able to say that in many respects he has assisted me in performing the difficult duty that I have been called upon to discharge, because it is a difficult duty to administer regulations none of which are popular in any part of the country, and the enforcement of

Mr. TISDALE.

which causes strained relations between the department and the fishermen. Nevertheless, I have never shirked the responsibility that has been for the time being put upon my shoulders, and it is very gratifying to find any hon. gentlemen who are able, owing to the condition of public opinion in their constituencies, to come to the rescue of the department, as we have in this respect but few friends. I do not think the position the hon. gentleman takes is altogether consistent. A great part of the argument he has used tends to destroy and upset these very regulations and restrictions which he favours. For instance, he has compared the United States waters and the Canadian waters in the same lake, with the express purpose of showing that in the United States waters where no restrictions obtain, an enormous and ever-increasing catch of fish is made, while in the neighbouring Canadian waters the catch remains stationary, or at any rate, out of all proportion to that of the neighbouring district. Now, I carefully observed the years that he took for comparison, and if I took down his remarks correctly, the hon. gentleman compared the year 1885 of the United States catch with the year 1893 of the Canadian catch. I think that I can show that the very fact that the hon. gentleman was not able to make a comparison of the same waters for the year 1893, destroys entirely that part of his case.

Mr. TISDALE. I could not get the figures.

Sir CHARLES HIBBERT TUPPER. It is just as well he could not get them, because he could not have used them in support of his argument, because in another part of his speech he was forced to state that this year a condition of absolute ruin stares the United States fishermen of Lake Erie in the face. He knows that the men who are making money in the fisheries of Lake Erie to-day are Canadian fishermen.

Mr. TISDALE. I think the hon. gentleman misunderstood me. I quite agree with the hon. gentleman that the United States fisheries are being depleted; but I was showing that, notwithstanding what they were doing on the other side of the lake and the enormous fishing in our waters, so far as my district is concerned, we still hold our own with no more appliances. My argument was that you should not unduly restrict me in my district when I can show that we are catching as many fish.

Sir CHARLES HIBBERT TUPPER. I understood the hon. gentleman's argument, but it was based upon a proposition that, if correct, would carry him to any length in his attack upon the fishery regulations. He did not bring out the fact as strongly as I propose to bring it out, that a comparison of the statistics for 1893 on both sides of the lake, would show that the United States, by not enforcing restrictions and not regulating their fisheries, find themselves face to face with the disappearance and ruin of those fisheries: while on the Canadian side we have the hon. gentleman as a witness

that the fisheries are in a splendid condition, a condition that enables the fishermen in his opinion to prosecute them at a time when the fish are breeding, which is an extraordinary thing. The hon. gentleman cannot bring any scientific authority, or any fishery authority in this country or in any other country, that will support his position. The hon. gentleman refers to the prolific herring fisheries which he uses as the semblance of an argument. But we know from the experience of the fishermen in those very waters, that while at one time whitefish was the staple fishery, this fishery is now almost a thing of the past; the whitefish has gone down, and at present herring is the staple fishery. If the fishermen heretofore had been allowed to follow herring as they followed whitefish, all the information I can get convinces me that the same result would have followed the herring fishery, and that we would witness the same results on the Canadian side of the lake as we now witness on the United States side. Therefore, I must say that so far as I am advised, after carefully looking into the subject, it is absolutely necessary to protect this fish during the month of November. I hope the hon. gentleman will consider that in taking that course we will not work much ruin to the fishermen. I have evidence before me, supplied by my officers, to show that it is the most hazardous fishing that the gill-net men can go into during the month of November. I have evidence from our own officers and from the fishermen themselves of the enormous loss they incurred in that month. It is a month that is terrific on the lakes, the weather is boisterous, nets are carried away, and often the loss is far greater than the gain which the fishermen hope to obtain. So that to some extent I hope this will make the regulation more easy to bear; but that regulation I very much desire to see enforced and maintained. The hon. gentleman referred to the interesting subject of the Inner Bay fisheries, and there is no doubt he has raised in that regard a very important question. The peculiar position of the bay, the exceptional condition of the water, its depth, the connection with the lake, and so on, combined to make such a case as in the opinion of the Commissioner of Fisheries would render it unwise and unjustifiable to interfere, an opinion in which I concurred, until there had been made a complete examination, and for that examination arrangements are now being made, and we shall have the very valuable aid and assistance of the hon. gentleman who has taken so much interest in the question. On the one and great point as to the result of what is going on, I cannot do better than refer to a subject on which the hon. gentleman has touched, the enormous depredations on the part of the United States fishermen in the Canadian waters of Lake Erie. It was not possible for us to know the extent of those depredations at the time

when the subject came up. We had some overseers, who were not, however, watching the fisheries any great distance from the shore, and consequently were without information. We had no information from the Customs authorities; they were not equipped on those waters with launches or tugs, and, therefore, did not know the number of vessels that were in the habit of either coming into our waters and fishing contrary to law or occasionally putting out nets and fishing in Canadian waters contrary to law. The irregular service which was conducted last year has proved a great success. The officers detected parties in the act of fishing, and they made a seizure of a fishing sloop; and again I point out to the hon. gentleman that when these men run the risk of seizure of their nets and appliances, and even their vessel, it is good testimony as to the condition of the fishing on the other side of the line. I can furnish the hon. gentleman with further information that so desperate has the position of the fishermen become, that this year, instead of poaching in our waters contrary to law, they are coming over in boats and stealing the fish out of our nets, laying off during the day on the American side and at night visiting our waters for this unlawful purpose. I have received a despatch from an officer on our side respecting the patrol boats. He reports that fishing this year on our side is good, and that our fishermen are obtaining better prices than last year, a result which they attribute to the protection which is being afforded the fisheries by keeping out the fishermen of the United States. The officer gives facts to sustain his opinion. I hold in my hand an interesting article which appeared in the 'American Field' respecting the very important point to which reference has been made. It is as follows:—

The Sandusky Fish Company which consists of all the firms in Sandusky, Ohio and vicinity, has decided to remove its entire stock, and business to the Lake of the Woods, on the boundary between the United States and Canada. (In Manitoba and Ontario.) Nine carloads of nets, a tug, etc., etc., were shipped to Duluth, April 13th, en route to the point stated. On this lake it is stated that whitefish and sturgeon exist in great quantities. This company expects to catch sufficient to meet the demands of trade and when the vigorous northern winter sets in, the company will come back to Lake Erie, and go to work. It is stated that numerous companies along the north coast of Lake Erie will soon follow. Lake Erie supplies nearly all the Northern United States with fresh water fishes, but excessive netting for several years back, has almost ruined the business. Comment is unnecessary. But we doubt whether the authorities in Manitoba, Ontario and Minnesota will allow the methods that have exhausted the formerly prolific waters of Lake Erie, to be employed now to deplete the Lake of the Woods of its most delicious whitefish.

Again, I have a letter from a fisherman as follows:—

The gun boat activity on this Lake and elsewhere has already created a fishery panic on the other side. Four States front on Lake Erie and are directly affected. Half of the fleet at Erie City, I am told is laid up. Detroit has sent begging letters to this—my—fishery for Lake Erie herrings, the first time in history. They can no longer follow the herring into our waters.

This shows not only that the warning which the hon. gentleman gave us was necessary, but that it has been heeded, and this communication shows also the condition to which unlimited fishing and a weak Legislature in that respect has brought the fishermen on the United States side. If hon. members of this House were to make the department over which I now preside the subject and object of continuous attack, it might, I am free to admit, be quite fair for a Government to interfere with that department and the policy that it was carrying out on these grounds—high grounds, too, on scientific grounds—if the people, through their representatives, did not desire such measures to be taken, but were prepared to do as had been done in other countries to which I have referred—bow to the public will and let fishing go. Until that time is reached, and I hope it never will be reached in this Legislature, I do not propose to abandon the present fishery regulations, or to obstinately maintain my views on this matter, but I propose to support the officers in the measures adopted as the result of their experience, and I propose to carry out the suggestions which they make and which commend themselves to one who, like myself, endeavours to judge fairly between the fishermen and my advisers. I think that will be in the interests of the country; I think that will be in the interests of the fishermen themselves, and I am glad to know that in some districts that opinion is gaining strength and taking root. Take the fisheries of Lake Erie. Some hon. members from Essex and elsewhere have advocated the abolition of all regulations; they have brought this subject up, and I may say that I sounded the opinions of the fishermen of Lake Erie last fall, and I found that there voice was strongly against that position; they wanted some regulations, and the department only differed with the majority of the fishermen on the Canadian side of the lake as to what those regulations should be, and as to how far they should go, but that there should be regulations the general opinion seemed to establish. In regard to this subject it is pleasant to obtain the advice of hon. gentlemen, whether on this side of the House or the other side, and all I shall endeavour to do is to decide as impartially as possible as to what is for the benefit of the fishermen and the fisheries, and having reached a conclusion stand by it and take the responsibility of standing by it. As to the petition of the fishermen, it is, of course,

Sir CHARLES HIBBERT TUPPER.

entitled to the most attentive and respectful consideration that can be given to it; but on looking into the subject of it I have no hesitation in saying that while we can in some parts meet the views of the fishermen, it will be impossible to meet them in the whole. In respect to the Inner Bay, the inquiry to which I have referred will meet their reasonable wishes in that regard. Take the case of Messrs. Secord and Clarke, which the petition refer as one of undue severity. We could not look at that case, as those interested parties did. They made the excuse that is always made by those who violate fishery regulations, and that is—ignorance. They said they were not aware of the regulations requiring them to obtain a license before fishing. That regulation has been a matter of such notoriety among fishermen, and there have been so many prosecutions and such inspection by our officers, that if we were to accept an excuse of that kind there is no case in which, in my opinion, we could make a healthy example or exact any penalties under the Fisheries Act. Unfortunately sometimes we may err, but on the whole, I think, it is better that we should follow the rule I am following, and that is: that in a district in which the fisheries are in a precarious condition and require great care, we should enforce the regulations with the greatest severity, and in any case of violation err, rather on the side of severity, so that men may fear to violate the law. I think that where the law comes down with a heavy hand in a case of that kind, it will become known and respected. With reference to the construction of these nets there is this to be said. They were not only nets seized for being used contrary to law, but they were nets that we would not license in any event so that the loss of them was not so great as at first blush might appear. There is another thing of importance which the fishermen bring up; it is in reference to the delay that follows between the application for the licenses, and the actual granting of them. The hon. gentleman (Mr. Tisdale) put the case with great force to-day: that the rule is hard, that the licenses must be in the hands of the fishermen before they can fish, and that they are obliged to wait and see the fishing season opened and abstain from fishing until they receive the license. I have dealt with that subject, and instructions have been issued which I think will meet the case. For instance, in future where there is no charge against the licensee in the previous season the local overseer may have authority to renew that license where there are no special instructions to the contrary. They are only to forward the application for new licenses, and they are to be forwarded as quickly as possible after receipt and with a full statement of the facts so that immediate action can follow. They are also instructed not to collect the fee until the license is delivered. In that way I think the object of these fishermen whose petition

is now in my hands will be largely met. I need not take up the time of the House just now in dealing with the other questions, but I beg to inform the hon. gentleman (Mr. Tisdale) that his statements will have the very best consideration that can be given them.

PAYMENT OF CAÑAL EMPLOYEES.

Mr. BERGERON. I wish to call the attention of the Minister of Railways and Canals to a matter which I think he will regret the occurrence of when he hears about it. The employees on the canals have been complaining that last year—and I believe the matter is getting worse—they were paid their wages about a month later than they used to be formerly. They are all poor people and every one of us can understand what an inconvenience that is to them. I have already spoken to some of the officers of the department about the matter, but I think that the Minister is not fully aware of the causes of this delay. It seems that since some new regulations have been put in practice, the accounts and vouchers which have been sent by the different engineers to the department are examined, and if any item is not found correct according to the idea of the Auditor General, the whole account is sent back to the engineers, and this, of course, entails delay. I wish to call the special attention of the Minister to this, because I know it is not his intention to put the canal employees to loss and inconvenience. At all events it is the same thing for the Government to pay these men in proper time as to defer payment later on. I do not see any reason why the men should not be paid when their wages are due them. I presume that these other accounts which may be sent back for the Auditor General are accounts for merchants, and although they may want their money in due time, yet they are in a better position to wait for it than the employees are. Coming from my county the other day, I met the paymaster on the 3rd of July, and he was then paying the men for the month of May. That is entirely too long to defer payment, and I am sure that the Minister will endeavour to have the regulations changed so that these employees will be paid in proper time.

Mr. GIBSON. I also received a complaint of a similar nature, but not so grave as the one mentioned by the hon. gentleman (Mr. Bergeron). Instead of the pay day being as heretofore on the 15th of each month, it was delayed in some cases to the 20th and 26th of the month. Any one engaged in public works knows that if you have not a regular pay day on which the men are paid, that the creditors come down on the men and cause them considerable trouble. The result of this delay is that sometimes these men, in order to meet their indebtedness, are obliged to sell their time at a sacrifice. I always paid my men on the 15th of the

month, and speaking from fifteen years experience, I can say that in all that time, I was only once obliged to pay on the 16th, and that was when the 15th of the month happened to be on Sunday. This is a matter of great moment to the working classes. The Government should have a regular pay day for employees on canals and railways, just the same as private individuals have. I am quite sure, when the attention of the Minister is called to the fact that men are sometimes obliged to sell their pay at a large sacrifice, he will see that the employees are regularly paid on a fixed date and thus avoid the trouble.

Mr. HAGGART. The matter has been brought to my attention before this, and from inquiry in my department I find that the pay rolls come up about the 5th of each month. They are never kept in my department longer than two days, and on the 7th they are generally sent to the Auditor General's Department. In that department there is an inquiry into the whole of the accounts, and if there is an objection to a single one of them, the whole of the pay rolls are returned to the department with a request that they be separated, and that those to which there is no objection may be requisitioned, and the others sent down to be corrected. That sometimes takes five or six days. There is no delay in my department, because the accounts are at once paid when we get authority to do so from the Auditor General. As to paying the men on the canals in cash, we tried that for a number of years, but it was liable to abuse and had to be stopped. Sometimes they never got their pay at all, sometimes the names of persons appeared on the rolls that should not have appeared on them, and we decided that all payments should be made by cheques, which is just as good and efficient as paying by money. We send the cheques to the individuals, and they can be cashed anywhere at their face value. That is the system that has been adopted. There has been no delay in the department. The delay arises, if anywhere, from the system of auditing.

Mr. GIBSON. I am glad to know that the fault does not lie in the department, because the hon. Minister knows the necessity of having the men paid promptly. But it seems to me that some change should be made, so that the men may receive their cheques or the money owing them on the 15th day of the month, if that is the Government pay-day. As there are fifteen days' pay in the hands of the Government, any errors made could be adjusted before the next pay-day. Then the men would be enabled to pay their accounts in turn, and not be left at the begging call of those to whom they owe money; because I know from past experience that on pay-day, on the line of a canal or a railway or other public work, every merchant who serves the men with goods is at the pay office ready to get what is owing to him, which is of course very

proper. But when a pay-day is supposed to be at a certain time, and it is departed from for five or ten days, it is unfair to the men. The parties to whom they owe money become uneasy after pay-day is passed, and oblige the men to give them security in some other way; so that in the long run the men suffer. For the credit of the Dominion, I think the men should receive their pay on pay-day.

Mr. BERGERON. The Minister is perfectly correct, and I hope he will put into practice what he has said. The lists are sent to Ottawa, on the second or third day of the month, and they are sent to the Auditor General's office; but where do they go in the meantime, since the money is only sent a month after? That is the missing link to be found, and I call on the Minister to find it. The Minister says the men are paid in cheques. I am afraid he is not correct in that, because the paymaster pays them in money placed in envelopes. Far from being opposed to that, I think the department should be congratulated upon it, because there are not banks everywhere, and it is much handier for the men to get their pay in money than in cheques. Since the time of the last paymaster there has been no complaint. If the men are paid by cheque they have to send some one perhaps fifteen miles to get their money. But the principal point is that the men should be paid promptly on the 15th of the month.

Mr. HAGGART. The hon. gentleman is right in reference to the Beauharnois Canal; the men there at present are paid in money by the paymaster. But on nearly all the other works the men are paid by cheques.

CATTLE TRANSIT THROUGH CANADA.

Mr. MULOCK. Mr. Speaker, before the motion that you leave the Chair is submitted to the House, I desire to bring to its attention a matter of very great public importance, but for which I would not at this late period of the session intrude upon the time of the House. The question to which I wish to invite the attention of the House is the position of the Canadian cattle trade with England by reason of the Imperial Government having scheduled Canada, as it did in the month of November, 1892. I propose to trace as briefly as the circumstances will allow the history of that scheduling, and to see whether it is reasonable to place the responsibility upon any persons, and, if so, upon whom. Now, Sir, allow me to say, for the information of any hon. gentleman who may not be familiar with the facts, that in the year 1878, I think it was, Great Britain scheduled the United States. Of course, all hon. gentlemen understand the details of the Act of the Imperial Parliament under which this scheduling takes place. It is commonly known as the Contagious Diseases Act, and it provides that the Imperial Government, if

Mr. GIBSON.

satisfied that cattle are sought to be imported into England which are either themselves suffering from disease, or which come from a country that is suspected or has actually disease in it, may schedule such country, which means that the cattle must either be slaughtered before embarkation or at the point of landing. The scheduling of cattle is, therefore, a most serious thing for the cattle trade, inasmuch as it prevents the cattle being kept alive until they are required for consumption, and their value is depreciated, from 1 to 2 cents a pound, or an average of about a penny a pound. The scheduling of United States cattle in 1878 took place because of the prevalence of pleuro-pneumonia in the United States. In the following year the Canadian Government desired that the Canadian railways might be permitted to carry American cattle from an American point through Canada to an American point again, without prejudice to Canada's position in England. It was manifest to the Government here, I presume, that, with the United States scheduled, it would be perilous to our position to permit the transit of American cattle through our country without that traffic being under regulations entirely satisfactory to the Imperial Government. In that view, and a wise one it was, the Canadian Government put themselves in communication with the Imperial authorities to see if it would be possible to arrive at a basis whereby the railways of Canada would be allowed to carry American cattle through Canada, and leave Canada still free from scheduling under the Act in question. At this time the present hon. member for Three Rivers (Sir Hector Langevin) was in England. I am not aware, nor is it material to determine, whether he went to England for the purpose of dealing with this question, or was there fortunately at the time. At any rate, he happened to be in Great Britain, and he put himself in communication with the Imperial authorities. He first presented a memorandum to them, setting forth such regulations as might be adopted, and as he hoped would be regarded as entirely satisfactory, to prevent the introduction of pleuro-pneumonia from the United States into Canada. Those regulations were submitted to the Imperial authorities, and after much consideration the Imperial authorities decided adversely to them. They decided that the regulations were not sufficient to meet the requirements, and it looked at the time as if Canada would be immediately scheduled if American cattle were permitted to pass through. When the Imperial Government refused to give permission, the then Minister, Sir Hector Langevin, renewed overtures, and proposed more stringent regulations. Those met with favour from the Imperial Government, and this trade of carrying American cattle through Canada to eastern points was not interfered with. Under those regulations the trade went on for some years, and about eleven years later

Canada was scheduled. I propose to show the arrangement that was made which satisfied the Imperial Government, and I also propose to show wherein that arrangement was departed from in a substantial, serious respect. In other words, I propose to show that the representations made to the Imperial Government, on which the consent of that Government was given to the traffic, were not lived up to but allowed to fall into neglect. They were practically abandoned. I propose to show that the Government deliberately neglected to carry out one of the crucial precautions, without which the Imperial Government would not have given its consent. And, Sir, I propose to show systematic neglect on the part of the Administration, or those charged with this serious public duty, and it will be for the House and the country to say whether the scheduling of our cattle which followed was the result of this neglect or whether it would have occurred under any circumstances. In order to induce the Imperial Government to give the consent in question, the Canadian representative wrote to the Imperial authorities that the cattle would all be inspected before they entered Canada. For the purposes of convenience, I may say that this traffic from the States entered Canada by the Detroit River at Sarnia and Windsor. In order to induce the Imperial Government to give this permission, the Minister then representing Canada in England, the present member for Three Rivers (Sir Hector Langevin), represented, first of all, that there would be a satisfactory inspection at the point of entry from the United States into Canada—not that these cattle were to be taken to Canada and there inspected, but were to be inspected on the American side before entering. That representation was contained in the document which secured the consent in question, and that undertaking was deliberately departed from by this Government a short time after, and departed from by the authority of the Minister of Agriculture himself. Another most material precaution in securing this consent was this. In the first memo. as to regulations submitted by the Minister to the Imperial authorities, precautions were suggested, but not represented as being finally determined upon by the regulations, because any one knows that regulations, however stringent, are absolutely valueless unless effective measures are adopted to see that the spirit of the law is enforced at every point; and in this case the whole success of this movement lay in attention to detail and having those regulations lived up to at every point from the time the cattle entered Canada until they left it. It was necessary, one can easily see, to make many provisions and to watch many details in the management of the traffic, which could hardly be the subject of Orders in Council or even printed regulations. Any one who notices at all the traffic in cars containing cattle, knows the danger that would be occasioned

were any of these details ignored; and accordingly it was represented by the document which secured the consent that the inspection would be made by competent veterinarians at the points of export into Canada, and that each train containing cattle would be placed under the control of a Dominion Government officer who was to watch that train from the time it entered Canada until it left. He was to see that it was not delayed on the way. He was to watch the conductor and the trainmen, to see they did not allow the train to stand on sidings adjoining other trains containing cattle, and to see that there was no communication between the cars and the outside world, because pleuro-pneumonia can be carried by human beings as well as communicated from cattle to cattle. He was to see that those cattle trains, the vans and cars, were so constructed, that the excrement from the cattle would be carefully prevented from dropping by the wayside. He was to watch that train until it entered the United States and then to see that the cattle train cars were cleaned and disinfected before they were returned to Canada. The Imperial Government knew well the difference between paper regulations and their enforcement, and therefore, while in their first dealing in the matter, they declined to grant this permission because there was no provision for the enforcement of the regulations, yet, when the subsequent overture was made by the Minister and the undertaking was given that every train should be manned in this way by a Government officer, an independent Government officer, one who was to watch and see that the trainmen did their duty, they gave the consent under which this traffic was carried on for some years. And, Mr. Speaker, I propose to show that that one great provision, without which this consent would not have been given, in the absence of which it was refused—I propose to show that never once did the Government enforce that regulation, but adopted a colourable and collusive system and deceived the Imperial Government for many years. I charge this, and I will prove it, Sir, by documents from the Department of Agriculture; I will prove that they grossly violated their pledge to the Imperial Government by having failed to appoint independent Government officers to see that the trainmen carried out the duty cast upon them under these circumstances. I propose to prove from documents in the custody of the Government—and all that I am going to prove I shall prove from records in the custody of the Government—that the precaution required of having the cars thoroughly cleansed and disinfected was neglected. I propose to prove that the system of inspection was, by the sanction of this Government, at least a colourable one, that such inspection took place with the sanction of the Government, under conditions that rendered it absolutely ineffective.

I propose to prove, Sir, that the Government sanctioned the inspection of whole train loads of cattle by night, and that for a long time, as they said, as high authority said, while they did not actually and affirmatively give sanction to that system of so-called inspection, they were officially blind to its existence. I propose to prove, Sir, that the documents which secured from the Imperial Government the consent in question represented to the Imperial authorities that no cattle should be allowed to come into Canada from the United States except those that were to be passed through in bond in the manner to which I have referred and cattle for breeding purposes. And I propose to prove from Government records that this provision was violated, and that thousands and thousands of cattle were imported into Canada from pleuro-pneumonia-affected districts in the Western States in express contradiction of the pledge which had been given to the Imperial Government and in consequence of which they assented to the railways having this trade. I propose to prove, Sir, that officers charged with the carrying out of regulations openly disregarded their duties and neglected to enforce these regulations, that one was suspended for a while and then re-instated, and that another officer who openly violated these instructions to the extent of giving blank certificates of inspection was continued in the service of this country for eight or ten years after he had acted in that manner. I propose to prove, Sir, that permission was obtained from the Imperial authorities that the cattle coming down through old Ontario and Quebec on the way to the Eastern States might be allowed to pass out of the car at a point called Lyn, provided proper regulations were lived up to at Lyn. What were those regulations? A couple of acres of land was to be enclosed in a fence; within a short distance outside of that fence was to be another fence. These fences were to be effectual barriers to exclude contact with outside cattle. The trains were to be allowed to enter this enclosure and to be locked in and the cattle might then be allowed out of the train for water and fresh air. But the manure from the cattle was to be effectually and safely disposed of. I propose to prove, Sir, that the fencing was allowed to fall into a state of dilapidation and that instead of the manure being disposed of safely by destruction or other means, it was given to the farmers of that district to fertilize their land, and that anthrax and perhaps other diseases were the result of it in the district in question. Mr. Speaker, I may, in the course of the evidence I give, prove a great many more things, but these, at all events, are points which, I think, will be worthy of attention on the part of those who may feel charged with the duty of trying to argue them away or disprove them. Now, Sir, to cite such evidence as I have. I speak of this because I am obliged to apolo-

Mr. MULOCK.

gize in advance for the length of the documents I shall have to read. They will be uninteresting in themselves, but still not the less effective I trust. I stated in advance that the first overture made to the British Government for permission were not acquiesced in in advance by the Imperial authorities. Let me prove that statement. I read now the memorandum that was submitted by the Canadian Minister in question to the Imperial authorities, on the 25th day of April, 1879. This is from Sir Hector Langevin :

(*Memorandum*)

25th April, 1879.

The undersigned as representing the Government of Canada has learned with concern the improbability of the consent of the Imperial Government being obtained to the reception upon the same terms of Canadian cattle, of cattle shipped from the United States through Canada via a Canadian port. But while regarding this result, the Canadian Government will highly appreciate the interest displayed by the Right Hon. the Privy Council in considering the question and endeavouring to reach such a solution of it as would relieve the cattle trade of Canada from the heavy loss entailed upon it by the present order of things.

Assuming therefore that the proposal heretofore under discussion cannot be further pressed on the consideration of the Imperial Government with a reasonable expectation of its acceptance, the undersigned venture to submit a suggestion which if acted upon will effect an important and most desirable improvement in the condition of the carrying trade in Canada without infringing the Imperial Statute and without incurring any risk of transmitting the disease either to Canada or to this country.

The cattle carried by the Canadian railways may be divided into three classes : those which are imported; those which are intended to be shipped from Canadian ports, and those which only pass through a part of Canada in their transit from some point in the United States to some other point in that country.

The proclamation of the Canadian Government prohibits the entrance of cattle from the United States for any of these purposes, but it is obvious that there is a wide distinction between a mere transit across Canada from one point in a foreign territory to another, and shipments of foreign cattle from Canadian ports.

It is to the latter class of transaction that the proposal of the Canadian Government was more directly applicable. But with regard to the transit of cattle, the undersigned venture to submit that it would not be necessary to schedule Canadian cattle merely because of such transit, provided effectual precautions be taken to prevent the possibility of contagion from the animals when in transit.

The Railways by which this transit takes place are :—

- The Grand Trunk Railway of Canada.
- The Great Western Railway of Canada.
- The Canada Southern Railway.

The cattle trains of the Grand Trunk cross the Detroit River by a steam ferry, and passing through by a port in Canada reaches the Eastern

ports in the United States by way of the Victoria Bridge, near Montreal, crossing the frontier at a point about 40 miles from that bridge, and about 500 miles from the Detroit River.

The Great Western and Canada Southern Railway trains cross the Detroit River in a similar way, but only traverse the frontier of Canada lying between that point and the Niagara River, a distance of about 150 miles. These journeys are all performed continuously. The cattle are landed in the United States in closed vans called cattle cars prepared for the purpose. They enter Canada in these vans, and they remain in them until they reach their destination, being fed and watered in them, and not being removed from them on the way for any purpose whatever, and it seems plain that if their transit could be so regulated as to prevent the possibility of contact, directly or indirectly with Canadian cattle, there would be no ground for placing Canada among the countries scheduled merely because of such transit.

The undersigned is unable at the moment to lay before the Right Honourable the Privy Council any complete plan for such regulation of transit, but it appears to him that it might be effected by adopting some such precautions as the following :—

1st. That steps be taken to ensure the retention of the animals in transit in the cattle cars from the time they enter Canada till after they have left it.

2nd. That a plan be adopted for separating the cars used for the transport of foreign cattle, from those to be used for the movement of cattle from one point in Canada to another, and for preventing those used for the former purpose from being applied to the latter.

3rd. That means be adopted for preventing the manure of the cattle in transit from remaining in the country, or for destroying it in some effectual manner.

But the undersigned does not suggest these precautions as constituting the precise system of prevention which the Canadian Government would adopt to guard against any evil effect from the proposed transit. That subject would require and receive the careful consideration of the Canadian Government, and a system would be devised for the complete isolation of cattle in transit, which would comprise any addition the Imperial Government might deem necessary to impose, and which would be made efficient and satisfactory in every respect.

And the undersigned would remark the anxiety of the Government of Canada to prevent Canadian cattle from the possibility of infection is as great as that felt for the protection of British cattle by the Imperial Government; that it would insure the most careful attention to every precaution against the possibility of such infection, and the interest of the Railway Companies would also obviously lie in the same direction, as stoppage of the trade would be the penalty of any neglect of its conditions.

The undersigned therefore trusts that the Imperial Government may be satisfied that the passage of foreign cattle through a part of Canada subject to a proper and efficient system of isolation will not render it necessary to place the Dominion under the operation of the Statute, and in that case a new proclamation prohibiting the importation of foreign cattle into Canada, and their entrance into Canada for transit, except upon the

conditions to be established, and making any requisite modifications of the terms of the existing proclamation which terminates on the 1st May next, would at once be issued and steps would be immediately taken to arrange the conditions and mode of the transit in a manner satisfactory to the Imperial Government, and to enforce with exactness every precautionary measure that may be decided upon.

(Signed,)

HECTOR L. LANGEVIN.

ALEXANDRIA HOTEL, HYDE PARK,
LONDON, W., 5th April, 1879,

Now, Mr. Speaker, those proposals were not presented in the form of an obligation. The Imperial authorities considered them, and having considered them, they gave their answer, which I will now read. It is a letter from Mr. C. L. Peel, Secretary of the Privy Council, to Sir Hector Langevin :

VETERINARY DEPARTMENT, PRIVY COUNCIL
OFFICE, 44 PARLIAMENT ST.,
WESTMINSTER, S.W., 2nd May, 1879.

SIR,—I am directed by the Lords of the Council to acknowledge the receipt of your letter of the 25th ult., enclosing memorandum on the subject of the transit of cattle from one part of the United States to another through Canada, in which arrangements are proposed for isolating cattle in transit in such a manner as to insure a complete security against, any chance of cattle within the Dominion becoming infected with disease. The adoption of those arrangements is proposed on the grounds that Her Majesty's Government would thus be enabled to continue the present system under which Canadian cattle are allowed to be landed without being subject to slaughter or quarantine under part 4 of the 5th Schedule to the Contagious Diseases (Animals) Act, 1878, and that at the same time an important improvement in the condition of the carrying trade in Canada would be effected.

This proposal has received the most careful consideration of the Lords of the Council, who have also had before them a suggestion submitted by Mr. Pope, through Sir John Rose, on April 21st, to the effect that under certain conditions the present restrictions on the introduction of cattle from the United States into Canada might be relieved.

Their Lordships observe that both these proposals proceed on the view that no contagious disease of cattle exists in the western parts of the United States, and that there is no movement of cattle from east to west (except in the case of expensive animals for breeding), and that therefore if the proposed transit were allowed there would be little or no danger of diseased cattle being brought into or moved through Canada.

I am, however, to point out to you that the action which the Lords of the Council can take, with reference to the importation of animals into the United Kingdom is strictly limited by the terms of the Act of Parliament.

The general rule which applies to all foreign animals (which term by section 5 of the Act includes animals brought from any country out of the United Kingdom) is laid down in the 5th schedule to the Act. Special animals can only be landed at a foreign wharf defined for that purpose by an

Order in Council and are not to be moved alive out of the wharf.

The provisions under which Canadian cattle are at present exempted from slaughter or quarantine are contained in part four of the same schedule, which provides that if, and so long as the Privy Council are satisfied with regard to any foreign country (that is, any country out of the United Kingdom) that the laws thereof relating to the importation and exportation of animals and to the prevention of the introduction or spreading of the disease, and the general sanitary conditions of the animals therein, are such as to afford reasonable security against the importation therefrom of diseased animals, then from time to time the Privy Council by general or special order shall allow animals or any special kind of animals brought from that country to be landed without being subject to slaughter or quarantine.

By the Foreign Animals Order as originally issued, animals from the United States and from the Dominion of Canada were admitted under the exceptional provision, but in consequence after the discovery of pleuro-pneumonia in cattle from the United States, the Lords of the Council were reluctantly compelled to withdraw the exemption accorded to cattle from that country, and the same course would have been adopted with regard to Canadian cattle but for the prohibitory order passed by the Dominion Government, February 1st of this year.

Application has been made to Her Majesty's Government by the United States Government for the restoration to the United States of the privilege to land their cattle under part 4, but under existing circumstances it has been found impossible to accede to this request, and the Lords of the Council have been unable to draw any distinction between different parts of the United States territory.

With reference therefore to the proposals now made on behalf of the Canadian Government, the Lords of the Council regret to have to inform you that if cattle from the United States are allowed to pass through Canada, they would not be justified under the Act of Parliament in continuing the exemption from slaughter at the port of landing, which has been hitherto extended to the Canadian cattle.

I am, sir, your obedient servant,

(Sgd.) G. L. PEEL.

HECTOR L. LANGEVIN.

True copy,

(Sgd.) HECTOR L. LANGEVIN.

That is directed to Sir Hector Langevin. Here you will observe that the regulations did not meet the requirements of the Imperial Government. I will now read a communication from Sir Hector Langevin, which was more successful, as a result of which consent was given, and it will be then for the House to say whether the representations and the undertakings involved in this document, have been made good by the Government of Canada. This is the letter from Sir Hector Langevin to Mr. Peel, secretary of the Privy Council:

Mr MULOCK.

ALEXANDRIA HOTEL, HYDE PARK,
LONDON, 5th May, 1879.

SIR,—I have the honour to acknowledge receipt of your letter of the 2nd inst., (No. 61702) with regard to the proposals laid before the Lords of the Privy Council, one respecting the importation of United States cattle via Canadian Ports, the other respecting the transit of United States cattle through a portion of Canada. I have to express my gratification at the careful consideration which they have received from their Lordships, and I am emboldened by the desire which it is apparent is entertained by their Lordships to meet the wishes of Canada if they can do so under the terms of the Contagious Diseases (Animal's) Act, 1878, to lay before their Lordships some further representations, which I venture to hope may induce their Lordships to reconsider their views upon one of these proposals. When I had submitted my memorandum of the 25th ult., I had become aware of their Lordships views against the importation of United States cattle via Canadian Ports, and I was prepared for the decision upon that point, conveyed in your letter, and I propose to confine my present remarks to the suggestion that subject, to proper precautions, Canadian Railway trains might be permitted to traverse a part of Canada loaded with United States cattle. I observe by your letter, and by part 4 of Schedule 5 of the Contagious Diseases (Animal's) Act, that the continuance of the privilege allowed to Canadian cattle depends upon the question whether in the language of the Schedule: "The laws thereof relating to the importation and exportation of animals, and of the suppression of disease and the general condition of animals therein, are such as to afford reasonable security against the importation therefrom of diseased animals."

I am aware that unless I can show that the laws of Canada with regard to the transit of cattle are satisfied, I cannot hope to obtain any relaxation of the existing system, and I now venture to trouble their Lordships in the hope that a more full knowledge of the circumstances connected with the trade, and of the freedom from danger with which it could be carried on, may induce their Lordships to reconsider the subject, and may enable them to reach the conclusion that the suggested modifications will not deprive our Canadian laws of the character they are admitted to possess.

As I had the honour to observe in the memorandum submitted—a carefully considered system of isolation could be adopted with regard to the United States cattle in transit, among the details of such a system might be included the inspection of the animals by competent officers of the Canadian Government, before the cars containing them were allowed to cross the frontier. If such inspection proved satisfactory, the Government officers might take charge of the train and proceed with it during its entire transit through Canada, in order to ensure the observance of all the prescribed rules. Each cattle car could be kept locked by the officer in charge, and as foreign cattle are dutiable, they would pass through in bond, and all the precautions provided by the Customs Department for the safe custody of goods through the country in bond would be adopted. The transit would only occupy a length of time varying from ten to forty hours. The trains are never stopped except for a few

minutes at stations to ascertain if the line is clear. The cattle are always fed and watered in the cars, and arrangements for these precautions could be easily made, if they do not already exist, by which such feeding and watering could be effected without opening the doors.

There would be no necessity for cleaning out the cattle cars during the period of their transit, and such cleaning would be prevented.

Such precautions as these, under the circumstances as explained, would be considered by the Canadian Government sufficient to prevent the transmission of the disease to Canadian cattle, and I beg their Lordships to believe that the Canadian Government are desirous of protecting their animals from infection much more because of the intrinsic importance of the subject within the country, than on account of any privileges as to their importation to which freedom from disease would entitle them. But it is precisely because the Canadian Government are satisfied that cattle may be carried in transit as proposed in my memorandum, without danger of contagion, that they have determined to prevent such transit if they can do so without interfering with the privileges their cattle already enjoys in English ports.

I would therefore respectfully ask their Lordships to consider whether the prohibition of the importation of foreign cattle into Canada, with the sole exception of such importation for the purpose of transit under proper provisions against infection does not constitute such a law in that respect as in the end of the schedule already referred to—"would afford a reasonable security against the importation from Canada of diseased animals."

If their Lordships should become satisfied that such a law would be sufficient, the existing prohibition would be continued after a further provision creating the only exception to its universality, namely, that cattle might pass from one point on the frontier to another subject to such conditions as might be imposed upon such transit from time to time by Orders in Council, and an Order in Council would be immediately prepared describing the nature and the details of the process of isolation, and containing in addition to the precautionary measures which the experience and knowledge of the facts would enable the Canadian Government to devise such further conditions as their Lordships might impose, and such order would be submitted to their Lordships and would be modified or amended in any respect according to their desire.

Under these circumstances I fail to see how any danger of infection to Canadian cattle could arise from permitting the mere transit of cattle, and it is only the infection of Canadian cattle which this country would have to fear, and no part of the cattle so passing through Canada could by any possibility be shipped from Canadian Ports. And I would respectfully ask on these grounds a reconsideration by their Lordships of the decision conveyed to me in your letter.

I also observe in that letter reference to an application by the Government of the United States for the withdrawal of the Order made in respect of their cattle, as well as to the first proposal of the Canadian Government, and I observe that these two proposals and their rejection rest upon similar grounds, but it seems to me that neither of them has any bearing on the suggestion now made. It is true that all the applications rest in some mea-

sure upon the belief that contagious disease does not exist to any great extent in any part of the west, and not at all in many of the Western States, but although the existence of cattle disease in any part of the United States might render it necessary under the Act, to place all the cattle from that country in the same category here. I submit that it has a very different bearing upon the question whether or no, cattle from some parts of that country might be allowed to pass for a few hours through Canadian Territory.

It is understood that the disease may not be perceptible at the time of inspection, and may not develop itself for some time afterwards. But this fact cannot have much weight in respect of mere transit of cattle, as the periods during which they are upon Canadian Territory is so short, and as during that period it would be impossible for them to come into contact with Canadian cattle directly, or indirectly.

I trust therefore that their Lordships upon reconsideration may not find it inconsistent with the protection of the cattle in England, to concur in the suggestion contained in my memorandum, and I would venture to remark that no order of any kind would in that case be required to be made by their Lordships, as to the modified proclamation and the Order in Council would be part of the law of Canada in respect of the importation and exportation of animals, and their Lordships' present order would not require alteration, if their Lordships were satisfied in the terms of the Statute that such laws so modified "would afford reasonable security against the importation of diseased animals from Canada." I hope their Lordships will pardon me for recurring to the suggestion submitted in my memorandum, which I should not have done but for the earnest desire of the Canadian Government to relieve a trade so important as the carrying trade, in so far as may be done without danger to the agricultural interests of the country, nor without the conviction that their Lordships would gladly meet the wishes of the Government of Canada, if they were satisfied they could do so consistently with the law, and with due protection of English cattle.

I have the honor to be, sir,
Your obedient servant,

HECTOR L. LANGEVIN.

The answer of the Privy Council is as follows:—

VETERINARY DEPARTMENT, PRIVY COUNCIL
OFFICE, 44 PARLIAMENT ST.,
WESTMINSTER, S.W., 9th May, 1879.

SIR,—I have the honour to acknowledge the receipt of your letter of the 5th instant, containing the conditions upon which the Canadian Government would be prepared to insist in the event of their allowing the transit of animals by railway through Canada from the western to the eastern States of America, and requesting to be informed whether if such transit were permitted on these terms the Imperial Government would deem it necessary to make any change in the conditions under which the Canadian cattle are now admitted into the United Kingdom, and in reply, I am to inform you that the Lords of the Council considered this fresh proposal and the details of the stringent precautions which it has proposed to

adopt for the isolation of the cattle during transit under the personal supervision of a Government Officer, and they have arrived at the conclusion that so long as no diseases exist in the Dominion, and provided that the measures indicated in your letter are found sufficient to prevent the introduction of cattle from the United States into Canada, their Lordships would not think it necessary to make any change in the existing regulations.

I have the honour to be, sir,
Your obedient servant,
(Signed,) C. L. PEEL.

I presume when he used the words "introduction of cattle from the United States," he must have meant "diseased" cattle. To that letter Sir Hector Langevin replied :

Letter, Langevin to Pope.

LONDON, 13th May, 1879.

SIR,—The following is a copy of the letter which I addressed to the Lords of the Council on the 10th May, as mentioned in my last letter to you, viz. :—

SIR,—I have the honour to acknowledge the receipt of your letter (No. 61767) of the 9th inst., informing me of the decision of the Lords of the Privy Council that so long as no disease exists in the Dominion, and provided that the measures indicated in my letter of the 5th inst., are found sufficient to prevent the introduction of cattle (diseased) from the United States into Canada, their Lordships would not think it necessary to make any change in the existing regulations, &c.

Sgd. HECTOR L. LANGEVIN.

C. L. PEEL, Esq.,
Privy Council Office.

These letters indicated the basis on which this traffic was to be carried on, subject to the modification arrived at in the month of April, 1880. It appears that it was deemed necessary that the cattle should be allowed out when they were shipped via Montreal, and accordingly application was made to the Imperial authorities to consent to their being "untrucked," as the term is in the correspondence, at Lyn station, and that consent was given on the terms mentioned in his memorandum. The Canadian Government represented that they would adopt the following precaution at Lyn, if the Imperial Government would consent to the "untrucking there." This is the proposition of the Canadian Government to the Imperial Government :

The yard at the Lyn station in which it was proposed to feed and rest the cattle, comprised an area of over two acres, and was surrounded by a close board fence, 8 feet high. The trains would be taken directly into the yard through a gate by a special track, and the gate immediately closed and locked after their entry. After the feeding and resting the train would pass out to the main track going through another gate on the opposite side, which would also be immediately closed and locked behind them.

It is proposed to declare the yard used an "infected district" in the terms of the Act relating
Mr. MULOCK.

to contagious diseases of animals so as to prohibit under the penalties of that Act all intercourse with it.

The trains employed in carrying cattle in transit would be in charge of a Government Officer and the cars would not be allowed to be opened from the point of entry and that of exit, except under the special conditions at Lyn. Each car, moreover, used in this traffic would be registered and not allowed to be used for the carrying of Canadian cattle. The cattle would be subject to a very careful inspection before being allowed to be taken from the country.

The Imperial Government dealt with this in the following manner :—

Privy Council Office to the Colonial Office.

VETERINARY DEPARTMENT,
PRIVY COUNCIL OFFICE,
44, PARLIAMENT ST.,
WESTMINSTER, S.W., 17th April, 1880.

SIR,—I beg to acknowledge the receipt of your letter of the 15th inst., transmitting a paraphrase of a telegraphic message from the Governor General of Canada, on the subject of the transit of cattle from the United States through Canada.

Referring to my letter of the 25th October last, forwarding copy of correspondence which had taken place on this subject showing that the Lords of the Council agreed to the transit through Canada of cattle from the western to the eastern States of the Union, upon conditions laid down in Mr. Langevin's letter of the 5th May, 1878, but could not agree to the untrucking of cattle during transit. I am directed by the Lords of the Council to state for the information of Sir Michael Hicks Beach, that the Canadian authorities having proposed certain precautionary measures which appear to their Lordships to afford sufficient security against the introduction of disease into Canada, their Lordships have been pleased to sanction the untrucking of cattle during their transit from the United States through Canada at Lyn Station on the Grand Trunk Railway.

The conditions referred to are fully set forth in the enclosed extract from a memorandum on the subject.

I have, &c.,
(Sgd.) C. L. PEEL.

The Under Secretary of State,
Colonial Office.

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

After Recess.

MONTREAL PARK AND ISLAND RAILWAY.

House resolved itself into committee on Bill (No. 68) respecting the Montreal Park and Island Railroad Company.

(In the Committee.)

On section 3,

Mr. GILLIES. When this Bill was reported from the Committee on Railways, Canals

and Telegraph Lines on the 29th ult., I gave notice that I would, when the House resolved itself into committee on the Bill, move an amendment to this section. I now purpose doing so, and I suppose the committee will expect from me my reasons for adopting this course. I will briefly give those reasons, and if they will strike the committee as forcibly as they do me, I think they will have very little trouble in coming to the same conclusion as I have done. This company, called the Montreal Park and Island Railway Company, was incorporated in the year 1885 by the Quebec Legislature, with a capital stock of \$500,000; and the Act of incorporation provided that this capital stock could be increased to \$1,000,000 upon a majority vote of the shareholders. It was urged very strongly before the committee, of which I myself am a member, that this application should never have come to this Parliament at all, that the provisions, powers and franchises conferred on that company by the local Act were sufficient, and that any change sought for should have been applied for to the Local Legislature. However, that is neither here nor there; I mention it simply incidentally. This Act was passed, as I have said, in 1885, and was allowed to slumber for some length of time. In 1892 the Act was revived, and it was to begin to run from that date for five years. At that time the opponent of this Bill, a man of the name of Williams, of New York, came to the province of Quebec, and, in company with a man of the name of Albert J. Corriveau, obtained several franchises from the municipalities on the island of Montreal—Notre-Dame de Grace, St. Louis de Mile End, St. Geneviève, St. Laurent, Pointe aux Trembles, and some others, the names of which I do not now recollect. From these municipalities they acquired some very valuable franchises, such as the exclusive privilege of lighting them and total exemption from taxation for a period of thirty years. The incorporators under this charter came together and arranged that Williams and Corriveau should take their charter and build the road mentioned therein, and should receive therefor \$250,000 of paid-up stock in the company. There was an agreement entered into between Williams and Corriveau and the Montreal Park and Island Railway Company, a copy of which I hold in my hand, and which I will read to the committee, as it will throw considerable light on the transaction that took place between them. As I have said, Williams and Corriveau were to get \$250,000 of paid-up and non-assessable stock in the company for carrying on the work; and for the use of the charter they were to return \$25,000 of this stock to the company. In other words, Williams and Corriveau were to have \$225,000 net of paid-up stock in the company. A sale and transfer of these franchises from Williams and Corriveau to the Montreal Park and Island Railway Com-

pany took place, and the terms of that sale I will now read to the House:

BEFORE Mtre. William de N. Marler, the undersigned Public Notary for the province of Quebec, residing at the city of Montreal.

APPEARED:—

ALBERT J. CORRIVEAU, electrician, residing at Montreal, and WILLIAM S. WILLIAMS, residing at Montreal, of the first part, and THE MONTREAL PARK & ISLAND RAILWAY COMPANY, a body politic and corporate, duly incorporated by various acts of the legislature of the province of Quebec; having its principal place of business at the city of Montreal, herein acting by Michael S. Lonergan, advocate, the vice-president, and Maurice Perreault, architect, the secretary of the said company, both of the city of Montreal, and hereunto duly authorized by a resolution of the directors of the said company, passed at a meeting held at the city of Montreal, on the _____ day of May instant, whereof a copy, certified true by the said secretary, is hereunto annexed after being identified *ne varietur* by the signatures of the parties in the presence of the said notary, hereinafter called the "The Company," of the second part, who declared unto the said notary:—

THAT whereas the said Albert J. Corriveau has obtained for himself, his associates, successors and assigns, the franchises, rights and privileges hereinafter more particularly referred to.

And whereas the said William S. Williams is, as the said Albert J. Corriveau now declares, is sole associate in the said several franchises, rights and privileges; no other person being associated with him or owning any part, share or interest therein. And whereas in consequence the said several franchises, rights and privileges hereinafter referred to belong solely to them, the said Albert J. Corriveau and William S. Williams. And whereas they have agreed to sell, and the company have agreed to purchase, all said franchises, rights and privileges.

Now these presents and I, the said notary, witness:

That they, the said Albert J. Corriveau and William S. Williams have sold, assigned and transferred and do, by these presents, sell, assign and transfer unto the company, thereof accepting, the rights, privileges and franchises granted to the said Albert J. Corriveau, for himself, his associates successors and grantees, with reference to the construction and operation within the limits of the several municipalities hereinafter mentioned, of a system of tramways, and electric light, etc.:

1. By a by-law of the village of St. Louis du Mile-End, passed at a meeting of the municipal council of said village, held on the twenty-seventh day of March last, 1893.

2. By a by-law of the municipality of Sault-au-Récollet, passed at a meeting of the municipal council of the parish of Sault-au-Récollet, on the third of October last, 1892.

3. By a by-law of the municipality of the village Notre-Dame de Grâce West, in the county of Hochelaga, passed at a meeting of the municipal council of the said village, on the sixth of March last, 1893.

4. By a by-law of the municipality of the parish of St. Leonard de Port-Maurice, in the county of

Hochelaga, passed at a meeting of the municipal council of the said parish, on the twenty-fourth of April last, 1893.

5. By a resolution of the municipal council of the parish of Ste-Geneviève, in the county of Jacques-Cartier, passed at a meeting held on the twenty-second day of February last, 1893.

6. By a resolution of the municipal council of Pointe-aux-Trembles, in the county of passed at a meeting held on the thirteenth day of April last, 1893.

7. By a resolution of the municipal council of the parish of St. Laurent, county of Jacques-Cartier, passed at a general meeting held on the first of May, 1893.

Then there are three other municipalities which also published by-laws investing the same rights, privileges, and franchises in Messrs. Corriveau and Williams. The transfer goes on to state :

To have and to hold the same unto the company, its successors and assigns, and their absolute property from this date ; the said Albert J. Corriveau and William S. Williams hereby subrogating and substituting the company in all the rights and privileges, including exemption from taxation, conferred by the several by-laws.

The said Albert J. Corriveau and William S. Williams warrant that they are the sole owners of the rights, privileges and franchises granted by the several by-laws and resolutions, and that no other person or persons whomsoever have any interest, share or title therein, and that they have not done or omitted to do any act which could in any way diminish the effect of the sale and transfer hereby made.

I want the committee to pay particular attention to this.

This sale and transfer is thus made in consideration of two thousand five hundred shares fully paid up and unassessable shares of the company of the par value of one hundred dollars each, which the company have issued in accordance with the annexed resolution of their directors, and have delivered to the said Albert J. Corriveau and William S. Williams, as they acknowledge, and to their satisfaction, whereof quit.

The company are to pay the cost of this deed and of its signification whenever necessary ; for which purpose the bearer of an authentic copy is constituted the attorney of the parties.

That was a transfer of all those privileges and franchises conferred by the several municipalities of Montreal upon Messrs. Williams and Corriveau, and assigned by them to the Park Island Railway Company, in consideration of 2,500 shares, fully paid up, and unassessable stock of the company. The company passed, unanimously, at one of their meetings, a resolution, and this resolution is endorsed upon their minute book, as has been stated before the committee, and not contradicted. The resolution is as follows :—

Whereas the company has thus far not taken advantage of the privileges of its charter for railway construction, and it is now expedient that these

Mr. GILLIES.

privileges be exercised and availed of, and it is the intention of the company to lay out, construct and operate a system of railway to be worked by electric motor power or otherwise throughout the Island of Montreal ; and whereas of the capital stock authorized by the company's charter to the extent of five hundred thousand dollars (\$500,000) only the amount of eighty thousand dollars (\$80,000) has been issued or subscribed for, and the balance of four hundred and twenty thousand dollars (\$420,000) of the capital stock remains unsubscribed for, and it is expedient to sell and allot and issue the said unsubscribed shares by private sale as provided for in the Quebec Railway Act, incorporated in this charter, in order to obtain such concessions, privileges, advantages or promotion of enterprise and other capital as will enable the company to proceed with its construction contemplated as aforesaid. And whereas, Messrs. W. S. Williams and A. J. Corriveau have obtained certain franchises, rights and privileges from certain municipalities in the Island of Montreal for the construction of electric railways, etc., together with exemptions from taxes and other immunities as specified by them in a certain schedule submitted to this board, and the said parties are willing and propose to sell these rights, privileges and immunities to this company and receive in payment therefor unallotted stock in this concern, and it is expedient in the interest of the company to accept such offer in order to enable them to proceed with their work and fulfil the purposes of their charter.

Be it therefore resolved : That from and out of the said number and amount of shares of the capital stock of this company as authorized by its Act of Incorporation now remaining in the books unsubscribed for and unissued the number and amount of two thousand five hundred shares (2500) of the said stock be sold, allotted and issued to W. S. Williams, of the city of New York, in payment for and in consideration of the conveyance and transfer by the said A. J. Corriveau and him to this company of the rights, franchises and privileges enumerated in the schedule annexed and that the said two thousand five hundred (2500) shares thus sold, disposed of and transferred to said Williams by this company in payment of said franchises be and the same are hereby declared to be and issued as fully paid up and unassessable shares of the capital stock of this Company.

That resolution is coeval with the transfer from Messrs. Corriveau and Williams to the company, and it shows that these parties fully appreciated the value of the franchises conferred upon Williams and Corriveau by the different municipalities, when they were willing to give, in exchange, 2,500 shares of fully paid-up unassessable stock in the company. At the same date that this resolution was passed and this transfer made, this agreement was entered into :

Memorandum of agreement made and executed this ninth day of May, 1893 at the city of Montreal, between Honourable Louis Beaubien, Honourable J. R. Thibaudeau, Henry Hogan, Dugald Graham, M. Perrault, hereinafter called the parties of the first part, and W. S. Williams, of New York, and Albert I. Corriveau, of Montreal, hereinafter called the party of the second part.

Whereas the parties of the first part are and have been incorporators, promoters and directors of the Montreal Park and Island Railway Company, and in that behalf have devoted time and attention to the said enterprise and made and expended certain disbursements on account thereof, and are now the holders in the books of said company of one hundred (100) shares each of the capital stock thereof which shares of capital have not been fully paid up.

And whereas the said parties of the first part are desirous of disposing of their interests in and claims against the said Montreal Park and Island Railway Company to the said party of the second part, in consideration for the transfer to them and registration in their names in the books of the company a certain number of shares of fully paid up and unassessable stock and the said party of the second part willing to accept the said proposal and conditions.

Now therefore these presents witness:—

That the said parties of the first part have and do hereby transfer, convey and make over and dispose of all their rights, claims and interests to, in and upon the said Montreal Park and Island Railway Company to the said party of the second part for the consideration and price of fifty (50) shares each of the capital stock of the said company, which shares shall be fully paid up and unassessable and that upon receipt and transfer of the same from the party of the second part the parties of the first part shall transfer to the party of the second part or his nominee in trust or in such manner as may be necessary the hundred shares (100) of unpaid stock or only partially paid stock now standing in their names respectively for the purpose of being treated and disposed of as the board of directors may order.

And the said parties of the first part further place their resignations, as directors of the said company in the hands of the said party of the second part, to take effect and be accepted by the board at such time and place as the said party of the second part may direct; and they agree pending the acceptance of their said resignations to vote at such meetings of the board as may meanwhile be held in the manner and according to the wishes indicated to them of the party of the second part.

In presence of:

M. S. LONEGAN,	LOUIS BEAUBIEN,
W. S. WILLIAMS,	W. HOGAN,
ALBERT J. CORRIVEAU,	M. PERRAULT,
J. THIBAudeau,	D. GRAHAM.

Under that agreement, Mr. Chairman, these people commenced operations and built seven miles of the road, that is they built from Montreal to Sault Aux Recollets, and they made arrangements to have the whole system continued this year. And at that stage it was found that the venture was no longer in doubt—it was a paying concern. Then it was that the company made a demand on Williams telling him that he held too much of their stock, that he had too much control, and that he would have to assign some of it, alleging that he had paid no money for the stock. He held \$125,000 of stock, and it was contended that he paid no money for it. The answer of Williams to that, as given before

the committee was that this stock represented the franchises, and that the franchises represented so much money, and, no matter whether any money was paid or not, the franchises which were shown to be valuable by the fact that the company had every desire to get them, was sufficient consideration for the stock which was given to him and his associate, Mr. Corriveau—\$250,000. I think that is a complete answer to the allegation. Well, matters got so hot between them that Williams retired from the company, and the company is now being managed by themselves. Now the company comes before this Legislature and asks for this charter. Williams and his associates oppose it on the ground that their interest will be practically submerged if the capital stock is increased from \$500,000 to \$1,000,000. The parties opposed to this charter represent \$138,000 of paid-up stock, out of a total of \$287,000, or very nearly one-half. I submit the proposition to any legal gentleman in the House, and I think he will agree with me that if this charter in the first instance had been passed by the Federal Legislature with a capital of \$500,000 and if the corporators came back and asked for an increase in that capital stock to a million dollars, we would refuse to grant that privilege. We would immediately say: Consult the General Railway Act and you will see that the 37th section of it provides that the capital stock of any railway company may be increased at any time on the application of two-thirds of the shareholders to the Governor in Council. This company is precisely in the same position now as if the charter had been granted by this Parliament. The only argument alleged by the promoters before the committee—and it was really no argument at all—was that they want to have the capital in order to carry on the work, as they contemplated branching out in various directions. The answer of the opponents of the measure was: If you desire to have your capital increased, you have the power to increase it under the General Railway Act. By increasing this capital from \$500,000 to \$1,000,000 we shall be interfering with the vested rights of Williams and his associates, who, as I say, represent \$138,000 out of a total of \$287,000 of paid-up stock. The principle of doing justice to every man should guide us, no matter from what clime he comes. I think the committee will agree with me that it would be unfair that we should at one stroke of the pen, without any tangible reasons being given, make such changes that instead of representing one-half the stock they will only represent one-quarter. These are the reasons, Mr. Chairman, which induce me to move the following, seconded by Mr. Dickey:—

That clause 3 of Bill No 68, intituled "An Act respecting the Montreal Park and Island Railway Co." be amended by striking out the words "one million" and inserting in lieu thereof the words "five hundred thousand".

Mr. GIROUARD (Jacques Cartier). This is the first time I have had the opportunity of reading the papers which the hon. gentleman has read to this committee. There is no signature at the end of the supposed agreement. But, leaving that aside, I desire to call attention to the statement made in that agreement that the sale of these franchises to which the hon. member has referred or the acceptance of them by the company was authorized by resolution of the directors of the said company. It is very well known that the directors have no power to transfer \$250,000 of stock in favour of any one, unless the transfer has been sanctioned by the shareholders. If the hon. gentleman had quoted a resolution of the shareholders in favour of transferring to these two gentlemen, Messrs Corriveau and Williams, \$250,000 of stock, I could understand there would be some claim to that stock on their part. But as this resolution of the board has not been sanctioned by the shareholders—at least I do not find it sanctioned—the paper read to the committee has no value whatever so far as the assignment of the shares is concerned. Now, suppose that this resolution had been sanctioned by the shareholders, is Mr. Williams in a worse position to-day? By a local charter the stock is to be increased, not by two-thirds of the shareholders, but by the simple majority of the shareholders. You must notice, Mr. Chairman, that Mr. Williams is the only one of all the shareholders who is opposing this Bill; Mr. Corriveau, his partner, is in favour of it along with the other shareholders. About \$375,000 of stock is subscribed, \$125,000 is being held by Williams, and some \$12,000 or \$14,000 is held by some friends of his in New York. These facts were shown before the Committee of Railways and Canals. Consequently, even taking the stock subscribed to-day, Williams is entirely at the mercy of the majority of the shareholders. They may increase that stock, not by going to the Lieutenant-Governor of the province of Quebec, under a provision of the local law, by which the stock of railway companies cannot be increased, except by resolution of two-thirds of the shareholders, sanctioned by the Lieutenant-Governor. By this local charter the capital stock of the company is to be \$500,000, divided into 5,000 shares of \$100 each, with the right to increase such capital to \$1,000,000 when the majority of the shareholders shall so decide. Who are the petitioners before this House? They are the majority, and the large majority of the shareholders. If a two-thirds majority were required, it might have been a different thing, but the local charter requires only a majority, and when we ask that this stock be increased from \$500,000 to \$1,000,000, we are continuing the power which was granted to them by the local charter, and I would like to know upon what ground Mr. Williams can complain? He is in no worse position now than before. I may say a word or two about

Mr. GILLIES.

this proposed agreement of Williams and Corriveau with the company. The facts were investigated fully during two sittings of the committee. It appears that Mr. Williams was a New Yorker, and supposed to have a great deal of capital, at least at his command, if not in his own possession. Williams entered into an arrangement with Corriveau to secure the franchises of nine different municipalities, all located in the county of Hochelaga and the county of Jacques Cartier, which latter county I have the honour to represent. Do you suppose that Williams, a stranger, having no personal knowledge of the people, is the man who obtained those franchises? Those franchises were obtained by Mr. Corriveau. But where does the influence of Williams come in? Williams was supposed to supply capital to build the road, and consequently this supposed agreement was entered into giving \$125,000 to Corriveau as a reward for his services in obtaining those franchises, and \$125,000 to Williams because he supplied the necessary cash to build the road. But it will be said that there is no clause of that kind in the agreement. True, there is none; it was omitted by the shareholders. They supposed the necessary money would be found by Williams, and no one thought it was necessary to mention that in the agreement. But as soon as they found out that Williams did not have the money, the difficulty commenced. Williams was the general manager, and there was no trouble at all about the charter. I hold in my hand the minute signed by the secretary of the company, not a paper signed by a public officer, but a minute of a meeting of the board of directors, held on the 2nd February, 1894, at which were present R. C. Gault, D. Morrice, Henry Hogan, Hon. J. R. Thibaudau and others. Williams was present at that meeting as general manager. I find his name appearing here. He was asked to arrange with the trustees, and he reports. I find the fact that he was present at that meeting of the directors, on the very face of the minute of the proceedings. And what do I find at the end?

At the suggestion of Hon. Thibaudau, the directors considered the advisability of applying to the Federal Government, at its next session, for an act subjecting this company to the jurisdiction thereof, and to confirm and increase its powers, to extend its boundaries, to authorize the making of agreements with other companies for the use of their lines and bridges, and vice-versa, to define its bonding powers, to authorize—

I call special attention of hon. members to this clause—

—to authorize the issue of preferential shares, and for other purposes.

Mr. Williams says that he had no knowledge of this Bill before Parliament until it was introduced; but here is a resolution passed by a meeting which was held on the 6th February, 1894, more than one month

before the meeting of Parliament took place, at which meeting Mr. Williams was present, and at which it was agreed that the powers of the company should be increased to extend the boundary of the line through the county of Laval. Now, is it possible to extend a line of railway 70 or 75 miles in length and to make it 150 miles, without increasing the capital? Moreover, you find in that resolution that Mr. Williams had no objection even that preferential stock should be permitted. If you look at the Bill you will find a clause demanding that preferential stock should be issued. I myself asked the promoters to drop that clause, because I did not suppose it was fair to Mr. Williams. I have nothing to do personally with the company; I am acting in the interest of the public, and of my constituents who have an interest in this Bill. Williams was willing to have preferential stock, but he had a great objection to increasing the capital. Now, to be brief—because I know that the time for the discussion of Private Bills is limited—I will conclude with these remarks. We did come before this Parliament to get further powers, in the first place, because the company wished to extend their line beyond the Island of Montreal through the county of Laval, and to cross navigable rivers which are under the control of the Parliament of Canada. In the second place, we came to this Parliament to obtain a Federal charter because it is well known that in the money markets of the world it is considered better to be armed with a Federal charter than a local one, and as this company intended to issue bonds to the extent of \$15,000 per mile, they thought they were promoting their interests in asking for a Federal charter. In the third place, this company crosses the Canadian Pacific Railway at one or two points, and by the Railway Act of this Dominion it is declared that the moment a railway incorporated by a Local Legislature, or by this Parliament, crosses the Canadian Pacific Railway, the Grand Trunk Railway, and some other railways mentioned in the Railway Act, that company becomes ipso facto subject to the general Railway Act of the Dominion. In the fourth place, this company is asking also for power to make certain arrangements with the Montreal Bridge Company over the bridge which it is proposed to build between the city of Montreal and the south shore of the St. Lawrence, and for this reason it was thought better that the charter should be a Federal one instead of a local one. But my learned friend says: If you want to increase the capital stock, why not increase it as provided for by the General Railway Act? Now, we are asking that it should be increased as provided by the local Act, and why should we wait to get an Order in Council when Parliament is sitting? It is said we could go before the Governor in Council and that such was the intention of Parliament. No doubt when certain

powers are needed application should be made to the Governor in Council, but when Parliament is sitting it is the first authority to which to apply for the necessary powers. For these reasons I ask that the clause which was passed by the Committee of Railways and Canals, after full discussion, be adopted, and I hope this House will not disturb the conclusion arrived at by that committee without very good reason, and that the clause as passed will be allowed to stand.

Mr. LISTER. The hon. gentleman who has just spoken puts his claim to have this Bill carried by this House, or the amendment the hon. gentleman rejected, on this ground, among others, that the Bill is one of very great importance to his constituents. I have no doubt that the Bill is of some importance to his constituents; but no matter how great that importance may be, I respectfully submit that ought not to carry any weight if thereby any possible injustice will be done to any individual in this country. The hon. gentleman said he had no interest in the Bill. I do not intend to controvert his statement in that respect, but I would remind him that before the committee he acted as the promoter of the Bill and actively advocated it.

Mr. GIROUARD (Jacques Cartier). I beg your pardon. There were two lawyers representing the Bill. I have no interest as a lawyer in it or as a shareholder in the company, and I appeared simply as a member of the House.

Mr. LISTER. I accept the hon. gentleman's statement.

Mr. GIROUARD (Jacques Cartier). I never made any other statement.

Mr. LISTER. The hon. gentleman did more talking before the committee than did the two lawyers.

Mr. GIROUARD (Jacques Cartier). That may be. I talk a great deal more when I am not paid than when I am paid.

Mr. LISTER. There is one remarkable circumstance connected with this company. It was incorporated by the Local Legislature of Quebec. Whatever the rights the company have obtained they have obtained from that Legislature, and for some reason, which the hon. gentleman has not made perfectly clear, the company now appear before this Parliament for the purpose of obtaining power to increase the capital stock of the company. I would also state to the House that this Bill was before the Railway Committee one day; it was fully discussed before that committee, and the very section we are now considering was rejected by the committee. What was asked by the promoter of the Bill was refused by that

committee; but the Bill not being passed on that day, the hon. gentleman and his friends appeared before the committee on the following day, and obtained a reconsideration of what the committee had decided, and by a majority of five members the action of the committee was revoked, and the capital stock of the company was retained at one million dollars, as appears in the Bill. What are the facts connected with this Bill? Mr. Williams, through his own efforts, succeeded in securing what he considered valuable franchises from different municipalities in and around the city of Montreal. The other gentleman who took up the scheme considered the rights he acquired to be equally desirable, and it was agreed that on consideration of his surrendering those rights he should receive \$125,000 of paid-up stock in the company. That was the position he held. Hon. gentlemen will remember that it was never intended, it is not now intended, that the road should be constructed out of money paid by the people who subscribed the stock; out of the \$300,000 odd of stock subscribed, not one dollar had been paid in cash, but \$300,000 of stock were issued by the company.

Mr. GIROUARD (Jacques Cartier). I think the hon. gentleman is mistaken. Facts to the contrary were given before the committee. It is true that \$250,000 of stock obtained by Corriveau and Williams were not paid.

Mr. LISTER. Nor any of the other.

Mr. McLEOD. I think the hon. gentleman is right; the other was in bonds.

Mr. LISTER. Those acquiring the stock have never paid one dollar of consideration for it. They are taking it from this man who worked through long years for comparatively nothing for the purpose of securing those franchises. They are depreciating the value of this stock at least 50 per cent by the provision now sought to be put through this House. I said a short time ago that it was never intended that this road should be constructed out of capital stock. Roads are not usually constructed in that way now-a-days. The intention was, and the record shows it, that the road should be built altogether by a bond issue. The company have issued bonds for the construction of the road, and according to the report of their own engineer, the bonds which they had issued are more than sufficient to cover the entire cost. Let hon. members also bear this in mind, that it was not the intention of the company, and that it is not their intention now, to operate the road. They have leased the road to the Montreal Street Railway Company for a term of twenty-five years. That company is to operate the road; I may be mistaken in the name of the company to which the road has been leased, but they have leased it,

Mr. LISTER.

and that company is to operate the road mentioned in this Bill. The leasing company is to pay a rental to this company seeking incorporation, and the rental which they are to receive is to constitute the profits of the stockholders of this company. So that the matter stands in this position: that the rental is a fixed sum; upon \$500,000 it will be so much, say \$50,000 if you like, upon \$1,000,000 it will be only \$25,000. So that the effect of the legislation is to reduce the profits that the present stockholders will receive upon \$500,000 exactly one-half. The result of that must necessarily be to depreciate the security held by Mr. Williams to the extent of just 50 per cent. My hon. friend has read a resolution passed, he said, by the board when Mr. Williams was present. I remind the hon. gentleman that there is nothing in that resolution authorizing the increase of the capital stock of the company to \$1,000,000. If the men who are promoting the Bill are honest, why do they not subscribe this difference between what has been subscribed and half a million dollars, and then they would be in the position of holders of two-thirds of the stock of the company, and then they would be in a position under the law as it is to pass a resolution increasing the capital stock? But that is not the intention, that is not the wish, that is not the object. As the matter stands to-day, Mr. Williams holds more than one-half of the subscribed stock of the company, and those people could not go before the Governor in Council, because they could not represent that they are holders of two-thirds of the stock; therefore, they could not get, under the statutes of the country, an order approved by the Governor in Council to increase the capital stock of the company. And in order to get over that difficulty, they come before Parliament and ask Parliament to do what they have no right to do under the laws as they exist to-day. I do not know Mr. Williams; I do not know any of these parties. I came into the committee-room on the second day of the discussion of this matter, and was amazed to find hon. gentlemen going there—perhaps they were not invited to go or urged to go—in sufficient force to revoke a solemn decision given the day before, in the interests of a clique whose object is to get over the law as it is now; whose object is to evade subscribing and becoming responsible for the stock they might subscribe for, and who come before Parliament and ask Parliament to do something they dare not ask the Governor to do, because there would be no authority for it. Mr. Chairman, I feel that, notwithstanding the interests of Montreal, notwithstanding the interests of the other gentlemen who are interested in this road, I feel that this House would be stultifying itself, and that the committee would be stultifying itself, if it allowed this matter to pass without a protest on the part of hon. mem-

bers. If the effect of this legislation is to depreciate if not entirely destroy the security or the property of this man Williams, I care not who may be interested, I, at all events, shall protest against it by my voice and by my vote. It seems to me, Sir, that there cannot be two sides to this question. It seems to me that this is a device on the part of certain individuals to get for themselves what they are not entitled to, and the consequence of which will be the injury of some other person whose rights we are bound to protect. Therefore, Mr. Chairman, I say again that I do think that the amendment of my hon. friend (Mr. Gillies) should be adopted, the facts being that those who are promoting this Bill do not want this capital for construction, because, if they honestly wanted capital for construction, instead of a million dollars it would be two or three million dollars. The object is apparent to anybody, who gives it any attention, that it is to get rid of the law as we have it at present, and to enable them to do what the statutes of this country do not permit, namely, to increase that capital stock to such an extent as to submerge a man who probably holds all that he is worth in the world in it, and thus ruin him. I cannot believe that this House will approve of the action of the committee in revoking their decision of the day before in this matter. I do not believe that this House will approve of it. At all events, I feel that I shall have discharged my duty by opposing it, and giving the House what information I have upon the subject.

Amendment agreed to : yeas, 69 ; nays, 59.

Mr. GIROUARD (Jacques Cartier). Mr. Chairman, before you proceed any further with the Bill I will take a little off the work of the committee. I ask permission to drop the Bill, and I ask also that a report be made for a remittance of the deposit. We have a local charter which enables us to increase the capital from \$500,000 to \$1,000,000 by a simple resolution of the board, and I think we can get along with that.

Mr. LISTER. I doubt whether the hon. gentleman has a right to withdraw the Bill.

Mr. GIROUARD (Jacques Cartier). Do you want to force it on us if we do not want it ?

An hon. MEMBER. The time for private Bills has expired.

Committee rose.

CANADIAN CATTLE TRADE.

Mr. MULOCK. Mr. Speaker, when you left the Chair at six o'clock I had concluded that branch of the case which I am endeavouring to present to the House by

trying to make perfectly clear the terms upon which the Imperial Government granted its consent to the transit of American cattle through Canadian territory. Now, I propose to proceed to give some evidence to the House to show that the representations made to the Privy Council in England have not been lived up to by the Canadian Government. The first document I read is a letter from the Deputy Minister of Agriculture to Dr. Wright, veterinary surgeon at Detroit, declaring the terms upon which he was appointed, and setting forth his duties. This letter is dated the 27th of April, 1880. After saying that Dr. Wright has been recommended for the position by Mr. Patterson, M.P., the Deputy Minister goes on :

Your duties will be to inspect such cattle—

That is, cattle arriving at the port of Windsor for transit in bond through Canada to Fort Erie and Suspension Bridge—

when unloaded in the yard of the Great Western Railway Company at Detroit.

You will observe there the original instructions setting forth the department's understanding of the duties of the officer in question, wherein it is made clear that the inspection must take place, the cattle being unloaded. Well, Sir, the inspection took place at first in daylight, and I propose to prove that sanction was given by the Government to the alleged inspection taking place at night, and it will be for the House and the country to determine whether any such inspection could be of any practical utility. I therefore now read a letter, dated the 2nd of May, 1882, from the Deputy Minister of Agriculture to Professor Smith, the head veterinary surgeon employed by the Government :

I enclose you herewith confidentially a letter of Mr. J. C. Patterson, M. P., together with enclosure of a letter from Mr. Kingsmill to him, which you will please read confidentially and afterwards return to me as soon as convenient. It is desired to get a confidential report from you on the request, and the point to ascertain is whether the night inspection requested could with safety be performed. I may tell you further that such night inspection is made by Westell at Sarnia.

Westell being, I may say, a Government inspector in connection with this trans-Canadian trade at the port of Sarnia—

As Westell told me with his own lips, he did, and that he found it satisfactory, especially in the present state of things. No action has yet been taken either to stop Westell or to give instructions at Windsor to do the same thing. It is the strong desire of Minister not to take any step which would prove to be a hindrance to trade, but he does not desire to run the risk of any unnecessary danger.

I am now simply proving the departmental responsibility for the night inspection, which every person must know must have been a

perfect farce. On the 10th of May, 1882, Mr. Lowe, the Deputy Minister of Agriculture, writes to Mr. Stiff, of the Great Western Railway Company, Hamilton, as follows :—

In reference to that subject of allowing the inspection of cattle after dark, I write to you one line confidentially to say that Professor A. Smith, whom we have appointed our General Superintendent for Ontario, thinks that in the present circumstances this may be safely done. Professor Smith has therefore been written to request that the necessary steps may be taken to allow such inspection to take place.

Again, Mr. Lowe writes to Mr. Smith on the 10th of May, 1882, after some immaterial remarks, as follows :—

I submitted your letter of the 5th instant for the consideration of the Minister and he concurs in your views.

It is better, therefore, at once to take the necessary steps to let the G. W. R. Co. have their cattle inspected at night in the same way as at Point Edward so long as you consider this safe. Of course you will give necessary directions to ensure safety.

Then Mr. Lowe writes to Mr. Hickson, of the Grand Trunk Railway, on the 8th of January, 1883, as follows :—

The agreement as you are aware, was that the Department of Agriculture should appoint and be responsible for the sufficiency of these inspectors for the duties assigned to them. But you and Mr. Broughton, of the Great Western, agreed with the Minister of Agriculture that you should pay the salaries of these officers if the department appointed them, in order to have put into immediate effect a reluctantly granted permission by the imperial authorities to sanction the transit referred to. It happened that under the working of this arrangement some of your officers agreed with and induced Mr. Westell, V.S., the inspector at Point Edward, to work on Sundays and at nights by giving him an increase of salary in order to facilitate the despatch of trains. We, in the circumstance, certified the monthly accounts at the rate agreed, saying we have no objection to his working on Sunday, and holidays if he desired, but we gave no official sanction to the night work. We did, however, resolve not to take any notice of it as long as we knew there was no disease, retaining the position of being able to prevent it if any disease should come, for the reason that we were not satisfied of the efficiency of any possible inspection in the night.

The department were sanctioning a system of inspection, although not satisfied at the time with the efficacy of any system of inspection in the night. He goes on to say :

Mr. Broughton, however, instead of putting into practice the somewhat adroit action of your people kept writing to the department to ask us to give him permission to have inspections done at night. The only course open to us was to uniformly tell him it was impossible, nor could we especially in view of the representations which I had personally made to Mr. Peel and Prof. Brown at the office of the Privy Council in Whitehall, afford him any

Mr. MULOCK.

indication as to how he might get out of his difficulty. Eventually, however, and very recently he discovered the mode, and again, not with a view of avoiding departmental responsibility, but keeping ourselves free to act if required to do so, we referred the matter to Dr. Smith, of Toronto, our General Veterinary Inspector in Ontario, and he gave the required permission. With this explanation, which I could not make shorter to make it clear, I leave you to act as you think it well in relation to Mr. Wright's demand to be paid the same as Mr. Westell for the same kind of service. I will certify the larger amount if you desire it under the arrangement, but I cannot ask you to give it as a payment for night service, nor do anything more than to be simply officially blind to the fact of such service.

In that letter the department itself was satisfied that grave risks were being incurred ; and so it winked at the inspection, saying that instead of giving it sanction, the parties in the employ of the Government shall be officially blind. And as an illustration of the amount of work that had to be done, I just invite the attention of the committee to the absolute impossibility of any system of inspection such as this being in compliance with the understanding given to the Privy Council. At the commencement of this work, the Government ordered the inspection to take place after the cars were unloaded, in order, of course, that each animal might be overhauled and examined ; but now we find the inspection taking place at night. It appears from the figures I have read that the Grand Trunk and Great Western Railway carried 5,095 cars of stock, and that the Canada Southern carried 6,699 carloads. Of these 5,095 cars of stock carried by the Grand Trunk Railway and Great Western, I suppose if half of them came by Detroit, the veterinary surgeon there would have to inspect 2,500 carloads, representing probably 20 head to a car, or 45,000 or 50,000 head. And that inspection was to be done effectively in the dark, or at any rate at night. Well, the veterinary surgeon in charge saw the impropriety of this inspection going on without proper light, and he wrote this letter, dated 11th October, 1883, to the Minister himself :

When Professor Smith was here, last spring, he pointed out to the Grand Trunk Railway authorities the necessity of having proper lights provided for the inspection of stock at night. I have frequently spoken to the proper authorities to have his directions carried out in regard to the lights, but they intimate that they did not intend to put up the lights as he directed. Under the circumstances, I thought it my duty to say that unless the electric lights are provided, it will be impossible for me to satisfactorily carry out the regulations for the inspection of United States cattle intended for transport through Canada.

That letter was not acted upon, and Mr. H. B. Small, secretary of the Agriculture Department, wrote to Professor Smith, on the 15th October, as follows :—

I am to enclose you herewith a copy of a letter of the 11th instant from Mr. J. B. Wright, cattle inspector, Windsor, asking that lights be provided at night for cattle inspection purposes. I am to request that you will report to this department your views on the subject, and state if you deem it advisable that his request be carried out.

On the 14th of November, the inspector wrote to the Minister as follows :—

I respectfully beg leave to again call your attention to the necessity of directing that proper lights be provided for the inspection of United States cattle intended for transit through Canada. It is utterly impossible to make so satisfactory inspection as to ensure the interest against the danger the regulations are intended to protect. At best, inspection by artificial lights would afford but a minimum safety, and I question whether, under the circumstances, the night inspection should be continued.

Then, Sir, the Department of Agriculture wrote to Mr. Wainwright, and after referring to certain demands made by the inspector, Dr. Wright, the Deputy Minister goes on to say :

The case itself is not free from certain difficulties on the ground that inspection by night is open to question, and particularly in view of the fact that it is not practised in England. There is nothing in our agreement with the English authorities on this point, beyond the undertaking to make an effective inspection, and the probability of their understanding that this should not be done by artificial light. Against this view, we have the opinion of Professor Smith that the night inspection, as practised, may take place without danger, and it was on this ground and on Professor Smith's opinion that the original restriction made by the department was relaxed.

There is confirmatory proof that the department sanctioned night inspection.

There is the further point that the sanction of the Imperial authorities to this transit arrangement was given with great reluctance, and I do not think it is yet regarded with any favour.

Again the department write to Mr. Smith, in March, 1884, as follows :—

In addition to the official letter which I wrote you to-day, I may tell you privately that I heard from an M.P. that the inspection at Windsor and Amherstburg is quite pro forma. In fact my informant told me that the inspectors had given signed blanks to the railway company to send their cattle along.

I call your attention, Sir, to this statement, that on the 24th March, 1884, the department informed their veterinary surgeon that the inspectors were using blank certificates of inspection. Now, in view of that notice, what should the Government have done? They should have taken action to inquire or suspend, or dismiss, from the service all those found guilty. The very mildest treatment that could have been extended to any one guilty of furnishing blank certificates, after he had assumed the responsible posi-

tion of inspector, would have been to have had an immediate inquiry into the charge, and if any one were found guilty to dismiss him as unworthy of trust. Not only did the Government not do that, but they actually kept in the service of the Government for seven years afterwards one of the inspectors of whom they had that notice. Mr. Lowe wrote on the 29th March to Mr. Smith as follows :—

I wrote to you some time ago to ask your opinion respecting the continued importation of cattle, in transit from the western states, in view of the reported existence of foot and mouth disease in the west, and I also asked whether you considered it advisable or safe to continue night inspection.

Surely this is accumulative evidence to show that the department sanctioned night inspection. On the 31st March, 1884, Mr. Lowe wrote again to Mr. Smith, as follows :—

I have another letter from an M. P., who, however, does not wish me to give his name, to say that he is aware that the inspection at Detroit of the cattle passing in transit is of the most perfunctory and ineffective kind. His statement is of such a nature that it should be seen to.

No doubt it was a friend of the Government, then a member of this House, who gave that notice, and still no action was taken. On the 2nd of April the Department of Agriculture wrote to Mr. Smith again :

You do not write to me with reference to the question of night inspection. Of course if there is foot and mouth disease in the western states, this could not be thought of, and I may say to you that Dr. McEachran's opinion is against it. There is certainly the question of detaining a train at night, which would mean so much longer confinement of the animals. When Mr. Pope left, he told me to write you at once with reference to the night inspection, with the view of discontinuing it, but this was on the understanding that foot and mouth disease actually existed in the United States. Please write your views :—

Thus there were two experts opposed to night inspection, and yet the department chose to take all chances. There was foot and mouth disease in the western states, and Dr. McEachran was sent to investigate. On the 12th April, 1884, Mr. Lowe wrote to Mr. Smith as follows :—

Mr. McEachran is back and he informs me that it is undoubtedly true that foot and mouth disease prevails in Kansas, Missouri, Iowa and Illinois in an aggravated form. He has reason for not wishing this fact to be made public immediately, he having an understanding with some of the authorities of the United States, to let them make their own announcement. But I think it better to at once inform you in order that you may take such action as you think best with respect to the inspection. McEachran thinks the night inspection should be stopped at once. Mr. Pope also held this view when he went away on the reports that reached him in the newspapers of the existence of foot and mouth disease in the west. You will, of

course, take such immediate steps as are necessary for safety. Write me your views.

On the 12th of April :

I was indeed sorry to read your letter of yesterday *re* foot and mouth disease. I considered it important to communicate the fact to Mr. Hickson in view of his large interest and to A. Smith, of Toronto, with a caution as to the inspection. But to both confidentially as you requested.

We must not fool with this matter and I shall wait with interest your report.

Then Mr. Lowe writes to Mr. Smith as follows :—

You will receive with this an official letter containing a departmental order not to allow the night inspection of cattle. And this, of course, will remain until you are further advised or until the existence of foot and mouth disease in the western states is absolutely cleared. There is also a paragraph in the official letter referring to the strictness of the inspection and this is put in in view of the information which reached the department during this season of the fact that Dr. Wright was performing his duty in a perfunctory manner and actually, in some cases, giving signed blanks to be filled up. I do not report this to you officially as my informant for personal reasons did not desire me to use his name, but merely for the purpose of calling your attention to the allegations. Believe me, &c.,

Yours truly,

(Signed) JOHN LOWE.

On the 23rd April, 1884, the Department of Agriculture have notice that their official at Detroit is issuing blank certificates of inspection, and, instead of inquiry and, if found guilty, dismissing, there is simply a sort of comment made upon the fact in a letter to Mr. Smith at Toronto expressing the hope that he will see that Dr. Wright in Detroit discharges his duty. On the 25rd of April, 1884, Mr. Lowe writes officially to Mr. Smith as follows :—

I have an instruction from the Minister of Agriculture to inform you that in view of the reports that have been received from the western states relating to the presence of foot and mouth disease, it is considered advisable to suspend the night inspection.

And he gives the necessary orders to that effect. Then on the 23rd April, Mr. Lowe writes to the manager of the Grand Trunk Railway to somewhat the same effect :

MY DEAR SIR,—In view of the fact of the existence of foot and mouth disease in the western states, it has been considered necessary to give orders not to continue the inspection at night of stock.

In the absence of taking the more extreme step of cancelling the regulations which permit the transit, it will occur to you that it is necessary for us to cause a strict carrying out of the rules of inspection.

The step that is now found necessary to take will probably prove less inconvenient than it would have been during the shorter days of winter.

Mr. MULOCK.

If therefore you could give such directions as would ensure the arrival of trains within the hours of daylight it would be an advantage.

Then on the 6th of September, Mr. Lowe writes Mr. Hickson. Now, here I call attention to another branch of the case. As early as the 6th of September, 1884, the Government learn of the existence of pleuro-pneumonia in the United States :

The undoubted existence of pleuro-pneumonia now in Illinois, has imported a new fact into our relations with the Imperial Privy Council. It is desired not to injure this traffic any more than possible, but I am sure that a very strict observance of the regulations agreed upon will be the single condition of the continuance of the traffic ; if, indeed, the Imperial Privy Council will now agree to this.

Now, Sir, I will just say in passing that the knowledge that pleuro-pneumonia was prevalent in the United States was in the possession of the Government as early as 1884. Yet, with this knowledge in their possession, they allowed, year after year, thousands of cattle to be imported from the North-western States in Manitoba and the North-west and took no steps apparently to deal with that trade until warnings were sent to them by the Imperial Government as I will show you later on. Mr. Lowe writes to Mr. Hickson an official letter on the same date, 6th September, 1884, as follows :—

I am to inform you that authentic information has reached this department to the effect that the disease of pleuro-pneumonia prevails in the State of Illinois. This serious fact has, of course, an important bearing upon the arrangement respecting the transit of neat cattle by your railroad system from western to eastern points in the United States.

As a present and immediate step it is desired that the regulations which were agreed upon in 1880 should be with the greatest strictness carried out, and special instructions given to all those of your conductors who are also named officers of this department for the purpose of acting as guardians, to intensify as much as possible their observance of the duties under the printed regulations referred to.

Perhaps you will have the goodness to furnish to the department a list of the names of those of your conductors who are placed in charge of cattle trains.

Now, there, Mr. Speaker, you have the first intimation from the department—although I may say the fact is beyond controversy—that the guardians appointed by the Government to take charge of these trains were to be the conductors themselves, and on this point, if I could lay my hands on it, I could read the regulation of 1880 to that effect. I stated, Mr. Speaker, that at least one officer has been suspended for dereliction of duty and afterwards reinstated. I prove that by the following letter of the 21st of August, 1885, from J. Lowe to J. Hickson :—

I have to inform you that Mr. Westall, V.S., Inspector at Point Edward of cattle in transit

through Canada from west to east by your trains, who was suspended for inattention to duty will be reinstated on the 1st prox.

That is the way an unfaithful servant was treated. Well, Sir, in the year 1885, the inspection by night was resumed, under the authority of a letter from Mr. Smith to Mr. Lowe. He says in this letter which is dated the 28th August, 1885 :

I telegraphed you this A.M. that inspection may go on as formerly until further notice.

Then Mr. Wainwright telegraphed Mr. Lowe on the 3rd September, 1885 :

Understood from your message that Dr. Wright had received proper instructions. We had a serious detention during last night. Is this to continue? If so it will simply ruin the business through Canada.

On the 4th September, 1885, Mr. Lowe telegraphs Mr. Smith :

Wainwright, Grand Trunk Railway Co. telegraphed Dr. Wright again caused serious detention last night to extent of ruining this traffic in Canada if continued. Minister thinks you should give prompt order.

(Signed) J. LOWE.

On the 4th September he telegraphed to Mr. Wainwright :

Have telegraphed Prof. Smith sense of your notice this morning. He will see to the matter.

Just here I come to one of the departmental regulations, paragraph 12 of which I may read. It is one of the official regulations concerning the transportation of American cattle through Canada :

The company to furnish the Department of Agriculture with the names of the requisite number of persons, for the approval of the Minister of Agriculture, who shall act under his instructions as guardians of the cattle trains in transit from frontier to frontier, the company to pay the salary of the said guardians.

That is the way it led off, that the company is to send in the names of its guardians. Then as to the treatment of cattle in transit through Canada, the regulation provides :

The litter and droppings from the cattle in transit to Buffalo, to be carried across the frontier, and sufficient straw, saw-dust or other material to absorb the droppings, shall be carried with each car in all cases.

The object of this was, as I said some time ago, that no possible contagion might arise from anything that was left in the cars after the cattle had been unloaded in the States, and these cars were to be inspected and disinfected before returning to Canada. I will now read a letter from Mr. Slater, the Government inspector stationed at St. Thomas, to the Department of Agriculture, dated December 8, 1894 :

I beg leave to report that the G.T.R. Co. are hauling back empty live stock cars before the said

cars have been cleaned or disinfected, contrary to the restrictions in force by the Order in Council, cited as the Health of Animals Act, part 3, Transit of Animals in Bond.

That may appear an immaterial departure from the regulations, but any person will see that one of the main grounds on which the Government obtained the permit of the Imperial Government, was that this feature in connection with the trade, would be effectively guarded. On the 10th January, 1887, Mr. Hickson writes to Mr. Lowe explaining why the cleansing of the cars did not take place, and it is certainly a very mild explanation :

With further reference to your letter of 16th December, I beg to say that I have made full inquiry into the subject of your communication, and I learn that there have hitherto been grounds for complaint in respect of the cleaning of cattle cars returning east, but our people say that this was owing principally to the severity of the weather, it being almost impossible to clean these cars thoroughly at a low degree of temperature.

On the 8th December, Mr. Slater reports this neglect, when the temperature was scarcely low enough to warrant that explanation. But nevertheless that neglect of duty was a fair outcome of the action of the Government in failing to have an independent guardian in charge. In the meantime the Imperial Government, with more regard for our own interests than our own Government, had written through Mr. Stanhope as follows to Lord Lansdowne :—

I have the honour to transmit to Your Lordship herewith a copy of a letter from the Council Office enclosing an extract from the 'Mark Lane Express' of the 29th ult., respecting the importation into the North-west Territories of cattle from the United States. I have to request that you will communicate these papers to your Government, and request them to supply the information desired by the Lords of the Council, as to the precautions taken in Canada, to guard against the introduction into the Dominion of pleuro-pneumonia, which is alleged to exist in some of the western states.

I have, etc.,

(Sgd). EDWARD STANHOPE.

The enclosure was a letter from Mr. C. L. Peel, secretary of the Privy Council, as follows :—

I am directed by the Lords of the Council to transmit the accompanying extract from the 'Mark Lane Express' of the 29th November last, and to request that you will have the goodness to move Mr. Stanhope to cause it to be forwarded to Government of the Dominion of Canada, and that that Government may be asked whether the statement therein contained is correct, and if so, that their Lordships may be informed as early as convenient that precautions are being taken to guard against the introduction into the Dominion of pleuro-pneumonia, which is alleged to exist in some of the western states.

The enclosure is an extract from the 'Mark Lane Express,' referring to the importation

of United States cattle into the North-west. Again, on the 13th January, 1887, Mr. Stanhope, on behalf of the Imperial Government, directs another communication to Lord Lansdowne :

With reference to previous correspondence respecting the transit of United States cattle through Canada, I have the honour to transmit to you a copy of a further letter on the subject from the Council Office, and to request that the matter may receive the early attention of your Lordship's Government.

The copy of the further letter is as follows :—

In reference to previous correspondence on the subject of the transit of the United States cattle through Canada en route to United States ports, and to the untrucking of cattle in Canada for the purpose of feeding and watering, and also to the importation of cattle from the Western States of America, into Canada after a certain period of quarantine, I am directed to request that you will call the attention of the Canadian Government to the serious and important change in the present sanitary condition of stock in the United States as compared with that which was believed to exist at the time when the Privy Council sanctioned the importation and transit above referred to.

The recent outbreak of pleuro-pneumonia in Chicago and uncertainty as to the extent to which the disease may have spread in the western states, are circumstances which induce their Lordships to urge upon the Canadian Government the immediate importance of re-considering the whole of the present regulations relating to the importation and transit of cattle from the United States, on the strength of which animals from Canada are now admitted into the United Kingdom without being subject to slaughter or quarantine.

I am to add that their Lordships are advised that pleuro-pneumonia is the most insidious of all cattle diseases, and that it is impossible by any precautionary measures of quarantine or inspection to entirely obviate the risk of introducing it when cattle are imported from a country in which it exists.

Now, that letter asks the immediate attention of the Canadian Government to this question, for the reason that they had learned of the importation of considerable quantities of United States cattle that had passed through the pleuro-pneumonia-affected districts in the North-west. And, Sir, what do you think was the answer of the Canadian Government to that most considerate and polite request, which ought to have been taken at first as a most effective warning? Why, Sir, instead of it being dealt with immediately, it was not dealt with until the following September. It was referred to the Minister of Agriculture, the then Hon. Mr. Carling, and instead of inviting the Imperial Government to make suggestions wherein he might satisfy them, Mr. Carling, with the full knowledge of what was going on, allowed the importation of cattle to continue during that year. During the different years which I shall name there were

Mr. MULOCK.

imported the following numbers of cattle into the North-west Territories and Manitoba :

1881	Manitoba.....	2,310
1882	"	5,130
1883	"	1,480
1884	For ranching purposes...	10,847
1885	" "	2,810
1886	" "	10,510
1887	" "	13,521

Mr. IVES. Do you mean that those cattle imported into the North-west Territories and Manitoba were imported from the state of Illinois ?

Mr. MULOCK. There was no quarantine between one state and another. I say that pleuro-pneumonia existed in the western states, and Illinois is one of them. It is a disease that spreads by communication. The cattle came from a country where pleuro-pneumonia existed, and I doubt if there were any quarantine regulations confining cattle to their respective states, and I say that during the years following the numbers of cattle stated were imported from the United States—from what parts I do not intend to say—at all events from the western states, for no doubt they were driven over the boundary from those states. No doubt the hon. gentleman will know whether pleuro-pneumonia existed in Texas or not.

Mr. IVES. I admit that I know as much of the subject as you do.

Mr. MULOCK. Then that will enable the hon. gentleman to deal with it. The following cattle were imported duty free into the North-west Territories and Manitoba :—

		Total, Man. & N.W.T.
1881	North-west Ter	653 2,963
1882	"	2,588 7,718
1884	As settlers effects..	593 11,466
1885	" ..	609 3,419
1886	" ..	216 10,726
1887	" ..	37 13,558

In other words, during the periods when pleuro-pneumonia was known by this Government and by the Imperial Government to prevail in the western states, about 40,000 head of cattle were imported into our country, and during part of that time there were not the first details of quarantine adopted to guard against the introduction of the disease. I cannot prove that point more effectively than by reading from a document issued by the Department of Agriculture. It is entitled "Precis: Order in Council Regarding Quarantine Cattle Regulations." On page 3, I find the following :—

The Order in Council of September 1884, established cattle quarantine in Manitoba and the North-west Territories.

In parenthesis is the following memorandum :—

This order contained the first restriction of the free importation of cattle from the United States into Manitoba and the North-west Territories. Before its date there was as regards quarantine untrammelled importation.

I cite that admission as showing one of the gross violations of the compact entered into with the Imperial Government by the Canadian Government in order to obtain its consent. You will remember, Mr. Speaker, that at the commencement of my remarks I stated one of the conditions on which permission to carry on this trade was granted, namely : that except in regard to cattle admitted to be carried under the regulations approved of by the Imperial Government, there was to be no importation of cattle from the United States. But not only was that express stipulation disregarded, but for nearly four years there was not the first attempt made to inspect cattle or quarantine them, or interfere in the slightest degree with free importation. I departed for a moment from the correspondence to say that although the correspondence of the Imperial authorities warning Canada reached Ottawa in December, 1886, instead of the Government having at once taken effective measures to satisfy the Imperial authorities, they allowed the traffic to continue, and during 1886-87 the importation of cattle into the North-west Territories, contrary to the arrangement, exceeded in volume the trade of any previous year. But the Government themselves knew that they were approaching a very critical condition, for on 30th April, 1887, the Deputy Minister of Agriculture wrote to Mr. Hickson as follows :—

(Private and confidential.)

DEPARTMENT OF AGRICULTURE, 30th April, 1887.

MY DEAR SIR,—I think it well to tell you as a piece of information which I think you should know, we have received two despatches from the Imperial Government pointing out to us the fact of the existence of pleuro-pneumonia in the Western States, and calling our attention to the imprudence of allowing transit of American cattle through Canada. We cannot, of course, be blind to the meaning of those notifications, but they have not gone so far as to say that they will place us on the schedule list if we do not discontinue our present arrangements. I may say to you further, that we are quite aware of the kind of risks incurred in relation to the danger of introducing the disease I have named, among the herds of Canada, which, if it should happen, would mean a disaster implying the loss of many millions and also the schedule list for a sequel, which also means a difference of 1d. sterling or 2cts. a lb. live weight on all the cattle we ship. We are still of opinion, after the most careful consideration, that the regulations as respects such transit now in force are sufficient protection, the only weakness being a possible negligence of some railway official in not observing his rules, and thus opening the door to the admission of the most insi-

dious of all diseases. I have told Mr. Pope and Mr. Carling, Ministers, who take a special interest in this question, that we have the most absolute assurances from you of the rigorous observance of the regulations by officers and employees of your company ; and I feel sure that a communication of the facts in this letter to you will be of a nature to move you to increase, if possible, the rigour of the surveillance.

Believe me, etc.,

Yours truly,

J. LOWE.

J. HICKSON, Esq.,

G. T. R. Co., Montreal, Que.

Where was the Government guardian at this time ? How could negligence have occurred if the Government guardian, the officer whom the Canadian Government agreed to appoint and who was to be an independent officer, was discharging his duty ? Where was he ? He was but on paper. He was the paid servant of the railway company, he was the railway conductor, he was a man who depended upon the railway company. The people were unrepresented. I stated, Mr. Speaker, that this Government did not deal with the warnings given to them in December, 1886, until the September following, and let us see how did they then deal with them. The report of the Minister of Agriculture answers that question. The despatches of the Privy Council having been referred to him by the Canadian Government, Mr. Carling reports :

(Extracts from Report of the Minister of Agriculture.)

The undersigned has the honour to re-report on the accompanying references to him :

Despatch No. 514 G. Privy Council Papers.

“ 571 “ “

As respects a question in the letter of Mr. C. L. Peel covering an extract from a newspaper, The Mark Lane Express, dated the 29th November last, it is true that a considerable number of cattle from ranches in the United States Territories were admitted to the Canadian ranches during last year, under a special arrangement which has, however, been discontinued as has also the importation referred to.

As respects the remarks in the letter of Mr. Peel of 15th January last, inclosed in the despatch of Mr. Stanhope, herewith on the subject of transit of United States cattle, above referred and imported into Canada from the United States, the undersigned is of opinion upon careful consideration of all the facts and circumstances, that the Canadian Quarantine Regulations, as well as those having relation to transit, as those relating to importation are sufficient for protection of Canadian cattle from the danger of the admission of the disease of pleuro-pneumonia.

The undersigned respectfully recommends that His Excellency the Governor General be moved to convey the substance of the information in this report, to Mr. Stanhope ; in answer to his despatches referred.

The whole respectfully submitted,

(Sgd.) JOHN CARLING,

Minister of Agriculture.

Dept. of Agriculture,

Ottawa, Ont., 1st September, 1887.

That is the way they proceeded to satisfy the Imperial Government, who had a right to be consulted. I would venture to suggest that instead of terminating such a friendly communication by telling the Imperial Government that they were in error, that the wise way for the Canadian Government to do would be to continue negotiations and to promise that they would carry out the suggestions of the Imperial Government, if they had any to offer. Well, Sir, on the 7th December, 1887, Mr. Lowe writes Mr. Wainwright, of the Grand Trunk Railway, as follows :—

DEPARTMENT OF AGRICULTURE,
7th December, 1887.

DEAR SIR,—As requested in the correspondence forwarded by you to the Minister of Agriculture relative to the inspection of cattle arriving during the night on the western frontier, I have to inform you that an order has been sent to Prof. Andrew Smith, the chief veterinary inspector of this department for Ontario, instructing him to direct all the veterinary inspectors at the Ports of Windsor, Amherstburg and Sarnia not to make any detention of cattle at whatever hour arriving, but on the contrary at once to inspect them as was the case previous to the suspension of the practice by the departmental letter dated April, 1884.

Believe me, etc.,
Yours truly,
J. LOWE.

W. WAINWRIGHT, Esq.,
Grand Trunk Railway Co.,
Montreal.

After these warnings, after the Imperial Government had pointed out the prevalence of this disease, the Canadian Government with almost crass madness goes out of its way almost, in order to comply with the request of a railway company to resume this farce of inspecting cattle at night. On 9th December, Mr. Wainwright writes to Mr. Lowe :

MONTREAL, Dec. 9th, 1887.

MY DEAR SIR,—I have to acknowledge receipt of your letter of the 7th inst., in regard to inspection of cattle at frontier points, and I am very much obliged for the action that has been taken in the matter.

Yours truly,
(Sgd.) W. WAINWRIGHT,
Asst. Manager.

JNO. LOWE, Esq.,
Dept. of Agriculture, Ottawa, Ont.

This inspection goes on all the time at night or day whenever the cattle arrive, and on 7th of February, 1890, Mr. Lowe writes to Mr. Wainwright as follows :—

DEPARTMENT OF AGRICULTURE,
OTTAWA, 7th February, 1890.

DEAR MR. WAINWRIGHT,—I think it well to say to you that we have received an intimation from our Veterinary Officers that the regulations governing the transport of cattle in relation to the clean-

Mr. MULOCK.

ing and disinfection of return cars, are not enforced. It is alleged that cars are usually returned unclean and without disinfection, and further, the cars employed in carrying United States cattle are often to be found at way stations in Ontario, although they are marked with a large "V."

There is reason at the present time for increased stringency rather than any relaxation. It may become necessary, in order to prevent Canada from being placed on the schedule list in the United Kingdom, to prohibit altogether for a time, the importation of cattle into Canada. The Department is however of the opinion that the transit traffic may be allowed, if the regulations in relation to it are strictly enforced, but if they are not, and this privilege should be objected to by the Imperial authorities the railway companies would have themselves to blame if they lost the transit privilege.

Believe me, etc.,
Yours truly,
J. LOWE.

W. WAINWRIGHT, Esq.,
Assistant Manager G.T.R. Co.,
Montreal, P.Q.

There, Sir, the department admits that the regulation about cleansing the cars, so far as they are advised, is not being lived up to ; that these cars were being distributed throughout the country. We all know what railway companies will do if they require a car for a particular purpose, and there is one standing near by ; no matter who owns it, or what the regulations are connected with it, the station agent will immediately press it into service. If any of those cars that should have been set apart exclusively for this trade were left about the country, you may be perfectly sure that Canadian cattle were loaded upon them, and probably shipped to England. That could not have been the case if the regulation to which the Privy Council attached so much importance had been carried out. If the Government had appointed a competent officer he would have seen that these cars had come straight back from Buffalo, cleansed and disinfected, and incapable of harm, even if they should happen to be used for Canadian cattle. Well, Sir, on 17th February, 1890, Mr. Andrew Smith, the veterinary professor, visited Detroit. You remember that in 1884 the department had knowledge that Dr. Wright was issuing blank certificates of inspection, and Mr. Smith, happening to be in Detroit, makes a discovery, and he writes to the department as follows :—

SIR,—At the offices of the Detroit and Milwaukee road I got several blank forms signed by Mr. Wright, who made no secret of it, and stated that it was done to facilitate traffic, and whilst admitting that it was wrong to sign any blank forms he affirms that inspection was performed. His explanation is, that whilst inspecting at the Wabash yard there were also cars at the Detroit and Milwaukee road ; the forms were filled in ; the cattle sent over to Windsor, and he went direct from the Wabash yard to Windsor and made his inspection there.

I called upon Mr. McQueen, the agent of the Detroit and Milwaukee road, and asked him how he came to allow blank forms to be signed. I requested Mr. McQueen to give me a written explanation, which he has promised to do, and so soon as I receive it I will forward to you.

As to the removal of animals from the cars and inspecting in that manner, it would almost put a stop to traffic, and as Mr. Lowe is aware, some years ago it was decided to inspect cattle in the cars, and so far this method has been successful.

I have requested Dr. Wright to send me what explanation he has to make. I have written Mr. Lowe inclosing a letter of Dec. 31, 1883.

I am, Sir,

Your obedient servant,

ANDREW SMITH.

To the Hon. JOHN CARLING,
Minister of Agriculture,
Ottawa, Ont.

There, Sir, the department sanctioned the inspection of cattle, as they called it, by wholesale in the cars. Instead of the animals being unloaded before entering Canada, and inspected individually, the department sanctioned the inspection of them by the carload. And this, too, after the knowledge of the prevalence of pleuropneumonia. On February 18, 1890, Mr. Wright, the veterinary surgeon, writes to Mr. Smith, as follows:—

Frequently stock trains which do not stop at the yards, arrive, and are ready to be ferried over from each point at the same time, as it takes about half an hour to go from one point to another one boat will have to wait that time.

He goes on to explain in his own way why he issued these blank certificates, and he appears to justify it. He says he was obliged to wait on trains that landed cattle at two different points, as he was instructed by the department to facilitate traffic, he deemed it his duty to allow cars to cross the lines without inspection, and he tried to overtake them, and I presume he contends that he did overtake them before they went into the interior. On the 1st of March, 1890, Mr. Lowe writes to Mr. Wainwright in regard to the appointment of conductors as guardians, and I will read a passage of his letter to the House:

I send to you as requested by your letter of the 30th ult., one dozen of forms appointing your conductors in charge of trains carrying United States cattle in transit from west to east, from one United States port to another—quasi officers of this department. I also return you the copy of the form you inclosed as requested. Kindly send to the department the names of those conductors to whom you addressed this form constituting a special appointment for the purpose stated.

There you have the culmination of this negligence, the Government having in the first place gone through the form of inquiring the names of the persons to be appointed, and ultimately sending out the blanks to the

railway company to be filled up with the names of the persons the company chose, the Government exercising no supervision as to the fitness of those persons. In fact, the whole protectorate over this trade was abandoned by the Government in every respect, except in form. I will now read a letter of the 17th of April, 1890, from Mr. Lowe to Mr. Wainwright:

Adverting to a conversation I had recently with you in the department on the subject of the regulations for the transit of cattle by your trains, from west to east, I think it well to say to you that information continues to reach the department to the effect that the regulations which you established are not by any means being carried out, and this is in the face of the fact of the increasing stringency of the Imperial regulations and the distrust with which the transit arrangement has always been regarded.

How came it to be possible that there was continued laxity in the carrying out of these regulations, and at a critical time, when the regulations in England were becoming more stringent? The explanation is that the Government failed to require their representatives to see that they were being carried out. This letter goes on:

If you cause an examination to be made at Lyn you will find that that station is not by any means kept up to the agreement; on the contrary, the second outer fence, which was built on the stipulation to take a cordon of vacant ground around the inner board fence of the resting station for cattle is entirely dilapidated and in many places broken down, the object of this essential division being thus entirely defeated.

It was a part of the regulations to which you agreed that the manure and offal made within the inclosure should be removed and burned or otherwise destroyed on the spot. The department is informed that such manure is now used for fertilizing the neighbouring fields and it appears to be a fact that anthrax is especially and particularly prevalent in the locality.

And remember, Sir, that the Imperial authorities sanctioned this arrangement on the distinct representation made at the time that the fencing would be maintained so as to exclude all intercourse with the outside world, and that the offal would be effectually destroyed. On this point the county council of York happened to carry and to communicate to the department a resolution. Even they were more vigilant than the department. Mr. Lowe goes on to say:

The department was furnished a little while ago with a printed newspaper report, from Toronto, of the York county council in which a resolution was passed in the following terms:—

That, in the opinion of this council, it would be very injurious to the farmers of Canada for the Dominion Government to allow American cattle to pass over our Canadian lines for exportation to the old country; and that a copy of this resolution be forwarded to the Dominion Government.

The mover of the resolution is said to have said in support of it, that, American cattle are being

sent to the old country in the same cars and ships that Canadian cattle are sent in, it being a well known fact that there are many contagious diseases existing among American cattle.

There may have been inaccuracy in this statement, but it appeared to have been received by the Council as correct, and the resolution was passed by a large majority.

He concludes his letter by saying :

I am sure that if it be of any interest to your railway to continue these transit arrangements, very different attention will have to be bestowed on the strict carrying out of the agreed on regulations.

On the day that Mr. Lowe wrote that letter the Minister had knowledge that these regulations were not being lived up to. Then we come down to January, 1890, and on the 24th of that month Mr. Lowe writes, pointing out one weak spot. It appears that payments were being made by the railway company directly to the inspectors—of course, to their own officers, the conductors. Even the form of the inspectors being paid by the Government was departed from, they receiving their money from the railway company, and no doubt largely feeling that they were the officers of the railway company and not of the Government, and thereby, perhaps, often winking at the violations of the Government regulations. Not until the 24th of January, 1891, is that arrangement altered ; and then the railways are called upon to make their contributions for inspection directly to the department, and then the Government would remit the salaries to the inspectors themselves. On the 13th of April, 1891, Mr. Wainwright, of the Grand Trunk, writes to Mr. Lowe, as follows :—

With reference to the subject that we had so many conversations about, of cleaning through live stock cars, the Michigan Central Company and ours have now devised a plan, which I think will meet with favour at your hands, and enable us to perform the service more to your satisfaction. One of the regulations in connection with this business was, that the empty cars were to be cleaned out before being returned to Canada, which has compelled us to have the work done on the American side of the river. It has not, according to your reports, been altogether satisfactorily done, and I have been at work for some time to see what remedy could be applied to meet your wishes.

For eleven years this traffic had been going on, and they had not been able to devise a plan for its necessary protection. I now intend to conclude by reading a letter from Mr. Wright himself. I may say that this Mr. Wright was appointed in 1880 as veterinary inspector for the Government at Windsor ; but within two or three years after his appointment he got into collision with the Government ; and, reading the correspondence, I am free to admit that in one respect Mr. Wright seems to a very large extent to have mistaken his proper position. He was appointed, first of all, to inspect in
Mr. MULOCK.

the day time. When he learned that another inspector was being paid for night inspection, he made a claim for night inspection also. That claim led to friction and to some unreasonable requests on the part of Mr. Wright, and Mr. Wright is charged with attempting to blackmail by threatening to publish an account of the insufficiency of the inspection. I would not controvert that charge if made ; but he was continued in office after the transactions in question. In 1883 there was filed with this department an account by Mr. Wright, showing the perfunctory manner in which the work was being done, and this is the letter which he threatened to give to the press unless his demand for additional pay was complied with. That, of course, was a very improper attitude for him to assume, and I am not, for one moment, defending him in that particular. It does, to a certain extent, take away from the weight of his evidence ; but I must say this, that, if it amounts to anything, this letter, said to have been a blackmailing letter, was submitted to the Government. It had gone through the hands of the railway and had been threshed out before the Minister of Agriculture and his deputy, and all the authorities, yet instead of dismissing him, the Government continued him in their service. When they did finally dismiss him, it was not for cause, but only because they had come to the conclusion that the inspector should reside in Windsor and not in Detroit. It appears that Mr. Wright had followed the profession of medical practitioner in Detroit while acting as inspector for the Dominion Government. During many of these years, he was practising his profession as a physician in Detroit while filling the office of veterinarian to this Government ; and at last he was given the option of residing in Windsor and giving his whole time to this work, or else allowing the department to take his resignation for granted. It does not appear that he was dismissed. The Government wrote to him telling him that his attitude in regard to these demands for money rendered it impossible to continue him in the public service, and they asked him to tender his resignation. He, however, did not do so. This was in February, 1890, and he continued in office until August, 1891. He continued in office all the time from his original appointment in 1880, until August, 1891. Although there had been several collisions between him and the Government, although the Government were made aware that he was issuing blank certificates of inspection, they did not dismiss him for dereliction or neglect of duty or for having violated instructions. Not at all. This information came to the Government in February, 1890, and yet it was not until August, 1891, that they terminated his connection with the public service, and that was done by the following letter from the secretary of the department :

The Minister of Agriculture directs me to acknowledge your letter of 25th ultimo, in reply to

the departmental letter to you of June 20th last, on the subject of the reorganization of the cattle inspection service at Windsor, and to say to you that the statement in your letter is not a sufficient answer to the specifications contained in the departmental letter referred to, the receipt of which you have acknowledged. The Minister assumes that the answer in your letter constitutes in fact a non-compliance on your part with the specifications of duties required of you, as contained in the departmental letter referred to.

Therefore, he desires me to state, as a consequence, that your non-compliance with the specifications in such letter is a sufficient reason for not continuing your services as cattle inspector of the department, under the departmental letter to you of 27th April, 1890. The Minister directs me to notify you that your services as cattle inspector of this department will not be continued after the close of the present month.

That month was August. The letter of June 20th, 1891, which contained the specification, on compliance with which he could continue in office, is as follows:—

I am directed by the Minister of Agriculture to inform you that after a careful consideration of the circumstances connected with the inspection service at Windsor of animals passing through Canada from one United States port to another, the following decisions have been arrived at: It is not found to be advisable that a Canadian inspector of American cattle passing through Canada should reside in the city of Detroit and there carry on the practice of the profession of medicine in addition to his duties as veterinary inspector of animals. It is, therefore, decided to make a reorganization of the inspection service, under which all the officers will be required to reside at Windsor and attend daily at an office there to be opened, connected by telephone with the several railway offices.

No salary in the future will be paid by the railway companies, but by this department. It is further decided that a larger amount than \$1,200 per year will not be paid for this service.

You will be kind enough to inform the department, on receipt of this letter, whether you are prepared to comply with the conditions stated.

That was of course a clear intimation to him that if he were prepared to comply with these conditions, he would still continue in office. He did not comply, and left the service; and I will now read the letter which he had prepared some years before for the purpose of giving it to the public press, and it is fair to say, in connection with this letter, that after his demands were satisfied, or perhaps before they were satisfied, he wrote a recantation of this letter to Mr. Smith. I presume that Mr. Smith wrote to him that so long as the strained relations existed between him and the Government by reason of his threat to publish his letter, it would be impossible for him to receive the addition to his salary, and accordingly he wrote an unqualified withdrawal of the letter, and expressed his regret for the attitude he had taken. However, that does not get over the fact that the letter might contain the truth, and I now propose to give it

to the House for what it may be worth. I have taken all these papers from the Government record, and this letter is sworn to by Mr. Wright before a notary:

For some time previous to the 23rd April, 1890, United States cattle were not allowed to enter Canada. This prohibition was enacted in order to protect Canadian cattle, among which no contagious disease ever existed, from becoming infected by being brought in contact with United States cattle, among which contagious disease always exists to a greater or less extent in the different States of the Union, more especially among the cattle of the western states. And thereby to secure for Canadian cattle the English market free from quarantine regulations, to which the United States cattle and the cattle of nearly all other countries are subject, in consequence of the existence of contagious disease in the countries from which they are exported. This advantage to the Canadian stock raiser and shipper over those of other countries, can scarcely be estimated, considering the great yearly increase in the number of cattle exported from the Dominion, and the Government of Canada are fully aware that this advantage for the benefit of the Canadian farmer and shipper can only be retained just so long as Canada can show a clean bill of health as regards contagious cattle disease. By the prohibition of the transit of United States cattle through Canada, the Grand Trunk and the Canada Southern Railways interested in the export of western cattle to eastern markets, lost a large item of their trade, amounting in 1882, the second year after the transit was permitted, as shown by the report of the Department of Agriculture, to 11,238 cars, they (the railroad companies) represented this loss, which would be gradually growing greater as the trade increased, to the Canadian Government and succeeded getting the Government to enter into negotiations with the Imperial Government for the purpose of making arrangements to allow American shippers to send their cattle through Canada over the through lines of railway for the benefit of the said railways. Regulations were agreed upon, and an Order in Council was passed on the 23rd April, 1890, to permit the transit of the United States cattle through Canada, subject to such regulations, which are as follows:—

The cattle intended for transit through Canada should on arrival at point of export, and when unloaded, be examined during the hours of daylight by properly qualified veterinary surgeons to see if they were infected with contagious disease; if not, a certificate is given to that effect, signed by the veterinary surgeon, on which they are allowed to pass through Canada.

Second. That all cars used for the transit of the United States cattle through Canada should be thoroughly cleaned and disinfected before being used for the transit of Canada cattle, or before being put to any other use, and that the droppings from the animals found in the cars should be removed from all possibility of Canadian cattle coming in contact with them. These are the chief points insisted upon in the regulations.

Now keeping in view the present accepted germ theory of contagious disease in cattle, and the way in which they are spread and the great difficulty, even under favourable circumstances of detecting

an animal infected with contagious disease, it is perfectly plain to be seen by any person, that these regulations, and the best manner in which they can be carried out as a means to prevent the introduction of contagious disease into Canada, is perfectly absurd. Cattle intended for transit through Canada arrive at Detroit and Port Huron, the points of export, at all hours of the day and night. The inspector is notified when the train arrives; he goes out; walks along one side of the train; looks in through the door of the cars, and at the best times in the daylight, he is not able to see more than the feet of about half the cattle in the cars, and at night he makes the inspection this way by starlight, moonlight, or if neither chanced to be shining and is Egyptian darkness, he makes the inspection just the same and gives the inspection.

I think it is not too much to say that it would be just as reasonable to expect the clerk in the office where the weather probabilities are made out, to tell the colour of the eyes of the man in the moon with his telescope, as to expect a veterinary surgeon to detect one animal that might be infected with contagious disease among a lot of from one to five hundred all inspected in this way in about ten minutes. And the Government have not always employed properly qualified veterinary surgeons as the regulations required.

Previous to Mr. Mathew's appointment at Amherstburg, they employed a butcher, and during his (Mr. Mathew's) recent illness of two or three months, they employed a shoemaker to do the inspecting, when properly qualified veterinary surgeons offered their services.

As to the disinfecting of cars that have been used for the transport of United States cattle before using them for the transport of Canada cattle, or before putting them to any other use, is equally absurd. The cars are scraped out with a shovel, then washed with a few pails of water, or with a hose at some tank if convenient, and then a little whitewash in which a table spoonful of chloride of lime to the barrel of whitewash is mixed, daubed on the floors of the cars, after which they are considered safe for the transport of Canadian cattle intended for the English market. Since 1882, the Great Western Division of the Grand Trunk Railroad have never asked permission to take any of the cars used for through stock for local traffic, but I think they have used them indiscriminately for all purposes. I am informed that the agreement of the Canadian with the Imperial Government was that the inspection should be made only during hours of daylight and the regulations distinctly say that the inspection shall be made when the animals are unloaded, which is never done.

After the inspection of the stock was ordered at night by the Government, through Dr. Smith verbally, I wrote (October, 1883) the Government to say that as the animals could not be seen at night, that it was therefore, utterly impossible to make any inspection whatever. To this letter, I never received any reply. Recently, (5th March, 1890) speaking with Mr. Wainwright, assistant general manager of the Grand Trunk Railroad, he said that when he asked Mr. Lowe, Deputy Minister of Agriculture, if the stock could be inspected at night, he (Mr. Lowe) replied that it was against the regulations, but to go ahead and do it, and the Government would wink at it, which no doubt was the reason my letter was never answered.

Mr. MULOCK.

As to the disinfecting, such a method to destroy the germ of the disease is either absurd, or the experience and teaching of scientific investigators as to the origin and nature of contagious cattle disease is not correct. The droppings of the animals in which the germs of the disease is always to be found, are more or less of them kicked out of the cars all along the lines of railroad from Detroit and Port Huron to Buffalo, a distance of over two hundred miles by either route, and from Port Huron to Montreal, a distance of over five hundred and fifty miles by the Grand Trunk Railroad, and Canadian cattle running at large along the lines of railway are in the distance every day exposed to the droppings scattered in this way, and liable to become infected.

Recently an outburst of Texan fever occurred in Detroit near the stock yards from Texan cattle being driven a short distance through the street contrary to the State law, the animals in the neighbourhood contracting the disease by afterwards going on the same street and coming in contact with the droppings of the Texan cattle, which proves beyond a doubt that the germs of the disease are to be looked for in the droppings from the animals. I challenge Prof. Smith, or any of the officers of the Veterinary Department of the Government, or any of the officers of the Railroad Company immediately connected with the transport of United States cattle, under oath, to contradict any statement I have made in reference to the inspection of United States cattle in transit through Canada, and to say that an animal infected with contagious disease could be detected in the way in which the examination is made, and that the transit of United States cattle through Canada, considering the nature of contagious disease, and the way in which it is spread, is not attended with great danger to Canadian stock. The inspectors are only appointed as a blind to Canadian and English farmers and English Government to enable the railway to carry on the transportation of western cattle to eastern markets through Canadian territory.

Then, after a reference to Prof. Smith, he goes on :

Recent reports show how suspicious the English Veterinary Department are of all foreign cattle (Canadian cattle not in the least excepted) and two cargoes which arrived in 1882, at Liverpool, from Canada, were suspected of being infected with Texan fever, and in consequence of this suspicion Canada narrowly escaped being scheduled. Sir Charles Tupper, the Canadian High Commissioner to England, and a member of the medical profession, only succeeded in satisfying the Veterinary Department in the Imperial Government that the suspected animals were not infected with Texan fever, by demanding that a post-mortem examination be made, and assisted in doing it himself. Even then the Veterinary Officers of the English Government were not altogether satisfied that the suspected animals were not infected with contagious disease. However, they most generously gave Canada the benefit of the doubt. I have not the least doubt in my own mind but that the suspected animals were infected with contagious disease and had contracted it by being put into cars which had previously been used for the transport of United States cattle, and disinfected in the way I have

described above. The press and the people of Canada were loud in their praise and sincere in their expressions of gratitude to Sir Charles Tupper for the energy he displayed in the matter, and thus saving Canada cattle from being scheduled. I have not the least doubt if he had not been a member of the medical profession, that he would not have been able to save this most important trade to Canada, and our farmers would have suffered a direct loss.

Now, I ask Sir Charles Tupper as a medical man, if in this instance it was so difficult to decide whether the suspected animals were affected with contagious disease or not, if he will stand up in his place in Parliament, and say that in his opinion as a medical man, it is possible for a veterinary surgeon, much less a butcher or a shoemaker, to detect one animal that might be affected with contagious disease among a lot of several hundred inspected in the manner I have above described.

It is to protect the stock of the English farmer from the possibility of becoming infected that the English Government prohibit the transit of all foreign cattle from the seaport to the interior of the country, and have wisely enacted that all cattle from countries where contagious diseases exist, to be slaughtered at the seaports. I ask are Canadian farmers not entitled to the same measures of protection? At present Canadian cattle are free from suspicion of disease, and the Canadian stock raisers and shippers have the advantage in the English market, and can only retain it so long as the country is free from suspicion of contagious cattle disease.

Under these circumstances is it not already the duty of the Government to protect Canadian cattle from any suspicion, and from all possibility of becoming infected by prohibiting the transport of United States cattle through Canada, and by doing so encourage stock raising, which now promises while the Canadian farmer enjoys this advantage to be one of the most profitable of the farming interests of Canada?

The question is, shall the stock raising interests of Canada be jeopardized for the benefit of the railways? What say the farmers of Canada?

(Sgd.) J. B. WRIGHT, M.D., V.S.

I do hereby swear that every statement herein made in reference to the manner of the inspection of United States cattle intended for transit through Canada, is in every particular true, and that the statements made to me by Prof. Smith and Mr. Wainwright herein mentioned is, to the best of my recollections, verbatim.

(Sgd.) J. B. WRIGHT, M.D., V.S.

Subscribed and sworn to }
before me this 24th day of }
March, A.D. 1890. }

(Sgd.) WILL L. HULBERT,
Notary Public, Wayne Co., Mich.

Then there is an affidavit from J. Hawkins, a graduate of the Ontario Veterinary College, as follows:—

STATE OF MICHIGAN, }
COUNTY OF WAYNE. } S.S.

I, J. Hawkins, graduate of the Ontario Veterinary College, do hereby declare that I have practised in the city of Detroit for the past twelve

years, and I have several times acted for Dr. Wright in his absence as inspector of U.S. cattle intended for transit through Canada, and do hereby declare that an animal infected with contagious disease could not be detected in the way the regulations require the inspection to be made, and that I consider the whole system to be an absurd farce, and that Prof. Smith, of Toronto, recently (February, 1890) admitted to me in a conversation I had with him in the Russell House, Detroit, about these regulations and systems of inspection, that they were of no value, as an animal infected with contagious disease could not be detected.

(Sgd.) J. HAWKINS, V.S.

Subscribed and sworn to before me this 25th day of March, 1890.

(Sgd.) HOMER A. FLINT,
Notary Public, Wayne County,
Michigan.

Well, Mr. Speaker, I shall not trespass further upon the time of the House in dealing with this branch of the case. What followed? These regulations being ignored and not lived up to, certain results followed, and in November, 1892, the Imperial authorities issued an order scheduling Canada. They did so because two cattle that had gone over to England on board of different steamers, one being the steamer 'Huron' and the other the 'Monkseaton,' had been said to be affected with pleuro-pneumonia. Now, the scheduling may take place for one of two reasons, either that the cattle imported from Canada into England are themselves diseased, or that Canada is not adopting regulations, to the Imperial authorities for the prevention of the introduction of disease from the United States. It is not necessary for Canada to be scheduled that a single animal in Canada should have pleuro-pneumonia; it is sufficient under the English law for the Imperial authorities to consider that any country is not adopting proper regulations. They do not wait until the disease has broken out in that country and has been transferred to England, but the moment they are satisfied that the regulations are not sufficient in their judgment to prevent the disease being transferred to such country, then it is their duty to put the law in force. In this case the law seems to have been put in force because of Professor Brown, the head of the veterinary department of the Imperial Government, having found that the two cattle in question that had been exported to England, one by the 'Monkseaton' and the other by the 'Huron,' were affected with pleuro-pneumonia. Thereupon the High Commissioner for Canada endeavoured to join the issue with them as to whether these cattle were so diseased. acting, I presume, upon the assumption that if he could satisfy the Imperial authorities that they were not so diseased, then the scheduling would be done away with. But what was the answer of the Imperial authorities? The Imperial authorities had evidently come to the conclusion that the regulations in ques-

tion in force in Canada were insufficient. I will read now from the answer of the Board of Agriculture in England, to the Secretary of State for the Colonies, in answer to our request to have the scheduling done away with on the contention that pleuro-pneumonia did not exist in Canada. The answer of the Board is as follows:—

The question of the existence of the disease in Canada is not, however, the only factor which the Board are required by law to take into account in this matter. They are also bound to be satisfied with the Canadian laws relating 'alter alia' to the importation of animals as such as to afford reasonable security against the importation into this country of diseased animals brought therefrom, and even if it were established beyond all question that the diseased animals imported in the 'Monkseaton' and 'Huron' were not affected in Canadian territory, the Board could only include that the law and regulations regarding the admission of cattle across the Canadian frontier were either in themselves defective or that they were not enforced with complete efficiency.

There we have the attitude of the English Government on this question, an attitude that is on record, and from which there is no possible escape, that our regulations are either in themselves insufficient or that their enforcement is insufficient. Thus we have Canadian scheduling maintained against us, no matter whether these Canadian cattle were really affected with disease or not. I am not going to enter into the question as to whether these cattle were afflicted with pleuro-pneumonia; doctors may differ, I presume, in this case, as in others. I understand Professor Brown stands at the head of his profession, and for twenty-eight years he has discharged this important service for the public of Great Britain, and I understand Professor Brown declares that the type of pleuro-pneumonia in the States and in Canada is identical, he recognizes the pneumonia found in Canadian cattle as identical with the pneumonia found in the United States cattle. If so, how comes that coincidence if there has not been some inter-communication beyond what is sanctioned by their regulations of 1880? However, I am not going to enter into that branch of the case, it is sufficient to know that the Imperial Government have declared that our regulations themselves are either insufficient or their enforcement is insufficient. Now, under these circumstances, I think the Government has made itself solely responsible for the present condition of affairs, and I have made good the propositions that I undertook to prove at the commencement, which I will not review now, but hon. gentlemen will remember them. I have proved the statements I made that the regulations which formed the compact on which this trans-Canadian trade was authorized, were only on paper, largely; that they were violated over and over again in material respects; that the Imperial Government at last remonstrated with our Government, and

Mr. MULOCK.

the Government of Canada turned a deaf ear to their remonstrance, told them their remonstrance was without foundation. At last we had the scheduling, and we have the Imperial authorities saying that the scheduling will not be done away with, even if our cattle are free from disease, until you can satisfy them that the regulations which you undertook to enforce are strengthened, and that their enforcement is effectively carried out. Under these circumstances I feel I would be doing less than my duty if I did not offer to the House an opportunity to express its opinion on this question. Therefore I beg to move:

That all the words after the word "That" be left out, and the following inserted instead thereof:—"the Imperial Government having scheduled the United States by reason of the existence of pleuro-pneumonia and other contagious cattle diseases in that country; that the Canadian Government were desirous of allowing American cattle to be carried by rail from the west to the east through Canada; that the carrying of such cattle would also have caused Canada to be scheduled by Great Britain unless measures were adopted by the Canadian Government of a character sufficient to prevent the introduction of diseased cattle from the United States into Canada; that it was necessary, in order to prevent such scheduling, that the Imperial authorities should be satisfied as to the sufficiency of all such proposed measures; that on the condition that Canada was not scheduled—the Government of Canada undertook with the Imperial Government, to carry out certain named and other regulations in so effective a manner as to satisfy the Imperial authorities that the transit of American cattle through Canada would be so conducted as to afford reasonable security against the importation into Canada of diseased cattle; that relying upon the Canadian Government enforcing all necessary regulations and observing said undertaking, the Imperial Government granted permission for the carriage of American cattle through Canada upon the distinct understanding that such traffic was to be conducted in every respect so as not to bring Canada within the provisions of the Imperial Act respecting scheduling; that the Canadian Government disregarded such undertaking and neglected to enforce proper regulations sufficient to satisfy the Imperial Government upon the subject; that during the continuance of the permission granted by the Imperial authorities for the maintenance of such traffic, representations were made by the British Government to the Canadian Government that pleuro-pneumonia existed in the western states, that it was the duty of the Canadian Government to enforce stringent regulations for the prevention of its extension into Canada; that notwithstanding such warning, the Canadian Government allowed the said traffic to be continued in a lax manner, and also permitted very large numbers of American cattle to be imported into the Northwest Territories from the United States whilst pleuro-pneumonia was there existing; that after such repeated warning, and owing to the negligence and bad faith of the Canadian Government in the premises, the Imperial authorities did in the month of November, 1892, schedule Canada to the

great injury, not only of the farming community, but of the trade of the whole country, and that such scheduling is fairly attributable to the negligence of the Government. That in view of the foregoing facts of such negligence and bad faith, this House is of opinion that the Government is deserving of the censure of Parliament.

Mr. IVES. Mr. Speaker, I can now quite easily understand why the hon. member even thought it necessary to preface his remarks with an apology for occupying so much of the time of the House at this period of the session in introducing this resolution. I think he did owe the House an apology for treating us to the bulk of the correspondence which has taken place during the last fourteen years between the Department of Agriculture and the officers inspecting cattle coming in under the transit arrangement, and after that treating us to a defence of the so-called Dr. Wright, who evidently is less fit for the duties he was performing than the blacksmith to whom he referred, because he mixed up Texas fever and pleuro-pneumonia as if they were one and the same disease and communicated by similar means; and I must say that the hon. gentleman himself, approving of those statements by Dr. Wright, showed that he did not at least in his university course, pay a great deal of attention to cattle diseases. Now, Mr. Speaker, I do not intend to occupy the time of the House at any very great length, because the hon. gentleman completely answered his charge a few moments before he resumed his seat, when he stated, I must say very gingerly, because he did not read the document in extenso as he had done in the case of Dr. Wright's document, the reasons assigned by the Board of Agriculture of Great Britain, when Canada was scheduled. The hon. gentleman started out and spent nearly two whole sittings of the House in endeavouring to show that the Government had not enforced the transit regulations which they agreed to enforce when the Imperial Government consented to permit American cattle to cross Canadian territory from one port to another. That occupied nineteen-twentieths of the time to-day, and it would naturally be supposed that when the hon. gentleman came, in conclusion, to a statement of the effect of the failure to enforce the regulations, he would have been able to establish some connection between the failure to enforce those regulations and the reasons which induced the Board of Agriculture to place Canada among the scheduled countries. But I heard him, as I knew I would hear him, give the reasons from the blue-book, namely, that two diseased cattle from Pilot Mound, Manitoba, said by Professor Brown to have been affected by pleuro-pneumonia, were taken over in the vessels 'Huronla' and 'Monkseaton.' These animals were the cause, the sole and only case of the scheduling of Canada. What must the hon. gentleman have

established in order to convict the Government in this matter, and to lead hon. members to support the resolution submitted to the House? The hon. gentleman must make out, in the first place, that the Imperial Government has found fault with the way with which the transit regulations have been carried out. He has not shown that, he has not attempted to show it. He must, in the second place, show that as a result of failure on the part of the Canadian Department of Agriculture to carry out those regulations, disease has been communicated to Canadian herds, and we have been scheduled as regards sending our cattle to England. He has not shown anything of the kind. On the contrary, he has shown that the reason why Canadian cattle were scheduled was because two animals purchased at Pilot Mound, Manitoba, and sent to England in 1892, were declared by the Imperial veterinary to be diseased with pleuro-pneumonia. The whole battle ground since that time has been—were those cattle so diseased? and were other Canadian cattle which have been slaughtered in the presence of special commissioners at several different times since, which had been exported from Canada, suffering from pleuro-pneumonia. That has been the whole question; it was the whole question in 1892, and it has been the whole question since. Never have the Imperial authorities found the slightest fault, nor have they made the slightest criticism, nor has a single communication been sent to the Government of Canada complaining of the failure of the Department of Agriculture here to carry out the regulations with respect to the transit of American cattle across our territory. When the hon. gentleman, just before resuming his speech, read the remarks of Professor Brown, urging that even though those cattle were not afflicted with pleuro-pneumonia, those cattle taken to England from Pilot Mound, Manitoba, yet if they permitted the importation of foreign cattle as against an insufficient quarantine, or a quarantine not long enough or not sufficiently enforced, we would be liable even though it could not be shown that we had pleuro-pneumonia in the country, to be scheduled. But there was not one word of complaint with regard to the regulations or the way they were carried out in the transit of American cattle across the continent. The hon. gentleman (Mr. Mulock) is a lawyer. The hon. gentleman must possess some sense of logic, and the hon. gentleman must himself know, as many of his friends do, that it is a perfect non-sequitur to argue the whole day: that these regulations have been insufficiently enforced, and at the end of his argument, to submit a proposition altogether different from the point he has been trying to make. Now, Mr. Speaker, it is difficult for me to conceive what object the hon. gentleman (Mr. Mulock) has in introducing this long resolution. He must know that

this House will not support it, and he must know that this country will not support it.

Mr. McMULLEN. You do not know that.

Mr. IVES. Well, I have more faith in the good sense of the country than the hon. member (Mr. McMullen) has. The hon. member for Wellington (Mr. McMullen) has recently had a severe shock, and I am prepared to make some allowance for his fear and for his timidity with regard to the people of the country. But the hon. gentleman must not think, that because he and his friends have occasion to be afraid of the farmers of this country, that we on this side of the House, who have been legislating for years with the greatest care and painstaking in the interest of the agriculturists of Canada, are by any means afraid of them. The points that the farmers of this country are interested in are these: Have we pleuro-pneumonia in Canada; are the flocks and herds of this country suffering from pleuro-pneumonia? The answer must be No, and the best evidence in the world that there is no pleuro-pneumonia here, is, that it cannot be discovered. The British officers will not undertake to come here and look for it. They have received in England invitation after invitation from the Department of Agriculture here to send their officers and to search for pleuro-pneumonia, and if I mistake not, the Government of Canada have even gone so far as to undertake to pay the expenses of these officers if they would come and make inquiries. Our own officers—not only Dr. McEachran, but other officers—have made a search and have been unable to discover that disease. After the scheduling of Canada on account of these two animals that went from Pilot Mound, the most painstaking search was made in the whole of that locality to discover if any other cattle were affected, but the search proved utterly futile. I am not going into the question of the difference between what is now called "transit" pneumonia and pleuro-pneumonia, for that is a matter for veterinary surgeons. But one thing is certain: that if any of our cattle on arriving after the sea voyages are affected with pneumonia, they certainly do not show signs of the disease in Canada, and they do not communicate the disease from one to the other, and the people of this country have suffered no loss by reason of pleuro-pneumonia. The only case of pleuro-pneumonia that has ever existed in Canada, so far as any one knows, was imported from Great Britain, and was discovered in the Lévis quarantine in 1886. Those cases of blooded stock that were imported in 1886 and quarantined at Lévis, are the only cases of pleuro-pneumonia that have ever been established to have existed in Canada. Therefore, I say: that the people of this country will not sympathize or be affected by the hon. gentleman's long speech of to-day, and his

Mr. IVES.

almost as long resolution of this evening.

An hon. MEMBER. Nobody will ever read it.

Mr. IVES. But this much may happen: the Government of Canada have been endeavouring since 1892 to induce the English Board of Agriculture to remove the embargo, and at the present moment, after an investigation at Liverpool of a large number of Canadian cattle that have been slaughtered, the lungs of two or three animals that are suspected have been subjected to the examination and analysis of distinguished veterinary surgeons in Great Britain—and especially one veterinarian, who has been named by Sir Charles Tupper to act for Canada. A commission is just now sitting which is likely to settle for a long time to come the question as to whether the scheduling will be continued or whether it will be removed, and I think that the hon. gentleman (Mr. Mulock) in bringing this subject up at the present time, and endeavouring to furnish ammunition to those in Great Britain who are opposed to the removal of the scheduling, is likely to do more injury to the people of Canada and to the farmers of Canada than anything he has complained of to-day has ever occasioned. The hon. gentleman knows that a very strong party exists in England, who, for one reason or another, are opposed to the importation of live Canadian cattle into Great Britain. We would call that feeling in this country a "protection sentiment," but they call it there a fear of pleuro-pneumonia. It does very well for a pretext and for an excuse, but there is no question at all, but that Irish farmers and the farmers of England, almost unitedly, are opposed to the competition of Canadian live cattle. It is that competition, and it is that feeling working upon politicians in England that, in my opinion, has had more to do with the long continuation of this embargo than any real or legitimate fear of pleuro-pneumonia being carried into Great Britain by Canadian cattle. Now, that political party is strong, and they have so far induced Mr. Gardner not to take off this embargo. What could be more useful to these men in England who are fighting against the interests of the Canadian farmers, than the documents which to-day the hon. gentleman has exhibited to the country and to the world, if they ever get as far as Great Britain. Now, Sir, we have very different ideas of pleuro-pneumonia to-day from those which existed when these regulations were framed some fourteen years ago. At that time it was supposed generally both in Great Britain and in Canada, that pleuro-pneumonia could be communicated in a variety of ways from one animal to another. It was supposed that there was danger from the droppings of cattle, or of contagion from putting healthy cattle into cars where cattle diseased with pleuro-pneumonia had recently been

carried. It was supposed that there was a large variety of ways in which pleuro-pneumonia could be communicated. Those ideas are all exploded. The necessity for or the usefulness of inspection is entirely exploded; and when the hon. gentleman gets up here and spends three or four hours discussing the question whether a day inspection or a night inspection should be had, I want to tell him that, so far as public knowledge of pleuro-pneumonia now goes, no inspection is of the slightest use unless the animal is so far diseased as to be seen to be sick. An animal may have had pleuro-pneumonia for months and yet be in a fat, sleek, healthy condition to outside appearance—in such a condition that no inspection, in fact, nothing but its slaughter and the analysis of its lungs, would show whether it had any disease or not. You might as well say that you could tell that a man had toothache by looking at him, as that a bullock that was fat and sleek in outward appearance had pleuro-pneumonia; it would be just as easy to tell the one as the other from outward appearances. Here is the latest announcement made by the British Board of Agriculture itself on the subject of pleuro-pneumonia, and the possibility of a diseased animal communicating the disease to a healthy animal. It is the latest blue-book, and it appears conclusive with reference to the way in which pleuro-pneumonia may be communicated by a diseased to a healthy animal. This is what the British Board of Agriculture reports to Lord Ripon on the subject:

The disease spreads but very slowly, especially in open and sparsely populated country, as distinguished from urban localities; the susceptibility of animals to infection is nothing like so great as in many other diseases of a contagious character; it exists in a latent form for a lengthened period; it cannot easily be detected or distinguished in the living animal from other forms of lung disorder; and it is communicable only by contact between living animals and through the medium of the respiratory organs alone.

The British Board of Agriculture, after fourteen years of research and experiment, declare that the disease is communicated only by the healthy animal breathing the breath of the diseased animal. If that be the fact, what is the use of the hon. gentleman spending all his time over inspection, the destroying of manure, and the disinfection of cars? What does it all amount to? The hon. gentleman has referred to Texas fever as if it were one and the same thing with pleuro-pneumonia. But, unlike pleuro-pneumonia, Texas fever is communicated to the healthy animal simply by its walking along the road where another animal, itself in a state of health, but in a state to communicate the fever, has gone. A whole herd of healthy cattle will be infected by Texas fever simply by crossing a trail where a herd of diseased cattle have passed. There is no analogy whatever between Texas fever and pleuro-pneumonia. The one is communicated

by contact with infected ground over which diseased animals have gone, while the other can only be communicated by a healthy animal breathing the air emitted from the lungs of the diseased animal, and that, of course, within a short time after the air has been emitted from diseased lungs. But I do not, and the British Board of Agriculture do not, attach any importance to these regulations at the present day. They were supposed to be important fourteen years ago; but, as knowledge has increased, they are discovered to be practically of no importance whatever. If you were permitting American cattle to go along the high roads of the province of Ontario, and they were by chance to become mixed with the farmers' cattle along the roadside, there would be danger; but if what I have read to the House with regard to the disease and the way in which it is communicated is correct, then I say there is no danger from carrying American cattle across our territory on railway trains moving rapidly through the country, and fenced off from the farms and from all possible contact with the surrounding cattle. But, Sir, the hon. gentleman is quite wrong in saying that the regulations have not been enforced. The hon. gentleman reads the letters of Mr. Lowe to Professor Smith, and the inspectors, and he comments upon the fact that Mr. Lowe does not always express himself as satisfied with what the inspectors and Professor Smith are doing; and he comes to the conclusion on that account that the regulations were inefficiently enforced. What would he expect? Would he expect Mr. Lowe to write to Professor Smith: Professor Smith, you are doing your duty admirably; I do not think it is necessary for you to trouble yourself much about these regulations; the officers, I have no doubt, are carrying them out strictly? Is that the kind of letter the hon. gentleman would expect to find in the file of correspondence between the Department of Agriculture and these officers? Not by any means. This correspondence covers a period of fourteen years. The hon. gentleman moved for the whole of it, and got the whole of it, and I presume he has given the whole of it in his speech to-day. I do not think it is wonderful that Mr. Lowe's letters asked for increased watchfulness and increased care. They were such letters as he naturally would write, and did write. But let us come to the regulations themselves; and on that point I must say that I could not see the object of the hon. gentleman in bringing in and reading to the House this afternoon all the "pourparlers" which led up to these regulations. He even read the recommendations of Sir Hector Langevin which were never accepted, and afterwards read the recommendations of Sir Hector Langevin which were made the basis of the agreement. Why did the hon. gentleman not read the agreement itself? It would have taken less time, and would have given a better idea of what the regulations really are. They are in the Consolidated Orders

in Council, of which they form chapter 7; they are very short and simple, and I propose to refer to them very briefly. The first, marked "a," referring to the subject of inspection, says:

An inspection of the said cattle and swine shall be made before they are admitted in transit, permission for which transit shall only be given on certificate or clean bill of health from the inspector, he being a veterinary surgeon appointed by the said minister.

Now, I would ask the hon. gentleman where he gets the foundation for his statement that these cattle must be unloaded? Where that they must be inspected in the daytime? Where that they must be inspected on the American side of the boundary? There is no foundation at all in the regulations in force for these pretensions.

Mr. MULOCK. But there is in the proposition.

Mr. IVES. The Government are bound to appoint a competent veterinary officer, and when that officer gets information enough to justify him in giving these cattle a clean bill of health, whether at night or in the daytime, whether by electric light or by tallow candle, then the regulations are carried out. If the officer sees nothing suspicious—and, from what we know of pleuropneumonia, we know he could not see anything of the disease unless the animal were in the last stage of it—if he sees that all the cattle in the cars are apparently equally healthy, that there is no weak animal among them, no animal down in the car or apparently sick or disabled, if he finds the whole train load of cattle apparently well and strong and healthy, I ask the hon. gentleman whether he would justify the officer in giving those cattle a clean bill of health. The inspection and the regulations have been carried on thoroughly for years, but so as to interfere as little as possible with the course of trade. Does the hon. gentleman want trade to be interfered with? Does he want to stop the business of the railway companies who are transporting these cattle through Canada? Does he want to take away the labour of the men handling these trains and send these people away to the United States? That cannot be the object he has in view; surely he does not want to put unnecessary restrictions on the transaction of business. What then does he want? No harm has come, not one case has he given or can he give where any trouble has resulted from the way these regulations have been enforced. He cannot give a case where Texas fever, or anthrax, or any other disease has been communicated to Canadian herds through the manner in which these regulations have been carried out. Not being able to show a single case of injury to a Canadian herd or that the British Government have complained of the way in which

Mr. IVES.

these regulations have been enforced, or that they have in the slightest degree based their action on these regulations, what ground has he for asking the condemnation of this Government? The next complaint he makes is with reference to appointing a guardian to attend each train carrying American cattle or swine. The regulation provides as follows:—

That each train carrying American cattle or swine, or both, from frontier to frontier in bond, shall be accompanied by one of the staff of guardians also to be appointed by the said minister.

Allow me to explain that the carrying of these cattle in bond is of itself the very best precaution that could be devised. The House knows, and you know, Mr. Speaker, what that means. You know that the car is sealed and that the railway company have to give a bond, in a heavy penalty, that they will deliver that car into the United States territory with that seal intact. That seal is placed on both doors of the car, so that it is utterly impossible for any cattle to be removed or for any other animals to go near them without those seals being broken, in which case the railway company is responsible in a very heavy penalty indeed. This method of carrying the cattle through in cars sealed in bond, is the best possible precaution, and is worth fifty guardians. What would a guardian amount to in the caboose of a cattle train? He might amount to something if he were a train despatcher and had the control of the train—if he could stop or start the train, or make it move quicker, or have any control whatever. Let the hon. gentleman say what possible use this so-called guardian could render in the caboose of the cattle train, when he has no control of the train. What could he do more than the conductor? Could not the conductor do more? The conductor is more or less in charge, his control only being less than that of the superintendent who is represented by the train despatcher, so that the Government, in selecting the conductor to be the guardian to carry out these regulations and holding the company responsible if he does not, has taken the very best course possible to carry out the spirit of the regulations. But the fact that the car is sealed in bond is the best possible guarantee that nothing will be allowed into or out of the train. The next provision in the regulations is that the cars and trucks employed for such traffic shall be specially and exclusively devoted to such purposes. That, I believe, has been done. Then the regulations provide:

That no Canadian animals shall be carried at any time in the same train, in company with or in close proximity to American cattle or swine, and that no car or truck employed in the transit of American cattle and swine shall be used to carry, at any time, Canadian animals.

That provision has been complied with. Then the next provision is:

That no unnecessary delay occur with any train engaged in the said transit passing through Canadian territory.

That has been complied with. Then the Act provides :

That due precautions be taken to retain in the cars or trucks, and disinfect, if need be, the droppings of cattle and swine thus carried in transit.

The hon. gentleman complained that that has not always been done, and I presume possibly it has not, as many of the letters which Mr. Lowe wrote were directed to the managers of railways complaining that they were not careful enough in that regard. But this, as I have said, I consider a matter of very little consequence. There is no possible chance, as Professor Brown would tell the hon. gentleman, of the droppings of cattle communicating pleuro-pneumonia to live animals. That the department have been attending to the matter is shown by the large number of letters which the hon. gentleman has read, and I have no doubt, from the correspondence the hon. gentleman himself read, that those regulations were carried out very effectively. With regard to the unloading at Lyn, I say again the best protection is the bond. The Department of Agriculture appointed a special officer, whose business it is to break those seals at Lyn, and to affix others when the cattle are reloaded. The Government did not trust the matter to a conductor, but appointed a special officer, whom they made a customs officer, and to whom they gave charge of that important work. Now, have hon. gentlemen ever heard of any pleuro-pneumonia arising from this feeding ground at Lyn? The hon. gentleman says that it was reported that anthrax was very common in that neighbourhood. I never heard of it. The department never heard of it.

Mr. MULOCK. The department wrote the letter.

Mr. IVES. That I have not seen, and I have to verify it, because the department have no recollection of writing the letter.

Mr. MULOCK. Does the hon. gentleman mean to say that they have given a false return? It is in the return.

Mr. IVES. Be that as it may, the thing is simply absurd, and the hon. gentleman would know it if he had studied cattle diseases more when he was at the university. Anthrax is a blood disease, and the idea that anthrax or black leg can be caught from manure ploughed into the ground is the most absurd thing I ever heard of. I say that these regulations have been carried out fairly. They have never been complained of. No harm has ever resulted; and if we are scheduled to-day, it is not because of these regulations, but because of the supposed existence of pleuro-pneumonia in two of the cattle that were taken from

Pilot Mound in 1892. Now, the hon. gentleman finds fault with the quarantine, and that is the only point where the Imperial Board of Agriculture have found fault. Professor Brown believes that pleuro-pneumonia may exist in an animal for not only ninety days, but practically a year, without its showing any outward sign of its existence. Being of that opinion, he thinks our ninety days quarantine is insufficient. That may be, but in establishing that quarantine we went further than the United States had gone up to that time, and as far as Great Britain herself had ever gone. If medical men discover that ninety days is not long enough, it will be for Parliament and the Government to consider whether that period should be lengthened; but certainly up to the present, there is no ground for censuring the Government for not having fixed a longer period than any other civilized nation in the world has fixed. The hon. gentleman talked in a general way about pleuro-pneumonia existing in the western states. Well, western states is rather an indefinite term. It may mean Illinois, Iowa, Dakota, or Washington Territory. But I can tell the hon. gentleman that there never has been a case of pleuro-pneumonia reported or discovered either in Minnesota, Dakota, or west of the Mississippi river; and, as he can see from the returns he has read, the bulk of the cattle allowed to go into Manitoba and the North-west, were ranche animals taken from Oregon and Montana to Alberta. The thousands and tens of thousands were these ranche cattle, and the scores or hundreds were settlers' cattle which went in from Minnesota and Dakota into Manitoba. But that has all been stopped, stopped long before the hon. gentleman's motion was made, and the British Government have made no reference to this subject. They have not based their action in scheduling Canada upon ranche cattle having been permitted to go into Alberta; they have not based their action upon the fact that we have allowed settlers from Minnesota and Dakota to take their cattle in without quarantine. These cattle were always inspected, and they were not permitted to come in unless they had the appearance of being clean and free from disease. But we last year adopted a stringent quarantine against all cattle going to the North-west. We adopted that of our own motion in order to induce the British Government to reconsider their hostile action with reference to Canada, and if the hon. gentleman had had patience, if he had abstained from putting weapons into the hands of our opponents on the other side, we might perhaps in a few days have succeeded. And, as the Minister of the Interior corrects me, we have always had a quarantine against cattle east of the Mississippi River. There has been a quarantine at Emerson against these cattle ever since Manitoba was settled. So far as cattle west of the Mississippi are concerned there has never been the slight-

est case of disease. I do not propose to occupy the time of the House at greater length. I will admit the Government were wrong in not dismissing Dr. Wright sooner, and if the motion were one to censure the Government for not having dismissed this blackmailer and unsuitable person before, I should have been inclined to do, as I have seen hon. gentlemen do, go behind the Chair before the vote was called.

Mr. O'BRIEN. Mr. Speaker, I hoped when the President of the Council rose to address the House that he would make some attempt to meet the serious charge made against the Government by the hon. member for North York (Mr. Mulock). But the hon. gentleman has entirely evaded the true issue. The question is not whether pleuro-pneumonia exists in this country. The question is whether the Government have during a series of years deliberately, flagrantly, violated the solemn compact they entered into with the Imperial Government. And it is no answer to that charge to say that no evil results have followed that evasion. The hon. gentleman charges the hon. member for North York with having made a speech which will put weapons into the hands of those who are opposed to the admission of Canadian cattle. I venture to say that when the speech of the President of the Council is read in England, if weight is given to it at all, it will have the result of effectually preventing our cattle being admitted. Why, Sir, that speech—not to use language too strong—is an insult not only to the common sense but to the integrity of the House; it is an insult to the honesty and good faith of the people of this country, and it is a confession of dishonour on the part of the Government. Why, Sir, what does the hon. gentleman say? He says that because a series of regulations were adopted fourteen years ago, he is justified in having evaded these regulations because now it is discovered that they had not the efficacy they were supposed to have.

Mr. IVES. I made no such statement. I said it was discovered they were not needed now.

Mr. O'BRIEN. I certainly understood the hon. gentleman's language to mean that he was justified in evading these regulations because it was now known they were not efficacious. But if that was not his meaning, where then is his justification? If he has not that justification, what justification has he? I should like to know what the hon. member for Three Rivers (Sir Hector Langevin) thought of the speech of the hon. President of the Council. The hon. member for Three Rivers in 1880 made a solemn compact with the Imperial Government, which is not to be learned from the words we find in the Order in Council, but is to be read in the declaration and propositions made and accepted by these parties, by the Imperial Government on one side, and by the Govern-

Mr. Ives.

ment on this side, represented by the hon. member for Three Rivers on the other. It does not matter what this Government put into an Order in Council. The English Government will pay no attention to that. They will say: We entered into a compact with you and you undertook to carry out the terms of that compact, and now, by your own confession, you have systematically evaded it from beginning to end. What does the hon. member for Three Rivers think of this way of carrying out a contract to which his personal honour was pledged, when he sees a member of the Government—now that he himself is no longer a member of the Government—deliberately flaunt in the eyes of this House the evasions which its own correspondence shows it to have committed. And, Sir, speaking of the manner in which these regulations were systematically evaded, flagrantly evaded, with a degree of duplicity which I think is most discreditable to the Government, can we hold entirely blameless the gentleman who is deputy head of the department? He is the executive officer of the department, and it was his duty to see that the regulations were carried out unless he had specific orders for the head of his department to relax them. Such does not appear to have been the case. The executive head appears to have connived at the systematic breach of every one of these regulations. This House has heard what was read of the correspondence with reference to the inspection of cattle at night. The idea of inspecting cattle at night! It is no wonder the deputy head of the department would not give his official sanction to it. It is no wonder that he was compelled to write and say that while he would allow it to go on, it was contrary to the agreement. Still he permitted it to go on and actually paid the officers a higher price for their work in consequence of their evading the law. It was his duty to carry out the regulations in every particular, and if he found his officers were violating them, he should have dismissed them. The hon. President of the Council speaks of the inspection as having been sufficient. Sir, it does not matter in the slightest degree, as affects the question before the House, what the terms of the inspection were. It does not matter whether the inspection was wise or unwise, necessary or unnecessary. It was established by the correspondence of the department itself that Canadian cattle were admitted into England on the express understanding that particular precautions were to be taken, not that an Order in Council was to be based upon the agreement, but that the bargain was to be carried out as found in the correspondence entered into between the two parties, the Department of Agriculture and the Government as represented by the hon. member for Three Rivers on the one side and the Board of Agriculture in England on the other. And every regulation, whether with regard to the inspection of cattle, the

cleaning of cars, the appointment of officers to conduct the cars, was systematically evaded with the consent and connivance of the department. Every Minister who filled that department from 1880 down to the present time, must be held responsible for that violation. The hon. gentleman seems to think that it is all right to have departed from a solemn agreement because no harm has come of it, and he attacks the hon. member for North York (Mr. Mulock) for want of a sense of logic. I would ask the hon. gentleman if he has a sense of honour. If he had, he would not attempt to condone a violation of an agreement simply on the ground that it had not been productive of the evil results that might have attended it. The question which the hon. gentleman has attempted to evade is one which the people of this country will thoroughly realize. Hon. gentlemen on this side of the House have made very light of this discussion; they seem to think it is quite sufficient to say that there is no pleuro-pneumonia in this country, they cheer that statement as a sufficient answer to all that has been said. I think if the farmers of this country knew how their interests have been systematically set aside in order to suit the convenience of railway companies ever since 1880, the results of the last election would have been very different from what they have been, and I think when these facts come to be known—because hitherto they have not been known—the farmers of this country will tell a different tale, and will call those hon. gentlemen to account for attempting to defend that which was done entirely in opposition to their interests. It may be true, recent researches may have shown, that this particular form of cattle disease is not contagious in the way it was supposed to be; but when these regulations were framed they were framed according to the idea then prevalent, and the fact now appears that the Government, having accepted these regulations as necessary in order to the protection of the cattle interests of this country, allowed them to be violated and gave away the interests of the farmers simply to suit the convenience of railway corporations. We have seen the subservience of the Government to railway corporations. in a variety of ways, but this is one of the most glaring, and I think when the people come to understand that for such a paltry consideration as that of the mere convenience of a railway train for a few hours, the most essential feature of these regulations, the inspection, was systematically violated and allowed to fall into neglect in the way it was, they will hold to a strict account those who are really responsible for the scheduling of our cattle. The hon. gentleman also entirely evaded the other branch of the subject; he entirely evaded the view which the Imperial authorities have always maintained, the view, not that pleuro-pneumonia may exist in the country itself, but

the view that a country from which cattle are exported to England must itself carry out certain regulations with regard to other countries. Sir, if the Imperial Government had some faith in the honour of this country, it appears that faith was entirely undeserved. They thought that when our Government entered into a solemn compact to carry out plain regulations, they had sufficient honesty and honour to carry them out, especially when they were deriving great advantages in doing so. But it seems that confidence was undeserved, and if hon. gentlemen think that the people of this country are going to condone an offence of that kind simply because they are now told in a flippant style that there is no pleuro-pneumonia in this country, they are entirely mistaken. The hon. gentleman cannot escape from the dilemma in which he has placed himself, he cannot escape by attempting to criticise the conduct of one of his own officers, an officer whom he kept in office for eight years, although, as he says himself, he knew that he attempted to levy blackmail, although he knew he was giving blank certificates, and frequently violating the duties of his office. Although these facts were brought home to the knowledge of the department, still the Government continued to ignore them, and still continued this man in office. They need not now attempt to say that he did not know much about the duties of his office, when they permitted him to continue to discharge them for such a long period of years, knowing how grossly he had violated them. The evidence does not require any repetition at my hand, the evidence will go before the country, and it will show beyond all possibility of contradiction—in fact, the hon. gentleman who spoke on behalf of the Government has not attempted to contradict it—it will show clearly that the Government entered into a solemn compact with the Imperial authorities by which we were permitted to have our cattle sent into England on the most favourable terms; and when the people know that from the very day that compact was made, it was systematically, knowingly, and wilfully violated, they will hold the Government responsible for all the evils that have followed. I venture to say that when these facts come to be known throughout the length and breadth of the land, the consequences will be serious to any one who attempts to defend the action of the Government with regard to them. With regard to the importation of cattle into the North-west, and also with regard to these regulations, every one supposed that regulations satisfactory to the Imperial Government having been entered into, the administration of the trade was carried out in accordance with those regulations. Nobody knew that they were systematically evaded. I think it was the common understanding that every head of cattle going into the North-west was subject to a quarantine of forty days,

every one supposed, having faith in their own Government, that that regulation was being carried out, and now, for the first time, they know that it was violated from the beginning, and now, for the first time, they know that a Minister of the Crown can stand up in his place in this House and flippantly pass it over with a few such remarks as have been made by the President of the Council. I say that a more damaging statement to the Government of this country, one more seriously affecting its honour and integrity, was never made on the floor of this House, and I venture to say that when the people come to realize it, they will show their resentment in a very decisive manner.

Mr. McMULLEN. I cannot allow this subject to pass without saying a few words in support of the motion of the hon. member for North York (Mr. Mulock). Since Parliament met, to the present moment, in my humble opinion, there has not been so important a question discussed as that which the hon. gentleman has brought before the House. The hon. President of the Council rather ridiculed the lengthy utterances of the hon. member for North York, and the statement he has made of all the facts connected with the scheduling of our cattle in England. In my opinion, the case deserves all the time that has been devoted to it, and I am glad the hon. member for North York has brought all the circumstances and evidence before us. Now, the President of the Council has attempted to belittle the efforts of the member for North York. He says that the farmers of the country will take but little interest in all that he has said on this very grave question. Well, I rather think he will find that the farmers have their eyes and ears open to the unfortunate position of the cattle trade, and any additional evidence that will throw light upon the causes of the unfortunate position in which that trade is at the present time, will be read with great care by the farming community of the province of Ontario, at least. The farmers of Ontario have incurred great expense in extending the cattle trade within the last few years, in fact, it is about the only trade from which they have been receiving anything like a paying return; and, in view of this growing and important trade, the Government, as has been proved, by the hon. member for North York to-night, have flagrantly neglected to discharge the duties devolving upon them for the purpose of maintaining the privileges that we enjoyed in the British market. When the Government of Canada learned that American cattle were scheduled in the English market, they should have taken prompt and decisive steps to secure to Canada the continuation of the advantages she enjoyed. They did immediately pass such regulations as were for the time being satisfactory to the British Government. But after the passage of the regulations, when the railway companies realized how they were going to

Mr. O'BRIEN.

suffer in the reduction of freight, they applied to the Dominion Government to relax in some degree the provisions that had been agreed to by the British Government and the Canadian Government, in order to keep for Canada a clean bill of health, that they might retain their trade. They even secured specified conditions on which American cattle might be carried from American ports to American ports. These terms were clear, distinct and well defined, and should have been very carefully and very sacredly observed by the Dominion Government in the interest of this privilege obtained from England. I contend that the Dominion Government did not observe those regulations with that care and sacredness with which they should have been regarded, and to the extent to which they should have been valued. The statement made by the hon. member for North York (Mr. Mulock) clearly proved that fact. In the first place, it was provided that all the cattle were to be inspected by properly authenticated veterinaries, men who were capable by education of inspecting cattle, and discovering the least outward evidence of disease present. How was that provision carried out? It has been proved by documents read to the House to-night that in one case no more efficient person than a butcher was employed to discharge the duties of a veterinary surgeon. In another case, it has been proved that a shoemaker was employed to discharge the duties of inspector of cattle in place of a veterinary surgeon. Was that keeping faith with Great Britain as regards the arrangement entered into? Was that trying to observe faithfully the terms on which Great Britain agreed that Canada should be allowed to enjoy a special privilege? It was not. There was another provision to which I desire to call attention. The President of the Council talked lightly of this particular provision. What was it? It was that there should be a Government guardian accompanying each cattle train entering Canada from western points, and remain with it until it went out of the country to the east. The hon. gentleman asked what better man could be employed than the conductors. If other men had been employed, perhaps a different state of affairs would have resulted. What was the provision? It was that cattle passing over the Grand Trunk or Canadian Pacific, for instance, should be given food and drink at certain points. Arrangements were made that there should be two fences, at considerable distances apart and that the cattle should be taken into the space between the two inner fences, and that there should be sufficient division to make it impossible for cattle outside to get in. We find, however, by the evidence read to-night, that Mr. Lowe drew attention to the fact that the outer fence was broken and was absolutely useless, and that this regulation was not observed. Will the President of the Privy Council now say that a conductor was the best man to be guard-

ian? Would he report to the managing director of the company that the rules were not properly carried out, that he found the fences of the company of which he was a hired servant broken and not in accordance with the regulations? All the evidence goes to show that the Government, instead of endeavouring to preserve this special privilege to Canada treated the matter lightly and indifferently, and this has led up to the condition of affairs to-day. The President of the Council stated that it was not owing to the laxity on the part of the Dominion Government that Canada has been scheduled. How does the hon. gentleman know it? There are farmers from England, Scotland and Ireland here every month of the year, almost every week of the year. They are taking notice of what is occurring. They remember well the losses from which they have suffered from disease in animals. They must observe that the cattle trade between the United States and Canada is carried on in a very loose manner, that cattle trains are inspected by a man passing them at night with a lantern, and on that inspection they are allowed to go through to their destination. Again, it is stated that the scheduling was not the result of disease among Canadian cattle. What is the fact? The letter of the traitor, Dr. Wright, for he was a traitor, and he should never have been retained for one day in the public service, after he had made unscrupulous demands for extra pay on the railway companies; but he was retained in the employment of the Government, and continued for several months to blackmail the railway companies, alleged that he rendered special services in passing trains during the night, when, of course, it was impossible to perform an inspection that should have been carried out by a veterinary. The Government, however, kept the man there, condoned his offence, reinstated him, and eventually when he went to Detroit, they did not dismiss him because he had acted unfaithfully, untruthfully, and unscrupulously and as a blackmailer, but because he had removed from Canada, and had become a resident of Detroit. That man published a letter in the Canadian and English newspapers. How long after the publication of that letter did the scheduling arrangement come into force? A few months, a short time. Do not all these evidences lead up to the fact that the Government, through the publication of letters, and owing to the inefficient manner in which they were carrying out the law, failed to take efficient action to prevent Canadian cattle being scheduled? Take another point. The President of the Council has said that there never was such a disease in Canada, but that the two animals were obtained from Pilot Mound in Manitoba. I am very glad to hear that Canada is free from such disease. But I am willing to take one case and stake my argument before any intelli-

gent farmer. The herds from the western States got into Manitoba and, no doubt, infected animals by the disease, and it is undoubtedly true that an animal from those herds was sent to England and resulted in Canadian cattle being scheduled. Had those American cattle not been permitted to come in without proper quarantine regulations, the probabilities are that the diseased animals would never have been sent to Great Britain, but the looseness with which the Government discharged their duty and carried out the regulations they made with England resulted in a large number of cattle being brought into the country in utter disregard of the regulations provided, and the consequence was that animals taken from one section were sent to England and found to be diseased, and we have the result that is apparent to-day. I contend that it is beyond dispute that the looseness with which the Government have discharged their duty in this whole arrangement with England has resulted in the condition of things we have in Canada to-day. Although the President of the Council may try to belittle the unfortunate condition of things given to the House, he will find and his followers will find, and his associates in the Cabinet will find, that they may have very great difficulty in satisfying the farmers of this country, who are suffering under the heel of the unfortunate conditions that now exist, and for which the Government are clearly responsible. When the farmers read over the quotations that have been presented to the House from returns that have been brought down from the Agricultural Department, they will have evidence enough to see for themselves that the Government have been exceedingly lax, and that as a result of that laxity our cattle are scheduled in England. I admit that it was in the interest of the railways a very important trade. I neither blame the Grand Trunk Railway nor the Canadian Pacific Railway, nor the Canada Southern Railway. It was the duty of the Government to see that the arrangement was literally and faithfully fulfilled, but the Government did not do it. It was natural on the part of the railways that they should seek a relaxation of the arrangements, but the Government should have stood firm to the covenant which they entered into with the mother country, and under which the transportation of cattle through Canada was to take place. The Government should have said: We will respect and reverence that covenant with England, and no railway company will be allowed to get privileges to violate it, which will endanger the agricultural interests of this country. When the railway companies asked for inspection at night, and to have their own conductors put in charge of the cars, the Government should have told them that it was a violation of the sacred covenant with England, and that in the interest of the farmers of Canada they must refuse it. They permitted conductors to become guar-

dians, and they permitted butchers and shoemakers to become inspectors of trains as veterinary surgeons. They violated the condition of the arrangement with England, and it went from one step to another, until the whole business culminated in our cattle being scheduled. Any person will easily understand that it was an exceedingly loose practice to permit these certificates of inspection to be signed in blank. This man Wright and another veterinary employed by practice to permit these certificates of inspection of ten or a dozen at a time, and when the cattle train came along the name of the conductor was filled in as the guardian of the train to pass through Canada. If that is not a loose way of doing business I do not know what is. I have heard it stated, and I have no doubt it will be repeated, that because there is a Reform Government in England they have an unfriendly feeling towards the Dominion of Canada, owing to the fact that the Tories are in power here. That has been given as a reason for the scheduling of our cattle, but it is a very childish and weak argument. I earnestly hope that England does not treat her colonies differently because they are represented by one political party or another. I do not believe that any intelligent man would take any stock in such an argument as that. We have been told here to-night that our cattle are scheduled in order to protect the English farmer; but that, in my opinion, is another foolish statement. We know that the animals have been carefully inspected in England, and that their lungs have been examined. We are glad to be able to say that no disease has been found amongst them, but the Government of England are very suspicious that disease does exist here. If we have not pleuro-pneumonia in Canada we may have other diseases that are contagious, and which might be serious if imported into England. I do not wish to continue this discussion further. I have pointed out briefly the feature of the case which show that this Government are responsible for the condition of things that now exist. The evidence that has been presented to the House, and the documents read by the hon. member (Mr. Mulock), clearly and unmistakably cast upon the Government all the responsibility for the unfortunate condition in which we find ourselves. We did enjoy very great advantages before our cattle were scheduled in England, and had the Government realized how important these advantages were from an Ontario standpoint, I dare say that they would have given the matter more consideration. In my humble opinion we have never had a Minister of Agriculture in this House, in my experience, who has been willing to bestow the time and attention and perseverance, so as to make it as a personal matter to himself, the interest of the farming community of this Dominion. Our Ministers of Agriculture under the present Government have never been able to show that they have been so

Mr. McMULLEN.

posted in the interests of the farming community as to be able to secure to them those advantages which they should enjoy. We have now a Minister of Agriculture who is a lawyer. I do not find fault with lawyers, because they are necessary as well as other men. They are respectable members of society; but at the same time it is wrong that lawyers should be made Ministers of Agriculture, because from the fact of their profession they cannot know as much about agriculture as they do about law. It is necessary in order that the Minister of Agriculture be an efficient Minister of Agriculture, he should understand the business of agriculture, as well as a lawyer does the business of law to be an efficient lawyer.

Sir CHARLES HIBBERT TUPPER. Mr. Speaker, the hon. member for North Wellington (Mr. McMullen) who has just taken his seat, began his speech this evening by saying that the farmers were aware, and too painfully aware, of the present unfortunate condition of the cattle trade. I would ask that hon. gentleman, and I would ask all who have listened to this discussion, whether they are of opinion that this debate—a debate, in my mind, most unfortunate, sprung upon the House and the country on a most unfortunate occasion—will do much to alleviate the condition of the farmer or assist him in connection with the difficult questions that surround the cattle trade at the present moment. I myself have listened very carefully to this discussion, and be the merits on the one side of the debate or on the other, be they with the hon. gentleman who has moved the resolution now in your hands or against his position, the only result of the statements he has made, which I consider most extravagant and unfair statements, will be to prejudice, and very seriously prejudice, those people whom that hon. gentleman and those siding with him pretend to represent to-day. How unfairly this question has been broached is best understood when we remember that the hon. member for North Wellington, as well as the hon. member for North York, confined their observations chiefly to an ancient period in the history of this question, and avoided the documents that are now contained in an English blue-book, and that are among the papers which have been brought down—the papers that touch the question in its present aspect, a perusal of which will show in a moment that all the difficulties these hon. gentlemen have brought to the front are difficulties that have never entered into the minds of the English authorities, have never disturbed the situation in the slightest degree, but are calculated only, if they have any effect, to cause further delay and further investigation. Let us remember, Mr. Speaker, how the present unfortunate condition of affairs was brought about. There are two ways of doing it. The English Contagious Diseases of Animals Act, which is automatic in a sense, contemplates all

conditions in connection with cattle before that Act comes into operation. There are two separate and distinct cases. One is evidence of unsatisfactory security in connection with the export of cattle to England, and the other is the existence of actual disease itself; that is unsatisfactory security for the prevention of disease in one case, or the actual occurrence of it in the other. Now, an understanding was spoken of as having been reached between this Government and that of the United Kingdom in 1879, and of legislation and regulations since. Well, all the materials have been in the hands of the British Government; all the Orders in Council have been in their hands; all the statements which have been made by the hon. gentlemen or by others of any importance on this subject not only have been in the hands of the British Board of Agriculture, but the whole question has been discussed in every phase of it, and all that has transpired in these years, instead of enabling the British Board of Agriculture or the British Government to insinuate a charge of bad faith, such as has been hurled across this House to-day, has caused the British Government to treat as satisfactory all the facts, all the correspondence, all the conduct of this Government, all being considered as above-board, and the one question that the Board of Agriculture and the Canadian Government have been discussing since 1892 is as to the second condition, the condition that affects simply the question of the existence of disease in this country. That question, and that question only, is before the British Government, and just now the President of the Board of Agriculture and Dr. Burton Saunderson, the Wayne Professor of Physiology at Oxford University, are acting as a committee to ascertain the precise character of the disease, and I call attention to the language of Mr. Gardner, in explaining the object of that committee, to show how embarrassing is this discussion, which is now suddenly started, and which must necessarily reach the British Parliament. Mr. Gardner says:

"With a view, if possible, to clearing up any doubt which have been expressed as to the precise character of the disease with which the infected animals landed from Canada during the past two years have been affected, I am proposing to hold a special inquiry.

If the conclusion is in favour of the contention of the Canadian Government that the disease is not contagious pleuro-pneumonia, then the directions requiring the slaughter of the animals will not be maintained. Now, we have cleared away, as I say happily, all issues but that one. We have obtained the best advice we could obtain in the United Kingdom. We have the gratifying knowledge that not one single instance of that disease can be pointed to as having occurred in Canada, except in the case of the beast brought from England in 1886. We have the fact that of the animals

slaughtered there were only a few cases suspected of this disease, and these are cases in which the scientific men differ, the Canadian Government having on its side men of high character and position in England, and so strong a case have they made that the British Government have taken the extraordinary step of setting aside the opinions of their own experts, and asking a committee to settle that one only question. This was the position of the matter up to this afternoon; but now it is impossible to hide from our eyes the fact that extraordinary charges have been made—charges of bad faith, or trickery, of most scandalous conduct on the part of the Canadian Government, and word is sent across the sea that no matter how these cases may turn out, other conditions must be taken up, and the hands of the President of the British Board of Agriculture must be tied up further. There is evidence, whether correct or not, there is suspicion, whether properly founded or not, that there is not proper security existing in Canada for the prevention of that disease, and I say that a most embarrassing view has been put forward to-day, and how unfairly has that been done? How many members in the House to-day knew when the House opened the nature of this discussion, the line it would take, the documents that would be examined, the importance of those documents, the seriousness of the charges that would be made? And how many members have been able to follow all these intelligently? How many members have been able really to grasp the actual facts of the case from the presentation made from the voluminous documents which the hon. member for North York handled, without having given the slightest intimation to any one that he proposed to prefer charges of so serious and grave a character? The hon. gentleman based his speech upon only such documents as he believed gave rise to the supposed irregularity, omitting the answers and the letters which exposed the character of some of the gentlemen who had written the communications upon which he based his argument, omitting entirely the retraction of Dr. Wright, and presenting only one side of the correspondence that extended over all this period from 1879. It is not right to impute motives, but what motive could the hon. gentleman have had? The danger of his course I have pointed out. I hope I have exaggerated the danger. I hope that I exaggerate the consequences, but the one consequence I fear is an annoying and unnecessary delay in removing that embargo. But what was the hon. gentleman's object in pressing charges of that character in such a manner, without giving the department concerned the slightest opportunity of presenting in the strongest manner their side of the case. Our side of the case should be presented, not merely for this House and country, but for the English Parliament and people. Whatever may be the reasons which induced the Board of Agriculture to pro-

hibit our sending live cattle into England—whether protectionist doctrines prevail, or whether there was a real fear on the part of English agriculturists of the introduction of disease—the position of any Government in England must be embarrassed by the presentation of the facts brought forward to-day and by the hon. gentleman's statement of the case, no matter whether his case be well founded or not; and on that account I deplore his statement. I am not in the slightest degree alarmed, so far as the farmers of this country are concerned, and so far as the men who are in the business of shipping cattle are concerned. There is not a man who raises cattle for Great Britain, there is not a man who has handled cattle at the port of Montreal—and I know many of them—who will attach the slightest importance to the utterances of the hon. member for North York. They have handled the cattle and know the precautions that have been taken, and the technical violation of the regulations or the omissions to carry out those regulations in their entirety, in several respects, where the regulations were absolutely immaterial. They thoroughly well know that this has not been attended with any serious result to this country. They know how free from disease the cattle of this country are; and when the hon. gentleman presses the statement that in the bordering states this pleuro-pneumonia almost runs rampant, he gives away the whole case. He admits that the regulations have been substantially enforced in this country when he says that not a single animal has got into these borders infected with the disease. What more does the hon. gentleman want? What does he expect to gain by bringing up little points in the way he did? I can show the hon. gentleman—and I say this of my personal knowledge—that in England itself they have never enforced to the letter their regulations with regard to the cattle trade. The Board of Trade itself has not enforced to the letter most important regulations. Are we to assume for that reason that they were actuated by bad faith? Are we to assume that there was dishonesty and fraud on the part of the Government officials? Why, no department of any Government could stand such infinitesimal, technical criticism as was advanced to-day with regard to these regulations, which have been shown, and conclusively shown, by the President of the Council, who has much experience on the subject, to be absolutely immaterial. The hon. gentleman suggested that it was assumed on this side of the House that a Reform Government was responsible for this unfriendly action to Canada. No such suggestion could possibly be made by any one familiar with the history of the matter. The best friend of Canada has been Lord Ripon. He has read the whole of Canada's case, and argued it with singular ability in his discussions with the Board of Trade; and the last documents laid on the Table of the

Sir CHARLES HIBBERT TUPPER.

House of Commons contained the expression of Lord Ripon's deep regret that the Board of Trade had not been able to act as the Canadian Government desired. So that we can have no complaint on that score. The difficulties that surround the Board of Agriculture have come from without the Government, as I very well know, and not from within it. But the case of the 'Monkseaton,' and that is why I was driven to the record, was referred to by the hon. member for North Wellington (Mr. McMullen). In reply I can only tell the hon. gentleman that he cannot possibly have read the correspondence since 1892. I referred this evening to the fact that most of the references of the hon. gentleman opposite are anterior to the papers that are really in point. Had he read the correspondence, he would have seen that he was only arguing about a part of the English case that has long since been knocked to atoms, and that was the case of an animal traced back to Pilot Mound, a region where there never had been any sign of disease; and the report of the Minister of Agriculture (Mr. Angers), lawyer though he be, is absolutely conclusive on the case of the 'Monkseaton,' and that case has gone to the wall, so far as it was a case which could be urged against Canada. The discussion and the inquiry has gone down to this very year, and any one following Mr. Gardner's utterances in the House of Commons this year would have found that that embargo would have been removed at the opening of the season, had it not been that this year, when every regulation was strictly enforced, another case of suspicion occurred. I trust that the unwise course proposed by the hon. gentleman will not cause further delay. It cannot have any effect ultimately. I am not afraid of that. I know that the examination in the future will show, as it did in the past, that the Canadian Government have an unanswerable case in this question of such important interest to the whole country. I regret exceedingly that any hon. member, any Canadian, would suggest to those, whose whole desire is to break down the Canadian case, an argument that would even now have the effect of delaying a satisfactory settlement of the question.

Mr. SPROULE. Before you call in the members, Mr. Speaker, I would like to say a few words on this subject, because I think it has not been fairly dealt with by hon. gentlemen opposite. If I correctly understood the members for North York (Mr. Mulock) and Wellington (Mr. McMullen), their argument was to the effect that the regulations entered into between the Department of Agriculture and the British authorities had not been carried out and that those regulations had been deliberately violated by the department, and that they had been illegally violated by the department. Now, I do not know upon what ground this allegation is made. Hon.

gentlemen have not given us the correspondence which will bear out that contention, nor have they read the regulations that were entered into for the purpose of carrying out the requirements of the British Board of Agriculture. I have a copy of those regulations before me, and I do not think there is a word in those regulations that will bear out the contention that is made. The contention is first that the inspection should have been made by daylight. There is nothing in the regulations which says that the inspection shall be made in daytime or at any other time. The next contention is that the inspection was not made properly at night, because it was made in the dark. There is nothing to bear out that contention either. The regulations are in the following words :—

14. American cattle and swine, the importation and introduction of which are prohibited as ordered by Part I, paragraph 3, may nevertheless be permitted to enter Canada in bond, at the ports of Sarnia, Windsor and Amherstburg, to be conveyed, under surveillance and strict rules of isolation, through Canada and territory to the American frontier at Rouse's Point, St. Armand Station, Island Pond, the Suspension Bridge (Niagara) and the International Bridge (Fort Erie); but no such transit shall be allowed, unless an agreement between the Minister of Agriculture and the railway company interested in and conducting such transit has been communicated to the Collector of Customs of each of the said ports or stations.

15. The transit of cattle and swine between the points mentioned in the next preceding paragraph, shall be subject to such rules and regulations as the Minister of Agriculture shall prescribe and in accordance with the arrangements which may be made between the said Minister and the Grand Trunk, the Great Western and the Canada Southern railway companies, for the proper carrying out of the present order, and the necessary measures to save the live stock of Canada from the dangers of contagion and infection.

16. Amongst other things, these arrangements of the Minister of Agriculture shall provide :—

The following are the provisions :—

(a.) That an inspection of the said cattle and swine shall be made before they are admitted in transit, permission for which transit shall only be given on a certificate or clean bill of health from the inspector, he being a veterinary surgeon appointed by the said minister ;

This does not say whether the inspection shall take place at night or in the daytime. It seems passing strange to a medical man to hear it said that an inspection cannot be made at night. It might as well be said that a medical man cannot examine a patient at night and do it properly, as to say that a veterinary surgeon cannot examine an animal if the necessary appliances and conveniences are furnished. And if it can be shown, as I believe it can be shown, that these appliances and conveniences were furnished, there is no reason why the inspection should not be made as well at night as in the daytime. The next regulation is as follows :—

(b.) That each train carrying American cattle or swine or both, from frontier to frontier in bond, shall be accompanied by one of the staff or guardians, also to be appointed by the said minister.

This is the only part of the regulations that, so far as I know, was not literally complied with—that the officer appointed by the Government should go on the train through the country. But when you remember that these cattle were carried through in bond, that the cars were locked and the doors could not be opened during the time they were passing through Canada, except it might be when they were taken out to be fed and watered at Lyn station, and that then the cars were kept in an enclosure, so that there could be no communication between animals taken from the car and those in the vicinity, it can readily be understood that there could be no great danger from these cattle passing through, even if they were not accompanied by an inspector of the Government. But I am told that another device was adopted so as to make sure that the regulations were carried out, and that was to have the inspector visit the trains as they passed, sometimes at one station, sometimes at another, to see that the regulations were strictly carried out, and in no instance was it found that they were not being carried out. If the cattle were being carried through in locked cars there could hardly be the possibility the hon. gentleman suggests of their being shunted off on some siding and left there for a length of time. The hon. gentleman seems to forget that these trains were carrying the cattle through as rapidly as possible, so that the cars could not be shunted at way-stations, where the cattle could not be fed and watered. Not only is it not probable that such a thing was done, but we have no knowledge of any instance of that kind. Such a thing would have been not only a violation of the regulations, but a gross cruelty to the animals and an injury to them by leaving them without food and water. The next regulation provides :

(c.) That the cars and trucks employed for such traffic be specially and exclusively devoted to such purpose.

I am not aware that there was any violation of this regulation. It is true that it was alleged by some party as a rumour that these cars were used or might have been used to carry Canadian cattle. But there is no authenticated case given of the cars having been used for any other purpose than that for which they were intended by the railway companies in this trade—the carrying of these cattle through from one point in the United States to another point in that country. The next clause of the regulations is as follows :—

(d.) That no Canadian animals shall be carried at any time in the same train in company with, nor in close proximity to, American cattle or swine, and that no car or truck employed in the American

cattle and swine transport, shall be used to carry, at any time, Canadian animals.

It is not charged that there was any violation of this regulation and the correspondence discloses no such violation. Section E of the regulation is as follows:—

(e.) That no unnecessary delay occur with any train engaged in the said transit passing through Canadian territory.

As I have already said, it is not likely that the cars were shunted at way-stations or left on sidings as alleged by the hon. member for North York (Mr. Mulock). The whole object was to get these trains through as rapidly as possible. The next section of the regulation is as follows:—

(f.) That due precautions be taken to retain in the cars or trucks and disinfect if need be the droppings of cattle and swine thus carried in transit;

“If need be,” that is if, in the judgment of the veterinary expert whose duty it was to look after the cattle it was necessary that disinfecting should take place, it was to take place.

(g.) That no such cattle or swine, nor their carcasses in case of death occurring (unless immediately buried under directions of the proper guardian) nor parts thereof, nor articles having been employed about them, be permitted to remain in Canada nor to come in contact with any person or persons, other than those engaged on the train, or thing whilst thus undergoing the said transit.

17. Inasmuch as it is of absolute necessity, owing to the length of the trip, on the Grand Trunk railway, to provide for a place where American cattle and swine can be fed, watered and rested, it is ordered that the said resting place shall be established at the station of Lyn, in the province of Ontario, where a double, isolated enclosure shall be provided by the railway company, selected, established and fitted to the satisfaction of the Minister of Agriculture, before the said company is permitted to transport American cattle or swine over their line. The said enclosure, besides other requisites, shall be provided with a high board fence and a vacant space around the said board fence, the said outside spaces to be also fenced, in order to prevent any approach to the inner enclosure; the said inner inclosure shall be provided with a special siding, with two locked doors, for the admission and isolation, under key, of the cars or trucks carrying American cattle or swine in transit.

18. The two fenced enclosures mentioned in the next foregoing section, situated at the Grand Trunk Railway station at Lyn, in the province of Ontario, with all appurtenances therein, or things belonging thereto, is hereby declared to be an infected place, in the meaning and for all purposes of the ‘Act to provide against infectious or contagious diseases affecting animals.’

19. The enclosures through which American cattle and swine enter Canada, in transit at Sarnia, on the Grand Trunk line, must be arranged, fitted and isolated in like manner, to the satisfaction of the Minister of Agriculture, and the said en-

losures situated on the Grand Trunk Railway grounds, on the frontier, with everything thereto appertaining, are also declared hereby to be an infected place.

The enclosures through which American cattle and swine enter Canada in transit at Sarnia, on the Grand Trunk line, must be arranged, fitted and isolated in like manner, to the satisfaction of the Minister of Agriculture, and the said enclosures situated on the Grand Trunk Railway grounds, on the frontier, with everything thereto appertaining, are also declared hereby to be an infected place.

Now, those are the regulations upon which the transport of American cattle was to be allowed through Canada, and in not a single instance have they been violated, so far as the department could ascertain from authentic information, except that in one case where a party was to accompany each train through the country, another device was adopted of sending parties from station to station to visit these trains and ascertain that the regulations were strictly enforced, and it was found that they were strictly enforced. Then, because the cars were locked when they were passing through Canada, and were taken through as rapidly as possible, it was not thought necessary that this portion of the regulations should be carried out. Then the next question is, Who made these regulations and who carried them out? Dr. Smith, professor in the Veterinary College at Toronto, was appointed in 1882 for the purpose of seeing these regulations effectually carried out, and for the purpose of taking such other means as would prevent any importation of disease. Dr. Smith was informed that an Order in Council had been passed appointing him to do that duty. He was the party upon whose advice Dr. Wright was appointed to look after this duty at Windsor and at Sarnia, and he (Dr. Wright) had associated with him three other veterinary surgeons, every one of whom were graduates, I believe, of the Veterinary College of Toronto, and were believed to be competent men, and were reported to the department as men competent to do their duty. After a while application was made by the Grand Trunk Railway Company that the inspection should take place at night; before that time it was done in the daytime. But the Deputy Minister, before authorizing that it might be done at night, consulted Dr. McEachran, who was the veterinary surgeon that gave advice to the department regarding that branch of business, and Dr. Smith, of Toronto, and they both agreed that the inspection might be carried on at night with sufficient accuracy to ascertain if any sick animals were on the train. I believe that is about all that could be accomplished by this inspection, for it must be understood that the inspection was not of a nature that would enable any one to detect pleuro-pneumonia in its incipient stage. These regulations were made in 1880, and up to that time there was no means known to the profession by which pleuro-pneumonia

could be effectually diagnosed, it could only be done by post-mortem examination. But in its incipient stage, it was impossible to tell whether it existed or not. The inspection might be made in the daytime or at night, and a competent surgeon would not be able to detect its existence until after it had become well established. Now, to show that the inspection which was made at night was sufficiently ample, I will read the reply of Dr. Smith, with whom the department communicated to ascertain if it was effectually carried out, because it was rumoured that the inspection was of a pro forma character. The letter is dated May 5, 1882, and is addressed to J. Lowe, Esq., Secretary of the Department of Agriculture:

In reply to yours of the 2nd, just received, I have to state that night inspection at Point Edward appears to work well. The company have the yards fitted with large lamps, and inspection can be safely and easily made. I think the same ought to be done at Windsor and Amherstburg. If arrangements were made similar to those at Point Edward, it would not be advisable to appoint any one as assistant inspector except a regularly qualified veterinary surgeon. If an assistant is really necessary a qualified man can be got to act.

And afterwards qualified men were appointed to assist Dr. Wright in this duty, and I am told that the necessary requirements were provided for carrying on this inspection at night.

Mr. Burton of the G.T.R. called the other day in regard to inspection at Windsor, thinking that Mr. Wright occasionally caused a little unnecessary delay. I promised to attend to the matter and will go to Windsor, and may possibly stimulate Mr. Wright if there is unnecessary delay. I believe shippers complain when cattle are detained over a whole night.

That complaint was made, that cattle were detained the whole night for the purpose of inspection in daylight, and that during the cold weather of winter, it was cruelty to the animals, and it was an interference with the carrying trade of the Grand Trunk Railway. To avoid that difficulty an arrangement was made that the inspection should take place at night, the same as in the daytime.

If Mr. Wright and Mr. Matthews are not already notified of my appointment as general inspector, it would be well for you to notify them immediately. There are over 30 head of cattle in quarantine now.

Cattle that were found to be suffering from disease were put in quarantine and kept there. I give this as an evidence that the inspection was not of a profunctorary character, but it was made for the purpose of ascertaining that no diseased cattle were brought into the country. If they were diseased, they were taken out of the trains and kept there, and when they were diseased to such an extent as to be incurable, they were slaughtered according to the regulations

I have read, and in no instance were they allowed to pass through the country.

I have given instructions to Mr. Westell to enclose a couple of paddocks at quarantine building. The whole ground should be fenced immediately.

And it was fenced in immediately after that. This was in 1882, and that inspection has been carried out to the present time. You will notice by this letter that Dr. Smith is anxious that Dr. Wright, who was the inspector there, should be informed that the department had by Order in Council authorized him to oversee this work. Dr. Smith, who was at the head of the Toronto Veterinary College, was believed to be one of the most able experts of Ontario, and for that reason he was appointed to carry out these regulations and to suggest such changes as might more effectually prevent the importation of the cattle diseased from the United States to Canada. Associated with him was Dr. McEachran, who was consulted in cases where it was thought advisable to secure further advice. Now, the hon. member for North York read several letters, in which the Deputy Minister of Agriculture had called the attention of the Grand Trunk Railway from time to time to the importance of strictly carrying out these regulations. That was what he was appointed to do, and he did it, I think, wisely, and in harmony with the regulations entered into with the British Board of Agriculture. Whenever a report came to him of any relaxation of the enforcement of the regulations, the notice of the Grand Trunk Railway authorities was called to it in order that there should be no neglect in the strict enforcement of the regulations. It seems that at one time some certificates were issued giving a clean bill of health to cattle passing through Canada without the inspection having first been made. As soon as that was brought to the attention of Dr. Smith and Dr. McEachran, the practice was stopped at once, and no more such certificates were given, and no such certificates were at any time given with the knowledge and consent of the Minister of Agriculture or of the veterinary surgeons. That was one of the things done by Dr. Wright for which there was no authority, and for which there was really no palliation. It is contended that Dr. Wright should have been dismissed long before he was dismissed. Now, when his neglect of duty was brought to the notice of the department, the department instructed Dr. Smith to dismiss this man, saying that his conduct was such that it could not be tolerated. He was one of Dr. Smith's pupils, and as he pleaded to be retained, and admitted that he had done wrong, and as Dr. Smith believed him to be a competent man and believed that he would be more strict in carrying out the regulations in future, he allowed him to remain after a reprimand. After that we have no informa-

tion or no evidence that he did not do his duty faithfully, until it was found at last that he was following his profession as a medical man in Detroit. He was requested to give his whole time to this work and to reside in Windsor, and when he refused to do so, he was dismissed by the department. In all these letters there is nothing to show that the regulations were not carried out. It seems most unfortunate that the hon. member for North York (Mr. Mulock) should have brought this subject to the attention of the House at the present time. Only to-day we have been notified from the old country that the Board of Agriculture is considering, perhaps for the last time, the question as to whether or not the embargo should be raised on Canadian cattle.

Mr. MULOCK. And has decided that it should not be for the present.

Mr. SPROULE. I have not seen any notice that the Board decided it should not.

Mr. MULOCK. That is what the press says.

Mr. SPROULE. We have had no notice up to the present time as to what the decision of the Board is; but it is most unfortunate that when the Board is about to give a decision, and it may be a decision in our favour, that the hon. gentleman has brought this subject to the attention of the House, not, I venture to say, for the purpose of securing a more thorough or strict surveillance over this very important matter, but for the purpose of giving the world the information as regards any weak features in our system, and giving this information not only to the Canadian people, but also to the British people, and thus possibly preventing them determining this question in our favour. I do not think this question could have been brought to the attention of the House at a more unfortunate time. I do not think that any man is a friend of the farmers of Canada who has brought to the House this subject in the way it has been submitted to-night. I regret that the hon. member for North Wellington (Mr. McMullen) has been so extravagant in his language, and that what he said has been so unreliable, because there is not a particle of evidence to justify the allegations made before this House and the country. There has been no violation of the regulations, and the very fact that they have been faithfully carried out for fourteen years, and during all that time no case of pleuro-pneumonia or any other infectious or contagious disease has been imported into the country, should afford the strongest argument that the examinations were effectual for the purpose for which they were intended, and were not carried out in the perfunctory manner alleged by the hon. member for North Wellington (Mr. McMullen) and the hon. member for North York (Mr. Mulock).

Mr. SPROULE.

The hon. member for North Wellington (Mr. McMullen) asked: Where did the animal come from that was said to be affected with pleuro-pneumonia? It came from Pilot Mound, in Manitoba. The hon. gentleman then said that it had been brought in from the western states. If the hon. gentleman had taken the trouble to obtain the necessary information, he would have found on inquiry that the animal came from Ontario, and not from the western states; that it was taken from Ontario to Pilot Mound, where it remained some time. That was one of the animals affected. The hon. gentleman mentioned another animal, and he asked where that came from. I may inform him that it came from Wolf Island, near Kingston, where it had been isolated, except as regards a few head, for months, before it was sold, and subsequently exported. These were the two animals, in regard to which the examination was made in Great Britain, one being carried by the 'Monkseaton,' and the other by the 'Huronian.' Both these animals belong to Ontario, where no similar disease had prevailed. The herd had been inspected, but no cases of disease had been discovered, and not only so, but herds in the neighbourhood were inspected, and no disease found. When this information could be obtained from the returns published it is unfair for an hon. gentleman to come to the House and endeavour for the purpose of making a point, either against the Minister of Agriculture or the Government, to endeavour to lead the Canadian farmer to the conclusion that there was a relaxation of the regulations, and that disease had been imported into the country through laxity in carrying out the quarantine regulations as regards the United States, when in reality nothing of the kind had occurred. Every precaution that the Department of Agriculture could exercise that would tend to satisfy the British Board of Agriculture that pleuro pneumonia did not exist in Canada had been strictly carried out. Offers were made to the British Board to send out their own experts, and the Government here would pay the expenses. That offer was refused. Every effort was made that could be made, either by the Department of Agriculture or by the veterinary surgeons, to satisfy the people of England that pleuro-pneumonia did not exist in Canada, and when those regulations were carried out strictly and in harmony with the agreement, there is no justification for an attack being made on the Government to-night by the hon. member for North York (Mr. Mulock) and the hon. member for North Wellington (Mr. McMullen), not for the purpose of showing the world that the regulations were not carried out, but I believe, if possible, for the purpose of creating a feeling among the farmers that in some manner their interests had not been faithfully looked after by the present Government, or by the Minister of Agriculture, who for the time being was in charge of the department.

Mr. McMILLAN. I have been astonished that the hon. member for North Grey (Mr. Sproule) should have found so much fault with the hon. member for North York (Mr. Mulock) for bringing this subject to the attention of the House. The hon. gentleman has forgotten that on the 18th of last month he brought the same question before the House. He has also forgotten that in the evidence adduced there were some violations of the regulations. In the 'Hansard' of the 18th June, I find the hon. member for North Grey (Mr. Sproule) read the following:—

On 12th November Mr. Stiff writes to Mr. Hickson a narrative of the facts, adding, I presume, if he carries out his threat to publish his views on the transportation of stock through Canada, he would do some injury, and that the touchiness which the English people have about this cattle disease, it might lead to the shipments being again stopped, but, in my opinion, it is a question whether we should submit to what must be considered as blackmail, or whether the Government will not be prepared to risk his threats and put some other man in his place. I should think that he had by signing Mr. Reynold's letter, dated 8th November, committed himself to such an extent that the Government would have no hesitation in dispensing with his services.

What effect would the publication of such a statement have on the trade of Canada when it appeared that the regulations and conditions had not been faithfully carried out? I am surprised that the hon. gentleman should have endeavoured to make it appear that we on this side of the House had no right to criticise the actions of the Government. That is the object and purpose of the Opposition, and we have been found fault with because we have not on certain occasions criticised the Government's action. I was also surprised that both the President of the Council and the Minister of Marine and Fisheries should have stated that the question was not as regards the regulations, but whether there had been any disease brought into the country. I have a short statement here from Great Britain on this point. It is to this effect:

The question of the existence of the disease in Canada is not the only fact to which the Board are required by law to take into account in this matter. They are further bound to be satisfied that the Canadian laws relating inter alia to the importation of animals are such as to afford reasonable security against the importation into this country of diseased animals brought therefrom, and even if it were established beyond all question that the diseased animals imported in the 'Monkseaton' and 'Huronian' were not infected in Canadian territory the Board could only conclude that the law and regulations regarding the admission of American cattle across the Canadian border were either in themselves defective or that they were not enforced with complete efficiency,

Such is the opinion of the British people.

Have they any cause for holding that opinion? Let us see what was the condition of affairs from 1878 down to February, 1893, and the best way in which I can explain the matter is by referring to 'Hansard.' After the cattle had been scheduled, being deeply interested in that trade, I watched all the papers I could get. I had certain papers sent out from Great Britain to me, which were marked. One was marked with reference to cattle coming from the United States into the North-west Territories on inspection only, and the regulations not being strictly enforced. On that point I put a question in this House on the 20th of February, 1893, as to whether the Government had taken means to enforce a strict quarantine. Our cattle were scheduled in the month of October, 1892, and cattle from the United States were allowed to enter the North-west Territories only on inspection until the date of my question. The question I put was as follows:—

Mr. McMILLAN (Huron) asked, Whether settlers' cattle are admitted into the Canadian North-west from the United States without quarantine: on inspection only? If so is it the intention of the Government to enforce quarantine regulations against all American cattle entering Canada? Have representations been made to the Government at any time, either written or verbal, of the danger of the British Government scheduling Canadian cattle if settlers' cattle were admitted into Manitoba and the North-west Territories from the United States without quarantine?

The answer I got was:

Mr. FOSTER. Settlers' cattle are not admitted into the Canadian North-west from the United States without quarantine, and they are admitted on inspection only.

There is an admission that the cattle were admitted on inspection only. Had that any effect on the people in the old country with respect to our cattle in Canada? I say most certainly it had, and here is the proof of that on page 48 of that same document which was issued in Great Britain with respect to the disease in Canada:

It appears by the correspondence inclosed by Sir Charles Tupper that the Dominion Government has now extended the regulation requiring 90 days quarantine to settlers' cattle coming into Manitoba and the North-west Territories, so that this 90 days quarantine is now enforced along the whole length of the boundary line.

How long was that after the Order in Council was passed? Only seven days after my question was put. Showing conclusively that the Government of Great Britain knew full well that the quarantine regulations were not enforced. Now, we have been told that the people of Canada will not be in sympathy with what the hon. member for North York and the hon. member for North Wellington have done. I hold in my hand a paper which shows a little of the feeling among the farmers of Ontario at least with respect to this subject. It says:

One regulation was that all cattle should be unloaded and inspected on the American side by a competent veterinary surgeon before passing into Canada.

I was astonished at the hon. member for North Grey (Mr. Sproule) saying that by taking a lamp to the side of a car you could inspect cattle at night as well as in the daytime. Any one who knows anything about the inspection of cattle knows that that is impossible. This article goes on :

All inspection was to be made in the daytime. Since about 1884 no cattle have been taken from the cars. The Deputy Minister of Agriculture, Mr. Lowe, said he would "wink" at such violation of the regulations. This was a concession to the roads. Then the road complained that they could not time their cattle trains so as to reach the frontier in the daytime, and night inspection (in the cars) was permitted, which was a roaring farce. Dr. Wright, who is a veterinary surgeon as well as a practising physician and a life-long Tory, was the inspector at Detroit. He made up his mind that as the inspection he was permitted to make was a farce, he might as well make none at all, and he did not. Ostensibly because he would not move to Windsor the Government dismissed him a few years ago, and he at once forwarded the facts to the Imperial Government. In six weeks the Canadian cattle were embargoed. Thus the interest of the railroads were regarded as paramount by the Government to the interest of the farmers. Rather than enforce the regulations of the Imperial Government, which would have been a serious blow, of course, at the transit trade of the railways, the Government winked at their violation, and in fact ordered their violation, with the result that while the railways have profited by the American cattle trade, the Canadian farmers have lost their only market for cattle.

This is the opinion of the organ of the Patrons of Industry of western Ontario. But it goes further than that; it comes down to the inspection in the month of May of the present year, and I will read what it says :

Grand Vice-President Currie, Grand Trustee Kennedy and the editor of the 'Sun' visited the western frontier last week for the purpose of witnessing an actual inspection of cattle. All that had previously been charged regarding inspection was verified and more. At Sarnia the cattle trains, usually numbering from two to five, are brought into Canada before the inspection is made. This is another violation of the regulations agreed to by the Imperial Government, for which the Dominion authorities are reprehensible. The inspection of an entire train load of cattle is completed in a few minutes, the inspector's remarks being that it is "only a matter of form." Usually the trains arrive at the tunnel during the afternoon and are crossed, inspected and forwarded before nightfall, so that night inspection is not so frequent there as at Windsor. The rule in both places to unload the cattle from the cars is seldom observed.

What are the authorities going to do about this open contempt for the rights of the farmers of Canada?

There is the sympathy that the farmers of Canada are extending to my hon. friend from

Mr. McMILLAN.

North York, and also to my hon. friend from North Wellington their sympathy. I am perfectly aware that they are alive to this question—nay further, that it is creating considerable excitement among them. About a week ago, at a large gathering of farmers, the question was brought up and discussed thoroughly, and this paper was placed in my hand and I was asked to read the last article. So that the farmers are in reality alive to this question. I believe myself that the scheduling was caused to a considerable extent by cattle being allowed to come into the North-west from 1878 up to the time the change was made, as stated to me by the Finance Minister, on the 20th of February, 1893; and when it was found that those cattle had been traced to the North-west Territories, although it could not be said that it was really pleuro-pneumonia that affected them, a feeling arose among the people of Great Britain that the cattle had been in contact with cattle affected by that disease which had come from the United States. They then asked that the Government of Canada should take such measures as would prevent all cattle coming into Canada, except for breeding and exhibition purposes, showing conclusively that they believed the country was in a dangerous condition. The scheduling of our cattle has been a considerable injury to the trade, there is not the slightest doubt of that, and in my opinion it will not be easily removed. I think that if the conditions under which cattle are taken across Canadian territory had been strictly insisted upon and the quarantine regulations in the North-west properly enforced, it would not have taken so deep a hold. That was the time the Government should have looked after the matter and taken proper steps to give no cause whatever for suspicion of the disease coming to this country.

Mr. FAIRBAIRN. As a farmer, and a man interested in cattle, I feel bound to say a few words before this debate closes. One thing I am pleased to see has been brought out by this discussion, and that is the opinion expressed by the hon. member for Wellington (Mr. McMullen) that there is no pleuro-pneumonia in Canada. That is where the whole interest centres. I wish to point out to the hon. member for North York (Mr. Mulock) who brought this question up, and has wasted the whole day on it, that, according to the opinion of his right hand man, there is no pleuro-pneumonia in Canada. I hold the hon. member for North York accountable for this whole turmoil over this question. When the hon. gentleman was reading all those letters and extracts, he reminded me very much of the old lady who went to church on Sunday and came home very much displeased with the sermon. A few days afterwards, she explained to one of the deacons who called on her why she felt so angry. I do not believe,

she said, in a read sermon, in the first place, and, in the next place, I want it to be well read. And then she went on to say that the sermon she heard was neither well read, or worth the reading after it was done, which I think fairly applies to the hon. member for North York. Now, I wish to say that, as a farmer, I do not believe in raising this turmoil at all. I think it is an injury to Canada; I think that if ever there was a time when hon. gentlemen opposite should hold their peace, that time is just now. If we ever had a chance to have this embargo removed, the time, I believe, has come, and yet hon. gentlemen opposite come forward and almost throw out the challenge that it will not be removed. We should be straightforward and candid and, above all, true Canadians, and hon. gentlemen opposite are not true to their country when they seek to raise all this turmoil which cannot but tend to delay the time when the embargo will be removed. If hon. gentlemen opposite should ever keep their peace, it is now, when we should be careful not to excite any feeling of suspicion so as to afford an excuse for the continuing of the embargo. As a member of the Agricultural Committee, and as a farmer, I have looked very carefully into this matter, and I do not believe that the Government have been remiss in their duty. I believe they have done everything in their power to have the embargo removed. The English Government to-day is just in the position in which the American Government were in under the McKinley Bill, when the farmers of the United States forced their Government to put a high duty on our Canadian barley and other products of the Canadian farmer. I believe that the pressure of the farmers has been brought to bear on the English Government, but when we find men like the hon. member for Wellington (Mr. McMullen) admit that there is no disease in Canada—a statement which I can cordially endorse—one can find no excuse, save the desire to gain, perhaps, some little party advantage, for the conduct of the hon. member for North York in exaggerating trifles and seeking to prejudice our case by a laboured and pica-yune criticism based on little technical points. I hope the Government will do as they have done in the past—do everything they can for the farmer. When I was running my by-election in South Victoria, I tried to educate the farmers of that county into the belief that we had an advantage over the Americans in shipping of cattle to Europe, but my hon. friend (Mr. Mulock) came there on two occasions and said we had not. To-day, however, he tries to show that we did have an advantage but lost it through some little deficiency in some of the departments. I believe that our Government have done everything they could and am not afraid to assume the responsibility of telling hon. gentlemen opposite that they

art not in the race. We farmers are just as keen observers as some of those hon. gentlemen who study law and know where our own interests lie, and we know that speeches such as those made by the hon. member for North York and those who supported him, are calculated to do us great injury at a very critical time.

House divided on amendment of Mr. Mulock :

YEAS :

Messieurs

Allan,	Landerkin,
Bain (Wentworth),	Laurier,
Beausoleil,	Lavergne,
Beith,	Leduc,
Borden,	Legris,
Boston,	Lister,
Bowman,	McCarthy,
Brodeur,	McGregor,
Brown,	McMillan,
Bruneau,	McMullen,
Campbell,	Martin,
Carroll,	Mignault,
Cartwright (Sir Richard),	Mills (Bothwell)
Casey,	Monet,
Charlton,	Mulock,
Choquette,	O'Brien,
Christie,	Paterson (Brant),
Dawson,	Perry,
Edgar,	Proulx,
Edwards,	Rider,
Featherston,	Rinfret,
Flint,	Rowand,
Forbes,	Sanborn,
Fraser,	Semple,
Frémont,	Somerville,
Gibson,	Sutherland,
Godbout,	Tarte,
Grieve,	Vaillancourt,
Harwood,	Yeo.—59.
Innes,	

NAYS :

Messieurs

Adams,	Langevin (Sir Hector),
Amyot,	Lippé,
Bain (Soulanges),	Macdonald (King's),
Belley,	Macdonell (Algoma),
Bennett,	McAlister,
Bergeron,	McDonald (Assiniboia),
Blanchard,	McDonald (Victoria),
Boyd,	McDougald (Pictou),
Boyle,	McInerney,
Calvin,	McKay,
Cargill,	McLean (King's),
Carignan,	McLennan,
Carling (Sir John),	McLeod,
Caron (Sir Adolphe),	Madill,
Carscallen,	Mara,
Cleveland,	Marshall,
Cochrane,	Masson,
Cockburn,	Metcalf,
Corbould,	Miller,
Craig,	Mills (Annapolis),
Curran,	Moncrieff,
Daly,	Montague,
Davin,	Onimet,
Davis,	Patterson (Colchester),
Desaulniers,	Pelletier,
Dickey,	Pope,
Dugas,	Pridham,
Dupont,	Prior,
Dyer,	Roome,
Earle,	Rosamond,
Fairbairn,	Ross (Lisgar),
Ferguson (Renfrew),	Ryckman,
Fréchette,	Simard,
Gillies,	Smith (Ontario),
Girouard (Jacques Cartier),	Sproule,
Girouard (Two Mountains),	Stairs,
Grant (Sir James),	Stevenson,

Guillet,
Haggart,
Haslam,
Hazen,
Henderson,
Hodgins,
Hutchins,
Ingram,
Ives,
Jeannotte,
Joncas,
Kenny,
Lachapelle,

Taylor,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Wallace,
White (Cardwell),
White (Shelburne),
Wilmot,
Wilson,
Wood (Brockville),
Wood (Westmoreland).—99.

PAIRS:

Ministerial.

Opposition.

Messieurs

Bergin,
Barnard,
Temple,
McNeill,
Bryson,
Baker,
LaRivière,
Reid,
Ferguson, (Leeds)
Sir Donald Smith,
Coatsworth,
Denison,
McLean, (York)
Burnham,
Northrup,
Patterson, (Huron)
Costigan,
Kaulbach,

Devlin,
Davies, (P.E.I.)
Gillmor,
Macdonald, (Huron)
Guay
Welsh,
Geoffrion,
Bernier,
Sriver,
Préfontaine,
Béchar,
Livingston,
Bourassa,
Colter,
Delisle,
Fauvel,
Lowell,
Bowers.

Amendment negatived. and House again resolved itself into Committee of Supply.

(In the Committee.)

To pay further amount to Mr. Thomas Skinner for services in connection with the transfer of the financial agency in London..... \$1,000

Sir JOHN THOMPSON. This vote is required as a further payment to Mr. Skinner for his services respecting the transfer of the financial agency in London. In the session of 1893, \$2,000 was voted, of which Mr. Skinner received \$860.09 for services, the balance being for disbursements made by him. This \$1,000 is thought no more than equivalent (in addition to the \$860.09 already paid him) for the valuable assistance given by him.

Mr. LAURIER. I did not quite catch the explanation. Is this a balance due or a gratuity?

Sir JOHN THOMPSON. This is really a balance due for Mr. Skinner's services.

Mr. LAURIER. Due under contract, or is it simply the estimated value of his services?

Sir JOHN THOMPSON. The estimated value of his services.

To pay the Crown agents for the Colonies one-half of one per cent commission and one-fourth of one per cent brokerage on amount of B.C. loan redeemed \$3,500

Sir JOHN THOMPSON. This is to meet the brokerage required to be paid the Crown agent on account of the redemption on 1st

Mr. FAIRBAIRN.

April of \$93,200 British Columbia 5 per cent bonds. The brokerage is paid under the agreement with the Crown agents when the loan was floated, and the amount was overlooked when preparing the Estimates.

Sir RICHARD CARTWRIGHT. Does that close the account with them, or will you require to make payments from time to time of a similar nature?

Sir JOHN THOMPSON. I understood that this was the final redemption of the British Columbia loan.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. McMULLEN. I would like to ask the Government when the Year-book will be laid before Parliament.

Sir JOHN THOMPSON. It is very nearly ready, I believe.

Motion agreed to; and the House adjourned at 2.10 a.m. (Thursday.)

HOUSE OF COMMONS.

THURSDAY, 5th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

NEW MEMBER.

Mr. SPEAKER. I have the honour to inform the House that the Clerk of the House has received from the Clerk of the Crown in Chancery the certificate of the election and return of Henry Corby, Esquire, for the electoral district of West Hastings.

MEMBER INTRODUCED.

Henry Corby, Esquire, member for the electoral district of West Hastings, introduced by Sir John Thompson and Mr. Northrup.

AGENCY OFFICE AT CHICAGO.

Mr. GIROUARD (Two Mountains) asked, 1. Whether the Government have received a petition, signed by most of the Canadians, British-American citizens of the state of Illinois, asking for the establishment of an agency office at Chicago, with a view to protect the interests of Canada in the American North-west? 2. If so, did the said petition recommend the appointment of any person, as agent, for the management of the said office? 3. Have the Government considered the said petition? 4. Is it the intention of the Government to establish an

agency office at Chicago, as requested in the said petition?

Mr. DALY. 1. Yes. 2. The petition recommended the appointment of Mr. Daniel Bergevin, of Chicago, for the management of the office. 3. Yes. 4. The Government intimated to the petitioners through the Secretary of State that it was not the intention to establish such an agency at Chicago.

DRAWBACK ON IRON AND STEEL BRIDGES.

Mr. HAGGART moved that, to-morrow, the House resolve itself into Committee to consider the following resolution:—

That it is expedient to provide that the words "original construction," in section 1 of chapter 7 of the Statutes of 1882, respecting the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway, shall be construed to extend to and include the first iron or steel bridge erected in a locality, but not to any renewal or repair thereof.

Motion agreed to.

DAIRY REPORTS.

Mr. SUTHERLAND. Before the Orders of the Day are called, I wish to direct the attention of the House to the fact that the dairy reports that were ordered to be printed some time in March, 1893, have not yet been printed. In addition to that, the report of the committee submitted some time ago this session, ordering the printing of certain dairy reports, and reports concerning the agricultural farm, has not yet, so far as I can see, been adopted by the House. I think it is important to the dairying section of the community, and to farmers generally, under present circumstances, that this information should be given to them. In view of the large expense to which the country is put for the maintenance of the Experimental Farm and in paying the salaries of experts to instruct the people on dairying and other subjects affecting the farmers of this country, it is only right that these reports should be printed and circulated. After a few copies have been printed for circulation among the members, and while the type is set up, I cannot understand why the order of the House has not been complied with, and why these reports have not been printed in larger numbers and placed in general circulation. Representing a section largely interested in this industry, which is one of the largest in Canada, I may say that the people engaged in dairying take great interest in these reports, and I should like to know why this matter has not been attended to. If the report should be much longer delayed, it will be so old as to be useless.

Sir JOHN THOMPSON. I understand that as regards last year's proceedings, the

report of Professor Robertson did not come in until this session, and the decision of the committee in regard to its publication does not now prevail, and the matter will again have to be considered by the committee. As regards the proposed issue of 75,000 copies of the report this year, that has not yet been moved, and I ask the House not to adopt it.

Mr. SUTHERLAND. I think the hon. gentleman is referring to the report of this year. The report adopted last year authorized the printing of a certain number of copies.

Sir JOHN THOMPSON. I am referring to the report of Professor Robertson last year, which was not completed until after the expiration of the session. I hope the House will not adopt the practice of making an enormous distribution of these reports relating to the experimental farms. It is proposed to print 75,000 of the reports of the last two years, and the cost will almost equal that of the vote for the experimental farm itself.

INQUIRIES FOR RETURNS.

Mr. MARTIN. With respect to the return ordered some months ago as to the Columbian Exhibition, I desire to say that it has not yet been brought down. The hon. member for North Norfolk (Mr. Charlton) moved for a return on this subject, and I moved for a similar return. Some correspondence took place with the officials with regard to combining them, a proposal to which I was agreeable so long as all the information was obtained. It is high time that report was brought down.

Sir JOHN THOMPSON. Inquiries will at once be made in regard to it.

Mr. McMULLEN. A return ordered by the House on 30th March last as to the cost of constructing buildings in the North-west Territories has not yet been brought down.

Mr. OUIMET. I inquired in the department, and the answer given was that the work was being proceeded with. I will make further inquiry.

SUPPLY—FREIGHT RATES IN THE NORTH-WEST.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. McDONALD (Assiniboia). I desire to ask what action has been taken in regard to a largely signed petition from the North-west Territories protesting against the exceptionally high freight rates charged on the Canadian Pacific Railway, and also asking for immediate aid towards the building of the Hudson's Bay Railway. The hon. member for Marquette (Mr. Boyd) and

myself lately had an interview with the president of the Canadian Pacific Railway on the subject of a reduction of the rates in Manitoba and the North-west Territories. That gentleman claimed it was impossible for the company to reduce the rates. He also claimed that the company was not charging excessive rates, and that this could be proved by a letter dated 14th June, which he had sent to the Government. I would ask the Government what that letter contains, and what action they propose to take in regard to it, as it is quite plain to me that the Canadian Pacific Railway do not intend to reduce present freight rates. It is utterly impossible for the farmers of the North-west to pay the present rates, owing to the extremely low price of their products. I therefore ask the Government to appoint a commission to go fully into this question of freight rates.

Mr. DAVIN. In regard to the matter which has been brought before the House by my hon. friend from Eastern Assiniboia (Mr. McDonald), I desire to say a few words. There cannot be the least doubt that the question of the cost of the transport of the produce of the west to the seaboard is a vital question to us; nor can it be doubted for one moment that there is diffused through the North-west Territories and Manitoba at this moment an impression, whether ill or well grounded, that the freight rates are excessive. The farmers of the North-west have very little prospect of a rise in prices, because, instead of a diminished quantity being produced in the future, the prospects are that a very much larger quantity will be produced. Last year the Argentine Republic of South America, which is one of the greatest competitors the North-west has to fear, had a yield of sixty-six million bushels of wheat. The prospects this year are that the produce will be about two hundred and sixty million bushels. There is no prospect that the yield around the Black Sea or the yield in India will decrease, but on the contrary, that it will increase. And, therefore, there being no prospect of a great European war, and I doubt if an European war would so balance matters as to enable us to obtain such a price for our wheat as would be satisfactory to the farmers, and enable them to live comfortably and become prosperous—it is doubtful if the farmers would even under those circumstances be able to pay the rates they now pay. On the other hand, when we go to the railway company, the reply is that the railway companies cannot carry wheat at a lower rate than that at present prevailing, and the reason they cannot carry it is this: They say there is no comparison between their position and the lines with which the comparison is made. Such comparison is made between certain lines of railway which carry one hundred pounds for every five pounds carried by the Canadian Pacific Rail-

Mr. McDONALD (Assiniboia).

way. If the time should come when that company should get to carry one hundred pounds in place of five pounds carried now, or even a greater relative disparity, the company might be able to carry produce at a lower rate than is the case to-day. Not only is there no prospect that the managers of the Canadian Pacific Railway will be willing to lower their rates, but they themselves say there is no prospect of their being able to lower the rates, that they are at the present time carrying produce to the seaboard at rates if anything too low. The hon. gentleman has suggested the appointment of a Royal Commission. If the object is merely to inquire into the relative rates, that is to say, the rates of the Canadian Pacific Railway as compared with eastern-going railways, I do not think a Royal Commission will be necessary. A Royal Commission would be cumbersome; it would take a long time to establish an end that is very easily obtained. Nothing could be easier than for a departmental officer to go into the question of the traffic and rates of the various lines—to make a comparison, and to show the result. This is no recondite affair; this is no hidden mystery. It is not a thing that only a railway man can decide on. The Minister of Railways or his deputy, or the secretary or other efficient officer of his department, has only to make a departmental inquiry into this matter; and the result of an honest inquiry—and such an inquiry would be honest—and of an efficient inquiry—and we cannot doubt that if a proper man were chosen the inquiry would be efficient—would be just as certain, just as authoritative, as the result that would be arrived at by means of a commission; and it would be got at rapidly. On the other hand, I think a commission with broader scope might be useful. We might appoint a commission to inquire into the possibility of lowering the cost of carrying produce to the seaboard—the possibility, for instance, of making use of the waterways that are not now made use of. For instance, I was told two or three years ago that in one of the departments there is an accumulation of evidence, an accumulation of engineering knowledge in regard to the utilization of the Ottawa River, and the route that would be projected westward from that river. If that is there it would be of great advantage to have it brought before the public, with the view of determining whether or not we could use the Ottawa system of waterways for the purpose of carrying our produce at a cheaper rate to the seaboard. But, Sir, my hon. friend has referred to a petition that was laid on the Table here—I presented such a petition myself—in regard to the building of the Hudson Bay Railway. Now, that is a very large undertaking and various schemes are proposed in connection with it. One scheme is well known; it is for the building of that railway by a

private company, exactly as the Canadian Pacific Railway was built, and this House has voted large subsidies for that purpose. On the other hand, a scheme has lately been put forward, and has been referred to in the Senate; but I must not speak of what has been done there. I may say, however, that the idea did not originate there, but with the farmers in the west who feel keenly the great necessity there is for cheapening the cost of carrying their produce to the Liverpool market. The idea is that the Government of Canada should itself build the Hudson's Bay Railway, that it should retain possession of the railway, manage it, and so control the freight rates upon it for all time. There was a time, Sir, when the proposal of the Government building such a railway would at once meet with disfavour in this House; and it probably is not one that will, at the present moment, commend itself to the great majority of hon. members. Some twelve years ago we had a commission to inquire into all the facts connected with the Canadian Pacific Railway, and one of the conclusions of that commission was that the building of a railway by a Government is an expensive method of building a railway—that the best and cheapest method—overwhelmingly the cheapest and the best—is by a private company. Because, what was proved before that commission? It was proved that when a Government builds a railway, people with political influence force their sons and their relatives into superfluous employment. It was proved that a Government running a railway have also to accept, whether they like it or not, the services of people whom they do not actually require, or, if they require additional service, the service is less efficient than would be accepted by a private company. Since that time we have seen, under the management of the present Minister of Railways, that a Government can manage a railway efficiently—that the extravagant cost of running a railway that was presented at one time by our Government railway was not a necessary incident of Government control. In Australia and in Belgium the respective Governments have, on the whole, successfully built and run Government railways. Therefore, on the face of it, the desire of those farmers in the west, who entrusted me and my hon. friend with petitions to this House on the subject of building the Hudson's Bay Railway by the Government, the Government controlling it, and therefore controlling the rates, and therefore being amenable to the necessities of its citizens, is not a desire for a chimerical or impracticable project. Now, Sir, we know something about the Hudson's Bay Railway. I suppose there is hardly a man listening to me who has not, at some time or other, taken an interest in that line. We know that such a railway would be capable

of giving us for four or five months every year, cheap and short communication between the centre of the North-west and Liverpool. Therefore, although I would not favour a Royal Commission to inquire over so narrow a range as my hon. friend from East Assiniboia has suggested, I would suggest to my hon. friend who is at the head of the Department of Railways that before we go into committee he should assure my hon. friend that he would have the inquiry made which my hon. friend wants; and I would suggest to the Government that a commission be appointed to inquire into the whole subject of cheapening the cost of transport of produce from the west to its Liverpool market. When I suggest the appointment of such a commission, I mean that the commission should be a small one. The inquiry is one that would not involve, strictly speaking, judicial action of any kind, and therefore those safeguards that are exacted when you employ a commission to make an inquiry involving in any way the conduct of individuals, are not necessary here. It is very useful, in ordinary circumstances, where you are making an inquiry which may affect the position or standing before the public of individuals, that you should have three or four or five—anyway, two or more commissioners, generally three; but in this case there would be no such necessity. I would suggest that one first-class man should be employed as commissioner, with a first-class secretary, and they would do all the work. I know something of commissions, and, generally speaking, the work is mainly done by two persons—one commissioner and the secretary. But the secretary does a great deal of work, as a rule, that is virtually the work of a commissioner as well.

Mr. LAURIER. For instance, the Chinese Commission.

Mr. DAVIN. Yes; in that commission I knew the secretary very well, and he did the work of a commissioner as well as that of secretary.

Mr. EDGAR. Perhaps familiarity would breed contempt.

Mr. DAVIN. My hon. friend from Ontario (Mr. Edgar) suggests that familiarity might breed contempt, but I will say to him that the rule that no man is a hero to his valet has certain exceptions, and although I was very familiar with that person, the more I knew of him the higher he was raised in my esteem. It is not my wish to delay the House one second more than is necessary, and in the fewest words possible I have made the suggestion. The hon. Minister of Railways could carry out all that my hon. friend desires by a departmental inquiry. That would give us results very rapidly, and to appoint a commission to inquire into the rates charged by the Canadian Pacific Railway and other railways, would be to em-

ploy a Nasmith hammer to crush a nut. But for the purpose that I suggest, which is a large matter, a commission properly conducted would give us information that would be of the greatest possible value, if it resulted in such a competition of routes or such a discovery of a route, either of swiftness, shortness and cheapness, as would relieve the farmer from the pressure he now complains of, when, owing to the cost of transit and the low price of wheat, the return he gets does not pay him for the labour and capital he has expended in producing his crop. I may say in this connection that we cannot be too strongly convinced that we have made a miscalculation in thinking that we could develop the North-west by making it the granary of Europe. That is an idea that the people in the North-west must get rid of. They must, of necessity, instead of confining themselves to the growing of wheat, go into the raising of cattle. As the Minister of Agriculture advises, we should go into mixed farming. But whether we go into mixed farming or exclusively into grain raising, we shall still have to meet the fact that we are at a great distance from the seaboard, and that the solution of the problem of the cost of transfer is vital to our prosperity. Therefore, I make no motion, but simply suggest to the Government that they should appoint an efficient commission to inquire into the whole subject of cheapening the cost of carrying our produce to the seaboard, and especially as to whether we shall not be able, in consonance with the suggestion that has come from the farmers themselves, to build such a Hudson's Bay railway as will bring us many thousands of miles nearer our market, and thus by shortening the route and by giving our people a route over which they will have control, we may be able to solve the question of cheapening the carriage of our products to the Liverpool market.

Sir JOHN THOMPSON. I suppose all the members of the House understand thoroughly the nature of the complaint to which the hon. members for Assiniboia have just referred, because we have seen the subject discussed in the press very fully, and it has been discussed at public meetings, and mentioned, I dare say, in this House. The petitions, however, that have been presented from the people of the North-west and Manitoba in connection with this subject are very numerous, signed indeed, and to give the House an idea of their character, I will read briefly the substance of one of them. There is a recital that the freight rates charged by the Canadian Pacific Railway, especially those on grain, the raising of which is the principal industry of the Territories, are exorbitant and unreasonable; that application has been frequently made to the company for redress and for reconsideration of the rates, and that the company has not acceded to those requests, notwithstanding

the aid which the public treasury gave to the construction of the railway, and notwithstanding the grants of land this Parliament made to the company. There is a recital that the levying of excessive rates and tolls by the company is a very great burden, depressing the whole of the North-west and hindering its proper development, and causing emigration from the Territories, as settlers, after years of patient waiting, are giving up in despair of seeing a better state of affairs. The petitioners then conclude with the prayer that the Government will exercise the power given by law or bring such other pressure to bear on the railway company as may be necessary, in the interests of the whole people of the Territories, to reduce their rates in such a manner as to relieve the settlers of their unjust burden. And they likewise ask aid from this Parliament by money and guarantees for the purpose of building other railways, which are of absolute and immediate necessity in the very important and outlying settlements which were formed under promise of such railway facilities by the Government, both to prevent the present settlers giving up their present homesteads and leaving the country, as many are now prepared to do, through being unable to live there under existing circumstances, and to induce the much needed taking up of land by newcomers. They ask for immediate aid for the construction of the Hudson's Bay Railway which would insure, the petitioners state, the speedy development of the Territories, the building of branch lines and the opening up of millions of acres of Government land to settlement. That is the general form of petition, and it has been signed so numerously as to make up a volume. The petition has been considered by the Minister of Railways and other members of the Government and a communication of the complaints upon which the petition had been made was made to the Canadian Pacific Railway Company, who have stated their defence in a letter dated 14th June, 1884, and directed to the Minister of Railways and Canals. This letter is signed by the secretary of the company. After acknowledging the petition of the residents of the North-west Territories with regard to freight rates, the secretary presents the following facts in reply:

Fleming is the easternmost point on our line in the North-west Territories and Edmonton is the most distant point from which grain is shipped. The grain rates and distances from these extreme points and from the principal intermediate points to Fort William are as follows:—

From Fleming, distance 637 miles, the rate is 21 cents per 100 pounds, or 12 6-10 cents per bushel, or 56-100 of a cent per ton per mile. From Broadview, distance 690 miles, the rate is 21 cents per 100 pounds, or 21 6-10 cents per bushel, or 61-100 of a cent per ton per mile. From Qu'Appelle, distance 750 miles, the rate is 22 cents per 100

pounds, or 12 2-10 cents per bushel, or 59-100 of a cent per ton per mile. From Moose Jaw, distance 824 miles, the rate is 23 cents per 100 pounds, or 13 8-10 cents per bushel, or 56-100 of a cent per ton per mile. From Swift Current, distance 937 miles, the rate is 25 cents per 100 pounds, or 15 cents per bushel, or 53-100 of a cent per ton per mile. From Medicine Hat, distance 1,086 miles, the rate is 27 cents per 100 pounds, or 26 1-10 cents per bushel, or 50-100 of a cent per ton per mile. From Calgary, distance 1,266 miles, the rate is 29 cents per 100 pounds, or 17 4-10 cents per bushel, or 46-100 of a cent per ton per mile. From Edmonton, distance 1,458 miles, the rate is 33 cents per 100 pounds, or 19 8-10 cents per bushel, or 45-100 of a cent per ton per mile.

I am directed to say that the directors believe these rates to be lower than the rates for grain transportation by railway anywhere else in the world, under anything approaching similar conditions, and, considering the fact that four-fifths of all the cars engaged in grain transportation have to be hauled back empty, and considering the high price of fuel and so forth, the directors do not believe that these rates afford the actual cost of transportation and they are unable to see how they can be reduced. I am further to point out that practically no grain is moved eastward from Fort William by rail except during the winter months, when lake navigation is closed. The rates from Fort William eastward by rail to Montreal average about one-half cent per ton per mile; and because of this transportation having to be performed during the winter months when it is most expensive because of the very small number of cars that can be loaded at that season, all of this winter transportation of grain eastward from Fort William is performed at a loss to the company. A very small proportion of the entire crop of the North-west is carried all the way by rail. As a rule, only special shipments for eastern mills or to fill special export orders are so carried. The great bulk of the crop must always be handled by the Lake route; for it can seldom bear any through rail rate that be afforded. I inclose a comparison for grain rates from our principal stations in the North-west with the grain rates of the Great Northern and Northern Pacific Railways, according to their tariffs in force on the 1st July last year, the latest of which we have any knowledge. These railways are operated under conditions similar to ours, but they have the advantage of being nearer their coal supply and having no duties to pay on it.

The directors feel that the interest of the country as well as of the company have been made to suffer by the unjust and unreasoning clamour that has been made in some quarters about these grain rates and they will be very glad if the Government will undertake an independent investigation of the question and carefully compare the situation of the farmers in the Canadian North-west with that of the farmers of the Western United States, of Russia, of India, of the Argentine Republic, of Australia and of the other principal wheat-producing regions of the world in regard to the cost of reaching the world's markets with their grain, taking into account terminal and transfer charges and everything of the kind; for if it is the fact, as the directors believe, that the wheat producers of the Canadian North-west are in a better posi-

tion in this regard than are those of most of the other wheat-producing districts of the world, it will be a great advantage to have it authoritatively made known.

Then follows a comparison of the freight rates between points on the Canadian Pacific Railway and points of similar relative situation on the Great Northern and Northern Pacific, justifying, apparently, the statement contained in this letter—that the rates charged by the Canadian Pacific Railway are lower than those between corresponding points on the other transcontinental lines of railway. A portion of the petitioners, some months ago made application to the Railway Committee of the Privy Council to have a reconsideration of the schedule of rates of the Canadian Pacific Railway Company. The Railway Committee of the Privy Council met for the purpose of hearing their application, but the application was not pressed, although on two or three occasions the opportunity was given to bring it forward. It is quite easy to understand, of course, that the petitioners would be at very considerable disadvantage in pressing a case like that which they desired to present before the Railway Committee of the Privy Council sitting at a place so distant from their residence as Ottawa. They have probably no organization possessed of sufficient funds to defray the expense of pressing their case fully at such a distance, and, inasmuch as the letter of the secretary which I have just read agrees in stating that a full investigation and authoritative definition of what the real position of the company is as regards their rates, would be an advantage to the company as well as to the settler, the Government have arrived at the conclusion that a thorough investigation of the subject of these complaints, and investigation into all the questions which affect transportation in these regions, ought to be made as soon after the session of Parliament as it can be set on foot. I am not prepared to say at this moment whether that should take the form of a Royal Commission; the inclination of the Government is that it need not take that form, but that it can be more expeditiously made and with less cost, perhaps, by taking the form of a departmental inquiry by the Department of Railways and Canals; nor am I able to state at this moment the range which the investigation might take further than I have already done, that it will be a thorough investigation into the complaints made by these petitioners, and will be co-extensive with the nature of the requests contained in their petition. That will give them an opportunity of presenting their case much more fully than they could do in a remote part of the country, as this is to them, and will at the same time meet the wish of the railway company itself that there should be an authoritative statement as to the position of the company with regard to the complaints that have been made. I am therefore able to assure hon. members that

an inquiry of that character will take place as soon as it reasonably can, and the House will then be in a better position to understand the merits of the case, as they now understand the nature of the complaints which have been made by the petitioners.

Mr. MARTIN. I wish to make a few remarks on this matter. I wish to draw the attention of the Government to the fact that the petition which the First Minister has read substantiates what I have already said with regard to this question. I also draw the attention of the hon. member for Ottawa (Sir James Grant), who read me a lecture a few days ago upon my attitude towards the North-west, to this expression of opinion from the settlers themselves, not given for political effect, but asking for redress, and substantiating the stand I have taken here with regard to the condition of the settlers in that country. I have attempted to show here that the large sums spent for immigration purposes in the North-west, result in no practical addition to the population there, and the reasons I have attempted to give are partially set forth in that petition. What do the settlers say there? They say: We must have relief, or else we shall leave the country. Now, Sir, is not that an important fact for this House to consider? We are spending \$200,000 yearly to induce immigrants to come into the North-west Territories and into Manitoba, and we want to know why it is that in spite of this large expenditure that portion of Canada is not settled up. The answer given by these petitioners is that the settlers already there are seriously considering, many of them, whether they will not leave and abandon the country, not because it is not a good country, but because of the artificial restrictions imposed by this Parliament, which makes their lot such a one as that they cannot look forward to any assured degree of comfort. Now, it is proposed to satisfy the people there by means of what I may call the political dodge of a Royal Commission, or something of that kind, a commission to satisfy the people that they are not in the position which they know themselves to be in, that they are not being treated harshly, but that they are happy, prosperous and contented. I wish to characterize this proposition from the beginning, as a farce. It is utterly useless to attempt to satisfy the people up there by any such means as that of a Royal Commission for the purpose of substantiating the letter of the Canadian Pacific Railway people as to the impossibility of affording any relief upon this question. Now, what is their position, legally? Suppose the commission should find that the rates of the Canadian Pacific Railway are excessive, as the settlers claim them to be, is there any redress? Suppose this inquiry leads the Government to that conclusion, is there any remedy by which the company can be compelled to reduce these rates? No, Sir. This Parliament, and

Sir JOHN THOMPSON.

the party which has in charge at present the destinies of Canada, have forever bound themselves upon that question. There is no relief. The contract between the company and Canada provides that no control can be exercised by the Government of Canada over the rates on the Canadian Pacific Railway, until at least 10 per cent profit has been paid on the capital of the road. I may say that that capital was issued, a large part of it, at 25 cents on the dollar, so that only one-fourth of the capital of the company actually went into the railway so far as that issue is concerned; therefore, the company must make 40 per cent upon their capital before this Government can interfere. But it is not necessary to go into that matter. The limitation as to 10 per cent on their capital is quite effective for all practical purposes, because we may be sure that the company will at all times be able to show that their profits, allowing for repairs and keeping the road in shape, do not at any time amount to 10 per cent on the capital, or anything like that. Now, Mr. Speaker, when that contract was before this House, the Liberal party dealt with this particular subject, they anticipated the very circumstances which have arisen, and which we find before us to-day. The present Lord High Commissioner, then a member of this House, indulged in the most absurd and ridiculous prophecies as to the condition that country would be in ten years after the ratification of that contract. Six hundred and forty millions of bushels of wheat were to be sent out from there annually, the receipts from lands were to have amounted, before the end of 1890, to a sum large enough to reimburse Canada for its total expenditure in connection with the Canadian Pacific Railway. But hon. gentlemen on this side of the House took a calm and business-like view of the situation, and they pointed out what was likely to occur in this particular matter. They went further, and they put a motion upon the records of this House, which, if it had been carried, would have rendered a Royal Commission to inquire into the freight rates on the Canadian Pacific Railway, of some utility, because there would have been a power in the hands of the Government effectually to control the rates, and if they were not reasonable, to compel the company to make them reasonable. On January 26th, 1891, Mr. Béchard moved, in amendment, the following resolution. I read it in part only, as it covered several subjects:—

That the Governor in Council shall have the unrestricted right from time to time to regulate the tolls to be taken and to prescribe the accommodation to be given, and that Parliament shall be free to charter such other railways as the public interest required.

That resolution was voted down in this House by the aid of every member from Manitoba, and the Territories, supporting the Government, with the assistance of

every member supporting the Government, and it was supported by the Liberal members of the House. If that proposition had been adopted, and was in force to-day, and if the statement of the settlers, embodied in their petition was correct, that the freight rates were so excessive that they were seriously considering the question as to whether they would abandon the country on that account, then it would have been in the power of the Government to ameliorate the condition of the settlers and compel the railway company to give them reasonable rates.

Mr. SPROULE. Why did you not put such a provision in the arrangement with the Northern Pacific Railway, when you gave them their charter?

Mr. MARTIN. The hon. gentleman said that once before; there was such a provision.

Mr. SPROULE. What became of it?

Mr. MARTIN. It is there yet; it is in force and is carried out.

Mr. SPROULE. What good does it do?

Mr. MARTIN. It has done a great deal of good.

Mr. IVES. Is the hon. gentleman aware that the Northern Pacific and the Canadian Pacific agreed to charge the same rates?

Mr. MARTIN. As this question has been brought up, I ask a few moments to explain this matter, as it is one of great importance. The aid given by the province of Manitoba to the Northern Pacific was \$1,750 per mile. In the face of that aid, the hon. gentleman suggests we should ask that company to give us absolute control over their freight rates. But in the province of Ontario, the lowest sum given for a colonization road such as this was, running through a new country not well settled, was \$3,200 per mile, and there was no proposition made for any restriction or any consideration to be given by the company except the mere building of the road. In the province of Quebec, the general rule has been to give colonization railways \$6,000 per mile. That was done in regard to the railway from Hull to Aylmer and northward, and I believe that was a general rule. Therefore, it was perfectly absurd to expect any very great concession from the Northern Pacific Railway as regards freight arrangements. But the concession we asked was granted and carried out. At that time, 24 cents per one hundred pounds was charged from Winnipeg to Port Arthur. We insisted on a reduction of 3 cents per one hundred pounds, and the moment the Northern Pacific Railway entered upon construction, the rate having been made by the Canadian Pacific Railway that year, and circulars issued for 24 cents per one hundred pounds, a reduction to 21 cents a hundred was

made. That was the concession we asked. It was granted and was carried out. If we had been able to give such a bonus or half, or a quarter of such a bonus as was given to the Canadian Pacific Railway, we would have obtained from the Northern Pacific Railway excellent arrangements as to freight rates. Hon. gentlemen will remember that any agreement with the Northern Pacific Railway as regards freight rates in Manitoba would be of very little avail. The reduction was on a line of railway already built, namely, from Pembina to Duluth, 400 miles.

Mr. McDONALD (Assiniboia). For how much per mile is the road now mortgaged?

Mr. MARTIN. I do not know.

Mr. McDONALD (Assiniboia). It cost \$8,000 per mile, and is now mortgaged for \$20,000 per mile.

Mr. MARTIN. What has that to do with the question at issue? We gave \$1,750 per mile to the Northern Pacific Railway, in return for which they built 300 miles of road. I challenge hon. gentlemen to find, in the whole of this country, 300 miles of railway through a new country which has obtained less aid from the Government than the Northern Pacific line in Manitoba.

Mr. McDONALD (Assiniboia). Does the hon. gentleman call it a colonization railway from Winnipeg to the boundary?

Mr. MARTIN. Yes. It is through a new country, and one very thinly settled to-day. Moreover, it is only sixty-five miles in length. I did not consider that question had much to do with the question before the House, but, as it had been mentioned by the hon. member for Grey (Mr. Sproule), I thought I would explain to the House the circumstances connected with it, and if the Government could show such a record as regards railways built by the public funds on small grants, it would be a different record from that which the Dominion Government are able to present to-day. It will be noticed that the petitions asked for the construction of the Hudson's Bay Railway; that is to say, that after this Government has spent an amount figured at \$100,000,000 in bonusing the Canadian Pacific Railway for the purpose of building railways throughout Manitoba and the North-west, the people of Canada are again asked to expend millions of dollars in order to build a railway in competition with the Canadian Pacific Railway, which was practically built by the people of Canada. These people ask for the construction of this competing road in order to secure for them competition and cheap transit, and render it unnecessary for them to abandon the country, which has been opened up by Canada at such an enormous expense. Is not that a commentary on the action of the House in voting down the resolution submitted by

Mr. Béchard, which I have read. I should like to point out to the settlers in the North-west, that no word of encouragement with respect to the prosecution of the building of the Hudson's Bay Railway has fallen from the First Minister to-day. I hope the hon. members for Assiniboia, when they go back and tell their constituents about the acceptance of this petition, will remember that they are unable to express one word, or give any real hope that the Government would spend one dollar on the construction of the Hudson's Bay Railway. There is no hope for them. The right hon. gentleman did not think it worth while to say that he could not do anything. It was too absurd, and too much out of the question to consider it, and he did not even refer to it. The hon. gentleman read the clause of the petition which calls for the construction of the railway, but there is not a single word of explanation in his remarks. That is the position in which the settlers find themselves to-day. He has no expectation and no hope, and can have none, after the declaration of the Minister, of any aid to the Hudson's Bay Railway. He finds it impossible to raise wheat and pay the freight rates at present charged by the Canadian Pacific Railway. The Government propose to have an inquiry; but if their inquiry results in showing that the railway company's charges are excessive, the Government are absolutely helpless to do anything for the settler—helpless by their own act. After deliberation and debate in this House, the question having been brought fairly forward, they have condemned for all time to come the settlers of the Canadian North-west to railway rates which shall yield to the investors in that company at least 10 per cent on the money they have paid in.

Mr. DALY. Mr. Speaker, it is not my intention to take up the time of the House at any great length; but I think some of the remarks made by the hon. member for Winnipeg (Mr. Martin) require a reply from me. In the first place, the hon. gentleman said that the petitions which were read by the First Minister to the House exhibited the fact that the people were in such a position that they would have to leave the country unless a remedy were afforded them. The hon. gentleman would give the House to understand that these petitions set out that it was not the freight rates that the people complained of, but the burdens imposed upon them by the policy of this Government. But the fact is that the petitions say nothing whatever of the policy of the Government; they simply refer, as any one reading them will see, to the subject of freight rates. Now, Mr. Speaker, I cannot conceive of any person going back so completely on his own record as the hon. member for Winnipeg has had to do in reference to this question of freight rates. There was a time in the history of Manitoba,

Mr. MARTIN.

known to the people there, when the hon. gentleman went on platform after platform in that province telling the people how they were burdened by the freight rates imposed by the Canadian Pacific Railway, and that the only means by which they could get a remedy for that state of affairs was to put himself and Mr. Greenway and other members of the Reform party into power—that just as soon as they got into power they would make this Government come down on their knees and do away with disallowance, and would proceed with the building of lines of railway in the country that would relieve the settlers of the burdens under which they were suffering.

Mr. MARTIN. I never said that.

Mr. DALY. As a matter of fact, what did those gentlemen do? They succeeded so well in hoodwinking the people of Manitoba into believing that they would obtain relief by putting them in power and displacing Mr. Norquay, that the people of Manitoba gave them a trial. The issue between the two parties in that election was whether or not they could get the people relief from those freight rates. Time went on, and those gentlemen went into power. At that time negotiations were entered into between the Manitoba Government and a railway company, which was chartered to build a line from Winnipeg to the boundary, and from Winnipeg to Portage la Prairie. The men engaged in the building of that line of railway were engaged with the Northern Pacific people. In pursuance of those negotiations, Messrs. McNaught and Kendricks, of the Northern Pacific, came to Winnipeg, where they were met in a clandestine manner by the hon. gentleman.

Mr. MARTIN. The hon. gentleman is stating what is absolutely untrue.

Mr. DALY. On the arrival of Messrs. McNaught and Kendricks in Winnipeg, the hon. gentleman went to their car at an hour of the morning when there was no necessity of doing so; but he went for what reason? The facts that subsequently came out under oath showed why the hon. gentleman went there. At all events, those gentlemen who came there to negotiate with the Winnipeg and Manitoba Central Railway Company people went to the House on the afternoon of the same day to meet Mr. Greenway and Mr. Martin, and while they were engaged in conversation in the office of Mr. Greenway, the hon. gentleman went into the office, and when he saw them there he was about to retire, when Mr. Greenway said to him: "Don't go away, Mr. Martin; allow me to introduce you to Mr. McNaught and Mr. Kendricks," and Mr. Greenway and the hon. gentleman went through the farce—

Mr. MARTIN. Mr. Speaker, I rise to a question of order. I would like to say that that is absolutely untrue.

Some hon. MEMBERS. Order, order.

Mr. SPEAKER. The hon. gentleman must not say that a member of the House is making a statement that is untrue.

Mr. MARTIN. I say the statement is absolutely false.

Sir JOHN THOMPSON. I ask if it is in order, Mr. Speaker, for the hon. gentleman to make such an insulting remark? I submit that the hon. gentleman must retract it.

Mr. LAURIER. I dissent altogether. The hon. gentleman may know what is an unparliamentary expression, but if the hon. Minister of the Interior makes a statement that is not true, the matter can be brought before the House. •

Sir JOHN THOMPSON. That is not the question. The question is whether the hon. gentleman is out of order, and should retract the remark he made, that the statement of the hon. Minister of the Interior was false.

Mr. LAURIER. I beg pardon. What my hon. friend said was that it was an untruth.

Sir JOHN THOMPSON. He went further.

Mr. MILLS (Bothwell). I think the rule is that when a statement is made that is incorrect, it is open to an hon. member to say that the statement is false, but he cannot impute personal falsehood to the individual.

Sir JOHN THOMPSON. He distinctly did that. He stated that what my hon. friend the Minister of the Interior was saying was absolutely false, which I submit he cannot do.

Mr. MILLS (Bothwell). I think the rule is well settled that an hon. member can characterize a statement as false, but he cannot characterize the hon. member who makes the statement as an hon. member who is lying.

Sir RICHARD CARTWRIGHT. Mr. Speaker, I would call your attention to this. Every hon. member of this House, when his own conduct is specially referred to, as the conduct of the hon. member for Winnipeg was referred to by the hon. Minister of the Interior, has always been allowed, if he has considered the statement unfair or incorrect, to call the Speaker's attention to the fact that that particular statement was incorrect or absolutely without foundation; in fact, which is, I suppose, the parliamentary mode of doing what, outside of this House, would be done in much shorter terms.

Mr. MARTIN. I do not wish to violate any of the rules of the House. If saying that the statement is false is unparliamentary, I will say that the statement made by the hon. Minister is not correct. I do not wish to impute anything to the hon. Minister, but I know what occurred,

because I was there, and I know that no such thing occurred.

Sir JOHN THOMPSON. Will you allow me to say one word in regard to the practice which the hon. member for South Oxford says has prevailed. It is true that an hon. member addressing the House very often allows another hon. member to intervene to make an explanation. That is surely out of order, and an hon. member can only interrupt by the indulgence of the hon. member who has the floor. But it cannot be claimed that an hon. member has a right to make interruptions which are insulting. If he desired to make an explanation, he would be in order to do so at a later time.

Mr. SPEAKER. If I may state my opinion to the House on this matter, I think every member of the House will agree with me that the remark made by the hon. member for Winnipeg, which was that the statement made by the hon. Minister of the Interior was false, is hardly in order, and I think the hon. member ought to retract it.

Mr. MARTIN. I certainly will retract the remark, put it in that way; but I wish to say that what the hon. gentleman has said is not correct. I do not wish to say that he is stating, intentionally, what is wrong, but that statement was sworn to—

Mr. DALY. It was sworn to, and it is true, every word of it.

Mr. LAURIER. Order.

Sir JOHN THOMPSON. What is the point of order?

Mr. LAURIER. The hon. gentleman repudiates the statement that his statement is untrue, and I wish to know if it is in order for him to reiterate a statement after the hon. member for Winnipeg declares it to be untrue?

Sir JOHN THOMPSON. Certainly it is in order. The statement made by the hon. Minister of the Interior was not in relation to anything that transpired in this House or to any language used in this House. It is in relation to some events which occurred in Manitoba.

Mr. LAURIER. Is that a difference?

Sir JOHN THOMPSON. Most decidedly. Are we to acquiesce in every statement of history made by hon. gentlemen on the other side? Why, we would have to write the history of this country over again.

Mr. LAURIER. If it be in order when any hon. member of this House is charged with having done something outside of this House, to again repeat the accusation, notwithstanding his repudiation of the statement, then this House would soon become a bear garden. If it be in the power of any gentleman on the other side to insult any hon. member for anything which may have taken

place in this House or outside, after the hon. gentleman has declared the falsity of the statement, then we must give up all idea of maintaining decorum in our proceedings. Where is the logic of the rule? An hon. gentleman on this side is charged with something said to have occurred outside this House. He says the charge is not true. He has repudiated it as far as it could be repudiated, and after that repudiation the hon. gentleman who made the charge still adheres to it. If that is in accord with the rules of order, I should like to know it, because then we shall be in a position to regulate our conduct accordingly.

Sir JOHN THOMPSON. Half of the transactions and investigations and discussions which take place in this House are for the purpose of seeing whether statements made on the floor are accurate, but, forsooth, the doctrine of order laid down now is that we are not at liberty to prove that at a certain hour in the morning an hon. member was at a certain place, but if he chooses to deny the assertion his word must be taken. The proceedings of this House, the order of the House would be set at naught and rendered ridiculous if we had to adopt such a rule. Not only must a member's version of what he said in another place outside this Parliament be accepted as right, but what he did elsewhere, the people he met, the negotiations he entered into are not to be called in question here, but he shall be allowed to make his own statement, and that statement must be assumed to be true and not controvertible.

Mr. SPEAKER. I would call the attention of the House to a practice which has grown up to a very great extent this session, and which is entirely out of order. I refer to the practice of interrupting the speaker who has the floor. That is contrary to a fundamental rule of parliamentary practice. I have ruled that the statement which the hon. member for Winnipeg (Mr. Martin) made regarding what the hon. Minister of the Interior said, namely, that what the hon. Minister of the Interior said was false, was unparliamentary, and the expression ought to be withdrawn. But the assertion of the hon. member for Winnipeg that the statement of the Minister of the Interior was incorrect, is an assertion with regard to a fact which, I think, ought to be more, perhaps, within the knowledge of the hon. member for Winnipeg than that of the hon. Minister of the Interior, and although I do not see that I am called upon to rule with regard to something which transpired outside of the House, I think it would be desirable that the Minister of the Interior accept the statement.

Mr. DALY. I will certainly accept the statement of the hon. gentleman, and I will read the evidence given under oath, in my presence, and that of the hon. gentleman, which evidence is not contradicted. I will

Mr. LAURIER.

read the evidence that was given under oath in the celebrated trial of the Queen against Luxton, the trial arising out of numerous newspaper articles which appeared from time to time in the Winnipeg 'Free Press,' condemning that hon. gentleman and his Government for the action they took and the agreement they made with the Northern Pacific Railway Company. So as not to take up too much time of the House, I will at once quote Mr. Roblin's evidence, which is as follows. Speaking of Messrs. Kendricks and McNaught, the gentlemen whom I mentioned as having come to Winnipeg to represent the Northern Pacific Railway, Mr. Roblin swore as follows:—

Q. You saw those gentlemen (Kendricks and McNaught) the morning they arrived at the office of the company?—A. Yes, I went with them to Mr. Greenway's office, with Col. Scoble and Mr. Dexter; Mr. Dexter, I think, made the appointment with Mr. Greenway. We discussed the railway situation with Mr. Greenway; he appeared satisfied that it was all right, that we would be allowed to go on at once. Messrs. McNaught and Hendricks seemed perfectly satisfied. They asked him about one hundred thousand dollars. He said, "that's all right, that is what the Government propose to do." During the interview Mr. Martin came in, apparently on ordinary business. He appeared to be surprised when he saw several strangers; and appeared to me about to withdraw, but Mr. Greenway called him back and he came in. Mr. Greenway introduced him to Messrs. Kendricks and McNaught. This was about noon—along in the middle of the day. He introduced him as Attorney General and Railway Commissioner of the province. They shook hands, and Mr. Martin said he had heard they were in town, and he was glad to meet them. They shook hands as if they had never met before. The conversation was broken in upon by his entrance, and was not taken up immediately after. He saw the company appeared to be a little embarrassed, and he withdrew after stating that a little difference had arisen between his department and their company (the Northern Pacific) about the transportation of steel rails from Duluth to St. Vincent and he would be glad if they could have a private interview, as they might straighten it out much easier than by correspondence. He told them his room was in the next flat.

Q. Did Mr. Greenway appear as sincere as Messrs. McNaught, Kendricks and Martin?—A. Yes.

Q. At the time, the proceedings did not surprise you?—A. It did not. I did not suppose Mr. Martin had seen them before. In reply they said they would call before they left the building. Mr. Martin withdrew, and we talked a little while, then Messrs. Kendricks and McNaught went up to his room. Mr. Greenway stopped with us. Col. Scoble said to him, "You had better go up too, I am afraid Martin is plotting mischief." Mr. Greenway went out, and I saw him go upstairs.

Q. Yourself, Mr. Dexter and Col. Scoble took the two gentlemen up to the Government buildings in a cab, and the cab waited at the door?—A. I waited between 1½ and 2 hours after they went to Mr. Martin's office, and they came. I got a little

indignant to think I should be kept walking around the hall two or three hours, so I told Mr. Dexter and Col. Scoble I would not wait, and I footed down. I saw Messrs. McNaught and Kendricks the next morning at the company's office. The first man I saw was Mr. Kendricks, he was looking over what he said were some profiles of the Manitoba Central. I shook hands with him and apologized for having left so abruptly the day before.

Mr. Howell objected to giving of conversations, but Mr. Hagel claimed that similar conversations had been allowed in Mr. Martin's examination.

Mr. Roblin being allowed to continue said :

He (Kendricks) told me to sit down, he wanted to talk to me. He told me the Government were proposing to deal directly with them, they wanted them to throw over the Manitoba Central people altogether. I said that was hardly fair. His exact words in reply were : "The Government is our meat." I asked him what he meant. Well, he said, "we can do better with the Government than you can, we can get more out of them." I said that was not possible, because the statutes provided the guarantee should only be \$5,000 a mile. He said, "You are not as old a railroader as I am, or you would know how these things are done." He said, "Yesterday was not the first time I met Mr. Martin, Mr. Martin was at our car bright and early yesterday morning." I said it is not possible, he said he was there. He said, "Your railway commissioner is the proverbial politician, I guess."

Now, I have taken up the time of the House to substantiate the statement I made in my previous remarks, when I was interrupted by the hon. gentleman who went to the cars that morning to meet the representatives of the railway, with whom he afterwards had the interview described here. And this is the gentleman who stands up here to advocate the grievances of the people of Manitoba, and to urge that they are downtrodden and suffering because they have been charged too heavy railway rates. The object of building this Manitoba and Northern Pacific Railway, before known as the Red River Valley Railway, was to give the people of Manitoba an outlet to the United States, independent of the Canadian Pacific Railway. At that time there was even a greater agitation in Manitoba and the North-west over freight rates than there is at present. Well, Sir, one of the conditions on which the Government undertook the construction of this line of railway was that they should control the freight rates. So guarded were they, so careful were they to have the control of those freight rates, that they made a condition in the contract with the Northern Pacific Railway that that company should not enter into any arrangement whatever whereby running power should be given to the Canadian Pacific Railway or any other line of railway over their line, but that they should control the Red River Valley Railway themselves, so that the people of Manitoba would have the control of their own freight rates. In pursuance of that agreement they built a branch line of railway to Brandon,

and a branch from Winnipeg to Portage la Prairie. But what was the outcome of these promises made by Reform politicians from one end of the country to the other? Why, the fact is that the freight rates have not been reduced a single iota by the building of the Northern Pacific Railway, but the people of Manitoba have sunk \$650,000 in that line. Since the Reform Government came into power they have increased the indebtedness of that country by two and a half millions, and of that \$850,000 or \$900,000 represents amounts given to assist railway construction for the benefit of the people of Manitoba. And this is the effect—and it cannot be contradicted, it is shown by the petition that has been presented here—the people have not been relieved a single iota by the building of that line of railway. Yet these hon. gentlemen would give the House and the people to understand that this Government alone is to blame for the state of affairs, this Government and the Canadian Pacific Railway. I say the blame rests with the hon. gentleman and his party, because the one opportunity that was given them to secure competition and get an independent outlet and get rid of monopoly has been lost. They had the opportunity; they did not grasp it. For some reason, which has never yet been explained, such an arrangement was come to between the Government and the Northern Pacific as to deprive the people of the benefit that they expected to receive. The hon. gentleman would have us understand that \$1,750 per mile was all that was paid for this line. But they had the right to bond the railway to the extent of \$20,000 per mile. And they bonded the line from Winnipeg to the boundary, and the branch lines as well, for \$20,000 a mile, and the mortgage deed for that can be found in the office of the Secretary of State. And it was shown in the examination of the people connected with the Northern Pacific in the United States that the people who built this road, the Northern Pacific and Manitoba—or the Red River Valley, at any rate the road of which the hon. gentleman from Winnipeg was vice-president—was sold, and that the proprietors made two millions out of the transaction. The Government of Manitoba have no control over their rates. They can charge what they like, and they are doing it to-day, and the people who paid \$650,000 toward the road are worse off than they were before. And this is the hon. gentleman, and the party to which he belongs is the party, that ask this House to believe that this Government alone is to blame for not giving the people relief in connection with freight rates. Now, Sir, in connection with the question of freight rates, as I said before, it was a distinct bargain with these people that the Government should control their rates. It was a matter of inquiry in the House from

time to time while the railway was under construction as to what arrangement had been made with the Northern Pacific as to these rates. I have here a letter from Mr. T. F. Oakes, vice-president and general manager of the road, with whom the Government of Manitoba dealt. It is dated July 27th, 1888, at which time negotiations were going on between these people and the present member for Winnipeg. And what does this letter show as to relief in relation to freight rates? This is the letter:

(Confidential.)

NEW YORK, July 27th, 1888.

HON. THOS. GREENWAY,
Premier of the province of Manitoba.

SIR,—The rates made by our company shall not be higher to and from Portage la Prairie, Winnipeg and the intermediate points from and to Duluth and other eastern points, than the rates made by the Canadian Pacific Company between Emerson, Morris and other points near the International boundary and Port Arthur and other eastern points. Local and through rates shall be fair and reasonable. This will make the rates of wheat from Portage la Prairie, Winnipeg and intermediate points to Duluth, 21 cents per 100 lbs.

The division of the rates thus made between the several lines shall be upon the basis of a pro rata per mile actual distance. An agreement to this effect in detail will be drawn up by Commissioner Martin and our counsel, Mr. McNaught, for execution by the province of Manitoba and the Northern Pacific and Duluth and Manitoba Company. The latter companies will authorize its execution at a meeting to be held on the third Thursday in August.

Yours very respectfully,

T. F. OAKES,
Vice-president and G. M.

Now, Sir, I call the attention of the House to the fact that the only undertaking there given is that their rates shall not be higher than those of the Canadian Pacific Railway, and that this letter shows that the people were not going to get any benefit or any relief by the spending of this \$650,000 of their money, or by making this arrangement with these people. At the time this letter was written, the promise was held out by the present hon. member for Winnipeg, Mr. Greenway, and other members of the Government that we were going to get relief in the matter of freight rates. Time after time, Mr. Greenway was challenged to produce the letter on the floor of the House, but he always refused to do so, although he said he then had the letter in his desk. But when the letter did come to light, the people of Manitoba found that the only arrangement made was, as I have said, that the rates were not to be higher than those of the Canadian Pacific Railway. And this is the hon. gentleman who poses as the champion of the people

Mr. DALY.

of Manitoba. More than that, the hon. gentleman has referred to the Hudson's Bay Railway. His connection with that is on a par with his connection with the Northern Pacific and Manitoba road. When he was a humble member of that House, before he became a servant of the people and Attorney General, he was one of the most enthusiastic advocates of that scheme, speaking in its favour on every platform, and so was Mr. Greenway, his leader, and now the Premier. They took such an interest in this road that they induced Mr. Norquay to come down with a resolution, and subsequently an Act of Parliament, under which the province undertook to guarantee the bonds of the road to the extent of four and a half millions of dollars. And, Sir, Mr. Norquay, unfortunately for himself—for it brought a lot of trouble upon him—made himself responsible for this scheme. In the first place, during the session of 1886, Mr. Greenway moved, seconded by the present hon. member for Winnipeg, as follows:—

That whereas the Hon. John Norquay, Premier of Manitoba, stated in a speech made at Emerson, "that the the time had not yet arrived when the construction of a railway to the Hudson's Bay is a necessity." Be it resolved, that in the opinion of this House the very first opportunity should be taken to repudiate such an assertion, and to declare that the construction of the said railway, at the very earliest possible date, is a matter of the most vital importance to the people of Manitoba and the North-west.

That was the feeling of Mr. Greenway and Mr. Martin at that time. But what do subsequent events show? In 1888, after Mr. Greenway had become Premier, and the hon. member for Winnipeg, Attorney General, an arrangement was made with Hugh Sutherland and with Messrs. Ross and Onderdonk, large railway contractors, for the construction of the railway on the basis of the guarantee by the province of the bonds of the road to the extent of four and a half million dollars. We have heard it stated in this House that the hon. gentleman has an opinion of Mr. Hugh Sutherland, that he does not think the railway is in proper hands, or that it will ever be built so long as Hugh Sutherland is to build it. But what the opinion of the hon. member for Winnipeg and Mr. Greenway was at this time is shown by a letter of 29th March, 1888, which was as follows. Here is an open letter given by Thomas Greenway, Premier of Manitoba, to Mr. Hugh Sutherland, whom our friend from Winnipeg does not like to honour. This is what was said by Mr. Greenway of Mr. Sutherland:

WINNIPEG, March 29th, 1888.

To whom it may concern:—

The bearer, Mr. Hugh Sutherland, President of the Winnipeg and Hudson Bay Railway Company, visits New York on business connected with his

company. I feel warranted in stating that the building of a railway to the Hudson Bay is of paramount importance to the people of North-west Canada, and as an expression of their confidence in the soundness of the undertaking, the Legislature of Manitoba unanimously passed an Act guaranteeing interest for 25 years on \$4,500,000 of the bonds of the company, to aid in the construction of the railway.

Now, I want hon. gentlemen to listen to what follows :

Mr. Sutherland is well known here in connection with the great enterprise, as a gentleman of integrity and ability.

That is signed by Thomas Greenway, Premier of Manitoba. Then, Sir, we find a letter written on 12th September, 1888, and addressed to Mr. Greenway by Messrs. Ross and Onderdonk, after they had gone to England to make their financial arrangements :

Relying on these assurances, our Mr. Ross proceeded this summer to England, and when there made arrangements with capitalists and bankers of the highest standing, to supply the capital necessary for the construction of the line to Hudson Bay. The foundation of these arrangements was the guarantee to the extent of \$4,500,000, sanctioned by the Legislature and approved of by yourself. Mr. Ross requested the banks to make their own inquiries as to the position of the Manitoba guarantee, and was informed in England that a satisfactory reply had been received from your Government.

What occurred next will be best told in the same letter :

Mr. Ross completed his arrangements in England and hastened to Winnipeg to meet the Government, when he was met with the statement made to us for the first time that the Government was contemplating a recommendation to the Legislature to reduce the guarantee from \$4,500,000 to \$2,500,000, and further, that your Government desired to give the \$35,000 voted for the completion of the 40 miles.

Now, it may seem singular to hon. gentlemen that while there was upon the statute-book of Manitoba an Act that the Legislature would guarantee the bonds of this railway for twenty-five years to the extent of \$4,500,000, and in face of this letter from the Premier of Manitoba to enable Ross and Onderdonk to go home to make financial arrangements, that subsequently, notwithstanding that this Act had the seal of the province stamped upon it by hon. gentlemen opposite, Mr. Greenway repudiated the undertaking of the province, that is, his Government declined to carry out the arrangement that was made for guaranteeing the \$4,500,000 and wanted to reduce it to \$2,500,000. What was the reason for it? We have not been able to understand, but between the time that letter was given by Mr. Greenway, and the time when Ross and Onderdonk went home to the old country to make their arrangements, that visit was

made by the hon. gentleman to that car in the yard of the Canadian Pacific Railway at Winnipeg. That hon. gentleman had this interview with Mr. McNaught in Mr. Greenway's room, as sworn to by Mr. Roblin, and from that moment the hon. gentleman has had no use for the Hudson Bay Railway. Now, Sir, so far as this case is concerned, I think this Government has done pretty well by the Hudson Bay Railway, and I hope this Government will do more for the Hudson Bay Railway. But what has this Government done? It has given a land grant of 6,400 acres per mile to that railway within the boundaries of Manitoba, and 12,800 acres per mile to that railway without the boundaries of Manitoba. In addition to that, a few years ago an Act was passed by this House guaranteeing to that company \$80,000 per annum for twenty years upon its original line of railway from Winnipeg to Saskatchewan. I think, taking this into consideration, hon. gentlemen will come to the conclusion that this House and this Government, particularly, have shown that they have faith in that undertaking; and I hope and trust that if that aid does not prove sufficient to guarantee the building of that line of railway, the Government will grant further aid to it. Sir, although the commission may sit, although an investigation may take place in reference to the rates being charged by the Canadian Pacific Railway, and those rates may be reduced by the Canadian Pacific Railway, in my humble opinion, as an individual, as a resident of that country, and as a representative of the people of that country, I have come to the conclusion that the only relief open to these people is the building of the Hudson Bay Railway and giving them an independent outlet. Now, the hon. gentleman spoke of a motion that was introduced by the hon. member for Iberville (Mr. Béchard), when the contract was before the House. It is well in the minds of hon. members that the people of the North-west Territories particularly, and the people of Canada in general, were willing to do anything and to give anything to have that line of railway built. It is in the minds of hon. gentlemen present that the hon. gentlemen opposite were for four long years endeavouring to find people who would undertake the building of that line of railway, but they could not succeed; with all the aid they offered, with fifty million dollars subsidy and twenty thousand acres of land per mile for the whole length of the railway, they could not get anybody to come forward and build that railway. Now, I call the hon. gentleman's attention to the fact that so far as the 10 per cent provision in the Railway Act is concerned, as was stated here by the Minister of Railways a few weeks ago in debating a subject similar to this, the Canadian Pacific Railway was placed in a different

position from any other line of railway in this country, because while the Railway Act provides for 15 per cent of their earnings in the case of other lines of railway, in the case of the Canadian Pacific Railway guaranteeing that they would not charge too much, that percentage was reduced to 10 per cent. Now, I think I have shown conclusively that it does no lie in the mouth of the hon. member for Winnipeg, nor in the mouth of the party to which he belongs, to say that if the people of Manitoba, and the North-west are burdened by these freight rates to-day, this Government is to blame for it, and that the hon. gentlemen opposite are desirous of relieving them. On the contrary, I have established conclusively that the opportunity laid at the hon. gentleman's door at one time, or at the door of the Government of which he was a member, to relieve our people from the rates charged by the Canadian Pacific Railway. He failed to do it, the opportunity has gone by, and if the people of Manitoba to-day are suffering by paying too great freight rates, the hon. gentleman and his party are alone to blame for it, and no one else.

Sir RICHARD CARTWRIGHT. It is exceedingly to be regretted that when a question of such moment as that which was introduced by the hon. member for Assiniboia (Mr. McDonald) is brought before this House, the Minister of the Interior cannot discuss even a matter of that gravity without introducing violent personal attacks upon the member for Winnipeg (Mr. Martin). We know perfectly well why the member for Winnipeg is singled out by these gentlemen as a subject for attack, because, in defiance of all they could do, the hon. member for Winnipeg was triumphantly returned by the chief city of the province to which the hon. Minister of the Interior belongs, as a direct rebuke of the strongest sort to the policy that has been pursued towards the North-west and Manitoba for a number of years.

Mr. DALY. You forget that I beat the hon. gentleman by 465 votes in 1891. He had an opportunity then of asking the people of Manitoba in the largest constituency of the province, as to what they thought of him, and he was left at home.

Sir RICHARD CARTWRIGHT. I think the second thought and wiser thought of the people of Winnipeg a year ago, will weigh far more in the minds of the people of the North-west than an election which was secured by the aid, if I am not mistaken, of several hundred non-resident voters, who were imported, regardless of expense, to vote for the hon. Minister of the Interior.

Mr. DALY. Not at all.

Sir RICHARD CARTWRIGHT. However, my purpose in rising now was not to deal with the relative merits of the election of

Mr. DALY.

the hon. member for Selkirk and the hon. member for Winnipeg. Every one of us know to our cost that the policy which the Government has pursued for these many years in the North-west, has been crowned with disaster of the gravest kind to the people of Canada. Every one of us knows that the promises which were made by the late Premier and by the High Commissioner have been not merely failures, but will be quoted for ever more as exhibitions of the most lamentable short-sightedness on the part of those two hon. gentlemen. Every one knows the grave difficulties which undoubtedly encompass the settlers of that region. However, I do not want to pursue this discussion at the present moment, but I think that every man in this House who has the least vestige of fair-play in his composition, will agree with me in thinking that the hon. gentleman from Winnipeg ought to be allowed a fair opportunity of replying to the attacks which have been made upon him, and I, therefore, move that this House do now adjourn.

Mr. MARTIN. I fancy that in his heart every member of this House feels that he is wasting time in listening to matters so purely local as those which have been brought before the House to-day by the hon. Minister of the Interior. But since they have been brought here for discussion, I cannot allow the statements made to pass without giving to the House my side of the question, and stating exactly what did occur with respect to the matter as to which there is dispute between the Minister and myself. I do not know, in the first place, what the hon. Minister desires to accomplish by making the statement that I made a clandestine visit to the Northern Pacific people. Did he wish to infer that I went there for the purpose of making an improper arrangement with them? If so, he was guilty of gross disregard of the rules and practice of this House. If he did not wish to make such an insinuation or charge, what possible object could be gained by bringing the matter here? What difference can it make to this House or the country whether I visited that railway car at an early hour or not, or even if I was afterwards introduced to those people as a stranger by Mr. Greenway? What possible difference can it make to hon. gentlemen here, unless there is behind it an insinuation or charge of improper conduct so far as I am concerned in connection with that matter? But, as the hon. gentleman has brought the matter before the House, let me state exactly what did occur in connection with this matter, Mr. Roblin's statement on oath to the contrary, notwithstanding. When those people came to Winnipeg, I was instructed by the Government in the matter. Messrs. Greenway, Grant, Smart, Prendegast, and myself met in Council and discussed the question of coming to

an arrangement with the Northern Pacific Railway, a matter which we had in contemplation at that time. We heard that Messrs. Kendrick and McNaught, on a special car, had arrived to consult with the Manitoba Central people. I was instructed by Mr. Greenway to go to the car and call on those gentlemen, and to say that we would like to see them before they left the city. I went there at ten o'clock in the morning. I was the Railway Commissioner of the province, and this matter came within my department. These people were strangers, we heard they were in the city. We contemplated arranging to send one or two members of the Government to St. Paul especially to see them on this matter. They accidentally came there; and what would be more proper than that the Government should see them, that I should visit them, and that I should call on them at ten o'clock in the morning. The hon. Minister said that I went there at daybreak, an unusual hour. At all events, I went there to see them for the purpose of inducing the company to construct the Red River Railway, taking over that portion we had constructed, and completing the railway within Manitoba. Mr. Greenway knew I had been there. As regards Messrs. Kendrick and McNaught, I was introduced to them by the American consul, the late Mr. Taylor, who was present throughout the interview. Now, it is stated that when I entered the room, Mr. Greenway introduced me as an absolute stranger. That is untrue. He did not introduce me to those gentlemen, because he knew I had seen them before. Moreover, I had seen Mr. Greenway and told him of the interview, and what I had said. Mr. McNaught and Mr. Kendrick could not have been introduced to me as a stranger, when I had seen them a short time before. The only possible inference that can be drawn from the statement made is that I was trying to deceive Mr. Greenway and other members of the Government, that I was carrying on a clandestine correspondence with those American gentlemen for my own purposes. That is absurd, because I went there at the request of Mr. Greenway; he knew I had been there, and I reported to him what had occurred, and therefore it is perfectly silly to say that I asked Mr. Greenway to introduce me to those gentlemen. Even if he did so, what possible harm could accrue? The only point is that it would have been ridiculous. I hesitate to take up the time of the House by denying such statements, because, if true, it would be a ridiculous circumstance that the Premier should introduce a member of his Government to gentlemen whom he had interviewed half an hour before. As to the meeting in my room, I may say that it had been arranged by the Government and by Mr. Greenway, and we did not go there on the suggestion of Mr. Roblin because it had been arranged that those gentlemen

should come to my room and meet other members of the Government there, and that we should have an interview on this matter of public interest in which we were engaged. We had an interview and discussed the matter fully. The Manitoba Central people were not building any railway. The hon. gentleman has talked about building a railway. It is true those people had a charter to build a line. They were, however, bound to make some money, and were desirous of selling the concessions they had obtained to the Northern Pacific Railway, a course which has been taken in regard to charters granted by the Government of Canada to railway speculators. I have had occasion to refer to contract brokers who obtain valuable franchises for the purpose of making money out of them, without spending any money themselves, but simply dealing in the rights and privileges which they had secured. We decided, as a Government, that we would not allow the Manitoba Central to make any money. There was no reason why the Manitoba Government, if they desired to have lines built, should not make contracts with the Northern Pacific Railway, as the Dominion Government had done with the Canadian Pacific Railway. The position of the Government of Manitoba as regards the Manitoba Central Railway was exactly similar to that which prevailed between the Government of Canada and the Canadian Pacific Railway. Would it not have been absurd if the Dominion Government had incorporated a company and entered into a contract with it in order to secure the building of the road by the Canadian Pacific Railway? We did not propose to take that position in Manitoba, and we knew that the Manitoba Central Railway, which was a mere paper company, had not a dollar of capital invested. They had no claim upon us; they had no arrangement with us; there had been no negotiations with us. Their statements to the Northern Pacific Railway Company in that behalf were quite untrue; and the desire of the Government in meeting those delegates from the Northern Pacific Company was to tell them at once that there were no such arrangements, and that any contract entered into would be entered into by the Manitoba Government directly with the Northern Pacific Company. I do not attempt to go into these matters minutely, because I think they are of the slightest importance to this House or to Canada generally, but because the hon. gentleman, not only on this occasion, but on others, has persisted in dragging them before the House. The hon. gentleman, in support of his statement that freight rates in Manitoba have not been reduced at all on account of the expenditure of some \$600,000 there, has produced a letter which was written to Mr. Oakes, which was the foundation of our arrangement regarding freight rates, and he has said that that letter simply means that the Northern

Pacific Company would not charge any more than the Canadian Pacific Railway Company over the same territory. The hon. gentleman entirely misunderstands the letter. In the first place, the only bargain we had with the Northern Pacific, the only bargain they would make with us, was that they would reduce the rates on wheat 3 cents per 100 pounds. At that time the rate on wheat from Winnipeg to Porth Arthur was 24 cents per 100 pounds, and from Brandon to Port Arthur 25 cents. Our arrangement with the Northern Pacific—and we made the arrangement with the parent company in the United States, which had control of the line running to Duluth—was that they would reduce the rate on wheat from 24 cents to 21 cents in the one instance, and from 25 cents to 22 cents in the other. The hon. gentleman thinks that was no relief to the people. I think that a moderate estimate of the shipment of wheat from Manitoba in a year is 12,000,000 bushels, and on that quantity a reduction of 3 cents per 100 pounds would mean a saving to the country of \$216,000 a year. The country has had the benefit of that saving ever since that time, and for that we have expended only \$600,000. Besides that, we have 300 miles of additional colonization railway in the country. Therefore, I think the bargain was a most economical one. But this is a matter with which this House has surely nothing to do. When I was in local politics in Manitoba, we discussed this question in every aspect, both inside and outside the House, and I am willing to meet the hon. gentleman at any proper time and discuss it with him. It is a matter of local importance, and the people have not only discussed it, but decided it. The action of the Government was considered by the people of Manitoba to be right, or they would not have returned that Government to power with such a tremendous majority as they did in the year 1892. Why, Mr. Speaker, there is practically no opposition in Manitoba to-day. The Government there are so strong that they have things all their own way, and yet the people are most thoroughly familiar with all the points the hon. gentleman mentions. Now, with regard to the bearings of this letter. The hon. gentleman says it is a bargain that the Northern Pacific shall not charge more than the Canadian Pacific Railway. Reading it casually, without understanding the circumstances, it looks like that. But let me explain the circumstances, and the House will see at once why it was obtained. When the rate from Winnipeg to Port Arthur on wheat was 24 cents, the rate from Emerson and Gretna, two points reached by the Great Northern Railway, to Port Arthur was only 21 cents. Although nearly 100 miles farther from Port Arthur than Winnipeg, the Canadian Pacific Railway hauled grain from those two points for 3 cents per 100 pounds less than from Winnipeg. Now, in our arrangements with the Northern Pacific we

wished to guard ourselves against future contingencies by providing that not only should there be a reduction of 3 cents per 100 pounds in the rate from Winnipeg, and the same reduction pro rata from all over the province, but that if at any time afterwards, by reason of the competition of the Great Northern or the Northern Pacific, it should occur that the rate from Emerson would be 17 or 18 cents, or any less than 21 cents, then the Northern Pacific, by reason of this letter from Mr. Oakes, were bound at once to give the whole country the benefit which up to that time these two particular points only had. That is the explanation of that statement in the letter which was afterwards embodied in an agreement, executed under the corporate seal of the Northern Pacific Company. Now, I must say I was surprised at the hon. gentleman bringing one matter forward. I have heard it brought forward in the back districts of Manitoba as an argument against the Government; but really I did not think the hon. Minister would attempt to pass it off on this House. The hon. gentleman charges us with having given some great bonus to the company, because we allowed them to mortgage the railway for \$20,000 a mile, and in that way induced some capitalists to lend them \$20,000 a mile on something that cost them only \$8,000 a mile. Well, what cost was that to the people of Manitoba? If those people swindled some one else, what have we to do with that? But supposing we had, the hon. gentleman is himself as great a transgressor as we are in this transaction, because not only has that company a charter from Manitoba, but a charter from this House. If I mistake not, the Bill was introduced in this House by the hon. Minister of the Interior himself, and in that Bill the same outrageous power of mortgaging the line for \$20,000 a mile is given. So that the hon. gentleman is quite as guilty as we are in allowing those people to be swindled in that respect. Now, the hon. gentleman has dealt at some length with the Hudson Bay Railway. That is another matter, in that aspect of it, belonging to the local politics of Manitoba. However, since he has gone into it—

Mr. DALY. Did you not introduce it yourself?

Mr. MARTIN. No; I spoke from a Dominion aspect.

Mr. DALY. I spoke from a Dominion aspect, too.

Mr. MARTIN. And also from a local aspect. Now, with regard to this Hudson Bay Railway, I would like to say that I did change my mind upon it. It may be a great sin for a person to become wiser; but at one time I thought that it was not too much for the province of Manitoba to guarantee the interest on \$4,500,000 for the construction of the Hudson Bay Railway. I came to the conclusion, after I had con-

Mr. MARTIN.

sidered the matter further, that a guarantee of \$2,500,000 was quite enough. Now, I do not consider that any great sin. I think that that is a matter on which a person is quite at liberty to change his mind. Four million five hundred thousand dollars guarantee at 4½ per cent, I think it was, would amount to something like \$180,000 a year. The total revenue of the province of Manitoba is under \$500,000. It would take pretty nearly half of our revenue for twenty years to pay that bonus to the Hudson Bay Railway, and I must say that when I came to consider that matter seriously, with the responsibility of power, I came to the conclusion, and so did the other members of the Government and so did the House, that we had gone too far for the benefits we were likely to receive, and we changed our minds. I do not know that there is any harm in that. I have no hesitation in acknowledging it, at any rate. I suppose the hon. gentleman thinks that if one commits himself on a public question, he should always, for the sake of consistency, stick to it, although he may come to the conclusion afterwards that he was in error. In referring to Mr. Sutherland's connection with this railway, he said that I was very hostile to Mr. Sutherland, and that my action with regard to this railway was prompted by that feeling of hostility. I wish to entirely repudiate that charge. My position with regard to the Hudson Bay Railway has at all times been based upon what I consider to be the interests of Manitoba. I stated once before in this House, and I do not hesitate making the statement again, that I do not believe that railway will ever be built as long as Mr. Sutherland is at its head; and my reasons for so thinking are not any hostility that I feel towards Mr. Sutherland, but on account of the manner in which he has acted up to the present. The province of Manitoba has practically been swindled out of \$256,000 in bonds which they gave to that road for which they have no security and upon which they are paying interest to-day. Security upon lands was supposed to have been given to the Government. The Government did not intend to hand that money over to the company without the security upon the lands; but by the manipulation of Mr. Sutherland, the province of Manitoba was swindled out of that security, and that is one of the reasons why I do not believe that road will ever be constructed by the man who undertook to build it. The House will remember that forty miles of the railway has been built which have never been operated. The rails are rusting, ties are rotten, a car never passes over the road. Mr. Sutherland and his confrères went to England, and by means of misrepresentation, managed to buy the steel rails from parties there. They got those rails and put them on the railway, and the unfortunate persons who furnished them have never been paid a dollar. Now, we know that railways in Canada

are not built by Canadian money. We know that it is necessary to go into the English market to raise the money for their construction. Mr. Sutherland himself has been in England a very large part of the time since he took hold of this enterprise, endeavouring to raise the money to go on with it. But do you suppose, Sir, that financial people are going to furnish money to construct a railway which has a record of that kind, in connection with which the province has been swindled out of \$256,000, and the steel rails of which have never been paid for? These things stand against the railway company and are calculated to prevent the construction of the road, and that is the reason that I have in the Local House and on the platform, and also in this House, stated that I do not believe that railway will ever be constructed until it is put in the hands of reputable, solid men, without any record against them. That stand I take personally, without any feeling of hostility against Mr. Sutherland, but simply in the public interest of the province. The matter is one of no political interest in this House, but has simply been dragged into this discussion by the hon. Minister of the Interior, in order that he might have something to say against me personally, instead of discussing, as he should, the question before the House, which is the charge that I made that his Government and party are responsible for the position in which the settlers are to-day in the matter of freight rates. In answer to that charge, which is a fair one, one in which the country is interested, the hon. Minister talks about everything under the sun except the plain question before the House. This House cannot alter the circumstances in connection with that visit of the representatives of the Northern Pacific Railway, whatever it amounts to, and has nothing whatever to do with the aid given by the province of Manitoba to the Hudson's Bay Railway. I am prepared at any time to meet the hon. gentleman on local Manitoba issues, but I protest against the time of this House being taken up in discussing matters with which we have nothing whatever to do.

Some hon. MEMBERS. Hear, hear.

Mr. MARTIN. Hon. gentlemen say "hear, hear." No hon. gentleman on that side would be unfair enough to say that when the Minister of the Interior—not an ordinary member of this House, but one of its leaders—brings this question up here and makes statements which are not correct with regard to them—no hon. gentleman would be unfair enough to say that it is not my bounden duty to reply and place the real facts before the House. The hon. gentleman had no right to bring these things up here, but having brought them up, I am prepared to answer him, but would much prefer that the discussion should be confined to those questions only in which the House has jurisdiction.

Mr. DALY. I think that the question I was discussing, and to which the hon. gentleman referred, was perfectly germane to the subject before the House. The hon. member for Eastern Assiniboia (Mr. McDonald) brought to the attention of this House the fact that numerous petitions had been placed in the hands of the Government regarding freight rates charged by the Canadian Pacific Railway. In this debate the hon. member for Winnipeg (Mr. Martin) rose, and sought to make this House understand that his record in relation to securing cheap freight rates to the people of Manitoba is on par with his conduct here to-day. That being the case, I have a perfect right to discuss that hon. gentleman's political record. If he says I have not, all I can say is that I am sorry he has a political record. And I think hon. gentlemen opposite are sorry that he has one, because I notice that on every occasion when that hon. gentleman is taken to task on this side, the leader of the Opposition and the hon. member for South Oxford immediately rise and take him under their wing. I intend to show the character of that hon. gentleman before I get through. I fought him a fair and square fight in the largest constituency in Manitoba, and came out 465 votes ahead of him, although I had against me the hon. gentleman himself, the ex-Attorney-General, the present Attorney-General, and every official of the Manitoba Government. But notwithstanding all their efforts, I downed that hon. gentleman by the majority I have stated. We discussed these issues, and I invite the hon. gentleman to meet me again in my constituency and fight the battle over again, and I have no doubt what the verdict will be. The hon. gentleman talks of Mr. Sutherland having swindled the province out of \$256,000, bonds of the Hudson's Bay Railway. The hon. gentleman did not tell you that this man whom he accused of having swindled the province out of \$256,000 has, since the hon. gentleman repudiated the four and a half million guarantee, made a contract with the very Government of which the hon. member for Winnipeg was a member, and by that contract it was provided that the \$256,000 must go back to the Government. The hon. gentleman's Government were a party to that contract. Why did the Government make this subsequent arrangement? Simply because the public opinion of Manitoba drove them to make the bargain with Mr. Sutherland. And the fact that they made that bargain with him shows that they had not the opinion of Mr. Sutherland which the hon. gentleman would seek to lead the country to believe they have. So far as the steel rails are concerned, Mr. Sutherland has made his arrangements with the Cumberland Company. The hon. gentleman says that I myself was the means of getting a charter from this Parliament. It is true, the Bill was in my hands. This was two years after

Mr. MARTIN.

the railway was built. Contrary to the hon. gentleman's opinion, but in the opinion of myself and in the opinion of the solicitor of the railway, it was found that we required Dominion legislation for that railway. The Bill was placed in my hands by the solicitor and was passed through its three readings. But, as I say, this was two years after the road was built. What had I to do then with the railway? The work was completed, unfortunately, though the people would like to have had the road unbuilt. As to the question of rates, the hon. gentleman has sought to have the House believe that the Oakes letter did not mean what it appeared to mean. I mentioned that the hon. gentleman and his Government at the time when the road was to be built, gave the people to understand that they would get reduced freight rates. He says they have got reduced freight rates. I say they have not, and I will read the evidence on that point of Mr. Roblin, the largest grain dealer in Manitoba:

Q. Well, in 1889 after the N. P. had come in what were the rates?—A. Exactly the same as they were in 1888.

Q. And in 1890?—A. Just the same.

Q. Then this wonderful bargain that Mr. Martin made with the N. P. had not the effect of reducing the rates as promised?—A. No, not according to the tariff. The tariffs on the Canadian Pacific Railway and N. P. were the same.

Q. Has there been any reduction on wheat and flour in bags since the entry of the N. P.?—A. There has not. In fact there has been a raise of 2½ cents per 100 lbs. on wheat in bags this year.

Q. Has the N. P. given the competition in this country that was expected?—A. There has been no competition in the sense I understand it. Grain men pay the same rates, although I have heard that wholesale men have got concessions. But the farmer has not benefited.

Q. You remember the premier's statements in the House as to better rates?—A. I do. He said he had a maximum rate letter, but when pressed to disclose it he said he couldn't on account of pledges made to Mr. Oakes. However, he said he could assure the farmers that the reduction of rates on the estimated crop of that year (1888) would alone save the farmers \$400,000.

Q. Did this reduction come about?—A. It did not.

Q. You have verified the figures you gave us?—A. Yes. They are absolutely correct.

Q. Well, will you give us the all-rail rates, that is from Winnipeg to Montreal or Toronto?—A. Yes, they are as follows:—1885, from Winnipeg, 50; Portage, 51; Brandon, 52; Emerson, 50. 1886, from Winnipeg, 50; Portage, 51; Brandon, 52; Emerson, 50. 1887, from Winnipeg, 46; Portage, 46; Brandon, 47; Emerson, 46.

So much for the question of rates. But another question has arisen between the hon. gentleman and myself in this debate, as to my veracity, his veracity, and the veracity of gentlemen that were examined in that trial. I have just read the evidence of Mr. Roblin upon the interview with the

hon. gentleman. I will now read the evidence of Mr. Scoble, and then the people will have the oaths of Mr. Scoble and Mr. Roblin, as against the statement of the hon. gentleman :

Q. Did you call on Messrs. Kendricks and McNaught the morning after their arrival?—A. I did. I went down to their private car.

Q. Did you meet any person coming out of the car?—A. I did; I met Mr. Martin. It was then about nine o'clock in the morning.

Q. Had you informed Mr. Greenway of their coming?—A. I think I did. I don't remember when, but it was probably the day before they came.

Q. Were you surprised to see Mr. Martin coming from the car?—A. I don't think I was. I would not have been surprised at anything he might do in that connection. I found Messrs. Kendricks and McNaught on board the car and we went down to the offices of the company over the Commercial Bank. Mr. Roblin, Mr. Dexter, Mr. Kendricks, Mr. McNaught and I went to Mr. Greenway's room that afternoon. Mr. Jones came in. When Mr. Jones came in Mr. Greenway introduced these gentlemen to him. I think Mr. Jones was there when Mr. Martin came in. Mr. Martin opened the door, walked in and said, Oh! as if surprised. I think he was going to shut the door and go out when Mr. Greenway called him in and introduced him to Messrs. Kendricks and McNaught. They shook hands as if he had never met them before. After the introduction there was a little general conversation then Mr. Martin went out.

Then he repeats what was said by Mr. Roblin, and proceeds :

Mr. Roblin went away. When they came downstairs we got into the cab and drove away. The first thing when they sat down in the cab, they burst out laughing. I asked them what they were laughing at. Mr. McNaught told us the Government had clean thrown us overboard. I said, "Not Mr. Greenway surely." He said Mr. Greenway was there and did not say anything.

Q. Did Mr. Kendricks or Mr. Dexter say anything?—A. Mr. Kendricks said something to the same effect as to Mr. Roblin. "The Government is our meat." He was laughing and he slapped Mr. Dexter on the knee and said that.

Now, that shows that there are two gentlemen who, when on oath, had the same idea as to this celebrated interview. I am sorry to take up the time of the House with these matters, but the hon. gentleman stands here as a man who does not fulfil the conditions one would expect him to fulfil from the disclosures in his political career. It does not lie in the hon. gentleman's mouth or in the mouth of any Liberal to say that this Government is chargeable with the condition of the people so far as freight rates are concerned. The reason I have to deal with these matters is simply this: Not, as the hon. gentleman from South Oxford (Sir Richard Cartwright) says, that I wish to attack the personal character of the hon. member for Winnipeg, for what have I to fear from the hon. gentleman? I have met him everywhere, and on every occasion

when I have met him I have defeated him, and I may meet him again.

Sir RICHARD CARTWRIGHT. Perhaps you will have an opportunity to meet him in Winnipeg.

Mr. DALY. I shall be very glad to meet him in Winnipeg.

Mr. MARTIN. Will you resign your seat if I resign mine to meet me in Winnipeg?

Mr. DALY. If my Ministerial duties would permit of my spending the time, most certainly I would. I would be delighted to meet the hon. gentleman in any constituency in Manitoba or the North-west. What I was going to say was that I had to bring these matters to the attention of the House, because the hon. gentleman, who now speaks of relieving the people of their burdens, when he had the opportunity, as Minister of Railways and Attorney General of that province to do something to afford the people real relief, did not take advantage of the opportunity. The hon. gentleman has been condemned by the people of Manitoba. He says that the Provincial Government is strong. And why is it strong? Because the hon. gentleman is not a member of it. The hon. gentleman knows that if he had continued to be a member of the Government, the Government would not have remained in power.

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

After Recess.

FISHERIES OF THE MARITIME PROVINCES.

Mr. KAULBACH. Mr. Speaker, before you leave your Chair on the motion to go into Supply, I desire to offer some few remarks on the subject of the fisheries of the Maritime Provinces, more particularly Nova Scotia, with some references regarding the fish trade, and how it is effected. The importance of the fishing industry of the Maritime Provinces, with the immense capital involved and at stake by the fishermen, is my only apology for trespassing for a few moments upon the valuable time of this House. Under an Act passed in 1882, for encouraging the development of sea fisheries, and the building of fishing vessels to class with Americans, provision was made for the distribution of \$150,000 annually among fishermen and fishing vessels, from which sum the fishing boats have been receiving their portion. In 1891 this amount was increased to \$160,000. The resolution submitted to the House in 1882 by Sir Leonard Tilley, the then Finance Minister, and passed, read as follows:—"That it is expedient that an annual grant of \$150,000 be made to aid in the development of the sea fisheries, and the encouragement of the building and fitting out of improved fishing vessels, and the improvement of the condition

of the fishermen." It was learned at this time, and indeed previous to the Washington Treaty, that large numbers of our fishermen were leaving our shores for the United States, to prosecute the industry of fishing in Massachusetts vessels, better constructed, equipped, and controlled than our own, and the appearance of matters being somewhat alarming as respects our condition, our vessels being left in many instances without crews, or manned by an inferior class, our choice men being grasped up by Americans offering the greater inducements, the Government of the day was prompted and thought proper to submit the resolution I have just quoted. The object of the fishing bounty, as is well known, was to give encouragement to the industry of shipbuilding, or rather to the construction of a better class of fishing vessels, as well as improved methods of fishing, and still further to offer inducements to those having a migratory disposition to remain at home. The result of which has been to give to Canada a class of fishing vessels equal, if not superior, to any on the continent of America, and manned by a class of men unequalled by those of any other country, and who find employment equally as lucrative as abroad. As well as the object has largely been met as respects the deep-sea fisheries, yet it can be increased to a still more satisfactory degree, if the Government will grant my request for an increased amount of bounty to boat fishermen on the coast. True, we had a difficulty respecting Newfoundland bait some few years ago, during the period of the proposed Bond-Blaine Treaty, in which our fishing vessels by being deprived of certain rights for the time being in that shore suffered very considerably, hence the increased bounty to them last year, but fortunately that difficulty or trouble is now overcome. I may here state, if I am not departing too widely, that as the Government are encouraging and protecting the fishermen in the catch of fish, it ought to as carefully guard and foster the best interests of the fishermen in the sale of fish, the shipments, and the mode of shipments with a view to the best markets. To be a success both should go together. This object to my mind is not favourably met, in truth as I view it, it is obstructed by the Government subsidizing a line of steamers to the West Indies, it matters not whether it be to British, Spanish or French Islands, it is equally injurious, and felt very sensibly, not only by the vessel owners of Lunenburg who claim to be the Canadian 'Gloucester,' but by the shippers of fish as well. I do not object to steamers doing the carrying trade when fairly competing, but what I do seriously object to, is a subsidized line which greatly interferes with, and is to the disadvantage of the sailing vessels, which have had the carrying trade for years, and which besides fully meeting the requirements of the trade, are dependent upon it. The larger number of

the sailing vessels are employed in the catch of fish in the summer season, and in the carrying of them to the West Indies in winter, thereby giving employment, not only to the vessels, but to the officers and men as well. For the want of employment owing to these subsidized boats, vessels are laid up, and many of our best fishermen and industrious men have to remain idle, or go to the United States, and worse than all, many of their own best fishermen, by offered inducements, remain away altogether, consequently are lost to Canada, and the masters of fishing vessels, when the season of fishing comes round, are in many cases forced to take inferior crews, or abandon fishing entirely. This, Mr. Speaker, as you will readily perceive, is striking a deadly blow, not only to the industry of fishing, but indirectly to ship-building as well. Our fishing vessels, owing to their superior construction, and sailing qualities, size and numbers, are able to attend to all the carrying trade at present done by steamers, and in some cases making equal time with them. The quantity of fish thrust upon the market at one time by these immense steamer cargoes, their capacity being, I would judge, 4,000 or 5,000 barrels, so completely glut the market and demoralize trade that sailing vessels having them to contend with, have no chance. Sailing vessels have had the experience, when arriving at a West India port with fish, on an empty market, of having to remain for days till the arrival of one of these expected immense steamer cargoes, and then, to their discouragement, find the prices drop, and they are compelled to take just what buyers please to offer. Most disastrous to shippers, and which consignees most seriously condemn. I will here ask you, Mr. Speaker, to observe the unfair position, the marked difference in this trade and the subsidized steamers. The shippers by sailing vessels are very cautious in their shipments, in fact, they make it a study, always carefully to watch by wire and by circulars, the supply, the number of vessels in the various fish ports and their movements, also the clearances, and the quantities on the way, as accurately as they can, and the capacity of the markets, so as to feel sure the supply at any of the islands is not greater than the demand, and that the markets warrant fair prices. Often vessels, loading under favourable circumstances, when loaded are held weeks at a time for improvement of the markets before sailing. This is legitimate trade. Whereas, these subsidized steamers are under contract to sail at a stated time as advertised, and often with a full supply of fish when ready to sail, find the ports they are destined for are over supplied. What is the result? No time then to withdraw or hold. Consequently, to these islands they pour in still more than the markets demand, hence disaster, not only to the steamer shippers, but to legitimate

shippers by other channels, as well, in fact, as all engaged in the trade, and the poor fishermen, who is the least able, must suffer the greater loss, as the prices of fish to the fishermen in our markets depend entirely upon the prices the fish realize in the West Indian markets. As this is the experience at present of our Lunenburg shippers, which I am authorized to state. I am strongly advised, in the interest of trade, that the Government give no further subsidies to any line of steamers to the West India Islands, and if approached for a subsidy to any of the Spanish ports, the Government will reject such a proposal without hesitation. As Porto Rico is our principal market, were we to be interfered with by subsidized boats to these islands, our shippers would have to abandon the West India trade entirely. I must here request that the Government not only refuse in future any subsidized lines to these ports, but that when the present contract with Messrs. Pickford and Black terminates, which is in January next, as I understand, for the reasons alleged it will not be continued. The United States have an advantage over us of about 15 per cent in their coming first in their preferred treaty with Spain, and we now having Norway on an equal footing with us to contend with, we cannot afford to have our interests in the West India trade manipulated by subsidized boats, which benefit the fishermen nothing, and give but little employment to our men. It is to be hoped ere long we will have the most-favoured-nation treaty clause with Spain, so as to be on an equal footing with the United States. Now, with regard to another point, Mr. Speaker. The *modus vivendi* which at its inception was considered only temporary, and supposed not to continue for more than one year, pending a settlement of the fishery question, has been in force over six years, with the prospect of a further extension. To my mind the license fee of \$1.50 per ton, charged to United States fishing vessels for bait and other privileges for their fishing voyages, is small, and, as the boat fishermen on the shores are asking for an increased amount of bounty, and believing that they should be encouraged in their industry, I would ask the Government to grant one of the three following requests:—1st. Increase the bounty to shore boat fishermen, as a compensation for the sacrifices they undergo by having extended to United States fishermen under the *modus vivendi* certain privileges. 2nd. Or increase the license fee to United States fishermen, so as to distribute the increased fee to our shore boat fishermen. 3rd. Or withdraw from the United States fishing vessels the privileges of the *modus vivendi* entirely, so as to give Canadian fishermen the advantage of our fisheries for their exclusive use. I have another object, Mr. Speaker, in introducing this subject, and it is this: to bring to the notice of the Government how neces-

sary it is to protect the coast fisheries of Canada, and thereby prevent, where it is possible, any depletion of its waters. Indeed everything should be done to encourage and foster this industry, and the Government may rest assured the fishermen themselves will be co-workers in encouraging regulations that will tend to protect and retain to us an industry that will preserve to us that heritage which the Government have striven so nobly to foster and protect, and which I trust will be as lasting to us as the hills. In recent years large catches of mackerel have been taken in the bays and harbours of our coast from Cape Sable to Cape North in the spring of each year, but fishermen allege that they are only to be found at present in very limited quantities, owing to the fact that they are a very timid fish, and easily turned aside from their course, and when interfered with by United States' purse-seiners and diverted from their course, they seek deep water, and consequently are lost to the shore fishermen who fish in the bays and harbours of the coast. As a remedy the fishermen recommend that the fishery protective cruisers appear on the ground early, say about the 1st of May, and join the American fleet at Cape Sable, and keep company with it to Cape North, so as to keep purse-seiners outside the territorial waters entirely. What is complained of is that the fishing cruisers or cutters generally do not arrive on the scene until the mackerel and the United States fishing fleet have passed by, and entered the Gulf of St. Lawrence. The cutters should patrol the coast from early spring till late in the autumn to inspire fear, as well as to capture and thus prevent illicit fishing by Americans within our waters. I observe by the report from the Department of Marine and Fisheries that last year the number of licenses issued to American fishing vessels under the *modus vivendi* was less than any preceding year, only seventy-one were issued as compared with one hundred and eight the preceding year, and the revenue consequently was considerably less, only \$9,130 last year as compared with \$13,410 the preceding year, which means that either the number of American purse-seiners are being depleted, or they are able to elude or dodge our cruisers, and thereby avoid the taking of a license and the payment of the required license fee. It would be a great advantage, both to the United States and Canada, if an arrangement could be arrived at whereby the United States would abolish the use of the purse-seines entirely, and thereby avoid the dissatisfaction that at present exists as regards the trespass by American purse-seiners within our territorial waters. This would save Canadian cruisers patrolling our coast, foster and preserve the mackerel fisheries, and protect and retain to the waters of the United States as well as Canada that description of the finny tribe (mackerel), which so rapidly are being

depleted by this unfair method of capture. Some persons might count me over-zealous in the cause of the fishermen and fisheries of Nova Scotia, but the motives prompting me to advocate the claims of the fishermen, and to seek their interests are naturally of a very legitimate character, and such as would incite to action any one who possessed a heart and an idea as to their arduous, toilsome and dangerous calling, and the limited reward in most cases in store for them compared with the many discomforts accompanying their efforts. The fishermen do not enjoy the rich and extensive fields that pervade central Canada, with fine houses and the luxuries of vineyard, orchard and garden, with fields of yellow wheat ready for the reapers to gladden their hearts, but on the contrary, with few exceptions, their cottage, which in most cases is very humble, is planted on a rock with few attractions except the roar and toss of the wild tempestuous billows rolling in on a rugged shore, and their bed and their grave, in many cases, is the cradle of the deep. Who, I ask, would not be moved and plead for them in their solitude and exposure? It is the fishermen as a class who bring into our country by the sea the needful medium, that commodity necessary for all our needs and comforts, be they what they may, and the farmers in justice should not complain of the protection given them by a prudent Government, when they consider that the major portion of the fishermen's returns from fishing goes to the west or central Canada for the purchase of their flour. Therefore, the fisherman and the farmer should go hand in hand together as each is dependent one upon the other. Welcome a Canadian at all times. Let our motto be Canada first, and Canada at all times for Canadians, always loyal to her own interests, and loyal to each other, no matter how widely removed the one from the other, let us ever count ourselves Canadians. With this friendly interprovincial feeling prompting us as Canadians I am thankful to be able to say that the augury of the future of Canada is as promising to-day in contrast with our neighbours across the border as had been any period since 1879, when under the National Policy the principle of protection was introduced and with a treasury realizing a surplus after paying current expenses sufficient to give bounties to fishermen, subsidies to railways of which we have in the east a part, and hope to have more; grants to public works of which we also have been sharers; the Fishery Intelligence Bureau, inaugurated to report the movement of bait, a great service to fishermen. I hope the Government will be able to see its way clear to grant the request I have already made for an increased bounty to shore boat fishermen, and decline granting in future any more subsidies to lines of steamers to the West Indies, finding the injury it is doing to sailing vessels legitimately engaged in the trade of fish.

Mr. KAULBACH.

Mr. CAMPBELL (Kent). Mr. Speaker, I have listened with a good deal of interest to the remarks of the hon. member for Lunenburg (Mr. Kaulbach), but I certainly do not concur in his last remarks in reference to not renewing the subsidy to the line of steamers running to the Spanish and British West India Islands. I think that when we are about granting a subsidy of \$750,000 a year for a fast line across the Atlantic, it is poor policy to cut off the small subsidy to the steamers running to those islands. We are all anxious to increase our trade with those islands, which now take an enormous quantity of our products. Heretofore they have been purchasing nearly altogether from the United States, principally for the reason that the means of communication from Canada to those islands have been very uncertain and very indifferent. From Boston and New York there are lines of steamers, I believe subsidized by the United States Government, running regularly to those islands; so that importers in the islands are able to get the products they require from the United States at certain and definite periods. There is no trouble about the transportation; they know that a steamer will sail on a certain day, and they know what the rate of freight will be. It is therefore much easier for them to purchase their supplies in the United States than in Canada, where they are not sure that they will get them in one or two or three months. If we have to depend on increasing our trade with the British and Spanish West India Islands by means of sailing vessels, without a line of steamers, we cannot hope to increase that trade to any extent. I believe that in the last few years the subsidy has been in the interest of Canada—that it has enabled the producers and manufacturers of goods required in those islands largely to increase their trade there. If the subsidy is cut off, these steamers will not be able to run, and then we shall have to depend on the uncertain times of sailing vessels. It is a trade which is growing and which will become very valuable should this subsidy be continued. I would certainly regret if the Government saw fit to discontinue the mail subsidies, which, after all, are comparatively insignificant. We are spending millions of dollars on works that are not anything like as advantageous to the people, and I think it would be a great mistake on the part of the Government, if they were to adopt the opinion of the hon. member for Lunenburg (Mr. Kaulbach) and decide to cease granting these subsidies.

Sir CHARLES HIBBERT TUPPER. The hon. member for Lunenburg has the honour of representing one of the finest fishing counties on the Atlantic coast, a county famous for the enterprise and skill of its fishermen. They are the pride of the province of Nova Scotia, and every hon. member wishes to see the further development of their enterprise and energy. The hon. gentleman, of course looks at this question

with an eager eye towards benefiting them and improving their condition, and I know that he has always held strong views on this subject of the *modus vivendi*. The *modus vivendi* grants very valuable privileges to the fishermen of the United States, at the cost, to some extent, of the fishermen of this country. Nevertheless there are many considerations which have justified the Government and Parliament in adopting that policy and maintaining it during the past few years. Without going fully into these reasons, I would point out to the hon. gentleman that while all that he has said may be quite true, nevertheless so long as Newfoundland, which together with the Atlantic coast of Canada, holds the key to the situation, maintains the same policy, there would be no great good in our abandoning it. Any advantage that Canada and Newfoundland would obtain if the *modus vivendi* were abrogated, would accrue to them through the crippling practically of the Gloucester fleet of fishermen. But Canada does not hold the key alone. Canada does not command the position, and if the foreign vessels were not able to make our ports the basis of their operations, they could easily transfer that base to the ports of Newfoundland. Under the '*modus vivendi*' a great deal of friction between the fishermen of Canada and the United States has been removed. These fishermen hold licenses, and very many of them still continue to take out licenses, thus giving practically bonds for their good behaviour and the poaching on our exclusive rights, in waters which are exclusively ours, is far less than would otherwise be the case. Speaking briefly, I would say the course which has been followed is, under all the circumstances, the very best that could be followed, and until Newfoundland and Canada co-operate, it would be unwise to consider a change of that system. The fee at present is a considerable tax in itself—\$1.50 a ton; and the raising of that fee would be, perhaps, tantamount to the abrogation of the *modus vivendi* altogether. The hon. gentleman, also having the interests of the fishermen in view, has advocated an increase of the bounty to the shore fishermen. It would be very gratifying to me to be able to say something to encourage that idea, but under the circumstances I am not able to hold out any hopes of an increase. It would be necessary, unless we were to deprive the schooners and the fishing vessels of their share of the bounty, to ask Parliament for an increased grant. The grant was increased a good many years ago, and now fairly represents the interest on the money which was paid Canada by the United States for the enjoyment by the latter, during a period of some twelve years, of the right to fish on our Atlantic coast. I do not think, therefore, that the suggestion is a practical one to-day. Certainly the hon. gentleman himself would not advocate an increase of the shore boats bounty, if it were to take away that portion

of the bounty which the other vessels now enjoy, the primary object of the bounty being to encourage the building and equipping of a finer class of boats than obtained when the bounty system was adopted. All those from the Atlantic coast will say that whatever may have been the complaints in connection with the administration of the bounty system, its object has been largely attained. The hon. gentleman referred, and I am glad to say only generally, to a complaint that often reaches me, and that is the injury to our inshore fisheries owing to depredations by United States fishermen. Now, we have arrested and condemned several vessels in the last year, which were encroaching on our fisheries, but I have no definite information, nor has the gentleman given any, that there is any general violation of the Fishery Act by foreign vessels on our Atlantic coast during the past few years. Fishermen are fond of making complaints, and these complaints have often been investigated. When fishermen have had luck, it is perhaps only natural for them to infer that something has gone wrong somewhere, and the Government comes in for the blame. But in the various cases they have brought to our notice, investigation has shown that they were not speaking of facts within their knowledge, but of rumours that reached them that United States fishermen were encroaching on waters where they had no right to interfere. Only this year complaints were made that during the time the Dominion cutters were not on the coast, say in Chedebuctou Bay, foreign fishermen had come in and made great catches. These complaints were investigated, and it was established beyond reasonable doubt that these fishermen, who made the great catches complained of, were fishing outside our jurisdiction altogether. Another fact worth noting is that while our fishermen could easily discover the names of the vessels which were poaching, no names were ever given to us. At one time our fishermen were not so keen to keep foreign fishermen out, and we could obtain no assistance from them whatever. Everybody from Nova Scotia knows that with reference to the encroachments made on our territorial waters. But that happily has passed away, and some of the arrests made, were made on evidence furnished by our own fishermen. Our fishermen do now co-operate and take the names of vessels found fishing within our limits, and, of course, on that information being given to us, our cruisers are put on the look out, and if possible the poaching vessels are captured within the limits. From the information furnished from the commander of the '*Acadia*' himself, I am convinced that the catches made by the United States vessels along our coasts were made outside of our territorial limits, and that the fears of the fishermen had not been well founded in that respect. Therefore,

I was glad to find that the hon. gentleman had no information upon that point to contradict that which we had and that many of the statements which have been current are not well founded. The hon. gentleman condemns the use of purse-seines. So do I. So does the Government. And the use of purse-seines has been prohibited in our waters. The use of purse-seines is largely prohibited under the legislation of the United States, and during a close season which has been fixed, no fish from purse-seines may be landed in the ports of the United States. We have asked the United States to go further and, with that object in view, a commission is now acting and acting very energetically in dealing with this subject, so that all the information may be obtained, on which it may be possible joint action will be taken and purse-seining prohibited altogether by both United States and Canadian fishing vessels, whether inside or outside the territorial waters. If that is done, I think the mackerel fishery will be greatly benefited. Then I was glad to hear the hon. gentleman refer to the fisheries intelligence bureau. That was established on the advice of the late Commander Gordon, who did the fisheries on the coast great service in his life-time. The bureau has been of great advantage to the fishermen, as the hon. member from Lunenburg (Mr. Kaulbach) testified, and it has also been of great advantage to the Fishery Department, and the cruisers, because, if we know where the fish are, we know where to place the cruisers. Our object is, and our instructions are, that the cruisers shall watch the bulletins from this bureau, and endeavour to keep in, as nearly as possible with the run of the fish as they strike the different parts of the coast. The other object to which the hon. gentleman refers does not immediately concern my department, Mr. Speaker, but is a subject upon which there is, apparently, a difference of opinion. The hon. member for Kent, Ontario, (Mr. Campbell) apparently believes in protection. I am glad to see that. He evidently does not believe in the laissez faire policy, but has come out for state aid, and asks that the steamers shall be given subventions, so that the ordinary speed of commercial enterprise may be accelerated. I have no doubt he had in mind that important article of flour when he spoke of articles being carried more cheaply and to better advantage from our shores to other countries. I must say that the hon. member for Kent was more in line with the policy of the Conservative Government in that regard than was my hon. friend from Lunenburg. However, I can give no valuable information on that subject, except to say that that is one of the questions that have been brought to the attention of the Government, but the result of its consideration by the Government will not be seen until the Supplementary Estimates are brought down.

Sir CHARLES HIBBERT TUPPER.

PONTIAC PACIFIC JUNCTION RAILWAY.

Mr. BRYSON. Before you leave the Chair, Mr. Speaker, I have a matter to which I wish to call the attention of the House for a few minutes. It may be thought that my observations are only of local importance, but I consider that they have also Dominion interest. The railway whose future I am about to discuss has been declared to be one for the general advantage of Canada, and I believe that not only the county of Pontiac, but Canada generally is interested in that line of railway. I shall be very brief, and I crave the indulgence of the House, and ask hon. gentlemen to bear with me while I give a brief resume of the position of the road in the county of Pontiac. My object in making the remarks I do is that the House may be put in possession of the facts as to the position of the county of Pontiac in relation to railway accommodation, and its claims for consideration at the hands of the Government. As the House very well knows, very few miles of railway existed in the province of Quebec at the time of Confederation. The undertaking to build a railway from Quebec to Aylmer was taken up shortly after Confederation by two companies which were chartered by the province of Quebec. Subsidies in land and money were granted by the local Government of Quebec, and the cities of Montreal and Quebec, and other municipalities gave local aids, also. The companies met with many difficulties, and, the result was that, in 1875, the province undertook to build the road and extend it from the town of Aylmer to Deep River in the county of Pontiac. The road having been built as far as Aylmer, the Local Government, being then under financial pressure, had to abandon the building of the portion between Aylmer and Deep River, and the road was transferred to a local company, which was given a bonus of \$6,000 per mile. This was prior to the time when the Dominion Government had adopted a system of subsidizing local roads. Therefore, the only amounts at the disposal of the company were the \$6,000 per mile voted by the Legislature for eighty-five miles of railway, and local subsidies voted for the line of railway between Quebec and Aylmer. The municipality of Quebec contributed a bonus of about a million dollars; the municipality of Montreal about a like sum; the county of Ottawa, \$200,000; St. Andrews, of Argenteuil, \$25,000; Ste. Therese, \$12,000; St. Jerome, \$10,000; and other villages about \$15,000. An appeal was made to the county of Pontiac for aid to the amount of \$100,000 for the construction of the road. A bonus by-law in favour of the road was submitted to the ratepayers of Pontiac in the summer of 1881. This by-law—No. 14—was defeated. But, subsequently, on the 14th of September, 1881, a by-law was submitted to the ratepayers of the county of Pontiac which was carried,

granting the sum of \$100,000, bearing interest at the rate of 6 per cent per annum, payable in twenty-five years. Now, with the permission of the House, I will read the first, second, and fifth section of that by-law, these being the only clauses which it is necessary for the House to be informed upon for a proper understanding of the case. Section 1 reads:

Upon the terms and conditions hereinafter stipulated and provided for, the warden of the said county of Pontiac shall be and he hereby is authorized and required for and on behalf of this corporation to enter into a contract with the Pontiac Pacific Junction Railway Company to grant and pay unto the said company a bonus of \$100,000, and for that purpose to have prepared debentures of this corporation to the extent or value of \$100 each, which shall be payable in twenty-five years from the date of their issue respectively, and shall bear interest at the rate of 6 per cent per annum, said interest to be paid semi-annually on the first day of January and July in each year, at the bank of Montreal, in the city of Montreal, and such debentures shall rank equally upon the taxable real estate in the said county, and such debentures shall be accepted by the company at par in payment of the said bonus.

Section 2. The said corporation shall pay to the said Pontiac and Pacific Junction Railway Company the sum of \$2,500 per mile of said railway built within the limits of said corporation of the county of Pontiac, provided the whole amount of said bonus does not exceed for the whole line of said railway built in the said corporation of the county of Pontiac as aforesaid, the sum of \$100,000.

Section 5. The said Pontiac Pacific Junction Railway Company shall commence the construction of said railway within one year from the date of the passing and approval of said by-law, and shall complete and finish the part of the said railway to be built within the limits of the said county of Pontiac within six years from that date; and at the expiration of the said six years, the said Pontiac Pacific Junction Railway Company shall have no further claim or demand in virtue of the said by-law against the said corporation for any portion of said railway which may remain unbuilt in the said county of Pontiac.

This by-law was carried by a very small vote, indeed. There were about 4,500 electors in the county of Pontiac who had a right to vote, the total vote polled was about 1,520, of which 1,080 were in favour of the by-law, and 440 against. Now, I wish to point out that the railway company have carried out their agreement so far as the construction of forty miles of the road in the county of Pontiac is concerned. This was completed in the early part of 1887, and I wish to point out to the House that since 1887 the western portion of the road has not yet had ten miles completed, but at the present time they are working the road ten miles west of where this forty miles put them in 1887. I think that is a state of affairs which should no longer exist, and that time should not be extended to a railway company who have not shown that they were desirous of completing the line.

Now, it is worth while to point out to the House how the municipalities west of the point reached by the railway company in 1887, voted on this Bill which I have just read when it was submitted to the electors:

	By-law 15.	
	Yeas.	Nays.
Aldfield	5	3
Alleyn and Cawood.....	2	13
Allumette Island.....	3	151
Bristol.....	179	4
Bryson Village.....	26	8
Calumet Island.....	55	2
Chapeau Village.....		5
Chichester.....		17
Clarendon	240	39
Leslie, Clapham and Huddersfield.	54	....
Litchfield	107	5
Mansfield and Pontefract.....	114	....
North Onslow.....	22	34
Portage du Fort.....	27	2
Quyong.....	41	....
Shawville Village	55	1
South Onslow	92	1
Sheen, Esher, Malakoff, &c.....		121
Thorne	58	17
Waltham and Bryson.....		17

The House will see that the portion of the county from Coulonge westward was almost a unit in the five townships I have just mentioned, except Allumette Island, where three votes were polled in its favour. Now, it seems to me that the time has been extended too often to the company for the completion of the railway. We find that of these municipalities which I have just named, one of them, Allumette Island, has \$1,120 to pay this year of their portion of the bonus, and at the nearest possible point they are not within twelve miles of the terminus of the line of railway as at present operated; and other townships are paying their pro rata of the county bonus. Now, I ask this House if it can be considered fair and in the public interest that simply because due and proper consideration was not given to the passage of this by-law; the people of the western portion of the county of Pontiac should be deprived of a railway. On the 18th March, 1884, I submitted an application for aid to this line of railway, and if the House will bear with me, I will read one or two of the clauses which bear upon the subject:

That the present constituted company have held the charter for the construction of the Pontiac Pacific Junction Railway for nearly four years; that their outlay thus far has been very trifling; that the contract for the construction thereof was undertaken in consideration of payment therefor in bonds of the road; that after expending considerable on the work, the contractor abandoned it, in November, 1892, nearly 16 months ago, since which time nothing has been done towards a furtherance of the work by either the contractor or the company, and that the inactivity of the present company, in making no attempt to carry out the work of construction since the abandonment of it by the contractor, when they have the right to take possession of the work and continue it, naturally leads to the belief that the company ar-

not in earnest, and are not desirous of constructing the road.

That there are large sums of money due to residents of both the counties of Ottawa and Pontiac for labour and material furnished for construction. This indebtedness the company have made no effort to pay off, though in doing so they would have held ample security for their outlay, in the work already done on the road.

That the present subscribed and paid up stock of the company is not at all in keeping with the magnitude of the enterprise.

From the past history of the work, it is quite apparent that to secure the construction of this important road, it becomes necessary as a protection to the people so largely interested as the county of Pontiac, that the Government in granting aid should stipulate that any company undertaking this work have subscribed and paid up stock to the extent of \$400,000, and have at least half that amount expended on the road before any Dominion aid be paid them.

That the Pontiac Pacific Junction Railway is a continuation of the North Shore Railway, which is equally entitled to assistance from the Dominion Government as is that portion of it, which more fortunately was built by the Quebec Government.

That to secure the construction of this railway it is absolutely necessary that a subsidy should be granted by the Dominion Government at this session of Parliament.

This was dated March 18th, 1884. Well, on 15th April, 1884, when the subsidies were brought down by Sir Charles Tupper, then Finance Minister, a subsidy of \$272,000 was voted for a line of railway through the county of Pontiac, and a provision was inserted in the Bill that a contract should be entered into between the Government and the company for the construction of this line of railway. This contract is dated December 22nd, 1884, and is entitled "Contract and articles of agreement between the Pontiac Pacific Junction Railway on the first part, and Her Majesty, Queen Victoria, represented therein by the Minister of Railways, on the second part." This contract goes on to specify :

And whereas the Pontiac Pacific Junction Railway Company has established, to the satisfaction of the Governor in Council, its ability to complete the said railway within a reasonable time, to be fixed by Order in Council, such time having been fixed as follows:—For the completion of the first section of 27 miles from Aylmer, by the first day of September next (1885); for the completion of the second section of 27 miles from Aylmer, by the first July, 1886, and for the completion of the entire road by the first day of July, 1887.

Now, you will see that this agreement has not been kept. It is also further specified :

That the said company shall commence the work embraced in this agreement within three months from the date hereof, and shall complete the same, to wit:—The first section of 27 miles from Aylmer on or before the first day of September next, 1885; the second section of 27 miles on or before the first day of July, 1886, and the entire line by the first

Mr. BRYSON.

July, 1887, time being declared to be material and of the essence of this contract, and in default of such completion as aforesaid on or before the said dates, the company shall forfeit all rights, claim or demands to any and every part of the subsidy remaining unpaid, as also to any moneys whatever which may be at the time of the failure of the completion as aforesaid, due and owing to the company.

This contract was entered into between L. Ruggles Church, the late Judge Church, acting as president of the Pontiac Railway Company, and W. J. Conroy, secretary of the company, and the late John Henry Pope, Minister of Railways, and the secretary of the department, A. P. Bradley. Now we find although they were to have this road completed in 1887, it is still uncompleted, and since 1887 only ten miles of that road has been put under construction, and they only completed that forty miles of road in the county of Pontiac to enable them to make a demand for the bonus of \$100,000 promised them by the electors. In 1887, I then represented Pontiac, and finding that the company were not likely to be able to complete the road, I presented a further petition :

That if the Dominion Government were to grant the same measure of assistance to the said Pontiac and Pacific Junction Railway, as has already been granted to other roads of an Interprovincial character, to wit: six thousand dollars per mile; or a subsidy of half the cost of the said bridges and approaches, viz: \$200,000, conditional on the bridge at the western connection being built at the point above mentioned, your petitioners have no doubt the company would consent to carry out in good faith the terms which they have always been led to believe would be assured them.

Wherefore your petitioners pray that you will take the premises into your most favourable consideration, and grant to the said line of railway an increased subsidy of \$200,000; or one-half the cost of construction of the two bridges required, and an additional mileage subsidy of \$6,000 per mile, for a distance of ten miles.

This petition was presented in 1887. Since that time little or nothing has been done on the western portion of the road, and the reason why to-night I ask a fair consideration of this subject, in the interests of the people I have the honour to represent, is simply because the primitive undertaking for the construction of the North Shore road included as part and parcel of it the present Pacific and Pontiac Junction Railway as far as Deep River in the county of Pontiac. Hon. gentlemen are no doubt aware that \$6,000 per mile was paid on the road from Hull to Montreal; whereas, if the Pontiac Pacific Road had been built by the Provincial Government, no doubt the Federal Government would have been obliged to give the same consideration to that portion of the road west of Hull that it gave to the portion east of Hull, between Montreal and that point. At the same time that discussion was going on with re-

spect to subsidies being voted to railways of a local character, an interview was arranged on May 21st, 1891, by the hon. member for Cardwell (Mr. White) with Sir John A. Macdonald. On that occasion the province of Ontario was largely represented. I was present in the Railway Committee Room, and I listened with much pleasure to the remarks of the gentlemen who addressed Sir John Macdonald and the present Minister of Finance. The demand made by the speakers was, in brief, that the province of Ontario had largely subsidized local roads, and that they now came and asked that those subsidies should be repaid them, they having put their hands in their pockets to assist local roads. There were represented at that meeting one hundred and fifty municipalities, five cities and twenty-two counties. The amount of money represented by the delegates was no less than \$8,957,000. The leader of the Government, Sir John Macdonald, who replied to Mayors Parker and Tyler, said that the question submitted by the deputation was one of very serious moment, namely, whether the Government could then entertain certain propositions involving as they did the expenditure of a very large sum of money; and as the House of Commons was composed of representatives from the different provinces, he felt assured that they would not feel disposed to grant the application of the delegation. At the same time he asked the Minister of Finance, who was present, to express his opinion. The opinion expressed by the Minister of Finance was much in the same line as that presented by the First Minister, that if the municipalities had assisted the construction of railways they had no doubt materially benefited by their construction, and if the policy of the Government was to repay such bonuses to the provinces and municipalities, then the provinces by the sea would be entitled to the same consideration. On the afternoon of the same day a deputation from the county of Pontiac visited the Capital, and the leader of the Government agreed to meet the deputation in his private room. I regret to say that that was one of the last deputations which the late right hon. gentleman met in the House of Commons. When that deputation, which was composed entirely of the county council of Pontiac, the secretary-treasurer, and a few friends who were invited, as well as the then representative of the county, Mr. Murray, met the Premier, the right hon. gentleman is reported to have said :

Gentlemen, I am pleased to see such a representative deputation from Pontiac upon so important a subject, and I must say it is not a surprise to me that you should be found here to-day, inasmuch as this seems to be a day for railway subventions to municipalities which have themselves assisted railway enterprises in the different sections. Your claims are, however, upon a different footing from those of the large deputation of to-day from

Ontario. I would ask you to send in the memorials mentioned by one of the speakers, prepare your case as it really is, and I can promise you I shall lay it before my colleagues, and will give it my most serious consideration.

The case of the county of Pontiac was quite different from that presented to the First Minister by the representatives of municipalities who waited upon him on the same day, as the county of Pontiac was not receiving the advantages of a railway connection which had been expected. There are at least in the county thirty miles of road now operated to which the people are annually contributing by way of bonus, and at least 3,000 people of the county are deprived of railway advantages, and under these circumstances I appeal to the House for further consideration of this question. I contend that the Government of Canada to-day has a right to redress the wrong that has been imposed on the county. In that county there is a railway running partially through it and terminating at Aylmer, at which the people are obliged to take the Canadian Pacific Railway into Ottawa, a distance of eight or nine miles, and it certainly was not the intention of the people of the county that they should have to deal with two lines of railway in order to secure entrance into the capital. If you send special articles of carload lots they cost, in many cases, more to send from Ottawa to Aylmer by the Canadian Pacific Railway than from Aylmer to the western end of the road operated, a distance of 61 miles. I contend that inasmuch as the province of Quebec built the interprovincial bridge at Ottawa, that the Dominion Government have not expended one dollar on the bridge or its approaches, the whole involving an expenditure to the province of \$225,000, at least the Pontiac Railway should have received running powers over the road from Aylmer to Hull and from Hull across the interprovincial bridge to Ottawa. Only a few days ago a very large and influential deputation waited on the Government in reference to assistance for a new bridge at Nepean Point. I had not the pleasure of being present on that occasion, but from the reports that were published in the city papers, I saw that the reception the deputation received was not such as to insure success, no direct promise being made by the Government of assistance to this great enterprise; and, with all due respect to those who may differ from me I say that it is a great hardship to the people of the county of Pontiac to be deprived of an entrance into the city of Ottawa other than that which at present exists. A few years ago, when the Canadian Pacific Railway short lines were all consolidated, I pointed out that, in all probability, at some time in the near future, the Pontiac Pacific Junction Railway Company would require to purchase that portion of road between Aylmer and Hull. Legisla-

tion was brought down in the following session. I think in 1890, giving the Pontiac Pacific Junction Railway Company power to acquire that portion of road by entering into an agreement for its purchase. That road has been subsidized by the Local Legislature for \$6,000 per mile and by the Federal Parliament for \$3,200 per mile; but, notwithstanding that \$9,200 a mile has been voted to it by the Federal and Provincial Legislatures, the Pontiac Pacific Junction Railway Company have not availed themselves of the opportunity of taking over that portion of line, and thereby running their own trains into the city of Ottawa. Sir, I appeal to the hon. Minister of Railways and to his colleagues to see that justice is done to the county of Pontiac. Inasmuch as the county of Ottawa voted, but never paid, \$200,000 in aid of the construction of the present Canadian Pacific Railway, although the line was not then owned by the Canadian Pacific Railway, but by a private company; and inasmuch as nearly all the counties in this district have railway facilities without having contributed one dollar directly in the way of a direct tax upon the people, we believe that the county of Pontiac should be placed on the same footing. We believe that it was by an oversight that the Local Government chartered the link to complete the line of railway to Deep River—that it was an error of judgment on their part; because when the Pontiac Pacific Junction Railway is completed to its western terminus at Deep River and there taps the Canadian Pacific Railway, we shall have a shorter line between Deep River and the city of Montreal by about twenty-two miles. In consideration of the fact that we shall then have a short line of railway for all heavy freights from the west to the east, I think it will be only fair that the Government should do for the county of Pontiac what has been done for other counties, namely, give sufficient aid to the railway company to enable them to complete the road so as to tap the Canadian Pacific Railway at its western extremity and the city of Ottawa at the east, without being obliged to interchange freight. And further, inasmuch as the Government have undertaken to relieve the town of Pembroke of the sum of \$85,000 and interest, because the terminus of the Canada Central Railway was not left at Pembroke, and inasmuch as the route of the Pacific Junction has not satisfied the people of Pontiac, not having touched some of the important villages in the county, I think fair consideration should be given to the appeal of the county of Pontiac for relief. It was stated last year and the year before that pledges had been made by me that if I were returned, the people of the county would be relieved of the bonus. It was further stated that I had in my possession a letter guaranteeing something to that effect. Last year I took the opportunity of

Mr. BRYSON.

contradicting that statement. I said that I had not in my possession any such letter, and that I had never made that statement on a public platform. My statement was corroborated by the hon. member for Guysboro' (Mr. Fraser), who, I regret to see, is not in his seat to-night. He was in the county and heard the statement I made. But I am free to admit that the electors of the county were continually urging that point, just as it was found in the last local election in the city of Ottawa, when a member of the Ontario Cabinet was a candidate, that the speakers supporting him on the public platform advocated his return on the ground that he would have influence with the Government to obtain assistance for the interprovincial bridge. We did not find that hon. gentleman saying he would obtain assistance, and I am not one of those who would accuse him of arguing so; but the same argument which applied to the electors of Ottawa was the argument which applied to the electors of Pontiac, that in order to get what was considered justice at the hands of the Government, they should send a supporter of the Government to bring the claims of the county before it. Sir, in bringing forward this matter, I have done simply what I have considered it my privilege and my duty to do. I desire to point out further, that the operation of the line of railway as it at present exists in the county of Pontiac is by no means satisfactory. I want it distinctly understood that I am not making any appeal for the Pontiac Pacific Junction Railway Company. I am anxious that, if that railway company do not do justice to the ratepayers of the county, the Government shall use due diligence, when the time expires for the completion of the road, if it is not completed, to have some other company undertake its completion, and transfer to such new company the money that has not been earned by the present company, if the new company give assurances to the Government of a serious intention to complete the road and thereby provide the county of Pontiac with railway facilities from one end of the county to the other. We were told a short time ago by some of the members of the Government that the county of Pontiac had not paid anything. At that time that statement was quite true. But, Sir, let the hon. Minister not fall into the same trap now, as the people are now paying, and I have no doubt will be obliged to pay. It was then argued that the railway through the county of Pontiac had received the same consideration that all railways of the same local character are entitled to; and, with your permission, I will call the attention of the House to some of the different railways of this Dominion that have received further aid. In April, 1884, a subsidy of \$3,200 per mile was voted by this Parliament to the Pontiac Pacific Junction Railway, while a subsidy was voted to the Gati-

neau Valley Railway of \$5,160 a mile for sixty-two miles, giving a total of \$320,000. The Montreal and Western Railway, which is largely a road of the same character, had a subsidy of \$5,161 a mile for seventy miles, or a total of \$361,270. The Quebec and Lake St. John Railway had a subsidy of \$4,046 a mile for two hundred and eighty-four miles, or a total of \$1,003,495. The Ottawa, Arnprior and Parry Sound Railway, which largely duplicates the line of the Canadian Pacific Railway through the eastern part of Ontario, received \$4,018 a mile for one hundred and seven miles, or a total of \$430,000. The Temiscouata Railway received a subsidy of \$5,637 per mile for one hundred and nineteen miles, or a total of \$670,800.

Mr. LISTER. Did those roads get provincial aid also?

Mr. BRYSON. I regret that I am not in a position to answer the hon. gentleman on that point, as I do not know what the provincial aid was. I know that the Gattineau Valley Railway received provincial aid, but to what extent I cannot at the moment state positively. Now, the Pontiac Pacific Junction Railway is subsidized only to the amount of \$3,200 per mile by this Government. An additional subsidy of \$5,100 a mile for the twenty miles yet to be built would only increase the average subsidy for the ninety-five miles of the road to about \$4,000 a mile, or a little over half the amount voted for the Temiscouata Railway. I appeal to the First Minister, the Minister of Railways and his colleagues, as well as to this House, whether it would not be better to increase the subsidy to a company to construct and maintain a line of railway which would give us entrance into the city. Would that not be simply putting us on a par with other roads which have received so large and favourable considerations at the hands of the Government? The townships in the eastern portion of the county of Pontiac, namely, Bristol, Clarendon and Onslow, when they are shipping their grain westward, are obliged to send it by rail to Ottawa in order to strike the Canadian Pacific Railway, and they have to pay something like \$17 or \$18 a car from Shawville, Bristol and Onslow, to get their cars into Ottawa in order to connect with the Canadian Pacific Railway. Therefore, you will see what difficulties we have to meet, and how we are handicapped through having no western outlet, and I ask the Government to give their favourable consideration to this matter at the earliest possible moment.

Mr. LISTER. How much was the Dominion subsidy to this road and the Provincial subsidy?

Mr. BRYSON. The Dominion subsidy was \$3,200 for 85 miles, and the Provincial subsidy was \$6,000 per mile.

Mr. LISTER. That makes \$9,200 per mile. How much municipal bonuses were given?

Mr. BRYSON. \$2,500 per mile for 40 miles in Pontiac.

Mr. LISTER. That makes \$11,500 a mile for 40 miles at any rate.

Mr. BRYSON. This road is built from Aylmer through the western portion of Ottawa, which contributed nothing, and the portion of the road not yet built has no municipal bonuses whatever. It has the local bonus of \$6,000 per mile, and the Federal bonus of \$3,200 per mile for 85 miles.

Mr. HAGGART. The hon. gentleman has made a statement with regard to the position in which his county is placed by the building of the Pontiac railway. He claims from the Government assistance for the purpose of taking it out of the trouble into which it seems to have got, through giving bonuses to a large amount to a section of the road which is not completed, and which does not offer sufficient accommodation to the people of that county. It is unfortunate that the people of the county voted their money in that particular way, and it is unfortunate that a municipality like the county of Pontiac had power to bind the whole of the municipalities of the different townships to the extent they did. For, as the hon. gentleman states, several of the municipalities in the western part voted, almost to a man, against giving this particular bonus, but they were compelled to contribute, and are being compelled to contribute, a certain sum annually to a road which is not of the slightest benefit to them. It is unfortunate that the municipality of the county of Pontiac has had power by a majority vote to tax these township municipalities which receive no benefit whatever, and the hon. gentleman is naturally very anxious that some extension to the railway should be made in order to accommodate these particular townships. The fault, I do not think, lies with the Dominion Government. The Dominion Government are not in any way responsible for the giving by the people of Pontiac of a sum of money to an uncompleted road—a road only completed to the extent of 40 miles. All that the Dominion Government were pledged to was the sum of \$3,200 per mile for the road when completed. I am aware that the terms of the bonus extend beyond the 40 miles completed. When any part of that extension is completed, when the bonus is earned, of course the Dominion Government are perfectly willing to pay the amount. The hon. gentleman appeals to us for a further increase, on the ground that other roads in different sections of the country have received larger sums than \$3,200 per mile, and he makes the further appeal that if the company does not exert itself to a greater extent than it has in the past, some means should be taken to compel it to do

so, or else take from it the right of acquiring the bonus. I think that part of his argument is perfectly correct. If the railway company is not in a position to go on and build the road, and if there is any other company willing to build the extension of the road in the direction the hon. gentleman asks, the bonus might be changed from a bonus to this particular road to a bonus for an extension in the direction the hon. gentleman mentions. But the same difficulty would arise in that case which has arisen at Aylmer. The road would then consist, in order to reach its natural market at the city of Ottawa, of three portions, namely, that portion of the Pontiac railway and that along the Pontiac railway down to the town of Aylmer, and from Aylmer to Ottawa. I do not think the hon. gentleman will be able to get any company to extend a road which had a terminus at this particular junction, and I think his only chance would be to get the Pontiac railway into live hands, into the hands of people who would be active and make it a paying and live institution, by extending it in the direction the hon. gentleman wishes. There is no doubt that that little section of road, only 40 miles, having a junction nowhere, and extending down to the town of Aylmer, where it is, so to speak, collared by the Canadian Pacific Railway, and where on every bit of freight they will have, perhaps, as the hon. gentleman says, to pay as much for taking it over these seven or eight miles as they pay for taking it over the whole 40 miles. The hon. gentleman thinks we ought to, in some way, enforce the right of the Pontiac railway to the usage of that road from Aylmer to Hull. I do not know of any possible way in which the Government could do that. They could hardly call upon Parliament to give another bonus to a road which would almost parallel the line from Aylmer to Hull, and after the road got to Hull, to carry out the idea of the hon. gentleman would necessitate the building of another bridge, because the bridge at present across the Ottawa River is under the control of the Canadian Pacific Railway. It would necessitate the building of another bridge and terminus in the city of Ottawa, in order that it might be of any benefit at all to the Pontiac railway. I sympathize to the fullest extent with the hon. gentleman; I do not know of any county in Canada which has been so shamefully used by a railway company as the county of Pontiac has been. They gave their money evidently with the intention of having the road finished nearly, any way, throughout the whole of the municipalities of the county of Pontiac. They made that arrangement and bargain with the Pontiac Railway Company, but through some flaw or some clause that was slipped into their by-law, the company managed to acquire the whole of the bonds, when only 40 miles of the road were completed, and the people are now being taxed for the benefit of a road which is of very

Mr. HAGGART.

slight advantage to them. I do not see in what particular the Government can in any way come to the aid of the county except by the bonusing of the extent of road for which the hon. gentleman asks a bonus. I do not know that the Government intend this session to bring down any subsidies to railways at all. The statement which the hon. gentleman has made in this House, I will, however, bring to the attention of my colleagues, and ask their consideration to it when the question of subsidies is being considered. The hon. gentleman states as another reason why the Government should give a larger bonus than \$3,200 per mile to this road, that the intention of the Quebec Government, when the North Shore road was built, was to complete this road up to Deep River, and that if it had been built to Deep River instead of to Hull, when the bargain was made with the province of Quebec, the Quebec Government would have been receiving \$12,000 per mile for that road, and would have had the road completed. It might be that that small distance between Hull and Deep River, which the hon. gentleman speaks of, might have been the means of preventing the bargain ever having been made. It was sufficient, I think, and it was all that was proposed, that the Quebec Government should, at the time, get \$12,000 per mile from Ottawa to Montreal. I think the Quebec Government ought to have contributed more or ought to have seen to the completion of the road which had been completed to Aylmer, the original intention being to complete it to Deep River. I can only say to the hon. gentleman that it would be a very bad and a very dangerous precedent in this country if the Dominion Government were for any excuse, or for any reason at all to give any municipality in the country a sum of money to recoup it for a bonus given to a railway. Once this was done for any county, every municipality or county in the Dominion would claim an equal right to be recouped. I can only tell the hon. gentleman that I shall bring his statement to the attention of my colleagues and that his claim for a larger subsidy than \$3,200 per mile for the portion of the road that remains to be completed will be considered.

Mr. LISTER. I would ask the hon. gentleman how much this road was bonded for per mile?

Mr. BRYSON. I think it is not bonded at all.

Mr. LISTER. I think it was bonded for \$15,000 per mile.

Mr. BRYSON. All I can say is that if that is the case I am not aware of it. I think the money advanced for the construction of the road was advanced by the late Senator Ross.

Mr. LISTER. That was only a part of it.

Mr. BRYSON. I do not think there were any bonds sold on any portion of the road.

Motion agreed to; and House again resolved itself into Committee of Supply.

(In the Committee.)

Militia, Gratuities to officers of the active militia placed on the retired list	\$4,400
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Mr. PATTERSON (Huron). Of this sum \$2,000 is a gratuity to Major Street, of Winnipeg, who has been in the service since 1870. He went up with the First Red River expedition as an officer. He remained in active service until last year when I retired him. I had not funds at that time out of which to give him a gratuity. I am giving him two years' pay. He served for twenty-two years. The sum of \$2,400 is for a gratuity for Colonel McShane, of Halifax. He has served twenty-one years, part of the time as Brigade-Major, and the last twelve months as Superintendent of Stores. This amount is equal to two years' pay.

Clothing and necessaries	\$12,000
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Mr. PATTERSON (Huron). I found last year that I had bills to pay for the year ending 30th June, 1893, to the amount of \$12,485, and I had no funds to pay them. I was not aware of these bills when I took charge. I had to pay them out of my supplies for the year ending 30th of June, 1894. I have now bills to be paid amounting to \$13,000 and I have only \$1,400 to pay them with. Therefore, I have to come to the House for this amount to make up the deficiency. These bills were for clothing contracted for and actually delivered prior to 1st July, 1893.

Mr. LAURIER. It amounts to this—the hon. gentleman's predecessor had exceeded his appropriation.

Mr. PATTERSON (Huron). The clothing was furnished; I can give my hon. friend the items.

Mr. PATERSON (Brant). I would like to ask the hon. gentleman who is filling the office of Adjutant General in his department now?

Mr. PATTERSON (Huron). Colonel Walker Powell is Adjutant General.

Mr. LAURIER. But he is not filling the duties of the office.

Mr. PATTERSON (Huron). I have no official information on the subject.

Mr. LAURIER. I thought the Minister was head of the department.

Mr. PATERSON (Brant). I think the hon. Minister had better explain this matter. I do not understand it.

Mr. PATTERSON (Huron). I have asked for official information on the subject, which

I will be happy to furnish to the House when I get it.

Mr. MILLS (Bothwell). I think that it is only right that the hon. Minister should give us this information. The military department proper is subordinate to the hon. gentleman as Minister of the Crown. He is the head of the civil department, and, if an officer who has been so long in the service, who has stood so high in the general estimation, not only of the House, but of the country as well, for the last thirty years as Colonel Powell, is suspended or removed from office, it strikes me as rather a serious matter, and one concerning which the fullest explanation should be given to the House.

Mr. PATTERSON (Huron). I can only say that I expect to have information to be laid before the Governor in Council, and that if I get it I shall be happy to communicate it to the House to-morrow.

Mr. LAURIER. The item will stand meantime?

Mr. PATTERSON (Huron). I think the hon. gentleman should not ask the item to stand. The money is overdue, and there are many other items in my department on which this subject can be discussed.

Mr. LAURIER. The hon. gentleman will pardon me, but I do not understand his position at all. He is the head of the department, and it is inconceivable that the public press should announce for two days that an important officer of the department has been suspended and the hon. gentleman have no knowledge of it. I think that until he is in a position to give the information to which the House is entitled he is not in a position to ask for any money.

Mr. PATTERSON (Huron). I have told the hon. gentleman that I have asked for an official report which I can lay before the Governor in Council and before this House.

Mr. PATERSON (Brant). Has any one the power to suspend one of the hon. gentleman's officials without his knowledge and consent. I do not understand fully the etiquette of the department. That is why I made my inquiry. It seems strange to me, the Minister being the head of the department, an officer of the department can be suspended without his knowledge.

Mr. PATTERSON (Huron). That is one of the questions at present receiving my consideration.

Mr. PATERSON (Brant). Can an officer under control of the Minister be laid off active duty without the Minister's sanction? Has this been done without the Minister's sanction or knowledge?

Mr. PATTERSON (Huron). I have never suspended any officer, either military or civil, in the department.

Mr. PATERSON (Brant). But can such an officer be suspended by any one else without the consent of the Minister ?

Mr. PATTERSON (Huron). It depends upon what position the officer might occupy. I suppose it is possible for a military officer to be suspended in that way. A civilian can only be suspended by the Minister, or in his absence by the Deputy. I have not the slightest wish to keep anything back from my hon. friends, and shall give the information as soon as I can.

Mr. MILLS (Bothwell). I think that question was settled many years ago in a dispute that arose between Sir David Dundas and Lord Palmerston, and I think the whole discussion will be found in one of the volumes of Clode's Military Forces of the Crown.

Mr. LAURIER. We will have a report to-morrow, then ?

Mr. PATTERSON (Huron). Yes.

C.P.R. Construction..... \$4,000

Mr. HAGGART. This sum is required to pay salary and expenses of the engineer in charge of the award works, and to pay land damages. The value of the work remaining to be done under the award of \$559,255.20 is \$115,710. This is to pay the salary of the supervising engineer at \$120 per month, and to pay a large number of land claims unsettled. The amounts due are small, but the demands are large.

I.C.R. Construction... \$73,000

Sir RICHARD CARTWRIGHT. I do not quite understand how that comes to be a revote here ?

Mr. HAGGART. The amount was voted for a train ferry between Mulgrave and Point Tupper, but the ferry boat was not built until after the time had expired. We had to get a Governor General's warrant, and this is to cover the warrant. The money was voted before for the service. The vote had expired, the work was done, and the contractor was a couple of months longer than he ought to have been, and we had to get a Governor General's warrant ; \$63,500 of this money is for that, and the balance for the extension along the front of the city of St. John.

Mr. PATERSON (Brant). What was the total cost of the boat ?

Mr. HAGGART. The train ferry cost \$117,691.89.

Mr. PATERSON (Brant). Is that a ferry on which the freight cars are run ?

Mr. HAGGART. Yes ; I think there is a tow boat and a ferry besides. The boat carries four passenger cars.

Mr. PATTERSON (Huron).

Annapolis and Digby railway
construction..... \$1,000

Mr. HAGGART. This is to pay for land damages, \$406, and legal expenses, \$594.

Mr. PATTERSON (Colchester). Is the Annapolis and Digby part of our system now ?

Mr. HAGGART. No ; that belongs to the Western Counties Railway. That is the line for the building of which the Government gave \$500,000, and we took it over and built it ourselves, and gave it to the Western Counties Railway.

Lachine Canal—Construction... \$12,500

Mr. HAGGART. This is to pay some outstanding accounts in connection with the Lachine Canal, \$8,000 ; and towards building a drain on the Lachine shore, \$4,500.

Mr. LAURIER. What kind of work is that ?

Mr. HAGGART. It is some work in connection with the Wellington-street bridge.

Mr. LAURIER. The Curran bridge, rather.

Sir RICHARD CARTWRIGHT. Done by days' work ?

Mr. HAGGART. I have not got the details.

Mr. MILLS (Bothwell). Is it Curran or the bridge that is so expensive ?

Mr. HAGGART. It is some of the few accounts that we admit are correct, but I have not got the items here.

Mr. LAURIER. The hon. gentleman cannot be surprised if, in a matter of that kind, we would like to see the accounts ?

Mr. HAGGART. Then I will have to let the item stand until to-morrow.

Soulanges Canal—Construction . \$2,200

Mr. HARWOOD. (Translation.) I regret that, at this late stage of the session, it should be necessary for me to take the time of the House, but I think it incumbent upon me to refer now to the reply made to a question put by me, a few days ago, to the Government. The hon. Minister of Railways did not give a satisfactory reply to my question. I am positive that the claim of Mr. Odilon Lalonde, who entered into contract with the Government for the purchase of his land, in July, 1893, had not yet been settled last week. The hon. Minister said that there was nothing in the department to show that contracts had been entered into without the claims arising out of the purchase of property having been duly settled. And at that very time of speaking, there was an item before the department showing that the heirs to a certain estate had entered into an agreement with the Government in the month of January last, while the Government notary informed me that the

cheque in payment of the promised sum had not yet been issued, because the Government had no appropriation to meet that claim. I am quite surprised at the hon. Minister being kept in the dark as to what is going on in his department and I no longer wonder at irregularities having occurred within a short distance from the capital, in connection with the Soulanges Canal, without the department knowing anything about them. In order the better to understand the facts I am about to bring before the committee, it will be necessary for me to give a general topography of the premises, in connection with the Soulanges Canal. You are aware, Mr. Chairman, that the Soulanges Canal was built in order to unite the waters of Lake St. Francis with those of Lake St. Louis. The difference in level between the two lakes is 82½ feet and the canal is being built in order to overcome three rapids, the Cascades, the Cedars and the Coteau. The canal line, which is located on the north shore of the St. Lawrence, is 14 miles long. The canal has been subdivided into 13 sections. I may here remark that the first lock occurs in the fourth section, and is eleven miles distant from Lake St. Francis. This canal is cut almost perpendicularly, within a certain distance from the river; and the lands in the first concession, as well as in the parish of St. Ignace as in that of St. Joseph of Soulanges, are intersected by the canal within a greater or less distance from the front. The arbitrators appointed by the Government were Messrs. Wood, Paradis and Lalonde. From an examination of their work, I think I am in a position to speak with a thorough knowledge of the matter. The arbitrators set to work in September, 1892. They had had about from one hundred and forty to one hundred and fifty cadastral numbers to expropriate in the county of Soulanges. As several of those numbers belong to the same owner, they are not to be looked upon as so many lots. Those 140 to 150 cadastral numbers are owned by a about ninety persons. The arbitrators made tenders to some individuals. One would be led to think that men of their experience in that kind of work should have followed a more sensible course than the one adhered to. But such is not the point at issue. I cannot, however, refrain from remarking in that connection that the more sensible course for them to follow would have been to secure a copy of the cadastral reference book and a copy of the official plan of the canal, to repair to the premises in order to examine into the real value of the whole lot, taking into consideration the inconvenience and damages likely to result to the land owners from the projected location of the canal line. Such considerations were of considerable weight in view of the damages entailed upon the land owners by the severance of their property and by the means of access to his house or land being rendered less convenient from the construction of the canal. The location

of the bridges is also an important element entering into the assessment of damages awarded to land owners. Such, however, was not the system adhered to by the arbitrators; and their expropriation proceedings will be better illustrated by quoting a few cases. First, I may preface these remarks by saying that for over thirty years past I have, in my capacity of land surveyor, travelled in all directions over the counties of Soulanges and Vaudreuil, and acquired in that line an experience which enables me properly to appreciate their work. The arbitrators, Mr. Chairman, as will be seen, acted in a very queer way. In order the better to elucidate the matter, I shall endeavour to institute a comparison only between such properties as are similarly situated. To begin with, the head or upper end of the canal, which is in the third section—let us take the land of Mr. Stanislas Filiatreault, which is intersected by the canal. This property is estimated at \$2,000, and the arbitrators awarded him for it \$435 per acre. Mr. Moise Giroux's property is estimated at \$3,700; he should have been awarded a larger sum, on account of the greater inconvenience and damage suffered by reason of the severance of the property, the house and barn being on the south side and the farm on the north side of the canal; and also on account of access being cut off to his farm except by crossing a distant bridge. Still, while entitled to the same compensation as his neighbour for the depreciation of his land, he was only awarded \$172 per acre. Mr. French, who is in a position exactly similar, and whose land is estimated at \$3,000, was paid an indemnity of \$212 per acre. On the whole line, there are two farms which occupy a peculiar position, as they lie in a small bay, north of the River St. Lawrence. One of these proprietors, and his neighbour, Mr. Guerin, have no land on the south side of the canal. The canal intersects a portion of the land, so that the house and the barns are on the north side, and on that side is found the macadam road which runs from Coteau to the Cascades. These proprietors will then have their frontage to the road. The property of the former, Gareau, is estimated at \$2,100; he was allowed \$638 per arpent. Guerin, whose land is estimated at \$2,650, was allowed \$357 per acre, about one-half of his neighbour's compensation. Gareau, who was in exactly in similar circumstances, was granted but \$212 per arpent, although made to suffer the most serious inconvenience by the severance of his land for the purpose of the undertaking, as it necessitates crossing the canal to go over to his barn, or the removal of his buildings to the other side of the canal. Numerous instances might be adduced of people living along the line of the canals who have been made the victims of similar blunders. I pass them over in silence, in order to come to the farms which have been intersected by the centre. They are mostly lands con-

taining from twenty-five to thirty arpents in depth, running irregularly along the line of the river. Let me quote three instances of lands intersected by the middle. The first one is a land belonging to Mr. Healy, estimated at \$1,350. The arbitrators had offered him a sum of \$1,600. Healy appealed from their decision to the Exchequer Court, which allowed him \$2,362, or \$362 per arpent, provided that a bridge should be built one mile above the property, failing which he should be entitled to a further compensation. The neighbouring lot, owned by Mr. Pilon, is valued at \$1,200, and the arbitrators have paid him only \$184 per arpent, notwithstanding the fact that this property is as valuable as that of Healy. The third lot, the property of Mr. Watier, is estimated at \$2,000; the sum of \$178 per arpent was awarded him. Let us now come to the parish of St. Joseph of Soulanges. Here again we meet with lands intersected by the centre, but whose peculiar location in connection with the bridge will enable their owners to have access to their property. Mr. Tremblay owns a land estimated at \$2,800, one mile distant from the bridge; it will necessitate his going down one mile on the south side and his going up one mile on the north side. The sum awarded him is \$126 per arpent. Mr. John McKay owns a property estimated at \$1,750, six miles distant from the bridge; therefore, he has only twelve miles to travel up and down. The arbitrators have granted him a compensation of \$250 per acre, while Mr. Tremblay only gets \$126 per arpent for a property worth twice as much as the latter. Mr. Seguin's farm is estimated at \$3,600, and is four arpents distant from the bridge. A sum of \$500 per arpent was awarded him by the arbitrators. The injustice of such awards is patent. Tremblay, whose property is one mile distant from the bridge, is granted \$126 per arpent, while Seguin, whose farm is but four arpents distant from it, receives an indemnity of \$500 per arpent. Now, let us take the case of Mr. François Bissonnette, who is the owner of a farm valued at \$2,000, situate in close proximity to the bridge. There is no road to give him access to the central portion of his property; he avails himself of the acclivity to cart his grain. Now, this man was granted \$425 per acre. Mr. Laurent Tessier owns a property equally worth \$2,000, fifteen acres distant from the bridge. This gentleman has the inconvenience of having on his property the bank of the channel, some twenty feet high—and I called attention to the fact that the first lock was eleven miles distant from Lake St. Francis, to show that sections 6, 5, 4 and 3 of the canal are entirely above the level of the lands—and on Laurent Tessier's property, the bank, as stated, is twenty feet high; now, from the general experience obtained from other canals, it is an ascertained fact that with a twenty-foot pressure, the neighbouring lands, if not completely flooded, will, at least, be made

Mr. HARWOOD.

so cold and so damp by water filtering through the bank of the canal, that they will be much depreciated in value. Still, in all the contracts entered into between the Government and the vendors, a clause has been embodied providing that in consideration of the award mentioned in the agreement, the land owner exonerates the Government from any further claim for damages which might be sustained or suffered on the residue of his property by reason of the construction of the canal. In pursuance of this clause, Tessier would, therefore, no longer be entitled to make a claim for damages to be recovered from the Government by reason of damages suffered from dampness. Now, while the latter was offered but \$275 per acre, Bissonnette, who owns a property in close proximity to the bridge, was paid \$425 per acre. Other land owners, whose property is so located as to be altogether free from any future damage or inconvenience resulting from water, owing to the fact that such property is on a level with the canals, have been paid, some \$620 per acre, others \$425 and \$300. Let us take the case of two other lands similarly situated. Thauvette owns a land estimated at \$3,500, three arpents distant to the west from the bridge, the St. Antoine coast. The arbitrators have awarded him \$388 per arpent. Honoré Leroux is the owner of a property three arpents distant from the bridge, estimated at \$5,050. The latter was allowed \$200 per arpent. Let me mention the case of two other properties in close proximity to the bridge, just to show the House the utter lack of judgment and impartiality of the arbitrators in assessing the damages, or how perfunctorily they have performed the duties of their office. For instance, a land belonging to Mr. Quiqueland de Beaujeu, situated in the parish of St. Ignatius, a locality where land is but little market value, was estimated at \$1,000. The arbitrators allowed him \$200 per arpent, while they offered the Dumesnil estate but \$120 per arpent for property estimated at \$5,150, a land, too, far superior in quality. From these few instances the House is enabled to judge of the character of those awards. Now, Mr. Chairman, that you have an insight into the features of the work performed by the arbitrators and of their proceedings, I may also be allowed by the committee to inquire into the cost of such work. By referring to the Auditor General's Report, Section C, page 99, for the year 1891-92, it will be seen that one of the arbitrators, Mr. A. G. Wood, for services, 69 days at \$10 a day, was paid \$690; living, 73 days, at \$3.50, \$255.50; transport, \$200; a total of \$1,145. Now, in this connection, I may be allowed to call the attention of the Minister of Railways to the item of board expenses. For over thirty years past, I have travelled a great deal through the county of Soulanges, and I may state that, from my personal experience, I never paid over twenty-five cents a meal and twenty-five cents for

a bed. That is the general rule at the hotels where I have stopped, and I have been unable as yet to find a Windsor Hotel in Soulanges. The Government, I understand, allow the arbitrators \$3.50 a day for maintenance. As I am aware that the arbitrators are far from having completed their work, I thought it my duty to call the attention of the Government to those expenditures which otherwise might have passed unnoticed. Mr. F. X. Paradis, another arbitrator, was paid \$820 for 82 days of work, at the rate of \$10 per diem—a baker's dozen, by the way, or thirteen days in excess of Mr. Wood's bill; living, 80 days at \$3.50 per diem, \$283.50; transport, \$123.50; a total of \$1,227. The Auditor General's Report passes over in silence Mr. Lalonde's bill, who ought to have co-operated with the above gentlemen. From the Auditor General's Report for 1892-93, Section C, page 122, I gather the following data: Mr. Wood was paid \$690 for 69 days of work at \$10 a day; living, \$183.70. I notice, by the way, that he has charged the Government this time only \$2.70 a day; transport, \$154.09; a total of \$1,027.79; and a total sum for both years, aggregating \$2,173.29. Mr. Paradis, according to the same report, same page as above, same year, was paid \$890 for services, 89 days at \$10 a day; living, \$210; transport, \$56; in all, \$1,156; or a total of \$2,383. Mr. Lalonde was paid \$760 for services, 76 days at \$10 a day; for living, \$145.25, and transport, \$110; a total of \$1,015.25. If we add up those various amounts we find that the Government have paid the arbitrators \$3,850 for services, 385 days; \$1,077.95 for maintenance, and \$643.59 for transport; a total of \$5,571.54; to which, if we add up the sums paid from July 1st, 1893, up to January, 1894, we reach an aggregate sum of \$7,116.54 for both years. Judging from the above figures, one would be led to the belief that the work carried on by these gentlemen ought to cover a large tract of territory, while, as a matter of fact, it covers but 13 miles of lands taken. From my own experience of their expropriation proceedings, I may state that they have spent more time travelling on the Queen's road than on the lands taken. They even declined visiting the lands, for the obvious reason, they stated, that the mere inspection of the cadastral plan dispensed them with inspecting the premises. I could even vouch for the fact that they did visit the lands taken only in a small percentage of cases. At Cascades Point, the Government took possession of the lands by their contractors, and the land owners received no notice either from the Government or from the contractors before January last. The lands in question were the property of the Harwood estate. Mr. Wood, one day, sent me word that he wished to confer with the family about these lands. After having opened his paper-case and unrolling his plan, which I knew quite as well as he did, Mr. Wood inquired from me as to

the amount of indemnity the family wished to be paid for the land. My reply was to the effect that the family did not wish to part with the property; that, at any rate, if the land were required for the canal, it was for him to make a tender of satisfaction, and that if we were dissatisfied with the award we would take an action before the Exchequer Court to set aside the award. He told me he was in a position to make offers which the Harwood family would certainly accept, although he stated the land was worth very little, and so rocky as to be hardly fit for cultivation. I told him he was quite mistaken as to the value of the land, that it was this very circumstance which enhanced the market value of the property, as it was a Potsdam sandstone quarry. On hearing this bit of news, he gave a start, as stung by an adder. I called his attention to the fact that a simple inspection of the pebbles scattered on the ground, if he had visited the premises, would have enabled him to verify the fact, and he put an end to the conversation by telling me that he would first consult a professional man and make a tender later on. I ascertained the fact that he had not visited the premises, despite the fact that the Government had taken possession of the land. I further ascertained that the Government had not laid off the land; that by their contractor for the construction of section 12, they had taken possession of and entered upon the whole property; that they had taken stone wherever they pleased; that they had removed a dam which supplied a water power which had set in motion for a number of years a saw-mill with five saws and a grist mill with five mill-stones. Mr. O'Leary was busy carting stone to complete the macadamized road; and all this went on in the presence of the engineer in charge of the road, Mr. Coutlée. As I happened one day to be on the premises, I asked Mr. Coutlée whether the Government had had their property laid off and surveyed; and he replied to my query that it did not concern them. I called his attention to the fact that they had entered upon a land which the Government had no intention of buying. Meanwhile, the matter having been referred to Inspector Munroe, I noticed, on a subsequent visit, some ten days later, that a line had been drawn; but neither could it escape the notice of any professional man that the line had not been drawn by a surveyor; and when I called his attention to the fact, he told me that it had been drawn by them without any warranty of precise measure, the Government property having not yet been laid off. The engineer would allow the contractor to remove the stone or whatever article he thought fit to remove, as also utterly to ruin the water power just mentioned. All this goes to show that Mr. Wood and the other arbitrators had never been on the premises; and that, while pretending to be well informed enough

as to the value of the property to warrant their making a tender to me, they ignored the very existence of a Potsdam sandstone quarry on the property. Now, as stated above, the arbitrators were paid for services, \$3,850 for 385 days; \$1,077.95 for living, and \$643.59 for travelling expenses, or a total of \$5,571.54. Although a statement of their expenses from July, 1893, to the end of January, 1894, was not available, I can state positively that the arbitrators have been on the Government service during the whole of the season, last fall, down to the opening of the session of the Ontario Legislature; and had they been paid at the same rate, the expenditure in connection with their arbitration would have reached an aggregate of \$7,116.50 down to the month of January last; and while this large expenditure was being incurred the arbitrators did not properly perform their duties, and did not settle all the claims they had to award upon. The data I am about to give has been procured from the only available source, the registry office of deeds for the county of Soulanges. In the parish of St. Ignace, while there were to be found from twenty-seven to twenty-eight claims, the arbitrators have awarded upon eighteen. In the parish of St. Joseph of Soulanges, sixty-seven persons had claims against the Government, and only twenty-two claims have been settled. Thus, out of ninety-two claims, there are still fifty-four unpaid. The arbitrators have thus been paid \$7,116.54 for awarding upon forty claims upon the Government for property taken. These expropriation proceedings are open to serious criticism, on a double ground: first, in that it is a source of increased expenditure for the Government, and because, in other cases, it deters people from making their claims before the Exchequer Court. These gentlemen would tell people that their awards were final and conclusive, not appealable, and that those who were dissatisfied with the award, and declined to accept it, would never be paid. They thus succeeded in frightening out of their wits poor people who were coerced into accepting compensations quite inadequate to the losses suffered by them. Further, many proprietors wished to take an action before the Exchequer Court to set aside the award, and obtain an augmentation of their indemnity; but the trouble is now how to find proper evidence either in favour of the Government or in favour of the land-owners, for everybody is aware of the difficulties the Government had to contend with in securing evidence when the Healy case was appealed to the Exchequer Court, witnesses having been secured only on the third appeal. The parties who have not yet been appropriated, and who wish to make their claims before the Exchequer Court, shall need evidence as the boundaries of their lands are now altered beyond recognition. In some cases, the Government has been in possession of

Mr. HARWOOD.

lands for over two years; the ground has been ploughed and the canal excavated. In such a case, no evidence could be secured from the immediate neighbours, as they are interested parties; none but strangers could be appealed to. Much trouble would be experienced in securing proper evidence, so as to do right, both to the Government and to the land-owners. I would not have risen in my place to speak on this arbitration question, if my experience in the matter had not warranted me in expressing my opinion. I have been appointed as arbitrator, and made arbitrations and awards in three different instances for railway companies: the Canada Atlantic, the Canadian Pacific and the Montreal and Ottawa. I have also conferred on the matter with experts who had also been called upon to act as arbitrators in expropriation cases, and who were agreed that in no instances had proceedings been adopted like those in the Soulanges Canal case, and the work was proceeded with in the speediest way possible. Probably if the valuers in connection with the Soulanges Canal had been paid a fixed sum for each cadastral number taken, business would have been dispatched more speedily. The fact is that they were paid by the day, and work or no work, they knew that they would be well paid, but for the poor land-owner who is not yet expropriated, it is quite different; the Government may have been in possession of his land for over a year or two, and he may have been under the necessity, when carting his crop, to carve his way through the ploughed field and a crowd of workmen busy with scrapers and ploughs; for such a man delay means serious loss and damage. Further, when the contractor arrived in the month of May last to start the work, he crossed the pasture land, and the proprietor had to quit sowing his grain to put up his fence thrown down by the contractor over a distance of six arpents. For such inconvenience and depreciation of property, he is allowed no indemnity so long as the Government is in possession of the land, and previous to any offer of satisfaction being made, and to the signing of the contract. Had the arbitrators set to their task with a will, within two months, all claims might have been settled. It must be borne in mind that all they had to do was to make an estimation of the damages, to make a tender of satisfaction, and then report their findings to the Government. But to come and make to the land-owner an absurd offer, which he is bound to decline, and then go back to Coteau, after such a day's work, is a pure mockery, and by no means an expeditious way of despatching business. The hon. member for Soulanges (Mr. Bain) can vouch that what I state is a fact. In more than one instance arbitrators have acted in this way. I recollect a case where Mr. Wood wrote in English to a French-Canadian who does not know a single word of English, inviting him to meet him on a certain day; the letter was signed by

Paradis and brought to its address by Lalonde; the poor devil had to travel fifteen miles from his home in order to find somebody who could explain to him the contents of the missive, and to learn that he was to meet somebody else at his third neighbour's house on the next day. Such is not the way for arbitrators to proceed. It is not for the party whose land is taken to go and meet the arbitrators: it is the duty of the latter gentlemen to proceed to their valuation on the premises, to make a tender of satisfaction under the statute, and then to report their findings to the Government. But they preferred adopting a different system, as such proceedings might have proved too expeditious. I am sorry, Mr. Chairman, to have taken the time of the House, but I trust the information conveyed to the committee may prove useful. I was in hopes that during the present session the hon. member for Soulanges (Mr. Bain), who is much more deeply interested in the question than I am, would have offered some suggestions to the Government in regard to the matter; I was even confident that he might call the attention of the Government to the matter with a view to protecting his electors, for it is within my recollection that, at the election of 1892, that question was his stronghold. He was then of opinion that it was of the utmost importance that the county of Soulanges should return to this House a supporter of the present Government, as the citizens of that county would then secure all their demands and a fair and speedy settlement of all their claims. I have turned over the Debates of 1892 and 1893 without being able to ascertain that in this House, at least, the hon. member for Soulanges had championed the cause of the electors he was bound to protect. I have, therefore, thought it my duty to rise in my place and seize this opportunity of calling the attention of the Government to the matter, in the hope that they would see to it that the arbitrators be forced to bring their work to a speedy termination, and especially that the land owners who have accepted the tenders made by the Government be paid without delay the compensation money they are entitled to.

Mr. BAIN (Soulanges). (Translation.) Mr. Chairman, I am quite surprised at hearing the hon. member for Vaudreuil making the charges he has just been uttering against the arbitrators. From what the hon. gentleman stated, one would be led into the belief that the arbitrators had nothing else to do but to go and tell the land owners: "Here, sir, is the tender we make for your land; should you decline to accept it, we shall report to the Government adversely to your claim." Such was not the proper course for the arbitrators to adopt, and, fortunately, they took a more enlightened view of their duties in connection with that question. The whole question is now settled, or on the eve of being amicably

settled. The valuers have done their duty. In spite of the difficulties this question was beset with, arising out of the exaggerated claims of certain land owners, I am happy to state to the House that the claims upon the Government for property taken have been amicably settled. The course adopted by the hon. member in censuring the valuers is not one calculated to promote the interests of the land owners, as the fact of claiming a sum in excess of the real value of the property is rather calculated to injure their cause. All the claims up to the present time have been amicably settled, and the interested parties are greatly benefited thereby. The three-fourths of the unsettled claims are likely to be settled privately, a course which will better serve the interests of the Government, seeing that it is preferable to pay somewhat in excess of the real value, rather than to go to law and pay five or six hundred dollars in excess, not to mention the legal costs involved, as the case occurred quite lately. It is preferable for the Government to pay five or six hundred dollars in excess of the real market value of the land, rather than face all the legal costs. The hon. member for Vaudreuil (Mr. Harwood) stated that the commissioners had threatened the land owners and told them that unless they accepted the tenders of satisfaction made by them they would not be paid at all. Never did the commissioners utter such threats. Never did they tell the land owners: "Unless you accept what we consider to be a fair and reasonable offer, you shall be forced to go to law to prove the amount of damages sustained by you." The hon. member further stated that it would be quite impossible for the proprietors to adduce proper evidence to ascertain the amount of damages sustained. None less than the land owners are liable to suffer from want of evidence on that score, as everybody is aware that land owners have no trouble in adducing proper evidence in the matter, while the Government have no end of trouble in securing evidence favourable to their cause. Farmers, as a rule, stick together, and the Government alone are liable to suffer from that inconvenience. The hon. member for Vaudreuil (Mr. Harwood) also told us that the owners of lands taken over a year ago had not yet been paid the amount of their indemnity. A single case has been adduced, that of Mr. Odillon Lalonde, and that is owing to the fact that there were arrears of seigniorial rents outstanding on these lots. The Government declined to settle those arrears of rents as also the capital of those 'constituts.' After I had shown the hon. Minister of Railways how matters stood, and that it was unfair to oblige the land owners to pay the arrears, the Government agreed to settle the amount involved. Further, I believe the hon. member, as heir to the Harwood estate, will receive his cheque before many days have elapsed.

Mr. HARWOOD. (Translation.) The affair has been dragging on since January last.

Mr. BAIN. (Translation.) The hon. member is surprised at the member for Soulanges not having better promoted the interests of his electors, in connection with this expropriation question of the Soulanges Canal. The hon. member is quite mistaken. Let the hon. member allow me to inform him that, for many months past, I never called less than three or four times a week at the Department of Railways and Canals, in connection with those claims, connected with land damages, fences, etc. To-day everybody is satisfied. Whenever complaints were made against the contractors, I have without delay, seen to it that proper works should be carried out, so as to give land owners all the advantages they were entitled to. I may say, at any rate, that the charges levelled at me this evening by the hon. member are utterly baseless. Now, would the hon. member who has deemed it fit to attack me, answer a single question and tell me how many times he has waited on the Minister to inquire about his own claims and those of his electors as well?

Mr. MONETTE. (Translation.) Mr. Chairman, I may, perhaps, be allowed to say a word or two in connection with this question,—not that I claim to give the House any additional information on the matter, for I confess my utter ignorance of the subject-matter before the House—but because I happen to be pretty well acquainted with one of the arbitrators appointed by the Government to settle the claims of the land owners. Mr. F. X. Paradis, who has been paid a larger salary than that paid to his colleagues,—no doubt because he has managed to work more steadily and more assiduously than his confrères,—is the gentleman in question. The only plausible reason why he should appear in this arbitration matter, is the fact that he has run in the interests of the Conservative party in former days, in the county of Napierville. I gather from the Auditor General's Report that Mr. Paradis has been paid \$1,618.50, while his colleague, Mr. Lalonde, has drawn on the public exchequer but \$428.25, and Mr. Wood, \$1,386.40. Mr. Paradis was paid at the rate of ten dollars a day and apparently he has been on active service during one hundred and ten days. These gentlemen were employed on the very same errand, having been appointed to estimate the value of the properties taken for canal purposes. They had, therefore, been directed to travel together. How, then, is the fact to be accounted for that this gentleman has charged for 110 days, whereas Mr. Lalonde has claimed payment but for 83 days, and Mr. Lalonde, the third valuator, still less. On examining the item of travelling expenses, a still stranger fact is brought to light. Those three arbitrators, owing to the very character of their duties, were bound to and I presume did travel together. Still, they

Mr. BAIN (Soulanges).

charge each one two dollars a day for transport. The hon. Minister of Public Works smiles. I quite understand that for a gentleman accustomed to roll in wealth, \$2 a day is a paltry allowance. But neither Mr. Paradis nor Mr. Lalonde were used to this high style of living. Six dollars a day is a respectable sum for any man who has to take it out of his own pocket, but one is not so particular when it comes out of the public exchequer. The question is one that deserves serious consideration at the hands of the House: for an allowance of six dollars a day for transport is rather out of proportion to what is generally paid in the country, when the general rate for conveyance is from two dollars to two dollars and a half a day. The same remark applies to the expenses for board. Three dollars and a half a day is a rather high figure to charge for living in the country. As stated by the hon. member for Vaudreuil (Mr. Harwood), one dollar a day is the rate charged for board at hotels in the county of Vaudreuil.

Mr. BELLEY. (Translation.) Well, let us put a dollar and a half a day.

Mr. MONETTE. (Translation.) Let us split the difference, as suggested by my hon. friend the member from Chicoutimi and Saguenay (Mr. Belley). What then did the hon. gentlemen do with the two dollars extra charged to the Government?

Mr. BRODEUR. (Translation.) That's the liquor bill.

Mr. MONETTE. (Translation.) The hon. member says that item stands for liquor; but the Government should not be called upon to foot such bills, when liquor is so expensive. I shall refrain, Mr. Chairman, from making any further remarks, beyond entering my protest against this system, and censuring the Government for its favouritism to old Conservative candidates, who are not otherwise entitled to the favours of the Government.

Mr. HAGGART. In answer to the remarks made by the hon. member for Vaudreuil (Mr. Harwood), I must say by way of explanation that my statement respecting Mr. Lalonde is correct. The cheque for payment of his claim was issued and was received by the notary. In regard to the expropriation of land, the proceeding is a simple one. The engineer in charge reports to the department that a certain piece of land is required for canal purposes, at the same time stating the probable value. The department immediately sends the Government valuers to the locality for the purpose of valuing the land or making arrangements with the parties who live on it. I venture to say that in nineteen out of twenty parties settled with, the settlement is obtained by mutual arrangement between arbitrators and the parties owning the land. A cheque is sent from the Justice Department so soon as the title is found to be cor-

rect, and a proper transfer has been made. As to the mode by which the arbitrators are paid for travelling expenses and allowances, I may say the rate is a fixed one. Each of the arbitrators receives a salary of \$1,000 a year, besides which he receives \$3.50 per day for travelling expenses. That rate was fixed by Order in Council, and it matters not whether an arbitrator expends 50 cents per day, or \$5.00 per day, he is entitled to \$3.50 per day. The Order in Council has, however, been changed, and in future an arbitrator will only receive his actual expenses. The parties who conducted the arbitration were Mr. Wood, Mr. Paradis, and Mr. Lalonde. I have heard no complaints. No less than forty properties have been expropriated and nearly \$70,000 awarded, and the price has ranged from \$135 to \$600 per acre. I think the Government are paying a pretty full price for every acre taken for the purpose of the Soulanges Canal.

Mr. HARWOOD. I am sorry to differ with the hon. Minister, but there is a question in regard to which we do not seem to understand each other. I stated that a deed was passed in July, 1893, and the amount awarded has not yet been paid. The answer of the Minister was there was trouble respecting the seigniorial rents.

Mr. OUMET. The title is not clear.

Mr. HARWOOD. The title is perfectly clear. I obtained this statement from the notary himself, Mr. Bastien. As to the question of seigniorial taxes, that was settled in January between the Government and the Seigneur of Vaudreuil. The Government should not be able to retain the money on these grounds, as the question is settled. It was under these circumstances that some of the parties have been deprived of their money. A man named Gamelin was compelled to leave his property on the 19th October, 1892. I happened to be present when the notary came and served the notice on the man's wife, he being captain on a barge on the river. Six days were given him to leave the premises. The woman said that she had no money and that her husband was absent, and that she would have to remove six miles to Cedar Village, in order to obtain lodgings. At all events, the family was obliged to move shortly afterwards. It was not until the 6th March that the valuers and this man came to an understanding and settlement. The deed was passed. The man was promised to be paid within thirty days, the sum being \$750. At the end of October, 1893, the man had received \$700, and he stated that \$50 was yet to come. The deed was passed on the 6th March, 1893, but the man did not receive the \$700 until the end of October. These are matters of which I have positive knowledge.

Mr. HAGGART. Was it not in Lalonde's case that the payment of seigniorial fees was in question?

Mr. HARWOOD. No. That matter was settled by the very fact that the Government had undertaken to pay them.

Mr. HAGGART. I am informed that the amount was placed in the hands of the notary, to hand to Mr. Lalonde whenever he performed the conditions of the sale. In regard to the member for Soulanges (Mr. Bain), I desire to say that that member is most anxious and attentive to the interests of his constituents. He has been three or four times every week in my department, in fact, he has hunted me night and day respecting these claims, and no representative could possibly have paid more attention to these matters than the hon. member for Soulanges (Mr. Bain) has done.

Grenville Canal—To pay final estimate to S. Toms for rebuilding wing walls at guard lock... \$3,365

Sir RICHARD CARTWRIGHT. Does this close the entire expense on the canal?

Mr. HAGGART. That is the final estimate.

Trent Valley Canal—To pay judgment of Exchequer Court, W. S. Hall vs. Regina \$975

Mr. HAGGART. This is to pay the judgment of the Exchequer Court.

Mr. PATERSON (Brant). What is the amount of the claim?

Mr. HAGGART. I have not the particulars at hand.

Mr. McMULLEN. Who received the \$300 costs.

Mr. HAGGART. I suppose the solicitors, but I do not remember who they were.

Mr. McMULLEN. Perhaps the Solicitor General could tell us who they were.

Mr. CURRAN. The Solicitor General could not tell. Those cases were instituted before my time.

Mr. PATERSON (Brant). Could the Solicitor General tell us how many suits he has won?

Mr. CURRAN. I have won a good many for the Government.

To pay balance of final estimate of Beatty & Sons for dredge..... \$3,000

Mr. HAGGART. This is a revote. The construction of the dredge of which Messrs. Beatty & Sons were the contractors, was not completed at the close of the year 1892-93, and a portion of the vote lapsed, and it is now asked that it should be revoted.

To pay contribution towards construction of swing bridge at Fenelon Falls—Revote..... \$13,000

Mr. McMULLEN. What is supposed to be the cost of this bridge?

Mr. HAGGART. This is our total contribution towards the cost of the bridge. The Grand Trunk Railway Company contribute the rest. The bridge is finished.

Mr. McMULLEN. Is it in the charge of the Grand Trunk ?

Mr. HAGGART. Yes. Owing to our making the stream navigable, the Grand Trunk were obliged to alter the location of the bridge and to put a swing on it.

Mr. McMULLEN. The Grand Trunk attend to the swinging of it, and the Government have nothing to do with it ?

Mr. HAGGART. We have nothing to do with the swinging or anything else. This is a final payment.

Lachine Canal—to pay salaries
and expenses in connection
with commission of inquiry... \$10,000

Mr. PATERSON (Brant). Has there been a report of that commission ?

Mr. HAGGART. The report of the commission and all the papers are before the Public Accounts Committee.

Mr. BRODEUR. Could the Minister tell us to whom that money was paid ?

Mr. HAGGART. It is not paid yet. Mr. H. A. McLeod, Mr. Vanier, and Mr. R. C. Douglas were appointed a commission to investigate the expenditure on the Lachine Canal. It was found that there were great irregularities in this expenditure. The total cost of the inquiry will be \$11,300. There was paid in 1892-93 \$648, and there was paid by Governor General's warrant in 1893-94 \$1,348, leaving a balance of \$9,303.

Mr. PATERSON (Brant). What was the loss to the country through these irregularities ?

Mr. HAGGART. I do not know. On my main estimates I gave the full amount that was paid. There are a couple of amounts in dispute. There was suit instituted against the Government in the Exchequer Court, and there are several other claims which the Government refuse to pay.

Sir RICHARD CARTWRIGHT. But in addition to the claims which the Government refuse to pay, I think this is a proper opportunity for the Minister to give us some statement as to the intentions of himself and his colleagues with regard to the outrageous frauds which, even on the fact of this commission, appear to have been committed on the people of this country. Judging from the partial report which has been published and placed in the hands of the House, there does not appear to be any room for doubt that, over and above the grossest extravagance, there was gross and deliberate fraud, and fraud of a character which requires criminal proceedings on the part of the Government; and I desire to know now, before we pass this vote, what

Mr. McMULLEN.

the intentions of the Government are with respect to the very outrageous delinquencies which appear to have been practised, and to have resulted in huge loss to the people of this country in connection with that same Curran Bridge.

Mr. HAGGART. Perhaps the hon. gentleman will wait until the Public Accounts Committee have finished; there will afterwards be an item in the Estimates. But I can state for my department that where there has been a fraud committed on the Government in any way, by parties taking any sums of money, by fraud or otherwise, to which they were not entitled, I shall recommend to the Department of Justice their prosecution.

Mr. LAURIER. What has become of the officers who were proved to have been implicated ?

Mr. HAGGART. They have been suspended.

Mr. LAURIER. They have been suspended for a year, and the department has not come to a conclusion whether they are to be dismissed or reinstated.

Mr. HAGGART. The department has come to a conclusion.

Mr. PATERSON (Brant). Does the Minister believe that there will be a conclusion of this inquiry and a report before the House rises this session ?

Mr. HAGGART. I think so. The length of the inquiry depends a good deal upon the Opposition; but I think that three days more will finish it. I think that all the evidence will be in to-morrow, and the committee should be able to finish after sitting on Tuesday and Friday of next week.

Sir RICHARD CARTWRIGHT. At what date was the report to which I have alluded placed in the hands of the Minister? If I remember rightly, that commission concluded its sittings seven or eight months ago.

Mr. HAGGART. I think it was about the beginning of March or the latter end of February that the report was handed in to the department.

Mr. PATERSON (Brant). With reference to the Minister's remark about Friday of next week, it has been stated in the press, and I think the idea has been gained from the Treasury benches in some way, that prorogation would take place next week. It is about time that it should. I think I never saw the Government so unready for business as they have been this session; but at the same time we have duties to perform. I think the House would not be satisfied to prorogue without a result of the work of that committee. If the Minister puts the meeting of the committee so far back as Friday of next week, that means there will be no prorogation next week. Now, I think if there are only three sittings required, the

Minister ought to arrange so that these sittings may take place even through a sub-committee while the House is sitting, so that we may not be compelled to remain here in order to close this matter up.

Mr. HAGGART. If it is agreeable to the committee, we will say, to-morrow, and we can sit on Monday, Tuesday, and Wednesday.

Mr. McMULLEN. The Minister said that several of those employees had been suspended. Were their salaries stopped at the same time?

Mr. HAGGART. Certainly. Under a by-law, whenever any person is suspended, his salary ceases from the date of suspension.

Mr. LAURIER. I asked the hon. gentleman the conclusion the department has come to with regard to the suspended officers. I did not understand the hon. gentleman's answer.

Mr. HAGGART. All I can say is that the department made a recommendation to Council which has not yet been acted upon. Perhaps I should not say what it was, but the departmental action would be to dismiss them.

Mr. BRODEUR. By whom was the Government represented before the commission?

Mr. HAGGART. The Minister of Justice furnished the counsel for the commission. I believe his name is Mr. Atwater.

Mr. BRODEUR. I understand the Minister to say that he would prosecute every man who had been guilty of fraud. I am told that the department has been informed that some frauds had been committed. Were any actions taken against those who have committed the frauds?

Mr. HAGGART. The only evidence that has come to the department of actual fraud, is the evidence of the time-keeper, Mr. Doheny, that was given before the Exchequer Court yesterday.

Mr. LAURIER. Was he not examined before the commission?

Mr. HAGGART. He was examined before the commission, but his evidence was not as complete as that which he gave before the Public Accounts Committee.

Mr. LAURIER. Was not a man examined before the commission who swore to fraud in the pay-lists?

Mr. HAGGART. There was no evidence upon which an action could be based, so I was informed.

Mr. BRODEUR. Was it not reported to the Government that some of the pay-lists had been increased, that the number of men on the pay-lists was much larger than the number employed?

Mr. HAGGART. The Government was not informed of that. The Government have

taken every possible means to get at the bottom of that affair. I employed detectives for the purpose of finding out everything, and I was enabled to furnish such evidence to the Exchequer Court as I think will convince that court that Mr. St. Louis had no claim for damages.

Rideau Canal—The sheet piling of deep cut, Ottawa; Governor General's warrant \$10,000

Mr. PATERSON (Brant). What will be the total cost of that?

Mr. HAGGART. This is a work which you can see from the bridge. The banks had fallen in and nearly closed up navigation. I think the total cost is about \$20,000. Half of the work was done last winter and the other half is to be done next winter.

To pay balance of Hog's Back bulk head contract \$1,431

Mr. McMULLEN. Was that work done by tender?

Mr. HAGGART. Yes.

Welland Canal—To repair about 500 feet of canal bank which slid in on 24th August, 1891. . . . \$4,000

Mr. McMULLEN. How is it that this payment has been delayed so long?

Mr. HAGGART. This is a revote. The contractor for the removal of the slide did not complete the work at the close of the fiscal year on 30th June, 1893. Even yet the work is not quite finished, there will probably be a few more days' work to be done.

Mr. CAMPBELL. Has he received any of the money?

Mr. HAGGART. I think so. It will be paid on progress estimates.

To pay award of official valuator on claim of John Carlston. \$200

Mr. BRYSON. I would like to call the attention of the Minister of Railways to the fact that a large number of claims in the county of Pontiac have remained unpaid to the present time, and I would urge upon him the necessity of sending an arbitrator to make an examination and report as soon as possible. Many of the claims have been settled, but a few remain unsettled, and the parties are continually pressing upon the Government to have a settlement effected. Last year I understood the Minister of Railways had a survey made of the entire section of the country from where the dams are built at Calumet Falls up as far as the Culbute Locks. That report is completed now, I presume, and I think it is desirable in the public interest that, at the earliest possible moment a valuator should visit the locality and proceed to complete the settlement of these claims. These dams were constructed about the year 1882, and those people who have

been paid seen to be in very much better position than those who have not been paid, and I think it is only right that every possible diligence should be used to settle these legitimate claims without delay. In the discussion on the 12th of the present month, if I am allowed to refer to it, the Minister of Railways said, in reply to the hon. member for Ottawa County (Mr. Devlin) that a valuator by the name of Mr. Wood would be sent up. I hope that this valuator, Mr. Wood, will have power from the Department of Railways to effect a final settlement of legitimate claims. I understand that it is the intention of the Government to remove the dam, which has caused portions of farms to be submerged. I can only say that if that is done it will be a great misfortune to those who are now navigating that portion of the Ottawa River, because the immense volume of logs which have floated down there in the last ten years have so worn away the banks that there is a deposit of sand in the channel from Bryson to Chapeau, and the channel will be found in many parts impossible of navigation from August until the autumn. I hope the Government will take the matter into their consideration, and make a full investigation before they remove the dam.

Mr. HAGGART. I am sending the valuator as soon as possible for the purpose of having a final settlement of these claims. The reason the claims were not settled before was, as the hon. gentleman is aware, that the farmers were sending in to the department some claims which were, perhaps, not correct, and I ordered a survey, a full and accurate survey, so as to find out whether the level of the water was such that the water could possibly have caused these damages. I have prepared a list of the properties that could be affected by the rising of the water for the valuator, so that he may settle. In reference to the Culbute dam we find that it is of no further use for navigation purposes. It may be of advantage to those who are passing logs down the river, but it is a large expense to keep it up, and last year I made a promise that it should be removed. I discharged the lockmaster and took the tender off the bridge. I am giving instructions that the dam shall be removed as soon as the state of the water will allow the workmen to go on.

Lachine Canal—Staff..... \$7,600

Sir RICHARD CARTWRIGHT. How comes it you require so considerable an amount of this additional for the staff?

Mr. HAGGART. They were paid from other sources before. This is to pay one paymaster, previously paid from other sources, \$1,200—

Mr. McMULLEN. Who is he?

Mr. HAGGART. Hugh McMillan. This includes also the salary of a draughtsman,

Mr. BRYSON.

two constables, an additional amount for Wellington-street bridge, expenses of the superintending engineer, paymaster's expenses and various accounts for supplies.

Sir RICHARD CARTWRIGHT. What sources were these payments made from before?

Mr. HAGGART. Paid from special votes for works.

Mr. LAURIER. Who was the paymaster before Hugh McMillan?

Mr. HAGGART. Dowker.

Mr. LAURIER. What became of Dowker?

Mr. HAGGART. He died.

Welland Canal—To provide refund of half toll paid by Capt. B. Manson on 7,536 tons of coal, being at the rate of ten cents per ton..... \$753.60

Sir RICHARD CARTWRIGHT. What are the circumstances under which this toll was collected?

Mr. HAGGART. It was collected on 7,536 tons of coal, at 20 cents per ton.

Sir RICHARD CARTWRIGHT. When?

Mr. HAGGART. Last May.

Sir RICHARD CARTWRIGHT. How does Captain Manson become entitled to the refund of half?

Mr. HAGGART. He has been in the habit of passing through the canal at 10 cents a ton for his coal. He wrote down to the department and asked what was to be the rate for the succeeding season, and he received his answer: 10 cents per ton, on coal going through. He entered into contracts for the delivery of coal on that understanding with the department. When he came to pass his coal through he was charged 20 cents per ton. This is to refund him.

Sir RICHARD CARTWRIGHT. But how did he come to be charged 20 cents per ton?

Mr. HAGGART. Instruction was afterwards given to the officer in charge of the canal that the tolls were to be 20 cents per ton.

Sir RICHARD CARTWRIGHT. And the rate for Captain Manson is lowered to 10 cents per ton. Am I to understand that that is the case?

Mr. HAGGART. Yes.

Sir RICHARD CARTWRIGHT. It appears to me a rather dubious policy that one man should be allowed to take coal through at 10 cents while others have to pay 20 cents. The department may have been in error, they may have misled this man; but the result is practically that all the rest of the people who carry coal pay twice the tolls that Captain Manson pays.

It seems a very extraordinary thing that a special rate should have been fixed to him when the policy of the department was to charge 20 cents.

Mr HAGGART. That is all he paid the year before, and prior to entering into these contracts he wrote down to the department and asked the rates on coal for the ensuing year, and he got as an answer 10 cents a ton.

Sir RICHARD CARTWRIGHT. Did everybody else last year pay 10 cents ?

Mr. HAGGART. Yes, the rate was common at 10 cents.

Sir RICHARD CARTWRIGHT. How did it come that the department could have written to this gentleman that the rate was only 10 cents, if they had made up their minds to charge 20 ?

Mr. HAGGART. The rate was fixed afterwards ; it was a mistake by the department. The department had no right to inform him that the rate would be only 10 cents per ton. He furnished information to the department, with an affidavit and the official letter, showing that on the faith of them he entered into a contract for the delivery and payment of this coal, and the department thought that as it was their error, it was their duty to return him the 10 cents.

Sir RICHARD CARTWRIGHT. Where was this coal coming from ?

Mr. HAGGART. From Cleveland to Cobourg and Port Hope.

Williamsburgh Canal—Staff.... \$1,500

Mr. McMULLEN. When paymasters are appointed for these canals, is security taken from them ?

Mr. HAGGART. Yes, they have to give security.

St. Peters Canal—To pay Dan.
Fugère for time laid up from
injury..... \$26 07

Mr. CHOQUETTE. I do not object to this item, but as the Government are paying damages to this man Fugère, I would like to know if they are going to give something to the relatives of those who were killed some years ago on the St. Charles Branch of the Intercolonial Railway ?

Mr. HAGGART. The Government are considering the subject.

Mr. CHOQUETTE. This case has been four years before the Government. I was counsel in the case, and know all the circumstances. The families are poor, and it is time that the Government should come to some decision about it.

Sir JOHN THOMPSON. Time has been consumed by litigation up to last session.

But the hon. gentleman will get an answer next week.

Three lines of steamers to run
between St. John and Halifax,
or either, and the West Indies
and South America... \$103,000

Mr. KAULBACH. I must acknowledge that I am not in accord with the Government in the granting of a subsidy to a line of steamers to the West Indies, but, on the contrary, strongly opposed to it, on the grounds that it greatly interferes with, and is destructive to the legitimate carrying trade by sailing vessels, particularly that class built expressly for the purpose. The county I have the honour to represent, is renowned for its fine class of sailing vessels, which for numbers, speed and adaptability cannot be excelled on the continent of America, a class that has been engaged in that trade very successfully for years—save late years, when barred by the subsidy to steamboats. I am as anxious as any one to facilitate and encourage the trade of Canada, more particularly to any port of the British Empire, and it is very gratifying to find by our late trade report that five-eighths of Canada's exports is with countries under the British flag. The United Kingdom buying in values about twelve times as many goods from us as all the rest of the Empire put together. Newfoundland comes next, and the British West Indies third. As far as the British West India trade is concerned, it could have been even greater, and well maintained, but for the Government's subsidized steamers. The merchants of Halifax do not want subsidized steamboats, and have expressed themselves in and out of this House in that direction in no uncertain sound time and again. Take the merchants of Halifax engaged in the West India trade from the south to the north end of the city, as far as the dock yards on Water Street, and you will find, I believe, without an exception, all are denouncing these subsidized boats. Is it for the sake of a few in Halifax that all the rest engaged in the West India trade should suffer, and the trade they had built up and legitimately been carrying on destroyed ? Certainly that should not be permitted for one moment. There certainly is no reason whatever for subsidizing steamers when other steamers without subsidies in the West India trade are able to compete, and at a profit. We are told the days of sailing vessels are passed, which I contend is not the case so far as the West India trade is concerned, inasmuch as they are able to compete with steamers on account of their excellent sailing qualities, and in the carriage of fish and farm products excel, providing steamers are not bounty fed or subsidized in the shape of Government grants. If it were correct that sailing vessels cannot compete with steamers in the West

India trade, which I deny, then the greater reason for the Government to grant aid to the sailing vessels instead of to steamers, to encourage the Canadian industry of ship-building, and utilize our timbers. I seriously make the request that no subsidy be given to steamers engaged in the trade between any of the maritime ports of Canada and the West Indies. This I am prompted to ask for in all fairness to the merchants of my port and others outside of Halifax in the Maritime Provinces engaged in the West India trade, as well as on behalf of the fishermen, and vessel owners, on the grounds that the large steamer cargoes glut the markets of these islands and so demoralize trade by the immense quantities thrust on the market at one time, that frequently fish have to be sold at ruinous rates, as they cannot be held over, or stored owing to the heated climate. It has further been the experience of shippers that when sailing vessels with small cargoes of fish arrive at the islands frequented by these steamers, on an empty market, they are unable to sell at once till after the arrival of these boats with an over-supply, which they (the buyers) are looking forward for, when shippers have to take at a sacrifice just what buyers please to offer. You will observe, Mr. Chairman, that subsidized boats are under a certain contract to perform certain trips, and are bound to sail on time, as advertised, weather permitting, and they often thrust fish on the market when it is already well supplied, whereas the small sailing-vessel cargoes are only dispatched to such islands where the supply is not greater than the demand and where prices warrant a fair return. In this way shippers watching the markets are informed by wire, when fair prices are offered, and business is transacted in this way on a legitimate and fair basis. As I do not wish to detain the House I would here state that if the Government is committed for the time being to continue the subsidy under certain contracts to steamers to the West Indies, I can expect nothing more than that the engagement should be carried out, but this I do ask, and emphasize it, that as quickly as the contract referred to expires, which I understand is shortly, it will for all time cease, or, in other words, that no other subsidies be given for that trade.

Sir RICHARD CARTWRIGHT. When will this contract expire?

Sir JOHN THOMPSON: The contract will expire at the end of December next.

Sir RICHARD CARTWRIGHT. Are the Government prepared to state their policy?

Sir JOHN THOMPSON. We propose to readjust the subsidy on the Cuban Line, as it is not a very desirable one to maintain during the present state of the tariffs; but we think the other line is a very useful one,

Mr. KAULBACH.

notwithstanding what my hon. friend has said, and it affords facilities for export, which could not be furnished by the schooners, admirable as they are, in my hon. friend's county.

Mr. FLINT. What assistance, if any, does this line obtain from any of the Governments of the West India Islands?

Sir JOHN THOMPSON. None.

Mr. FLINT. It seems to me the Government should at least insist that the Government of the West India Islands relieve us of some of the burden of this subsidy, if this Dominion Government consider it absolutely necessary that this subsidy should be paid in order to keep the line afloat. I am not aware as to what negotiations or correspondence have been entered into or passed on the subject, but I think it has been discussed in the House to some extent, and I was under the impression that the line had been aided at one time by some other Governments. This matter was discussed very thoroughly when the Government originally proposed to grant this subsidy, and at that time the hon. member representing Halifax, Mr. Jones, on several occasions propounded the view taken by the hon. member for Lunenburg (Mr. Kaulbach), with much energy and ability. We all know with what opprobrium his position was treated by some of the hon. gentlemen supporting the Government at that time, and particularly by the Government press of the Maritime Provinces. Of course he was accused of being a reactionary politician, one who was not up to the grandeur of the times, one who was likely to look at such matters with a very small magnifying glass, and the epithet "the schooner statesman" was applied to him. But notwithstanding that incident, a large portion of the public of the Maritime Provinces felt it was not right, that the Government were placing a subsidy at the disposal of those who were competing with private individuals and corporations already engaged in the West India trade. I think the view taken on this side of the House was that it was an unsound departure commercially, and one which should not be encouraged; but notwithstanding that, the cry of development and the necessity of assisting certain branches of trade to extend to the West India Islands prevailed. To what extent that subsidy has succeeded in increasing the facilities for trade, I am not prepared to say, but I think there is a great deal still to be urged on behalf of the view taken by the hon. member for Lunenburg (Mr. Kaulbach) that the Government is going out of its way to add to the competition which owners of sailing vessels and schooners have to contend with in carrying on that trade. As has been explained by the hon. gentleman, and as was fully explained by Mr. Jones when the subject was discussed, it is plain that it is absolutely necessary to the prosperity of a large class of fishing vessels, and

to people engaged in our fishing industry, that they should ship large quantities of lumber, shooks and articles of that kind to the West Indies, and the competition introduced by the subsidizing of steamboats by the Government has had a most demoralizing effect on that trade and industry. No one would complain if the subsidy were granted in the direction of increased mail accommodation carried out by the Government, because that has always been shown to operate successfully, aside entirely from a commercial undertaking, and those subsidies should be generous in order that mail facilities might be as rapidly as time would permit. But when it comes to interference with trade, they have very reasonable ground for complaint. Probably this is not an appropriate time at which to raise the question, but the Government will take notice that at the proper time, namely: when the contract has expired, the whole question will be discussed by the House with a view to arriving at a conclusion as to whether some other means might not be adopted in accordance with fair-play and with sound principles of political economy. Contracts have been entered into and steamboat companies are carrying them out. But I trust our Government will see its way clear to look into the position of those whose trade is so largely interfered with by subsidized steamers. At another session probably those who object may have a more full statement to present to show to what extent the trade is injured and their property imperilled. I join heartily with the view expressed by the hon. member for Lunenburg (Mr. Kaulbach), and I think when the matter comes up at another session it will be more fully discussed than it is proper to discuss it at this late stage of the session.

Sir RICHARD CARTWRIGHT. I wish to inquire whether, as the hon. gentleman has stated that the contracts will expire in December next, they will be renewed without being submitted to Parliament, or whether Parliament will have an opportunity to pronounce on them before renewing them for a term of years?

Sir JOHN THOMPSON. They will only be renewed subject to the approval of Parliament. As regards the Cuban subsidy, it is proposed to adjust that so as to give communication with some of the other West Indian islands, but not with Cuba in the present state of affairs.

Mr. PATERSON (Brant). Are we under contract for all these items?

Sir JOHN THOMPSON. Yes.

Sir RICHARD CARTWRIGHT. As we are on this subject of mail subsidies, it would be convenient for the Government to inform us whether they propose to proceed with their resolution in reference to the fast Atlantic service, and if so, when?

Sir JOHN THOMPSON. On Monday or Tuesday of next week. It has been deferred on account of the absence of the Finance Minister.

Port Maitland, N.S.—Repairs
to breakwater \$273 75

Sir RICHARD CARTWRIGHT. What is the explanation of that?

Mr. OUMET. The hon. member for North York (Mr. Mulock) objected to this the other night, and I promised to send him the report. I sent it to him, and he has returned it to me, apparently satisfied that it was correct.

Mr. FLINT. I may say that I have a communication from residents of this locality, which I have communicated to the Department of Public Works, intimating that possibly this very season the expenditure of a very moderate sum would be required at that breakwater to save the Government considerable expense later. I trust the Minister will take that into careful consideration, and if possible make a small appropriation out of the money provided in order to have it attended to.

Mr. OUMET. I shall be obliged to the hon. gentleman for any information he is kind enough to send me.

Harbours and Rivers, British
Columbia, Williams Head
Quarantine station wharf—
Revote of lapsed balance... \$10,394.29

Mr. OUMET. This is balance of the vote given in the Supplementary Estimates of 1892-93, for the building of a wharf at William's Head, as part of the equipment of the quarantine station there. The works had not been done on the 1st of July, and the amount lapsed, and the work had to be prosecuted. So that we were obliged to have recourse to a Governor General's warrant, and this is to make it good.

Ottawa City, bridges over the
River Ottawa, the slides, the
Rideau Canal and approaches
thereto—Amount of Canadian
Granite Company's account for
pavement..... \$3,127

Mr. OUMET. That was the amount of the contract, and the department thought we could take it out of the general vote for roads and bridges in the Dominion generally, but the Auditor General would not allow that, and so we have to get it voted. Really, it is nothing more than what was included in the amount voted last year.

Surveys and inspections and temporary clerical assistance, also,
National Art Gallery, revote of
lapsed amount... \$4,469

Mr. OUMET. This is nothing in excess of what was voted for the department. An amount was voted, I think some \$49,000, for the permanent staff, and another amount of

\$30,000 for the temporary staff. I expected that during the year I could fill the positions vacant on the permanent staff, but I have not been able to do it, and this amount is only taken from the one vote to the other, but the total amount for the staff of the department is not exceeded. It is only a transposition of the amount.

Amount required to pay the Allan Steamship Company for ocean mail service between Great Britain and Canada \$126,533.33

Sir RICHARD CARTWRIGHT. This is for the service of the year past, I see. Is nothing paid to any other steamship companies?

Sir CHARLES HIBBERT TUPPER. The arrangement was made with the Allan line, but in that arrangement they agreed to take so many of the Dominion line.

To pay for steam service between St. John, N.B., Digby and Annapolis, N.S., for the months of January and February, 1893. \$1,916 67

Sir RICHARD CARTWRIGHT. How does it come in this shape? These services were discharged nearly eighteen months ago. If that sum is due, it ought to have appeared in the Supplementary Estimates of the preceding year.

Sir JOHN THOMPSON. It did not appear. As was the case with the first item, this amount was omitted.

To pay for steam service between Baddeck and Grand Narrows, N.S., 19th February to 6th April, 1892. \$1,410

Sir JOHN THOMPSON. That is under special circumstances. Every year we take a vote for that service to pay a steamer so much per trip during the whole season of navigation. At the close of the calendar year the lake is usually frozen over, but the end of 1891 and the first few months of 1892 being a most exceptionally mild season the lake was open to navigation practically all the year, this service was continued, with the assent of two or three members of the Government who were consulted, but the vote did not cover the service, and no vote has yet been taken.

To pay \$15 each to persons for services in compiling and forwarding daily reports in connection with the Fishery Intelligence Bureau \$ 465

Mr. PATERSON (Brant). I have been listening to the discussion on this subject, and particularly to the Minister's lucid explanations, but I have never understood how this information, which seems to be considered valuable, is obtained. It would seem to me that if the information is really valuable, \$15 is a very small compensation for it. Is the service these people perform the mere sending of a telegram?

Mr. OUIMET.

Sir CHARLES TUPPER. We have the assistance of various officers along the coast and many of these get \$15 in addition to salaries, small salaries, which they receive for other services. They send in telegraphic messages at reduced rates—due to the generosity of the telegraph companies in large measure—and these telegrams are all tabulated at the head offices and then sent out in the shape of bulletins. The press publish them gratuitously, and the central office answers all prepaid telegrams on the "collect" basis, and merchants and fishermen avail themselves of this opportunity to gain information. It is no great trouble to people along the coast to tell how the fish are running, notably the mackerel. They wire to the central office that the mackerel have "set in," as they call it, at a certain point. The information is given to the fishermen through the bureau, and they arrange their trips accordingly.

Mr. PATERSON (Brant). How soon does this information reach them?

Sir CHARLES HIBBERT TUPPER. About twenty-four hours afterwards. The bulletin is published every twenty-four hours.

Dominion Government share of the expense of re-survey of the south coast of Anticosti Island. \$10,031 41

Sir RICHARD CARTWRIGHT. Who is paying the balance?

Sir CHARLES HIBBERT TUPPER. The British Government is bearing half the expense and doing all the work. This amount is our half.

Indians--Nova Scotia--To provide an additional amount for medical attendance \$1,000

Mr. PATERSON (Brant). Has there been a great deal of extra sickness?

Mr. DALY. It appears that the Indians of Nova Scotia are poor, and they are, from congenital causes, subject to lung disease, and la grippe has caused a great deal of trouble amongst them. The amount formerly voted was not sufficient by the amount called for here.

New Brunswick--To enable the department to purchase a reserve for the Indians of Oromocto, and to remove the Indians of Kingsclear and St. Mary's to Oromocto. \$600

Mr. PATERSON (Brant). How many Indians are there in King's Clear and St. Mary's?

Mr. DALY. Sixty.

Mr. PATERSON (Brant). You are getting a cheap reserve. Does this represent the total cost?

Mr. DALY. Yes. The reserve contains one hundred acres, thirty acres cleared land and seventy acres bush, with a barn thirty

by forty feet. We are getting a pretty cheap property.

British Columbia—To provide for medical attendance..... \$8,000

Sir RICHARD CARTWRIGHT. This requires some explanation.

Mr. DALY. A large expenditure was occasioned on account of the small-pox near Victoria and in the Fraser River Agency near the coast. The Indians are too poor to pay for medical attendance, even at rates of fees for the physicians so low that the physicians complain. The heavy expenses of quarantine after the small-pox increased the expenditure.

Mr. PATERSON (Brant). What use do you intend to make of the water right, flume and ditch of the Chinese Mining Company?

Mr. DALY. The reserve of the Fountain band, which comprises 338 acres, is now without water for irrigation purposes.

Mr. PATERSON (Brant). Have they no trust fund?

Mr. DALY. They have no funds at all.

Further amount required to meet expenses connected with Lieutenant Governor's office in North-west Territories..... \$1,950

Sir RICHARD CARTWRIGHT. What are these amounts?

Mr. DALY. The hon. gentleman will recollect the discussion on the main Estimates in reference to the expenses of the office of the Lieutenant-Governor, and I then told him that in addition to the amount that was asked for he would find in the Supplementary Estimates an item for \$1,950. This item is required to make up the actual money expended. The amount granted in the fiscal year 1892-93 was less than had been previously granted, by \$1,000 or \$1,500. The present Lieutenant-Governor found, as I stated on the former occasion, that the funds were not sufficient to meet the requirements of his office, including travelling expenses and other items.

Patent Record—additional amount required to pay Queen's Printer for printing and engraving..... \$2,800

Mr. CASEY. What is that?

Mr. DALY. The explanation of that is as follows: we owe the Queen's Printer \$1,058.80, and carried forward from the previous a deficit balance of about \$1,800. The cost of the Record for the next three months, at the present rate, will be about \$600 per month, and an additional amount of \$2,800 will therefore be required to pay for the service of the year and redress the adverse balance brought forward from the last fiscal year. Apart from the question of arrears,

the printing of the 'Patent Record' at the present number of patents issued, is about \$8,000.

Mr. CASEY. Does not this 'Record' pay for itself?

Mr. DALY. Yes, we get the money back.

Statistics—to pay balance due Queen's Printer for "Year-book and Statistical Abstract." \$2,300

Mr. CASEY. Who prepared that Year-book this year?

Mr. DALY. Mr. Johnson, the statistician.

Mr. CASEY. Did he do the actual work of compiling?

Mr. DALY. Of course, he is assisted by his staff.

Mr. CASEY. The name of Mr. Roper is usually attached to this book as having compiled it. Did he not do it this year?

Mr. DALY. I presume so; but, of course, Mr. Johnson is at the head of the branch.

Mr. CASEY. Why was Mr. Roper's name not put to it this year?

Sir JOHN THOMPSON. He has gone to Trade and Commerce, in connection with statistics there.

Mr. CASEY. If he had done his work before he was transferred, I think he should have the credit of it, as formerly, by having his name put to it.

Mr. O'BRIEN. Why has this work been taken out of Mr. Roper's hands and transferred to Mr. Johnson?

Sir JOHN THOMPSON. Mr. Roper has been transferred to Trade and Commerce, because his experience in connection with statistics was particularly useful in connection with the trade statistics of the country. Mr. Johnson has held for some time the office of Dominion Statistician, and it was thought proper that the publication of this book should be in charge of the statistician himself. It was so, to a great extent, before, although Mr. Roper did the principal part of the work.

Mr. CASEY. The book used to bear the name of Mr. Roper as being prepared by him, and I understand it was prepared by him this year. What increase of salary has Mr. Roper received since the change?

Sir JOHN THOMPSON. He has the same salary.

Experimental Farms—additional amount required for maintenance, arising from adverse balances, \$3,000 in 1890-91, \$1,580 in 1891-92, and \$2,200 in 1892-93..... \$6,800

Mr. McMILLAN. What has that been spent for?

Mr. DALY. It appears there were deficits in the farm vote for several years past. The

whole of the above balances were carried forward and paid from votes of following years.' The last item is the aggregate of the three years, and is desired to be voted to redress the balance of the present year. Mr. Saunders' written explanations are given in voluminous details. Their meaning is that while the vote is simply for maintenance, he has paid under ministerial sanction and direction, for many things which are not maintenance, such as services for exhibitions, stock, printing and distributing reports and bulletins, obtaining, packing and distributing reports and bulletins, obtaining, packing and distributing seeds, plants, trees, &c. But as against these deficits, the farms have given the following items to the credit of casual revenue, which have been detailed in the Auditor's Reports, in the corresponding years:—

1890-91	\$4,985 08
1891-92	5,711 73
1892-93	3,981 41
	\$14,678 22

There is, therefore, a balance of \$7,878.22 of revenue over the \$6,800 item of aggregate deficits, which may be considered as an argument if it cannot be set against the account. The figures of expenditure of the three years show that the items for maintenance proper are well within the Estimates, and it is plain from an examination of the items there has been good economy in the management.

Mr. McMILLAN. This shows the necessity of taking a separate vote for each farm and keeping the accounts separate. The item, instead of \$75,000 should be \$90,000 for the farm.

Mr. MCGREGOR. In travelling through the country, we find that mention is made of the fact that the Minister of Agriculture is not a member of this House. We trust this will be rectified.

Mr. DALY. The deficit has arisen owing to expenses at headquarters. When the member for West Huron (Mr. McMillan) brought up the matter of the accounts of each farm being kept and published separately on a former occasion, I took a note of it and mentioned it to the Minister of Agriculture, and he has promised to meet the hon. gentleman's views next year.

Mr. McMILLAN. At the Ontario farm, there is a regular account for each animal.

Mr. DALY. That information is given in connection with the Brandon and Indian Head farms. I have called the attention of the Minister to it, and it will be remedied.

Mr. CASEY. At the Guelph farm, maintenance of buildings, fuel, and other charges are entered against the farms. This does not seem to be the practice here.

Mr. DALY.

Immigration—To pay Henry Merrick and Thomas Connolly, late immigration agents, a retiring allowance of \$1,200 each. \$2,400

Mr. FLINT. Are these final allowances?

Mr. DALY. Yes. They each received a salary equal to \$2,460; one has been in the employ of the Government eighteen years, and the other thirteen years.

Mr. PATERSON (Brant). Have they been replaced by any other officers?

Mr. DALY. No.

Cattle Quarantine. \$11,468

Mr. CASEY. What services have the North-west Mounted Police performed in connection with this service?

Mr. DALY. The work was done by the Mounted Police, and the expenditure was made out of their own funds, and is to be recouped, and the only way that can be done is by vote of Parliament. They carried out the quaranting of cattle from Greta to the Rocky Mountains. They took charge of the cattle on their arrival, fed and cared for them, and in many cases drove them across the country. The veterinary inspection was either conducted by their own veterinary or by some other veterinary who was employed.

To pay Miles Cowan, in addition to his salary as a clerk in Her Majesty's service, for services as acting collector at Windsor, Ont., from December, 1889, to December, 1892. \$600

Mr. MCGREGOR. Mr. Cowan served in the place of the collector for three or four years. He got, I think, \$1,200 a year, while the collector got something like \$1,700 or \$1,800. He is a most estimable young man, and should have got the position of collector. As he did not get it, I think he ought to have got the difference between the pay he was getting and the pay the collector got. He went to considerable expense, expecting that he would get that amount, and I understood that it was the practice of the Government to pay the acting collector the same as the collector. Under these circumstances, I think Mr. Cowan should get something in the neighbourhood of \$1,200. He is a first-class collector, and, having gone back to his old position, he is a first-class accountant and a man of fine character.

Mr. WALLACE. The practice to which the hon. gentleman refers has been largely abandoned, and it is the exception rather than the rule to make such votes as this. Mr. Cowan is an exceedingly good officer. He performed the duties of collector for several years, and the Government have recommended to Parliament that he should be paid \$600 extra for his services in those years.

Committee rose and reported resolutions.

FIRST READING.

Bill (No. 156) respecting houses of refuge for females in Ontario—(from the Senate).—(Sir John Thompson.)

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 6th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

OFFICIAL REPORT OF DEBATES.

Mr. LaRIVIERE presented the third report of the committee appointed to supervise the Official Reports of the Debates of the House.

FIRST READING.

Bill (No. 157) to revive and further amend the Act to incorporate the Brockville and New York Bridge Company.—(Mr. Taylor.)

REPORT.

Reports, Returns and Statistics of the Inland Revenues of the Dominion of Canada, for the fiscal year ended 30th June, 1893; Part III. Inspection of Weights, Measures and Gas—(Mr. Wood, Brockville.)

DOMINION NOTES.

Sir JOHN THOMPSON moved that the House resolve itself into Committee, on Monday, to consider the following resolution:—

That it is expedient to amend the Act respecting Dominion Notes, chapter 31 of the Revised Statutes, by substituting the words "twenty-five" for the word "twenty" in the fourth line of section 3.

Motion agreed to.

INQUIRIES FOR RETURNS.

Mr. PERRY. I desire to call attention to the fact that some time ago a return was brought down with regard to the removal of the flag station from Mill River to Howland Road. The papers contain a reference to a letter from Hon. George E. Foster. I do not know whether this document is private or not; if so, it should not be

referred to in the correspondence. If this letter is mentioned in the return, it should be brought down to the House. Other four or five documents have been also referred to and have not been brought down. If we are only to get part of the documents brought down which have been ordered by the House, it is only humbug; there is no use of passing orders here. I believe Mr. Pottinger was sent down by the Minister to investigate and make a report; he was there, I think, some time in March. The Minister has not brought down that report; and what is the reason? Is there anything disloyal in it? The only information I can get is in the report which has been brought down, and I do not call it a report; I call it a garbled document, which means nothing at all. If the Minister has any more papers to bring down, I want to know it; if not, I will use some other means to get the papers brought down. I want my answer.

Mr. HAGGART. I have answered the hon. gentleman half a dozen times already. There are a couple of private letters which I do not intend to bring down—one from the Rev. Mr. Burke, and one from Mr. Foster inclosing a letter from Lieutenant-Governor Howland to myself.

Mr. PERRY. There are other documents mentioned in the correspondence.

Mr. HAGGART. There are none that I know of except these letters.

Mr. LAURIER. Why can they not be brought down?

Mr. HAGGART. Because they are private letters.

Mr. PERRY. Why mention them in the correspondence if they are private?

Mr. FRASER. I would like to ask when the Government will bring down a return to an order of the House granted six weeks ago in regard to the industries in Guysboro? I would also like very much to have a return to an order which I obtained last year as to the amount of the debt of the Dominion, both as paid and as voted. I would like to get these returns before the end of the session.

Sir JOHN THOMPSON. The return about the industries, I think, was delayed in consequence of there being no funds out of which the Department of Agriculture could make up returns of that kind. But now that the appropriations are practically passed, I am sure the return will be got on with, so that I may hope to lay it on the Table next week. The other has escaped my recollection altogether, but I will find out about it.

Mr. MILLS (Bothwell). I beg to call the attention of the Government to the fact that an order of the House was carried in

March, 1893, for a return giving the industrial statistics of the city of London, and up to the present time no return has been made. I met the statistician of the Department of Agriculture, who said that there was no appropriation for the purpose. While that may have been true for some months past, it could not have been the case at the time the order was carried.

Mr. McMULLEN. Has the Minister of Public Works anything to say with regard to a return which I asked for yesterday? He said he would inquire and let me know to-day.

Mr. COSTIGAN. I have asked my deputy in regard to the matter. The order of the House is always sent to the Under-Secretary of State, who immediately sends it to the department from which the return is expected. The answer as to why delays have occurred I expect to receive to-day or to-morrow.

THE INTERCOLONIAL CONFERENCE.

Mr. McNEILL. Mr. Speaker, before the Government Orders are called, I would like to ask the right hon. the First Minister a question as to which I had some conversation with him. I wish to ask: Will the Government instruct the Canadian Commissioners to the Colonial Conference to endeavour to secure the co-operation of the Australasian and South African commissioners in furtherance of that policy of preferential trade between the self-governing colonies of the Empire and the mother country which was endorsed by this House in the following resolution:—

If and when the Parliament of Great Britain and Ireland admits Canadian products to the markets of the United Kingdom upon more favourable terms than are accorded to the products of foreign countries, the Parliament of Canada will be prepared to accord corresponding advantages by a substantial reduction in the duties imposed upon British manufactured goods.

I may just say that the reason why I wish to ask this question of my right hon. friend is that the great organ of public opinion in England suggested, in an important leading article at that time, that if Australasia and South America joined with Canada in making such a requisition to the mother country, it would be a matter worthy of the serious consideration of the Home Government, and would possibly give rise to a new departure altogether. These are, as nearly as possible, I think, the words that were used by the London 'Times' at that time. We have now with us representatives from Australasia and from South Africa, and I just wish to ask my right hon. friend whether it is not the intention of the Government to endeavour to induce them

Mr. MILLS (Bothwell).

to carry out the policy which this House at that time endorsed.

Sir JOHN THOMPSON. I think the House will see that it would be inopportune for me to discuss at the present moment the question of the instructions to the Canadian delegates to the Intercolonial Conference; but the subject which the hon. member has referred to is so immediately connected with the subjects which are generally understood as likely to engage the attention of the conference, that I think he may fairly assume that it is one that will not fail to be considered by the delegates during their deliberations. The delegates, of course, desire to deliberate without public inspection, and, therefore, their debates are not open to the public. That necessarily arises from the fact that they are in confidential communication with their own Governments, and with Her Majesty's Government doubtless, and desire that that communication should not be in any way hampered by the disclosures in detail to the public of anything that takes place. But at the conclusion of the conference, which may be expected, I believe, early next week, the conference will, no doubt, decide to what extent it would be advisable that their conclusions and deliberations should be made public; and after that I shall be in a position to inform the hon. gentleman whether I am at liberty to give a more definite answer to his question than I am this afternoon.

SUPPLY—CONCURRENCE.

Resolutions reported from Committee of Supply on 3rd, 4th and 5th July were read the second time and concurred in.

CRIMINAL CODE, 1892.

House again resolved itself into Committee on Bill (No. 126) to amend the Criminal Code, 1892.

(In the Committee.)

On section 22,

Mr. MARTIN. That clause provides:

That every peace officer who, on reasonable and probable grounds, believes that an offence for which he offender may be arrested without warrant, has been committed.

Now, a peace officer may arrest any person found committing an offence against the Act without a warrant, but a person other than a peace officer can only arrest without warrant persons found committing those offences mentioned in section 552. But it is not clear whether this section means those persons whom a peace officer may arrest without a warrant or those persons whom any person may arrest without a warrant. I would suggest a slight change which will make that clear. Instead of the words "for which the

offender may be arrested without a warrant," substitute the words "against this Act." It will then read :

Every person who, on reasonable and probable grounds, believes that an offence against this Act has been committed.

That probably is the meaning of it now, because the peace officer himself can arrest any one who has committed an offence against the Act.

Sir JOHN THOMPSON. I understand the hon. gentleman's view is that we should make it clear that a peace officer may arrest without a warrant any person whom he believes to have committed an offence against the Act. The hon. gentleman will see that the Act provides for a great many minor offences, even trespasses and assaults, and one would suppose that it was better to allow peace officers to arrest such offenders without a warrant.

Mr. MARTIN. It says : "an offence which the offender may be arrested without a warrant." Now, an offender may be arrested without a warrant for any offence under the Act, by a peace officer.

Sir JOHN THOMPSON. This was intended to provide that a peace officer who had reasonable and probable grounds for believing that an offence had been committed, might arrest without a warrant. If it were such an offence as that, a peace officer could arrest an offender without a warrant.

Mr. MARTIN. The hon. gentleman will see that by section 552, subsection 3, a peace officer may arrest without a warrant any one whom he finds committing any offence against this Act. That is what I would understand to be the meaning of the section. The hon. gentleman will see that it is not clear what this amendment means.

Sir JOHN THOMPSON. I move to strike out the words "for which offenders may be arrested without warrant," and insert "against this Act."

Amendment agreed to.

Mr. MARTIN. I observe in one of the sections that no person apprehended shall be detained in custody over the following day without being brought before a justice of the peace. The difficulty that has arisen is this : in Winnipeg the police officers frequently receive telegrams to arrest certain persons. They have no knowledge of the crime committed further than the statement contained in the telegram. They hesitate to lay an information until witnesses come from the east or elsewhere. These people are generally criminal fugitives from the United States, who enter Canada either via Winnipeg or via British Columbia. Two or three days are required to obtain witnesses. In the meantime the supposed criminal can-

not very well be kept in custody. I suggest an amendment providing that a justice of the peace may remand a person for a reasonable time, so as to allow an information to be laid. I can understand that objection may be taken to retaining a person in custody without an information having been laid against him, even though he may be retained only three or four days. On the other hand, it is almost impossible to hold an alleged criminal, in regard to whom generally extradition proceedings are necessary. A similar difficulty also occurs in regard to persons reaching Winnipeg from other portions of Canada and attempting to go to the United States ; but the difficulty occurs chiefly in connection with persons who are sought to be extradited.

Sir JOHN THOMPSON. The subject is a very important one, and requires not only reflection but examination. I should prefer not to adopt the amendment, which might interfere with the liberty of the subject, even though it might be only three or four days. I will consider the point and inquire into it.

Mr. LISTER. A complaint has been made in regard to vagrancy. On the border towns we are troubled with vagrants, and in most of the towns the mayor is the police magistrate and administers criminal justice. Justices of the peace are often difficult to obtain, and the mayor of my own town has asked me to bring this matter before the attention of the Minister of Justice. The Act should be amended so as to give the mayor acting as magistrate, power to deal with vagrants, instead of making it necessary that two justices of the peace, the mayor and another justice should act in order to convict a vagrant or commit them for trial. I call the attention of the Minister of Justice to the fact that many serious offences can be dealt with by the mayor acting as magistrate alone, and I do not see why it is necessary to give this class of offenders additional protection by providing that two magistrates are necessary to deal with this class of offences. It is true that in Windsor they have a police magistrate, but in towns where there are no police magistrates, the mayor does all the criminal work and frequently finds very great difficulty in obtaining the services of another magistrate.

Sir JOHN THOMPSON. Perhaps the hon. gentleman will bring up the matter and prepare some amendment on the third reading ?

Bill reported, and amendment read the first time.

Sir JOHN THOMPSON moved the second reading of the amendments.

Mr. McCARTHY. I think that an amendment such as that just made in committee on the suggestion of the hon. member for Winnipeg, ought to be considered

with a little more care before we pass it; therefore, I would ask that the Bill be allowed to stand. It does appear to me to be a serious innovation to provide that a person may be arrested for any offence against the statute, because this statute, as the hon. First Minister remarks, covers every possible offence, small and great, and if a man is to be arrested for an offence for which a magistrate would not issue a warrant, but might issue a summons, it seems to me to be carrying matters rather too far.

Sir JOHN THOMPSON. I agreed to the amendment on the ground that that appeared to be the intention of the Act.

Mr. MARTIN. While this is before the House, I wish to call attention to section 552, which mentions a lot of offences for which any person may be arrested by any one without warrant; but a great many offences are left out which ought to be there, for instance, robbery from the person. You would think that if there was anything for which one should be arrested by any person, it would be for pocket-picking. There are other offences which ought to be included.

Amendment concurred in.

PETROLEUM INSPECTION.

Bill (No. 122) further to amend the Petroleum Inspection Act, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 3,

Mr. BRODEUR. Would it not be advisable that the oil imported in tank cars should be immediately inspected? Those who have in their stores some store tanks are obliged to transfer the oil from the tank cars into barrels, which compels them to have two kinds of vessels. In some cases, however, in Montreal, I am informed that the inspection is made in the tanks.

Mr. WOOD (Brockville). The idea is to allow the tank in a warehouse to be made a bonded warehouse, and the inspection will be made in the tanks.

Mr. RIDER. It is almost impossible to keep the oil in barrels on account of the loss by leakage, and there is no provision to enable retail dealers to transfer the oil from barrels into tanks and sell from the tanks.

Mr. WALLACE. That is just what it does do.

Mr. MILLS (Bothwell). Subsection 3 says that all petroleum imported in tank cars shall, before being entered for consumption, be put into packages, which means they must be put into barrels. Why is it necessary

Mr. McCARTHY.

to transfer from the tank cars to barrels and then from the barrels to a metal tank? Why not inspect directly in the tank cars or metal tank without transferring into barrels?

Mr. WOOD (Brockville). We must make some provision for the safety of the public, and we find it still necessary to require that petroleum should be put into barrels from the tank cars.

Mr. RIDER. But owing to the leakage in wood, there is great loss when the oil is kept in barrels, and what retailers require is that they should be allowed to transfer from the barrel to a metal tank and then sell by retail direct from the tank.

Mr. WALLACE. That is exactly what the clause permits. The intention is that the oil may be drawn from the tank and sold. That will be perfectly legal.

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

FIRST READING.

Bill (No. 158) further to amend the Inland Revenue Act.—(Mr. Wood, Brockville.)

SUPPLY—PERSONAL EXPLANATION.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. EDGAR. Before that motion is carried, I wish to read a couple of sentences from a speech made by the Postmaster General, on the 3rd July, in which, referring to myself, he said:

I thought he could hardly be the same gentleman who, for so many years had been the manager and the manipulator of the most corrupt election fund that has ever been organized in Canada to debauch the electorate. Sir, those who were in public life for a number of years will remember the Northern Railway, and the scandals which have since attached to the name of the hon. gentleman in connection with it.

Now, I would like to state for the information of the hon. gentleman, as he seems to be under a misapprehension, that neither in connection with the Northern Railway, nor with anything else, was I ever a manager, or a manipulator, or a distributor of any election fund whatever. I can say more than that, that in my electoral contests, which, I am sorry to say, have been rather numerous, I never received one cent from any general fund; possibly some of my contests might have been more successful if I had, but I did not. If political success is to be measured by being able to control and distribute large election funds, my own, in comparison to that of the Postmaster General, is most insignificant, I must admit. However, the Postmaster General referred to

the Northern Railway, either in connection with election funds, or something else of a mysterious character, and connected my name with it in an offensive way. Now, I wish it to be understood that I have not been the first to refer to the Northern Railway, the Postmaster General has been the first to refer to it, and as the subject has been introduced, I would like to say a word about it. The Northern Railway is a short line of railway which is now in the hands of the Grand Trunk Railway. Some years ago, when Mr. Mackenzie was in power, the Northern Railway owed the Government of Canada a large sum of money, and as they desired some rearrangement of their public debt, the Government thought it a good opportunity to get from the company payment of some of the indebtedness of that railway to Canada; and, in order to make an inquiry into the position of that company, a Royal Commission was issued, and a report was made as to the dealings of the Northern Railway with the surplus money which apparently belonged to the Government and should have been paid to the Government of Canada. This Royal Commission made a report, and I desire to refer to two or three paragraphs in it. I may say that the president of that railway company at that time was the Hon. John Beverly Robinson, a member of this House and a supporter of the Government, an ex-Minister and a prominent man in the country. The commission reported :

That we find that various sums, amounting together to \$5,440.68, were paid out of the railway funds for the election expenses of the Hon. John Beverly Robinson, a candidate for the district of Algoma, the said John Beverly Robinson being at that time president of the Northern Railway, and under Mr. Cumberland's direction the said amount was charged in the books of the company, one-third to contingencies, one-third to parliamentary expenses, and one-third to legal expenses.

Another paragraph of the report states :

We further find that Hon. John Beverly Robinson, while president of the said company, overdrew his account to the extent of \$4,500, in addition to the amount of \$5,540 above mentioned, and it is with interest still unpaid.

Another paragraph says :

We further find that there was paid out of the funds of the Northern Railway Company \$1,000 for stock in the 'Mail' newspaper, which Mr. Cumberland subscribed for, and still holds in his own name, and the amount of the same was by his direction charged in the books of the Northern Railway Company to legal and parliamentary expenses and printing and advertising, but no value in printing and advertising was to be given.

The 'Mail' newspaper was then being published as the new organ of the Conservative party, whatever it is now. Then there is another paragraph in the report which possesses some interest. It is as follows :—

We further find that \$2,500 charged in the books of the Northern Railway to Hon. D. L. Macpherson, was not money due or owing by that gentleman or for which the company had received or was to receive value, but was a subscription paid by Mr. Cumberland to Hon. D. L. Macpherson as treasurer of a fund raised as a testimonial to Sir John A. Macdonald, and was so paid out of the funds of the Northern Railway Company, and that sum was made to appear in the books of the company as assets of the company, until the amalgamation of the company with the Northern Extension Railway Company was completed.

At that time Mr. Cumberland, who was the manager of that railway, and a leading and prominent Conservative, and for some time in the Provincial Legislature and this House, was a personal friend of mine, and I suppose it was suggested by some one that very likely he desired to keep his company in favour with both sides, and contribute something to the Liberal side in politics as well, and the probability was, from a personal view, that he would have contributed to my election expenses. Although I have never allowed politics to interfere with private friendship, I should never expect an opponent, however great a friend he might be, to contribute to my election expenses.

Sir JOHN THOMPSON. You never take anything ?

Mr. EDGAR. Well, I never ask an opponent to contribute to my election expenses, and I never had any contribution to my election expenses outside of my own riding. If the people want me to carry the county they can assist me. But I have never sought contributions outside of my riding. This suggestion as to the probability of my having received direct contributions was also inquired into by that commission, and they reported on that subject in the following language :—

In consequence of the report that other parties interested received sums of money for improper purposes out of the funds of the Northern Railway, and that Mr. J. D. Edgar had been the recipient of sums of money for his election expenses, it was considered proper to have Mr. Cumberland and Mr. Edgar examined in relation thereto, and this having been done, we find that there is no ground for such rumour, and whatever money Mr. Edgar received from the Northern Railway Company was so received in his professional capacity for legal and parliamentary services performed for the company, in 1874-5, when he had no seat in Parliament, and the amount paid for his services had the sanction of the board of directors for the time being.

If the hon. gentleman would like any further information on the subject of my relations with the Northern Railway Company, I should be very glad to refer him to his colleague, Sir Francis Smith, who was the last president of the railway, who was president for a great many years, and was

very prominently connected with the company during any professional or other connection I had with it. I ask the hon. gentleman to make such statement as he may think proper after what I have said.

Sir ADOLPHE CARON. The hon. gentleman has gone into a long history of a very important epoch in the political history of his party, and the hon. gentleman has suggested that I could secure more information from my colleague, Sir Francis Smith. I will certainly follow the hon. gentleman's advice, and I will take the earliest possible opportunity of consulting Sir Francis Smith, and endeavouring to obtain all the information, which I am perfectly certain he will give me, in connection with the Northern Railway.

Sir RICHARD CARTWRIGHT. In other words, the hon. gentleman knows nothing about the Northern Railway, good, bad or indifferent, and the hon. gentleman has forgotten the findings of the commission, which were that the railway fund had been used as a secret service fund for many years for the benefit of the Conservative party.

Sir JOHN THOMPSON. It will not do to take for granted that my hon. friend has forgotten as much as the hon. gentleman hopes he has.

Sir RICHARD CARTWRIGHT. Then I will recommend the Prime Minister to read the report, and his innocence will be enlightened.

Sir JOHN THOMPSON. I have done so. It will, however, take a good deal to add to the enlightenment of the hon. member for South Oxford (Sir Richard Cartwright).

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Excise—To pay British American Bank Note Company award of Exchequer Court for stamps on hand when change in system was adopted: award, \$3,503.90; cost of suit, \$485.90 \$3,989 80

Sir RICHARD CARTWRIGHT. Was this a formal and regular suit brought by the company, and decided in the usual course of law?

Mr. WOOD (Brockville). Oh, yes, and fought out to the bitter end, too. The action was brought against the Government under the Act of 1883; but a new system was introduced under which all the stamps are of a fixed denomination, instead of, as formerly, having the denomination filled in. The new system affords much greater protection to the revenue, while according equal, if not greater, facilities to the trade. The award is a little over one-third of the amount claimed. The award was based upon the

Mr. EDGAR.

right of the company to hold six months' supply to meet the requirements of the department.

Sir RICHARD CARTWRIGHT. In the interval, I rather think that company's contract was renewed, and renewed without a chance being given to other parties to tender.

Mr. WOOD (Brockville). That was before my time.

Sir RICHARD CARTWRIGHT. When favours of that kind are granted, I think it might be made a part of the bargain that these old standing claims should be passed over. Do the costs of the suit include our law costs as well as those we had to pay to the company?

Mr. WOOD (Brockville). Yes.

Excise—Further amount required \$5,000

Sir RICHARD CARTWRIGHT. For what is this required?

Mr. WOOD (Brockville). For stamps. I need not point out to the hon. gentleman that this does not mean any additional taxation. On the contrary, it means additional revenue on account of an increased amount of business. If the stamps are not used, they will be on hand.

Sir RICHARD CARTWRIGHT. If the Finance Minister were here, I suppose we should congratulate him that if the rest of his revenue is going down, the revenue from fermented liquors is increasing.

Weights and Measures—To pay T. H. McKenzie, ex-inspector at Hamilton, an amount equal to the difference between his superannuation allowance and salary as inspector, his services having been required during the month succeeding his retirement \$81 66

Mr. McMULLEN. When was Mr. McKenzie superannuated?

Mr. WOOD (Brockville). I can hardly give the hon. gentleman that information now, but I shall be glad to obtain it for him.

Mr. MILLS (Bothwell). How old was he when he was superannuated?

Mr. WOOD (Brockville). Eighty-three.

Mr. McMULLEN. Who has been appointed in his place?

Mr. WOOD (Brockville). Mr. Freed.

Mr. McMULLEN. What is the salary of the new inspector?

Mr. WOOD (Brockville). \$1,400.

Mr. MILLS (Bothwell). How comes there to be such a difference between the superannuation allowance and the salary? The

monthly salary is \$114.33, and the monthly superannuation allowance only \$32.67.

Mr. WOOD (Brockville). I may say that the salaries of the inspectors are not fixed by any rule. We try to arrange them according to merit.

Mr. MILLS (Bothwell). He must have been a very old man when he was appointed.

Mr. BAIN (Wentworth). I think Mr. McKenzie's friends regret very much this whole action. As the hon. member for Bothwell says, Mr. McKenzie was advanced in years when the appointment was made: but in justice to him, I may say that his discharge of his duties has been thoroughly efficient. No one regrets more than myself the circumstances which led to his superannuation. Up to the last moment, there was no fault to be found with his discharge of the duties of his office, although a man of eighty-three years of age, and the treatment he has received from his friends, in thus placing him on a retiring allowance in order to create an office for the editor of the 'Spectator,' is not very commendable. I regret very much that the country is called upon to pay superannuation for even ten or twelve years' service, for the purpose of making a vacancy for another man who seemed to be anxious to get it. Mr. McKenzie was never a political friend of mine. Ever since I have known politics, he has been a consistent supporter of the Government, but all parties regret very much his retirement.

Mr. McMULLEN. Can the Minister say whether any number of years were added to his time?

Mr. WOOD (Brockville). No.

Mr. BOYLE. With reference to the official just superannuated, when a man reaches the age of eighty-three, there ought to be no objection to his superannuation. I am informed by those who know him well that he became quite incapable of discharging his duties, and his superannuation was absolutely necessary.

Mr. MILLS (Bothwell). He must have been seventy years of age when appointed, and what the hon. gentleman now says might have been a good argument against his appointment.

Mr. WOOD (Brockville). In justice to Mr. McKenzie, I must say that I never heard of any fault being found with him in the discharge of his duties.

Mr. GIBSON. The hon. member for Monck (Mr. Boyle) has been entirely misled by some one, because Mr. McKenzie to-day is as capable a man as there is in the Government service, and the hon. Minister acknowledges that no fault could be found with the work

of his office. Evidently, it was party exigencies alone that required his retirement from the service, and it would be unfair to let a statement of that kind go to the country uncontradicted. I know, as a matter of fact, that he was not unfit for the office.

Mr. BAIN. The duties of the office, as the hon. Controller admits, were always efficiently discharged. Personally, I know that during the latter part of last winter Mr. McKenzie was ill for a couple of months, but that is an evil we are all exposed to. I wish to point out this fact, that during the whole period of his incumbency, there never was the least complaint with regard to the efficient discharge of his duties, and down to the last moment no complaint was made. Under those circumstances, even if he be eighty-three years of age, it seems cruel to a friend of the Government to retire him when the fate which is bound to overtake us all would shortly end the period of his connection with the office, and he was superannuated simply to create a vacancy and enable the Government to place one of their friends.

Weights and Measures—Contingencies..... \$2,000

Mr. WOOD (Brockville). This is required to enable the department to meet the expenses to the end of the current year. The expenditure in 1890-91 was \$18,738, and in 1889-90, \$17,628, showing that the expenditure has reached its lowest limit. The vote of the current year is now completely exhausted, and the operations of the office had to be completely suspended, which causes a loss of revenue greater than the amount that would be gained by a reduction of the expenditure.

To provide for the completion of payments for mail service by railways and steamboats, being the difference between the amount voted by Parliament and the amount actually required..... \$44,800

Sir RICHARD CARTWRIGHT. I should like to learn from the Postmaster General how so very large an amount as \$44,800 over the vote already given comes to be required?

Sir ADOLPHE CARON. It is required to pay for the mail service of railways and steamboats for 1893-94. The estimate by the department was \$1,301,687, an increase of \$44,845. The amount voted by Parliament was \$1,256,842, and consequently we are obliged to provide for the difference in the Supplementary Estimates. The items of increase are as follows: Grand Trunk Railway, \$32,000; other railways, \$11,245; steamboats, etc., \$1,600. Total \$44,845.

Sir RICHARD CARTWRIGHT. How does the \$32,000 for the Grand Trunk Railway accrue?

Sir ADOLPHE CARON. It was over some portions of the line which had not been utilized before, and an increase of what was paid on others. In some instances, they were paid below what was the agreement between the Government and the company.

Sir RICHARD CARTWRIGHT. What is the exact figure per mile for the service you now pay?

Sir ADOLPHE CARON. About \$160 per mile, night and day service and side service also.

Sir RICHARD CARTWRIGHT. Do we pay no more than that on the main lines? Is it a kind of omnium arrangement, or have you a heavier figure in one case than in the other?

Sir ADOLPHE CARON. The amount we pay on the main line is \$160 per mile, and on the other lines \$80 per mile, covering also the side service on the main line, carrying the mails between the stations and the post offices, which is done by the company instead of by ordinary contractors.

Mr. CHARLTON. What do we pay the Canadian Pacific Railway?

Sir ADOLPHE CARON. One hundred and five dollars on the main line, and on the other lines strictly in accordance with the Order in Council.

Mr. CHARLTON. Does the main line include from Toronto to Owen Sound and the Credit Valley system?

Sir ADOLPHE CARON. No.

Sir RICHARD CARTWRIGHT. That seems a high figure if it covers tracts of territory that are practically uninhabited.

Sir ADOLPHE CARON. The hon. gentleman knows that in the United States their transcontinental lines are favoured in this respect because of the difficulties that have had to be encountered in building them, and because of the advantage they confer in opening up the country.

Mr. CHARLTON. Can the hon. gentleman make a comparison between the cost of mail service on the Canadian Pacific Railway and on transcontinental roads in the United States, such as the Union Pacific, the Northern Pacific and the Southern Pacific?

Sir ADOLPHE CARON. It is more than double.

Sir RICHARD CARTWRIGHT. What is the total for this purpose at present paid to the Canadian Pacific Railway, and what to the Grand Trunk Railway?

Sir ADOLPHE CARON. Of course these figures appear in the report. I think the

Sir RICHARD CARTWRIGHT.

amount to the Grand Trunk Railway is \$400,000, and to the Canadian Pacific Railway, \$497,000

Sir RICHARD CARTWRIGHT. In a general way does that mean day and night service?

Sir ADOLPHE CARON. Yes.

Sir RICHARD CARTWRIGHT. We have practically only three railways to deal with. What are the arrangements between the Post Office Department and the Intercolonial Railway? Do you pay a fixed sum to that road?

Sir ADOLPHE CARON. Yes, \$130 a mile; a little less than to the Grand Trunk Railway.

Sir RICHARD CARTWRIGHT. How much does it get all told?

Sir ADOLPHE CARON. The length of the line is about 1,200 miles.

Sir RICHARD CARTWRIGHT. How long has that been paid?

Sir ADOLPHE CARON. Ever since the road began to be operated, I believe.

Sir RICHARD CARTWRIGHT. Would it not be a good way for the Minister of Railways, to get a surplus, to get a "raise" from the Postmaster General?

Mr. HAGGART. I should be receiving more than the other roads.

Sir RICHARD CARTWRIGHT. The Grand Trunk Railway gets \$160; you only get \$130.

Mr. CHARLTON. How long has that arrangement been in force?

Mr. HAGGART. I do not know—it was in force before my time.

Mr. McMULLEN. There has been some increase in the mileage in recent years, therefore the mail subsidy for the road must have been increased beyond what it was under the hon. gentleman's predecessor.

Mr. HAGGART. Yes; the mileage length of the road was only 700 miles in 1878 and now it is nearly 1,200.

Mr. McMULLEN. Is it the rule to pay the Grand Trunk Railway and the Canadian Pacific Railway the same for branches as for main lines?

Sir ADOLPHE CARON. No. I stated that the main line got \$160 and side lines \$80.

Mr. McMULLEN. What is the rule on the Intercolonial Railway?

Sir ADOLPHE CARON. We pay \$130 on the whole line.

Mr. McMULLEN. Then we are paying more on the Intercolonial Railway than on the other. No doubt this arrangement is

made in order to bolster up the Intercolonial Railway and give evidence of prosperity which does not exist. It is unfair to pay the Intercolonial Railway more than the others in order to help it out of its unfortunate position. That is evidently what it is done for.

Sir ADOLPHE CARON. The increase is not at all recent. It was made when Sir Charles Tupper was Minister of Railways. There is no evidence of bolstering so far as my hon. friend the present Minister of Railways is concerned. Moreover, I could tell the hon. gentleman that the change took place years ago, under Sir Charles Tupper's administration.

Mr. McMULLEN. It is one of the national blisters that Sir Charles Tupper left us, like the St. Charles branch. While Sir Charles Tupper is responsible for that increase, it would be right and just that the Minister should no longer continue the injustice of allowing the Intercolonial Railway \$130 per mile, and other lines only \$80.

Sir ADOLPHE CARON. We will have to look into it and see what can be done.

Mr. McMULLEN. The Postmaster General must admit that the country is presently losing about \$1,000,000 a year on the mail service, as between the receipts and expenditure.

Sir ADOLPHE CARON. \$600,000.

Mr. McMULLEN. Now, why is the Intercolonial Railway credited with \$50 a mile more than it is entitled to, and why is that surplus saddled on to the postal service of this country?

Sir ADOLPHE CARON. I tell the hon. gentleman that we will have to look into it and see what can be done.

Mr. FRASER. I am glad the Minister will look into it, because while in one way it may be said that the country loses nothing for the \$50 additional given to the Intercolonial Railway, I think every department should stand upon its own basis, and should be run on business principles. I look upon the Intercolonial Railway, as I have said heretofore, as the connecting link between the provinces, and for myself I shall not object very strongly if there is a deficit on the Intercolonial Railway, because it is the bond between all the provinces. I would be glad if the railway could be run as a paying speculation, and I would be glad if the Post Office Department would pay no more to the Intercolonial Railway than it does to any other line, for this reason: that it is a matter of the greatest importance to the people of this country to have postal communication, and if \$50 per mile more is paid to the Intercolonial Railway, the Postmaster General will not be able to do what he would otherwise feel inclined to do in providing better postal communication to

sparsely-settled districts. Consequently, I think we should pay no more to the Intercolonial Railway than to other lines, and if the Intercolonial Railway does not pay expenses when economically conducted, I do not think the people will object if it shows a deficit. Let each department stand on its own merits. I look upon the transmission of the mails as of more importance to the people generally than the mere existence of the Intercolonial Railway, because there are more people interested in having postal communication than there are in travelling on the Intercolonial Railway. I trust before our next meeting this matter will be carefully looked into. I think that the Government should provide the fullest means of communication between citizens of this country, so that information of all kinds may be freely circulated by mail; and to this end I would like to see the Postmaster General enabled to open up new offices where they are needed, as I believe his deputy in Nova Scotia is inclined to do, so far as he can, and therefore I think the Postmaster General should have all available funds put at his disposal.

Mr. MILLS (Bothwell). I think the public will agree with the observations made by my hon. friend in respect to the Intercolonial Railway: that should there be a deficit the people will not complain whenever the freight and passenger charges along the line of railway are the same as they are in other sections of the country.

Mr. McMULLEN. I cannot see why the Intercolonial Railway cannot be operated so as to pay running expenses. I do not believe the people of this Dominion will be satisfied to pay a sum in addition to the earnings of the road, in order to keep it in operation. They are looking forward hopefully to the time when, at least, it will pay running expenses, and when the country will get something out of it in the way of a return for the \$50,000,000 sunk in that road. The country is now paying over \$2,000,000 a year in interest on the money sunk in that road, and have been paying a considerable sum to keep it in operation. While we are willing to admit that the Intercolonial Railway was constructed as a connecting link between the provinces, at the same time it is not necessary that it should be run at an annual loss, and the people will not be content to have it run in that way. I believe if it was judiciously and properly operated it would pay some return, let alone paying working expenses. While there have been extravagances connected with it, it is not fair that the Post Office Department should contribute to its support more than is just to help it out of the ditch. I believe that each department, as my hon. friend has said, should stand by itself, and that no one department should be overridden with charges in order to help another out of a deficit, and in the Post Office Department there is a still larger

deficit than there is on the Intercolonial Railway. I dare say that the Minister of Railways is doing all he can to make both ends meet; I believe he has reduced expenses considerably. We are all glad of that, and we want him to go on in the same direction and make further reductions. We can remember the time when the Government told us that it was not possible to run the road with a less number of men than were employed; still, we find that hundreds of men have been dismissed, and the road is not less efficient than it was. We hope the Minister will go on and discharge still more men. I think he can discharge half the truckmen he has got to-day, and still run the road as efficiently as it has been.

Mr. FRASER. I hope the hon. gentleman has not misunderstood me. The position I take is that: that so long as the Intercolonial Railway charges fair rates, and is run economically, I would not object if there was a deficit in its operations. I am not at all speaking now as a representative from the lower provinces, for while we pay our fair proportion of the deficit on the canals, and while we pay our share of interest on the money given to the Canadian Pacific Railway, for which we receive very little advantage, I say that when we consider what the Intercolonial Railway does for the country, I am willing that there should be a deficit in order that it may be kept up efficiently. I say this, let it be understood, no matter what Government or what party are in power. We must remember that the Intercolonial Railway was the principal foundation of Confederation, consequently we in the lower provinces, while we want the road to be run economically and at fair rates, want its efficiency to be sustained. I think the country will be satisfied if an efficient service is maintained, and the road is economically conducted, even though it should not always pay expenses. That is my position. I agree with the hon. gentleman that each department should stand on its own bottom, that one should not help another, in order that the various services shall be conducted with a view to judicious economy, for there may be an economy that is not judicious. I am glad that this subject will be taken into consideration during the recess, and I trust the Postmaster General will arrive at a different decision in regard to it.

Mr. HAGGART. From the observations addressed to the House by the hon. gentleman, he would lead hon. members to believe that the Intercolonial Railway is obtaining more than its share for postal service. The hon. gentleman has stated that the Grand Trunk receives \$150 for the main line, and \$80 on the branches, and that the Intercolonial, which had no branches, received \$180 for the main line. The Intercolonial Railway is nearly all main line, and if the hon. gentleman will allow

Mr. McMULLEN.

\$80 for the branches, he will see that that railway is receiving less for postal service than either the Grand Trunk Railway or the Canadian Pacific Railway.

Mr. McMULLEN. I dare say the hon. Minister is right, in a sense. I have no doubt the road from Oxford to New Glasgow is called the main line. There are no branches. The Intercolonial Railway has been used in many sections for political purposes, and the whole road is called main line. If the Intercolonial Railway had been allowed to remain as it was when first constructed, as a connecting link between Nova Scotia and New Brunswick, and western Canada, no doubt it would have been a more profitable undertaking. But we have added branches until the length of the line is 1,200 miles instead of 700 miles, and the result has been that the increased mileage has not earned a proportionate amount. But, unfortunately, non-paying branches have been added, and certain sections of the country, such as Colchester, Pictou, and Cumberland have been granted railway facilities in connection with the Intercolonial Railway, on which they have made heavy expenditures. In the west, the people had to pay for railway facilities.

Sir JOHN THOMPSON. The Eastern Extension is as much a part of the Intercolonial main line as any other portion of it.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

PARK AND ISLAND RAILWAY.

House again resolved itself into committee on Bill (No. 68) respecting the Montreal Park and Island Railway.

(In the Committee.)

On subsection 3a,

Mr. McMULLEN. What is the amount of stock provided under the provincial Act?

Mr. GIROUARD (Jacques Cartier). \$500,000, with power to increase to \$1,000,000, if a majority of the shareholders so desire.

Bill reported.

EDMONTON TRAMWAY.

House resolved itself into committee on Bill (No. 23) respecting Ordinance No. 32 of 1893, of the North-west Territories, empowering the municipality of the town of Edmonton to construct and operate a tramway.—(Title changed to an Act to incorporate the Edmonton Street Railway Company.)

(In the Committee.)

On section 3,

Mr. MILLS (Bothwell). I would like to ask some member of the Government whe-

ther the North-west Territories Act as it now stands does not confer municipal powers upon the North-west Legislature ?

Sir JOHN THOMPSON. Yes.

Mr. MILLS (Bothwell). Then, what is the object of undertaking to legislate here on a municipal subject ?

Sir JOHN THOMPSON. The conferring of powers in relation to any railway is beyond the powers of the North-west Legislature, and I think there is some doubt whether they have power to legislate in relation to a tramway. I think the object is to remove doubts.

Mr. MILLS (Bothwell). I would suppose that to build a tramway in a street of a town was as much a municipal proceeding as to make an ordinary paved road.

Mr. MASSON. This tramway goes beyond the town ; it crosses the river.

Bill reported, and read the third time and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 139) to incorporate the Pontiac and Ottawa Railway Company.—(Mr. Bryson.)

Bill (No. 132) respecting the Cobourg, Northumberland and Pacific Railway Company.—(Mr. Guillet.)

Bill (No. 85) to incorporate the Boynton Electric Railway Company.—(Mr. Gillies.)

Bill (No. 73) respecting the Atlantic and Lake Superior Railway Company.—(Mr. Bergin.)

DILLON RELIEF BILL.

Order for second reading of Bill (No. 148) for the relief of James St. George Dillon.

Mr. SUTHERLAND. I understand that there is another member of the House who wishes to discuss this Bill. If there is no objection, I would like it to stand over until Monday.

Order allowed to stand.

SECOND READING.

Bill (No. 157) to again revive and further amend the Act to incorporate the Brockville and New York Bridge Company.—(Mr. Taylor.)

SUPPLY.

House again in Committee of Supply.

To meet proportion of expenditure in connection with the International Bureau, Brussels..... \$600

Sir JOHN THOMPSON. A convention has been entered into by the principal

countries of the world for the establishment of a bureau at Brussels for the purpose of collecting information as to the customs tariffs of the world, and the convention countries have contributed a small sum each for the maintenance of that bureau.

Mr. CHARLTON. And this bureau gives information to the convention countries respecting customs changes in various parts of the world ?

Sir JOHN THOMPSON. Yes.

Commercial agencies, including expenses in connection with the negotiation of treaties or in the extension of commercial relations..... \$10,000

Mr. McMULLEN. What does this include ?

Sir JOHN THOMPSON. This is the usual vote for commercial agencies and to pay expenses of persons who are sent out to make trade arrangements with other countries or to propagate in other countries information respecting Canadian trade. Some agents have been employed in different quarters, who are paid a small sum annually. There are seven who are paid \$250 each. There are seven who receive no remuneration, but who correspond with the department. The expenses in connection with the French treaty last year, about \$2,650, and also the expenses of the mission to Australia, are among the items charged to this account.

Mr. CHARLTON. I suppose there is no part of this vote used for the purpose of maintaining a commercial agency or commercial agent at Washington ?

Sir JOHN THOMPSON. We have no such agency yet.

Mr. LISTER. Is this the first time the amount has been asked for ?

Sir JOHN THOMPSON. It has been voted every year that I have been in the House.

Mr. LISTER. I do not see how the expenses of Mr. Bowell's mission to Australia, which is in the nature of an extraordinary expenditure, can be charged against this, if the vote is no larger than in former years.

Sir JOHN THOMPSON. The vote is taken every year, but the charges against it are not fixed charges. Many of the missions are occasional missions. The vote has been \$10,000 for many years, but we have not always expended the whole sum.

Mr. MILLS (Bothwell). I would like to ask whether there has been any communication with the English Government with a view to securing the recognition of our agents in any way ? When they visit a country are they recognized by the British consuls or Ministers, or do they go in a private capacity ? I apprehend that we

have not power to give them any official character, and that they stand in the same relation to the Government as a private agent does to the house employing him, unless there is some arrangement with the foreign office that they shall be recognized.

Sir JOHN THOMPSON. Of course, our agents have no official character, that is, no consular character. As the hon. gentleman has said, they go as would the agents of a private house, except that in this instance they represent a great country, and are treated with respect, and are given facilities everywhere by those who represent Her Majesty in a consular character. We are in correspondence with Her Majesty's Government with a view to securing proper recognition of our commercial agents, and especially commercial agents that will be appointed at the capitals of the several great countries.

Mr. McMULLEN. What was the amount of the expenses of the Minister of Trade and Commerce in his mission to the Australian colonies?

Sir JOHN THOMPSON. I understand they will reach not quite \$2,000.

Mr. CHARLTON. I wish to suggest to the right hon. leader of the Government that if it is advantageous to employ commercial agents anywhere—and the vote shows that the Government thinks it is—we should certainly have a commercial agent, not necessarily an ambassador or high commissioner, at Washington. If a necessity exists for a commercial agent anywhere in the world greater necessity exists for the appointment of an agent there than anywhere else. If the Government were to appoint a suitable person, a gentleman with a knowledge of the trade of the two countries and possessed of business capacity, no doubt the cost to the Government would be repaid many fold by the services such an agent would render. I desire to make this suggestion to the head of the Government, and say that in my opinion no better appropriation of public money could be made, if a judicious appointment were made, than one to maintain a commercial agent at Washington.

Mr. McMULLEN. I see that in the Auditor General's Report, under the head of commercial agencies, is a charge: "C. J. Gould, Chesterville, services re poultry and egg trade, \$400." Will the hon. gentleman please explain?

Sir JOHN THOMPSON. This was for expenses incurred by authority of the Finance Department in relation to the egg and poultry trade of Canada with Great Britain in the interests of the great Canadian hen.

Mr. McMULLEN. I thought Sir Charles Tupper was attending to the poultry trade. It seems to me very singular that it was found necessary to send a special agent from

Mr. MILLS (Bothwell).

this country. It is rather a reflection on the High Commissioner. He sent a report telling us all about how the poultry were to be killed and cured and assuring us that if his directions were followed a great trade could be built up, as the English people were very anxious to get our poultry, there being a kind of wild taste to it that the people over there liked very much. It seems strange that the Government had to send an agent, after such extensive correspondence and such a fine report, to ascertain whether Sir Charles Tupper had given us accurate information or not.

Sir JOHN THOMPSON. It was beneficial to have somebody to go from this side who was acquainted with the circumstances of the poultry and egg trade here. While Sir Charles Tupper could do a great deal for us, even the best of agents must be placed in a better position through having the latest information as to the circumstances of the trade in this country.

Mr. FRASER. I would suggest to the Prime Minister that perhaps a little less restriction would save this expenditure. Trade is such a natural thing, it finds its own channel. It does seem a waste of money and a humiliating thing to pay \$400 to send a man to a country like England, that is anxious to receive the goods of the whole world, to tell them that we have eggs to sell. Give the people an opportunity to sell without restriction and there will be no difficulty.

Mr. McMULLEN. It seems quite clear that this money was spent to give some good supporter of the Conservative party a trip to England. Besides the \$400 paid for his services he received money for his fare to England and back, and \$175 for expenses while there, and all this, as my hon. friend says, in order to tell the people there that we have eggs to sell.

Mr. MILLS (Bothwell). Would there be any objection on the part of the Government to bring down the correspondence with the Imperial Government with reference to these commercial agents?

Sir JOHN THOMPSON. No.

Superannuation—extra allowance
to Mr. Wallace, ex-postmaster
at Victoria, B.C. \$240

Mr. McMULLEN. How long is this to continue? This man was superannuated many years ago, as I have said on previous occasions, in order to make room for Mr. Shakespere, who was at one time a member of this House. He was superannuated with a grant of his full allowance—I think some years were added to his time. And we have been every year since then voting this \$240 more.

Sir JOHN THOMPSON. Mr. Wallace was superannuated, as the hon. gentleman says, about seven years ago. It was ascertained,

after his superannuation, that an understanding had been given him by the Postmaster General of that time that an addition would be made to this allowance. My recollection is that there was no addition of years to his term of service, but an addition was promised which is made up in this way. As to that I am not perfectly certain. But the promise of this allowance was made, and we have felt it our duty to come to Parliament and ask that the vote be given.

Mr. McMULLEN. I do not think the House should be called upon to implement such contracts entered into by any Postmaster General six or seven years ago. This was an arrangement that should not have been entered into. Mr. Wallace was not an old man, and some four or five or six years were added to his time of service to qualify him to retire. The change was made to find a place for Mr. Shakespere. I think it is time this voting of excessive sums each year to a man who, when he was retired, was quite capable of discharging his duties, should cease. I should like to ask where Mr. Wallace's cheques are sent to. Are they sent to Victoria or to England?

Sir JOHN THOMPSON. I understand he is living in Victoria.

Mr. McMULLEN. I think his address is not Victoria, but England.

Sir JOHN THOMPSON. Perhaps, but it has not been long so.

Mr. LISTER. I intended some time during the session to bring a matter in which the principle involved is the same as appears to be involved in the matter now under consideration, before the attention of the House. This officer in British Columbia appears to receive the superannuation allowance of \$912 annually, and in addition to the statutory allowance he receives \$250 annually under an agreement entered into by the then Postmaster General. I was not aware until this evening that the Government had in any case recognized the principle of paying to a superannuated servant a sum in addition to the amount allowed by law, and as it appears there is a precedent established, I take the liberty of drawing the attention of the Government and the House to a case which, in my opinion, is one of extreme hardship. Some years ago, when Mr. McLelan was Postmaster General, Mr. Griffin was the Deputy Postmaster General. He had given service to the country for upwards of fifty years. He was first employed by the British Government when this was a British colony under the direct control of the British Government, and after we obtained our autonomy he was appointed a servant of the Government of Canada. He was a man at that time, seven or eight or nine years ago, capable of discharging to the fullest extent all duties that devolved on him as Deputy Postmaster Gen-

eral; he was familiar with that portion of the service from its inception up to that time, and there is no reason, as far as I am able to ascertain, why he was superannuated. The then Postmaster General called on Mr. Griffin and intimated that his resignation would be accepted. It was a startling surprise to Mr. Griffin, for he never had the slightest reason to think that his services were not acceptable to the Government. It was proposed by the Postmaster General at that time that if he would resign the Government would grant to him, in addition to his superannuation allowance, a bonus of \$5,000, and in addition would grant him leave of absence for six months on that pay. He was superannuated or resigned—at the present moment I am not able to say which, but I think he was superannuated. There was an Order in Council passed by the Government, a copy of which I possess, by which the Government bound itself to pay Mr. Griffin the sum of \$5,000; it is as solemn a document as the Government could issue or make, and in the following session, in the Estimates brought down by the Government, the sum of \$5,000 appeared there to carry out and fulfil the promise that had been made by the Postmaster General on behalf of the Government. That happened eight or nine years ago, and from that time up to the present applications have been made to the Government to carry out the solemn agreement they had made with Mr. Griffin, but thus far the Government have failed to recognize the claim the public servant had on the Government. It is not now for me to consider or to discuss whether that was a wise act on the part of the Government or not; all we know is that the faith and honour of the Government were pledged to carry out the arrangement made with Mr. Griffin under which he consented to superannuation. Sir John Macdonald, on his dying bed, caused a letter to be written to Mr. Griffin, in which he stated that the circumstances connected with that transaction formed one of the most painful acts of his life, and if he recovered, the matter would be made right. That Sir John Macdonald caused that letter to be written a few days before his death can be established by a Senator in the other branch of this Legislature. That Senator has applied to the Government; I have placed the matter before the Prime Minister, and I am bound to say that he treated me considerately. Mr. Griffin is now an old man, nearly eighty years of age, although still vigorous. He has the great misfortune, however, to have a son who is entirely helpless, and the grief of his later years is that he will leave that boy unprovided for. He hoped that the sum of money I have mentioned, obtained from the Government, would enable him to form a fund, the interest from which would be sufficient to pay for the support of the

boy in some of the public institutions in England, where such cases are taken in, in case of his, Mr. Griffin's, death. Mr. Griffin may live a year, or several years, or he may die at any day. This matter has been a constant cause of worry to the old gentleman. When I spoke to the Prime Minister, he acted as considerately as, perhaps, he could under the circumstances, because he said that if anything happened to the old gentleman before the House met again, the Government would see, at all events, that the income of \$5,000 would be applied to the support of his imbecile son, who, at the present time, is helpless and unable to walk. This is the only charge the old man has, and he hoped, with the \$5,000 to be received from the Government, to be able to provide for him, because we know that in the civil service of this country, when a servant dies, as a general thing, there is very little left to the family. The Prime Minister made that statement to me. I do not bring the matter before the attention of the Government with any desire to reflect upon the present Administration, but in order to remind them that while they have succeeded the Government that was then in power, they are still the Government, and any promise made by the Government at that time is as binding on them as if it were made by themselves. I feel that this is a matter which in all justice and fairness should be attended to by the Government. The promise made by the Postmaster General at that time, was ratified by Order in Council of the whole Government, and subsequently confirmed by a letter of Sir John A. Macdonald himself, written on his dying bed; and if there ever was a case in which the promise of a Government should be carried out, that case is the present.

Mr. McCARTHY. Why was not the money paid?

Mr. LISTER. The item was in the Estimates, and I think that one member on this side of the House got up and objected to it, and it was dropped at once without any discussion. I merely state these facts to show that a promise had been made, that it was being carried out by the Government in asking the House to vote that amount, and moreover, that Sir John A. Macdonald considered it a promise that should be sacredly observed, because almost his last act was the causing of this letter to be written, promising that if he recovered the matter would be attended to, and stating that it was one of the most painful regrets of his life that it had not been attended to before. Here is an old public servant who was fifty years and upwards in the employ of the Government; the man who organized the whole post office service of this country in its earliest days, and who lived to see it become the great institution it is now. I am not going to enter into the reasons of his superannuation. He did not expect to be

Mr. LISTER.

superannuated; but he was told by the Postmaster General at that time that it was the wish of the Government that he should be superannuated, and it was agreed that if his superannuation took place, he would get the usual six months leave of absence, and be paid this amount. That an Order in Council was passed, recognizing fully the agreement which had been made, and providing for the payment of the money; that a vote was placed in the Estimates in fulfilment of that order; and the statement of the then Premier that the matter would be attended to if he recovered; all show conclusively, beyond the possibility of a doubt, that there was such a promise. There being that promise, the Government are as much bound to carry it out as if the Government of Sir John A. Macdonald were still in power. The right hon. gentleman who leads the House spoke kindly of the old gentleman, and promised to submit the matter to his colleagues. I suppose he has done so, and I hope for the honour of Canada and the honour of the Government that a promise so solemnly made will be, even at this late hour, faithfully carried out.

Sir JOHN THOMPSON. The hon. member has put the case very strongly indeed, and for my part I would regret to have to ask the House to qualify in any way the statements he has made as regards the binding nature of the arrangement made when Mr. Griffin retired from the service. I do not quite regard it in the light he does; I do not regard it quite as a promise. I rather put the circumstances of the transaction in this way. Mr. Griffin had come out to this country from England, as the hon. gentleman has stated, and he performed very efficient services here during something like fifty years.

Mr. LISTER. Fifty-four years.

Sir JOHN THOMPSON. Fifty-four years in connection with the Post Office Department. He was a man of great diligence, zeal and fidelity. When the time came to superannuate him, when he was superannuated, he had passed by twenty years the age at which the Government had a right to superannuate him without asking his consent; and, therefore, what was done for him was not to induce him to resign and accept superannuation, but it was done by way of showing in a signal manner the appreciation by the Government of his services for the country; and it was stated to Mr. Griffin that, on account of his very advanced years, while his activity was wonderful for his age, the Government found it necessary to reorganize the Post Office Department, and for that purpose to put it into the hands of younger and more active men, and men more fully acquainted with modern post office systems than he could possibly be. The result was a reorganization of the service, and a considerable saving by that reorganization; and the reorganization extended also to the

Accountant's branch of the department. The changes were made under the late Mr. Cunningham Stewart, and they were found to be very beneficial and very generally appreciated throughout the country. Mr. Griffin was assured that while it was a matter of sheer necessity to part with his services under those circumstances, the Government's appreciation of him was so high that not only would they give him the pension provided by law, but, I think, they added ten years to his service, though I am not sure of that. It was also stated, as I understand, that Parliament would be asked to vote some \$4,000 or \$5,000 for him in consideration of his services, and that the leave which the hon. gentleman refers to would be given him. The leave was given him, and he received the highest superannuation the law allows, and the Order in Council referred to was an order suggesting that Parliament should be moved to vote to him the sum I named. The sum was placed in the Estimates of the following year, and while it was not long under discussion, yet the late Sir John Macdonald ascertained pretty definitely that it was not the pleasure of the House that the item should pass. In consequence of that Sir John Macdonald withdrew the item from the Estimates, and allowed it to drop. I know it was a matter of deep regret to him that he was not able to fulfil his intentions with regard to Mr. Griffin, and we have not seen our way to do it since. With regard to what the hon. gentleman has said about the son of Mr. Griffin, I should think that if the father should be removed, the claim to have some provision made for the son would be the most meritorious claim that could be made to the House for a pension. It would be preferable for the House to make provision in that way to voting what appears to be a large sum to Mr. Griffin.

Mr. McMULLEN. I may say that there was no time added to Mr. Griffin's service. He did not even get an allowance for the full time of his service. He served thirty-seven years, while the Act only allows 35-50ths of his salary. He draws \$2,239.92, which is just for thirty-five years' service on a salary of \$3,200.

Mr. LISTER. There was nothing added to his time of service.

Mr. McCARTHY. He could not draw any more.

Mr. LISTER. No, he could not, but it is said that Mr. McLelan, the then Postmaster General, stated positively to him that that \$5,000 would be paid to him, and that, in addition he would get the usual six months' absence with full pay. He did not get the six months' leave of absence, and went out of the office. And the promise that had been made by the Postmaster General—an absolute, not a conditional promise—has not been fulfilled. Of course, these

Orders in Council for the payment of money are mere recommendations, which have to come before the House, but so far as the Government is concerned, when it makes an Order in Council recommending a payment, that is a promise on its part that the payment will be made, and as the Government controls the majority of the House, its act would be sustained. I do not believe there is any gentleman on either side who would object to that deliberate promise being carried out. However, the right hon. First Minister says that if anything happens the old gentleman, provision will be made in the way indicated for this imbecile boy. That has been the great trouble on the old gentleman's mind all these years. He does not want to leave that boy a charge on any of his relatives. I do not think there is any gentleman in this House who would object to that promise being carried out.

Mr. McMULLEN. While I am quite willing to admit that in special circumstances there may be some reasons for the House acting generously with old, experienced, and worthy servants, still, we must take into consideration the facts, and hold the balance fairly between the people who have to pay the taxes and those who get the money. This gentleman was unquestionably in a very lucrative position. For many years he got \$3,200 a year, and from the date of his superannuation in 1888 he has been getting \$2,240 a year, which is a fairly decent allowance for an old man with an imbecile boy, and out of that he should have been able to save some money. Then it appears he is a resident, not of Canada, but of England, and spends his money there. We unquestionably would sympathize with an old man in the condition in which, perhaps, this gentleman fancies he finds himself, but if he has been fairly economical, as he should have been all this time—and this imbecile boy is certainly not a child of yesterday—he should have been able, during all the years he drew a good round salary, and during the years he had an allowance of \$2,240 per year, to make some provision for his boy. However, if there was a contract entered into by the First Minister, it might be well that the Government should implement that contract, but that is something with which the House has nothing to do. We are not supposed to carry out every contract or promise made to satisfy some superannuated officer. But in the case of Mr. Wallace, that gentleman had only served for fifteen years, and enjoyed a salary of \$2,000 per year, and as it was desirable to get him out of the way in order to appoint Mr. Shakespeare, the Government added eight years to his time of service, so as to give him an allowance of \$912, or twenty-three-fiftieths of his salary. And, in addition, we are every year called on to vote him, by special grant, \$250. He was only entitled to his superannuation

based on the number of years' actual service, which would have amounted to \$600, or fifteen-fiftieths of his salary, but eight years were added to his time, and, in addition, we are asked every year to vote him \$250. And he, also, is living in England, there spending Canadian money. It is nothing short of an abuse of the Superannuation Act, in the first place, to add years to a man's time of service, but, in addition, we are called upon to vote another sum over and above that granted through an abuse of the Act.

Mr. MULLOCK. I would like to inquire if it is the case that the letter carriers of Toronto have not been paid their salaries for the month of June?

Sir JOHN THOMPSON. I am sorry that I cannot answer that question this evening. Neither the Postmaster General nor his deputy is here. If the hon. gentleman will be good enough to put his question on Monday, it will be answered.

Mr. MILLS (Bothwell). As this is the only item left—

Sir JOHN THOMPSON. There will be others next week.

Mr. MILLS (Bothwell). I will only occupy the time of the House for a few moments, and it may be as convenient to do so now. I had brought under my attention the correspondence of the postal department with reference to the superannuation of Mr. Noble, who was for many years postmaster at Parkhill. I understand that the present representative of North Middlesex (Mr. Hutchins) waited upon the Postmaster General with other parties, in order to secure the retirement of Mr. Noble. Mr. Noble declined to retire, and the post office inspector was ordered to inspect his office with reference to some complaints that had been made to the Government and report. I understand that after investigation, the post office inspector was unable to find anything that would justify him in reporting either the removal or the retirement of Mr. Noble. I understand that nevertheless his retirement was pressed, with the view of making a vacancy, and Mr. Noble, though not superannuated, was transferred to another office in the province of Quebec, having no connection whatever with the postal department. In that office, he is engaged at a much less salary, and that position he secured through the active intervention of his friend who represents the county of Compton (Mr. Pope). I understand also that Mr. Hutchins, jr., has been appointed to the office from which Mr. Noble was compelled by pressure of this sort to retire. I must say that I think that pressure was unwarranted, and that the Postmaster General did not properly discharge the duties of his office in listening to these importunities and assisting in the removal of Mr. Noble and the appointment in his place of Mr. Hutchins.

Mr. McMULLEN.

Sir JOHN THOMPSON. Mr. Noble was transferred to the Customs Department. There was an investigation owing to complaints made by the public, and Mr. Noble accepted the other position, without having been subjected to any pressure whatever on the part of the Government that I am aware of.

Sir RICHARD CARTWRIGHT. The hon. Minister of Militia will recollect that he was allowed to pass the items of his department on condition that he would furnish a statement with respect to the suspension of Colonel Walker Powell. Is the hon. gentleman in a position to give us any information now?

Mr. PATTERSON (Huron). I may state to my hon. friend that the Major-General commanding the Canadian Militia waited upon me last Saturday afternoon, and informed me that he had suspended the Adjutant-General, at the same time handing me a communication marked confidential with reference to that suspension. In reply to a request on my part, I have received today a further communication from the Major-General on the subject, also marked confidential, but these communications are of such a character that I do not think it would be fair to the Adjutant-General to lay them before Parliament without at the same time having the answer of the Adjutant-General to accompany them. The specific charge upon which the Adjutant-General was suspended, was that he allowed to be inserted in the 'Canada Gazette' a general order without the permission of the Major-General, and without the initials of the Minister upon the proof sheet which was sent to the Queen's Printer. I have this afternoon written the following letter to the Major-General:—

DEAR GENERAL HERBERT,—I have your report of 6th inst. respecting the suspension of Colonel Walker Powell. I notice that it is marked confidential, as was also your report of 30th June. You refer to this latter report as being official, but I cannot regard a report marked confidential in that light. What I desired was such a report as, without detriment to the public service, could be submitted to Parliament and which as soon as it had been submitted, would become the property of the press of the country. Upon consideration of the matter I do not deem the charge you specify against Colonel Powell as of sufficient gravity to warrant continuing his suspension for a longer period. You will be so good as to remove the suspension and reinstate him in his position as Adjutant-General. You will also please give directions that he be furnished with copies of your official report to me so as to give him an opportunity of answering and explaining the charges against him, with a view to such further action as may be necessary.

That is the position in which the matter stands at present.

Mr. HUGHES. I would like to ask the Minister of Militia if General Herbert has

any authority whatever for suspending this officer? The Minister has written a letter to him asking him to reinstate Colonel Powell, to remove the suspension. As I understand it, the Major-General commanding the forces has no authority whatever to suspend any civil officer. If he treats him as a military officer, he should put him under arrest; if he treats him as a civil officer, then, I presume, the suspension rests with the Minister, and to that clause of the letter I would certainly take exception, for the Minister indirectly admits in instructing the Major-General to reinstate Colonel Powell, that he, the General, had authority to suspend him. However, the question will come up again and will then be more fully discussed.

Lachine Canal—Construction..... \$12,500

Mr. LAURIER. The Minister was to furnish us with a list of the accounts making up this sum.

Mr. HAGGART. I have brought down all the accounts.

Mr. LAURIER. What is the nature of these accounts? Were they in connection with the building of the bridge?

Mr. HAGGART. Some of them are. Most of them are in connection with the electric plant used for the purpose of moving the bridge.

Mr. GIBSON. I would like to ask if the \$2,000 the Government has spent for an electric plant for opening and closing the bridge has proved satisfactory to the Government.

Mr. HAGGART. I think so.

Mr. GIBSON. Well, I would like to tell the committee that the last time I was in Montreal the electric plant for the opening and the closing of the bridge had proved a failure, and the work had to be done by hand.

Mr. HAGGART. For a while it did not work well, but it is all right now.

Mr. GIBSON. How long has the bridge been successfully opened and closed by this electric plant?

Mr. HAGGART. I cannot tell.

Further amount required to cover the expenditure connected with the Columbian Exhibition—
Governor General's Warrant... \$25,000

Mr. McMULLEN. This item requires some explanation. I know that the accounts are closed on 30th June. I would not have been astonished if sums had been left unexpended in the hands of one or two individuals, but I find no fewer than twenty-four individuals with sums of money unaccounted for. There should have been some individual charged with the expenditure at that exhibition, but I find in the Auditor General's Report no less than twenty-four individuals with sums ranging from \$20 up to \$2,654.

Mr. DALY. It appears that those sums were moneys paid to the men in charge of the different exhibits while they were being placed in order.

Mr. McMILLAN. How does it come that so many of them had sums of money that were unexpended?

Mr. DALY. That has all been accounted for since.

Mr. McMULLEN. There is a Mr. Larke here who was at the exposition; who is he?

Mr. DALY. Mr. Larke was a Dominion commissioner.

Mr. McMULLEN. But there is another Mr. Larke, from Oshawa, who received a salary.

Mr. DALY. He is a son of the commissioner.

Mr. McMULLEN. What was the allowance of the son?

Mr. DALY. Three dollars a day.

Mr. McMULLEN. What was the son supposed to do?

Mr. DALY. He was the clerk, I presume, in charge of the machinery.

Mr. CHARLTON. What machinery?

Mr. DALY. The engines running the machinery for the Canadian exhibit, and there had to be some one to take charge of them. He had \$3 a day, and \$3 for living expenses.

Mr. CHARLTON. Was he an engineer?

Mr. DALY. Yes.

Mr. CAMPBELL. Were his expenses paid to Chicago and back?

Mr. DALY. I presume so.

Mr. CAMPBELL. What was the total sum paid to him?

Mr. DALY. I do not know. You will see that in the Auditor General's Report next year.

Mr. CAMPBELL. How much did Mr. Larke, senior, get?

Mr. DALY. The salary of Mr. Larke, senior, was \$10 a day, and \$3.50 a day for living allowance.

Mr. McMILLAN. The Auditor General's Report says it was \$5 a day.

Mr. DALY. That was the sum allowed by the Order in Council appointing the gentleman. He received \$3.50 a day for living expenses.

Mr. McMILLAN. There is a Mr. Cockburn, M.P., and there is a Mr. H. C. Cockburn. Is he a son of the member?

Mr. DALY. Yes. I may say that Mr. Larke got \$2.50 a day less than Mr. Awrey, who represented the Ontario Government.

Mr. LAURIER. Is that the best answer you can give ?

Mr. DALY. To what ? I have answered every question the hon. gentleman asked.

Mr. LAURIER. You mentioned that as a sort of an answer to the hon. member for Huron—saying that Mr. Larke got less than Mr. Awrey. What has that to do with it ?

Mr. DALY. The hon. gentlemen seemed to imply from their questioning that Mr. Larke was being paid too much, but although he was a commissioner for Canada, he received less than the assistant commissioner for Ontario.

Mr. McMILLAN. How many assistant commissioners had Ontario ?

Mr. DALY. One.

Mr. McMILLAN. How many had the Dominion ?

Mr. DALY. Mr. Cockburn, Mr. Tassé and Mr. Larke.

Sir RICHARD CARTWRIGHT. Had Mr. Larke any holidays for special services during the exhibition ?

Mr. DALY. No, he had not, he worked very hard. During the exhibition, Mr. Larke gave his whole time and attention to the work of his office.

Mr. BAIN (Wentworth). Will we have any report from our double-headed commissioners ?

Mr. DALY. The report is in the hands of the printer, and will be distributed as soon as printed. It will contain full items of the expenditure.

Mr. CAMPBELL. Is this Mr. Cockburn mentioned there the member for Centre Toronto ?

Mr. DALY. The same gentleman.

Mr. McMULLEN. I may say that I visited the exhibition, and I want to bear testimony to the efficiency with which Mr. Cockburn discharged his duty. He did well, and we have made a very creditable exhibition.

Mr. CHARLTON. I was there also, and I think the exhibition was highly creditable to Canada, and I can bear testimony to the efficiency of Mr. Larke. I believe that Mr. Larke was an efficient public servant. The exhibition necessarily cost us a good deal of money, but I do not think we should be too critical on that point. We may congratulate ourselves that we made so creditable an exhibition.

Mr. McMILLAN. I visited the exhibition also, and I may say that I was highly pleased in meeting both Mr. Larke and Mr. Cockburn. But I cannot understand how

Mr. DALY.

it was necessary to place money in the hands of twenty-four individuals, money that was not spent, and money that they held over after the financial year closed.

Mr. DALY. I will explain to the hon. gentleman if he will give the names of any of the individuals.

Mr. McMILLAN. I can give names of the whole of them. William Andrews, \$100; Miss R. J. Barrett, \$290; T. J. Bell, \$151; F. Retz, \$50; W. I. Buchanan, \$180; The Cockburn Manufacturing Company, \$1,629; W. D. Dimmock, \$663; D. A. Esdaille, \$120; A. Hughes, \$92; G. S. Clarke, \$2,654; J. B. Lynch, \$40; T. W. Laren, \$100; A. W. Ponton, \$350; Hayter Reed, \$1,640; J. W. Robertson, \$100; J. J. Roddick, \$200; R. H. Selwyn, \$435; James Smith, \$1,950; William Smith, \$50; Hon. Joseph Tassé, \$3,850; J. A. Tracey, \$20; Philip Veale, \$300; William White, \$225; G. R. R. Cockburn, \$4,425; or a total of \$19,614.

Mr. DALY. Every dollar of the money mentioned has been accounted for, and vouchers are in the hands of the Auditor General. These sums were advanced to the different parties for travelling and other expenses connected with the inauguration of the work at the Columbian Exhibition, and expenses during that exhibition. The parties have accounted to the department for every dollar they spent.

Mr. CAMPBELL. What was the total cost ?

Mr. DALY. The total cost of the exhibition was about \$230,000.

Mr. LAURIER. So it is cheaper for the Government of Ontario to employ and pay Mr. Awrey ?

Mr. DALY. We can make a fair comparison with Ontario.

Mr. BAIN (Wentworth). What department was in charge of Mr. Hayter Reed ?

Mr. DALY. He was connected with the Indian Department, of which he was commissioner.

Mr. McMILLAN. Will these accounts appear in the Auditor General's Report ?

Mr. DALY. Yes; and also in the report that I hope shortly to bring down to the House.

Mr. McMULLEN. How many officers were sent from the Indian Department, and from the North-west to the exhibition ?

Mr. DALY. One; Mr. DeCazes.

Mr. McMULLEN. Mr. Hayter Reed, it appears, was there, too.

Mr. DALY. Only two or three days, on his way to Regina.

Mr. McMULLEN. Have his expenses been paid and charged to the Indian Department?

Mr. DALY. Yes.

Mr. McMULLEN. What duties did he perform?

Mr. DALY. His duties were in connection with the installation of the exhibits by the Indian industrial schools, which were very creditable, and elicited very favourable comment, particularly on the part of the people of the United States, who are very much interested in the Indian population.

Mr. McMULLEN. If the officer to whom reference has been made was in charge of the Indian exhibits, what particular necessity existed for sending Mr. Hayter Reed there?

Mr. DALY. His duties were in connection with the installation of the exhibits, and he was obliged to be there, because Mr. DeCazes could not leave his agency at the time. He arrived after Mr. Reed had left. Mr. Reed was there not more than four or five days.

Amount required to refund bonus paid on a timber berth, and also to refund the actual outlay for surveys of certain timber berths, all in the late disputed territory \$3,250

Sir RICHARD CARTWRIGHT. Will the hon. gentleman state the circumstances connected with this payment, and the names of the parties to whom this bonus has been or will be paid?

Mr. DALY. The bonus was paid to McArthur, Boyle and Campbell, the amount being \$2,400, this being in connection with timber berths in the disputed territory, and they also claimed that they had expended \$750 for surveys. It was found on examination that the claim made was not excessive. The total amount of \$3,250 appeared in the Supplementary Estimates for '92-93, but McArthur, Boyle & Co. did not accept the amount within the allotted time, and this vote is required to be made in order to pay off the claim, they having expressed their willingness to accept the amount in settlement. All similar cases were dealt with in the same way.

Sir RICHARD CARTWRIGHT. I should like to know in what sum the country has been mulcted to pay for similar claims on account of timber berths, and also for legal costs incurred. What is the total loss occasioned by this attempt to get hold of the disputed territory?

Mr. DALY. I have not the details here; but it was a considerable sum.

Mr. CHARLTON. The transaction was due to the fact that the Dominion Government was in such great haste to secure possession of the disputed territory. The

result has been a loss to this Government for various payments made, as well as cost of surveys and legal expenses, and so forth. This is a penalty for adopting a policy not in the public interest, which it was well known at the time was not in the public interest, and which resulted in granting timber berths to friends of the Government at the nominal rate of \$5 per square mile. I hope there will never be a recurrence of this policy.

Amount required to recoup the North-west Mounted Police for assistance given to destitute half-breeds in the North-west..... \$500

Mr. McMULLEN. Will the hon. gentleman please explain this item?

Mr. DALY. During the winter, cases of destitution arise among the half-breeds, and they are relieved by the Mounted Police at the nearest post. They feed the half-breeds and clothe them if necessary, and get what work they can out of them. It is really a matter of charity, and it is necessary to be done.

Mr. MILLS (Bothwell). What is the condition of the half-breeds? I understand that not many of them take to agriculture, and that they are in a rather destitute condition, in fact, so much so that many of them have applied to be admitted to the Indian bands and receive annuities. Will the hon. Minister state to what extent that report is true?

Mr. DALY. In some districts the condition of the half-breeds is not at all satisfactory, indeed, they are very poor. In other districts where they give their time and attention to agriculture, they do very well indeed; but unfortunately, owing to their fondness for liquor, and the proximity of towns where liquor can be obtained, they have not done so well. These people are moving further north and west. But, taking the half-breed population of the North-west as a whole, their condition is not different from what it has been for some years. But in some localities they are very destitute, and they are being looked after. As to the rumour that applications have been made by half-breeds to enter as treaty Indians, that occurred in only a very few instances.

To provide for advance of seed grain to settlers in the North-west Territories..... \$51,903 67

Sir RICHARD CARTWRIGHT. This requires a good deal of explanation. I need not say that I am exceedingly sorry to see such an item appear again in our Estimates at all. I fear that the knowledge that it has been necessary to advance over \$50,000 to settlers in certain parts of the North-west Territories for the purchase of seed grains, cannot be relied upon to encourage immigration to that country. But to my mind what this suggests is more important even than the amount of money. All along, I

believe—and I am afraid that the country will discover that the suspicion is too well founded—that very great carelessness has been displayed in allowing or encouraging the settlers to go into sections of the country which are not very well adapted for agricultural pursuits. One grave error which I believe has been made by the Government from first to last in the attempt to colonize the North-west has been this: that instead of trying, as they ought to have done, to concentrate the settlers as much as possible together, and to create in the first instance a large and prosperous province, from which settlement would naturally radiate, the Government agencies have encouraged the settlers to spread themselves over an enormous extent of territory in small numbers, and have permitted them in many cases to go to sections of the country which were not at all desirable for settlement, while we possess so much very good country that is unoccupied. I would like to know very particularly, and in full detail, what particular portions of country have suffered so severely from drought and other causes as to make it necessary for the Government to ask for \$52,000 for advances of seed grain? That ought to be sufficient to supply 2,000 or 3,000 settlers with all the seed grain that could be required, if that is the sole purpose to which this vote is to be applied, and it does appear to me very extraordinary that we should be required to supply any such number of persons at this time.

Mr. DALY. In answer to the hon. gentleman, I may say that the districts to which this seed grain was sent are the south-eastern portion of Assinibola, the Moose Jaw district, a settlement called the Grampian Hills to the north of Regina, and the Prince Albert district. As early as last December the representatives of these districts sent representations to the Government from the boards of agriculture and other societies to the effect that owing to the hot winds and drought of last year the people in those districts were without seed; but that had not discouraged them, they having gone ahead and ploughed their land in the fall and got ready for crop this spring; and that owing to the calamity I have referred to, they were without seed. The representations made by the members for these districts were accompanied by petitions from the people who required seed. After those petitions were received, one of the officers of the department at Winnipeg was sent out to verify the facts therein stated, and upon the report of that officer the seed was furnished to the settlers. It was distributed through the different agricultural societies. These people had in the first place to make a statutory declaration under oath that they required this seed, that they had so much land prepared to put it in, and how many bushels of wheat, oats and potatoes they required for seed. Then they gave a bond, signed by themselves and two sureties, as

Sir RICHARD CARTWRIGHT.

security for the repayment on or before the 1st of next April. In the case of those who have not yet got their patent, the Government have a double security. I regret as much as the hon. gentleman does the occasion of our having to ask for this vote. It was only after grave consideration was given to the subject that the Government advanced the seed grain, and it was only after a full inspection, and upon the strongest representations to the Government, that it was an absolute necessity to relieve these people that this aid was given. It consisted of 52,100 bushels of wheat, 41,000 bushels of oats, 4,200 bushels of barley, and 100 bushels of potatoes, making in all 97,400 bushels, of the value of \$43,658. The sacks in which the grain was sent cost \$3,487.06, the freight was \$3,158.61, and the incidental expenses, such as the services of the Government grain inspector, travelling expenses, telegrams, postage and so on, were \$1,500, making a total of \$51,903.67. As I have said, the grain is advanced on condition that it is to be repaid on or before the 1st of April, and the settlers failing to repay it then will be charged 6 per cent. All the seed was purchased after tenders were asked for and samples furnished. The wheat was purchased principally at Indian Head, where the best samples were got. The price of the wheat averaged 52 cents per bushel, the oats ran from 33 cents to 40 cents, according to location, the barley was 45 cents, and the potatoes ran from 34 cents to 50 cents per bushel, according to location. The declaration accompanying the application for the seed grain sets forth the name of the applicant, the number of the section, the township and range, the number of acres ready for crop, the quantity of seed required, etc., and the applicant agrees that it shall be sown this season. That declaration is made in the presence of two witnesses, who verify the statements contained in it. The applicant also gives a lien on his land for the repayment of the seed. The lien is given by those who have not homestead patents. Bonds, as I have said before, were with the usual conditions entered into by each person who obtained the wheat and two sureties. The distribution of the grain was made by the agricultural societies of the various districts, according to the mode adopted some years previously, and which has been found to work satisfactorily. Special arrangements were made with the Canadian Pacific Railway under which they gave reduced rates. The rates were as follows:—

100 miles and under.	2½ cents.
100 to 200 miles.	3½ do
200 to 300 do	5 do
300 to 400 do	6 do
400 to 500 do	7 do
500 to 800 do	8 do

All the grain, before being purchased or delivered, was inspected by Mr. Horn, of Winnipeg, the Government inspector, and

had to pass inspection before it was received by officers of the department. It is expected that all this grain will be returned on or before next April, and I am glad to say that the reports from the districts to which the grain was sent, are very encouraging. They have had good rains, and their crops look well. It is, of course, a matter of much regret to myself as well as to the Government that we had to come to the aid of the people, but that is only what was done before. It is only what the municipalities and the Government of Manitoba have had to do in other portions of the country, and I am satisfied it would have been a great injustice to those people who, owing to the hot winds and drought, were unable to get their own seed last year, but had faith still to plough the land and put in seed this year, if the Government had not come to their aid in this manner.

Mr. RIDER. How many applied for and received assistance in this way ?

Mr. DALY. I could not give the approximate number.

Mr. MILLS (Bothwell). Are they new settlers ?

Mr. DALY. Some are, and others are not.

Mr. CHARLTON. How long have they been settlers ?

Mr. DALY. It depends on the locality ; some two and three years, and others four years. The whole trouble was occasioned in three days by a hot wind which came from the south, and scorched these districts to such an extent that the settlers lost everything they had, and under those circumstances it was necessary for the Government to come to their assistance.

Mr. MILLS (Bothwell). After that they ploughed by faith ?

Mr. DALY. Yes.

Mr. CAMPBELL (Kent). Was there any limit to the quantity of seed each one could get ?

Mr. DALY. Every petition that came in was accompanied by a list of the people, their sections, townships and ranges, and the amounts they required. That was checked over by an officer sent out, and the applications were refused in a great many instances. We did not give them all they asked by any means, but only sufficient according to the circumstances and according to the condition the officer found them in, on consultation with their neighbours.

Sir RICHARD CARTWRIGHT. What is the maximum grant to any one ? No doubt you fixed some limit.

Mr. DALY. I see, on looking down the columns of the schedules, that the average would be about 55 bushels of wheat and about 30 bushels of oats. In some instances,

100 bushels of wheat were asked for, and in others 75 and 80. In one instance 125 bushels were asked for, but the average was about 55.

Mr. CAMPBELL (Kent). Is not that a very large amount to give ? One hundred bushels would sow over sixty acres, allowing 1½ bushels to the acre.

Mr. DALY. That is what we allowed them. The average would appear to be about 55 bushels.

Mr. CAMPBELL (Kent). In addition to the barley and oats, this would stock a pretty good farm.

Sir RICHARD CARTWRIGHT. Apparently at least 1,000 settlers, on an average, must have received assistance.

Mr. McMILLAN. Was there a lien taken upon the lands for the seed ?

Mr. DALY. Yes ; on the lands of those who have not obtained their patents. In the case of the others, a bond was taken with two sureties.

Mr. McMILLAN. In visiting the Northwest, I met two or three settlers who had taken up land that had been previously ploughed and then abandoned by former settlers, and they were held subject to the lien. Although the land had been cultivated, it was not in as good condition as if it had never been touched, because land is not benefited if only ploughed for a year or two, and it is certainly unjust to the new settlers that they should be compelled to assume the lien to which the land was subjected by the previous settlers.

Mr. DALY. I think the hon. gentleman must have been misinformed.

Mr. McMILLAN. No ; because one of them is a very near relation of my own, and I went to his place and saw his papers.

Mr. DALY. I agree with the hon. gentleman that any person who takes up land from the Government as a homestead should get it free from any encumbrance or lien. That is the intention of the law. If the hon. gentleman will give me the address of the friend he talks of, I will inquire into the matter.

Mr. CAMPBELL (Kent). In former cases where seed grain was given, what percentage was paid back ?

Mr. DALY. I went into that last January and found it was in the neighbourhood of 50 per cent.

Penitentiaries - Kingston... \$200,065 73

Sir RICHARD CARTWRIGHT. The hon. gentleman had probably better make such statement as he sees fit as to the various investigations that have been going on under the guidance of his department, perhaps of himself, into the affairs of Kingston Peni-

tentiary for some considerable time back. I need not tell the hon. gentleman that there have been all sorts of rumours, all sorts of statements, all sorts of suspicions; but whatever information he has to give with respect to these proceedings, had better be given before we proceed to discuss the item.

Sir JOHN THOMPSON. Perhaps I had better, first, give an explanation as to the decreases and increases in the Estimates. We have a net decrease in salaries of more than \$400. The statutory increases amount to \$960 and the decreases to \$1,400. These decreases are made up as follows: One supernumerary guard less, \$500; one mason instructor, \$600; farmer and gardener, now \$600, formerly \$700; assistant chief keeper of prison of isolation, \$700, formerly \$800; guard at \$500, resigned and replaced by one at \$400. In rations there is an increase of \$147. Considering the fact that the estimated prison population for 1893-94 is more than for the present year, this head should show a decrease. But the increase is caused by a more conservative and correct estimate of the produce grown on the farm being made. In convict clothing there is an increase of \$555.75. When the Estimates for the past year were prepared there was a large quantity of convict cloth and clothing on hand, but it is expected there will be very little at the beginning of the present year; therefore the estimate has been increased. Discharge clothing, an increase of \$530. That is accounted for in the same way as convict clothing. Officers uniform, increase, \$871.02. A larger number of the staff are entitled to Sunday uniforms and overcoats this year than last year. Officers' mess. This is what I explained to the House in connection with the other penitentiaries. At dinner hour rations are served to the officers instead of their being obliged to go to their homes to the mid-day meal, or bring it with them in cans. The amount required is \$786.55. The provision for the officers' mess is a new provision. This is the second year. Bedding shows a decrease of \$638.10. A smaller number of rugs and new blankets will be required this year. The kitchen calls for an increase of \$329.90. It has been found advantageous to purchase tinware for the dining hall rather than make it in the institution. Industries show a decrease of \$8,000. This was voted last year for the purpose of trades in the prison of isolation. In maintenance of buildings there is a decrease of \$773. Last year \$300 was voted for wire screening and \$440 for patent locking bars, and these votes are not needed this year. Heating shows a decrease of \$47.50, made up of small items. In lighting there is a decrease of \$1,367.33. Five hundred dollars was voted for an armature last year that is not required this year, and there is \$200 less for lamps. In the maintenance of machinery there is a decrease of \$5,202.75. Two thousand dollars were voted for a Worthington pump last year and none is required this

Sir RICHARD CARTWRIGHT.

year. The remainder is required for the new water-works. In the farm there is increase of \$210 to buy horses. In miscellaneous there is an increase of \$200, which includes certain small items. This account is always overdrawn and it was thought best to increase it. The item now under discussion does not include the vote for improvements in connection with the building, but I think I had better read the memorandum of works proposed for the information of the House. They are, additional machinery, officers' houses, female prison and asylum, and a vote to enable us to purchase manilla fibre for the binder twine factory—the additional machinery also being for the same factory. As regards the investigations that have been carried on in connection with Kingston Penitentiary, I made a pretty full explanation on a previous occasion, and laid on the Table the records of the investigations which had taken place down to that time. The explanation I then made covers almost everything I have to say to-night. The rumours to which the hon. gentleman refers and which have had a very wide circulation in the province of Ontario, have arisen chiefly from statements made by discharged officers. In connection with the management of so large an institution, I have felt it incumbent upon me to take cognizance of these communications, notwithstanding that some of them were anonymous communications and in some respects not entitled to very much credit. But, inasmuch as the slightest information is enough to put one on his guard as regards matters of expenditure and management in an institution (the vote for which is upwards of \$200,000), I thought it proper that an investigation should be set on foot. That investigation was commenced in the summer of 1892 and was continued for upwards of six weeks under the inspector of penitentiaries. A very close scrutiny was made of the affairs of the prison and statements were got from every officer in the institution from the head to the junior officer with regard to the management of affairs. The testimony which was taken in 1892, I laid on the Table of the House last session. It disclosed a state of things which showed that an examination had been necessary. The principal defect which the examination disclosed was an utter want of proper system in keeping the accounts. It was ascertained that the accounts had not been properly kept by the accountant, that moneys had been received by the accountant which were not credited to the purchasers of articles from the prison, and on the books there appeared to be a considerable number of accounts due by customers to the prison which were afterwards found to have been duly paid. But the chief complaint I had to make against the accountant was that, without the consent of the department, he had been obtaining a free supply of fuel. The same, also, was the case with the steward

of the institution; but I have reason to know that the steward had acted in good faith, that he had been assured by the accountant that the authority of the First Minister of that time had been given for both officers obtaining free fuel. Subsequently the steward, having reason to doubt the correctness of that statement, paid for his fuel, and without complaint or detection on the part of the department, he set himself right as far as he could. Under these circumstances I was obliged to call upon the accountant to resign, taking the option of dismissal, and he resigned. The investigation disclosed that not only was that fault existing in the accountant's office, but that some of the subordinate officers of the prison had not been keeping the accounts which he should have kept—principally as regards the farmer. The accounts of farm produce which the farmer alleged to have been raised did not tally with the amount of produce with which he was credited by the steward, and it was alleged that the discrepancy was due to the fact that he was not keeping proper account of the produce of the farm, and was not taking credit to himself as he should have done, for produce delivered to the prison. That was especially the case with regard to the killing of animals on the prison grounds, principally as regards pork, and if one could take as established the accounts which were available of the amount of pork delivered to the steward of the prison by the farmer there was a very large discrepancy between the quantities killed by the farmer and those delivered by him to the steward.

Mr. McMULLEN. To what extent?

Sir JOHN THOMPSON. I should think, for instance, as regards the hams and particular cuttings of that kind, the amount might run up into the hundreds, taking a number of years past. But the returns laid on the Table show that. I am satisfied that is not to be accounted for by the dishonesty of the farmer, but by gross carelessness and stupidity in keeping the accounts, and from the fact that the farmer did not think it worth his while to get proper vouchers for the products he delivered at the prison, and the steward on his part thought it was not his business to keep the accounts. At any rate, a most careful investigation was made with the view of detecting whether that was the result of fraud, and we came to the conclusion, after testing the matter in every way, and giving the farmer the best opportunity to explain his position, that it was not due to fraud. I dismissed him from the office of farmer. He has subsequently been employed in the capacity of a gardener, but without the allowance of a house which he had as farmer. When that investigation was concluded, and the results laid on the Table of the House in 1893, and while I was away from the country, some anonymous communications were addressed to the member for North

York (Mr. Mulock), and he was good enough to give us an inspection of them. These alleged that the former investigation had been superficial by reason of the fact that the inspector had not gone deeply enough into the transactions of the institution, and that his impartiality was affected by the fact that he had been interested to some extent in obtaining prison supplies, himself. When I returned last autumn, communication was made to me of these anonymous letters, and I immediately set on foot a further investigation. In the first place, the inspector was required to resume his investigation, to go over the ground again, to summon before him the persons who were believed to be the authors of those letters, and to summon before him the persons who were known to have made statements reflecting on the management of the prison, for the purpose of ascertaining how far, if at all, these statements which had been circulated derogatory to the management of affairs, were reliable. The investigation therefore went on under the inspector himself; but I followed that up by an inspection, and examination, by the chief accountant of the department, the accountant of penitentiaries, whose duty it is to have a supervision of the accounts of all the prisons under our control. He conducted his investigation on an independent line entirely, not interfering in any way with the investigation of the inspector, nor did the inspector know what lines of investigation he was pursuing. He went largely over the same ground that the inspector had traversed, but devoted himself more particularly to the investigation of the system of account-keeping in the prison. He arrived at practically the same conclusion that had been arrived at in the former investigation: that what appeared to be discrepancies in the accounts of the farmer, were not due to fraudulent conduct on his part. Further developments were made as to misconduct on the part of the accountant of the prison, which confirmed me in the opinion that the action I had taken was justified, notwithstanding the painful circumstances which were connected with the deprivation of office of an old servant, followed by a severe illness as the immediate result of the disgrace, and loss of the means of support. The accounts of the prison were put on a thoroughly practical basis, as well as I can judge from the reports that have been made to me of this investigation. I think the result of all the investigations that have taken place establishes that there was perfect integrity on the part of the warden and his officers, with the exception of those I have named. All who are acquainted with the warden of the institution know that he is advancing in years, and the position is one which involves an enormous amount of work and detail, both as regards the officers and as regards the ordinary prison administration. Notwithstanding all that, I have come to the conclusion that no reproach

whatever rests upon him except from inability, in consequence of his work and advancing years, to control and supervise, as one would have liked, the operations of the farm in previous years, so as to detect the want of system and the lack of zeal and industry in checking the accounts of the institution. As regards the charges which were made against the inspector, and reflecting upon his impartiality in conducting the investigation, I have to say that they were completely disproved. For instance, some articles had been received, it is true, from the prison by the inspector. The accounts show that he had purchased them like any other customer, and had paid for them at the time. Some little articles of work which were supposed to have been done for him were also paid for, and altogether the suspicion in the minds of the officers who, being discharged, made complaints against the prison management, arose from the fact that he was known to have received certain things from the prison, but the persons giving the information were not aware that he had paid for them as any other customer would. There was one little matter, some work done upon a tombstone, that amounted simply to this: the tombstone, or monument, had been purchased from a stonecutter at Portsmouth, and had been sent by water to the penitentiary grounds at Kingston, and the chief trade inspector in the prison thought that some little work might be done upon it advantageously by the prisoners, but the work was not advantageous, had not been ordered, and under the circumstances ought not to have been charged for. The work that is being carried on in the prison now is largely in connection with the new prison building, which I described to the committee last year. I should be exceedingly obliged if hon. members, according as their convenience permits, would visit the institution, so that they would be able to understand perfectly what the plan is for improving it and carrying it on; what the wants of the institution are, and, at the same time, understand its efficiency. The prison of isolation constructed out of one of the old workshops, is one of the best prison buildings in America, and those who think it so are interested in prison management, and have given a great deal of time and thought to prison buildings and prison management of every kind. It is proposed to confine in that prison of isolation two classes: those who are almost beyond recovery, and those who have only begun in their career of crime, in order that the first class, the hopeless ones, may not contaminate the rest of the prisoners, but be confined in seclusion there; and, in order that the young, inexperienced and not hopeless class may, by being separated to some extent be prevented from becoming permanently connected with the criminal class. It is not intended that this shall be a prison for solitary confinement. The plan is simply

Sir JOHN THOMPSON.

this, that each cell, being three or four times the size of the ordinary cell, shall be as comfortable as a cell can be made, for the purpose of prisoners carrying on any industry there; and that they shall associate only with the class to which they belong. If they are confirmed criminals they will not be kept in solitary confinement, but their associations will only be with persons of their own class. Those whom we hope to reclaim will be kept secluded by themselves, will occupy cells of the same description where their trade will be carried on. The work will be carried on there by the criminals. A problem will present itself when we come to consider the kind of work that can be carried on in these cells. We proposed mat-making, chair-making, wickerwork-making, and similar industries, these industries being those generally carried in prisons of isolation of that kind. In addition, we have established the binder twine factory. As I explained to the committee, a night or two ago, we have procured a machine of forty spindles, of the most improved pattern, and in the work we expect to give employment permanently to about sixty of our convicts. And we have put the price of twine at such a figure as to enable us to receive at least a fair remuneration for the labour of the convicts, say fifty cents a day, which might fairly be charged for the labour, and this will give the cost of maintaining them and something over, though not very much. In addition we want a new lunatic asylum. The present lunatic asylum while very clean and comfortable, is unsuited in this respect, that it should be removed from the prison itself. It is now part of the main prison. The result is that we have no ground on which the lunatics can take exercise with safety. If they are taken into the yards of the prison, they have to be in the presence of other prisoners. The association is not only very disagreeable, but is very detrimental to the lunatics. It is our duty to endeavour to carry out this project, especially when we consider that Kingston has the criminal lunatic asylum for the whole Dominion. In addition, we have there the prison, for all the Dominion, for females convicts, and the present ward for women is in the lower part of the prison, in the basement, indeed, and has neither that light, ventilation, dryness, nor opportunity for exercise which a prison for women should possess, more especially as some of the women convicts sent there from time to time have young children with them, too young to be taken from their mothers. Taking these circumstances into consideration, we should have on the grounds of the prison, distinct from the prison itself, and with grounds surrounding it, which would enable the prisoner to have separate exercise, a building for women, and a building for insane prisoners. We expect to make no progress with these this year.

beyond quarrying the stone, because the work we have provided for the prison will be ample to occupy the prisoners for the whole year, except quarrying and dressing stone for the new building, and I prefer not to carry it out except by prison labour. When I say the work we have in hand, for the prisoners is sufficient to occupy all available labour we expect to obtain. I mean this, that the old prison, that is, leaving out of consideration the prison of isolation, and the more modern wards of it, was built with cells narrower than any in use in any modern institution, so narrow, indeed, that when the bed is let down the whole cell is occupied by it. So we can imagine that those cells do not meet with modern views and they have been condemned by prison associations when the prison has been inspected, as one of the great faults observable at the Kingston institution. We are devoting our energies to pulling down the walls connected with these narrow cells, and we are rebuilding them on a more modern plan, by which there will be room, at least for the prisoner to pass between the bed and the wall, or, in other words, the new cell will be one-third wider than the old one. I felt it was incumbent on us even before undertaking the work of the female prison and the work on the prison for insane convicts, to remodel the old cells, and a great deal of our work has been expended on it.

Mr. O'BRIEN. I am sure those hon. gentlemen who were fortunate enough to be able to hear the remarks of the First Minister, listened with very great interest to his statement as to what is being done for the work on which he is engaged in connection with the Kingston penitentiary is one of the most important to which a statesman can possibly devote himself in the present condition of our affairs. It is one of the greatest blots on our present civilization that, with all the advances made with respect to the treatment of criminals in different parts of the country, whether provincial or Dominion or municipal, there is no systematic method by which criminals are classified, and while we are endeavouring to restrain and punish criminals we are every day bringing up a fresh number to take their place. It is one of the greatest evils connected with all our provincial institutions, although I am well aware that efforts are made to effect an improvement, yet they have not been satisfactory as regards grappling with the evils resulting from the present system. If at Kingston the right hon. gentleman can set an example to other institutions and adopt methods by which this great evil can be reduced, I shall be exceedingly glad. One of the unfortunate circumstances which we have to encounter is the fact that when the right hon. gentleman speaks, the majority of members are often unable to hear his remarks and, of course, must refer to 'Han-

sard' on the following day to find out what he said. The subject with which the right hon. gentleman has been dealing to-night is one to which this House should give more attention than hon. members have yet been inclined to give. It would probably be an advantage to the country if these institutions were more centralized or were under one management. However, perhaps the present condition cannot be avoided. We have Dominion, provincial, and municipal legislation, and if the Government of the Dominion can set an example and show how this great evil should be combated, they will confer a great benefit on the country. Any one who has any regard for the welfare of the people must have noticed with extreme regret how often complaints are made in our counties that men are confined as criminals whose only fault is that they are unable to maintain themselves. In the county where I live it frequently happens that men are confined in the common jails as criminals simply because they have become destitute, and probably owing to illness or old age, unable to maintain themselves. This is a great misfortune, for which, of course, the Government of the Dominion are not responsible. But if the hon. gentleman, in his treatment of the prisoners over whom he has charge, can point to satisfactory results from the system he adopts; if he can show that it is possible, by a proper classification to meet the great evil of our present method, that while we are punishing the criminal we are perhaps making him a worse criminal than before, and that by want of classification we are herding together the young and reclaimable juvenile criminal by confining him in the same cell or in close association with the determined criminal—if the hon. gentleman, by his legislation or by any such process as he is now carrying out at Kingston, can do anything by example to counteract this great evil, he will be doing a very great service to this country.

Mr. McMULLEN. I would like to ask the hon. Minister how long it was after the investigation was held by the inspector, that the other investigation was held by Mr. Foster.

Sir JOHN THOMPSON. Mr. Moylan's first investigation took place in July or August, 1892; the second took place after my return, I think in the month of September or October last, and the accountant commenced his investigation before Mr. Moylan had quite concluded. He had the investigation to make with regard to the books, and when he finished that duty he went on with the general investigation, involving testimony taken from officers.

Mr. McMULLEN. Was there any intimation given, by advertisement or otherwise, to persons who had any complaint to make or were aware of any impropriety

having taken place, that they would be at liberty to come forward and give evidence?

Sir JOHN THOMPSON. No, I did not advertise, but the fact was well announced in the papers at the time. It was announced that the investigation would take place by Mr. Foster, and another investigation by Mr. Moylan. Indeed, the air was so full of rumours in regard to the complaints and the investigation that that part of the public who were interested in the matter were kept on the alert.

Mr. McMULLEN. Were any parties subpoenaed before the inspector or Mr. Foster?

Sir JOHN THOMPSON. Yes, all the persons who had written letters were summoned to appear; the guards who were dismissed and were available were summoned; in several instances the inspector and the accountant heard that So-and-so could give evidence; and in the course of the examination the person who gave the principal information was asked what person could testify on this or that point. In all these cases those people were summoned.

Mr. McMULLEN. Was a shorthand report taken of the evidence given?

Sir JOHN THOMPSON. Yes.

Mr. McMULLEN. Has it been printed?

Sir JOHN THOMPSON. No, I laid it on the Table in type-writing.

Mr. McMULLEN. Of course, there has been a good deal of correspondence with regard to the irregularities. With regard to the investigation held by Mr. Moylan, he was, of course, charged with having been in collusion with the warden and having participated in some of the articles that were divided, such as pork, feed, oats, vegetables from the farm, and so on.

Sir JOHN THOMPSON. I think it was only pork.

Mr. McMULLEN. Perhaps so. Then, the other investigation was by Mr. Foster from the Department of Justice here. Now, in my humble opinion, if an investigation is going to be made into any of these institutions at all, it should be held either before a county judge or a superior court judge, instead of by any person from the department. Naturally, a sympathy will grow up between men in the Department of Justice and the Inspector of Prisons and the warden of the penitentiary. An investigation that will satisfy the public should be made by a judge, or some one apart from the officials of the department altogether; and at the same time, there should be a public advertisement inviting any person who has any information to come before the commission and give evidence. I think there was some ground for the investigation held by Mr. Moylan. With regard to the investigation held by Mr.

Mr. McMULLEN.

Foster, I have not read the report, but it is earnestly to be hoped that the efforts made will put an end to the irregularities supposed to have existed. The hon. gentleman said something in regard to monuments that were being executed in the penitentiary for Mr. Moylan. Was it denied by Mr. Moylan that anything of the kind had been done?

Sir JOHN THOMPSON. The circumstance of suspicion which led the person to write the letter was this. There had been a monument ordered by Mr. Moylan, on which some work had been done in the prison, and it was alleged that he had been charged with this work and had not paid for it. It was alleged likewise that the monument had been concealed from me during my visit to the prison. But the facts were these. The monument had been ordered from a stonecutter or monument-maker in Portsmouth, and had merely been sent to the prison grounds for transportation to Kingston, and thence to Ottawa, or wherever the monument was to be erected. With a desire to do some kindness to Mr. Moylan, some work had been done on the monument by one of the trade instructors. That had not been ordered, and, therefore, was not properly charged to him.

Mr. McMULLEN. It was proved that some pork or hams had gone to the house of Mr. Moylan, and Mr. Moylan claimed that he had paid for this.

Sir JOHN THOMPSON. The charge was brought that he had ordered the pig. It had been charged to him, and he promptly paid for it. In investigations our practice is this. When a complaint arises, we make the inspection by the inspector; if it is a matter of account we send the Chief Accountant likewise; and if we think we have got to the bottom of the matter, we do not pursue the investigation by a judge. But in the case of British Columbia, as I mentioned the other night, the investigation showed that the disorganization among the prison staff was pretty extensive.

Mr. McMULLEN. It would be well even yet to issue a commission to some judge to further investigate. No doubt the hon. gentleman is doing his best to get to the bottom of the whole thing and purge the institution of all irregularities, but there is suspicion that there are still irregularities to be removed. With regard to the pork which Mr. Moylan says he paid for, I think the hon. Minister will find that some of the officers will prove it was never weighed when it left the penitentiary, and in that case Mr. Moylan must have weighed it himself when he received it, or he did not pay for it. If it was not weighed and no account taken when it left the penitentiary, it is singular how it came that he paid for it afterwards.

Sir JOHN THOMPSON. He has a voucher for it, and I saw the voucher. It may yet be necessary to have an inquiry by a judge.

Mr. CAMPBELL (Kent). Are all the supplies got by tender?

Sir JOHN THOMPSON. Yes.

Mr. RIDER. Has any plan been adopted for the disposal of the binder twine manufactured in the penitentiary? Can consumers purchase direct from the prison or is it supplied wholesale?

Sir JOHN THOMPSON. This season, and I hope for the future, too, any person can apply to the prison and obtain delivery there, but after this year our supply will be very much larger, and we may have to make arrangements for distribution throughout the country.

Mr. RIDER. Can persons buy in small quantities on applying to the prison?

Sir JOHN THOMPSON. Yes, and if ordered to be sent any distance, the freight will be paid from the prison to certain points westward as far as Owen Sound. That is generally the point to which freight will be paid in connection with articles of that kind.

Mr. RIDER. Is it sold at a uniform price, or is there a discount on large quantities?

Sir JOHN THOMPSON. There is a discount of a half cent a pound on carloads. The price is 8 cents for pure manilla and 7 cents for second quality. We expect to make 150 tons by the 1st August.

Mr. BAIN (Wentworth). I am instructed by one of our Canadian manufacturers that the engines are of American manufacture, purchased outside of Canada, and our manufacturers feel a little sore that similar machines manufactured here should have been overlooked. I simply make the statement without any knowledge of the facts.

Sir JOHN THOMPSON. It may indeed be so. We obtained the spindles and the motor power and all that from one contractor, and he certainly had to purchase the binder twine machinery in the States, and it may be he obtained the motor power there too. I will inquire into the matter, and there will be opportunity on the Supplementary Estimates to discuss it again.

Mr. RIDER. Is the output for the present year all bespoken?

Sir JOHN THOMPSON. By no means. We have a number of applications, and my expectation that we will not need to make any definite arrangements for sale this season is based on the small quantity and the excellent quality and the demand so far.

Mr. McMULLEN. I want to draw the hon. Minister's attention to the price paid

for flour. There was a contract with the Rathbun Company for strong bakers' flour at \$4.69, from the 1st July, 1892, to the 30th June, 1893. The deliveries were as follows:—July 2nd, 100 barrels at \$4.69. That flour was then selling in Montreal at \$4.45, which makes a loss between the contract price and the selling price at Montreal of \$24 on that lot. On August 5th, 100 barrels of flour were delivered, amounting to \$469. In Montreal the same flour was selling at \$4 per barrel, which would make a loss on the contract price of \$69. On September 15th, 1892, 115 barrels were delivered at \$4.69, making \$539.35. The price in Montreal on that day was \$4.35, which would give \$488.75, or a loss on the contract price, as compared with the selling price, of \$50.60. On October 5th, 240 barrels were delivered at \$4.69, amounting to \$1,127.60, and the price in Montreal was \$4.35, or \$1,044, showing a loss of \$83.60. On December 7th, 120 barrels were delivered which, at the contract price of \$4.69 amounted to \$562.80, and on that day the same flour could be purchased in Montreal at \$4.25, or \$510, showing a loss on the contract price of \$52.80. On December 29th, the delivery consisted of 135 barrels, which, at \$4.69 amounted to \$586.29, whereas in Montreal the selling price was \$4.25, or \$531, showing a loss of \$55. On April 6th, 120 barrels were delivered at \$4.69, amounting to \$562.80, and the price in Montreal was \$4.10, or \$492, thus making a loss of \$70 on the contract price. On June 13th, 115 barrels were delivered, amounting at the contract price to \$539.35, when it could have been obtained in Montreal on that day at \$4 a barrel, or \$460, showing a loss of \$79.35. The gross amount paid to the Rathbun Company for this quantity of flour was \$4,854.15. And the price in Montreal would be \$4,370.75, or a net loss on the flour under the contract of \$485.15. If the hon. Minister will compare these statements, he will find that the prices I have given are the advertised figures at which flour was sold at Montreal at the dates upon which these deliveries were made. The loss, therefore, was not only \$485.15, but the cost of carrying the flour from Kingston to Montreal.

Mr. DAVIES. What was the brand of that flour?

Mr. McMULLEN. Strong bakers was the brand.

Sir JOHN THOMPSON. These figures would go to prove that it is not prudent to buy flour by contract. We accept the lowest tender. I do not remember the price. I think that the hon. gentleman must have referred to the year before last.

Mr. McMULLEN. From July 2nd, 1892, to June 30th, 1893.

Sir JOHN THOMPSON. I should like to compare the hon. gentleman's memorandum with the figures.

Mr. McMULLEN. I will send the list over to the hon. gentleman.

Mr. TAYLOR. I think that tenders were accepted for the supply of flour for the present year a few days ago. I do not think the hon. gentleman if he were tendering, would base his tender for a year's supply on the market quotations of to-day. Flour might have sold at \$5 or \$5.50 when Mr. Rathbun tendered. He tendered, no doubt, anticipating a rise in the market. I carried a large quantity of wheat myself anticipating a rise; but the rise never came. Had this flour advanced in price my hon. friend from North Wellington (Mr. McMullen) would not have come forward with a statement to show what had been gained. So long as the contract was let by tender, I do not see what complaint there can be. There were a number of tenders in. I was interested on behalf of my friend Mr. Rathbun, of Deseronto. He asked me, after the tenders were in to advise him when the tenders were opened if he was successful, because he wanted to purchase a quantity of wheat for fear of an advance, and he did purchase a quantity. I know. All grain dealers or millers in carrying on their business must allow for a rise in the market.

Mr. McMULLEN. I have no doubt my hon. friend who has just taken his seat had a powerful influence on behalf of his friend in getting him the contract. I would like to know how many tenders were in.

Sir JOHN THOMPSON. I cannot remember exactly.

Mr. McMULLEN. Was the contract advertised?

Sir JOHN THOMPSON. Yes.

Mr. McMULLEN. The first delivery under this contract was made on the 2nd July, at \$4.69 a barrel. On that day in Montreal this brand of flour was selling at \$4.45. There was not a date throughout the year when delivery was made when this brand of flour was not selling in Montreal for from 25 cents to 35 cents, and in some cases even 40 cents less than the price the Government was paying to the Rathbuns.

Sir JOHN THOMPSON. The market fell. We invariably get at least four or five tenders from all over the country, from Montreal, Kingston, and as far east as Halifax.

Mr. SPROULE. The fact that this firm are not Conservatives and not of Conservative leaning, and the fact that this contract was let by public tender are guarantees that they got the contract at the best figures the Government could then secure. As my hon. friend from Leeds (Mr. Taylor) says, they would naturally put a higher price than the market price on the day the tender was put in, in order to save themselves in case of a rise in price.

Sir JOHN THOMPSON.

Mr. TAYLOR. The contract was let early in June, as it was this year.

Mr. McMULLEN. Was the flour delivered by the Rathbuns' Manitoba Strong Bakers'?

Sir JOHN THOMPSON. I do not think it was Manitoba Strong Bakers'.

Mr. McMULLEN. Some gentlemen asked me what brand it was. Manitoba Strong Bakers' is the best grade of flour, so that the difference would be even greater than I have quoted.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Sir RICHARD CARTWRIGHT. Perhaps it would be convenient to settle what business we shall proceed with on Monday.

Sir JOHN THOMPSON. I hope to be able to move the Bill with regard to the French Treaty and the lobster canning resolution.

Motion agreed to; and the House adjourned at 11.20 p.m.

HOUSE OF COMMONS.

MONDAY, 9th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

DELAYED PRIVATE BILLS.

Mr. TISDALE moved:

That Bill (No. 57) to incorporate the Gleichen, Beaver Lake and Victoria Railway Company; and that Bill (No. 157) to again revive and further amend the Act to incorporate the Brockville and New York Bridge Company be placed on the Orders of the Day immediately after routine, for consideration of the Committee of the Whole, in accordance with the recommendation of the 17th Report of the Select Standing Committee on Railways, Canals and Telegraph Lines.

Mr. McMULLEN. I do not think it is right at this late stage of the session to permit a proceeding of this kind. As a member of this House I take objection to it.

Mr. TISDALE. If the hon. gentleman had been at the Railway Committee, or if he now looks at the Bills, he will perhaps withdraw his objection, because they are purely formal Bills. One is an extension, and the other is to incorporate under the Model Bill a railway that no one objects to. There has been some delay in the sittings of the committee, and we were called together this morning for the purpose of expediting these Bills. If these Bills are not on the Order paper now they cannot be reached until Wednesday next.

Mr. LAURIER. There seems to be some reason in the objection taken by my hon. friend from Wellington (Mr. McMullen). My hon. friend from Norfolk (Mr. Tisdale) says that these Bills are formal. If they are purely formal, how is it that we have reached almost the dying hours of the session and nothing has been done yet with regard to them? It seems to me the hon. gentleman (Mr. Tisdale) had better follow the regular procedure.

Mr. SPEAKER. Objection having been taken, of course, the motion cannot be entertained.

MONTREAL PARK AND ISLAND RAILWAY COMPANY.

Mr. LISTER. Mr. Speaker, before the Orders of the Day are called, I desire to make a correction of a few remarks I made on Wednesday evening concerning the Bill respecting the Montreal Park and Island Railway. I stated that a lease had been executed between that railway and the Montreal City Railway Company whereby the former railway company were to pay 5 per cent, which would be the revenue of the Montreal Park and Island Railway Company. I find I was misinformed as to that particular fact, the arrangement being that the Montreal City Railway Company builds the cars and other equipments and that the railway seeking incorporation now, pays 5 per cent upon the cost of that. I did not think then, nor do I think now that it is of any consequence, how the revenue of this road is derived. My argument will be the same. I beg, however, to correct the statement I made. My hon. friend from Jacques Cartier (Mr. Girouard), who introduced the Bill, also took objection to my using the word "advocate." I desire to say that in using that word, I did not for a moment intend to impute that my hon. friend was promoting this Bill otherwise than as a member of this House honourably might do.

Mr. GIROUARD (Jacques Cartier). I intend to move, Mr. Speaker, that the Bill be sent back to committee. I do not propose to make any remarks on the Bill, further than those I made last Wednesday evening, and the correction made by the hon. member for West Lambton (Mr. Lister) does not render necessary any reply on my part to that branch of the case. I do not agree with him, however, that it matters very little whether there is a lease or not. The hon. member (Mr. Lister) stated then:

The leasing company is to pay a rental to this company seeking incorporation, and the rental which they are to receive is to constitute the profits of the stockholders of this company. So that the matter stands in this position, that the rental is a fixed sum; upon \$500,000 it will be so much, say \$50,000 if you like, upon \$1,000,000 it will be only \$25,000. So that the effect of the legislation is to reduce the profits that the present stockholders will

receive upon \$500,000 exactly one-half. The result of that must necessarily be to depreciate the security held by Mr. Williams to the extent of just 50 per cent.

If the premises of the hon. member had been correct the conclusion would have been correct also; but there is no lease and the revenue of the company is not affected by the traffic arrangement made between the Montreal Island Park and Railway Company and the Montreal City Passenger Railway Company. The road is the property of the company seeking incorporation here, and is going to be operated for their profit. Instead of the clause which was in the Bill as reported by the Railway Committee, I would ask permission of the House to insert the clause of the local charter, which reads as follows:—

The capital stock of the company shall be five hundred thousand dollars divided into five thousand shares of one hundred dollars each, with the right to increase such capital to one million dollars when a majority of the shareholders shall so decide.

The hon. member for Two Mountains (Mr. Girouard) has given notice to insert the words "Two Mountains" after the word "Terrebonne." That motion was made in the Railway Committee, and it was not insisted upon, because it was supposed that it was not covered by the notice. I have a copy of the notice, which reads as follows:—

The Montreal Park and Island Railway Company will apply to the Parliament of Canada, at next session, for an Act subjecting it to the jurisdiction thereof, and to confirm and increase its powers, to extend its boundaries, &c.

It does not say to which county the road shall run, though the Bill mentions Terrebonne, L'Assomption and some others. The hon. member for Two Mountains (Mr. Girouard) asked that Two Mountains should be added; and, to meet the views of the hon. member for Richmond (Mr. Gillies), who opposed the Bill at the last meeting, I have agreed to substitute the word "shareholders" for the words "subscribers for the capital stock" in the fourth line of clause 3. I therefore move:

That the Bill be recommitted to the Committee of the whole House, with power to insert the following clause after clause 3:—

The capital stock of the company shall be \$500,000 divided into 5,000 shares of \$100 each, with the right to increase such capital stock to \$1,000,000 when the majority of the shareholders shall so decide;

And to insert in clause 6, after the word "Terrebonne" the words "Two Mountains"; and to substitute the word "shareholders" for the words "subscribers for the capital stock" in the fourth line of clause 3.

I may say that after \$1,000,000 of stock is subscribed, a two-thirds vote of the shareholders will be required to increase the capital further.

Mr. LISTER. This is not an Act for a new incorporation ?

Mr. GIROUARD (Jacques Cartier). It is intended to replace the local charter. All the powers of the local charter are renewed and repeated in this charter.

Mr. LISTER. Then you ought to provide for protecting the present shareholders.

Mr. GIROUARD (Jacques Cartier). There is a clause, which was inserted in the Railway Committee, for that purpose.

Motion agreed to, Bill amended in committee, reported, and read the third time and passed.

IN COMMITTEE—THIRD READINGS.

Bill (No. 100) to incorporate the French River Boom Company (Limited.—(Mr. Coatsworth.)

Bill (No. 82) respecting the Lake Erie and Detroit River Railway Company, and the London and Port Stanley Railway Company.—(Mr. McGregor.)

Bill (No. 138) to incorporate the Montreal, Ottawa and Georgian Bay Canal Company.—(Mr. Macdonell, Algoma.)

DILLON RELIEF BILL.

Mr. SUTHERLAND moved second reading of Bill (No. 148) for the relief of James St. George Dillon.

Mr. MASSON. I beg leave to call the attention of the House to what I consider some of the principles that ought to be taken into account before this Bill is read. The ground on which Bills of this kind receive the sanction of this House are limited. The relief sought must be on the ground of adultery, and the rule is also clear that the party seeking the relief shall come to the House with clean hands. In arriving at a decision in this matter it is well to consider the facts as shown on the report of the committee before whom the evidence was received. It appears that these parties were married on the 27th August, 1883, and that for five years they lived together as man and wife apparently on reasonable terms. At the end of that time the husband takes his wife on a trip to France. He then leaves her—forsakes her, so far as the evidence informs us. It is also clear that before starting on his journey he contemplated such a separation. He says he had no fixed idea as to how it was to be accomplished. He did not speak of it to her. He takes the trip apparently with the idea of getting rid of his wife, and while in France he separates from her. There is no writing, no deed of separation, nothing binding on him to make any provision for her. She finds her way to Canada and for six years lives in a respectable manner with her mother. He had no reason to suspect her. He says: "As far as I knew she was

Mr. GIROUARD (Jacques Cartier).

living a perfectly proper life with her mother." That being the case, it is clear that he has committed an act which disentitles him to relief by this House. It is clearly laid down by the English authorities that a separation of this kind, without cause—and he puts forth no cause, except incompatibility and extravagance, no legal grounds for separation—is a bar to relief. He obtains a separation, therefore, without any just cause, and she lives there in this manner and faithful to him for the period of six years. Now, the authorities are clear that he is not entitled to relief by reason of acts of adultery committed after such an act. In a case decided in the English courts in 1870, Yeatman vs. Yeatman, the facts were very similar to the facts in this case. The husband in this case took his wife to Germany and left her there, just as this man took his wife to France and left her. She lived there and elsewhere, so far as the evidence shows, virtuous, for a number of years. Afterwards he applied for a divorce, and on the third occasion of applying in 1870 was able to prove that she had committed adultery. Relief was refused him and the judge refused a decree, closing his judgment in these words :

Nothing is more likely to conduce to adultery than throwing a young wife on the world without the protection of her husband, and desertion without excuse before adultery complained of is, therefore, in my opinion, a strong reason for withholding a decree.

This has been held strong reason for withholding a decree in England and decrees have frequently been withheld on such grounds, and I think it is strong reason why this House should refuse the relief sought for in this case. Now, another ground which I think is of vital importance for this House to consider in settling the principle on which this relief should be granted is that in his evidence, the petitioner, while he frankly stated that during the five years they had lived together as man and wife he had been faithful to her, upon being asked the question whether he had been faithful during the six years of separation, declined to answer. The committee held the objection to be a good one and did not press for an answer. But the fact is, he takes the responsibility, upon the advice of his solicitor, of objecting to answer this question, and in this manner he comes before this House. Now it is clear under the English practice and the English authorities that this is a subject that may be inquired into in such cases. The Act of 1857 fully recognized that as a defence, but no rule of procedure was laid down, and no means provided whereby this could be worked out. But that difficulty was removed by the Act of 1860, in which was enacted that :

Any person shall be at liberty in such manner as the court shall by general or special order in that behalf from time to time direct, to show cause

why the said decree should not be made absolute by reason of the same having been obtained by collusion or by reason of material facts not brought before the court; and on cause being so shown, the court shall deal with the case by making the decree absolute or by reversing the decree nisi, or by requiring further inquiry, or otherwise as justice may require.

Now it may be argued that, these two grounds being the only ones, this case comes within neither of them. But the authorities are clear that the conduct of the petitioner is material which may be referred to under the second head, that is the suppression of a material fact; and the English practice provides that where the respondent does not come into court and raise that question the Queen's Proctor, representing the Queen and the public, may do so at any stage in the proceedings. The authorities put it in this way :

Until after the decree 'nisi' is pronounced, the Queen's Proctor seldom, if ever, has material on which to intervene.

The Queen's Proctor intervened after decree 'nisi,' alleging adultery by the petitioner subsequent to that charged in the petition, and on proof of it the decree was rescinded.

There are many cases cited in our authorities on that point which show that the suppression of a material fact may be brought out, and if brought out, it is an absolute bar to the relief. I do not wish to take up the time of the House further than to call attention to the authorities on that point. In Bishop on Marriage it is laid down that it will not avail the plaintiff that he is less guilty than the respondent. He must come into court with clean hands. In Geary on Marriage it is laid down that if the petitioner has been guilty of adultery he (or she) cannot obtain a separation on the ground of any matrimonial offence committed by the respondent, whether cruelty, however aggravated, or adultery or both, for adultery by the petitioner is an absolute bar. If, therefore, the act sought to be inquired into by one member of the committee, which by reason of the objection to answer the question, was not inquired into, is an absolute bar to relief, then it would not be proper for relief to be granted in this case. The distinction has been drawn in some cases that have been settled merely on the ground of practice. In our English courts, where they have rules of practice and procedure, the parties are put at arm's length, and in due time the Queen's Proctor is instructed that he is to present and upon the record the lines of his defence or the objections he has taken to the decree. He has, therefore, in some cases been ruled out by the lateness of the hour at which objection is taken, or by the manner in which the record stands; but in a court of Parliament like this, where we have no pleadings, where there are no strict rules of action whereby we are to determine

whether relief shall be granted or refused, we are not bound by any such rules, and when the petitioner refused to answer that question he disentitled himself, in my belief, to relief. I would also call the attention of the committee to the evidence of collusion—which I will not allege as conclusive—which is another reason why relief of this kind should not be obtained. The recital of the facts points very clearly to a desire on the part of both parties for a divorce. It is very strange, too, that this woman who, deserted in France, after she returned to this country and lived in this respectable manner with her mother for a space of six years, should suddenly not only depart from virtue, but flaunt her conduct in the face of the world. It looks very much as if she was endeavouring to show in a public manner that after enduring her neglect for so long a time, she had at last thrown off all shackles of law or decency, and decided to flaunt her conduct before the world. There is no doubt from the evidence given that she was guilty of the act complained of. As soon as knowledge of her guilt comes to the husband, proceedings are taken, and shortly afterwards she writes a letter, which is put in evidence, to the petitioner's solicitor, in which these words are found :

Mr. Fitzpatrick has forwarded me your letter, and I hasten to answer. Will divorce be pronounced soon, as I am at least in much haste as Mr. Dillon to see this tiresome affair finished. Will you let me know when the divorce will be granted, as I do not wish to bear any longer than is necessary this name under which I have been so thoroughly unhappy.

I call attention to the facts that immediately after this departure from virtue, action was taken, and shortly after that this letter was written, which to my mind presents a suspicion, if not an evidence, of collusion. I submit therefore, first, that when he had no cause whatever to seek a separation, desertion on his part disentitled him to relief; secondly, that he is not entitled to relief on the ground that he refused to answer a question regarding his own conduct during the period of separation; and thirdly, in view of the evidence, it would be dangerous to grant relief since a suspicion of collusion has been raised.

Mr. WELDON. I rise to press upon the House the view that this House, according to the authorities, and under a sound practice, has no duty in a case like this but to grant a second reading. I will not argue the question of fact which has been raised by the hon. member for North Grey (Mr. Masson). A divorce Bill, as we all know, is a private Bill, and the practice governing divorce Bills that has prevailed in this Parliament for twenty years or longer, is clearly laid down in Dr. Bourinot's Parliamentary Procedure. On page 771 of Bourinot's Parliamentary Procedure, I read :

The incorrectness of the procedure in the Peterson case became obvious, and the House agreed that divorce Bills ought to follow the practice laid down for all private Bills.

I turn now to the practice laid down by May, and endorsed by Dr. Bourinot, with reference to the duty of the House at this stage in dealing with private Bills. At page 726 Dr. Bourinot quotes from May :

The second reading corresponds with the same stage in other Bills, and in agreeing to it, the House affirms the general principle or expediency of the measure. There is, however, a distinction between the second reading of a public and of a private Bill, which should not be overlooked. A public Bill being founded on reasons of state policy, the House in agreeing to its second reading, accepts and affirms those reasons ; but the expediency of a private Bill being mainly founded upon allegations of fact which have not yet been proved, the House in agreeing to its second reading affirms the principle of the Bill conditionally, and subjects to the proof of such allegations before the committee. Where irrespective of such facts, the principle is objectionable, the House will not consent to the second reading ; but otherwise the expediency of the measure is usually left for the consideration of the committee.

In short the view is that on the second reading of a Bill, if the House is satisfied, first, that it has jurisdiction, and secondly, that the reasons alleged on the face of the Bill are not repugnant to some rule of policy ; in the case of divorce Bills, for instance, and if the facts alleged to support a case of adultery on the part of the respondent, are proved, then we have jurisdiction, and it conforms to our policy to support the Bill. I hold, therefore, that at this stage, there being an allegation of adultery on the part of the respondent, and there being no doubt about the jurisdiction of the House, it is our simple duty to give a second reading to the Bill. I do not forget that we have sometimes departed from a sound practice, but I think every member of the House will agree that it is better to bring Parliament back to a sound practice in this matter ; that is to say, that instead of doing as we have occasionally done, discuss questions of fact and questions of law in a full House, it would be far better to discuss questions of this sort in committee. Under the rule we have laid down, these questions of fact should be first ascertained in a small tribunal, a body much more like a court of justice, the standing Committee on Private Bills, and we would certainly prefer that these embarrassing questions should be argued out and points of fact determined there before the House deals with them. Therefore, I urge that the House simply as a matter of form, should give this Bill a second reading. I may say with regard to the positions taken by the hon. member for North Grey on points of law, some are un-

Mr. WELDON.

answerable, so far as I know, and I will not controvert any position that he took, except as I may do so in raising this point of practice. We have been in the habit of taking the findings of the Senate Committee as our basis of fact, and in that I think we are wrong. We have our own committee in which we should ascertain the facts, instead of taking for granted the statement of facts furnished us by the Senate committee. We have the right to bring other witnesses and examine them ; and I would point out how inconvenient it is to take it for granted that the Senate committee know the facts, and our own committee does not know them at all. Let me say, though it is not very germane to this discussion, that it is well worth considering, whether the two Houses of Parliament should not agree to a special procedure in dealing with these divorce Bills, and appoint a joint committee, so that there would not have to be two distinct committees to conduct trials of fact. For my own part, I would be glad to see such a material alteration in our practice.

Mr. EDGAR. I am inclined to agree entirely with my hon. friend who has just spoken, in thinking that the Private Bills Committee of this House has the fullest sort of jurisdiction to look into all questions of fact connected with divorce Bills, or any other Bill. I think it is certainly unwise to take up the time of the House unnecessarily in assuming a condition of facts that may be disputed, or that may be cleared up by an inquiry before our own committee. I am rather inclined to think a divorce Bill might be introduced into this House as well as into the Senate, and put through our Private Bills Committee, and sent to the Senate like any other private Bill. However, that question need not be discussed just now, but I certainly think, with all due deference to the conscientious objection to which some may hold to divorce Bills in general, this Bill ought to be referred to our Private Bills Committee, and then, when we get their report, we can consider the matter.

Mr. CHARLTON. It seems, from the opinion expressed by my hon. friend from Albert (Mr. Weldon) and my hon. friend from North Grey (Mr. Masson), and others, that a difference of opinion exists in this House as to the proper course to take in granting divorces. I have felt ever since I entered Parliament that our procedure in this House with respect to divorce was most absurd. The granting of a decree of divorce is a judicial act. I am called upon to-day to act as a judge in a matter I know nothing about, in a matter on which there is a difference of opinion as to whether the Bill should be allowed to pass, pro forma, and whether the man is entitled to a divorce or not, because of

certain circumstances; a difference prevails as to the facts, and yet we are called upon to act as judges in a matter of the very greatest consequence to the individuals concerned. I contend that if a divorce is to be granted at all, it must be for certain defined acts, these acts must be defined by law, and the granting of a divorce should be a proceeding had before a court—the decree should be granted by a court; and the system of introducing a Bill into the Senate and sending it before a committee of that body, and afterwards sending down the Bill to this House, where not one in ten of the members knows anything about it, and asking concurrence in the Bill is an absurd mode of dealing with the question. It is a mode not judicial in its character, and the sooner we get rid of this system in the provinces wherein individuals have to apply to this Parliament, the better it will be to all concerned. I repeat that the granting of a divorce is a judicial act, it is one that should emanate from a court of law; evidence should be heard before a judge, and, after the evidence has been taken, the judge should determine whether it warrants the granting of a divorce, and, upon his decision the decree should be given or withheld. This duty can only be performed, properly, by a judge of a divorce court. Whether we understand this divorce case or not, we are called upon to vote on it, and I enter my protest against this mode of performing this very important and delicate task, which should be discharged by a court of law, and should come before a court and not this House for adjudication.

Bill read the second time, on a division.

EXPORTS AT NIAGARA FALLS AND FORT ERIE.

Mr. COLTER (for Mr. Featherston) asked, What is the amount and value of goods exported as freight via the ports of Niagara Falls and Fort Erie; also, the amount and value of goods via the same ports by express?

Mr. WALLACE. The value of the exports entered through the Customs at the port of Niagara Falls during the fiscal year of 1893, was \$1,452,430. The value of exports entered through the Customs at Fort Erie during the fiscal year 1893 was \$1,403,868. The Department of Customs makes no statistical record of goods exported by express as distinguished from goods exported in any other way.

IMPORTS AT NIAGARA FALLS AND FORT ERIE.

Mr. COLTER (for Mr. Featherston) asked, What is the amount and value of goods imported into Canada via the ports of Niagara Falls and Fort Erie, as freight; also the amount and value of goods by express?

Mr. WALLACE. The value of imports entered through the Customs at the port of Niagara Falls during the fiscal year 1893, was \$1,488,023. The value of imports entered through the Customs at the port of Fort Erie during the fiscal year 1893, was \$940,752. The Department of Customs makes no statistical record of goods imported by express as distinguished from goods imported in any other way.

IMPORTATION OF ALLEGED IMMORAL BOOKS.

Mr. McCARTHY asked, 1. Whether a seizure was made by the Collector of Customs at the port of Montreal on the 1st May, 1894, of certain books imported by Mr. Norman Murray, on the ground that the same were of an indecent and immoral character? 2. Whether the Commissioner of Customs has made any report, given any opinion or made any recommendation with reference to the said seizure to the Controller of Customs? 3. If so, when was the report, opinion, or recommendation given, and what was the purport thereof? 4. Has the Controller given any decision in the matter respecting the seizure? If so, what is his decision? 5. Did Mr. Norman Murray, on the 12th June last, write to the Controller of Customs, asking whether the Commissioner had reported as to the seizure, and what the decision of the Controller of Customs was? 6. If so, has the Controller answered Mr. Murray's communication?

Mr. WALLACE. My answer to the first question is, yes; to the second question, no. The third question is covered by my answer to the second question. My answer to the fourth question is, no. To the fifth question, I cannot say; to the sixth question, no; no trace of any such communication can be found in the department.

CHICAGO EXHIBITION.

Mr. INNES asked, Have the Government received any official report from the commissioners appointed to the Columbian Exhibition held in Chicago last year, or is any report expected? If so, when will said report be presented to this House?

Sir CHARLES HIBBERT TUPPER. The Minister of Agriculture has received the official report of the commissioners, and it will be laid before the House as soon as printed.

INQUIRIES FOR RETURN.

Sir JOHN THOMPSON. I wish to state as regards two returns asked for in reference to the industries in Guysboro' and London, that the vote for publishing these returns will not be available until the Appropriation Act is passed. When they are printed they will be delivered, but I am afraid it will be after prorogation.

Mr. MARTIN. What about the two returns, one by the member for North Norfolk (Mr. Charlton) and one by myself, respecting the cost, &c., of the Columbian Exhibition? I was told the other day that inquiry would be made in reference to it.

Mr. CHARLTON. The order of the House for these returns was issued early in the session, and they should have been down long ago.

Sir JOHN THOMPSON. I presume the reason is the same as I gave with reference to the other returns.

Mr. MARTIN. No, some of the officials of the department wrote me some time since, to know if the one return would do for the two motions, and I answered that it would, if it covered all the information I required.

Sir JOHN THOMPSON. I will inquire about them.

Mr. McMULLEN. Three months ago an order of the House was granted for a return for the construction of buildings in Manitoba and the North-west during the last three years. That return should have been brought down long since.

Mr. COSTIGAN. I have asked all the departments which have been required to furnish returns to the House to make a statement of the reason as to why returns have not been brought down, and when they expect to have them ready. I hope to have that statement at the opening of the House to-morrow.

THE TREATY WITH FRANCE.

Mr. MILLS (Bothwell). I wish to ask information from the Government in reference to a matter which appears in the blue-book in relation to the treaty between Canada and France. I notice that in a despatch of the 6th February, 1893, the Prime Minister telegraphed to the High Commissioner, as follows:—

No draft received; no steps shall be taken towards ratification until we cable approval. At present cannot understand what terms proposed either side.

Two days later the High Commissioner telegraphed:

Treaty was signed on Monday in accordance with instructions from your Government.

Reading over the papers that have been included in this blue-book, I do not find any instructions of the character mentioned in this communication from the High Commissioner.

Sir JOHN THOMPSON. I presume that the instructions that he referred to were the original instructions on which the negotiations were founded. There were no specific instructions to sign the treaty. What

Sir JOHN THOMPSON.

Sir Charles Tupper evidently meant was: that he had signed the treaty in accordance with what he understood our instructions to be.

Mr. MILLS (Bothwell). Does the hon. gentleman mean by instructions, this Order in Council?

Sir JOHN THOMPSON. That, and whatever correspondence preceded it. But there is no other correspondence regarding the signing of the treaty except what is here.

THE CRIMINAL CODE.

Sir JOHN THOMPSON moved third reading of Bill (No. 126) to amend the Criminal Code of 1892.

Mr. McCARTHY. When the amendment was made in Committee of the Whole to section 22 of the Criminal Code, I suggested that perhaps the amendment was not in the proper direction, and I am still of that opinion. I think that the power given to arrest for every offence mentioned here is not in consonance with our practice in criminal matters, nor is it any improvement upon the present system. I can perfectly understand authority being given to arrest where an offence is committed of a grievous character. But this amendment would permit the arrest of any offender for any offence against the Act no matter how trivial the offence might be. We may have gone too far already in the Act, as the hon. member for Winnipeg (Mr. Martin) has pointed out, but that does not appear to be any justification for reconciling these two clauses of the Act by an amendment in the wrong direction.

Mr. MARTIN. The remarks of the hon. gentleman (Mr. McCarthy) appear to me to apply, not to my amendment, which was accepted the other day, but to the provisions of section 552. The only effect of this amendment is to make clause 22 clear, and to make it mean what it evidently does mean. If the objection of the hon. gentleman is a good one, it should be remedied by changing clause 552. If this amendment is not retained, it leaves clause 22 nebulous and doubtful.

Mr. McCARTHY. Perhaps clause 552 ought to be amended. It is bad enough that a person should be arrested by a police officer under clause 552, but it is still worse if he should be arrested on mere suspicion of any offence. I quite agree that the statute needs amendment, but it does not follow that because clause 552 has gone too far that we should ratify it by amending clause 22. It is far better to leave clause 22 in a nebulous state than to make it bad. I move that the Bill be not now concurred in, but that it be referred back to the Committee of the Whole with power to strike out the amendment to section 22.

Motion agreed to; and House resolved itself into committee.

(In the Committee.)

Sir JOHN THOMPSON. I think the hon. member for Winnipeg is right in supposing that the construction of the section as it stands on the Statute-book is the same as the amendment we adopted in committee the other day. But it may be that that section goes too far, and I would ask the hon. member to consider whether we had better not omit the amendment at present, and consider the subject more fully?

Mr. MARTIN. I am inclined to think that section 552 goes too far in giving the police officer power to arrest for every offence under the Act, and, for the reasons mentioned by the hon. gentleman, I have no objection to let the amendment stand.

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

SUPPLY—CONCURRENCE.

Resolutions reported from Committee of Supply (July 6th) were read the second time and concurred in.

SECOND AND THIRD READINGS.

Bill (No. 154) further to amend the Acts respecting the Civil Service (Mr. Costigan), read the second time, considered in committee, reported, read the third time and passed.

Bill (No. 155) to amend the Act respecting the Judges of Provincial Courts (Sir John Thompson), read the second time, considered in committee, reported, read the third time and passed.

HOUSES OF REFUGE, ONTARIO.

Bill (No. 156) respecting Houses of Refuge for Females in Ontario, read the second time, and House resolved itself into committee.

(In the Committee.)

Sir JOHN THOMPSON. An Act was passed by the Legislature of Ontario applying to all offences cognizable by that Legislature, and this Bill, which deals with the same matter, relates to offences over which we have jurisdiction.

Bill reported, and read the third time and passed.

CANADIAN PACIFIC RAILWAY—DRAWBACKS ON ARTICLES USED IN CONSTRUCTION.

Mr. HAGGART moved that the House resolve itself into committee to consider the following resolution:—

That it is expedient to provide that the words 'original construction,' in section 1 of chapter 7 of the Statutes of 1882, respecting the allowance

of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway, shall be construed to extend and include the first iron or steel bridge erected in a locality, but not to any renewal or repair thereof:

Mr. LAURIER. Will the hon. gentleman please explain?

Mr. HAGGART. The object of the resolution is to give interpretation to section 1 of chapter 7 of 45 Victoria, which reads:

The Governor in Council may, from time to time, make regulations for ascertaining the quantities and values of fish-plates and other fastenings, spikes, bolts, nuts and iron bridges manufactured in Canada and procured by the Canadian Pacific Railway, to be used in the original construction of the Canadian Pacific Railway, as defined by the Act thirty-seventh Vict., chapter fourteen and also the quantities and values of all the telegraphic apparatus manufactured in Canada and procured by the said railway company to be used in the original construction and in the first equipment of the telegraph line in connection with the Canadian Pacific Railway.

Under this clause they sent in a request—

Mr. LAURIER. Who did?

Mr. HAGGART. The Canadian Pacific Railway—for a rebate on the steel bridges which they are now putting in on certain portions of their line to replace temporary works which they had at the time of construction. It was held that the words "original construction" prevented them from getting the drawback which they thought they were entitled to under this clause of the Act, and the object of the step now proposed is to give the interpretation indicated to the words "original construction."

Mr. LAURIER. It is difficult for any body to form an opinion as to the merits of the legislation which is now sought. The explanation which has now been given by the Minister of Railways show that this application comes from the Canadian Pacific Railway Company. The hon. gentleman will realize at once that the House cannot come to any conclusion upon this point unless it be placed in possession of the correspondence on which he is now acting. The very first thing he told us was that application had been made by the Canadian Pacific Railway to obtain certain things which they are not entitled to under the Act. Under such circumstances, the hon. gentleman in my judgment, cannot proceed to a conclusion with this motion unless we have the correspondence. I do not, at the present time, offer any formal opposition, I do not object that the House should go into committee, but I suggest that the matter should be left in committee until we have the correspondence before us.

Mr. McCARTHY. I understand that the explanation given us is that the words "original construction" in the charter of the Canadian Pacific Railway Company mean

what they say, and that what the Canadian Pacific Railway Company are now applying for is to be permitted to get a drawback upon the iron or steel bridges which they are now building to replace original construction. I agree with what has fallen from the hon. gentleman who has just addressed the House (Mr. Laurier), that it would be more convenient if we had the correspondence. I understood the Minister of Railways to say—and I suppose he does so on the advice of the Minister of Justice—that the Canadian Pacific Railway is not entitled, as the law now stands, to this drawback. What is desired then, is that an amendment should be made to the contract between the country and the Canadian Pacific Railway to give them a drawback to which they are not entitled.

Sir JOHN THOMPSON. I think that is not exactly the position. Though it is quite proper that any application made, and the correspondence upon it should be brought down, I am afraid that that correspondence is of so meagre a character that it will not throw much light upon the question. But the Canadian Pacific Railway Company's contention is that the expression "original construction" includes every original construction on the road that is made of iron or steel. But the interpretation which I thought we were bound to put on the Act, in order to guard the Treasury as much as possible, was that it did not include these structures, in consequence of our having declared, for the purpose of the subsidy, that the railway had been finished. Now the plans and arrangements of the Canadian Pacific Railway undoubtedly were that in all these parts of the road where these structures are about to be put in, or have been put in recently, structures of iron or steel were to be inserted. But in order to expedite the opening of the road for traffic temporary structures were erected, and the contention of the company is that they should not be prejudiced by the fact that they opened the road for traffic five years before the period provided for by the contract, when, if they had occupied these five years in construction, they could have put in these iron or steel structures. And they contend that they would be prejudiced if these temporary structures of wood—such as trestles, &c.—were to be held to be the complete construction of the road within the terms of the Act. They claim that they should be permitted, notwithstanding that—for the purposes of expedition—they used these temporary structures they should be allowed to finish the road according to the original plan. And they say that that reading of the Act would be satisfied only by allowing them to insert iron or steel instead of the temporary structures, and that a drawback should be allowed upon these. It is understood to have been in the interests of the manufacturers of the country who are engaged in this kind of industry that this provision was adopted, with a view to hav-

Mr. McCARTHY.

ing these structures produced in Canada, and, I think, it would be to the advantage of that industry that the drawback should be allowed on the terms contended for.

Mr. McMULLEN. I would like to know if this will only apply to the main line of the Canadian Pacific Railway?

Mr. HAGGART. Yes, only the main line—not the branches.

Mr. EDGAR. Can the hon. Minister of Railways give us an idea of the amount involved?

Mr. HAGGART. I could not give the amount.

Motion agreed to; and House resolved itself into committee.

(In the Committee.)

Mr. LAURIER. I would suggest that the hon. gentleman do not take this through the committee to-day, but give us the correspondence, so that we may discuss it in committee. The hon. gentleman will admit that we are not in a position to discuss it at the present time. The correspondence surely cannot be of so meagre a character as the First Minister suggested, for I understand that his arguments were derived from the correspondence.

Sir JOHN THOMPSON. What I got was from arguments addressed to myself in argument by the counsel of the company.

Mr. HAGGART. I think that the application only covers a couple of pages. I have lost the correspondence. I telegraphed for it to-day and I expect an answer this evening. It was simply a request of the kind I have mentioned. I referred it to the Minister of Justice to see what interpretation he would put upon the clause of the Act, and he did not seem to think that it would allow of this drawback being given.

Mr. LAURIER. Is there a report from the Minister of Justice?

Sir JOHN THOMPSON. I think so.

Mr. HAGGART. I do not know whether there is a report or whether it was a verbal communication. At any rate it was to the effect that the clause did not cover the demand made.

Committee rose and reported progress.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Towards meeting expenses of
Intercolonial Convention..... \$5,000

Mr. CHARLTON. Will that convention close its labours to-morrow?

Sir JOHN THOMPSON. I think it will close to-morrow.

Mr. LAURIER. May we expect that a report of the proceedings of the convention will be laid before Parliament as soon as it has concluded its sittings?

Sir JOHN THOMPSON. Of course I am not in a position to promise, but my expectation is that the proceedings will be made public at the close, and, if so, they will be laid upon the Table at the earliest moment possible.

Mr. PATERSON (Brant). How much does the Minister expect he will have to ask for?

Sir JOHN THOMPSON. I think this is the last time of asking.

To pay W. Gliddon for services, according to request, as expert in ascertaining the cost of production of certain printing works as set forth in the schedule attached to the report of the referees in the case of McLean, Roger & Co. vs. The Queen, notwithstanding anything in the Civil Service Act to the contrary..... \$100 00

Sir JOHN THOMPSON. Mr. Gliddon is in the civil service, and he could not be paid without a special vote.

To recoup the vote for unforeseen expenses (\$10,000) and in addition to provide a further amount (\$10,000) for expenses in connection with the Royal Commission on the Liquor Traffic, including translating, printing, &c..... \$38,000

Mr. CHARLTON. When may we expect the report?

Sir JOHN THOMPSON. Well, considering the lapse of time, we may expect it at any moment; we have a right to. I am very sorry the report has been so long delayed; it is contrary to the expectations of the Government, who fully expected, since Parliament opened so late, that we should have it within the first week of the sitting. I can assure the committee that the Government have not failed to press very earnestly and with great persistence upon the commissioners, the necessity of giving us their report.

Mr. MILLS (Bothwell). I suppose the commission is sober enough now to make their report?

Sir JOHN THOMPSON. I think they have recovered from the evidence they took. We have been led to expect, at least, a preliminary report about the opening of the session, but various circumstances, which have been communicated to us from time to time, have been given as delaying it. But we have the assurance of the commissioners that within a very few days the report will be ready.

Mr. CHARLTON. If the Government are disappointed, in view of the length of time that has elapsed since this commission was appointed, in not having received a report, I can assure the hon. gentleman that the Opposition are not disappointed. It was expected by many members upon this side of the House, when this Royal Commission was appointed, that the course of events would be just about what they have been, that this commission would be a very long time in making its report, that the proceedings, in fact, would be a dilatory proceeding. The temperance people of this country. I am free to say, are not very well satisfied with the course matters have taken. The pressure of temperance sentiment, we know, of course, is an embarrassing thing to the Government, and the prohibitionists' demands are demands that the Government have not been ready to take into serious consideration. The appointment of the commission was a very astute political expedient, beyond question, and I think if they had no instructions to that effect, they have imagined and have carried out what was wanted of them, and have guessed very correctly at the object of their appointment. They have served the purpose of the Government admirably in the delay that has occurred in making their report. I have always held, and I hold to-day, that the commission was utterly useless, that we did not require to know whether whisky was a bad thing, whether the evils of intemperance are very great, whether the prohibition of the sale of liquor would be a good thing for the country. These questions that have been discussed so long in this country, were questions that required no Royal Commission to deal with. I imagine that when we get the report and evidence of that commission we will have a great mass of material of very little or no use at all to the country. I have watched the proceedings of the commission so far as I have been able, and they seem to have travelled about the country in a sort of a jaunting style; they have called before them liquor dealers, hotel-keepers, saloon-keepers, and all classes of the community, and what in the world will be the use of all that mass of material they have been collecting, I am at a loss to understand. Of course, we will know better what the character of the evidence is when we come to see it. I venture to predict now that we will not have the report before the country, so that the people may have time to digest it and form opinions upon it, very much before the next election comes on. The appointment of the commission was a very good political expedient, I repeat; it carried this question on over several sessions, it removed from the Government a difficulty that confronted them, and it put the evil day away from them. But we have got, some time or other, to face this temperance question. The appointment

of Royal Commissions, and the staving off of action must terminate, and the sentiment of the country demands that something else be done. It is evident that temperance sentiment is growing, and this question will have to be met; and if the Government will proceed to take such a course as the Liberal party of Canada has pledged itself to take when it comes into power, to refer this question to the people, to take a plebescite, in order to ascertain what the state of public sentiment is, for it cannot be ascertained by Royal Commission, or by investigation of any other kind, however searching, they would be, adopting the desirable course. The proper foundation on which the predicate action is to ascertain definitely what the state of public sentiment is. If a great proportion of the people are in favour of a prohibitory law, it will be the duty of any Government in power to place such a law on the Statute-book. If such a public sentiment did not exist, it would be impossible to enforce a prohibitory law. When we get ready to ascertain what the state of public opinion is, to get rid of trifling and adopting political expedients for putting off the necessity of action, and amusing the people, it will be found desirable to find out what course to adopt, and provide for laying the matter before the people, and asking them for their mandate, and decide this question, entirely separate from all other political questions, as a question standing strictly on its own merits, when we come to ascertain directly and positively what is the desire of the people in respect to a prohibitory law, then we will be in a position, not to appoint Royal Commissions and go on with this fooling of the public from year to year, but to face the question and definitely decide whether public sentiment does or does not demand an enactment of a prohibitory law.

Mr. PATERSON (Brant). I see \$10,000 in the item to recoup an amount taken from the sum provided for unforeseen expenses. I take it that amount has been used for this purpose. Does the Minister know what has been the cost of the commission to the present time, and also what it is likely to cost before it is finally completed?

Sir JOHN THOMPSON. Up to the present time the Royal Commission has cost about \$100,000.

Mr. PATERSON (Brant). Including this amount of \$18,000 for printing and translating?

Sir JOHN THOMPSON. Yes; but that sum does not include everything. There will be a vote in the further Supplementary Estimates to cover the balance.

Mr. McMULLEN. I should like to ask the First Minister whether it is the intention, when the report has been submitted, together with all the evidence, to refer the documents to the Supreme Court for their

Mr. CHARLTON.

opinion, or whether we shall deal with it here?

Sir JOHN THOMPSON. The subject has been referred there already, in order to save time, and not place us under the reproach of wasting time.

Mr. LAURIER. Do I understand the First Minister to say that the commissioners have not yet reported?

Sir JOHN THOMPSON. They have not yet reported. The evidence, however, has been sent in, and is being translated and printed.

Mr. PATERSON (Brant). Are the members of the commission the same members who were originally appointed, or have any been superannuated on account of age?

Mr. CHOQUETTE. Is the Government aware that Mr. Gigault, one of the commissioners, left yesterday for Europe?

Sir JOHN THOMPSON. I hope he will sign the report.

Mr. McCARTHY. Is the sum of \$18,000 for printing and translating included in the \$100,000?

Sir JOHN THOMPSON. Yes. I gave that as the total expense down to this time. It does not include everything—there will be about \$20,000 more to be paid.

Mr. McCARTHY. Are the labours of the commissioners practically concluded?

Sir JOHN THOMPSON. Yes, except signing the report.

Mr. McMULLEN. Will the details of the expenditure be subsequently given? How are the commissioners paid?

Sir JOHN THOMPSON. They are paid a per diem allowance and moving expenses.

Mr. McCARTHY. I understand that about \$20,000 more will be required?

Sir JOHN THOMPSON. Yes, about \$120,000 altogether.

Committee rose and reported resolutions.

THE INDIAN ACT.

Mr. DALY moved second reading of Bill (No. 116) further to amend the Indian Act.

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

(In the Committee.)

On section 1,

Mr. DALY. Under the old law, the consent of the Band and of the Superintendent General was necessary to a will made by an Indian. The approval of the band is done away with in this Bill, for the reason that it was found in a number of cases that some of the chiefs in council representing the band

would take a pique and prevent the provisions of a man's will being carried out, simply because they had some ideas of their own on the subject. It created a good deal of trouble amongst them, and this Bill provides that the Superintendent General alone shall consent to the will.

Mr. MILLS (Bothwell). I think it is very objectionable that the Superintendent General of Indian Affairs should have anything to do with making an Indian's will. If an Indian is capable of making a will at all, then it ought to be done without the interference of the Superintendent General. If he is not capable of making a will the law ought to decide what the disposition of his property should be and it should follow the law. It seems to me that it confers a dangerous power on the Superintendent General, and a power liable to serious abuse, however honestly he may be inclined, because he must get his information, not simply from the will itself, but from the parties who may be interested. That being so, the information upon which he acts may be very imperfect and unreliable. I am sure the hon. gentleman has discovered by this time, what an amount of intrigue often exists among parties in the band, and how difficult it is to ascertain precisely what the facts are in a given case. It seems to me that it would be very much safer and better, either to allow the Indian to make such a disposition of his property as he deems fit—within the limit that it shall not go to parties not entitled to reside on the reserve—or to take away the power of disposition of the property.

Mr. CHARLTON. I wish to add my protest against this arbitrary power being placed in the hands of the Superintendent General. These powers in this Bill are most autocratic, and you might as well give to the Superintendent General the power of making a will for an Indian. The only difference would be that he could initiate proceedings as to what could be done with the property, while under this Bill he has absolute power to countermand any disposal of the property an Indian may desire to make. I doubt whether it is proper to invest in the hands of any man such arbitrary powers as these. The object of the Bill is a good one, and if the Superintendent General is a man of the very highest character, and of purity of purpose, it might work properly; but if he is a man liable to be misled by intrigue or misrepresentations the effect of this clause may be indeed very pernicious.

Mr. DALY. The arguments of the hon. gentlemen would have some weight if this had not been the law of the country for over twenty years. The hon. member for Bothwell (Mr. Mills) has forgotten that under the law as it has been all these years the Superintendent General can disallow a will entirely. As the law is now, if there was an objectionable clause in the will, the Super-

intendent General would have to disapprove of the whole will, but under this Bill he can disapprove of a portion of it. The material change in the law is: that we do away with the consent of the band to the will, so as to get over these intrigues which the hon. gentleman refers to. We wipe out that feature of it entirely and simply leave to the Superintendent General the power he had before, but in the present case, he need not disapprove of the whole will, but only the portion of it that is not right. If the Superintendent General had not this power the Government could not control the disposition of lands upon the reserve.

Mr. MONTAGUE. I wish to call the attention of the committee to what seems to me, an omission in this Bill. Perhaps I can better explain what I mean by giving an example. There are Indians upon the reserve, in the constituency from which I come, who have quite an amount of property. In one case that I have now in my mind, the family of the Indian consists of two daughters who are married to Indians in another reserve in another part of the province. When this man dies, it appears to me that, by this Bill, he will not be allowed to leave his property to these daughters, as they have become by their marriage members of another band, and have no right to reside on the reserve. This circumstance would arise. In order that these daughters might benefit by his property, he would be required to sell it to some one entitled to live on the reserve, and suffer a loss in consequence. I have suggested to the Superintendent General that after the word "reserve," he might add these words, "except where the devise or bequest of land be made to the daughter, sister, or grandchildren of the testator."

Mr. DALY. I am of opinion that the amendment my hon. friend suggests is not necessary, because in the case he speaks of, the daughters would be entitled to reside on the reserve, notwithstanding that they had married and left it. That feature of the question was considered by the Department of Justice when this clause was framed, and that department was of opinion that people placed in that position would be protected.

Mr. MONTAGUE. That is not the general impression.

Mr. PATERSON (Brant.) From my experience of the Indian Act, my impression is that when a woman of an Indian band marries into another band, she ceases to be recognized by the band she left.

Mr. DALY. I am perfectly satisfied to accept the hon. gentleman's amendment.

Mr. CHARLTON. There is another difficulty. Unforeseen cases may arise of the same character as that suggested by the hon. member for Haldimand, and I am afraid that we are taking a course here

which may result in great loss and injury to innocent persons. I am unable to see why an Indian who possesses property should not be allowed to bequeath it without the interference of the Superintendent General, or anybody else.

Mr. DAVIN. He is only a child.

Mr. CHARLTON. He knows enough to acquire property, and he ought to know enough to devise that property. He is the person interested in it, his wishes ought to be respected, and I do not see why he should not be allowed to bequeath it without the interference of any official or any white man. By this Bill the Superintendent General is clothed with power that makes him a dictator; it makes him, practically, a tyrant over the Indians, and he may be the worst kind of a tyrant. He may thwart their purposes, and there is no check upon him whatever. I say, give to the Indian the right to bequeath his property without the interference of the Superintendent General, or any one else.

Mr. DAVIN. The remarks of the hon. gentleman on this subject affords an instance of the nonsense we frequently hear in this House when gentlemen speak on subjects of which they know nothing whatever. If the Indian were not protected by such provisions as this Bill contains, he would be plundered by designing persons. Everybody who knows anything of the Indian, knows that although in stature a man, he is, in intelligence, a child; and he would give away his property for a mere song. The tyrant the hon. gentleman calls the Superintendent General is the same kind of a tyrant as a parent is over a child from its infancy to the time its capacity for responsibility is reached. He is the loco parentis in regard to the control of the property of the Indians and is under no temptation to play the part of the tyrant. If such a power were not given to the Superintendent General, it would have to be placed in the hands of a judge or some one else, to take charge of these wards of the people of Canada. My hon. friend from North Norfolk, who talks about an Indian being allowed to dispose of his property as a white man disposes of his, is too humane, too Christian, too good a man to utter such a sentiment, if he knew anything about the Indian character.

Mr. LAURIER. It seems to me that the hon. member for Assiniboia is not as familiar with the subject as he pretends to be. By the law, as it exists, the power of the Indian as a testator is limited. He has not the power of devising that is given to the white man; he must devise under certain limitations.

Mr. DAVIN. The hon. member for North Norfolk said he should have the power of the white man.

Mr. CHARLTON.

Mr. LAURIER. My hon. friend said that if limitations were to be put upon the liberty of the Indian, they should be fixed by the law, and not left to the will or caprice of the nation; and that is what I object to, too. The law at present does not allow the Indian to bequeath his property outside of the reserve or to any person beyond the degree of relationship of a first cousin. That is very proper; but the Minister of the Interior is seeking to remove those restrictions of the law, and to place the matter wholly in the hands of the Superintendent General of Indian Affairs; and the reason he gives is that it is to avoid disputes that might arise in the band. I cannot conceive that there could be any great difficulties in the working of the law when it is limited by the provisions I have spoken of; but the hon. Minister proposes to remove these restrictions and leave the question whether the will of an Indian shall prevail or not, entirely in the hands of the Superintendent General.

Mr. DALY. Surely the hon. gentleman has not read the law. The will of the Superintendent General is now required absolutely.

Mr. LAURIER. I know all that; but the law says that no will shall become valid unless the property is devised in the family and kept in the reserve, and, as I read the Bill, this power is transferred to the Superintendent General.

Mr. DALY. If the hon. gentleman waits until we get to the subsequent sections of the Bill, he will find that everything is provided for. I would like the hon. gentleman to instruct me as to this point. Instead of the restriction which I find here, that is to say, that the Indian who makes a will must devise and bequeath his property within his own family, I see only this, that while the Indian is at liberty to draw a will as he pleases, the Superintendent of Indian Affairs is at liberty to approve it or not.

Mr. McCARTHY. I think the hon. gentleman is right. The limitation appears to be according to the proposition here that a person who resides on a reserve shall not be entitled to bequeath to any, except one who also resides on the reserve. Whereas the law, as it was, coupled with the necessity of residing on the reserve the further limitation that the property should be left to the testator's family. So that there is a very substantial difference in that respect.

Mr. MILLS (Bothwell). The clause giving the Indians power to devise land at all, where he is not emancipated, does not date back further than 1881. That the Indian should have control over his personal property and may fairly be trusted with the bequeathing of that to those members of his family he may deem proper, may not be an unreasonable provision. But where

the Indians are unemancipated Indians, it does seem to me altogether at variance with public policy that we should, by devise, bequest, or in any other way, create a new distribution. One of the difficulties I am sure the hon. gentleman must have already ascertained, is that by licenses permitting Indians to deal among themselves, some members of the band have come into possession of a very large portion of the reserve, while others have nothing beyond the simple annuity which has been allowed to them; and I know myself cases where, were it not for this liberty that has been given them in certain cases, which has given rise to inequality, and which has led to great hardships on the part of certain portions of the Indians, many of them who are now wards of the Government would have ere this have applied for emancipation. We know that on the continent of Europe, where people are much better qualified to deal with the subject of property than the Indians who are wards of the Government, the law itself determines what the distribution of real estate, to a very great extent, shall be, and it does not leave to the party who is in possession the right to altogether decide how that property shall go. If on the grounds of public policy, that may be done in the case of a population qualified to deal with their own property and to take care of it—intellectually qualified, I mean, not legally—it seems to me of even greater consequence that the Government ought not to put in the power of the Indians, so far as real estate is concerned, which is still in the hands of their chiefs, held in trust for the whole band, and which no Indian has anything more than the usufruct during his own life—the Government should not give these Indians the power of saying that one man of the family should hold the whole of the property to the exclusion of all the others. I do not think that is a good way to prepare the Indian population for emancipation. My opinion is that when you confer upon the Indians the power to devise or bequeath personal property, you go as far as you ought to go, and that in all cases where the Indian is not prepared to accept, or where the Superintendent General thinks he is not qualified to receive emancipation, the law itself ought to decide how the real estate belonging to the band shall be disposed of. I am sure that will be more satisfactory; it will give less opportunity to those who are grasping to obtain more than their due share of the reservation, and will relieve the Superintendent General himself of a very great deal of unnecessary work and prevent his becoming an instrument of injustice in many cases. I know this has sometimes happened—I do not know whether it has fallen in the experience of the hon. member for Assinibola (Mr. Davin), but I know there are cases where a portion of an Indian band became converted to Christianity and an-

other portion remained pagan, and where an attempt was made on the part of some of the families to punish either the one class or the other, either in consequence of their non-acceptance of the new faith, or of their acceptance of it. I dare say the hon. gentleman himself may have had brought before him instances where attempts were made to deprive a member of the band of his office as head man or chief because either he has become a Christian or has refused to become one, because of the power of creating disabilities, both as affecting rank and property among the Indians, is practised with great impartiality between those who are pagan and those who are Christian. Each class is equally ready to employ whatever power it possesses in this way to inflict disability and punishment upon those of contrary opinions. It does seem to me it would be safer if the law continued as formerly, that the reserve should be distributed amongst the members of the band as nearly equal as possible, that the principle of equal distribution should be maintained as long as the Indian is unemancipated, and that power of disposition by will should be confined to his personal property.

Mr. PATERSON (Brant). One of the great difficulties in framing an Indian Act is the different stages of advancement of the various tribes. There are many degrees of advancement among the different tribes, and it seems to me that in the case of the more advanced bands, the object of legislation ought to be more and more in the direction of giving them control of their own affairs. It does seem an anomaly that they should be intrusted with the highest rights of citizenship, which we have given to them in the older provinces, and that in matters affecting themselves individually and their own property, they should be in such a condition as defined in this Bill, without the power even of devising any property, any personal property, they may possess, and with the Superintendent General having full power to nullify the will and declare that they have died intestate. If I rightly apprehend it, this is putting more power into the hands of the Superintendent General than he had before. It seems to me that in the case of the more advanced bands, we should legislate to give them greater control of their own affairs and not take away from them the limited powers they already have. It seems to me we should not take from the Indians and centre more power in the Superintendent General. Of course one can speak quite freely in this matter, because no Superintendent General will for the moment suppose that they are any insinuations thrown out against him as to his desire to do what is right, according to the best of his judgment. It can be understood that the more advanced Indians are feeling that they ought, in these matters, to have more control of their own affairs than they have at the present

time, and to give them less seems to me to be a retrograde step and one that will not be pleasing to them. Is it the intention of the Minister, under this clause, to provide that if an Indian is possessed of lands he cannot will it to any individual he chooses, but that he may will the proceeds of his improvements. Or does the Minister still retain, as I understand it, the power to disallow the will in toto, even as relating to personal effects.

Mr. DALY. Yes; certainly; that is the law now.

Mr. PATERSON (Brant). Instead of the band having anything to say about the land, that power is taken out of their hands and vested in the Superintendent General?

Mr. DALY. Yes.

Mr. PATERSON (Brant). Is not that giving the Indians less control than before? The land is theirs and is held in common. The Minister might explain what has led him to take this view. What cases have arisen and what difficulties does he seek to obviate by this means—for something must have actuated him in making these changes?

Mr. DALY. It is designed wholly for the purpose of carrying out the object mentioned by hon. gentlemen, and that sought by the more advanced Indians that of giving the Indians more extended powers as to the disposition of their property. By this law we are seeking to do this as far as justice will allow. This Bill provides that an Indian may bequeath property of any kind to any other person, provided that a bequest of land shall not be made to any one not entitled to reside on the reservation. Under the present law he is limited to devising property to people within his family. These changes have been brought about entirely at the suggestion of the Indians and are the outcome of the experience we have had with some of the more advanced and better educated class of Indians in the province of Ontario. I can see none of the difficulties ahead of me that hon. gentlemen have spoken of. The hon. member for Bothwell (Mr. Mills) gave us a disquisition upon the descent of real property, but, so far as the descent of real property of Indians is concerned, we are not changing the law except as I have mentioned. It is absolutely necessary that the Government, through the Superintendent General, should maintain control in order to obviate difficulties the hon. gentleman pointed out, namely, that the Indians should have no right to devise land to one not entitled to reside on the reserve. The land being the property of the band in common it should be held by those who alone are entitled to share the property in the reserve. All we are seeking is to permit the Indian to devise any and all kinds of property, and second to do away with the provision of the present law that the will shall receive the consent of the

Mr. PATERSON (Brant).

band. As I pointed out, cases have arisen where the council representing the band through pique or through ideas of their own, have simply refused to carry out the will of the testator.

Mr. MONTAGUE. Or through the influence of parties personally interested.

Mr. DALY. Yes, personal interest has also had its influence. Under the law as it stands the Superintendent General has the right to disapprove of the will, but he can only disapprove of it as a whole, and it may contain provisions that would be ultra vires of the law as to the devising of the land, and, in order to carry out the law that the Indians shall not devise property outside of the reserve, the whole will had to be set at naught. Surely no person taking the position of hon. gentlemen would object to a provision of this kind, for the Superintendent General can have no wish except to carry out the wishes of the Indians.

Mr. MILLS (Bothwell). Only that we do not want the powers of the testator lessened.

Mr. DALY. Certainly not; we only wish to hold control of the lands in reserve.

Mr. PATERSON (Brant). You do not say anything about a location ticket. Is any person in possession to have the right to devise whether he has a location ticket or not?

Mr. DALY. Certainly; it is very difficult to get them to take location tickets.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

House again in committee on Bill (No. 116) to further amend the Indian Act.

(In the Committee.)

On subsection 3 of section 1,

Mr. DALY. We strike out the words in the old clause which provided that the Indian woman shall be living with her husband at the time of his death, because a woman might be of perfectly good moral character and not be living with her husband at the time of his death through no fault of her own, but through immoral conduct on the part of her husband. As long as she is of good moral character, whether she is living with her husband or not, she is entitled to inherit.

On subsection 2,

Mr. McCARTHY. I was going to suggest that perhaps it would be more satisfactory if the words, "if she is a woman of good moral character" were left out. If she is living with her husband at the time of his death, that is sufficient to entitle her to inherit. Who is to judge as to her moral character? Possibly if the hon. member for Assiniboia were here, he would be able to tell us whe-

ther there are many women who would answer that test. It appears to me it is quite sufficient for us to know that she is living with her husband. I would move that those words be omitted.

Mr. DALY. That is exactly what we want to avoid. A woman may not be living with her husband, and still be of good moral character, but she may have been forced to leave her husband on account of the immorality of the husband. The law as it now stands provides that she must be a woman of good moral character and living with her husband at the time of his death. We strike out the words "was living with her husband at the time of his death," in order to avoid some cases of hardship that have occurred where a woman has been of good moral character, but owing to the conduct of her husband, has had to leave him.

Mr. McCARTHY. Put it the other way. You require two qualifications; you require her to be living with her husband and to be of good moral character.

Mr. MONTAGUE. I would suggest that that clause be amended further, and that after the words "widow" in the fourth line, we insert these words: "during her lifetime and after her decease, to the nearest of kin to the deceased husband."

Mr. DALY. I cannot accept the hon. gentleman's amendment.

Mr. CHARLTON. Is it in the opinion of the Minister of the Interior quite just to deprive a woman of all share in the estate of her husband if she does not happen to be a woman of good moral character? Perhaps a little injustice might be done. Even if not of good moral character, she might be entitled to something.

Mr. DALY. That has been the law for a great many years.

Mr. MILLS (Bothwell). I am sure the hon. gentleman must have discovered that it is a law which often works great hardship. You cannot set up the same moral standard amongst the Indian population that you do amongst the white population. There are cases where an Indian woman has left her husband and has been living for twenty or twenty-five years with another Indian, and her husband has taken another woman as his wife. You cannot deprive her of her annuity in consequence of the fact she is not living with her husband, although her conduct is quite as good, perhaps, as that of the vast majority of the Indian men. I brought the matter under the attention of the late Deputy Minister, that such complaints have been made, and I am quite sure that those who complained were not of a higher character morally than those against whom complaints were made.

Mr. DALY. We have met the objection by providing that the Superintendent-General shall be the judge. Formerly the Indians

were the judges, and probably for reasons better known to themselves than to the department a man or woman might make representations against a widow to show that she was not of good moral character, and those representations would be proved not to be founded on fact. Now it is discretionary for the Superintendent-General to make inquiries and ascertain whether the representations made are true, and if they are not true, he is of course not bound by the representations made.

Mr. MILLS (Bothwell). But where true, the same standard of morals which prevails among the white population should not be made to apply to the Indians.

Mr. DALY. I agree with the hon. gentleman.

On section 2,

Mr. MILLS (Bothwell). Where are the wills to be probated, and under what authority is the regulation made?

Mr. DALY. Probated in the county where the reserve is situated.

Mr. MILLS (Bothwell). This subject is, however, under the jurisdiction of the Local Legislatures. If the Indians are allowed to probate wills, this Government will have to provide machinery for probating them, because Indian lands are not under the jurisdiction of the province or subject to provincial law.

Mr. DALY. The first section of the Bill permits Indians to devise real and personal property outside of the reserve. Although as a matter of fact several wills of Indians have been probated in Ontario, it is questionable whether this should have been done. But having granted this power to Indians to devise their property, it is right we should provide as far as we can that their wills should be probated. To remove any doubt created by the probating of wills of Indians, we endeavour to provide, as far as possible, that an Indian's will shall be entered for probate.

On section 3,

Mr. CHARLTON. I infer that if an Indian should occupy any road allowance he would be liable to summary conviction by imprisonment. Why not first make provision that he should vacate the road allowance? He may occupy such by mistake, and yet he is liable to fine and imprisonment without notice having been served on him to leave it. It would be better to put the Indian in a position where he would receive notice, and then if he resisted the law, he might be punished.

Mr. DALY. This provision refers to any Indian other than a member of a band. This is the law which has been in force for twenty-one years. The provision is specially to provide against white men com-

ing on reserves and starting up liquor schacks.

On section 4,

Mr. MONTAGUE. I call attention to the fact that there is no authority in this clause for the Superintendent General to apply the annuity of an Indian who is absent from the reserve owing, for instance, to imprisonment, to the support of his wife and family.

Mr. DALY. We considered that the words used here "or of conduct justifying his wife and family in separating" were sufficient to cover the case mentioned by the hon. member for Haldimand (Mr. Montague). The reason for the change is: that we have had cases in which an Indian by his cruel acts has forced his wife to leave him and he was more guilty than if he had deserted her, but under the present law he could not be punished by having his interest money taken away from him. We want to preserve the rights to the wife and children. I think the clause would include cases mentioned by the hon. gentleman (Mr. Montague.)

Mr. MONTAGUE. I am afraid the hon. gentleman did not quite understand what I said. If an Indian commits a crime his annuity ceases while he is in prison. I contend that authority should be taken by the Superintendent General to pay that annuity to his wife and children who need it while he is in prison more than at any other time. The crime for which an Indian is imprisoned may not be such as to justify his wife and family separating from him in the eyes of the law.

Mr. DALY. We were under the impression that the clause covered every case of that kind, but I have no objection to an amendment that will meet the views of the hon. gentleman. I will add after the word "him" in the second last line, the words "or is separated from his family by imprisonment."

Mr. MONTAGUE. I think that meets the request I made; but in my opinion the clause should be further added to. The Superintendent General should take power to stop payment of annuity and interest money as well as to deprive of participation in the real property of the band, any woman who, without reasonable cause deserts her husband and the sum might be applied to the support of the children.

Mr. DALY. It is only in very rare cases that the wife has any property, and we are only supposed now to deal with the conduct of the husband.

On section 8,

Mr. MILLS (Bothwell). What change is in this?

Mr. DALY. Under the present law, an agent is only ex-officio a justice of the peace for the purposes of the Act within the limited jurisdiction of his agency as defined

Mr. DALY.

by the Order in Council appointing him. It is found, particularly in the North-west, in many instances, that an agent who is a justice of the peace is called upon to administer justice without the boundary of his agency, and, as he is probably the only justice of the peace within hundreds of miles, considerable difficulty has been experienced in administering the law. We are simply extending the territorial jurisdiction of these officials.

On section 9,

Mr. PATERSON (Brant). Have there been any moneys paid back to any of the municipalities lately?

Mr. DALY. I am not aware whether there has been or not.

Mr. MONTAGUE. I understand that this Act makes no change with regard to outsiders being on the reserve—it is the old law, practically?

Mr. DALY. Yes, with this exception, that they may be there only with the consent of the Superintendent General. This is to provide that where Indian girls marry white men, or Indian men marry white women, they have a right to live on the reserve so long as they conduct themselves properly. As the law now stands, they could not reside there.

On section 11,

Mr. CHARLTON. Is it necessary often to use compulsory measures to get Indian children to attend these schools?

Mr. DALY. Very much so; and we have not had the authority before. Parents have interfered and taken boys away just when they were beginning to learn a trade.

Mr. McMULLEN. Does the Minister intend, by this Act, to add to the number of Indian schools in the North-west?

Mr. DALY. I think the Supplementary Estimates of this session include all the industrial schools that it is proposed to establish in the North-west Territories; that is, the schools at St. Boniface, St. Pauls, Elkhorn, Brandon, Qu'Appelle, Battleford, Red Deer, High River, and one other which I cannot remember just now. So far as my recollection goes, these are all the Indian schools it is intended at present to establish.

Mr. McMULLEN. There are nine Indian schools in the North-west, which cost about \$155,000, some costing as much as \$30,000. As we have only about 20,000 Indians in the North-west, it seems to me that there must be an enormous sacrifice of money with these schools. I had intended giving the House an outline of my investigation into this matter, but as the remaining days of the session are so few, I have no desire to impose a lengthy speech upon the House this session; but I can assure the hon. gentleman that after a careful and thorough

investigation, I have come to the conclusion that the expenditure on Indian schools and reserves could be very largely cut down. For about 40 per cent of the money that goes into the hands of the officials and the employees on the farms there is no return at all. I intended to inquire what was the reason for this. In my opinion, the expenditure connected with the Indian schools of the North-west should be thoroughly investigated.

Mr. MILLS (Bothwell). The expenditure on the few Indian industrial schools for the very small number attending them is double the amount expended on the thousand students attending Toronto University, who may fairly represent the two million people of the province of Ontario. But I do not rise to discuss the expenditure on these schools, but to ask the hon. gentleman whether there ought not to be here a provision such as is contained in many other statutes, that within a certain period after the opening of the session, these regulations should be laid on the Table of Parliament. Because this is a power to restrict the liberty, not only of the parents, but of the students themselves; and where such power is given the Governor General over these parties, who are wards of the Government, the facts ought to be reported to the House, and the regulations laid upon the Table.

Mr. DALY. I am sorry to find that such provision was not made. It was in the original draft of my own and must have been omitted. I shall draft a provision to meet the views of the hon. gentleman. When the hon. member for Bothwell (Mr. Mills) speaks of the amount expended on industrial schools exceeding that expended on Toronto University, he must remember that the money so paid covers the clothing and cost of living of the children. The children come there with nothing on them but a blanket, and are clothed, fed, and educated, and treated as parents would treat their children. The number of children may seem small, but we have eighty and a hundred, and two hundred in some of the schools. The hon. member for Wellington (Mr. McMullen) will find all the information he desires in the report of the Department of Indian Affairs. I regret he was not in the House at the time the Estimates were under consideration, as he would have heard the full explanation which I gave of the industrial schools and the general conduct of Indian Affairs.

Mr. McMULLEN. I admit that the hon. gentleman gave an extended report on the estimates with regard to the schools, and I am sorry I was not present at the time, because I was prepared to offer some criticisms. Some reductions have been made in the general expenses, but not as many as we have a right to expect. Any one going through the report must conclude that there is a considerable number of teachers compared

with the number of pupils. In some schools there are four or five teachers to a very limited number of children, and there appears to be room for very considerable reduction in that respect.

Mr. DALY. The hon. gentleman's information is gathered from the Auditor General's Report of 1892-93. But since that fiscal year there is a new regime, and to-day we pay so much per pupil, leaving the schools to find their own teachers. So that if there are too many teachers, that does not add to the expense of the Government.

Mr. CHARLTON. Under that system, does the Government secure competent supervision and an efficient staff?

Mr. DALY. If the hon. gentleman had been here when the Estimates were up, he would have heard my reply to the hon. member for Brant (Mr. Paterson) on that point. Our inspection is most rigid in every particular. We have adopted a system of book-keeping by which we see at a glance every dollar expended and received, from the smallest item to the largest, and in fact the schools complain that our inspection is too rigid, both as regards the expenditure of money and the whole regime of the school.

Mr. McMULLEN. I do not think that the system of farming out the education of the Indians is a prudent one at all. Those schools should be entirely under Government inspection.

Mr. DALY. So they are.

Mr. McMULLEN. Last year I find that Father Leduc drew \$3,594 for his school in the district under his charge. I would like to know in what way this money is apportioned and what schools it includes.

Mr. DALY. The hon. gentleman has got the Indian schools mixed up with the schools of the North-west Territories. Let him take the Auditor General's Report and separate the Indian Department from the North-west Government, and he will find that they deal with entirely different subjects. The payment to Father Leduc was made to him. I presume, as superintendent of the school at Calgary or St. Albert, and would have nothing to do with the Indian schools at all. That, no doubt, is where the hon. gentleman found the number of teachers he referred to.

Mr. McMULLEN. I did not take my information from the Auditor General's Report, but I called for the accounts in the Public Accounts Committee, and I went over the files, some thirty-two altogether. It is from them I gathered the information I am giving the hon. gentleman. In my humble opinion, the accounts connected with the Indians of Manitoba and the North-west are kept in a very loose and mixed up condition, so that you cannot get at the facts as you ought to be able to do. I asked the hon. gentleman how many reserves there were, and although he told me there were

thirty-eight, and I could only make out twenty-four or twenty-five by the accounts.

Mr. DALY. The accounts of the reserves are perfectly kept. We have a perfect system of book-keeping. But the hon. gentleman could not get that information by going over the accounts from the office here. Those accounts are kept at the office in Regina, and the hon. gentleman has only been furnished with such as the department here could furnish. As regards the number of reserves, it might be possible that in the case of some there were no accounts; but if the hon. gentleman will take the report of the Department of Indian Affairs and scan it carefully, he will get all the information he asks. If the hon. gentleman will read the report he will get the basis of the system, and will perhaps be able to found an investigation that will give him information which these accounts cannot give.

Mr. PATERSON (Brant). I can understand how you would manage all this except with respect to the cattle. That seems to me to be somewhat different from the purchase of land to add to the reserve even permanent improvements. In what way would you provide that the cattle should belong to the band? I suppose they could not well be the property of individuals. Do you propose to make them the property of the band?

Mr. DALY. This is to cover questions that have arisen with reference to the purchase of cattle for the Indians of the North-west. We thought we had power under the law, with the consent and authority of the Governor in Council to expend the capital of the band in purchasing cattle; but it was held that we should have to get legislation to empower us to invest the capital of the band in buying cattle, having first got the consent of the Indians. With this consent the cattle are purchased in the interests of the band as a whole.

Mr. PATERSON (Brant). But how do you deal with them when you have purchased them? I can understand how you can make a permanent improvement that would be of benefit to all, but I cannot see how the cattle could be held in common, unless it be in the case of some special cattle for breeding purposes, in which I suppose they would be in the charge of the council?

Mr. DALY. The cattle would be in charge of the agent and whatever increase there was would go to the band as a whole.

Mr. MILLS (Bothwell). But who would take care of them?

Mr. DALY. The agent. There is no difficulty about that. There is need of some such provision as this. The Piegans, the Bloods, and the Black-feet are going to become great ranchers. They are even selling their ponies to buy cattle.

Mr. McMULLEN.

Mr. MILLS (Bothwell). It seems to me that it would be very advantageous to have power to distribute cattle among individuals of the band, so that if a man showed a special disposition to take care of his cattle, he might be encouraged in this way. They are much more likely to devote special care to what belongs to them personally than to what belongs to them collectively.

Mr. DALY. That is a matter for consideration. I may say that it is part of our policy to encourage individuality among the Indians. In the book of the agency we have a separate account for each Indian who shows a disposition to be frugal and hard working. Though the increase of the cattle will be for the benefit of the band as a whole, an equitable arrangement can be made so that those who take an interest in cattle will receive an advantage.

Mr. MILLS (Bothwell). But you are not taking power to distribute the cattle in the way you suggest.

Mr. DALY. We think we have the power already. The question was whether we had power to invest the capital of the band in cattle. We think we have power under the general provisions of the Act, to distribute to individuals.

On motion to report the Bill as amended—

Mr. DALY moved that the following be added as clause 12:—

The regulations made by the Governor in Council under this Act shall be published in the Canada 'Gazette,' and shall be laid before both Houses of Parliament within the first fifteen days of the session of Parliament next after the opening thereof.

Mr. MILLS (Bothwell). Before the Bill is reported, I wish to call the hon. Minister's attention to subsection 9 of section 20, relating to probate. When we undertook to give Provincial courts special jurisdiction over matters exclusively within the legislative jurisdiction of this Parliament, we were obliged to designate or create courts for the purpose. We designated them by referring to them as an existing court, instead of making a new appointment, and that was held to be a sufficient creation of a court for the purpose. Under the British North America Act, Indians and the lands reserved for Indians are under the exclusive jurisdiction of this Parliament. If we provide for the probate of the will of Indians we should provide that in each province the law of probate of wills shall be the law for the probate of Indian wills. You could in that way apply the law of each province to the probate of Indian property within its territorial limits. Unless this is done the hon. Minister will find that there is no procedure to give effect to this particular section of the Bill.

Mr. DALY. I think we will have to anticipate legislation from the Local Legislatures. It is here provided that :

Notwithstanding anything in this Act it shall be lawful for the courts having jurisdiction in that regard in the case of persons other than Indians, but not without the consent of the Superintendent General, to grant probates of the wills of Indians and letters of administration of the estate and effects of intestate Indians.

That means that notwithstanding anything in the Indian Act, we empower the court that has the jurisdiction to permit a will by an Indian being submitted to probate. As I mentioned before, several cases of that kind have arisen where probate has been granted to Indian wills. The only point in question was not that the court had not jurisdiction to grant the probate, but that they had not the right to grant the probate unless authority was given under the Indian Act. We do not seek to give jurisdiction, but only to remove doubts as to any objection interposed by the Act.

Mr. MILLS (Bothwell). If any judge has given probate to an Indian will, he must have been one who had never for a moment considered the subject.

Mr. DALY. Possibly so.

Mr. MILLS (Bothwell). It seems to me in order to convey jurisdiction, jurisdiction must come from this Parliament.

Mr. DALY. We do not seek to give it.

Bill reported, and read the third time and passed.

SECOND READING.

Bill (No. 145) further to amend the Fisheries Act.—(Sir Charles Hibbert Tupper.)

LICENSE TO CURE LOBSTERS.

House resolved itself into Committee to consider the following proposed resolution :—

That a fee of twenty-five dollars shall be paid for a license to can, preserve or cure lobsters.

(In the Committee.)

Sir CHARLES HIBBERT TUPPER. The resolution now in your hands, and most of the clauses relating to this subject in the Bill, refer to a question that was very fully considered two sessions ago. The fee as proposed in this resolution, however, is largely increased over the former proposal, and while I should, personally, prefer to see it at that sum, and I believe it would be in the interest of the fisheries to have it so, still, I cannot overlook or ignore the strong feeling that this suggestion has evoked from the localities chiefly interested. It is not an ordinary fee in the sense of a fee imposed for a fishery license, because

it does not relate to a license for fishing, the fishermen having nothing to do with it. It is a fee imposed upon the canners, and having regard to the various representations that have been made, I propose to make that fee \$10 instead of \$25. The canner will have a quid pro quo, he will have a great advantage in obtaining greater security in the conduct of his business, and also a security from poaching and illicit packing. He gets a brand, as the Bill proposes to give him, that will be of great value. It will enable us to enforce the close season regulation, and prevent the development of a practice that now tends to destroy the business, which is injuring it in the English market. During the close season there has grown up a habit along a coast that it is very difficult indeed to guard or protect, of canning in a slipshod, happy-go-lucky fashion, in which all kinds of things are put in a can, and that is soldered up and put upon the market, with the result of depreciating the article in the market generally. In view of the opinion that has been expressed in Parliament on both sides of the House—because hon. gentlemen have given me the advantage of their opinions since I proposed this resolution—I would suggest that the fee be made \$10 instead of \$25.

Mr. MILLS (Bothwell). Would the hon. gentleman say in this connection whether he is prepared to make a similar reduction to the fishermen on the lakes ?

Sir CHARLES HIBBERT TUPPER. No, I am not. The House will understand that I was not the first to suggest a high fee on the lakes, nor was any gentleman from the Maritime Provinces the first to do so. The subjects are dissimilar. The fees on the lakes are very high indeed, and properly high, in my opinion, because they are fixed so as to deter and prevent as many as that fee will prevent, from seeking to engage in those fisheries. That subject was dealt with before Confederation, and when we came into Confederation that system was accepted. There is a vast distinction ; we have on the one side the illimitable ocean, and we have on the other the limited lakes, and the rules are in no sense alike. That has nothing to do with the Bill. While some who oppose the regulations on the lakes, endeavoured to make a comparison between the system on the sea and on the lakes, there is no fairness in the comparison. When we came into Confederation in 1867, there was no such thing as a fee of any kind on the ocean, but fees were all over the lakes simply on the principle on which they now obtain, namely, for the purpose of limiting applications for fishing licenses. But the license system prevails in the Maritime Provinces chiefly in waters somewhat analogous to the lakes, that is, when you come to an estuary of a salmon river, and when you deal with the salmon fisheries,

and to some extent with the traps on the coast, they pay equally high with those on the lakes, notwithstanding that they are bordering on the ocean. Where you have trap-nets you have a very high license fee for the same subject. In respect to the traps for mackerel, there is a very high license fee, indeed, in order to prevent as far as possible applications for those licenses, or the use of nets.

Mr. MILLS (Bothwell). The hon. gentleman says that the ocean is illimitable, but the hon. gentleman forgets that we have but a very little portion of the coast of that ocean.

Sir CHARLES HIBBERT TUPPER. We have as much of it as we like for fishing.

Mr. MILLS (Bothwell). Yes, on the high sea, but this is a fishery on the coast.

Sir CHARLES HIBBERT TUPPER. This is not a fishing license. The hon. gentleman missed the first part of my explanations which I offered in order to cut the discussion short. No fisherman is affected by this.

Mr. MCGREGOR. I am pleased to hear that the hon. gentleman has decided to cut down the fees from \$25 to \$10. He seemed to be almost immovable, because we have been trying all the season to get him to reduce the fee on the lakes, by petitions from the county council, from the city council, from the township council, and from thousands of individuals, but we cannot get him to move one particle. He cuts down the fees from \$25 to \$10 on the sea fisheries, but on the lakes we cannot fish at all, we are not allowed to send out a single line. I am glad to know that the hon. gentleman begins to yield a little to the wishes of both sides of the House.

Mr. FRASER. I would like to know whether this includes everything?

Sir CHARLES HIBBERT TUPPER. Only the canneries.

Mr. FRASER. Do I understand that this is in lieu of all other charges?

Sir CHARLES HIBBERT TUPPER. Yes, and it is less than the old fee of \$5 and so much per case.

Mr. WELSH. I should like to see the fee reduced to \$5. There are hundreds of farmers in Prince Edward Island who put up each fifty or sixty cases of lobsters, worth about \$200. This will prove a heavy tax on these farmers. I admit the principle is good, but I hope the Minister will reduce the fee from \$10 to \$5. As soon as these men have got in their crop they go to work lobster fishing.

Sir CHARLES HIBBERT TUPPER. There is no fishing in the fall allowed.

Sir CHARLES HIBBERT TUPPER.

Mr. WELSH. They get in their crops in May, and they have from that time until the end of July. I hope the reduction I have suggested will be carried out.

Mr. PERRY. I can see the propriety of having the lobster fishery regulated, but I cannot understand why a tax should be imposed of \$5 or 5 cents; nor can I understand if a license is issued, why it is necessary to charge for it? On the shores of Prince Edward Island every man who owns traps, boats and lines for the lobster fishery runs the risk of loss of life and property.

Sir CHARLES HIBBERT TUPPER. That man does not pay one cent.

Mr. PERRY. If the Minister will look at the reports he will see that hundreds of traps and large numbers of boats and nets have been lost to the fishermen. Why then, should it be necessary to impose a tax of \$10 upon him?

Sir CHARLES HIBBERT TUPPER. He will not pay \$10.

Mr. PERRY. It is not from the lobster canneries that the \$10 will come, but from the poor fisherman who catches the lobsters. They will receive less for their catch in order that the canner may pay his \$10. There is no reason whatever why any payment should be made. Is this proposed for the purpose of creating a lot of officials around our shores, and pay them either salaries or a certain fee for each license? Will these \$10 in the shape of fees be handed over to those officials? How are these licenses going to be issued? Will there be a surveyor appointed? Whatever plan is adopted, do not tax the poor people who are working hard to make a living for themselves and their families by lobster fishing, for they contribute already more in proportion to the revenue of Canada than do the people who are better off, because they consume more dutiable articles. I understood the policy of the present Government was Canada for the Canadians, that our fishermen were to be protected. But this is protection in the wrong direction, and it is one-sided; we are going to take \$10 from the packer, and each fisherman will receive less for his catch, and the present price is low enough. If this policy had been adopted ten years ago when lobsters were large and plentiful it would have been made desirable but the size of the fish is smaller, the price is less, and the catch is not so large as it was fifteen years ago. I do not know whether a reduction in the value of lobsters is due to the regulations and Orders in Council passed by the Government, but it really looks like it. Until the Government began to think they were wiser than the Almighty, we had large, good lobsters, and excellent prices, but now when the Government arrogate to themselves the power of controlling the elements and the crops, and ascribes these to the National Policy, and

the protective policy, it looks as if the protection was in the wrong direction. As the Government protects one class of the people, why should they not protect the fishermen? They are not protecting them, but they are extracting from them money which is not required. If it is necessary to have a license system, I am not opposed to it, but no fee should be charged, for it would not be taken out of the richer class, but out of the hard-working fishermen of Prince Edward Island.

Sir CHARLES HIBBERT TUPPER. No.

Mr. PERRY. The canneries will obtain the fish at so much less from the poor fishermen in order to make up \$10 license fee. I am not against rules and regulations, for perhaps they may be necessary for the welfare of the lobster fisheries of the country, but to impose a tax on the people who are taking the lobsters, who are running the risk of the destruction of their property and nets and boats all around the shore of Prince Edward Island is to adopt a course which will tend to keep them back from following the avocation for which the Almighty designed them. We have there the most hardy class of the Dominion, who are risking life and property to develop the natural resources of the country, and this Government should not seek to put a bridle on the people who are so promoting the general welfare.

Sir CHARLES HIBBERT TUPPER. I do not propose to follow the remarks of the hon. member for Prince (Mr. Perry), who has gone far afield and has missed the point of the resolution and the object of the Bill. But I do not wish he or any other hon. member shall pretend or make a pretense to the fishermen who are interested in this measure that it is in the slightest degree hostile to their interests. On the contrary, any intelligent man, I do not care on what side of politics he may be, if he comes from a lobster district in the Maritime Provinces and tells the truth, will state to this House that th's industry is in a precarious condition, that lobsters are decreasing, instead of increasing. No member of this House pretends that the contrary is the fact. We stare that in the face, and we should take a lesson from the history of other countries that went into that business before we did. By listening to all kinds of agitators who for greed desired to take all they could, and as quickly as they could, and without institutions like ours, that dared to do right, they went on until the fisheries were exhausted. We have consequently on our shores a large amount of foreign capital invested, simply because there were no laws in the United States worth the paper they were written on. Although the fisheries there were just as valuable in their day as ours, the lobster fisheries of the United States have become fished out and ruined. While our lobster fisheries are diminishing,

while it is difficult to catch lobsters of the quality that a few years ago could be caught, it is high time that some power should intervene to preserve that fishery. It is my experience, as Minister of this department, often to find—not always, I am glad to say, because there are gentlemen on the opposite side of this House who sympathize with me—it is my experience often to find some people anxious to make a little political capital out of a matter like this, and in a manner which, I think, is most contemptible. They endeavour to play to these poor fishermen—for, unfortunately, they are nearly always poor—and to make it appear that because the Government proposes some severe measure for the protection of the fisheries, that the Government is tyrannical and despotic. I would not hesitate to go before any fishing community in the Maritime Provinces and justify the principle involved in this Bill. I have communications from men interested in this business on both sides of politics who write to me in favour of it, regardless of the political aspect, and the only men who can be against me in this are, first of all, the men who wish to catch votes instead of lobsters; and, secondly, the men who wish to catch lobsters illegally. The packers, the men of capital, small or large, the men who are trying to carry on honest business are with me in proposing this measure, because at present the law operates unfairly to them. They have their factories, which can be watched and guarded, but when they close down their establishments in compliance with the regulations, there springs up all around this extended coast in the little bays and nooks, men who defy the regulations, and who play the very mischief, so to speak, with the market. They go into the woods with a little pot and a little solder and so on, and in a haphazard fashion, they put into cans and cases the lobsters they have poached and illegally taken, and place them on the market. When the law-abiding packers have their wares ready for market they find these illegally canned lobsters, even in the English market, bringing a bad name upon the whole product. That condition of things is getting worse every year. There is no personal pleasure for me to propose a law that at first blush looks like restriction, and may be unpopular. Neither for personal nor political considerations would I do it; but I know that it is my duty to propose some measure like this. My officers have convinced me from their experience that it is only by a license system and a reasonable fee that we can regulate this business, and have laws that we can enforce to protect the honest fisherman. For that purpose, this Bill is proposed. One word as to whether this is a large fee or a small fee. I would ask hon. members to remember that we discussed this matter for two or three days a couple of sessions ago, and we decided then that there should be a \$5 fee for the packer and

canner, and a fee of so many cents on every case, which would amount almost to the fee of \$25, as originally proposed in this resolution. It was pointed out that that would relatively bear hard upon the smaller canners, and so I reduced the fee to the small sum of \$10. When you consider that even the small canners pay something like \$5,000 a year in wages, you will see that this \$10 fee is not going to be a huge burden. It will give us a snug little sum of six or seven thousand dollars a year, and for that we give them in return fifty times the value. We give them, not merely a guarantee of a decently enforced close season, which is worth a great deal to the honest packers, but we give them a Government brand which all gentlemen familiar with the business of lobster canning acknowledged two sessions ago to be of great advantage. We give them, as I said, a Government brand, and Government inspection, and we undertake to supply the proper officers for that. Therefore, I say that the men who intend to do business according to the laws and regulations have everything to gain by this measure, and the only men who can object to it are really the very men that we want to stop, whether they are farmers or whether they are fishermen. These are the men who, in spite of law and regulations wish to fish when it is illegal, and to fish not only to the injury of this staple fishery itself, but to the injury and detriment of the law-abiding classes engaged in the industry.

Mr. WELSH. I have no objection to the regulation. I say that the regulations are good, but why not make the fee \$5 instead of \$10. This \$10 fee, as the Minister remarks, will, no doubt, be approved of by the large lobster packers, but it will tend to prevent the smaller fishermen from taking a few fish in front of their doors.

Sir CHARLES HIBBERT TUPPER. It does not affect them at all.

Mr. WELSH. The only difference between the Minister and myself is as to the amount of this fee. Would not a \$5 fee carry out the hon. gentleman's object as well as a \$10 fee? If the hon. gentleman makes the amount \$5, he will be doing himself credit, and the factories justice,

Mr. PERRY. If the Minister intends to inspect any one of those cans, it is going to be a very expensive business. The hon. gentleman has not told the committee what fees the canners will have to pay for this inspection.

Sir CHARLES HIBBERT TUPPER. I have endeavoured to tell the committee: \$10 for the season—that covers everything—instead of the old proposal, which was so much on every case.

Mr. PERRY. I readily admit that the Government brand, after proper inspection,

Sir CHARLES HIBBERT TUPPER.

will tend to raise the character of the article in the market. But there is an objection to that, namely, that the officer intrusted with the work of inspecting and branding may not do what is conducive to the welfare of the packer. He may be a selfish man; he may perhaps not represent the article as it exactly is. After all, I do not know whether we require a much better means of establishing the character of these fish in the foreign market than that of a man's own private interest. If a man has \$10,000 invested in a lobster fishing or packing business, it is his interest to raise the character of the fish as much as possible. The small fisherman who packs only perhaps fifty cases of lobsters in the year, is not able to spoil the market. If I mistake not, even the Minister himself stated a year or two ago that the fish packed after the close season spoil the market, and not the fish caught and packed from the 25th of April or the 1st of May to the 15th of July. The Minister knows that the lobsters caught after the close season do more to depreciate the value of the fish in the foreign market than the want of branding. It appears to me impossible for a man to go into a factory day after day and see that the cans are put up properly, so that he may brand them with the Government brand. I do not see how this is going to be carried out. However, I am not so much against that as I am against the \$10 fee on the packer. If the Minister cannot see his way clear to reduce it to \$5, I am sure it will be a great hardship upon the people engaged in packing, not only around Prince Edward Island, but in Nova Scotia as well; and I think the Minister is taking a wrong step to protect his own constituents, who are largely interested in lobster fishing. Suppose he does extract \$5,000 or \$6,000 from these poor fishermen, he will expect votes from them when the time comes; and how is he going to look them in the face and ask them to vote for him under these circumstances? If I mistake not, I shall make a better case with the fishermen of my county than he will with the fishermen of his county. But, apart from that, it is a step in the wrong direction to tax the poor fishermen of the Dominion of Canada. For those who fish in the bays it would not be so bad; but in the Gulf of St. Lawrence, from the 1st of May to the 15th of July, the fishermen cannot put in more than about forty fishing days owing to the storms which carry away their gear and tackle and prevent them fishing. Yet the Minister stands up and says, we are going to tax them.

Sir CHARLES HIBBERT TUPPER. Not at all.

Mr. PERRY. The fisherman is not taxed directly, but he is taxed indirectly. The packer will pay the tax, but he will take it out of the fishermen by paying enough

less for the lobsters to make up the \$10. The packer is a man who understands his business, and he is not going to lose the \$10; he will take it out of the fishermen. I cannot for the life of me see the good of imposing that fee of \$10.

Mr. BOWERS. I think the Minister is perfectly right, if he is going to have a tax for a license at all, in imposing \$10. I do not think \$10 is out of the way, especially if the Government brand the package in which the lobsters are placed. At the same time, I would call attention to the latter part of this clause, which says, "can, preserve, or cure lobsters." I would like to add, "except where preserved in ice." Lobsters preserved in ice may be kept in a live state.

Sir CHARLES HIBBERT TUPPER. That will be covered. We do not interfere with that.

Mr. FRASER. I do not think that for \$10 all that the Minister expects can be done. There can be no inspection of the lobsters that would be worth anything on the market unless the inspection takes place at the time the lobsters are put up. It will be worthless for the official to go around to the factories and put the Government stamp on the packages after they are put up, and indeed it is questionable whether the Government have any right to inspect anything except in order to show whether or not it is deleterious. I do not think it would be worth very much in any market of the world to have a Government inspection as to the character of an article, that is, as to one being better than another. This inspection will show all to be equal. Of necessity all who put up lobsters must get the same ranking from the Government, whether their lobsters are good or bad. I see a difficulty there; the Government may put its mark on that which may turn out to be bad. There is only one way in which a trade mark may be good: let each packer have his trade mark, and let the market decide which article is the best.

Sir CHARLES HIBBERT TUPPER. That is what they are doing now, and that is what is playing the mischief.

Mr. FRASER. But the hon. gentleman must see that his official cannot be on the spot, and he must take the word of the man who put up the lobsters. It would take a fee of \$500 to make the inspection effective, because he must have a man in each factory all the time. When the inspector goes and finds ten, or fifty, or 1,000 cases of lobsters, how can he learn anything about them except from the man who puts them up? And he must give the same certificate all round. So that, while the purpose of the Minister may be very good, I do not see that this provision will reach the end he is aiming at. If he thinks that \$10 paid in by each packer is going to enable him to have such an inspec-

tion as will change the whole character of the goods inspected, he will signally fail. In the county I represent, they are packing lobsters around the shore for 100 miles. How many officers will the hon. Minister have? Will he have an officer at each packing house? He cannot do that, and I, therefore, look upon the packing as not of very much value. If this be the object, to have the law put in operation and those who violate it punished, I say that is all right; but as regards deciding the character of the lobster, I do not think that will be attained at all.

Mr. STAIRS. The main object of this provision is not to secure the inspection of lobsters but to prevent the packing out of season. The other is a very incidental thing, but it is thought the measure will have a beneficial effect in time. It will ensure to the purchasers of lobsters abroad that the cases which have the Government stamp were packed in the proper season. They know in England as well as we do that lobsters packed in Canada out of season often turn out badly. Therefore, although this provision may be open to some of the objections pointed out by the hon. member for Guysboro' (Mr. Fraser), it will have a very beneficial effect, because it will assure the purchasers of lobsters in England that the lobsters having the Government stamp have been carefully and properly packed in season. On that account alone this Bill is worth passing. The practice of packing out of season has grown upon the coast of Nova Scotia in the past few years, and is doing a great deal of harm to the legitimate trade. As the hon. member for Guysboro' knows, it is impossible to watch the coasts of Halifax County and Guysboro' so efficiently as to stop illegal packing, that is packing out of season; and when the hon. Minister proposed this feature of stamping the cases, some few years ago, it seemed to those interested that that was better calculated to stop illegal packing than any provision that could be adopted.

Mr. YEO. While I agree that it is very desirable to take every proper means to protect the lobster industry, still I do not see the necessity of imposing a fee of \$10 for the license. That may not seem a very large sum, but in Prince Edward Island alone it will amount to over \$2,000, and while it will not be of much consequence to large establishments, it will be a heavy tax on small ones. I think the hon. Minister would do much better if he would reduce this fee, or strike it off altogether. As regards Government inspection, I do not think that any good can come of it, except that it will show that the lobsters have been caught in the fishing season. Those engaged in the industry are anxious to put up good fish under their own brand, so that the Government brand will not be of much benefit. I would urge on the Minister the necessity of reducing the license fee to \$5, if he is de-

terminated to have a license. I would be glad to support any reasonable measure for protecting the lobster fisheries, where protection is necessary, but I cannot see that they will be better protected by imposing a fee of \$10 than a nominal fee. In portions of Prince Edward Island the fishing season is altogether too short. On the south side of the Island very few fish are caught some years, and this imposition of \$10 will be much felt.

Mr. McLEAN (P.E.I.) When a couple of years ago this Bill was introduced with a provision requiring a fee of \$5 per license, and 1½ cents tax per case, it met with the general approval of those engaged in the lobster business. I approve of this measure, but do not think the hon. Minister has gone far enough. I do not think that the packers will object to this fee of \$10, provided there is no extra charge for branding the case. I think, however, some of the other provisions of the Bill might be improved upon.

Resolution concurred in.

FISHERIES ACT AMENDMENT.

Bill (No. 145) to amend the Fisheries Act, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. BOWERS. What objection is there to killing whales with explosive material. I think whalers use bombs altogether, and I do not think you could kill a whale in any other manner to-day.

Sir CHARLES HIBBERT TUPPER. There is no amendment with reference to whales, which are not killed in the way the hon. gentleman suggests. The present Act provides:

Every one who hunts or kills seals, porpoises or whales by means of rockets, explosive materials---

and so on, just as in this proposed amendment, except that we introduce here the words "or fish of any kind," which words are introduced because there is growing up a most dangerous and despicable practice of using dynamite in killing all manner of fish which, as every one knows, is a most wasteful and destructive method. There is an Order in Council against it to-day, but it was deemed better to give it the effect of an Act of Parliament, which will secure for this provision greater notoriety and greater weight.

Mr. FRASER. I am glad the hon. Minister has introduced that amendment. It is more than a despicable practice. I do not know a punishment too severe for the man who would be guilty of such a thing.

Mr. ROSAMOND. Hang him.

Mr. FRASER. I do not exactly advocate hanging. But the punishment should be sufficient to stop this practice. I know cases in

Mr. YEO.

the province of Nova Scotia where pools had been emptied of fish in this manner. It is an infinitely meaner practice than the shooting of pigeons from a trap, of which we have heard so much. It is unmanly, it destroys the fish and prevents others from enjoying the sport which is of all sports the best. As to whales I do not pretend to know anything about them.

Sir CHARLES HIBBERT TUPPER. The rest of the section is the same as in the Act.

On section 2,

Sir CHARLES HIBBERT TUPPER. As I have just been saying, this is introduced to meet the case of British Columbia. Hitherto the only place where drifting was allowed was in British Columbia, and, in the Fraser River drifting was the only fishing carried on, and is the only fishing that is really practicable. In the province of New Brunswick, though it has been against the law for thirty years, they had been accustomed to take salmon in this way outside the harbour of St. John. I had a very exhaustive report made by Mr. Prince, the commissioner of fisheries, and he has concluded that the fisheries will not be prejudiced by permitting this method of fishing there, where somewhat similar conditions exist to these in the Fraser River, so long as we regulate the practice under the license system.

Mr. BOWERS. I do not see why the province of Nova Scotia should be excluded from this privilege.

Sir CHARLES HIBBERT TUPPER. There is not a drift-net used in Nova Scotia.

Mr. BOWERS. But one may be used.

Sir CHARLES HIBBERT TUPPER. When a case comes up we will deal with it.

Mr. BOWERS. On the southern shores of the Bay of Fundy I believe there are two or three parties who have drifted for salmon.

Sir CHARLES HIBBERT TUPPER. It is very dangerous if they drift inside the three-mile limit just now. I shall be glad to look into any case which the hon. gentleman will bring forward, and which he can put on all-fours with this case and the case of the Fraser River. I know of no such case.

Mr. WHITE (Shelburne). I would like to know the meaning of this clause. Does it mean that persons shall not drift for salmon anywhere except in the provinces of British Columbia and New Brunswick?

Sir CHARLES HIBBERT TUPPER. Yes. The law to this date is that no drifting for salmon shall take place in Canadian waters except in British Columbia. That has been the law ever since 1867—though, of course, as British Columbia did not enter until after 1867, the exception of that case was not made until later, the law in 1867 being to prohibit drifting for salmon in

Canadian waters altogether. But it has been discovered that in the Bay of Fundy, no method of fishing can be carried on in connection with that tide, which is a terrific tide, except this method of drifting. But great complaint has been made, even among the fishermen, because this fishing is not regulated, not being under license. There is great trouble and infinite confusion and even injury to the fisheries of the St. John River, toward which the salmon taken in these drift-nets are making for spawning purposes.

Mr. WHITE (Shelburne). Would it not be plainer to say—

No one shall drift for salmon, except under license in British Columbia and New Brunswick.

Sir CHARLES HIBBERT TUPPER. I have no objection to that; perhaps it will read better.

Mr. BOWERS. Do I understand the meaning of that to be that if a man wishes to fish for salmon in Nova Scotia he cannot get a license?

Sir CHARLES HIBBERT TUPPER. I have told the hon. gentleman that drifting for salmon has not been lawful outside the province of British Columbia.

Mr. FRASER. I think the change proposed by the hon. member for Shelburne (Mr. White) does not bring out the meaning suggested by the Minister. In fact, I think it would mean the very opposite. I would suggest that the clause should read something like this:

No licenses shall issue for drifting for salmon except in British Columbia and New Brunswick.

Sir CHARLES HIBBERT TUPPER. I think the suggestion of the hon. member for Shelburne is right.

Mr. FRASER. It means that they might drift without license elsewhere than in British Columbia and New Brunswick.

Sir CHARLES HIBBERT TUPPER. No, no. That is too technical altogether. I move that the clause read—

No one shall drift for salmon except when under license in the provinces of New Brunswick and British Columbia.

Amendment agreed to.

On section 3,

Mr. DEPUTY SPEAKER. This is the place to make the change in the fee, if you wish to make it.

Sir CHARLES HIBBERT TUPPER. Yes. make it \$10.

Mr. FLINT. I think the hon. Minister should make this clause a little elastic. I am aware that during the present season a large number of lobster traps have been made in Nova Scotia. Perhaps tens of thou-

sands of dollars worth will have been made before this law can be brought into effect, all of which are intended to be used, and must be used about the 1st January, 1895. And I am afraid a considerable amount of property will be rendered valueless—

Sir CHARLES HIBBERT TUPPER. Oh, no.

Mr. FLINT—unless this clause is extended for another year or some other arrangement is made in that regard.

Sir CHARLES HIBBERT TUPPER. I am satisfied there will be no such loss as the hon. gentleman says. They can easily knock a lath off. As the hon. gentleman knows, they have to put these traps in order after using them every season. There is not a bit of difficulty about it. I have not received one complaint on that score. In fact, I may tell the hon. gentleman that my officers, while they have advocated this, are satisfied, from experience, that there is little protection to the fisheries in it. The lobster is by no means inclined to tackle even that size, though he could squeeze out. So sensitive is he, that the moment he perceives that these slats are not very far apart, he immediately retreats.

Mr. FLINT. What is the present width allowed?

Sir CHARLES HIBBERT TUPPER. There is no regulation except in Prince Edward Island, where it was an inch and a quarter, but it was useless.

Mr. FLINT. I have in my mind now a new patent trap which a company is making in the county I represent. They have made many thousands of these traps in the expectation of a great sale, and have undertaken contracts to deliver large quantities. I am apprehensive that these gentlemen might find themselves injured by these regulations.

Sir CHARLES HIBBERT TUPPER. I may say in all sincerity that I would rather see them ruined than to see the fisheries ruined. The very object of this Bill is to prevent the use of traps that will effectively take all lobsters.

Mr. FLINT. These traps have been made honestly, the makers not knowing that the law was to come in and strike them down. Before the bill passes its third reading, I would like to have an opportunity to communicate with these gentlemen to see if something cannot be done to prevent the destruction of their property.

Sir CHARLES HIBBERT TUPPER. I think the hon. gentleman is needlessly alarmed. I may tell him that I have allowed this proposition to stand until this late day in the session in order that the bill might be made known throughout the Maritime Provinces. I was anxious to get all useful suggestions, and none have been made with respect to the point the hon. gentleman

mentions. I am confident the difficulty he fears is not a real one.

Mr. McLEAN (King's, P.E.I.) In reference to this clause I think there will be a good deal of hardship if you require that all the slats on the whole of the trap are to be put an inch and a half apart. The former regulation only referred to the lower slats, but now you cover the whole traps. Of course that destroys the trap, because they cannot be taken apart and put an inch and a half apart. Then the penalty I see is to be not less than \$400. I would ask what provision there is to be for the protection of the packer that sets his traps out in good order? Of course a good deal of trouble might be thrown upon the packer by fishermen taking the traps out before putting them in the water.

Sir CHARLES HIBBERT TUPPER. The law could not fasten upon an innocent party any consequences in this case. It would have to be shown that a person used this trap under the legal size, but no one letting a trap go out of his possession, according to law, would be brought within that section.

Mr. BOWERS. I would call the Minister's attention to the fact that this inch and a half is no protection to the lobster at all.

Sir CHARLES HIBBERT TUPPER. It is some protection, I admit it is not much.

Mr. BOWERS. I measured the traps the year after the hon. gentleman brought down his bill, and I measured plenty of spaces of two inches, and the traps took lobsters of seven inches. I think that size should be either two inches, or else the Minister should not allow lobsters to be taken under 10½ inches. If he allows them now to catch any size of lobsters they wish, they will destroy the whole lobster fishery in a short time, because they will take lobsters of five or six inches.

Sir CHARLES HIBBERT TUPPER. I quite agree with the hon. gentleman, but he will see the difficulties that beset me on every side. I am incurring enough odium in making the present reform, which is in the right direction. I say frankly that this is a minimum of protection, it only allows the smallest lobsters to get out. Perhaps it will be worthless to the packer.

On subsection 5 of section 3,

Mr. FRASER. You say "have been legally caught and packed." I think "legally caught" is sufficient.

Sir CHARLES HIBBERT TUPPER. That is an advantage to the packer. He wants to get that certificate, and it is a great thing for him to have it, for it aids him in selling. That is the packer's advantage.

Mr. FRASER. It may not be the Government's advantage.

Sir CHARLES HIBBERT TUPPER. We will take the risk.

Sir CHARLES HIBBERT TUPPER.

On section 4,

Sir CHARLES HIBBERT TUPPER. This change is made in consequence of the complaints of the operators of drift-nets, gill-nets and all others, which are required, according to the present law, to be wholly out of water during the weekly close season, while pounds and weirs may be used all the time, without giving the fish a chance to make the run. There is no reason why salmon nets within three miles of a river's mouth, should be required to be lifted, and none others. This subsection puts all nets on the same footing, and seeks to do away with the complaints of those operating gill-nets, seines, and so forth.

Mr. PERRY. Does that mean that a man catching herring would have to take up all these nets on Saturday evening and not set them out again until Monday? Is that the intention?

Sir CHARLES HIBBERT TUPPER. All herring nets have now to be lifted. That has been the law for years.

Mr. PERRY. If that is the law, it is a bad one.

Mr. BOWERS. There should be some clause inserted providing that this need not be done in case of storms. Some fishery overseers might take advantage of a fisherman being prevented by bad weather from lifting his nets, and prosecute him out of personal spite.

Sir CHARLES HIBBERT TUPPER. No fishery overseer is out in bad weather.

Mr. PERRY. I remember two years ago that the fishing season in Prince Edward Island expired on a Saturday. It was a stormy day, and the men could not go out and take in their traps. On Monday morning when they were in the act of taking them in, the steamer 'Stanley' came along, and about 500 traps were destroyed, of the value of \$400 or \$500. Such action might be taken on the information of a fishery overseer. The same result might follow, because there is no protection afforded to the fishermen. If the weather is stormy on Saturday, and a fisherman cannot take in his nets, they are exposed on Sunday, and perhaps Monday a fishery overseer may prosecute a fisherman. I suppose the penalty may be regulated by Order in Council, or by departmental regulation. I contend it is a great hardship to the fishermen.

Mr. BOWERS. I certainly think there should be some allowance made for stormy weather. There may be times when it would be impossible for the fishermen to take up their nets on Saturday, and the hon. Minister, I hope, would not force the fishermen to violate the local law by lifting them on Sunday.

Sir CHARLES HIBBERT TUPPER. I think it better to allow the section to remain. No complaints of hardship have been

made. If the change suggested were made it would be impossible to conduct any prosecution without the plea being put in that there had been stormy weather.

Mr. MILLS (Annapolis). I know localities in which large pound-nets are set off the Nova Scotia coast. A school of mackerel may come along, and 1,000 barrels be caught in one of those nets. It would be utterly impossible for the fishermen to dispose of the fish immediately, even to get them out and clean them. What are the fishermen to do? Is it necessary for them to take up their nets and allow the fish to escape?

Sir CHARLES HIBBERT TUPPER. No. On section 5,

Mr. FRASER. The power proposed to be given to the fishery officers is excessive. They should be allowed to remove the nets, but not destroy them. I know that a large number of nets have been wilfully destroyed, when this should not have been done.

Sir CHARLES HIBBERT TUPPER. I accept the amendment, and am willing to omit the words "and destruction."

Mr. BOWERS. I think that provision about "attempted violation" should not be there. A fishery officer might think that a man was attempting to violate the law when he was innocent. It is bad enough to forfeit a man's gear for a violation of the Act, and for not an "attempt" at violation.

Sir CHARLES HIBBERT TUPPER. I think that is a reasonable suggestion. I will leave out the words "attempted violation."

On section 19,

Mr. McLEAN (P.E.I.) Do I understand that to refer to lobsters?

Sir CHARLES HIBBERT TUPPER. If lobsters are fish it does.

Mr. McLEAN (P.E.I.) That could be made a very great hardship on a man where there is a lot of fish caught in a place. I would like to know from the Minister if there is going to be any provision as to what will cause a man to forfeit his license. The license is given for a nominal fee of \$10, and I would suggest that for a second offence the penalty should be cancellation of the license.

Sir CHARLES HIBBERT TUPPER. We would not deal with that in the bill, but there will be no cancellation of the license unless there was wilful violation of the Act.

Mr. FLINT. I think that clause is unnecessary, and too harsh.

Sir CHARLES HIBBERT TUPPER. It may seem harsh, but if the hon. gentleman were in my position for a while, he would find that these small penalties really lead

to infractions of the law. A man says to himself, I can run the risk of paying this fine even if I am caught, and there are nine chances to ten that I will not be caught. If we are going to have this law at all, I believe that we should have very serious penalties so as to stop infractions of it.

Mr. McLEAN (P.E.I.) That was my idea when I spoke in reference to this. I think that the first offence should have a pretty heavy penalty, and that the second offence should cancel his license.

Mr. BOWERS. I have no objection to a heavy penalty for fishing out of season, but I do not see any reason in putting a penalty of \$20 for each fish. I think there should be a penalty for the whole thing, and not for each fish.

Sir CHARLES HIBBERT TUPPER. That is the maximum fine. At present a magistrate may fine a man only \$5 no matter how many fish he has, and that makes the thing a farce. If the offence is wilful, the fine should be heavy.

Mr. BOWERS. There is no heavier penalty for subsequent offences than for a first offence. Why not make it \$20 for the first offence, and \$50, or even \$100, for second and subsequent ones; but the punishment seems too severe that a penalty of \$20 should be inflicted for each fish.

Sir CHARLES HIBBERT TUPPER. If the magistrate should inflict a severe penalty, and if there should be mitigating circumstances, the Minister has power to remit and in some cases we have done so.

Mr. DICKEY. I think it is doubtful if the penalty should be mentioned in that clause. The penalty here clashes with the penalty mentioned in some other clauses.

Sir CHARLES HIBBERT TUPPER. The hon gentleman is right. In order to meet his view, I will add after line 41, the words "where not otherwise provided for."

Bill reported, and read the third time and passed.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.10 p.m.

HOUSE OF COMMONS.

TUESDAY, 10th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MR. TURCOTTE, M.P.

Mr. GIROUARD (Jacques Cartier) presented the fourth and fifth reports of the Select Standing Committee on Privileges and Elections.

Mr. EDGAR. I would like to ask the hon. gentleman if he reports the evidence and all the proceedings of the committee?

Mr. GIROUARD (Jacques Cartier). I may call the attention of the House to the order of reference:

That the matter therein stated be referred to the Select Standing Committee on Privileges and Elections, to inquire fully into the said allegations, with power to send for persons, papers and records, and to examine witnesses upon oath or affirmation, and that the said committee do report the result of their inquiries.

That is the limit of the order; but at the same time my intention was to lay on the Table in the course of the afternoon the evidence and all the papers and records that were laid before the committee.

Mr. EDGAR. I believe that was the understanding of the committee when it adjourned.

Mr. GIROUARD (Jacques Cartier). I would like to move the adoption of the fifth report of the committee, which has reference to the compensation to be paid to Mr. Charlebois, who appeared before the committee as a professional man.

Mr. LAURIER. I would suggest that before we take up that report we consider the fourth report, dealing with the subject-matter of the charge. I think the other would come more fittingly after we dispose of the fourth report. I suppose the hon. gentleman intends to move the adoption of that report at an early day.

Mr. GIROUARD (Jacques Cartier). My duty is to present the report of the committee to the House, not to move its adoption. However, if a day is fixed by the House for its consideration, the adoption of this report could be arranged for afterwards. It has nothing to do with the merits of the case at all.

Mr. LAURIER. Is the hon. gentleman prepared to suggest a day for the consideration of the fourth report?

Sir JOHN THOMPSON. I shall be glad to confer with the hon. gentleman in the course of the day for that purpose.

PAYMENTS TO BANCROFT, CONNOLLY & CO.

Mr. RINFRET asked. What was the date of the payment of \$43,621.54 to Bancroft, Connolly & Co., in respect of the Kingston Graving Dock, mentioned in the Auditor General's Report of this year, page C-153? If in more than one payment, what are the respective dates and amounts of such payments?

Mr. OUIMET. The date of payment in question was the 13th July, 1892. The sum was paid in one cheque.

Mr. GIROUARD (Jacques Cartier).

THE TREATY WITH FRANCE.

Mr. FOSTER moved second reading of Bill (No. 147) respecting a certain treaty between Her Britannic Majesty and the President of the French Republic.

Sir RICHARD CARTWRIGHT. Surely the hon. gentleman will give some explanations on this subject.

Mr. FOSTER. I did not think my hon. friend would need any explanations after the treaty had been so long before the House—after it had been discussed in one session, and allowed to stand until another session for the consideration of the members of the House. I do not know that I have much further explanation to make than the very full communications which I made to the House on several occasions last year.

Mr. MILLS (Bothwell). That was against the treaty.

Mr. FOSTER. Oh, no. There were one or two points upon which there was some little doubt, with reference to the interpretation of some items in the treaty. Those doubts have been set at rest. One was with reference to the item of fish preserved in their natural form—"poissons conservés au naturel," and I was not clear in my own mind as to the meaning of that. If it meant, as I supposed it did at that time, fish simply in their natural state, it would have cut us off from the benefit of the extension of a very large and important industry in this Dominion. That question was not definitely settled until a few days before the end of the session of last year. However, communications were had, as will appear from the papers brought down, and that question is now set at rest. This class includes what you may call generally canned fish, which are not preserved by the addition of other substances—such, for instance, as are sardines—but preserved salmon and canned lobsters and all that kind, and all fish canned or preserved in that way, come in under that clause. There was also a point made with reference to the question of soap, as to whether the treaty would allow all common soaps to come in or not. It does not. I contended last year, against some adverse opinions on that point, that it referred simply to what is known technically as castile soap, and that is the interpretation which has been given by the French commissioners in communication with the department. So that these two points being cleared away and the House having had time to consider the matter, we now approach the ratification of the treaty, and I am here to-day to move the reading of the Bill for that purpose. There have been two or three objections raised outside of this House to the ratification of the treaty. One has been raised by a very large and important body of people, the prohibitionists, who are looking forward to the time when there will be a prohibitory law enacted by this Parlia-

ment and prohibitory laws possibly enacted by the different provinces, if the provinces have the constitutional right to do so. The prohibitionists fear that the adoption of a treaty of this kind, which gives a lower rate upon a certain class of wines, might militate against the putting in force of the people's will in favour of prohibition, when their will comes to be crystallized in the form of actual legislation. However, I have explained to those who have written to me, and the explanation can be seen on the face of the treaty itself, that the treaty does not operate as a bar. The voice of the people which gives force to this treaty—and so far as this country is concerned, that is the majority voice of Parliament—is the very voice which must, if prohibition is ever enacted in this country, enact that prohibition; and when it comes to the enactment of such a law, the majority of Parliament will immediately remove the obstacle, in so far as the treaty is an obstacle, by giving notice of its termination, and it cannot be fairly urged that the time which is set for the denunciation of the treaty, namely, twelve months, would be any impediment to carrying out the wish of the people as regards a prohibitory law. For certainly no prohibitory law could be enacted and put in force by the majority of Parliament in less time than that. The treaty would be denounced and be entirely out of the way, so far as any bar is concerned, when prohibition came to be enacted in this country. So that I do not think there is any great force in that objection. Another objection has been raised by a different class of people—those interested in the cultivation of the vine, and particularly the manufacture of wine from the grape. They fear that the introduction of French wines under the lowered duty may militate against their nascent industry. They have, however, after the ad valorem duty is taken away, a very fair protection; and taking into account the cost of carriage, and possibly the greater cost of the imported wines, they will still have left them a very substantial, and, I imagine, an adequate protection in that respect. They think that they labour under some disabilities with reference to the preparation of their wines, which are not found to the detriment of French makers of wine. That matter has been looked into by the Government, and if there is found to be any substantial disability that they are under, as compared with the makers in France in that respect, that disability can be taken away. I think there is no very great obstacle in the way of doing that. The treaty is one of the first results of the treaty-making power conferred upon us, or exercised by us, in conjunction with England, through our High Commissioner. It has been formed between Great Britain and France and has the signature of the British and French plenipotentiaries, and it becomes a matter of some grave moment, when Parliament ap-

proaches a treaty formed in that way, as to whether we shall ratify it or not. Other things being equal, it is certainly incumbent on Parliament to give it a careful consideration, and there will have to be weighty reasons against it before Parliament will undertake to refuse its ratification. I hope these do not exist in this case. In my opinion they do not, and I present this Bill now without going any further into the discussion at present. With these few explanations added to the quite thorough discussion we gave the question last year, I ask the House to vote the ratification of the treaty.

Sir RICHARD CARTWRIGHT. While it is satisfactory to find that the hon. gentleman has seen so much new light, not merely within the last eighteen months, but also, if we are to judge from certain statements made by him in the early part of the session, even in the last three or four months. I would not be guilty of making the inquiry, and probably I would not get much information if I did, as to the nature of the application of domestic discipline by which the hon. gentleman has been reconstructed on this occasion. Possibly we would have to inquire further for that. We might have to cross the Atlantic in order to know how it is the results at which the hon. gentleman's mind has arrived to-day differ so very materially from the results at which the same hon. gentleman's mind arrived somewhere in February or March, 1892.

Mr. FOSTER. Perhaps the hon. gentleman will point out the exact differences.

Sir RICHARD CARTWRIGHT. I am going to, and have provided myself with the documentary evidence. I am bound to say, Sir, that while, as everybody knows, we on this side of the House have been always advocates for obtaining the largest treaty-making power for the people and Government of Canada in dealing with foreign nations, yet if there could be anything that is likely to cause doubts to arise in our minds as to the desirability of conferring the treaty-making power at any rate upon the present representatives of Canada, it is a course which these hon. gentlemen have pursued during the last eighteen months. I can understand very few things likely to cause more discredit to us than the extraordinary vacillation, and the extraordinary diversity of purpose which has evidently existed between the members of the Government and the plenipotentiary—as I suppose I must call him—of the Government on this matter. Sir, I do not propose to condemn this treaty one whit more severely than it was condemned by the hon. gentleman himself when he first called our attention to it about eighteen months ago. But, Sir, I want to call the special attention of the House to this—that according to the statements which were made to this House by the hon. Minister of Finance himself when this treaty was submitted, after mak-

ing all allowance for the doubts that have happily been removed from his mind as to the exact meaning of "preserved fish" and the exact amount of soap that might be included in the operation of the treaty—after making all allowance for these, this remains—so far as it is possible for me to understand the treaty—that this is a treaty in which we get, for practical purposes, exceedingly little and in which we give a good deal. Now, Sir, the Minister was good enough to give us a calculation some time ago as to the amount that we were likely to lose, which, I think, he supplemented and rather increased in his answers to certain questions of mine in the early part of this session. But, according to his own statement and according to his own evidence, while all the reduction that will be made on the part of the French Government will amount to something like \$30,000 or thereabouts, the loss to us will be very nearly three times that amount even on the, as I think, minimized estimate which he then submitted to us. Therefore, Sir, looking at the treaty on its merits, there are an extremely small number of articles, as far as I can see, in which we are likely to carry on any trade of any importance with the people of France under the provisions of this tariff as explained by the hon. gentleman. If in any respect he has found other advantages coming to us it is for him to state them. He did not state them on this present occasion. Were this a treaty which allowed these articles of ours to be imported free into France in return for a reasonable number of similar concessions on our part, I dare say there would be a very considerable deal to be said for it. I dare say that some considerable trade would be developed between the two countries, and I, for one, would be delighted to see our trade with France, or with any country, largely increased, more particularly if it took the shape of a material reduction of the taxes of the people. But, Sir, as far as I can find out, what hon. gentlemen propose to gain is this: they are not going to obtain any admission of articles free, but simply to gain the advantage between the maximum and minimum French tariff. So far as I know not one single solitary article, good, bad or indifferent, is admitted free. The hon. gentleman can correct me if I am wrong on that point.

Mr. FOSTER. None free.

Sir RICHARD CARTWRIGHT. None free—so I thought. All are subject to duties and tolls of very considerable amount. On the article of canned meat, the minimum tariff is 15 francs; on the article of condensed milk it is 5 francs; on fresh-water fish, eels—we obtain the privilege of free import of eels, I suppose in their live state—5 francs. This, I presume, will prove of great advantage to Prince Edward Island and other portions of our country in which eels have their habitat. Lobsters and crawfish, 25 francs; apples and

Sir RICHARD CARTWRIGHT.

pears, 2 francs. On apples and pears, dried, it appears to be 10 francs; preserved fruits, 8 francs. I think these are per kilogram.

Mr. FOSTER. Per hundred kilograms.

Sir RICHARD CARTWRIGHT. The report is per kilogram. It does not correctly state the case, I presume; no doubt the hon. gentleman is correct. On building timber, rough or sawn, we obtain, apparently 65 centimes to 1¾ francs. Wood pavement, 3.50 francs; wood pulp, mechanical, 50 centimes; wood pulp, chemical, 2 francs; extract of chestnut and other canning extracts, 3 francs; common paper, machine-made, 10 francs; boots and shoes—is that per pair?

Mr. FOSTER. I am not sure. What page is that? Oh, I see you are not reading from the treaty.

Sir RICHARD CARTWRIGHT. I am dealing with an estimate presented to us. I am reading from a condensed table supplied by the hon. gentleman himself.

Mr. FOSTER. Yes; that is per pair.

Sir RICHARD CARTWRIGHT. Furniture of common wood, 5 francs. Furniture other than chairs of solid wood, common, 9 francs; other chairs, 20 francs; wooden sea-going ships, 2 francs—per ton, I fancy. I cannot for the life of me see, under a tariff of that kind, even though there may be some moderate advantage as compared with the present maximum advantage, that we are likely to obtain any substantial advantage, and I do say that there will be very considerable difficulty, in all human probability, if, at any future time, we wish to revise this tariff with a view to encouraging and developing the trade with France. But the hon. gentleman to-day said nothing at all about a point to which he very properly called attention last year, and that is that—if I followed him correctly, and if I understood his explanations—not one of these advantages would accrue to us, except in the event of these goods being imported by a line of steamers plying directly to France. That, I understood to be the hon. gentleman's position. Now, at present we have not a line of steamers plying directly to France by which any considerable portion of the goods we export to France is likely to go. Evidently this would involve very considerable further complications. The hon. gentleman did not tell us to-day—I do not know whether he has any further information on the subject—whether, in the event of their proposals being carried out it will be possible for us to avail ourselves of them to send these articles to France. Prima facie, I should suppose not, but that is a point, no doubt, on which, before this discussion closes, the Government will be ready to give further information. As I understand them, the Atlantic service is to run between here and Britain, and then have some communication crosswise to some French port. But I hold

it very doubtful whether that would bring us within the purview of the French law so far as to enable us to benefit by this minimum tariff. That is a point that the hon. gentleman or his colleagues no doubt will give us further information about. But, after all, what I want to call the attention of the House to is this: that, at the very best, we are likely to face a very heavy tax indeed, and the market which is offered to us is one for a very small number of articles, a very few of which we will be able to export in any largely increased quantity. Now, Sir, the hon. gentleman dwelt very gingerly, indeed, on the plea which, after all, would be, in my opinion, much the best plea to recommend the treaty, that the honour of this country was involved. Doubtless the hon. gentleman recollected well that when we were discussing this in the early part of the session, he cut that ground entirely from under his own feet, because he told us then, in reply to questions from this side of the House, that the Government had not made up their minds on the subject, that the Government had to hear certain deputations, that the Government had, and would be, governed, I presume, by political considerations, and considerations of expediency; and, therefore, it clearly followed that the honour of the country could in no shape be involved in rejecting or refusing this treaty, a point which the House, on both sides, will do well to take into account. Now, the hon. gentleman knows, and we all know, unfortunately, that this is a very bad time, indeed, to propose even a small reduction in our revenue. The accounts which have lately been placed in our hands and made public, show only too clearly that we must face a large reduction of revenue for the current year, a reduction very little if at all short of two million dollars, a reduction which will be quite sufficient, unless the hon. gentleman is able to show grounds for supposing that our expenditure will be less than that of last year, to substitute a considerable deficit for the nominal surplus with which we closed our affairs in 1893; and in the teeth of that, we have the Government coming down with proposals which involve a considerable loss of revenue at both ends. In the first place, we are going to lose a certain amount of revenue, it may be what the hon. gentleman expects, but I am inclined to think it will be at least \$40,000 or \$50,000 more, because I doubt whether the application of this treaty can be confined entirely to goods imported from France; and we will, besides that, in all probability, lose a considerable amount of revenue if the result of this treaty is to diminish the consumption of our own wines, inasmuch as our wine growers are obliged to pay a considerable amount of duty for the French alcohol which they require to fortify the article they produce. Now, I am not by any means disposed to

advocate protection in any shape or form, but neither am I disposed to advocate discrimination against our own people, and I am bound to say that it appears to me that these wine growers have good grounds of complaint when you allow French and other wines to be imported into this country at a considerable reduction, knowing very well that a large part of the most expensive ingredients which go to make these wines, are obtainable by them absolutely duty free, while we, if I recollect the terms of our excise law aright, absolutely prohibit our own people from obtaining similar advantages. Sir, taking the arrangement altogether, I must say that I doubt whether we have any cause to congratulate ourselves on the first fruits of our treaty-making power. I believe that, entirely apart from the undignified and vacillating conduct of the Government in this matter, this treaty has been conducted on lines which are likely to inflict a considerable injury on a certain section of the people, and involve a considerable loss of revenue, for which apparently we will derive no sort of corresponding advantage. To quote the hon. gentleman:

Until we receive more satisfactory assurances than we have as regards the various items of which I have spoken, I think the House should not be asked to ratify this treaty.

The hon. gentleman, then, was, no doubt, clothed and in his right mind, and I think he spoke not only his own true and genuine sentiments, but the true and genuine sentiments of a great number of his supporters, if only they were free to express their opinions on the subject.

Mr. O'BRIEN. The treaty to which this Bill relates is open to so many obvious, numerous, and easily understood objections, that it will require something more than the half-hearted defence which the Minister of Finance made for it in introducing the Bill now in your hands. I think, Sir, that the suspicion prevails in this House that this treaty has been forced upon the Government, and will be forced upon the House, and upon the country, not because the Government themselves really believe that it is to the advantage of the country, but because it is forced upon them by influences outside the Cabinet, is a suspicion which is justified to a still greater extent by the speech of the Finance Minister. Now, with regard to the objections that are to be made to this treaty, objections which, I say, are numerous, and which come from many different sources, I will mention, in detail, those which I think are most entitled to consideration by this House. In the first place, there is one which was alluded to by the hon. the Finance Minister. Well, Sir, one can understand that that hon. gentleman would feel, or, at any rate, ought to feel, a great deal of sympathy with the prohibition movement in this country. There

was a time when that cause was very much at his heart, but circumstances alter opinions as well as cases, and now we have that hon. gentleman placing himself in direct opposition to the well-expressed wishes of the great body of the temperance people of this country. There is not a single temperance organization which has not petitioned this House against this treaty, because they say that it will hamper them in any attempt they may hereafter make in carrying their views into effect.

Mr. AMYOT. Are the prohibitionists the majority in this country ?

Mr. O'BRIEN. I think it has been pretty well shown that outside of the province of Quebec the prohibitionists are, if not a majority, very close upon a majority in this country. However, it is well known to the members of this House that I am not an advocate of prohibition. I have never yet been able to see my way to vote for a measure which I think is not only in many respects objectionable, but is impracticable. But this much I do say, and I think there are hon. members in this House who will take the same view, that while I am not prepared to vote for a measure of prohibition, I am prepared and I am pledged to give the advocates of that measure a fair field, if no favour; I am pledged to oppose any measure which may tend to embarrass them in the course upon which they have entered, which may tend to put a stumbling-block in the way of their efforts to secure a prohibitory measure. Upon that ground while I would not give my pledge to support a measure of prohibition, I have given my pledge to those gentlemen, and I think it is a pledge they were entitled to, that I would not support any measure which would put a stumbling-block in the way of their future progress. I think that is a very strong objection against this treaty, and one for which, as I say, the Finance Minister ought to have, if he has not, a great deal of sympathy. Then there is another point to which I did not hear the hon. gentleman allude, although I was not in the House at the opening of his remarks. We have in this country a tariff which, whether for good or for ill, imposes very heavy burdens upon the great mass of the consumers, and here we are asked to adopt a measure which, while not, in the slightest degree, alleviating any of those burdens, takes a very large portion of the duty from articles which are unquestionably articles of luxury. The people of this country have expressed in no uncertain terms their desire for tariff reform, a desire which certainly has not borne much fruit in this House, so far as the present tariff is concerned, and after this House has practically re-enacted the old tariff, with all its burdens, do hon. gentlemen suppose that the people will be satisfied to find that this House and this Government have taken the duties off articles of

Mr. O'BRIEN.

luxury such as champagne and things of that kind, while the other duties remain still in force? I think the hon. gentlemen will find that public opinion will not sustain them in taking that course. That is one of the objections to this treaty. It must also be borne in mind, as was stated by the last speaker, that we are entering into this treaty at a time when we must anticipate a considerable reduction in our national income. This, then, is not a time to enter on a course of reducing duties on articles of luxury, especially when the duties on articles of general consumption remain fixed as they are at the present time. Another objection to the treaty is one which may not perhaps find much favour in this House, but I think there are hon. gentlemen who will give it a considerable degree of weight. This House has refused to make any reduction in its tariff on articles of British manufacture, and which we receive from Great Britain, and while articles we receive from Great Britain, to whose markets we have free access, are not given preference, yet we jump at the chance of securing a slight reduction of duty on articles sent to a foreign country where we can obtain such a reduction. If we can afford to lose a certain amount of revenue, let us lose it with the mother country, to which we have free access, and not with a country where we have very limited advantages. I do not know how these arguments strike the hon. gentleman from North Bruce (Mr. McNeill), but it is remarkable that those who advocate close connection with the mother country, those who are always advocating the doctrine of the unification of the Empire, should be prepared to advocate a treaty to give special advantages to a foreign country, while as regards the mother country, with which we have absolute freedom of trade, we make no reduction. I cannot understand how any hon. member who desires that we maintain close connection with the mother country can advocate the course now suggested. There are other drawbacks. There are the complications which will arise from what may be called the reciprocal clause of the treaty. In every one of those particulars Canada is placed at a disadvantage. I do not think we can congratulate the plenipotentiaries on the terms on which they negotiated this treaty. As already pointed out, the conditions are entirely unfair as regards Canada. I need not go over the details which have already been mentioned and which, no doubt, will hereafter be referred to; but we hamper ourselves to very little purpose by entering into conditions which may put it out of our power at any future date to make a treaty with another country, while at the same time this treaty is an exceedingly one-sided one so far as France is concerned. With all these obvious objections to the treaty, what does the Finance Minister tell us are

the advantages we shall receive? With these objections, the advantages should be correspondingly great. I think hon. gentlemen on the Treasury benches have entirely failed to make out a case. For my part, I am not prepared to accept the treaty; I am not prepared to vote for a treaty which seems on its face to be unfair, and which is open to so many objections, and which is evidently attended with so few advantages; and in order to bring this matter to an issue, I beg to move the following amendment:—

That all the words after "That," in the original motion, be struck out, and the following inserted instead thereof: "while this House is willing at all times to sanction any treaty which, on fair and equitable terms, will add to Canadian trade, it is unable to assent to the treaty that has been made with France, on the ground that it will not prove reciprocal in its results, in that it gives to France greater advantages than Canada receives, being unfair and unequal inasmuch as, according to one of its terms, France is entitled to the benefit of all commercial advantages which Canada may hereafter give to any other foreign power, not merely in tariff matters, while Canada is only to participate in any reduction of duty granted to any other power in any of the articles enumerated in the treaty. It is further unequal and unfair in this that while any increase in the duties on the class of wines which under it France is to have advantages in respect of, entitles France to denounce the treaty, Canada is not placed in the same position should any increase be made by France in the minimum tariff which is to be enforced so far as Canadian products mentioned therein are concerned; and in the opinion of this House it is unfair and unjust to the great mass of consumers that duties should be lowered, as by the treaty they are to be, on articles of luxury, while high duties are to be maintained on many of the necessities of life and this too at a time when owing to the falling revenue the duty can ill be spared."

In submitting this resolution, I have avoided saying anything in regard to a question which will be, I think, exceedingly interesting and a little amusing to some hon. members of this House. I am not going to enter into the question of protection so far as our own wine-growing industry is concerned, but I leave the advocates of the National Policy to justify, if they can, such an interference with a growing, flourishing and valuable industry. So far as the free trade principle is concerned, one might fairly accept the treaty so far as that industry is concerned; but hon. gentlemen who take a different view, and are opposed to free trade and are in favour of the National Policy, will be compelled to justify upon the arguments they put forward hitherto with regard to that policy, the dealing of a great blow at this wine industry, which is now flourishing among us. With regard to the reciprocity clauses of the treaty, our plenipotentiary was certainly very careless about our interests. In regard to one

class of the objections to which I have referred in this resolution, while we have to submit to any increase in the French minimum and only obtain redress by reducing the tariff on those articles after one year's notice, the French Government, if we make the slightest increase in our duties on wine or any of the articles enumerated in the treaty, have power to terminate it without notice. A more unfair condition it is hard to conceive, and I am at a loss to understand how hon. gentlemen can justify a treaty which contains a clause so exceedingly disadvantageous to our interests.

Mr. MACDONALD (Huron). I desire to offer a few words with respect to the treaty now before the House. In order to refresh my memory, I read over the statements made during the debate on this subject last year, and I was impressed very strongly with the decided stand taken by the hon. Finance Minister against the treaty in the interests of Canada. I am very much disappointed to see that he has made so few remarks about it; and that he passes very lightly over some points which he brought up last year with regard to the definition of certain articles mentioned in the treaty. In addition to reading his speech I studied the various clauses of the treaty, and I read all the communications that passed between the High Commissioner, through whom the treaty was negotiated, and the Ministers of the day. And after reading and studying the whole, I have come to a conclusion, which I think every hon. gentleman who impartially considers the matter will come to, viz., that although there is a great deal in the treaty in the interests of France there is very little in it in the interests of Canada. I can, in fact, corroborate that statement, by giving the opinion of the plenipotentiary who negotiated the treaty. At page 35 of the blue-book, Sir Charles Tupper writing to Mr. Bowell, under date 18th January, 1893, writes as follows in reference to what he said to the French commissioner:—

I added, that the fact that the minimum treatment which it was proposed that France should give to Canada on a number of articles would be practically of little value without direct communication between the two countries, afforded a sufficient guarantee of the interest which Canada had in obtaining that direct steamship service.

Now, Mr. Speaker, it is evident to me that when we consider the treaty on its merits, as we should consider it, and without reference to the supplementing of that treaty by a steamship subsidy of \$750,000 a year; that the treaty is of no value to Canada. On page 37 of the blue-book, in a letter written to one of the commissioners, M. Hanotaux, dated Paris, 18th January, 1893, Sir Charles Tupper expresses himself in almost the same language, and says:

You will also readily perceive that the concession of the minimum tariff on a number of articles

which it is proposed to give Canada, will be practically of no value unless direct communication between the two countries be provided, as the surtaxe d'entrepôt would make it impossible for Canada to derive any advantage therefrom.

You see, Mr. Speaker, that the High Commissioner in two places expresses his opinion that there is nothing in the treaty which will be of any practical value to Canada as far as the treaty itself is concerned. No doubt Sir Charles believed that if a direct steamship line were established between a Canadian and a French port, then in all probability the treaty would be of some value to us. Let me draw your attention, Mr. Speaker, to the financial loss which we will sustain by this treaty. I have gone over the figures very carefully, and I have compared my figures with the figures given in the latter portion of this blue-book, and I find that they very nearly correspond. I give the official figures so that there may be no dispute about the matter. On the basis of our exports to France, in 1892, France would lose under the minimum tariff offered to us, \$29,778, and on the basis of the trade of 1891 with that country, she would gain \$19,126, or in the two years France would be the loser by about \$10,000. Now, taking the other side of the shield. On the basis of the importations from France in 1891, Canada would lose directly \$82,929, and on the basis of the importations from France in 1892, we would lose directly \$61,156, or a total direct loss in these two years of \$144,085. You know, Mr. Speaker, that this would not be all the loss, because of those articles which are mentioned in the treaty we import about as much from other countries as we do from France, and by the reduction of duty in favour of France it would divert that trade out of its present channels and consequently increase our French trade. There would be a loss to us in the difference between what we get now on the importations coming from other countries, and the revenue that we would collect if all these articles came from France. We would lose in 1891, in an indirect way, \$77,532, and on the basis of the indirect trade in 1892, we would lose \$71,711, making a total indirect loss to our revenue for the two years of \$149,243; or adding the direct loss and the indirect loss together, we would lose about \$132,867 in the year 1892, and \$160,461 in the year 1891. On the other hand there would be a gain to France in 1891 of \$19,126, and a loss to France in 1892 of \$29,778, or a total loss to France of \$10,652, as compared with a total loss to Canada of \$293,328. That shows, Mr. Speaker, that the treaty is not fair to Canada in that one particular. It is said by those who sustain the treaty, that there would be a very large increase of trade which would more than counterbalance this loss of revenue to Canada. But in looking over the articles contained in this treaty, which we are supposed to get into France under the minimum

Mr. MACDONALD (Huron).

tariff, I cannot come to the conclusion that even under this treaty these articles will be more largely exported to France beyond what we export to the present day. For instance, we have canned meats to export. We know that the United States and Great Britain have this export at the present time, and in 1891, previous to the French tariff of 1892, when the old tariff was about the same as it is to-day, we gained very little in our trade in that direction, for in fact we sent very little canned meats to France. Is it reasonable to expect, when the minimum tariff of to-day is about as high as the general tariff of 1891, that we can increase our trade very largely in that particular respect? Bear in mind, Mr. Speaker, that unless we have direct trade with the ports of France, we cannot get the advantage of the minimum tariff, and, therefore, the steamship line is a necessity to supplement this treaty if it is to be of any advantage to us. For you know that the laws of France make provision that any article coming through any foreign port in Europe shall be charged with what they call in France the "surtaxe d'entrepôt" of 30 per cent; and we cannot take advantage of the minimum tariff unless we have a direct line to carry our goods from Canada to a French port. Now, we will take the article of condensed milk pure. We have no condensed pure milk in this country. All our condensed milk contains sugar, and the condensed milk containing sugar is put upon the maximum tariff list in France. Therefore we have nothing of this article to export at all, and it is the same to Canada as if that article were not in the treaty at all. France gets pure condensed milk from Switzerland, which is much more convenient, even if we had any to export. Again, we export very little if any fresh-water fish; and I want now to come to an item which the hon. Finance Minister mentioned—fish preserved in their natural form. He had himself a doubt last year as to what that particular item meant. Now, how are we to know? Who has given the definition that includes canned fish? We must be guided by the phraseology of the treaty; and if there is any other understanding between the plenipotentiaries and the Government of France, that correction should have been verbally made in the treaty. I doubt if canned fish come under the phraseology of the treaty; and, in all probability, if this phraseology is accepted by Parliament to-day, there will be a good deal of trouble in the matter if we expect to have canned fish admitted under the minimum tariff. Then, it is supposed that we are going to increase very largely our exports in apples and pears. We send no apples or pears to France now; we did not send any there when the market was free to us. Under the tariff of 1891, which made apples from Canada and the United States free, we did not send an apple. How then is it to be expected that we shall send any when there is a duty imposed, and when

we can send all our apples to the English market, more especially when the United States has also the advantage of the minimum tariff on apples and other fruits? Take another article, the article of building timber in the rough or sawn. In 1890-91, previous to the adjustment of the French tariff this timber was free, and Norway and Sweden supplied 90 per cent of such timber used by France, the United States, Canada and some of the nations of Europe supplying the other 10 per cent. Now, if we did not extend our trade in 1891, when the market was free for our timber, how can we hope to extend it in 1893 and 1894 under the minimum tariff? Norway and Sweden have the advantages of the minimum tariff; so has the United States; and even if Canada obtains the same advantage by this treaty, she has to compete in the French market with the same competitors that she had before; and if she did not increase her trade under the same conditions before, how can she hope to do so now? Then take the articles of staves. France imports nine-tenths of her pine staves from Norway and Sweden and about nine-tenths of her oak staves from Austria. It is said by those who support the treaty that in all probability Austria, being under the maximum tariff, will cease to send oak staves to France and that there will be a substitution of pine for oak staves, and that in all probability Canada could supply a portion of them. That is a far-fetched argument. It is not likely that pine would be substituted for oak staves, as it is well known that vessels made of oak staves must still be made of hard-wood staves. But supposing oak staves continue to be used, where would they come from? Not from Canada, because we have no oak forests, but they would come from the United States, from the oak forests of Virginia, and other states, as the United States staves are admitted under the minimum tariff. Therefore, we could not expect to build up a trade in this particular item. Then, take boots and shoes. Now, I appeal to any one in this House who has given any thought or consideration to this question, does he really suppose that the Canadian manufacturers of boots and shoes can compete in the French market with the English manufacturers? It is from England that France receives the larger proportion of the boots and shoes she imports. It is often said by the Conservatives of this country that they had to establish protection for our manufacturers of boots and shoes in order to protect them from the importation of boots and shoes from England. Then how can we expect to build up a trade in a foreign market in competition with the very parties we cannot compete with at home? We cannot reasonably expect to increase our trade with France in boots and shoes. Take the article of furniture. We send no furniture to France—never did, and probably never will. When it was free, we sent none;

and under the minimum tariff to-day we do not send a single chair or other article of furniture. But it is said that we are going to have our wooden ships admitted free. We have been trying for the last fifteen or twenty years to sell a few wooden ships to France. We have sold very few at any time, and within the last few years we have sold none. In 1891 we sold forty-two wooden ships, and in 1892 we sold thirty-five, but not a single ton went into the French market. In 1891 under the general tariff France had a duty of 2 francs a ton, and to-day under the minimum tariff the duty is 2 francs a ton. But what did the French Chambers do even after this treaty was negotiated and signed? You know that in the last few years the French Government have given a construction bonus for every ship constructed in a French port, and a sailing bonus for every French ship carrying the French flag. After this treaty was negotiated the French Chambers passed a law increasing the construction and sailing bounties, and making it imperative that no ship sailing under the French flag should receive the sailing bounty unless it was constructed in a French port. With that bar between us and the French market, we can rely upon it that not a single ship constructed in Canada will ever be sold in France. You would not suppose for one moment that a Frenchman who wished to sail a ship would purchase one in Canada and sail her under the French flag when he knew that he could not receive a single dollar of the sailing bounty by reason of her being constructed in a foreign country. He would rather pay more for a French ship for the sake of being entitled to the bounty. There is another thing to which I want to draw your attention, and that is the unfair way in which we are dealt with as regards the favoured-nation clause. The second article of the treaty reads as follows:—

Any commercial advantage granted by Canada to any third power, especially in tariff matters—

It does not matter whether it is within the tariff lines or not—

especially in tariff matters, shall be enjoyed fully by France, Algeria and the French colonies.

Suppose we negotiate for a free trade treaty with the United States, including in it a large number of articles not included in this French treaty—for instance, suppose we include articles such as these which we import from France, namely:

Importations from France, 1890-91:

Raw hides.....	\$ 50,000
Wool fabrics.....	230,000
Brushes.....	36,000
Calf, lamb and sheepskins and other leathers.....	65,000
Manufactures of brass.....	30,000
Buttons.....	15,000
Glue.....	19,000

Laces and lace collars.....	\$34,000
Canned tomatoes.....	17,000
Total.....	\$496,000

Supposing a number of those articles were included in an arrangement made between this country and the United States, and came in lower than the ordinary tariff, or free altogether, on condition that the Americans would give us corresponding advantages, then every dollar we give the United States under that agreement would have to be extended to France under this treaty. That is our position. Then look at the position that France occupies. Here is the corresponding clause :

It is understood that the advantage of any reduction of duty granted to any other power on any of the articles enumerated above shall be extended fully to Canada.

So that if France entered into a treaty with any other country, which gave that country special advantages, we would be only entitled to a share in them to the extent of the articles mentioned in the treaty. So that on the one side we are confined to the articles of the treaty with France, and on the other hand, France is not confined to those articles. Take this treaty upon any ground you wish, it is unsatisfactory to this country. It is going certainly to be of much benefit to France. It will increase the importations from that country, especially of wines and champagnes, to a very extraordinary degree. It will give France a monopoly of that trade and divert our trade with other countries in those articles to France. There is another one-sided clause in this treaty, namely, the centre paragraph of article 4 :

It is agreed likewise that if non-sparkling wines gauging fifteen degrees at the most, or sparkling wines, become subject later on to an increase of duty in Canada, the French Government by denouncing the present agreement could terminate its operation immediately without waiting until the expiration of the twelve months' delay provided for above.

That is a one-sided clause. Supposing France increases her duty on any of the articles mentioned in the schedule, we have no corresponding clause which would enable us to terminate the treaty without giving the notice of one year, while France can terminate it at once. Why should this discrimination be made against Canada? If it is right that the French should have the privilege of terminating the treaty by any overt act of the Canadian Government, we should have the same privilege in case they increased the duty. There is another objection, and that is this treaty will open the door to the entry of large quantities of liquors into this country at a reduced rate. Surely we drink enough liquors in Canada, surely we have enough of our own, and if liquors are allowed to come in at all, they should come in burdened very heavily, they

Mr. MACDONALD (Huron).

should come in subject to a high duty, so that the importations may be of some benefit to the Treasury, if not to the people who drink them. The temperance people are a unit in demanding of the Government that they should not open the door to the admission of liquors larger than it is opened now, and thus raise an obstacle to obtaining the prohibitory liquor law which they so much desire. The Minister of Finance has said that in case prohibition were enacted, we could give notice of the termination of this treaty at the end of a year: but every one knows that after all arrangements have been made, after a steamship line has been placed between this country and France, and after all the paraphernalia necessary to put in operation a trade of that kind is once established, it is much easier to say the treaty can be terminated than to terminate it. There will be strong influences in different quarters brought to bear on the Government to prevent such action on their part. If the people of this country are determined to drink wine, we manufacture plenty in Canada, good enough for anybody. This treaty is a direct blow at our grape-growing interest and the native wine industry, and the parties connected with those interests are perfectly right in opposing its ratification. There are many other objections which might be taken, but I will not longer detain the House. If this treaty were presented on its own merits, there would not be ten members in this House who would justify it as being in the interests of Canada. As far as I can see, from the correspondence, Sir Charles Tupper did the best he could. I do not think any other man could have done better. He sought to get from the French people everything he could for our advantage, but failed, as probably any other man in his place would have failed; and he has now placed in our hands a treaty which is of no advantage to us, and which we should judge, not from the standpoint of Sir Charles Tupper, but from the standpoint of Canadian interests, as representing the Canadian people, and if we judge it from that standpoint alone, we shall refuse to give it our ratification.

Mr. MCGREGOR. Coming from a grape-growing district, I wish to show the House how this industry stands before we dispose of this subject. According to the report of the Ontario Bureau of Industries for 1891-92, the following are statistics showing the condition in which this industry is at present: —

The number of bearing vines in Canada is.....	2,282,000
And of unmaturing vines.....	878,000
Making a total of bearing vines for 1894.....	3,160,000
Number of acres planted in vines, allowing 300 vines to the acre, would be 10,533 acres, the production of which, allowing 15 lbs. of grapes per vine would	

be 47,400,000 lbs. To 3,160,000
matured vines may be added
878,000 vines which have un-
doubtedly been planted since
1891, making a total of..... 4,038,000 vines.
And a total acreage of..... 13,460 acres.

The estimated cost of bringing an acre of vines
into bearing is \$120, or a total outlay of
\$1,615,200 for 13,460 acres, not taking into account
the value of the land.

The cultivating and caring of 13,460 acres of vines would take at a low estimate	111,300 days.
The picking or harvesting.....	47,400 do
The packing and hauling to stations.....	47,400 do
A total labour expended yearly of	206,100 do

To harvest this crop of 47,400,000 lbs. of grapes
would require 3,950,000 baskets averaging 12 lbs.
per basket, and the cost of these at 3½ cents each
would be \$138,250.

Of this yearly production of 47,400,000 lbs. of
grapes probably 15,800,000 lbs. are made into wine
and the amount of wine stored in the various cellars
will be at the end of the year 1894 about 2,000,000
gallons; and that with the different plants, casks
and cellars have a value of \$1,900,000.

Resuming Mr. Barnes's datas :

Total number of vines planted..	4,038,000
do do acres in vines..	13,460
do value of vineyards exclu- sive of lands.	\$ 1,615,200
do number of days of labour expended yearly.....	206,000
do value of baskets, 3,950,000 at 3½ cents.....	\$ 138,000
do Approximate number of gallons of wine.....	2,000,000
do value of wine crop and cellars.....	\$ 1,900,000

Therefore, according to Mr. George Barnes, one
of the largest wine manufacturers in Canada; the
total value of the grape and wine industry in Can-
ada is as follows :—

Value of vineyards.....	\$ 1,615,200
do 13,460 acres of land say at \$75 per acre....	1,009,500
do 31,600,000 lbs. table grapes at 1½ cents per lb.....	395,000
do baskets used annually.	138,000
do wine cellars and wine in storage. Fall 1894	1,900,000
	<hr/> \$ 5,057,700

Now, Sir, we have not only brought this
matter before the Government, but we have
petitioned the Government asking for con-
sideration of the vine growers' interest, be-
cause this is an industry which the Govern-
ment has encouraged to a certain extent.
The hon. Finance Minister said in his opening
address that the wine producers of this coun-
try had the advantage of the freights from
France to this country. Well, Sir, the truth
of that matter is this, that from Bordeaux
to Montreal you can lay down wine cheaper
than from Windsor to Montreal. So the
freight rates are actually against wine pro-
ducers of the Windsor district. If you will
allow me, I will read the petition of the wine

manufacturers and grape growers of Ontario,
so that the House may understand the posi-
tion of these industries before they are called
upon to vote upon this question. This
petition is addressed to the hon. Minister of
Finance :

At the last session of Parliament you very
cordially received a deputation of the wine manu-
facturers and grape growers of Ontario who pre-
sented you a memorial protesting against the rati-
fication of the French treaty regarding the
admission of French wine into Canada, and you
very kindly promised us that our petition would
be taken into consideration. Now we have reasons
to believe that the ratification of this treaty will
again be considered by the Government at the
present session, and we again enter our protest,
our reasons being substantially the same as hereto-
fore ; and in addition, the Canadian wine manu-
facturers ask for the same privileges as to the use
and distillation of grape spirits to fortify weak
wines that the wine makers of France and the
United States enjoy, and the grape growers and
wine makers of Canada ask also that the tariff on
imported wines be made the same as the United
States tariff : viz., 50 cents on all wines gauging
less than 26 degrees of alcohol. Encouraged by
the kind and fair treatment our deputation received
from yourself and from all members of the Gov-
ernment to whom they were introduced and to
whom the object of their petition was made known ;
we again respectfully submit to your favourable
consideration, that :—

The wine manufacturers and grape growers of
Ontario being informed that the Dominion Govern-
ment intend to consider the ratification of the pro-
posed commercial treaty with France, lowering
existing tariffs on certain commodities imported
from that country and amongst others, wine, beg
to protest against the ratification of said treaty for
the following reasons :

That we unanimously believe that the Dominion
Government has not been informed and is not
aware of the magnitude and importance of the
grape and wine industry in Canada, and how it
would be affected should the proposed treaty come
in force and the 30 per cent ad valorem duty be
removed on French wines.

It is a conceded fact and beyond dispute that
the interests of the grape growers and wine manu-
facturers are mutual and identical, and that any
tendency to lower the duty on wines will surely
lower the price of grapes which is now as low as
the cost of production can justify it ; and it is but
too true, that owing to the extremely low prices
farmers now get for all kinds of cereals they grow,
they are obliged to turn their attention to other
lines, and many have gone into grape growing,
which can still be carried on at a profit, if the Gov-
ernment will grant us the legitimate demands ;
which we submit in this, our petition.

As any change in the wine tariff immediately
concerns the grape growers and wine manufacturers
of Canada, and as these industries are at present
in their infancy and should need encouragement
rather than adverse legislation, and moreover, as
the avowed policy of our Government is the pro-
tection of our native industries, the people of Can-
ada who have invested a large amount of capital in
planting extensive vineyards and in wine manu-

facture ; presuming on the stability of our institutions and the durability of our laws, fervently hope that such legislation of our Government, involving the material interests of thousands of our industrious citizens, and the loss to them of hundreds of thousands of dollars, will not be enacted without compensation or the necessary provisions for the protection of those whose business would thereby be ruined.

The wine market of the United States is closed to us on account of a specific duty of 50 cents per gallon, and if the French wines are admitted at a lower rate than at present without the legitimate legislation or regulations that would enable us to compete on fair and equal terms with them, the Canadian market would also be practically closed to us, as the wine manufacturers in France possess numerous advantages and privileges that we do not enjoy.

A certain effect of the proposed treaty will be the flooding of this country with cheap and spurious wines, in which grape juice will hardly if ever, be present ; and an indirect incentive also to the Canadian manufacturer to make spurious wines.

Considering the high wages paid by the grape growers in this country, and the rates of interest they pay on their investments, and also the uncertainties of grape culture, it is safe to say that grapes cannot be profitably grown for less than \$25 per ton, and this is the highest price that wine manufacturers can afford to pay and expect to make a legitimate profit at the present price for which native wines are sold.

Owing to the exorbitant price spirits are sold at in Canada, they cannot be used but at a loss, to make sweet wines, or to fortify weak wines from vintages produced during unfavourable seasons when grapes do not attain their full maturity, or otherwise are wanting in saccharine elements or contain an excess of acids.

Instead of employing spirits directly, which course would be too expensive as mentioned before, wine manufacturers of Canada use sugar for the purpose of fortifying their wines. By the process of fermentation, sugar converts itself into a certain percentage of alcohol when added to grape or other fruit juice, but this method, although giving satisfactory results, is far more costly than the French or California method of using spirits ; and the use of a small percentage of grape spirits in natural wines, is a great preservative, and without question, does not impair the salubrity of the wine.

The wine manufacturers of France and also those of California and other parts of the United States can, with certain government restrictions, distill from their grape must, pomace or wines, spirits which they use to fortify their wines, and in these countries wine makers can buy from the distillers, without having to pay an excise duty, the high wines or cologne spirits they need to make sweet wines or fortify weak ones, which process is called "vinage des vins."

The price they pay for spirits is so low that with their marvellous ability in blending wines, and also their methods of making wine with raisins, currants, prunes and flavourings, they can produce artificial wines at a nominal cost, even for less than it costs us for cellaring and labour.

Mr. MCGREGOR.

The privilege of distilling spoilt wines or grape must is practically denied us, and we are annually losing thousands of dollars, which might be saved, had we the advantage of the French or California wine makers.

At Washington, on the 1st of February, 1894, an amendment on the Whiskey Tax Bill was carried, allowing the wine makers to fortify their wines with California grape spirits ; and the amount that could be added to wine to increase its strength to four degrees, which was formerly allowed, is now increased to ten degrees of spirit.

It is an undisputed fact that the light wines called dry wines such as claret and sauterne made from Canadian grapes are as wholesome and palatable as the same class of imported French wines of the same vintage ; while it is beyond doubt that the sweet wines, such as ports and light sherries, manufactured in Ontario are superior in many respects to the cheap ports and sherries manufactured in the old country.

It is well known that the freight rates on wines shipped directly to Canada from France or other European ports are very much less than the rates we have to pay on our railways in Canada. For example, the freight charges on a consignment from Bordeaux to Windsor, Ont., is less than one-half the cost of the freight on a similar consignment from Windsor to Montreal, although the distance between Bordeaux and Windsor is over five times that between Windsor and Montreal. Here again, French wine makers have the advantage over us.

2nd. Ontario alone has an area suitable for the grape culture at least equal to the present area of vineyards in France. See the report of the Select Standing Committee on Agriculture and Colonization for 1891, pages 99, 100 and 103.

From the foregoing facts it is evident :

That our market is limited solely to Canada and that we cannot export profitably our wines or grapes to foreign countries, and therefore it is of the greatest importance for our wine and grape industries that this Canadian market should be reserved to the Canadian producer and not open to foreign competition.

That if the proposed treaty is ratified without certain restrictions, and also without equivalent advantages being granted to us from the Government, our grape-growing and wine industries will be practically ruined.

That in order to be on equal footing with foreign wine makers, the wine manufacturers of Canada should have the same privileges as to the use of spirits, and distillation of grape pomace, that United States and French wine makers enjoy. The wine makers of Canada fervently hope that these privileges will be granted to them.

That for the protection of Canadian wine manufacturers and also for public protection, a commission or examining board be appointed to analyse and test the wines, and that no wines but those made from grape juice be admitted, that spurious or doctored wines called in France *vins frelatés* be positively excluded from being imported and that the same tests used at the Paris *Octroi* by the Paris Commission to discover different wine falsification, be used in Canada.

The supply of Canadian wines whether dry or sweet is equal to the demand and if need be, we could supply the whole continent with wine, as

with our soil and climate we can produce an unlimited quantity. Canadian wines are sold as cheap and even cheaper if everything is taken into account than the same quality of wines are sold in Europe. In order to promote the Canadian wine industry, we consider it an urgent necessity that our own Government should make the tariff on light wines approximately the same as the United States tariff by raising the Canadian tariff to 50 cents net per imperial gallon for all wines gauging 26 per cent or less of alcohol. We therefore earnestly and respectfully request the Government to raise the tariff as aforesaid. This would increase the demand for Canadian wines, would encourage the wine makers to improve the quality of their wine yearly; and a healthy competition would cheapen the article to the consumer.

In conclusion; we beg to submit:

1. That the grape growers and wine manufacturers of Canada unitedly and emphatically protest against the ratification of the proposed French treaty regarding the clause admitting wines free of the ad valorem duty.

2. That the grape growers and wine manufacturers of Canada unitedly and urgently demand that the tariff on light wines imported in Canada should be raised to 50 cents per gallon.

3. That the wine manufacturers of Canada hereby earnestly demand some special legislation enabling them to use spirits under similar restrictions as those governing the United States and other foreign wine makers.

We trust that the Government will carefully consider our requests and enact such legislation that while they are accomplishing their object in the proposed new relations with France they will not ignore the legitimate demands of the grape growers and wine manufacturers of Canada, but encourage and promote the interests of one of the most promising industries of the country.

Now, this petition is signed by fifty wine manufacturers, and the other petition is signed by over 700 grape growers. We find, too, that grape growing is an industry which can be carried on in connection with the farm. The Minister of Agriculture has told us that in the North-west the people must pursue a system of mixed farming, and in many portions of Ontario we find it necessary to follow that advice. With the low price of wheat, oats and barley, and other disadvantages that we have in carrying on farming, the grape-growing industry comes in as a great assistance to the farmer in many portions of western and south-western Ontario, and adds considerably to his comforts and his gains. A large number of hands employed in this industry have been imported from the old country. They are a very happy people, very industrious and prudent, and make first-class citizens, and we find it a great advantage to have them amongst us. This industry gives employment to those people from early spring to late autumn, during which time they are employed in looking after the vines, preparing the grounds, and conducting their little industry in proper shape. In the winter these men are employed in trimming vines for the next season's growth.

We remember well that after the Franco-Prussian war when the French Government required money, these French peasants who were engaged in grape growing, were the people to whom the Government appealed, because, from their frugal and prudent habits, they had been able to save up a great deal of money. Then, again, we know that the low price of wheat and grain has greatly decreased the value of the land in most parts of this country, but in districts where the grape is grown, land has largely increased in price, and is as high to-day as it has been at any time in the history of the country. Then, again, the reduction of the duty on wine takes the burden of taxation off the rich, and places it on the poor; it is one method of making the rich richer, and the poor poorer; therefore, we claim that when you reduce the duty from 30 per cent, as the same amount of money has to be raised for carrying on the Government of this country, instead of the rich paying their fair proportion of it on the luxuries which they consume, they are relieved from a portion of the taxation, which is placed, instead, on the poor. We in Ontario have felt the iron heel of this Government. We feel that the Government are particularly opposed to Essex. For many years we have been in the habit of fishing on our shores, and the Minister of Marine and Fisheries has deprived us almost entirely of that industry, which has been worth many thousands to us. Now, this Government is going to strike a blow at the grape industry, which is one of the greatest industries we have. As showing the utility of this industry, I may mention that when grapes are affected by frost in the fall of the year, although they are not as good for table use, they are even improved for the purposes of wine-making; whereas, if the farmers are not permitted to make wine, the grapes will be lost when struck by the frost. Then, again, when grapes are being sent to market, should there prove to be too large a supply the surplus can always be used for the manufacture of wine, so that nothing is lost. Now, we hope that the Government will be able to see their way clear to assist our grape growers in this wine industry. We feel, not only as citizens, but as temperance men, that it is a great mistake to take the duty off wine to so great an extent, and transfer the taxation to those who are least able to bear it.

Mr. MACLEAN (York). I am sorry that once again the duty has devolved upon me of defending the National Policy in this House, when that duty should have been undertaken by the Minister of Finance.

Mr. FOSTER. We know we have a good second.

Mr. MACLEAN (York). I am sorry this duty has devolved upon me the second time, because I believe this is a National Policy

Government, and it was the duty of this Government on this occasion to refuse to ratify the treaty, and to take the part of the Canadian wine growers. To judge by what the Finance Minister has said to-day, and judging by his previous speech in this House, he has no ground for ratifying this treaty, for he himself condemned it last session, and he had nothing good to say for it to-day. Now, he might have made an appeal to members of this House in favour of ratifying this treaty, from what I may call the national view of the question. This Canada of ours is at last becoming a treaty-making power. That is something of which all Canadians ought to be proud, and I am glad to know that we are becoming more and more self-governing, and I hope our development will continue in that line. Had the Finance Minister come down to the House and said, We are bound by the treaty-making power, and must decide what line of conduct we will follow with regard to this question? No. There are two methods to follow with regard to making and ratifying treaties—first, the English or European method; second, the American method. I prefer the English method. If we negotiate a treaty I consider the national honour requires that the treaty should be adopted, as opposed to the American method, which allows a treaty to be ratified and signed, but the Senate retains power to reject the treaty if it sees fit. I would prefer to follow the English method, and that when a treaty is signed we should guarantee its passage through this Parliament. But the Finance Minister has not made that appeal to the House.

Mr. FOSTER. I mentioned it, but I did not do it as well as you have done.

Mr. MACLEAN (York). I will give another reason. The Finance Minister in revising the tariff went about the country and ascertained the views of the people. If we take the views of the people in regard to proposed legislation, much more ought we to take the views of the people in regard to a treaty, because while we can correct legislation almost at any time, we can only correct a treaty by giving the necessary notice. I should like to see this proposition brought forward, that before we commit ourselves to a treaty, especially if we follow the English method, we should first ascertain the views of our own people and see how far they would be affected by the treaty. It is quite evident that the Government did not know the magnitude of the grape growing industry, and the extent that it will be affected by this treaty, for if they had taken the opportunity of going among the grape-growing community of Ontario they would have found grape culture to be a very large industry, and a very prosperous and growing one. That industry has been developed within the last twenty or twenty-five years. It is confined to York,

Mr. MACLEAN (York).

to some extent, to Halton, Peel, Wentworth, Haldimand, Welland, and the counties on the Essex frontier. Those counties constitute the garden of Ontario. If hon. members would visit those counties during the present month or next month they would see the extent of this grape-growing industry which is placed in jeopardy. Hon. members, especially those of French descent who are residents of this country, are inclined to vote for the ratification of the treaty because it happens to be a treaty made with a country from which their ancestors came. I respect them in that view; but I wish to point out that the large proportion of our wine-growers are of French origin, and I think they should rather stand by their compatriots in Canada than with their forbears in old France. The wine-growing industry expected different treatment from a National Policy Government. They expected, instead of a reduction, an increase of protection, and they expected also another concession to which they are entitled, namely, that they would get free alcohol for the purpose of fortifying their wines. They have asked both of these concessions, and instead of these being granted, they are met by a treaty which proposes to let in French wines in competition with our Canadian wines. The Minister to-day made some explanations as to what he would be prepared to do in regard to giving grape-growers spirit for fortifying their wines; but he did not make a definite statement, and I should like a more definite statement as to what he proposes to do, for I consider he is bound to tell the grape-growers of this country what he is prepared to do in the direction of enacting mitigating legislation in regard to permitting grape-growers to use alcohol for the purpose of fortifying their wines. Prohibition has been touched on here to-day as usual, and everyone has endeavoured to edge to one side and to show that he as a prohibitionist is anxious to do something in favour of that cause. We in Canada are growing excellent grapes and making good wine, and what I should like to see is our people using more and more native claret. There are men who pretend to have a fine taste for wine, and some of them like to say that they are accustomed to French wines and that our clarets do not approach the French. It may be that they themselves have a vitiated taste, but if they will educate themselves to drink Canadian claret, and I am satisfied we do make good Canadian claret, it will be drunk more and more by the people. What is wrong with the people of this country is the extent to which they are affected by the tea-drinking curse. If the farmers of the country had the same views of life that the peasants of France and of Europe possess, every farmer would have one, two, three and a dozen barrels of claret bottled for his own use, and the people would drink sound claret instead of health-destroying tea, which, as has recently been pointed out in the case

of Ireland, has been the means of sending thousands of women to insane asylums, and of doing great damage to their health generally. Speaking not only from that point of view, but more generally, I wish to see our own industries, and especially our wine-growing industries, encouraged by this Government, which adopted the National Policy; and I should like to ask why the Government have departed from that policy, and why they are asking the sanction of this House to this treaty, and why they should have committed themselves to it. While I should not like to see the treaty defeated on the ground, first stated, namely, that in honour we are bound to ratify any treaty which our negotiator has signed—

Mr. MILLS (Bothwell). No.

Mr. MACLEAN (York). I take issue with the hon. gentleman on that question, and that is really the issue to-day. The issue is one as regards our treaty-making power. If we are prepared to follow the European method and not the discreditable method adopted by the Americans, and that is the great issue before us to-day. I should be very sorry to see the treaty defeated. On the merits of the treaty itself I should like to see it defeated, but not when we have regard to national honour.

Mr. MILLS (Bothwell). If the hon. gentleman will refer to section 4, he will observe that full power is observed to ratify the treaty or not.

Mr. MACLEAN (York). This is the first time our treaty-making power has ever been up in this House, and it is important that we should decide whether we are going to follow the European and English methods, or the discreditable American method, in regard to the ratification of a treaty.

Mr. FLINT. It has already been a matter for remark that those opposed to any additional favours being granted intoxicating or spirituous liquors imported into Canada, have on this occasion joined hands with those who are friendly to the increased development of the wine industry in Canada; but that need not occasion very serious remark, even from a prohibitionist standpoint. Although prohibitionists believe that the use of intoxicating liquors is injurious in almost every aspect of the case, yet they believe that if ever that evil is to be overcome, it is to be overcome by constitutional agitation within the Dominion of Canada. I think all the members of this House, who, to a greater or lesser extent, look to legislation in the direction of prohibition, all agree that it is not advisable to build up new interests antagonistic to the overcoming of the evils caused by the consumption of spirituous liquors. This treaty has to be considered mainly upon its principles rather than upon the amount of trade it repre-

sents, because as has been pointed out by the Minister of Finance and by the hon. member for Huron (Mr. Macdonald), the amount of trade involved in this treaty is absolutely insignificant compared with the whole trade of the Dominion. Therefore, it is to be considered not so much in reference to the trade which it affects, as upon the principle which this Parliament would lay down by accepting it. I carefully read the speech of the Minister of Finance on this question last session, and I must say that every line of that speech breathed nothing but discouragement and despair in regard to any practical benefit which Canada would derive from the adoption of this treaty. There are only two arguments, it seems to me, in favour of it. One: that it gratifies a certain sentimental feeling existing among the members of this Parliament who are attached historically to France, and the other is, that it appeals to all of us who desire to see our trade relations extended with other countries. Take out these two considerations and there is absolutely nothing left in the treaty. Now, Mr. Speaker, I will dwell upon this question almost solely from a temperance standpoint. There are in the Dominion of Canada an enormous number of taxpayers, and voters who sympathize with them, who would look with extreme displeasure upon any step taken by the Parliament of Canada at the present time which tends to give favours to the liquor trade. We can deal, and we hope to deal, successfully, by and by, with these interests within the Dominion; but we do not desire to see built up other industries antagonistic to prohibition or the more speedy destruction of the liquor traffic. Now, let us see how this treaty will affect that principle. The more successful the treaty is in developing the sale of the goods mentioned in schedule 3, the greater obstacles do we build up towards at any time terminating this treaty. It may be perfectly true that constitutionally and legally there may be no obstacle in the way of abrogating this treaty whenever the Parliament of Canada comes to the conclusion that it would be their interests to have it terminated; but we are inviting the building up of interests antagonistic to the destruction of the liquor traffic and antagonistic to the agitation in favour of temperance reform. If the producers of the articles mentioned in schedule 3, build up a gradually increasing and profitable trade with France, we array their interests against us in our future efforts to obtain a prohibitory liquor law. That this has been widely recognized, I need scarcely say, for the House is well aware that all temperance bodies of any magnitude, which have met since the publication of the treaty, have denounced the treaty and have appealed to their representatives in Parliament not to accept it on the ground that it was favouring the traffic to which they are opposed.

At one of the largest temperance conventions ever held in Canada, which met at Toronto about a year since, the following resolution was moved by the Rev. Dr. Potts, and carried unanimously :—

That this convention expresses gratification that so far the Dominion Parliament has not ratified the proposed treaty with France, whereby our country shall be required to import certain forms of intoxicating liquors on specially favourable terms, and that a memorial be forwarded forthwith urging the Government to resist all attempts in Parliament to secure the endorsement of a proposal, the carrying out of which would be so detrimental to the welfare of our country and so utterly opposed to the wishes of a great majority of our citizens.

A few days ago, at a prohibition convention held in the city of Montreal, a resolution almost similar in its terms was adopted unanimously and by a rising vote. No one can deny that these people were actuated by the highest possible motives, and it seems to me also that no one can deny that there are great reasons for apprehension from their standpoint, that the acceptance of this treaty will very much embarrass them in the steps they propose to take within a year or two in the agitation they are carrying on. It will be noticed by all those who have perused the correspondence, that practically the whole argument in favour of the treaty on the part of the French negotiators, was, their strong desire to increase their markets in Canada for sparkling wines and champagnes. A glance at the tables given us for our information in the same blue-book will show that of the exports of this country of the goods mentioned in schedule 1 of the treaty, by far the largest value is in wines and champagnes; the other articles being insignificant in value in comparison with the whole amount of the exports. There can be no reason to doubt that the result of the reduction of the duty upon those articles will affect the importation of wines and champagnes more largely than it will the other articles. At any rate, the main argument of the French negotiators of the treaty was, that it would increase and enlarge their market for these goods. From the position which the prohibitionists of the Dominion take with respect to the goods mentioned in schedule 3, no amount of utilitarian value derived by us would be a compensation for the acceptance of the principle by the Parliament of Canada: that intoxicating liquors are to be specially favoured. We know that not long since, the Government, in its wisdom, did give some favours to the liquor trade in the way of reduction in the malt duty, and that has been complained of. The ground we take—and I think it is a legitimate and reasonable ground—is, that these articles should be as highly taxed as possible, and that the whole trend of our legislation—even on the part of those who are not prepared to go to the

Mr. FLINT.

extreme length of absolute prohibition—should be to so increase the duties as to render the interests in the trade less and less from year to year, in order that the obstacles to obtaining a prohibitory law may be reduced to the minimum. Now, it has been pointed out with a great deal of force that we are, by the adoption of this treaty, giving away this valuable principle, for scarcely any benefit whatever, because we do not obtain from France a free entry for these goods; we do not obtain even the minimum tariff upon many articles of export which the commissioner pressed very urgently upon the negotiators on the part of France. A careful study of the negotiations will show that the Canadian commissioner had to work against great obstacles—that scarcely any encouragement was given us by the negotiators on the part of France to believe that they were at all anxious to effect a treaty with us. If we turn to the speech made by the hon. Finance Minister, we notice these discouraging features scattered throughout it. He says :

There is this also to be stated: That since the treaty was made, an important change has taken place in the legislation in France with reference to ships. In olden time it was considered by Canada to be a very great moment, that she should get her wooden ships into France at a favourable rate, and the old negotiations proceeded upon that plan. Since that time the duty upon foreign ships has been largely reduced in France, so that now the maximum is 5 francs and the minimum 2 francs, reduced you may say to a nominal duty. Circumstances have also somewhat changed since 1878, so that that does not become so important to us. But ships was one of the articles which were mentioned in the treaty and which we were to have admitted at the minimum rate. But since the draft treaty was agreed upon, French legislation has intervened which makes that compensation to us of less value even than it would have been had this legislation not taken place. France has for a number of years paid a bounty upon the construction of wooden vessels, and a bounty upon the sailing of both wooden and iron vessels; and the legislation which has taken place within the last few weeks has been of such a kind as largely to increase the construction bounty upon wooden ships in France, as well as largely to increase the sailing bounty, and it has made it imperative that the sailing bounty shall not be given to vessels constructed outside of France which may be bought by the citizens of France. So that in so far as we had hoped for compensation on the article of wooden ships, that legislation has been in the direction of nullifying any benefit that we had expected to gain in that respect. My attention was drawn to that in reading some of the English papers, and I immediately had Mr. Fabre communicated with; and he sent me a copy of the French law, which I will bring down with the papers I intend to lay on the Table of the House.

In order to give a fair idea of the speech, I would have to read a great deal more than I would care to trouble the House with at the present time. He was aware of the difficulties which met the negotiator on the

part of Canada by reason of the strong protective spirit in France and the determination of the French negotiators to yield as little as they possibly could in return for the advantage of having their wines and champagnes introduced into Canada at a lower rate of duty. One further remark strikes me, and must have struck all the other gentlemen who have made a study of this treaty; that is: that under it France is not bound to preserve the present relation between the minimum and the maximum tariff. We are purchasing, so to speak, an uncertain value—an indeterminate value. There never can be a time when the French Parliament cannot increase the minimum duty and thus nullify all the present advantages, small as they are, that we think we obtain. The treaty appears to me fully to comply with almost all the terms of the amendment moved by the hon. gentleman—that it is unfair and unjust in its commercial relations, and is particularly unfavourable to the interests of that large class of the people of Canada who are pressing forward from time to time, in this Parliament and outside of Parliament the desirability of as speedily as possible prohibiting the importation of intoxicating liquors of all kinds into Canada.

Mr. DICKEY. I desire to say only a few words on this treaty, as it affects the question of prohibition, and I shall be very short. First, dealing with the question of principle, I regret to differ with very many of my friends in the prohibition ranks, although my difference is known to those with whom I am associated in the work. I have been unable to discover any principle in this treaty that would prevent an honest prohibitionist from voting for it. It is true, it deals with the importation of wine into the country; but it is equally true—and I submit that any person who overlooks that would be simply shutting his eyes to an obvious state of the facts—that we raise in Canada every year millions of dollars of revenue from this liquor traffic; we lower the rates of duties and we heighten them; and I am unable to discover that, in dealing with a particular branch of the liquor traffic, the importation of wine, in a particular way, we are violating any particular principle. I am quite open to conviction on the point of the practical danger to the prohibition cause of creating vested interests under this treaty; but I am unable to discover any distinction in principle between dealing with the wine importations from France in a particular way and dealing with the making and importation of whisky, or with any other mode of raising a revenue from the liquor traffic. It is quite true that to prohibitionists the raising of a revenue from the liquor traffic is entirely distasteful, and we would like to wipe it out of the tariff altogether. But as a practical matter, while this revenue is being raised, and while this Parliament has to deal with questions of that class, according to the will of the people, I see no

objection to dealing with the particular branch of the question involved in this treaty. The question of expediency is another question, and I am quite free to admit that on the question of expediency there may be two different opinions. I simply give to the House my own individual opinion on that head. It is insisted that by ratifying this treaty and allowing business to grow up under it, we shall be creating vested interests which will be in the main opposed to prohibition—new interests which the prohibitionists will have to fight. Well, Sir, I look upon the matter in this way. The interests opposed to prohibition to-day in the Dominion of Canada, ramifying as they do every portion of this country, are so enormous, that any trade that will spring up under this treaty seems to me a very small matter indeed. It seems to me that if the prohibitionists, after facing fearlessly for years the enormous strength of the entrenched capital which is invested in the liquor business, and with the hope of triumph not far off, are to be frightened at the wine that will be drunk by the club and city men in Canada under this treaty, they have got into the position of Othello when he said:

Man, but a rush, against Othello's breast,
And he retires.

Why, Sir, it seems to me that even independent of the wine interest, a treaty of this kind, which will not affect the country, which will not affect the farming population, which will not affect the population which is the backbone and strength of the prohibition movement, will not seriously imperil the interest of prohibition. But what are the facts? Who was assisting the prohibitionists in their opposition to this treaty? The wine growers of Canada. The hon. member for Essex (Mr. McGregor) read a petition signed by 700 wine growers of Canada and 50 manufacturers of wines, in which they represent that the ratification of this treaty will absolutely ruin their business. I would ask any prohibitionist in this country if he would not desire the opportunity of ruining the whisky business of Canada by making a treaty with France or any other country. If it were in the power of the prohibitionists to destroy our distilleries by making a treaty with another power, would they not be glad to make that treaty? Why? For this reason, that the capital invested in this country, employing men in this country, is ten times harder to fight than outside capital: and the wine interests of Canada, employing our labour growing grapes and making wines, is ten times more difficult for the prohibitionists to fight than the interests connected with the importation and handling of foreign wines. Either the prohibitionists or the wine growers of Canada entirely misjudge the effect of the treaty, because if the wine growers are right, the prohibitionists are certainly wrong, and vice

versa. I believe that the wine growers must understand their business, and that the effect of this treaty would be to seriously hamper that business, if it brings about any large importation of foreign wines. Viewing the matter from this standpoint, I cannot regard it as a very serious question in connection with prohibition. But I do regard it as serious in another aspect, that touched by the hon. member for York (Mr. Maclean). In my view, the Government of Canada, when Sir Charles Tupper, as their agent, made this treaty, was not acting as a political body but as the agent of this country. I look upon it that Sir Charles Tupper was the duly accredited agent of this country, that he and Lord Dufferin were authorized to enter into a treaty, and that this House cannot revoke its authority after the damage has been done; but if there be anything wrong about this treaty, it is for us to punish our agents. I submit that we should adopt what the hon. member for York calls the English rule, accept the treaty made in good faith with a foreign power by our plenipotentiaries, and visit our wrath upon the plenipotentiaries themselves, and that the proper method of doing so, is by a motion censuring our High Commissioner for the bargain he has made. But I submit that the honour of this House is involved in our ratifying the treaty and passing the Bill now before us. The danger to prohibition is, at the very best, distant, problematical and depending upon the results that may follow the development of business arising from the ratifying of this treaty. The effect on our national honour would be, in my judgment, immediate and disastrous, if we failed to ratify the treaty, and for that reason, without going into its merits from a business standpoint, which I am not competent to do, I shall have great pleasure in supporting the second reading of the Bill.

Mr. MILLS (Bothwell). I must confess to my astonishment at the line of argument adopted by the hon. member for York (Mr. Maclean), and the hon. member for Cumberland (Mr. Dickey). These hon. gentlemen say that although the right to sanction this treaty is reserved to this Parliament, and although its ratification is postponed until we exercise that right, this House is in honour bound to ratify it. The hon. Minister of Finance took a very different position last year. He altogether denied that doctrine, and I, on that occasion, supported the view he expressed. I have seen no reason to change my opinion up to the present. I called the attention of the House last year, when it was intimated that the Government were bound to ratify the treaty negotiated by their agents, to the case of the treaty between England and France in respect of the slave trade, negotiated in 1841, the negotiations for which had been completed. The French assembly took exception to the treaty, when it was discovered that it was unpopular with the assembly, and Mr. Guizot, who was then First Minister, said that every step in

Mr. DICKEY.

the negotiations preceding the ratification of a treaty, or the exchange of ratification, was a substantial step which enabled either of the contracting parties to reconsider what was being done and to decline to proceed further, if they saw proper. That is precisely our position. Under the fourth article of the treaty, the Government reserve to the Parliament of Canada the option of sanctioning or of refusing to sanction it, and the present agreement, having received the sanction of the Parliament of Canada and the French Chamber, shall be ratified and the ratification shall be exchanged at Paris as soon as possible. We are, therefore, as free to consider whether this treaty is in the public interest as if it were an ordinary matter of legislation before the House, and there is no question of honour involved in the matter. The negotiators themselves did not absolutely bind this Parliament. They reserved, as they were, under the circumstances, bound to do, to this Parliament the right to ratify this treaty or to withhold their ratification; and we are now engaged, not in a mere matter of form, but in a matter of substance. We are going to determine by our votes here to-day whether this treaty is in the public interest of Canada or whether it is not. I say then that we are as free to deal with this treaty as we have been with any other matter that has ever come before this Parliament. We have reserved to Parliament the power that we are now exercising in this matter. The hon. Minister of Finance has said to-day that he had not expressed any opinion in discussing the subject, that he did not express himself adverse to the treaty, but merely said that its provisions were to him unintelligible, and that until he had further light upon it, he was not prepared to recommend its ratification. I think the hon. Minister's statement went much further. I think it is impossible to read his speech without seeing that the whole drift of that speech was adverse to the treaty and not merely a speech due to the fact that the Minister was inadequately informed with regard to the meaning of certain provisions of the treaty. What I wish now especially to call the attention of the House to is that the hon. member for Cumberland (Mr. Dickey) and the hon. member for East York (Mr. Maclean) were at that time in the House, and yet made no protest against the views expressed by the hon. Minister of Finance. They did not say to the hon. Minister of Finance: Sir, you are mistaken. Your plenipotentiary has negotiated a treaty; he has negotiated that treaty under your authority and sanction, and you are in honour bound to submit that treaty for ratification in accordance with its provisions. The hon. gentleman who now says we are in honour bound to ratify this treaty, that we have no discretion in the matter; that we have no judgment to exercise; that we are merely here engaged in the discharge of a formal duty and not in the discharge of an efficient duty in behalf of the public at

large, made no objection whatever to the views expressed by the hon. Minister of Finance on that occasion, which were so very much at variance with the views these hon. gentlemen expressed here to-day. The hon. Minister of Finance has called the High Commissioner who assisted in the negotiation of this treaty a plenipotentiary. I think, Sir, that that is, under the circumstances, a very proper name. He is a plenipotentiary not acting on behalf of the Government, but, Sir, he is a plenipotentiary acting over the Government. He is clothed with full power, power which he is exercising not in the work of negotiation, but in securing the sanction of the Government, and through them the sanction of Parliament to this work, which, so far as he is concerned, was completed twelve months ago. Whatever allegiance the hon. Minister of Finance, or the First Minister and his colleagues may owe to their plenipotentiary, I, as a member of this House, feel that I am free to exercise my judgment on this occasion precisely as I was free to exercise my judgment in supporting the view put forward by the Minister of Finance twelve months ago; and it does seem to me that there is nothing in this treaty which calls upon this House for ratification. There is no public interest to be promoted; there is no important industrial interest to be served by the ratification of the treaty. Why, Sir, look at its provisions. One of my hon. friends here has said that in all the provisions of this treaty France has stood upon her traditional policy. She has declared herself in favour of a high tariff, but she says: We have on certain articles a maximum and a minimum tariff, and, if you make certain concessions which are definite in their character, we will permit you to come in under the minimum tariff, whatever that tariff for the time being may be. Look at the provisions of this treaty with respect to wines. The duty, so far as Canada is concerned, is specific in amount. We are not at liberty to tax French wines, after the adoption of this treaty beyond a certain maximum figure. But the French Government are at liberty to increase their minimum tariff to any extent, so long as they keep the maximum tariff somewhat higher. We are not at liberty to increase our tax upon the imports from that country, but they are at liberty to increase their taxes upon the imports from this. With regard to the duty upon other articles the result is precisely the same. There is a provision in the second article of the treaty which the hon. member for East Huron (Mr. Macdonald) has read to the House and which I think is well worthy the serious consideration of this House. That clause provides that any commercial advantage granted by Canada to any third power, especially in tariff matters, shall be enjoyed fully by France, Algeria and the French colonies. So that if we were to-

morrow to enter into negotiations with the neighbouring republic or the Australian colonies or any other power with a view to admitting certain articles under certain concessions, under this treaty we should be obliged to make the same concession to France, though France would not be called upon to make any concession to us. Now, I say that the existence of such a treaty would prove an insuperable barrier to negotiation with any other country that might otherwise be disposed to negotiate with us. Before our negotiations could be consummated and before we could be satisfied that our negotiations would be successful, we would be obliged to denounce this treaty in order to get rid of it, so as to give the assurance that this treaty, which really gives us no commercial advantage, would not stand in our way in case we had a fair prospect of succeeding in securing commercial advantages with another country under reciprocal arrangements. For these reasons I say, Mr. Speaker, that the treaty is in an eminent degree unsatisfactory. Then there is another matter which the hon. gentleman, as Finance Minister and as speaking on behalf of the Government on this occasion ought to have explained to us, and that is the provision relating to direct transit between France and the ports of Canada. Now, the High Commissioner told the French Minister that this treaty would be of no value whatever unless there was direct communication—steam communication—between the ports of Canada and the ports of France. Was that communication to be established by France? Was France to be called upon to bear any proportion of the burden or to give such assurances to Canada that we could feel we could call upon her Legislature to give its sanction to a large expenditure to establish such communication? Not at all. The hon. gentleman knows that this country, which, under this treaty, is placed at a decided disadvantage, was to bear the burden of establishing that steam communication with France in order to promote trade between France and Canada. There is no reciprocity in the matter; there is no fairness in the distribution of the burden in proportion to the benefit. There is nothing of this question of steam communication indicated in the treaty, but hon. gentlemen know that in the correspondence which led to this treaty it is expressly declared that the Canadian Government will establish such communication in case the treaty is carried into effect between the two countries. Now, the hon. gentleman did not say one word as to whether that portion of the arrangement was to be carried out or not. Here is a portion of the arrangement that does not appear on the face of the treaty. What is Sir Charles Tupper's statement to the French Minister as to its not being expressed in the treaty? He says that it is not convenient, that it is not in accordance with the policy of the Government of Canada that it should be

expressed, but the intention of the Government of Canada is clear. That the Government of Canada does intend to establish such direct steam communication Sir Charles Tupper assures the French Government is beyond all doubt. There is no room for doubt in the matter, and the Ministers in asking us to ratify the treaty, feel bound to establish direct steam communication between some port in France and some port in Canada.

Mr. FOSTER. Bound by the treaty, do you mean?

Mr. MILLS (Bothwell). I mean bound by the arrangements and engagements which preceded the treaty, and led up to the treaty and without which the High Commissioner of Canada says the treaty is of no avail.

Mr. FOSTER. Certainly not.

Mr. MILLS (Bothwell). Then why does he proceed with the treaty? Does he differ from the High Commissioner in that respect, and is he prepared to say that the High Commissioner is mistaken in saying that the treaty will confer upon this country no advantage, and upon France no advantage, unless the steamship communication is established?

Sir CHARLES HIBBERT TUPPER. He did not say that. The language is very dissimilar. On certain articles the advantage would not be so great.

Mr. MILLS (Bothwell). These are the words:

As verbally agreed, we have the honour to inform Your Excellency that these demands will be recommended by the undersigned to the Canadian Government. It is meanwhile understood that if, as we hope, the Government of the Dominion of Canada thinks it possible to give satisfaction to the Government of the French Republic on this point, the French Government will consent on its part to add cheese to the list of articles of Canadian origin which in terms of article 3 of the agreement signed this day will be admitted in France, Algeria and her colonies, to the advantage of the minimum tariff.

Sir CHARLES HIBBERT TUPPER. That is not what the hon. gentleman referred to. He will find it on page 37.

Mr. MILLS (Bothwell). I propose reading both paragraphs. He says on page 35:

I was not aware of any change in the policy of the Government in regard to the steamship service, but that it was not considered proper to make a question of this kind the subject of an engagement to another country.

That is precisely what I said.

And that I would write a letter to him (see enclosure) explaining that fact, and furnish him with a copy of an extract of the speech I had recently addressed in London to a large deputation of gentlemen interested in the Port of Milford Haven, from which we would see the importance that

Mr. MILLS (Bothwell).

Canada attached to obtaining direct communication with France.

Sir CHARLES HIBBERT TUPPER. I called attention to the statement that the High Commissioner had said that the treaty would be of no advantage whatever without the direct steamship line. I challenge that statement. It cannot be found.

Mr. MILLS (Bothwell). On page 37 we read:

You will also readily perceive that the concession of the minimum tariff on a number of articles which it is proposed to give Canada will be practically of no value unless direct communication between the two countries be provided, as the surtaxe d'entrepôt would make it impossible for Canada to derive any advantage therefrom.

Sir CHARLES HIBBERT TUPPER. Exactly, on a number of articles.

Mr. MILLS (Bothwell). On the articles mentioned in the treaty.

Sir CHARLES HIBBERT TUPPER. On a number of them.

Mr. MILLS (Bothwell). The number is very small, at most, and if the hon. gentleman undertakes to except any, he will find very few left.

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

After Recess.

Mr. MILLS (Bothwell). When you left the Chair at six o'clock, the hon. Minister of Marine and Fisheries had called my attention to a paragraph that I was reading from a communication from Sir Charles Tupper to Mr. Hanotaux, the French Minister, and which he seemed to think did not bear the construction I was putting upon it. I will briefly call the attention of the House again to that same paragraph, and I think it will be seen that I construed it rightly. The paragraph to which I referred, and which I was discussing, reads as follows:—

You will also readily perceive that the concession of the minimum tariff on a number of articles which it is proposed to give Canada, will be practically of no value unless direct communication between the two countries be provided.

Now, "a number of articles" here does not mean a number of the articles that are enumerated in the treaty, but a number of articles all of which are included in the treaty, and which include all the articles therein referred to. This will be seen, if you closely examine the sentence. The words are "on a number of articles which it is proposed to give Canada, will be practically of no value unless direct communication between the two countries be provided," not a number of articles selected out of those enumerated, but a number of articles which are exported from France all of which are

embraced in the treaty. I need not refer further to this subject, because I think every hon. member who will examine the words of this communication, will see that they mean what I have concluded they mean, and can mean nothing else when closely examined. Now, I wish to call the attention of the House to another paragraph, a portion of which I referred to before, that is, a communication addressed to the French Minister by the Earl of Dufferin and by Sir Charles Tupper, in which they inform him that the two countries have voted a subvention of £100,000 for the purpose of establishing a line of steamers between a Canadian port on the one side and a French terminus port on the other, and Sir Charles Tupper informed the French Government that unless that subvention is granted and a line of steamers established, the treaty will be practically of no avail. Now, the Government have not, up to the present time, proposed that this subvention should be given, without which they say the treaty will have no practical value. It is well worth while also to notice the communication which was written by Sir Charles Tupper immediately after the signature of the treaty which he had been directed not to sign, and which he says he signed under instructions that these communications which were not embraced in the treaty, are optional and not binding upon the Government. Certainly this is a very extraordinary communication to make, and after the declaration that he had made to the French Government, it does seem very extraordinary that we should now be called upon to ratify this treaty which the Minister of Finance admitted was a most unsatisfactory treaty in the observations which he addressed to the House last year, and which is not accompanied by that subvention to establish a line of steamers which the representative of the Government declared to be essential to the practical operation of the treaty. I am not going to weary the attention of the House longer this evening. I submit this point for the consideration of the House, but there is nothing in this treaty which, if it is brought into operation, can be practically advantageous to this country. It is a treaty which has been negotiated in consequence of the importunities of the representative of Canada, and to which the French Government, from the first, was perfectly indifferent, in which they have shown they have no interest whatever, a treaty which the Minister of Finance, and I believe the First Minister, are as firmly convinced as I am, can confer no benefit upon this country, and the ratification of which is only being pressed by them upon the assumption that it will never be brought into operation, and is not likely, therefore, to be practically mischievous. Well, Sir, if we had to consider merely the trade between Canada and France, that might be the case; but the treaty so long

as it remains legally operative, whether it is commercially so or not, will stand in the way of negotiations with other states, because there is no concession we can make for the benefits conferred herein which we shall not be obliged to concede to France without obtaining any further concession on her part. A more one-sided arrangement it would be impossible for any one to negotiate, a more one-sided arrangement I am perfectly sure any Government not forced by conquest to do so has never submitted to an independent legislature.

Mr. CHRISTIE. I do not rise for the purpose of discussing this question, but I simply rise, as a prohibitionist, to record my protest against the ratification of this treaty, because I am fully convinced that if ratified, it will be a barrier and a hindrance in the way of prohibitive legislation, and not only so, but will tend to promote and facilitate the flooding of the Dominion with cheap intoxicating wine. Of course, as a free trader, I should be glad to see free trade with France and closer commercial relations not only with France, but with the whole world, but not in the article of intoxicating drink, and so I have no other course open to me than to record my protest against the ratification of this treaty, and, I think, I may say that the whole body of prohibitionists is opposed to the treaty on these grounds.

Mr. COCKBURN. Were it not that the terms of this treaty affect materially the commercial welfare of Ontario, from which province I have the honour to come, I would have contented myself with giving a silent vote. We must all have noticed that during the last ten years the farmers in the province of Ontario, owing to one cause or another, have suffered more or less. I do not say that among those causes I would place that of the National Policy—I believe that has been one of their main supports. But be the causes what they may, we have seen them driven into other avenues of industry to supplement their means of livelihood. Accordingly, we find a large development in the manufacture of cheese and butter and other manufactures of a similar character, and during the last few years, with a view to remedying the difficulties of their position, they have largely diverted their energies into a new channel, namely, that of vine or grape-culture. So large an industry has this become that already there are in Ontario some 6,000 acres under vine culture, and the available area in Ontario suitable for grape culture is, I believe, as large as the present area in France itself. Those 6,000 acres planted in vines are capable of producing some 20,000 tons of grapes annually, and those 20,000 tons would produce in their turn some 4,000,000 gallons of wine. Some 6,000 people are more or less interested, directly or indirectly, in this

industry, an industry which throughout the whole Dominion is valued at over \$5,000,000. When I look at an industry covering a value of over \$5,000,000 annually, I would expect that with a Government professing the policy known as the National Policy, due regard would be paid to the interests of those engaged in it, and instead of adverse legislation, a helping hand would have been held out to them. This adverse legislation will affect more particularly the province of Ontario, and if I may judge by the changes made in the tariff, will bear again more heavily on that province than on any other province in the Dominion. When I look at the treaty itself, to see the advantages we are to obtain, I may say I am struck with amazement. We are told in article 2 that whatever commercial advantages—not whatever tariff advantages—we may grant to any other power, we must grant to France, Algeria and her colonies; while France guards herself most carefully, inasmuch as she says it is understood that the advantage of any reduction in duties granted to any other power on any of those eighteen articles shall be fully extended to Canada, but on no other articles. It leaves the power in the hands of France so long as she has a maximum tariff, or a nominally maximum tariff, to raise the duties on those eighteen articles. We can find no fault with France if she does so. But we find in article 4 that if we attempt to make any increase in our duties on non-sparkling or sparkling wines, which are the two great items of the treaty, by that very act the French Government may denounce the arrangement and terminate it immediately, without waiting for the expiration of the twelve months' notice set forth in the treaty. It seems to me that the conditions are very unfair, and are not such as people trading on equal terms would for a moment dream of entertaining. With respect to the other point, namely, as to how far the honour of the country is involved in this matter, I must join issue with my hon. friends in considering that the honour of the country is involved at all. If I did consider the honour of the country was involved, I would consider it my duty to vote for the treaty to-night, irrespective of all other considerations; but I find, on the contrary, that our own Finance Minister told us on the floor of this House last year that this was not a matter in which the honour of the country was concerned, and he stated distinctly that before he would advise the adoption of the treaty he would like to consult two or three deputations on their way to Ottawa to see him regarding it. No man, I hope, in this country, far less a gentleman occupying the commanding and respected position held by the Finance Minister, would tell this House that on a question in which the honour of the country is concerned he would wait to consider representations made by deputa-

tions with respect to the commercial advantages or disadvantages obtainable from any treaty. But the ground has been taken that we are bound in honour to accept this treaty because it is a treaty to which the faith of England and the faith of this country is pledged. We have been told by the hon. member for East York (Mr. Maclean) very plainly that there are two modes of ratifying a treaty, the English mode and the American mode. Which of these should be adopted? The question is not what system should be adopted for the future, but which method are we obliged to adopt under terms of the articles of one treaty. It did not occur to the hon. member for East York (Mr. Maclean) that in a treaty of this kind in England, the instrument is settled by the responsible Ministers, never comes before the House, that it is not a matter to be dealt with by the House. If it is a treaty that does not meet with the approval of the members of the House, it is competent then for members not to arraign the treaty, but to arraign those diplomatists who framed it, or rather the Government responsible for it. I hold that in the consideration of this treaty we are to be guided by the terms of the treaty itself, and the express terms on which it is to be ratified or not ratified are clearly set forth in article 4, for we are told that the arrangement must receive the sanction of the Parliament of Canada and the Chamber of Deputies of France, and that the papers connected with that ratification shall be exchanged as soon as possible. It states, in brief, that until the tariff has received the ratification of the members of this House, and also the ratification of the members of the French Chamber, the treaty shall have no existence. I do not wish for one moment to detract in any way from the credit due to Sir Charles Tupper for his exertions in this matter. I think he has done as much as any other man could do under the circumstances, but I decline to regard him here in the light of a plenipotentiary who is to bind us fast by whatever arrangement he has made. I regard him simply as one who has gone to France to try and do the best he could, and who comes before this House now and says: this is the best I am able to obtain for you gentlemen, what do you think of it? I do not think that this House has to resign its functions. I do not think that this House has any reason to be afraid to tell the High Commissioner or Lord Dufferin or any one else, what they think of this treaty. We are to look at this treaty, not in the light of how it is to affect France or England, but we are to consider whether it is or is not for the welfare of our own beloved Dominion. We ought to be careful indeed of running into fresh treaties. Only eighteen months ago this House, by a unanimous vote, requested the Home Government to relieve Canada from the opera-

Mr. COCKBURN.

tions of the treaties with Belgium and Germany, and now we are anxious to rush into another treaty and bind ourselves fast to it. Not only are these the objections which I have to the treaty, but when I take into consideration, also, the fact that the impression left on the minds of the French negotiators was clearly that we were to run a line of steamers in direct communication between Canada and France; it leads me to consider whether it is worth our while to ratify such an agreement. Place it as you will, the impression was left in the minds of the negotiators that we would establish this direct line between Canada and France. I am prepared to admit, that, by this treaty, we may be able to sell a larger amount of lumber from Vancouver and the Maritime Provinces, and Quebec, but I do hold that the loss we shall sustain in trying to run a direct steamship line to France, will much more than counterbalance the advantages which we hope to gain. There are some points in this treaty with reference to which I honestly confess I would be afraid to face my electors if I supported it. Take champagne, for instance, which is considered a luxury to be enjoyed only by the rich, or, as my hon. friend besides me suggests, perhaps by the Parliament at the expense of the country. When I find that 30 per cent ad valorem is to be taken off the duty on champagne, I see that for every bottle of champagne that the rich man buys, it is proposed that he shall pay from 50 to 60 cents less for it; so that for every glass of champagne the rich man drinks, the poor people have to contribute 15 cents.

An hon. MEMBER. How many glasses in a bottle?

Mr. COCKBURN. There are four good brimming glasses to the bottle, or five when passed around with the foam on it. I say that with a falling revenue which causes us to face a deficit of one and a half millions or two millions of dollars, it ill-becomes us to take the burdens off the rich and fine the poor man 15 cents for every glass of champagne the rich man chooses to drink. If we are prepared in Ontario to go to our constituents and ask them to agree to the proposal that they shall contribute 15 cents towards every glass of champagne we drink, all I can say is that I think the members from Ontario must have more effrontery than I believe they actually possess. Well, Sir, looking at all these points, I can see no reason why we should adopt this treaty. I do not think that in refusing to ratify it, we are in any way casting a reflection on our High Commissioner, Sir Charles Tupper, or those who so ably assisted him. I simply take the ground that it was their business to do the best they could for us under the circumstances, and that they have done. They have placed before us the result of their bargaining, and we ourselves calmly viewing the matter here, do not think the game worth the candle.

Mr. AMYOT. I must congratulate the hon. members for Muskoka (Mr. O'Brien) and North Simcoe (Mr. McCarthy) on having taken two very nice fishes like the last speakers into their net. The one is a prohibitionist, and the other is a wine grower protector. The amendment of the hon. member (Mr. O'Brien) attacks the merits of the treaty, but it does not surprise me when it comes from the hon. gentleman and from his hon. friend (Mr. McCarthy). It is a treaty which concerns a country called France, and if I remember well, whenever the name of France has been pronounced in this House, we have seen them at the head of a little army ready to oppose anything which bears that name. I am quite sure that the sentiments which actuate them in opposing this treaty will not receive the approbation of the country generally. Those hon. gentlemen cannot bear anything which has a French name, or a French descent. If they came to Quebec, they would try to destroy the monument to Wolfe and Montcalm, and they would have advised England to give back Sebastapool because Sebastapool had been captured by both the French and the English. They will not suffer anything in arts or science if it has a French name. They would destroy the Confederation if they could, because there are French people in it, and how could you expect them to approve of a French treaty. They think the French treaty is bad because it has to do with France. These are the sentiments of their hearts, but they cannot make me believe that those sentiments are shared in by their electors. I believe that their electors hold the sentiments of the colonial envoys who give such praise to the French element all over the world, wherever they met with it. I believe that their electors like to see England and France joining hand in hand to spread civilization and knowledge and prosperity and happiness to the people all over the world. I am sure, too, that the sentiments of these hon. gentlemen (Mr. McCarthy and Mr. O'Brien) will soon cease to be expressed in this House, and that next Parliament we will hear no more of them. Now, Mr. Speaker, usually, the affairs of the country are conducted by two parties, the Government and the Opposition party, and I ask myself, how it is that in this case the Government has not to meet the Opposition squarely, but that the Third Party brings in a side fight. In the counties where there are prohibitionists, the members who will vote against the treaty, will say: we have voted against that bad Government which is in favour of intoxicating liquors, and in the counties where there are wine growers they will say the Government has not granted protection to the wine growers; and so they will try to catch votes. The Opposition assumes no responsibility for this motion, and I contend that that amounts to a false pretext. I would like to see the Opposition, as a party, coming squarely be-

fore the country and opposing the Government on this French treaty. Then, we could see the members from the province of Quebec, who are to answer to the electors speaking French, taking the responsibility of their vote with their party. In our province the word France is no objection to a treaty. We want for our province as many markets all over the world as possible, be they Spanish, German, Italian, French, English, Scotch, Irish or any nationality whatever. We want good markets anywhere in which to sell our products, so as to be able to say to the States, You will not open your doors to us, but we have found people elsewhere with whom to trade and interchange our products. But the Opposition do not meet the Government; they try to avoid the responsibility of that position, and I do not think their attitude will take with the public. With regard to the prohibitionists, I will not discuss the merits of their thesis, or their moral power, if they were in a majority, to bind the minority. I will not discuss the question of compensation to the vested interests if we abolished the trade of alcohol. They say, alcohol is a poison, and we want the people to abstain from taking poison; that is their thesis. Well, Mr. Speaker, if they are so much in favour of humanity, they must not stop there. There are other poisons. Tobacco is a poison; why do they not try to stop the importation of tobacco, and the culture of tobacco? Surely they should do so. But there is not only that poison. Everything we have may be turned into poison. If we eat too much, we become poisoned; nine-tenths of the illness in this world are due to over-eating. Let a man eat very little meat, and live chiefly on vegetables and fruits in a moderate way, and every doctor worthy of the name will guarantee him against illness. Will the prohibitionists propose a law prohibiting the people from eating too much? If you drink too much water, you will get indigestion of water, which may be fatal. If you drink too much tea, coffee or lemonade, if you take anything to excess, it will become a poison. Alcohol, as the doctors know, is not bad of itself. If you take alcohol at the proper time, you may avoid a great illness. What we want is to have good alcohol, with no poison in it. So I think the prohibitionists do not go to the full extent of their programme. If they think their mission is to impose by force health upon their neighbours, they should not limit their efforts to alcohol. They should include tobacco; they should include all those kinds of liquors which contain something deleterious to health. But I never thought for my part that wine-taking was included in the prohibitionists' programme. Who will say that pure wine in itself is a bad thing? The hon. mover knows the Bible by heart. Has he not read somewhere in the Bible about the use of wine? I will read in the 104th Psalm, verse 15:

Mr. AMYOT.

And wine that maketh glad the heart of man, and oil to make his face to shine, and bread which strengtheneth man's heart.

Will the hon. gentleman say that the Bible lies? If wine is not bad in itself, if it is good, why does he want to prohibit it? Now, I will drink another—

Some hon. MEMBERS. Oh.

Mr. AMYOT. When I am speaking of the wine of Scripture, it is so good that the word drink comes to my mouth. Now, I will read Timothy, chapter 5, verse 23:

Drink no longer water, but use a little wine for thy stomach's sake and thine often infirmities.

Now, if we look at other parts of the New Testament, we see that the best Doctor of humanity, the Son of God Himself, took the trouble to change water into wine. Will the hon. mover condemn that? Will he prohibit the work of God?

Mr. O'BRIEN. I am not a total abstainer.

Mr. AMYOT. It is preposterous to say that the prohibition of wine is based upon a moral principle. But I say to the prohibitionists: You want to prevent people from taking alcohol; all right, what is the best way? Let them have good, pure and cheap wine; that will be the best prevention. You will never find a man whose stomach is in proper order ready to take alcohol; he will take good, light wine, and will be satisfied with it. What is the case in the countries where wine-growing prevails? We never see drunkards there. But go into the cold countries—I will not name any, they are known—where there is no wine-growing; there you will see drunkards by thousands, and you will find suicides, murders and robberies due to the poisonous effects of alcohol upon the brain as well as upon the body. Let us have good, cheap wine, and the thesis of the prohibitionists will be enhanced. But, on the contrary, prohibit it, prohibit even alcohol, and then you will have the distillation of alcohol at home; you will have the fraudulent importation of all sorts of drinks from other countries, and you will kill more people by bad liquors than are killed to-day under the legal importation of alcohol. What is wanted is good liquors, inspected by the proper authority; what is wanted is the protection of society by the purity of liquor; and good light wine is one of those drinks that will prevent the habit or the necessity of taking alcohol. As to the wine-growers, I was surprised to see a gentleman of such experience as the hon. member for Centre Toronto (Mr. Cockburn) opposing the treaty on behalf of the wine-growers of Canada. Does he pretend that the wine-growers will not be protected under this treaty? Let me read him an extract from a paper, which has not been contradicted so far as I am aware:

The removal of the 30 per cent 100 ad valorem duty on French wines would not interfere in the least

with our Canadian wines, which would still be amply protected by the remaining specific duty of 25 cents per gallon.

There will remain a protection of 25 cents per gallon.

Mr. COCKBURN. I do not think the hon. gentleman has caught the point I made. I quite agree with him with regard to the cheaper kinds of wine, but the point I wanted to make was this, that in the matter of champagne, which is an expensive liquor, we are relieving the consumer of from 50 to 60 cents on every bottle he buys, and we are doing that at a time when the revenue is falling and we are face to face with a deficit, and we will have to replace the \$45,000, which we will lose that way by taxing other people in order that those who can afford it may enjoy the benefit and luxury and delicious flavour of the higher classes of champagne.

Mr. AMYOT. The one who consumes one bottle of champagne will then purchase two bottles, and that will make up the difference.

The cheapest French wine shipped to Canada cannot be bought under 40 cents per gallon, including cost of the cask; adding to this our specific duty of 25 cents and ten cents per gallon for freight and all charges,—equal to a protection of about 90 cents—the cost laid down to the importer would be 75 cents, and could not be sold with reasonable profit, under 85 or 90 cents per gallon, whereas Canadian wines are freely wholesaled as low as 60 and even 50 cents per gallon.

Now the hon. gentleman sees the amount of protection given the wine growers. They in fact will be amply protected, and they will still be the exclusive masters of the market for their grapes. And if we admit into this country cheap French wine, the taste for that class of liquor will increase, and the wine growers of Canada will thereby gain a more considerable market for their product. That is another kind of protection to that industry in Canada. No one can deny that. To-day our wine is sold at from 50 to 60 cents per gallon, but if it comes into general consumption, as I am sure it will, then it will command from 60 to 70 cents per gallon, and will obtain a much more ready sale. So that not only will our wine producers still enjoy a considerable protection under this treaty, but they will command a larger market for their products, owing to the larger use which will be made of wine generally in this country, and the more wine our people will use, the less alcohol will they consume, so that then the prohibitionists will attain that part of their object which may be a good one. Every one in this Parliament and country desires to see the use of alcohol diminished. But what is the way to accomplish that desire? Will it be accomplished by the sudden abolition of the use of alcohol and wine? I say it will not, and can easily prove my assertion. Go into those counties where the Scott Act prevails,

and you will find there more drunken people than in those where alcohol is sold under the protection of the law. Go into the states of the Union where prohibition is in force, and you will find more saloons in cellars, with corrupt air and liquor, where people kill themselves with drink, than in those states where alcohol is openly sold in accordance with the law. Now, I will not discuss the whole of the treaty, but will only add a few words. We are told that we will lose \$90,000 of revenue by the treaty, and that we are not in a position to suffer that loss. Who can prove that to-day? I believe, on the contrary, that if the treaty should come into force, as I am sure it will, the increase of commerce between Canada and France will be such that the amount of duties collected will be increased considerably, and that not only we will not lose \$90,000 revenue, but will gain many thousand dollars more. Our commerce will increase. We will buy more, and the duties will be collected on a larger scale. I believe the treaty to be a good one because it will give us an entry into the French market. I have consulted some of our lumber merchants, and they have told me that we will be able to do a considerable trade with France in various kinds of timber, and also in wooden ships, even in spite of the bounty given in France, and that the increase of trade will amount to many thousand dollars the first year. This is another way of protecting the lumber merchants and the men who get out our timber from the woods, and also of enhancing the value of our Crown timber lands. Take the article of wood pulp, I am sure that in that article alone we will be able to do a considerable trade with France. Also in prepared skins and boots and shoes. The latter is an industry in which this treaty will enable us to compete in the French market with other nations. The United States send annually over \$100,000,000 worth of divers articles to France, while we do not export to that country over \$100,000 worth. What is the reason for that difference? It is because the States now enjoy the advantage, which we do not, of being included among the more-favoured-nations, and that advantage will be given us by this treaty. But if the treaty be not a good one, we have only to give twelve months notice to put an end to it. We are told, however, that we will not be able to grant any other country any advantage without giving the same advantage to France. Well, in that case we will give the notice and put an end to the treaty. But perhaps when that question comes up, the commerce of the two countries will have increased to such an extent that France will be equally interested with us in going on and extending the treaty, so as to make it more profitable to both countries. Hon. gentlemen speak of the dignity and honour of Canada. I am of the opinion of those who think that we are bound in honour to

ratify the treaty. We are not legally compelled to do so, but we are bound in honour to ratify it, even if it should last only for one year. On the merits of the treaty itself, however, I am satisfied it will prove very advantageous to Canada. I am not surprised to see opposition to it, and I am sure that no matter what advantages the treaty may offer us, just because it is a treaty with France, the hon. members from Muskoka (Mr. O'Brien), and North Simcoe (Mr. McCarthy), would oppose it.

Mr. GIROUARD (Jacques Cartier). I feel that I cannot give a silent vote on this question, but the remarks I intend to make will be very brief. The hon. member for York (Mr. Maclean) has made the statement that the French-Canadian members of this House are in favour of the treaty because of the good feelings they entertain for old France. True, we love old France, just as an Englishman loves old England, as a Scotchman loves old Scotland, and an Irishman loves old Ireland. But this is not a matter of sentiment, it is a matter of business, and in matters of business we are not going to be led by sentiment. I recollect that some twelve or thirteen years ago the leader of the Opposition, I believe it was the Hon. Mr. Blake, proposed to this House that steps should be taken to secure to Canada the power of making commercial treaties with the nations of the earth. I recollect very well the discussion upon that occasion. Seven Conservatives voted with the leader of the Opposition, and I was one of them. I see to-day, Mr. Speaker, that this power which was asked for some twelve or thirteen years ago is an accomplished fact, and I feel that I should be wrong, indeed, unless some very strong reasons are given, in voting against the ratification of the first treaty negotiated under these new conditions. What are the reasons urged against it? One comes from the Prohibition people. I believe that the treaty, instead of favouring the use of liquor, will, on the contrary, advance the cause of temperance. Take the countries where light wines and beer are generally used, such as France, Germany, Austria, Italy and Spain, and you will find that temperance is better observed there than in countries where such light beverages are not used. It is also alleged that the treaty will have the effect of destroying the protection to the wine growers of this country. My hon. friend who has just taken his seat (Mr. Amyot) has shown by figures, the correctness of which I was convinced in my own mind before, that a protection of 20 to 25 per cent still remains to the wine growers of Canada. Are we to be told that this is not a fair protection? Is it not more than the protection which is usually extended to the farmers of this country; more than the protection that is given to many manufacturers? I believe that the wine growers have ample protection to maintain their

Mr. AMYOT.

industry. Objections have also been made that we do not receive from France the equivalent of what we give. Everything considered, I think we have got a "fair show." I think we ought to give the treaty a fair trial. If, after a year, or two years more, we find that it is not in the interests of Canada, it will be a simple matter for the Government of Canada to give notice of its revocation. For these reasons, and seeing that no sufficient arguments have been given against the acceptance of the treaty, I shall vote for its ratification.

Mr. CASEY. The hon. gentleman who has just sat down (Mr. Girouard) makes a strange mistake in one respect. But his opening remarks with which I shall deal first were thoroughly sound. He said that this should be treated as a question of business and not as one involving national sympathies. I think he is perfectly correct. There is no doubt that those of French race in this House would rather see a treaty concluded with France than with some other nations—very naturally. But, Sir, I do them the justice of believing that they would not accept a treaty with France merely because it was a treaty with France if it were not a good treaty for Canada. If the treaty be not good for Canada, if it be not in the interests of our constituents to accept such a treaty, our people of French nationality are as much bound to reject it as we of English-speaking descent would be to reject a trade arrangement with Britain which was unjust, or which interfered with the interests of the people of Canada. I hope that this phase of the question need not be discussed further than it has been. But, Sir, when the hon. member for Jacques Cartier (Mr. Girouard) said that he had sympathized very much with Mr. Blake's desire to obtain the treaty-making power for Canada, and that as this was the first treaty we have made under some imagined increase of our treaty-making powers, he felt called upon to support it, he was entirely mistaken. There has been no increase in the treaty-making powers of Canada. This treaty was not made by Canada in the way Mr. Blake wished and in the way the hon. member for Jacques Cartier wished at the time when he supported Mr. Blake's motion. This treaty was made by Great Britain with the assistance of a Canadian representative on the embassy. The treaty is not one between Canada and France directly; it is one between Great Britain and France, though concerning the interests of Canada. It is exactly the same sort of treaty as the reciprocity treaty formerly arranged with the United States, or the Washington treaty, concluded with that country in later years. In this case our representative discussed matters with the French representative under the sheltering wing of the Marquis of Dufferin representing the British Government, and under the auspices of the British

Government a treaty has been completed so far as these authorities could complete it. Then the question is raised how far our national honour is involved in the acceptance of the treaty so concluded. It should be enough to say that the treaty makes provision for its being accepted by this House before it has any effect whatever. We can not be accused of breaking faith with France if we discuss the treaty and accept or reject what our representatives have done. Still more is that the case when it appears, not only from the speech of the hon. Minister last year, but from the correspondence, that our Commissioner, Sir Charles Tupper, did not carry out the views of this Government during the negotiations. The treaty was not made in the terms this Government expected. This is particularly true in regard to the most-favoured-nation clause, in which, as is quite clear from the telegrams, from the statements made last year and from the correspondence, this Government had no intention of agreeing to grant to France the same privileges granted to any other nation in case of making a subsequent treaty with any other nation. This is what the Finance Minister said on this subject last year :

On the other hand, as the treaty is signed, Canada agrees to give France "most-favoured-nation" treatment, not only on the articles that are mentioned, but on any articles of her tariff in which she gives better terms to any other country. That was not the intention of the Government, as will be seen by a telegram which was sent to our Commissioner in January, in which it was expressly stated that we agreed to the "most-favoured-nation" treatment, so far as articles named in the treaty are concerned. Our Commissioner, either through error or reasons which he explains in his correspondence, signed the treaty with the clause in it as I have read, giving most-favoured-nation treatment to France in all articles of our tariff.

So we see that this treaty, in this most important particular, was framed contrary to the intention of this Government, as expressed to their commissioner in France during the discussion. To allege that our faith as a nation, as a Parliament, is bound to a treaty so framed, is absurd, and would be absurd, even without the clause contained in the treaty, making it subject to our final acceptance. The treatment this question has received from the other side of the House leads us to think that the Government have never been whole-hearted in regard to it. They were not specially anxious to open trade with France on the terms expressed in this treaty, not anxious at all, as they themselves stated. But it was necessary, apparently, to do something to show the use of having a very expensive and very high commissioner in Great Britain, and this treaty was hurriedly concocted, and when it came under the notice of the Government it was found to be not very acceptable, even

to themselves. Last year they dealt with the subject very tenderly, and dropped it for the session, giving no certain voice as to whether they would ever ask the House to accept it. This year, from some influence or other, they have been induced to ask the House to accept it, but neither from the Ministers themselves nor from any of their supporters, has there come any justification or defence of the treaty upon its merits. We have had such humorous speeches as that of the hon. member for Bellechasse (Mr. Amyot), we have had mistaken ideas put forward on the part of the hon. member for Jacques Cartier (Mr. Girouard) on side issues connected with the treaty, but there has been no defence of the treaty on its merits, either by the Government or their supporters. It is clear that neither their honour, nor that of the country, nor that of Parliament, is concerned in the acceptance of this treaty. It is merely the reputation of Sir Charles Tupper as a negotiator which is at stake, and it is merely for the purpose of maintaining it that we are now asked to accept a treaty which is indefensible on the face of it. If there are any hon. gentlemen in the House who feel that it is worth while to injure the country's trade for the purpose of accomplishing that object, they may heartily support the treaty. I do not see that any reason laid before the House has been sufficient to induce the House to accept it for its own sake. What are the disadvantages of the treaty? They are, I think, very correctly expressed in the amendment of the hon. member for Muskoka (Mr. O'Brien). The treaty is admittedly unfair to Canada in many respects, and particularly in regard to this favoured-nation clause, which of itself should be sufficient to secure the rejection of the treaty. Again, while France reserves the right to raise the minimum duties on which our goods are admitted without breaking up the treaty, we are not allowed to increase the duties on any of the articles to be imported from France under this treaty, without breaking the arrangement. On the other hand, we only receive favoured-nation treatment from France in regard to the articles named, while she is to receive, with all her colonies, favoured-nation treatment from us on all articles. That ties our hands completely in regard to reciprocity arrangements with other countries, and makes this treaty a movement, not in the direction of increased foreign trade, but one calculated to restrict foreign trade. Would we not be in a nice position if we were discussing a reciprocity treaty with the United States, and were forced to tell them that we would be compelled to give to France and her colonies all the advantages we might give to them under any arrangement we might make? Do you suppose for a moment that the Government at Washington would entertain a treaty of this kind? They objected even to our giving favoured-nation treatment to Great Britain when we attempted to conduct negotiations for re-

reciprocity. How much more would they object to it in regard to a country as foreign to us as to the United States themselves? It would put a stop absolutely to any hopes of reciprocity with the United States, and the advantages to French-speaking and to English-speaking people of Canada alike, are unspeakably more important than anything that could be gained under this treaty. Our friends from the province of Quebec know that as well as do any others. They know that nothing could be of greater benefit to them than a reciprocity treaty with the United States, framed so as to consult the best interests of this country. They know it would do infinitely more for them than any trade it is possible to expect with France or any other European country. They realize, too, that in voting to support this treaty they are cutting off for ever, or as long as this treaty lasts, all hopes of such an arrangement. It is unfair also and unjust, as has been already pointed out, to those of our population who do not use luxuries. I speak of luxuries advisedly, for French wines, even with the 30 per cent duty knocked off, will still be luxuries not within the reach of the great mass of our population. I do not think I need to press that proposition. The effect of the treaty, in this clause of it, leaving out its bearing on the question of prohibition altogether, will be to allow those who drink champagne and claret, and other French wines, to import them at 30 per cent less than they have been paying for them heretofore. The result will be a loss of 30 per cent to the revenue, which, as my hon. friend from Essex (Mr. McGregor) pointed out, will have to be paid by the rest of the population who do not drink champagne and claret. We have had lengthy discussions during this session on the subject of the pressure of the tariff upon the poorer classes, or to put it even more broadly, upon those classes who are not actually wealthy in the community. It has been shown that many of the taxes imposed by the existing tariff bear very heavily upon people of small means. We are by this treaty imposing another burden upon those people of small means for the benefit of people who can afford to have champagne and claret on their table every day, or to set it up, to use a slang phrase, very freely for their friends. I call such a proposition monstrous and absurd in an assembly which is supposed to protect the interests of the poor above all others. It is unfair to a large class of our agricultural population, as has been well pointed out by the hon. member for Essex. I would ask the House to remember that the wine industry is only in its infancy; that it is not only in the county of Essex, but all along the shores of Lake Erie, and for a considerable distance inland, that there is a climate and a soil adapted for raising grapes and for making home-made wines. I think it is too bad when we are taxing the agriculturist so very heavily in other re-

Mr. CASEY.

spects, that he should be prevented from taking advantage of such a means of increasing his very small revenue as will be afforded in this way, and it must be remembered that large as were the interests spoken of by my hon. friend from Essex (Mr. McGregor), they do not represent the total interest involved at present or that possibly may be involved. There is another point in the treaty which has not been dwelt upon to any extent, and that is the commercial relations of St. Pierre and Miquelon to France and the rest of the world. It appears that under the new tariff in France a great many articles which are imported on either maximum or minimum duties in France itself are made free, or are admitted at very much lower duties in St. Pierre and Miquelon. The Government were informed of this fact during the progress of the treaty negotiations, and it was supposed that those reduced duties applied entirely to goods imported from Canada. It appeared, however, afterwards that the provision is general, and that St. Pierre and Miquelon could import many articles duty free from the rest of the world and send them to France in competition with articles sent from Canada under the terms of the treaty, on which at least the minimum duty would be charged. Without going into figures, I ask those familiar with the statistics to remember that even the minimum duties are really highly protective duties, and as a matter of fact, the customs arrangements of St. Pierre and Miquelon would enable those small communities to become points for collecting and sending into France duty free a large number of those articles which some hon. gentleman expect to be able to send there from Canada under this treaty. One or two of my hon. friends have spoken of the large prospective trade with France under the proposed treaty. I think the Minister of Finance last session addressed remarks to the House which were sufficient to destroy any such hope. He pointed out that the present minimum tariff in France is in many cases higher, and in very many cases quite as high as the tariff applicable to the products of all countries which was in force previous to 1892, and we obtain very trifling trade advantages by having our goods admitted on those terms. The hon. gentleman pointed out also that we would not get practically any advantage from the treaty unless we established a direct steamship line with France, which is not now proposed to be done. Such a project would involve an expenditure which the Government has not thought proper to submit to the House, an expenditure which would not for a moment be entertained in order to obtain the advantages of this treaty. To sum up, I am satisfied that this treaty is unfair to Canada, and is a matter of very slight consequence to the people of France. I am sure they were not anxious to enter into it, but were induced to do so by solicitation on the part of Canada, and

their representatives managed to give Canada as little as possible as a result of the negotiations. Moreover, the treaty is unfair to special interests in Canada, and to large classes in this Dominion, and it would prove a stumbling block in the way of future negotiations for extension of trade with other countries. For all these reasons, I feel bound to vote for the amendment of the hon. member for Muskoka (Mr. O'Brien) unless some other should happen to be proposed which would more exactly express my views on the subject.

Mr. LACHAPPELLE. (Translation.) Mr. Speaker, we have been told, in the course of this debate that the House was not in honour bound to ratify by its vote the treaty with France, signed on the 6th of February last, by our High Commissioner in England, the Hon. Sir Charles Tupper. Still, these gentlemen have given credit to this high functionary for his exertions in the matter and proclaimed aloud that he had accomplished all that was possible of accomplishment to obtain better terms and to have embodied in the treaty the most advantageous concessions to Canada. The hon. member for Bothwell (Mr. Mills) and the hon. member for Toronto Centre (Mr. Cockburn) have laid stress on that point. Do I fail to grasp the situation, Mr. Speaker? do I fail to apprehend the question and are the hon. gentlemen warranted in making such statements? It seems to me that our High Commissioner, who represented Canada on that embassy, was quite free to sign the treaty or not. I could realize the meaning of such remarks as fell from the hon. members, if our plenipotentiary had not been free to discuss, approve of or decline to ratify the treaty; but he was under no obligation to accept that trade arrangement; he had full discretion in the matter. I am then warranted in drawing the inference that it would be most unfair to our Commissioner for us to withhold ratification of the treaty negotiated by him under our authority. I contend further that, granting that we are not in honour pledged, as it has been repeatedly stated on the floor of the House, to ratify the treaty, I think that the House is in honour bound to support its representative who acted on behalf of Canada in France. What are the reasons urged against the ratification of the treaty? What are the objections that have been pressed, or that may be alleged, against the provisions of this treaty? The hon. member for East York (Mr. Maclean), when discussing the merits of the treaty, stated that, previous to its being signed, the views of the Canadian people should have been ascertained, and that, if such a course had been pursued, the people, through their representatives on the Ministerial side or the party in power, would have given expression to their views with regard to the proposed treaty, and quite a different conclusion might have been reached. But my hon. friend has overlooked a very important fact; he forgot to

tell the House that the gentleman who was chosen as plenipotentiary had, during the 30 or 40 years of his political career, ascertained the views of the people; that he knew the needs of our country and the spirit of our people, and that he was, therefore, well equipped for the occasion, an advantage which should not be lost sight of by hon. gentlemen in this House. Sir Charles Tupper's political career, his vast experience are such as to warrant us in assuming that by the very fact he signed the treaty, it should commend itself to our approbation. As to the grounds for entering into a treaty with France, I may say that this policy is the outcome of a desire to see closer commercial relations with the whole world. Ever since the reciprocity arrangement with the United States came to its termination in 1866, such a want made itself keenly felt, and has only been still more intensified by the passage of the McKinley Bill by which the American market has been practically closed to us. It was this desire on the part of Sir Charles Tupper and the Conservative party of opening the field for enlarged trade relations, that brought about the present trade arrangement with France. Of all necessity, our trade relations with the markets of the world ought to be remodelled. America should consider old Europe as her best market. And of all the European markets, if there was one which our representative was justified in seeking access to, it was the French market. The French nation in the matter of importation comes next to England; it is our most important market after that of Great Britain. France imports foreign goods to the amount of over one billion a year; the United States rank next. Such, I think, was the ground on which our High Commissioner made up his mind to go to France and seek admission for our products into the French market. Protests have been recorded against the ratification of the treaty, on several grounds. It was stated, in the course of the debate, that the proposed arrangement would confer no benefit upon the country; a statement which they have so far failed to substantiate. I contend that certain advantages will accrue to the country from the treaty. It is a new departure, which will pave the way for future negotiations for extension of trade with other countries besides France. I think that the first exercise of our treaty-making power includes those very stipulations which should govern in the future trade relations between France and Canada. But who are those who protest against the treaty? There are two classes of people arrayed against it: the wine-growers and the prohibitionists. It seems to me strange enough that the treaty should be denounced by two classes of men who hold quite different views; the prohibitionists, on the one side, who are bent upon destroying the wine and the liquor traffic; and, on the other hand, the wine-growers, who represent the grape and wine industries. If I understand aright

their position, the latter gentlemen oppose the ratification of the treaty from the standpoint of their personal interest. But, as it has been stated, and I may be allowed to allude to it here—the objection raised by these gentlemen is utterly baseless; and the interests of that class of people will not be affected nor placed in jeopardy, should the treaty be ratified and come into force. The importation of French wines into our country will result in developing among our people a taste for those wines which have a smaller percentage of alcohol in them than our native wines; and the stimulation of the consumption of those lighter wines will promote the cause of temperance; for in countries where light wines are largely used, there is no room for prohibitionists and temperance societies. I entertain the utmost respect for prohibitionists, and I duly appreciate the moral character of the temperance reforms, but let me repeat that the fact of the inhabitants of northern countries being addicted to excessive drinking is to be attributed to the influence of the climate rather than to a natural predisposition, and therefore the use of beverages which do not gauge a percentage of alcohol high enough to render them nocuous to the public health, should be encouraged. Therefore, I can see no reason, from the prohibition standpoint, to oppose the treaty arrangement now before the House, as the evil these societies are loudly complaining of, and which they are endeavouring to eradicate, would be better remedied through the general use of the cheap wines secured to us by the treaty. Those societies, under the circumstances, have an undoubted right to agitate temperance reform: "Alcoholism, behold the enemy!" Such is, as it were, the watchword of the prohibitionists. That alcohols manufactured in this country, as over the world, are essentially more intoxicating than grape spirits, leaves no room for doubt, and that also accounts for the prevalence of alcoholism nowadays. In times gone by, when there were no adulterated spirits for sale, there were very few drunkards. I will then say to the advocates of prohibition: Encourage the admission into our country of light wines and of unadulterated liquors, if you wish to put a stop to the evils of alcoholism. I shall pass over in silence certain statements made by hon. members about wine or grape-growing in France. The petition of the wine-growers which was read to the House by my hon. colleague the member for Essex (Mr. McGregor) contains certain statements, the accuracy of which I could easily challenge. There are to be found in that petition statements wholly at variance with facts, and among others, one to the effect that the French market is not the best wine market in the world; an erroneous assertion which members of this House will hardly think worth while refuting. For it is an indisputable fact that

Mr. LACHAPPELLE.

France is looked upon as the wine-market 'par excellence,' and that she is ahead of all other wine-growing countries for the high quality of her wines. This was an inuendo to the effect that phylloxera had worked such destruction among French vines that, had it not been for the timely help of a certain American seedling grape introduced into that country—I forget the name of that seedling, which is grown on a large scale in Ontario—the French vineyards would have suffered total ruin. This is a sample of the egregious mistakes committed by the gentlemen who framed the petition. It is further stated in the same petition that the admission of French wines is tantamount to the importation of spirits on a large scale. The only way to check this evil—I should call it a public danger—would be to appoint an analyst to analyze and test the wines imported from France to ascertain whether they gauge the required percentage of alcohol. Such tests are used at the Paris octroi; and such is the remedy suggested by the petitioners to obviate the evil complained of. Objection is offered to the arrangement on the ground that twenty articles included in it, and having the benefit of the minimum tariff, will be of little advantage to us. This is another misleading statement, for the admission of those articles, of lumber especially, not to mention other articles, is likely to be highly beneficial to the Canadian lumber interests. Among the papers laid before the House in connection with this matter, I find a letter from Mr. Godday, a Quebec lumber merchant. In my opinion, the information conveyed by this gentleman is the best answer to be given to the hon. members who deny that any advantage will accrue to this country from the proposed arrangement so far, especially, as the lumber interest is concerned. The letter reads as follows:

1, ST. HELEN'S PLACE, LONDON, E. C.,
19th February, 1894.

The Secretary,
Dominion of Canada Government Offices,
17, Victoria Street, S. W.

DEAR SIR,—Would you kindly inform me what prospects there are of the early ratification of the France Canadian Treaty. The present difference to the prejudice of Canadian wood imported into France is about \$1½ per M. feet and as shipper of such, I am desirous of speaking to my French buyers with some knowledge of the subject as regards their future position. If some hopes were held out of an early ratification of the treaty there is no doubt but that a good and profitable business could be done with France this season. I am given to understand that lumber shipped from the United States to France pays the minimum tariff and I would learn with pleasure that Canada is shortly to avail herself of the same advantage.

Thanking you, in anticipation, for the information you may be able to afford me.

Yours truly,

H. G. GOODDAY, of Quebec.

So far, Mr. Speaker, with the lumber in-

terest. But are there no other industries connected with the lumber interest? Let me mention, for instance, wood pulp or cellulose, which is included among the twenty articles admitted under the treaty. From all the above facts, Mr. Speaker, I draw the conclusion that the proposed treaty is beneficial enough to the country to justify us in giving it as general a ratification as possible; and I doubt not but that such will be the course followed by the House, without a dissenting voice. This question, Mr. Speaker, is not one which I, as a French-speaking member, would consider as involving national sympathies; however justifiable such sympathies may prove in other matters. As stated by the hon. member for Jacques Cartier (Mr. Girouard) this is a matter of business, a question of general interest to the country. We are called upon to ratify the first treaty entered into not only with France, but with Europe. This first exercise of our treaty-making powers will no doubt receive further development in the same line later on. Bearing in mind what I would style the high-handed treatment of Canada by our American neighbours, we should bend all our energies towards making trade arrangements with foreign nations so as no longer to depend on the American market, and thereby achieve our commercial independence.

Mr. EDGAR. Mr. Speaker, if this House were to-night engaged in discussing a business question, a matter of trade, and of dollars and cents between England and Canada, I think that any hon. member who would support an unfair advantage against Canada in that matter of business, would be very properly considered a traitor to Canada. Therefore, I agree with the hon. member for Jacques Cartier (Mr. Girouard) that every member in this House, no matter what his origin may be, should consider this treaty as a true Canadian. It would be an insult to any member of this House to suggest that, because he might be of French origin, he would be guided by any matter of sentiment or anything else, but his duty to his own country of Canada. There are one or two points which seem to me exceedingly important in the consideration of this question. The clauses relating to the most-favoured-nation treatment are, in my judgment, of the first importance. By article III. of the treaty, France agrees to give Canada the advantage of any reduction of duty which she may grant to any other power, on any of the few articles mentioned in the treaty. On the other hand, by article II., Canada agrees to tie her hands and to give to France any commercial advantage in respect to all and every article that she may grant to any third power. On the face of it, that is grossly one-sided and unfair to Canada. It is not a fair bargain between two countries, and more than that, looking to the future, Canada's hands are tied in mak-

ing commercial treaties with other countries. We are bound now, as we know, by some of the treaties that Great Britain has made which include the colonies, notably the treaties between Great Britain and Germany and between Great Britain and Belgium. This House but a few years ago protested in the strongest possible language to Great Britain against being any longer included in these treaties, and I am sorry to say that England has turned a deaf ear to the unanimous protest of both Houses of the Canadian Parliament in that respect. But, Sir, we can hardly imagine how our Government ever came to consent to such an unfair arrangement between Canada and France as this is. I must, to a certain extent, exonerate the Government from ever having consented to such an arrangement, because I find that in their latest telegraphic instructions to Sir Charles Tupper, dated 12th January, 1893, they say:

We agree to most-favoured-nation treatment, so far as articles named in the treaty are concerned.

That would be all right. Canada only gets that treatment from France, and that is the only treatment the Government authorized Sir Charles Tupper to give to France. Let me see if I am wrong in my interpretation of that, for I hope that our Government would not have agreed to anything else. But, Sir, I do not require to depend upon the language of that instruction to Sir Charles Tupper, for I have the explanations in detail given by the Minister of Finance as to what instructions the Government gave to the High Commissioner, and how they were carried out by him. On the 13th of March, 1893, the hon. Minister of Finance in discussing this treaty, said:

Now, I wish to state also, that this treaty contains two clauses with reference to what you might call "Third Power" treatment. With reference to the Canadian articles, France binds herself to give to Canada the same terms in regard to the articles mentioned in the treaty that she gives to any "more-favoured" nation. On the other hand, as the treaty is signed, Canada agrees to give France "most-favoured-nation" treatment, not only on the articles that are mentioned, but on any articles on her tariff in which she gives better terms to any other country. That was not the intention of the Government, as will be seen by a telegram which was sent to our Commissioner in January, in which it was expressly stated that we agreed to the "most-favoured-nation" treatment, so far only as articles named in the treaty are concerned. Our Commissioner, either through error or for reasons which he explains in his correspondence, signed the treaty with the clause in it as I have read, giving "most-favoured-nation" treatment to France in all articles of our tariff.

That surely is explicit enough, and there can be no doubt that I was right in defending the Government, because they never gave such instructions to their commissioner to France. But that there may be no doubt

upon it, I will make another quotation from the statement made to this House by the Finance Minister on the 30th March, 1893. He used this language :

I think it is also well to state that one of the chief points, which the Government have to keep in view, is with respect to the favoured-nation clause. Whatever may have been our understanding with respect to all the other clauses of the treaty, as to articles which were to be allowed to come in, it is perfectly true that by our telegram of 12th January, we assented to those clauses, whether we fully understood, them here or not, and as responsible for them. But, with respect to the extension of the most-favoured-nation treatment, that was never contemplated by the Government, that was not included in our instructions, and, so far as that is concerned, was entirely beyond the wish of the Government.

Mr. PATERSON (Brant). Who said that ?

Mr. EDGAR. The Minister of Finance, from his place in the House on the 30th March, 1893. Now, Mr. Speaker, that being the case, how does the Minister of Finance stand up in the House and ask us to ratify that treaty which the Government of Canada never gave instructions should be entered into, and which the Government condemned, as the Minister of Finance says, in one of its most vital points. Another misapprehension has arisen about this unfortunate treaty. It is a "little French treaty" as the First Minister says, but still we have not an opportunity in Canada of very often discussing treaties little or big, and so we will be excused for taking some unusual interest in this, although it is only a little one. I hope we will not again have such a treaty to discuss. Another point is this : You will observe that this treaty, under its terms, extends its benefits to the colonies of France—"France, Algeria and the French colonies." As far as Canada is concerned, by far the most important of the French colonies in matters of trade is St. Pierre and Miquelon, at our doors. Why, Sir, our trade and navigation returns show that last year, while we exported to France \$264,000, we exported to that little colony of St. Pierre and Miquelon, \$219,000, nearly as much as to the whole of France. Therefore, undoubtedly that was an important colony to be considered ; it was a consideration to have the trade of that colony when the treaty was negotiated. But what do we find ? We find that it was undoubtedly considered by the Government an important matter to obtain the trade of St. Pierre and Miquelon, because in this same telegram from Mr. Bowell to Sir Charles Tupper of the 12th of January, this is stated :

The Government agree to other conditions in return to minimum tariff on articles named as regards France and St. Pierre and Miquelon.

This is evidence, perfect evidence, that this was a large part of the consideration. Well

Sir, will it be believed by the House that the French treaty does not effect our trade with St. Pierre and Miquelon in the slightest degree ? Will it be believed by the House that when the treaty was signed, Canada had access to St. Pierre and Miquelon with all the rest of the world at a very low rate of duty, utterly independently of this little French treaty ; so that that consideration, a very important part of the consideration of the treaty, as it was understood by the Government when they sent over that telegram of the 12th of January, utterly failed and collapsed. Am I wrong in that ? Does anybody doubt me ? I will quote the Finance Minister again on that point.

Mr. FOSTER. A better authority than you generally quote.

Mr. EDGAR. A pretty good authority, that one person in this House cannot deny, at any rate.

Mr. LAURIER. Except himself.

Mr. EDGAR. The hon. Minister of Finance, on the 13th of March, 1893, went into a long statement, showing what great advantages we would get from our possible trade with St. Pierre and Miquelon—showing that the tariff that we would have to pay on what we sent to those islands was an exceedingly low, almost a nominal one. One would imagine when he was defending this treaty, that that benefit had all been derived from the treaty, but candour compelled him to admit otherwise, because he said this about it :

Now, it is only fair to state this as well. That the proclamation by which this reduction in tariff rates is made for St. Pierre and Miquelon is a proclamation which leaves that trade in these articles open on these terms to the whole world, as well as to Canada. From the correspondence as it went on, Council was of the opinion that that was to be as compensation to Canada as far as these articles are concerned, but the decree which was promulgated, and which reached us, I think in the latter part of January, shows that the proclamation was made general, and that these articles, as far as St. Pierre and Miquelon is concerned, came in at the lower rate. They, however, come from any country as well as from Canada.

You see the consideration had fallen through. It may be said, perhaps, that Sir Charles Tupper did not inform this Government that that was one of the considerations which he was trying so hard to get, but we find that he did, because on the 21st November, 1892, in a letter which he wrote to the then Premier, Sir John Abbott, Sir Charles Tupper, speaking of the consideration, at page 23 of the blue-book, said :

And a large reduction below the minimum tariff in St. Pierre and Miquelon, which will amount to a remission of duty of some 250,000 francs per annum on Canadian export and thither under the maximum tariff which will become payable there after the first February next.

And further on, on the same page, he said :

It will thus be seen that the remission of duty on the wood imported into France from Canada, as shown by the French trade returns, which I am satisfied are correct, and on the wood exported under the proposed remission of duty to St. Pierre and Miquelon, will exceed in amount the whole of the ad valorem duty which it is proposed to surrender on the wines.

So my point is that while in one case in regard to the favoured-nation treatment, the Government distinctly instructed their commissioner not to sign the treaty with such clauses in it, in the other case, in regard to the St. Pierre and Miquelon trade, they were misled by him, or both were misled by their ignorance of the state of affairs in thinking that they got that St. Pierre and Miquelon trade under the treaty, when they did not. Now, earlier in the evening, the hon. member for Cumberland (Mr. Dickey) and I think the hon. member for East York (Mr. Maclean) seemed to think that we were bound to-night, at the request of the Government, to ratify this treaty, because it had been signed more than a year ago by the British plenipotentiaries on our behalf. Well, apart from the arguments which have been used to-night, especially those advanced by the hon. member for Bothwell (Mr. Mills), and apart from the language of the treaty itself, which throws it open to the Parliament of Canada and to the Legislature of France to reject the treaty at any moment, I would just quote the words of the Finance Minister himself last session on that point. After pointing out, with the greatest possible frankness, all the objections—some that I have urged to-night, and some that I have not urged—he said this :

And certainly, until we receive more satisfactory assurances than we have as regards these items of which I have spoken, I shall not ask the House to ratify the treaty.

Was that admitting that the House could not ratify it? Why, Sir, it was suggesting that unless he got satisfaction on those different points, he would not ask the House to ratify it. I would like to know what satisfaction he has got on the question of the most-favoured-nation treatment? What change has come over him since last session? No new light has been thrown by him on the subject to-night; and why has he changed his mind from what it was then, when he said that he certainly would not ask the House to ratify the treaty until he had satisfactory explanations about these matters? And even this session it seems that it was not absolutely necessary for this House to ratify this treaty, because at a very early part of this session, this question was asked by the hon. leader of the Opposition :

What is the policy of the Government with regard to the commercial treaty with France? Is the Government to ask or not to ask ratification of the treaty?

177½

The answer of the Minister of Finance was this :

I beg to say, in reply to the hon. gentleman, that two important delegations have asked to be heard with reference to this treaty, and the Government have therefore decided to defer giving the answer until after the Easter Holidays, after these delegations have been heard.

So that even the hearing of a delegation was sufficient in itself to throw doubt on the minds of the Finance Minister and the Government whether they should ask the House to ratify this treaty at all or not. Under all the circumstances, without detaining the House any further, I beg to move, in amendment to the amendment of the hon. member for Muskoka (Mr. O'Brien) that the following words be added at the end thereof:—

That it appears from the papers laid before the House and the statement made to this House by the Finance Minister, that this treaty was signed, as to the most-favoured-nation treatment, without the instructions of the Government, and further that the treaty was entered into under the erroneous impression on the part of the Government that the trade with the French colony of St. Pierre and Miquelon would be affected by the treaty.

Sir JOHN THOMPSON. I was glad to hear the hon. member for West Ontario (Mr. Edgar) call the attention of the House to the fact that we are discussing to-night a matter of pure business, from which he was very anxious indeed that all matters of sentiment should be eliminated. The hon. member made that observation evidently because one or two members of this House had expressed a feeling of sympathy in the direction of increased trade with France, and the hon. gentleman evidently feared that the treaty was, by some, supported out of the natural feeling of desire which some members of this House have in that direction. But the hon. gentleman, when he made that statement, forgot entirely that some of the reasons which had been already advanced in this debate by some of the principal speakers on his side of the question, were considerations very far indeed removed from the question of business and the question of trade, and had thrown a political acrimony into the discussion which, according to his view, ought to be entirely removed from it. Indeed, the hon. gentleman, himself, forgot his own injunction, a few moments later, when he sought to prejudice the minds of this House against the treaty, on the ground that it had been negotiated by Sir Charles Tupper, and to some extent represented Sir Charles Tupper's personal views, rather than the views and directions of the Government of Canada. I intend to second heartily the injunction which the hon. gentleman pressed upon this House, that other considerations than those connected with business matters should not be drawn into this debate, except, of course, those

questions of sentiment and honour which are connected with the good faith of the country and the public spirit and sense of propriety which should have weight in a Legislature like this in considering our negotiations with any other country. For that reason my earnest request to this House on behalf of the Government, who have been alleged to take a very slight interest in this matter, is that, in considering this treaty, members will disregard the argument which was advanced at the very outset of the debate by one of the leaders of the Opposition, based on the assertion that the Government had been vacillating in this matter, and that that should be of itself a ground for the rejection of this treaty. That story of vacillation arises from the fact that last session we declined to ask the House to enter upon the consideration of a bill to ratify the treaty. We declined for reasons stated frankly to the House by the Finance Minister, and which would, if they had not been removed or explained, have justified a similar hesitation this session. The treaty had been signed at Paris eleven days after the opening of last session. Parliament sat for less than sixty days after that treaty had been signed at Paris. The mere fact that so short a time could elapse between the signing of the treaty and the closing of the session would be itself a reason to consider whether the treaty ought not to be laid over another year in the absence of any strong wish to the contrary expressed by the other party. But there were certain matters of interpretation which had to be set at rest, and these the Finance Minister expressed to the House—whether, for instance, under the expression of the treaty which related to our preserved fish, that expression was not too strict to allow our preserved fish to be admitted into France under the minimum tariff. There was also a question of interpretation with regard to lumber and various other matters, which could not possibly be settled before the close of the session. Additional information upon such points has since been obtained and laid on the Table, and this House, as well as the Government, have received the explanations which have been made, and which must have convinced the House that the terms of the treaty were such as to include the articles which we expected would be included, but the inclusion of which were considered doubtful at that time. These are the facts with regard to the pretended vacillation on the part of the Government, on which this House is asked to reject this treaty. And then, I think, I might ask upon the same ground that the House should utterly ignore the statements urged in subsequent speeches, for example, by the hon. member for Bothwell (Mr. Mills), that the Government were not desirous of having the treaty ratified, that they did not believe it to be a genuine

arrangement, beneficial to Canada, and were only acting under the dictation of the High Commissioner—that the High Commissioner was indeed a plenipotentiary, but not a plenipotentiary on behalf of, but, rather, over the Government of Canada; and the statement likewise with regard to the coercion which that gentleman had used on the Government of Canada in relation to this ratification. I would ask the House to disregard these expressions and statements upon one particular ground, and that is, that they are absolutely and unqualifiedly untrue. The High Commissioner of Canada, as well as the other plenipotentiary who was engaged in the negotiation of the treaty, of course was most anxious that the country on whose behalf the new treaty arrangement was made should give that arrangement its sanction. It has been fairly admitted, and could not be contested, that the plenipotentiaries had made for Canada the best arrangement—and I think it was the hon. member for Toronto (Mr. Cockburn) who made the admission—which they were able to accomplish. But beyond the mere statement of the desire they entertained that the representations they had made to the other country would be justified, and that the arrangement which they had made—the best they could—should meet the approval of the Parliament of Canada, there has not been the slightest attempt at coercion or dictation on the part of those hon. gentlemen in regard to the Cabinet, or any single member of it. And I trust that the House will give us credit for at least having spirit enough to resist any attempt at dictation with regard to matters of this kind if any should ever be made. Now, having joined the hon. member for West Ontario (Mr. Edgar) in the request that considerations which are foreign to the subject, and which were adduced in order to mislead the judgment of the House—or, at any rate, could have only that effect—should be discarded for the moment, I will ask the House to enter upon a consideration of the few points that have arisen. With regard to some of them I may say that misapprehension has prevailed in the minds of the gentlemen who have spoken. Let me ask the House to consider this fact at the very outset of my argument upon it, that the Government of this country, no matter in whose hands it has been from time to time, has been for upwards of twenty years trying to make a trade arrangement with France. In the course of these twenty years the subject has been pretty well considered and discussed. In the course of the negotiations which took place a little more than a year ago in Paris the history of all the negotiations, every protocol that had passed, is known. Is it not singular, if this is such a bad arrangement for Canada, that no gentleman, in the course of this long discussion, which has lasted for several hours, has pointed out one particular in which the arrange-

ment could be improved? We have objections with regard to the most-favoured-nation clause, but these I will notice separately. With about twenty-one years of experience of negotiations with France, and with a full canvass of the lines in which trade with France could be enlarged, is it not singular that, while gentlemen have spoken in round terms of attack upon this treaty, they have been unable to name one article which should have been admitted or one that should have been excluded from the working of the treaty. By this hon. gentleman can judge of the fairness and the merit, to say nothing of the sincerity, of the criticisms that have been passed on the treaty. If it is the case, as I think it is; if it must be admitted, as I think it must, that the different plenipotentiaries have accomplished all that was possible of accomplishment in the range of the products of the two countries, how is it that we have been unsuccessful for more than twenty years in endeavouring to bring about a trade arrangement with France? Is it possible that the statesmen who have taken part in these negotiations from time to time were not aware how limited a range of subjects could be included in a trade arrangement? Or is it that the products of France and Canada are not the same as they were twenty years ago when we commenced the negotiations? The conclusion is irresistible that an arrangement such as hon. gentlemen opposite, when it came their turn to assume the responsibility of Government, were endeavouring to bring about has been brought about, and now that it has been brought about, now that it opens the field for enlarged trade with France for the first time, we hear criticisms based on the limited range of products which can be included in a trade arrangement with France. Now, taking another view of the situation, I was somewhat surprised to hear my hon. friend from Toronto (Mr. Cockburn) making his criticism with regard to wines and the reduction of duty upon the wines of France. That opens up a bit of history with regard to the fiscal policy of the Government of this country. I think it will be found, if we trace its way back, that these duties were increased to their present level in order to give the Government of Canada a lever to bring about such an arrangement as we have here. Certain I am, and certain I am that I can prove from the records of this House, that as long ago as 1879 this House put on record and finally embodied in a statute an offer to abandon this very duty if it could bring about a trade arrangement with France, such as has been accomplished now. But now that our offer has been accepted after standing on the Statute-book since 1879 we turn about and say: We are making too great sacrifices and these duties that we put on to make arrangements with France must remain; our offer was too generous and we repent of that offer made in pursuance of a statute standing on the

books of this country for some fifteen years. I would like to refer the House to the 'Hansard' of 1879. The House will see that there was then introduced a series of resolutions with regard to tariff arrangements, and some of them looking to trade arrangements with other countries. The ninth of these resolutions is in these terms:

That it is expedient to provide that the whole or part of the thirty per centum ad valorem imposed by this Act upon wines imported into Canada, may be dispensed with on proclamation of the Governor in Council whenever it appears to his satisfaction that the Governments of France or Spain or either of them have made changes in their tariff of duties imposed upon articles imported from Canada into those countries.

That was our statutory offer, standing, as I have said, for something like fifteen years. And, now that our offer has been accepted by France, now that she has made a reduction of the duties on articles imported from Canada, now that all the articles that we could ask to be admitted are admitted, the House is asked to denounce the arrangement on the ground that it is not so desirable as we thought it would be in 1879, and as this House has thought it ever since—for that proposal has remained ever since upon the Statute-book. I, therefore, think that the argument of the hon. member for Toronto against the reduction of the duty upon wine as being a reduction of the taxes on luxuries as contrasted with the necessaries of life, was hardly a fair or logical one. Now, in estimating the loss which it is said would accrue to Canada by virtue of the provisions of this treaty, I can do little more than reiterate the observations which have been made by hon. gentlemen who have been heard in defence of the treaty, and who have pointed out how unreasonable and unfair it was to conclude, from the circumstances of the past, that the trade of Canada is not to be improved or increased, but that we are to measure the loss to the Treasury simply by the standard of imports and exports of the years when the trade was under very different conditions indeed. The minimum and maximum tariff of France has been established since then; certain nations have been admitted under the minimum tariff, and we have to consider, not what the condition of affairs was in 1891 for example, when the circumstances of competition were far different from what they are to-day, but we have to consider what our position will be under the minimum as compared with the maximum tariff of to-day, the United States, for example, then competing with us in many of those articles, having the benefit of the minimum tariff, but being about to renounce that benefit, if we can draw conclusions from the legislation of the past few months in Congress, and finding ourselves with regard to timber, which we hope to export to France in great

quantities, now almost excluded in that market, in which Norway has the benefit of the minimum tariff. I merely mention this circumstance to show that the conditions of to-day, the increase of trade under the circumstances of to-day, and the loss or gain with regard to revenue, cannot be accurately measured by the conditions of the past. A great deal has been said to the House by gentlemen who are earnestly desirous of representing the prohibition sentiment of this country, against the enactment of this treaty on the ground that it gives facilities for the introduction of the wines of France. I appreciate and I endorse what was said by several members of this House, especially with great earnestness by the hon. member for Bellechasse (Mr. Amyot) and by the hon. member for Hochelaga (Mr. Lachapelle), with regard to the advantages which would accrue to this country from the increased consumption of the lighter wines instead of the whisky and other spirits which are in general consumption to-day. But if there were anything in that argument, I assert now, as I asserted to the gentlemen who came to see me as a deputation on the question of prohibition, that the interests of prohibition in this country have nothing to fear with regard to this treaty. In the first place, one cannot conceive it possible that a measure of prohibition should be enacted in this country and come into force in less than twelve months from the time of its passage. Business interests would have to be considered, and a fair opportunity given to those who are in a business which would be affected or stopped entirely by the enactment of prohibition, to get into other lines of business, and to make arrangements to avoid complete and immediate loss; and under those circumstances we have but to ask that the denunciation of the treaty shall be made in obedience to the prohibition sentiment of the country as expressed in the prohibition enactment, and this treaty will stand no longer in the way of prohibition. I have to say further that if any influence rests with me in the counsels that shall be given with regard to this Act, this Act will not be proclaimed by His Excellency until we have the distinct understanding from Her Majesty's Government that the notice for the denunciation of the treaty will be given whenever Canada requires it, so that that matter shall not rest in vague doubt; and we shall have the pledge of Her Majesty's Government, if she is willing to ratify this treaty, that this treaty will not be put into force longer than Canada desires it. The same argument may be advanced with regard to other effects of the treaty upon this country. Surely after having for upwards of twenty years endeavoured to bring about just such an arrangement as this, when it is admitted, practically, that this is the only arrangement possible, we can give it a trial on the understanding that we shall get out of it on a

Sir JOHN THOMPSON.

year's notice whenever we please. Under the circumstances I think the question is not at all so formidable a one as was pretended, and that I was justified in using the term I did about the treaty, and which gave some merriment to my hon. friend on the other side of the House, when I called it "this little French treaty"—not the little French treaty as being unimportant, but as a matter about which those terrible calamities did not gather which hon. gentlemen opposite had been depicting from time to time. It is an arrangement terminable, as it were, practically at our own pleasure, and easily determined if it is found injurious to this country; it is the best trade arrangement that can be accomplished, and one that we have been endeavouring for long years to bring about. Now, with regard to the criticism made by my hon. friend from Toronto (Mr. Cockburn) of the statement given to the House by the hon. Finance Minister in the early part of the session when he was asked whether the House would be asked to ratify the treaty at the present session. My hon. friend from Toronto misunderstood altogether, I think, the answer given by the Finance Minister, and I have heard that answer misquoted in this House—no doubt, because quoted merely from recollection—at least twenty times. We were assured time after time that the Government were vacillating about the matter, because the Finance Minister said that an answer would not be given to the House until deputations had been heard, and my hon. friend, and the hon. member for West Ontario (Mr. Edgar) construed that into an expression meaning that no obligation rested upon this Government or this House to confirm the treaty, because it depended on what deputations might say with regard to it. Now, my hon. friend will see, when I call his attention to the words, that that was not a fair interpretation of what the Finance Minister said. The Statute for the adoption of this treaty was prepared when the question was asked in the House, and the policy of the Government had been decided upon, but it was, of course, courteous that, even before formulating our decision upon the subject, much less presenting it to the House, we should wait to hear what the deputations had to say. One of the deputations consisted of some 250 gentlemen interested in prohibition. They had requested an interview, and I think appointed a time when they would come to Ottawa for the purpose of that interview. Another deputation consisted of the wine growers of western Ontario, a large number of whom desired to be heard. What would they have thought of the way in which the public business of this country is transacted if they had seen a statement made in this House that the treaty would be ratified before they had an opportunity of being heard? Common courtesy at least required that these gentlemen should be heard before the an-

swer was given in the House, and that is precisely what the hon. the Finance Minister said. Our policy with regard to the matter, as I have said, was framed, subject, of course, to anything that could be represented to us that had not already been brought to our attention, and had not been already considered, and when these gentlemen came, we found that the matters about which they wished to make representations had been considered, that nothing new was to be advanced, and that the policy could be stated to the House as it was. I find this in the 'Hansard' of 19th March, 1894 :

Mr. LAURIER asked, what is the policy of the Government with regard to the commercial treaty with France? Is the Government to ask or not to ask the ratification of the treaty?

Mr. FOSTER.—I beg to say in reply to the hon. gentleman that two important deputations have asked to be heard with reference to this treaty, and the Government have therefore decided to defer giving their answer until after the Easter holidays, after these delegations have been heard.

Now, with regard to one of interests which has been represented by that deputation, and with regard to which certain members of this House have expressed their strong desire for protection, I desire to call the attention of the House for a moment only to the nature of the petition which the wine growers of Canada have addressed to us. Among hon. gentlemen who are in favour of the protection of that industry, I include hon. members on our own side of the House who are in favour of protecting native industries generally, and hon. members on the other side of the House who are not in favour of protecting the industries of the country, excepting in so far as concerns their own particular constituencies. Now, if the House will be good enough to look at the petition of the wine growers, which was read to the House by my hon. friend from Essex (Mr. McGregor), the House will see that that is not unqualifiedly a petition to reject the treaty; it is, at least in the alternative—a statement that certain measures will have to be adopted in order to preserve their interests by enabling them to receive and use without excise duties, certain products that they have to employ in fortifying the native wine. I will read as little as possible, so as not to weary the House, but I think there is a paragraph in it where this point is clearly brought out. At the end of page 3, these words are used :

We trust that the Government will carefully consider our requests and enact such legislation that while they are accomplishing their object in the proposed new relations with France they will not ignore the legitimate demands of the grape growers and wine manufacturers of Canada, but encourage and promote the interests of one of the most promising industries of the country."

A little before that, in stating what legislation they required, it is said :

From the foregoing facts it is evident that if the proposed treaty is ratified without certain restrictions, and also without equivalent advantages being granted to us from the Government our grape growing and wine industries will be practically ruined.

These which follow are the equivalent advantages which they ask :

That manufacturers should be allowed to distil their grape must, pomace or wines, without any license or excise duty, subject to proper restriction.

That for the protection of Canadian wine manufacturers and also for public protection, a Commission or Examining Board be appointed at each Canadian port to analyze and test the imported wines, and that no wines but those made from grape juice be admitted, that spurious or doctored wines called in France *vins frelatés*, be positively excluded from being imported and that the same tests used at the Paris Octroi by the Paris Commission, to discover different wine falsification, be used in Canada.

So the House will see, I think, that the petition is not an unqualified one, declaring that the industry will be destroyed by the operation of the tariff, as, indeed, one could hardly expect they would allege, because the wines of this country, I am informed, are sold more cheaply than the French wines of the same class, and the duty which will still remain, one would think would be still a very considerable protection indeed to the wine-growing industry of the country. But, instead of seeking the rejection of the treaty, the request of the wine growers was that if the treaty should be adopted, certain advantages to them should be secured by the Government or by Parliament, and that certain tests should be adopted for the purpose of seeing that the treaty is not fraudulently made use of for the introduction of spurious wines into Canada. A few other points were made which require only a passing notice. The hon. member for West Ontario (Mr. Edgar) in his speech thought it necessary to add to the resolution moved by the hon. member for Muskoka (Mr. O'Brien) a further reason for denouncing this arrangement, and that was that the arrangement had been entered into, and the negotiations made on the expectation that Canada would receive exceptional advantages in the islands of St. Pierre and Miquelon. Mr. Speaker, the announcement that the reduction of the duties in St. Pierre and Miquelon would be made with respect to all the world, was made and conveyed to this country before this treaty was signed, and, therefore, the statement of the sub-amendment is absolutely incorrect in its terms. I must qualify the sub-amendment still further in that regard. The record shows that the arrangement with respect to St. Pierre and Miquelon by which those are practically made free ports was made in pursuance of these very negotiations, and in consequence of them, and it is so alleged by the plenipotentiaries who have acted for us and for the mother country. The negotiations commenced, as will be seen by this

correspondence, at a time when the tariff of St. Pierre and Miquelon was a very high one, and according as negotiations progressed and as representations were made with respect to the commerce of this country with these islands, concessions were made by the Government of France, and in a postscript to a letter by Sir Charles Tupper, dated Paris, 15th November, 1892, this expression occurs :

The French commissioners stated to me that they would be quite prepared to make substantial remissions of duty, below the minimum tariff, on Canadian products sent to St. Pierre and Miquelon, and to the other French colonies.

And on page 20, in the course of a letter to Sir John Abbott, dated 18th November, 1892, Sir Charles Tupper, speaking of the French negotiators, said :

They also drew attention to the position of St. Pierre, which was now placed under the French tariff, and stated that they would be prepared to give to Canada a large reduction below the minimum on animals and their products, pigeons, oats, hay, and apples ; fresh meat, firewood, staves, and eggs, it was stated, would be admitted free of duty, and building lumber would pay fifteen centimes instead of one franc and twenty-five centimes per 100 kilogrammes. In fact the concession they would make to Canada in regard to the colony would amount to a remission of duty of about \$250,000 below the minimum tariff on the present Canadian exports to St. Pierre.

It is true that we hoped at one time as the result of these negotiations, that Canada would acquire exceptional advantages in the markets of St. Pierre and Miquelon, and that has not been realized. But as I mentioned to the House a moment ago, I repeat, that we were aware before the treaty was signed of the general nature of these concessions with respect to the tariff on those islands, and the House will see there was no intention on the part of France that those advantages should be extended to Canada alone. We asked to be allowed to send into France certain products under the terms of the minimum tariff, but we never could oblige France to give those terms to Canada alone, and it would be absurd to ask it ; but while we hoped to obtain exceptional advantages as regards those two islands, we had no right to insist on such terms.

Mr. LISTER. We give these to France alone.

Sir JOHN THOMPSON. No, and it is not proposed that the arrangement that is made with respect to France shall be exceptional with her. That brings me to consider the observations made with respect to the most-favoured-nation treatment, and which we would have preferred to have seen omitted from the treaty, as the Finance Minister said last session. But when the House comes to consider that, as a fundamental objection to the treaty, hon. members must

Sir JOHN THOMPSON.

consider what the position and policy of Canada is with respect to other countries. We give exceptional treatment to no country. When we make treaty arrangements with France we extend them to other countries of the world, and these hon. gentlemen, if there are any of them under the impression that by extending the most-favoured-nation clause by this treaty, we are preventing preferential arrangements with the mother country, or with any other British colony in the Empire, will find they have been entirely mistaken. The terms of the treaty do not preclude us from making any preferential arrangements with the mother country or any other colony because we only engage to give France the most-favoured treatment that we extend to other powers, that is to other powers than those who made the treaty, viz., Great Britain and France. Under these circumstances, the House will see that, as regards the arrangement made with respect to the most-favoured-nation clause, while we should have preferred it to have been omitted, there was no reason for refusing to make the arrangements with France on this account, considering what our policy has been with respect to the general treatment accorded to other countries, and considering the great power that remains within our hands of putting an end to this treaty whenever we shall be disposed, if we shall be disposed, to make preferential arrangements with any foreign power. Under these circumstances, I sincerely hope the House, while I shall not be obliged to press on it any consideration of honour, will find this treaty an acceptable one, and one that was made in the interests of trade and especially in the interests of trade with the country with whom we have been for so many years endeavouring to enhance our trade. I do not think it at all necessary to press any considerations of honour and good faith upon this House. Undoubtedly the Government whose representative made the treaty is obliged in every sense of honour to put it fairly and honourably before the House. But when the question was argued by hon. gentlemen on the other side as to our honour ; I listened attentively, and I found that instead of discussing questions of honour, they have discussed questions of legal obligation and they have pointed out that the House cannot be bound by any sense of honour in regard to this treaty, because there is a clause in the treaty which says : that it shall not have effect until it receives the assent of Parliament. Undoubtedly any treaty which a representative of Canada may make should contain such a provision, and undoubtedly Parliament is free to decline to ratify any such treaty that has been made. The considerations of honour and good faith which are involved, arise simply from these few facts : that the negotiations which preceded the treaty were initiated and put forward by the Government of Canada, that they were press-

ed upon Her Majesty's Government, that Her Majesty's Government chose the duly authenticated representative of Canada to be her plenipotentiary in the negotiation of that treaty, and not only secured to us the great advantage, which my hon. friend from West Elgin (Mr. Casey) seemed not to perceive, as to the treaty-making power; but Her Majesty engaged practically that the treaty which Canada should make would be Her treaty. Under these circumstances, there should be a due appreciation of the great advance which has been made by Canada with regard to the negotiation of treaties with foreign countries. There is a sense of pride at least, in living up to what may be considered our bargain, and this, if not involving the honour and good faith of this House, appeals to the sentiment which this House ought to feel as representing a people who are engaged in securing from time to time, the fullest measure of self-government, and at the same time the closest relations with the mother country, whose power and whose authority we have invoked on this occasion to make the arrangement with France.

Mr. LAURIER. Mr. Speaker, of the numerous statements made this afternoon by the right hon. gentleman, there is one as to which nobody on this side of the House would be disposed to take any exception. The hon. gentleman has stated that for twenty years at least, we have been endeavouring to negotiate a treaty with France, and that statement is true. For twenty years and more, we have been endeavouring to negotiate such a treaty, and after twenty years we are in the presence of this treaty which the hon. gentleman, at one time—I will not say, in a moment of weakness, but of expansive frankness—characterized as “the little French treaty.” After twenty years of effort, the mountain has produced this mouse, and certainly a little treaty it is. If you look at it what do you find? You find that after twenty years of effort on the part of our diplomats to induce the French nation to give us something like reciprocal trade, they have obtained from the French Government their consent to sell under certain conditions in this country: wines, soaps, nuts, almonds, plums and prunes. There is nothing else in the treaty on the part of France. After twenty years of effort that is all we have to show, and it took the Government something like eighteen months to make up their minds as to whether or not they would ratify that “little French Treaty.” The right hon. gentleman has taken exception to the charge that his Government have been vacillating in the matter. Well, Sir, let us say: they have not been vacillating, but we will say: that for eighteen months they have been considering whether they would ratify that “little French Treaty” or not. One whole

session passed away; four months of another session passed away, and after eighteen months of consideration they have at last made up their minds to ask for ratification. The right hon. gentleman said they were not vacillating but that they were considering. They were considering for instance whether or not the expression:

“Poissons conservés au naturel,” and “Homards et langoustes conservés au naturel.”

have been properly translated into English, and after giving this matter due consideration they have come to the conclusion that indeed the translation was right. But, Sir, the right hon. gentleman is mistaken. He does not give to himself or to his Government the credit to which they are entitled. It is not this session only that the Government found out what was the true meaning of “Poissons conservés au naturel” and “Homards et langoustes conservés au naturel.” We had it last year. We then had the interpretation, which the hon. gentleman said we only had this year. Last year we had the interpretation from the mouth of the Minister of Finance himself. Let me call his attention to what he said on the 30th March, 1893:

I did not propose at present to ask the House to ratify the treaty; that communication had opened with the British Government and the high Commissioner, with reference to certain clauses and other matters in connection with the treaty, and we were waiting the result of these communications. I may say that those communications have progressed to a certain extent. With reference to two of the two clauses, regarding which I was in doubt at that time, the meaning appears now to be clear. The terms “Poissons conservés au naturel” and “Homards et langoustes conservés au naturel,” were badly translated, I believe, into English, and I came to the conclusion, in looking them over, that they meant simply that fish in their natural shape were admitted. They are, however, wider than that and bear out the construction given them by the papers laid upon the Table, and the despatches of Sir Charles Tupper, that canned fish, and salmon and canned lobsters are allowed in under these clauses, at the minimum rate.

Mr. FOSTER. What date is that?

Mr. LAURIER. The 30th March, 1893.

Sir JOHN THOMPSON. And the House was prorogued the next day.

Mr. LAURIER. The House was prorogued the next day, but it was only this year the Government were able to give their explanation. And even at the opening of the present session, when the question was put to the Government: whether or not they were ready to say what their policy was, they could not do so. They were still con-

sidering upon wines, and upon soaps, and upon nuts, and upon plums and upon prunes. But, Sir, there is more than that. It is a matter of notoriety I believe, which will not be denied, that when Parliament opened this year, the young Achilles who presides over the Department of Marine and Fisheries was under his tent. That is the expression that was used in former times: we say now that he was gone on a strike. For many weeks and days the hon. gentleman withdrew under his tent, and, like Achilles of old, would not take any part in the fray. We also remember, judging by his beaming countenance, that Agamemnon went to his tent and removed the difficulty between them, and from that day it was decided that the treaty should be ratified. With regard to the treaty itself, for my part I would be in favour of it. I am in favour of any extension of trade, and so long as we have a protective tariff in this country it is impossible for us to extend our trade to the south or to the east or to the west, except by commercial treaties. Here is a treaty; but I take complete issue with the right hon. gentleman in the statement he made a moment ago that under this treaty we are deriving the advantages that we contemplated in 1879, when the House of Commons passed the resolution to which he alluded. I deny altogether that under the treaty we are now considering it is to be expected that there shall be an extension of trade. Why, Sir, if this treaty is ratified, Canada will not be in any better position than she was in in 1879 with regard to French trade. Why? Because the minimum tariff, under which our goods are to be admitted to France, is higher to-day than the tariff which prevailed in France in 1879. It is a matter of notoriety that ever since the war of 1870 the French tariff has been always on the increase, and to-day it is higher than it ever has been at any period in history. In 1892 a double tariff was adopted in France, a minimum and a maximum tariff, and the whole effect of this treaty, if it is to be ratified, will be that we shall have the benefit of the minimum tariff, and I commend this to the hon. member for Bellechasse (Mr. Amyot), and the hon. member for Hochelaga (Mr. Lachapelle), who have told us that under such a treaty our trade with France would extend by leaps and bounds. Those hon. gentlemen should know that if it was impossible to extend our trade with France up to the year 1892, on account of the barrier which met our goods there, it will be still more impossible to extend our trade under this treaty, because the minimum tariff which will meet our goods in France to-day is higher than the tariff of 1892. Now, we had the figures given to us last year by the Government themselves on this question, with reference to the old and new duties on every one of the articles coming from Canada which are to be included in the treaty. The comparison is as follows:—

Mr. LAURIER.

Articles.	Old Tariff, General.	Present Minimum Tariff.
Canned meats.....	8 francs per kilo	15 francs
Condensed milk, pure.....	6 francs	5
Fresh water fish, eels.....	5	5
Fish, preserved in their natural form.....	10	25
Lobsters and cray-fish preserved in natural form....	10	25
Apples and pears, fresh... do do dried and fresh.....	Free	2
Fruits preserved, others....	6	10
Building timber in rough or sawn.....	8	8
Wood pavement.....	Free	65 centimes to 1 $\frac{3}{4}$ francs
Staves.....	1	3.50
Wood pulp (cellulose) mechanical.....	Free	75 centimes
Wood pulp, chemical.....		50 centimes
Extract of chestnut and other tanning extracts.....		2 francs
Common paper, machine made.....	Free	3 francs.
Prepared skins, others whole	11	10
Boots and shoes.....	50	25
	75 to 2 francs.	75 to 2 francs.
Furniture of common wood	5	5
Furniture other than chairs of solid wood, common....	7	9
Other chairs.....	15	20
Wooden sea-going ships....	2	2

Now, Sir, it is quite evident that we gain nothing whatever under the arrangement now proposed, and the contention of the right hon. gentleman, that under this arrangement we would have the advantages that we contemplated in 1879, is altogether erroneous and unfounded. Then, with regard to St. Pierre and Miquelon, the contention of my right hon. friend is simply this: that we gain nothing whatever in our trade with St. Pierre and Miquelon from the treaty. Our goods have been admitted to St. Pierre and Miquelon with those of all the rest of the world under a special tariff; but under the treaty we expected to have preferential treatment there, but we have failed to obtain it. I call the attention of the House and the hon. gentleman himself to the very statement made by Sir Charles Tupper in one of his letters, as follows:—

The French commissioners stated to me that they would be quite prepared to make substantial remissions of duty, below the minimum tariff on Canadian products sent to St. Pierre and Miquelon, and to the other French colonies.

How is this to be construed? There was a general tariff in St. Pierre and Miquelon applying to all the world, as the hon. gentleman has stated; but the French plenipotentiaries assured us that they would give our products a special treatment. Where is it to be found in the treaty?

Those were the negotiations at one time, but those negotiations did not materialize. We received, under the treaty, no special advantages, but are on an equal footing with the rest of the world. We are admitted to the minimum tariff; but with regard to St. Pierre and Miquelon, the negotiations which were pending at one time have not materialized, and we remain in the same condition and on the same footing as all the other nations of the world. The point taken by my hon. friend is quite well taken and has not been answered by the right hon. gentleman. But there is another condition, and it is one to which I invite the special attention of the House. The hon. gentleman stated a moment ago that we were, to a certain extent, bound to ratify the treaty. It is not possible to entertain this view when we consider the whole treaty itself. What does it say :

The present treaty having received the sanction of the Parliament of Canada.

If such is the provision of the treaty, negotiated and signed by the two nations, it is idle to say that at present we are bound to ratify it. But there is another consideration. Though we are not bound to ratify the treaty, I say further that the Government cannot ask for its ratification until they have redeemed the pledge given by their plenipotentiaries to the French Government. The hon. gentleman spoke a moment ago some brave words in which I altogether agree. He said that there is a bargain and we ought to live up to it. Yes, and the bargain which was made and the consideration whereby the French Government was induced to sign the treaty, was that there was to be a line of steamers plying between a French and a Canadian port in order to give the treaty some value. I call the attention of the right hon. gentleman to this. What is the declaration which was made to the French plenipotentiaries? On the very day the treaty was signed, a condition was made which I shall now read to the House; and I ask the right hon. gentleman what his ideas of honour are, when he asks the House to ratify this treaty without having taken any steps to implement that condition? Lord Dufferin and Sir Charles Tupper, speaking for the Canadian Government, wrote to Mr. Develle, the French Minister of Foreign Affairs, on the very day the treaty was signed, in these terms :

We take this opportunity of affirming what we have already made known to Your Excellency during the progress of the Conference, that the Canadian Parliament, desirous of favouring a development of commercial relations between the two countries, has voted a subvention of one hundred thousand pounds for the purpose of establishing a line of steamers to run between a Canadian port on the one side and a French terminal port on the other.

Speaking of honour, I say that the Canadian Government, in the face of such a de-

claration had to do one of two things. When the treaty was signed and it was brought to their consideration, they had either to at once take steps in order to carry out the promise then made, or they had to notify the French Government that they would not be bound by such a promise. But when they ask the ratification of the treaty without implementing that express condition—nay, we have the word of the Finance Minister that they do not intend carrying it out—I say they are asking us to ratify a treaty obtained under a deceit, which is a dishonour to Canada. It may have been an imprudent pledge on the part of the plenipotentiaries, but the pledge was given. And why was it given? Because, as Sir Charles Tupper himself, said, unless there was a line of steamers plying between Canada and France, the treaty would be absolutely valueless. He gave the reason for that statement, and the reason is obvious. There is a special condition in the French tariff that all goods coming into France, not direct from the country of production, but passing through the port of another nation, are subjected, besides the duty in the tariff—whether that be the minimum or the maximum duty—to a *surtaxe d'entrepôt* of 3 francs 50 centimes per hundred kilogrammes; so that unless our exports go direct from Canada to France, the treaty would be without value, because they would be subjected to that *surtaxe d'entrepôt*. The hon. Minister of Finance last year contemplated that condition of things, he brought his mind to bear on it, and this is what he said :

There is one point that I missed, and which is necessary to know in order to have a fair understanding on the matter. France, if she holds to anything, holds to what she calls the "*surtaxe d'entrepôt*" and consequently of these articles not one can be exported from Canada into France if it touches at a European third port. They can be sent direct from here to France, or direct from an American port to a French port, but if they touch any other European ports and are transhipped from that place, a *surtaxe d'entrepôt* of three francs fifty centimes for every hundred kilogrammes is levied. It was with respect to that we wished to have a fast line of steamers between this country and the French ports.

This was the language spoken last year by the hon. Minister of Finance. At that time the Canadian Government, understanding exactly the import of the pledge given by their plenipotentiaries to the French Government, said on the floor of Parliament, through the Finance Minister, that it was their wish to have such a line of steamers between Canada and France. Where is that line of steamers to-day? I have in my mind at this moment the words spoken this afternoon by the Minister of Finance, in reply to some remarks on this side, that the Government would not bring down any subsidy whatever for this purpose. I have nothing to say with regard to the policy of the sub-

sidy. That is a question of great moment, but the point which I make and the charge I make against the Government is that they obtained the signing of the treaty by leading the French Government to understand there would be such a subsidy, and that when they failed to redeem their promise, they thereby cast dishonour on the name of Canada, and violated the pledge which their plenipotentiaries gave. I quite admit that our Government are not bound by these negotiations, if our plenipotentiaries exceeded their power; but it cannot be held for a moment that a Government would undertake to have a treaty ratified which was negotiated under such circumstances, and yet discard the promise made to a friendly nation, under which that treaty was obtained. What has the Government to say in answer to that charge? What is their policy? They have declared their policy to be no subsidy to a line of steamers between this country and France. As regards the policy of granting a subsidy, I have nothing to say. If the Government had proposed such a subsidy, it would require our serious consideration. But what have they to say in their own defence for not being prepared to implement their promise? Is that the idea of honour which hon. gentlemen opposite entertain? The right hon. First Minister said that we must live up to our bargain. Is he living up to the bargain made by his plenipotentiaries when he asks Parliament to ratify this treaty, concerning which the French Government have been led into error, without having taken any steps to correct that error. This is the objection of all others that I have to make against this treaty. The hon. gentleman treats this as if it were a light matter. It may be in his eyes, but I believe that by the British Government and the Foreign Office it would not be held a light matter, and I charge upon him that it was his bounden duty to have notified the French Government at once. He has not done so, and I say that, therefore, he is asking the House to ratify a treaty obtained under false pretenses—obtained on the faith of a promise which the Government are not prepared to carry out.

Sir CHARLES HIBBERT TUPPER. I think that the debate this afternoon and evening shows only too well what has been throughout this session a matter for common observation—that the hon. gentleman who has just taken his seat (Mr. Laurier) is a man fitted for opposition, and that he is well supported by similar spirits behind him. That hon. gentleman and those who act with him have not only opposed everything that this Government have done, but they have opposed every treaty that has been negotiated by Canada since 1887. Not only have they opposed these treaties, but in the case, for instance, of the Washington Treaty they opposed the ratification of it, and afterwards they were most violently opposed to the denunciation and abrogation of that treaty,

Mr. LAURIER.

and they have been repining and regretting ever since the advantages that were lost under that treaty, the adoption of which they had so violently opposed. So it was not to be expected in this case, whether it was a big treaty or a little treaty, or a medium sized treaty, that these gentlemen would rise to anything like a statesmanlike position and discuss the treaty on its merits in connection with the interests of this country. Most of us anticipated that they would take the course they have taken. Not a well sustained opposition has been shown to this treaty. Certainly no vigour and life were in the Opposition benches until a little was infused into them from the cross benches, and they found the possibility of adding to their ranks by making an opposition, and therefore, the leader of the Opposition, speaking late in the debate, has taken perhaps more pronounced ground than he would otherwise have done. But he has failed to grasp the situation, and to appreciate the elements of the case, and has ignored really the history that led up to the treaty, ignored the object of the treaty, and has not given a fair rendition of it. Why, Mr. Speaker, can we accept the concluding sentence of the hon. gentleman's address and believe that he is giving a deliberate opinion upon this question? He says that the great reason, the one reason above all others, why this treaty should be rejected by Canada is, forsooth, that France may have the right to refuse to ratify the treaty, that France may have ground, on account of bad faith on the part of our representative and on the part of our Government to refuse to sanction the treaty. And that, according to the hon. gentleman, is the reason above all others why we should hasten to refuse to sanction it also. We have had, unfortunately, an exhibition of that sort of spirit in this House from the Opposition benches on a former question this year. In the case I refer to they suggest as loudly as possible to the mother country injury to Canadian interests, saying that there has been bad faith on the part of Canada, and that therefore Great Britain should take a position against Canada, and punish us for bad conduct. And now the hon. gentleman says that his main reason for opposing the treaty is that he fears from what happened during the negotiations the French Government will think of something they have never yet suggested—though they have had correspondence with this Government and with its representative since that time, and the position remains as it was when the treaty was sanctioned. Consider also the value of that objection. The hon. gentleman does not cite one word in the treaty, in the agreement or in the bargain by which Canada is bound to give a dollar of subvention to a steamship line. On the contrary, the plenipotentiaries refused to enter into any such agreement. But they had no hesitation in putting in writing what they honestly and correctly believed to be the

policy of this Parliament—and in proof of it they refer to the statute of this Parliament—and the policy of this Government, which was set forth at the time, and had been openly discussed and well understood. But, so that Canada should not be bound to implement that, so that Canada should not be bound to spend a dollar under that policy, if she chose to abstain from doing so, they ostentatiously kept that subject out of the treaty, and gave that as their reason. But I call your attention, Mr. Speaker, to another document which must have failed to attract the attention of the hon. leader of the Opposition before he took such strong ground. In the papers there is a report of a discussion with Mr. Hanotaux, after the discussions had arisen, and when explanations were requested. How is it that Mr. Hanotaux explained to the Canadian representatives that this surtaxe d'entrepot would not be in the way of Canada in the case of shipment through the United States, but that we should be able to ship through these foreign ports on this side of the Atlantic, the objection being only in the case of the shipment from European ports. Instead of being met by the charge of bad faith with reference to the question of the direct line of steamers, the subject received no consideration, and was not alluded to in any shape. But these hon. gentlemen seem to forget history, and history of a comparatively modern date. The leader of the House has said, and the leader of the Opposition has agreed, that for a period of twenty years we have been trying to do something with France. What was it? To make a wide commercial treaty? Did any member on either side of this House, did any newspaper in Canada ever in these twenty years when France was going from high protection to higher protection, ever suggest or suppose that there was a possibility of larger trade relations between this country and France? Such a thing was never suggested. The whole subject of our negotiations with France arose out of a comparatively small affair, out of one single transaction. I ask the hon. gentleman to reflect for a moment and he will remember that the whole question between France and Canada related to the subject of the duty on ships on one side and the duty on wines on the other. And in these negotiations our representative, Sir Alexander Galt at one time and Sir Charles Tupper at another, only desired to make a more extended arrangement. The instructions that went forth from Canada were practically to obtain a reduction of the duty on Canadian ships entering France, and to offer on our side some favour in connection with the wine duties. But not only is that so, Mr. Speaker, but when this duty was put on wine, this additional duty of 30 per cent ad valorem, I ask you and I ask this House to remember that the gentlemen sitting opposite then as they are sitting opposite now, quite appreciated the object of that extra duty. It was not put

there in the interest of the wine growers of this country, or in the interests of the revenue of the country; it was placed there simply in connection with the negotiations that might be set on foot in order to reduce the duty of 40 francs a ton on Canadian ships entering France to the old duty, which was two francs a ton. I may remind the House that in 1873, when we had, comparatively speaking, the English wine duties in the Canadian tariff, France was admitting our Canadian built ships into her ports, charging them a duty of 2 francs a ton only, that being the minimum tariff at that time. We made very few ships for France, they were chiefly built in the province of Quebec; and I am speaking by the book when I say that France was a comparatively small market for us at that time. Nevertheless it was a market, and there was a possibility that wooden ship building for that market might increase. Consequently, we did everything we could to get back to the most-favoured-nation treatment, so to speak, or at any rate get that duty reduced from 40 francs to 2 francs a ton. Well, nothing was done until 1879, and then an ad valorem duty was added to a duty already high enough on the article of wine; and it was for the purpose, as Sir Leonard Tilley said to Sir Alexander Galt at that time, of securing the remission of the duty to which I referred. Now, then, when that was put on, Mr. Anglin, speaking from a maritime point of view—and it was the Maritime Provinces that were particularly interested in this question then as they are largely interested in it now—protested against the duty as almost prohibitory, as a duty that would tend to smuggling; and he was ably supported by the hon. member for South Oxford (Sir Richard Cartwright), who objected strongly to this extra duty. But finally Mr. Anglin came to the conclusion that the Government would be able to arrange for an exchange of ships for the light wines of France, and that I take it was the position of the House on that occasion, and of this country, until the treaty was an accomplished fact. Now, it is easy for wise-aces to rise up and suggest how much better they could have done the thing. That is the time when people are wise, but it is delicate and difficult to say what should be done prior to and during negotiations. It is a dangerous thing to mark out what your particular policy and offer shall be and what you will guarantee to accomplish, but it is child's play, when the thing is ended, when there is no retreat on the part of the people responsible, to rise up and tender advice; and I am only surprised that hon. gentlemen who have taken part in this discussion and criticised this treaty, have not been able to tell the House the manner in which they would have done the thing, what kind of a treaty they would have made. Apparently they would have made a bigger treaty, they would not have made a little treaty, but beyond a

little badinage of that kind. I have failed to ascertain any particular objections on their part, except two—one, that France would have a charge against us of bad faith if we did not do something more than ratify this treaty; and the other, that we made a great mistake in ratifying the act of our plenipotentiary in inserting the favoured-nation clause. But so far as other articles could be exchanged with advantage, what could we have given in the treaty? I have heard no one make a suggestion. Now, something can be said on the part of France in connection with our chaffering over the duties. Criticism has been made as to whether our offer was genuine or not. We wanted that duty reduced from 40 francs to 2 francs per ton, and in 1881, after there had been *pour parlers* between Sir Alexander Galt and the representative of the French Government showing our desire, France did reduce the duty from 40 to 2 francs a ton, and that duty has remained. But we went further than, perhaps, we had the right to do; anyway France considered that we were acting in good faith—as the hon. gentleman wishes to discuss the question of good faith—France considered it good faith on the part of Canada, and thus we were obliged to take off that additional duty; and in the different *pour parlers* and negotiations, they pointed to the statement of Sir Alexander Galt, who at one time offered to reduce that 30 per cent to 15 without any concessions from France, to show good-will merely, in the hope that they would meet us half-way, promising to take the other 15 per cent off when they made a step. Well, the hon. gentleman has criticised this treaty as containing so very little. The hon. gentleman says we are getting wines, soap, nuts, prunes, almonds, and so on, and he laughs at those items as comparatively unimportant. But that is the reverse of the position of some of his friends. They are afraid we are allowing entirely too much on our side, and only obtaining limited privileges on the other. But to show the inconsistency of our hon. friends, in 1881, when the Reform party in Canada supposed we were going to make a large French treaty instead of a small one, what was their position then? They rose up and opposed the very idea, and said that if the treaty was extended it would discriminate against the poor in favour of the rich, and that silks, laces, kid gloves, millinery, perfume, dolls, fans and all that, were all subjects for revenue, all articles of luxury; they were ready to oppose it on account of its great extent, and the large number of items that would be admitted into this country on favourable terms. Now, I ask the hon. gentleman, if my hurried reference to the history of these negotiations be correct, how is it that we are not obtaining as much as we expected to obtain in 1879? I cannot find any where any hint that we expected to obtain further concessions or better treatment than we have in the treaty now before the

Sir CHARLES HIBBERT TUPPER.

House. I have given, I think, some reasons for that. The chief change that has occurred is that wooden ships are not so important to us in this treaty, we can expect very little out of any concession on that score, even if they were admitted free into the ports of France. But in place of the shipping interest, there is another very large interest involved, I speak of the lumber interest. The hon. gentleman, coming, as he does, from the province of Quebec, knows that whether his view be right about this treaty or not, the men who are in the spruce lumber business in his province are intensely anxious that this treaty should be ratified. They are business men, they have their money in this thing, they are sending lumber into France at present under great difficulties, and competing against European countries who have the minimum tariff at present, while the maximum and very high duties to which the hon. gentleman referred are imposed on Canadian lumber. Can it be pretended that while we are shipping our lumber into the French ports to-day with the maximum tariff against us, while Norway and Russia are sending their lumber in on the minimum tariff, there will not be a very great advantage to this country and to that interest in particular, when we can get into that market on the same terms as those countries which are our competitors. We are anxious to meet the wishes of those men who are engaged in the trade. Take Senator Snowball. Senator Snowball has furnished me with the statistics of that important trade in New Brunswick, from the Miramichi district in particular, and from the port of St. John, with the ports of France. He says that the non-ratification of this treaty has done that interest a great injury during the past year, that they would have made a great deal more money if they had been able to get their stuff in on the favourable terms provided by this treaty; and that he and others in this business are anxious and waiting for the ratification to take place. Take the consular reports laid upon the Table of the House. The consul at Rouen, I think it is, or at any rate one of the British consuls, speaks of the importance to Canada of the lumber interest in particular, and regrets that this treaty has not been ratified. Take the other questions that the hon. gentlemen have only skimmed over, take this question of lobsters, whatever the duty be. The hon. gentleman referred to said that the duty was that under the minimum tariff. I admit it. But whatever it is, the lobsters will go into the market on more favourable terms than the lobsters of any other country. We have the lobsters, and we want that market. We have it already to a limited extent, with the maximum tariff against us. Every one knows, and inquiries are being made for the purpose of carrying that out, that a very large and valuable export will be the consequence in that particular when this treaty is sanctioned. The hon. gentleman spoke of the fact that the

minimum tariff was higher than the maximum or regular tariff of years ago. I submit that is not putting the question fairly before the House. No one pretends there is free trade in this arrangement. We are not giving France free entrance for her goods into this country. We are giving her a minimum tariff, we are reducing our maximum and keeping on a pretty high minimum tariff. But let us look at the subject in its broad and true light. It is not that we are to get our products in at the minimum tariff, merely, but we are to send to France goods we already sent into that country under the terms of the maximum tariff, while we know that there are only two, or, at most, three countries in the world which enjoy those advantages; and whatever the scale may be, so far as they require those articles they will get them from the country which enjoys the minimum tariff, and the competition at all events will be only among those countries producing those articles and enjoying those favourable terms. We have made a better treaty than the United States made, and with this advantage, that while some of the articles are common to the treaty made by the United States with France, and to that made by Canada to France, we shall have practically a very valuable advantage in having all those articles to ourselves so far as the minimum tariff is concerned within a very short period if the Wilson Bill becomes law in the United States. It will make our relative position a great deal better and more valuable. Touching this question of direct shipment, I assert we can ship and obtain advantage under the treaty through the United States. We can, however, ship our lumber direct, as hon. gentlemen know it is shipped, in the lumber vessels that take that kind of cargo, and when the trade springs up, I take it that this country can well afford, if it is worth its while, and the treaty is maintained, to subsidize a line of steamers, as it did afford, and cheerfully afford, for several years to vote subsidies for a direct line of steamers to ports in France with a maximum tariff against all our goods. Hon. gentlemen will recollect that in 1887, 1888, and 1889, for three years, this Parliament cheerfully granted \$60,000 a year in order to aid a steamship service to carry the goods of this country to France and bring back French goods, and we had not even a little treaty between the two countries. If it was feasible then to conduct that trade, handicapped as Canada was, with other countries enjoying more favourable terms in regard to the articles we are sending there, if it was to our interests and advantage to spend that money, how much more would it be advantageous to Parliament and the country to ratify this treaty and obtain better terms, even leaving the question of steamships and aid of that kind aside. You give those advantages to the

Maritime Provinces, as regards lumber and lobsters particularly, and Parliament will have no trouble and difficulty as regards those goods being conveyed to market, for the people will do that part of the work. Take next the question of St. Pierre and Miquelon. The hon. gentleman did not say, what I think is a point of importance, that while those ports were made free during the negotiations, Canada has advantages over every country, with the exception of Newfoundland, perhaps, to a limited extent. Those French islands are off our shores, and Canada has, from her natural position, greater advantages than any other country. But, at all events, that is no objection to the treaty. We have no right as regards the most-favoured-nation clause to claim or expect that under the proposals of the treaty, other nations should be excluded from that privilege. On the question of exchange, no matter what our calculations may be as to the development of the different lines mentioned in the treaty, let us not forget that we were not masters of the situation altogether. We had not many concessions to offer. We went as 5,000,000 to negotiate with 70,000,000, because that was the relative standing, taking the population of France and her colonies; and when it is considered that the United States, with a population of 60,000,000 did not make so advantageous a treaty with France, I think that is a fair point to claim on behalf of this treaty. In regard to the most-favoured-nation treatment, I should like to say a word. What was the position of our plenipotentiaries? The Order in Council under which these negotiations took place referred to the historic fact that Canada has always given France the most-favoured-nation treatment, and that that was the policy of this country. Sir Alexander Galt had gone to France, and said, the policy of Canada is to treat French goods as liberally as the goods of any other country in the world, and we will treat you all alike. Sir, Charles Tupper went with the same statement. No one questioned the propriety of those statements. They have been on the Table of the House, in the blue-books, they have been read and re-read, and no one has said that those statements should be withdrawn. But when the French Government said: "Will you put those statements in a treaty and make that undertaking good?" What would have been the position of Canada or her representatives if they had said: "No, we have given those assurances to you from time to time, but we will not agree to be bound to give you the most-favoured-nation treatment." The position of Canada would have been deplorable, and the negotiations would have terminated speedily. But this treaty is at most an experiment, it may be terminated on a year's notice. But when it is remembered that this treaty is at most an experiment, that it is liable to be terminated on a year's notice, what becomes

of the importance of the argument which otherwise might hang around the question of favoured-nation treatment or prohibition or any other question. We are at most giving up what we were ready to give up long ago for a very small concession, and we are obtaining a far greater concession than we expected to obtain or had any reason to expect. It may be argued that this will prove to our detriment. From the information I possess, and particularly from the lumber interest, and that is the largest interest affected in Canada, it is worth our while to try the experiment, and I have not heard anything to-day to convince me that a single interest will be injured, but on the contrary, I believe there is the prospect of many interests being greatly improved.

Mr. MONTAGUE. I desire to say one word in explanation of the vote I intend to give on the ratification of the treaty. Notwithstanding the defence that has been made of the treaty by the Minister of Marine and Fisheries, I may say that in my judgment the advantages that are to accrue to Canada under that treaty are largely problematical; but at the same time it appears to me there is another question involved, and that question is this: whatever may be the conduct of Canada with respect to the treaty in the future, at present our good faith and the honour of the country are to a very large extent pledged to the ratification of this treaty. Consequently I feel it my duty as a member of this House, whatever my views may be of the treaty itself, to vote for its ratification.

Mr. CASEY. The hon. gentleman who has just spoken (Mr. Montague) is another member who wishes to escape from the responsibility of voting for the treaty under the excuse that our honour is pledged to it. That point has been sufficiently answered already, and it is too late for any one to take shelter behind it. The hon. Minister of Marine and Fisheries made the statement that the Government never expected to obtain better terms than those included in the treaty. The hon. gentleman knows perfectly well that the Government did expect to obtain better terms, and they were satisfied they would secure better terms when they authorized Sir Charles Tupper to negotiate this treaty. He knows that Sir Charles Tupper signed this treaty practically in contravention of instructions received from the Government here in regard to the favoured-nation clause, perhaps the most important point in the whole treaty. The whole question of what trade we may do with France under this treaty is infinitely small compared with our commercial relation with other states which may be affected by this arrangement. The hon. gentleman knows that on the 12th January, 1893, the following cablegram was sent to Sir Charles Tupper:—

Sir CHARLES HIBBERT TUPPER.

Re French negotiations. Government cannot accept conditions involved in clauses regarding steamship subvention and reduction duty French books, but agree to most-favoured-nation treatment so far as articles named in Treaty are concerned. They agree to other conditions in return for minimum tariff on articles named as regards France and St. Pierre and Miquelon.

That was on the 12th of January, and on the 6th of February Sir Charles Tupper signed the treaty containing the favoured-nation clause, not as he was instructed, but in regard to all articles whatever. There was a case in which the Government expected their ambassador to obtain better terms, and not to sign the treaty otherwise, yet that ambassador exceeded his powers and failed to do his duty by accepting a treaty in different terms, and on terms which are practically injurious to the country. The Minister of Marine ought to be aware that there was considerable discussion on the question of admitting our cheese into France on favourable terms. That was a matter directly concerning the farmers of this country, and, therefore, no doubt of small interest to the present Government. Sir Charles Tupper wrote on the 26th of January to Mr. Bowell:

The question of obtaining the *minimum tariff on cheese* is, in my opinion, a matter of the utmost importance, and one that would far outweigh in solid advantages the small loss of revenue resulting from the concession asked in return.

It should lead to the Canadian cheese industry finding a large market in France, for a new product, Gruyère cheese, on most favourable and advantageous conditions. What Cheddar is in England, Gruyère is in France, namely, the most popular cheese, the consumption of which is enormous.

Switzerland, which sent France in 1891 over 36,000,000 lbs. of this cheese, is now under the maximum tariff, which imposes a duty of 25 francs per hundred kilos, against 15 francs, the minimum tariff rate. Under such a rate the Swiss trade with France must largely cease. Gruyère cheese, as you may be aware, is made of skim-milk. A profitable utilization of this by-product, therefore, of our cheese factories becomes possible if the minimum tariff be conceded to Canada on cheese. If you are able, as I hope you will be, to arrange this matter, I would suggest sending to Switzerland, Mr. Robertson, the Dominion Dairy Commissioner, who is now in England, to study the question of the manufacture of this cheese, locally, for the guidance and instruction of the cheese-making industry in Canada.

That concession was asked in exchange for the reduction of the duty on paintings, engravings and architectural designs. The Minister of Marine and Fisheries must also be aware that Mr. Deville, the French Minister of Foreign Affairs, wrote to Lord Dufferin and Sir Charles Tupper in the month of January, as follows:—

Of course it is understood that if, as you hope, the Government of the Dominion gives satisfaction to the Government of the Republic on this point,

the French Government will consent to add cheese to the list of articles of Canadian origin which, in accordance with the terms of article 3 of the agreement signed to-day, are to be admitted into France, Algeria and the colonies under the minimum tariff.

There is an advantage which was expected and which was not obtained; an advantage that would have vastly increased the market for our cheese, and yet the Dominion Government appeared to be unwilling to make the slight concessions required by the French Government in order to obtain that privilege. I charge it upon them as a remarkable disregard, remarkable even in them, of the interests of the farming community that they did not make the small concessions needed in order to obtain this privilege from the French Government. The Minister of Marine and Fisheries makes little of the promise made about the steamship line. He knows that Sir Charles Tupper was notified by cablegram that nothing could be guaranteed the French Government in regard to that subsidy, but nevertheless he induced the Marquis of Dufferin to sign with him an assurance to the French Government that that was still the policy of the Canadian Government. Sir Charles Tupper wrote also the 18th January (six days after the telegram to the contrary) to M. Hanotaux:

As I informed you to-day the Government of Canada have agreed to the proposals in your memoranda which you handed to me at our meeting on 22nd November last, with the exception of the proposed reduction of duty on French books, and the clause relating to the steamship service between France and Canada. This does not arise from any change in the policy of the Government on the latter question, as I have placed it before you, but there does not seem to be any ground for embodying the intentions of the Government in a treaty to which there are obvious objections.

Notwithstanding that he had been cabled to the contrary, Sir Charles continued to take advantage of the fact that a subsidy had been voted in the previous session of the Canadian Parliament, and he makes that the ground of assurance to the French Government that it was still the policy of the Canadian Government to continue that subvention, while we have now been told that it was not the policy of the Government. I think, Sir, that the filial plea made by the hon. Minister of Marine and Fisheries will not destroy or remove the accusation of deceitful conduct made by my hon. friend and leader against the gentleman who, unfortunately, represented Canada on that occasion; and the statement that we had never expected any further advantages from the treaty than those contained in it, is equally demolished by the facts disclosed in the correspondence, which, together with the condemnation of the treaty by the Finance Minister last year, are enough for me on the subject.

Mr. McKAY. I would like to say a very few words on this subject. I believe that certain industries in this country will be very materially benefited by this treaty; but, on the other hand, there is a large industry in the western part of Ontario which, I am afraid, will be somewhat injured. But, as has been said by some hon gentlemen, who have preceded me, as I consider that the honour and the pledge of the country are somewhat involved in the ratification of this treaty, and as our Premier said in reference to the industry to which I particularly refer, and which is so important in the Niagara peninsula and on the shores of Lake Erie, that something may be done to protect that industry, in the shape of a reduction in the excise duties or in some other way, I propose to vote for the ratification of the treaty. If I may be allowed, I will read a letter which fully describes the condition of affairs in that industry:

SANDWICH, Ont., July 9, 1894.

Hon. W. F. MACLEAN, M.P.
Ottawa.

HONOURABLE SIR,—We have just heard that a reduction of 33½ per cent of excise duty is to be granted to the wine manufacturers. We beg to call to your attention that such a reduction would hardly be of any benefit to us as the price of spirits would still be too high, and we could not use them with any advantage. We expected that the Government would make such regulations, that the price of proof spirits, including excise duty, would not cost us over \$1.00 per gallon. We cannot compete with the cheap imported wines under the French Treaty unless we can have spirits at that price. We submit that if the Government intends to protect us in any way, that the excise duty should be so lowered as to make the cost of spirits to us only \$1.00 per gallon. Hoping that you may induce the Government to consider favourably our request, and thanking you for your kind co-operation, we remain, in haste,

Yours gratefully,

(Signed.) ERNEST GIRARDOT,

In behalf of grape growers and wine manufacturers.

I just read that letter to show what the wine-growers will expect if this treaty is adopted.

Mr. McCARTHY. Mr. Speaker, at this hour of the night, I shall certainly not trespass upon the House at any great length; nor do I think I can add very much to what has been brought before us in the various speeches that have been delivered in the course of the debate. It appears to me important, however, to bear this in mind. Hon. gentlemen on this side of the House have stated that they would not vote in support of the treaty if they did not think that they were in honour bound to give it their adhesion. Now, I think this is a matter which we should understand, because it concerns not only this treaty, but all treaties;

for from this time out I think we may be sure that no treaty will be made with Canada which will not be subject to the ratification of Parliament. Now, what is the provision of the treaty-making power? The hon. member for East York (Mr. Maclean) contrasted what he was pleased to term the disgraceful manner in which treaties were made by the Americans with the British and European system, and he expressed the hope that we would adopt the British and European system, and not follow the system in vogue on the other side of the line. I do not think that the language of the hon gentleman in reference to the American treaty-making power was justified or called for; and I think that if the hon. gentleman had known of what he was talking, he would hardly have spoken of it in those terms. The United States constitution requires that a treaty can be made only by the President, by and with the consent of the Senate; and every power that enters into negotiations with the United States for a treaty is perfectly aware that the Executive of that country has no authority to make a treaty, and that a treaty can only be made when two-thirds of the Senators who are present when the matter is put assent to it. On the other hand, the British system has been that the power of making a treaty rests with the Crown. That is still the constitutional law, and the Crown would have the constitutional right to make a treaty which would bind not merely Great Britain, but also, in strict constitutional law, bind this country. But that is not the constitutional practice. The practice has grown up, and is now firmly settled, that no treaty will be made to bind this country without the consent of the Parliament of this country. So that when this treaty was made, as it undoubtedly was made by the plenipotentiaries of this Government, under the directions, real or supposed of this Executive, and when that treaty reserved to the Parliament of this country the right to say whether it should be sanctioned or not, and postponed its ratification until our sanction was given, it does appear to me to be the height of nonsense to argue that we are bound in honour to ratify the treaty because the plenipotentiaries of this Government have thought fit to sign it. What is the use of the stipulation that it is to be submitted to us for our approval? If it is a matter of honour, if the honour of Canada is pledged, and the honour of the gentlemen who sit in this House as the representatives of the country is pledged so that they are bound to ratify the treaty, whether they approve or do not approve of it—and that is the language we have heard to-day from several hon. gentlemen on the Government side of the House who have addressed us—then it is ridiculous nonsense to call upon us to go through the farce of sanctioning the treaty, and it might as well be passed without our

Mr. McCARTHY.

sanction at all. Therefore, it appears to me that we have to consider whether this treaty is one which in the interests of Canada we ought to adopt. An appeal has been made by the First Minister that we should not allow a matter of sentiment to enter into the consideration of the question. True, he said, referring to the language of the treaty, we are speaking of a legal obligation; but, above and beyond the legal obligation, he said, if I understood his argument aright, that there was a moral obligation on the part of the people of Canada to ratify the treaty. Again I deny that proposition; again, it appears to me that nothing has occurred which justifies the Government in appealing to us on any moral consideration or any consideration of honour to adopt the treaty; and we can refer to the language of the Finance Minister when he brought this matter before us last year and appealed to us before we adopted the treaty to consider it well in all its bearings, as to its advantages and disadvantages. In the latter part of the hon. gentleman's statement, which was made on the 13th March last year, he used this language:

The treaty is signed subject to ratification by the Canadian Parliament, and I make this full and frank exposition of the treaty in order that hon. gentlemen on both sides of the House may look into it and consider it, for it requires a little consideration in order to see just what the effect of the treaty is in these different particulars, and certainly until we receive more satisfactory assurance than we have yet, as regards the items of which I have spoken, I shall not ask the House to ratify it.

So we find the hon. gentleman telling us at that time that certainly, unless explanations were given him, which had not reached him, he would not call on us—member of the Administration though he was—to ratify the treaty. I think, therefore, that we are certainly free to consider this treaty on its merits, and to determine whether we should adopt it, in the interests of the country we represent. Now, what is a reciprocity treaty? It is idle to argue, because no one will deny, that certain benefits will be obtained under this treaty. It is idle for the Minister of Marine and Fisheries to impress upon us that the lumber interests will be, to a certain extent, benefited. I am not able to say to what extent. Judging from the difference between the maximum and the minimum tariff in France, my conclusion would be that it could not be of very great advantage even to the lumber interest, because after all the difference between the maximum and the minimum tariff, on this item of lumber, is the difference between 45 centimes, which is the minimum rate, and 75 centimes, which is the maximum rate. That is to say, the difference between the maximum and the minimum tariff is only between 2½ francs, as compared with 1¾ francs; so that the full difference ranges between 45 and 75 centimes, or 10 cents and 15 cents—the equi-

valent in cents—per 100 kilos., as I understand it. It is for a practical man to say whether that is a practical advantage or not. I admit, as we are bound to admit, that certain advantages are to be gained under the treaty. But the question is, what is a reciprocity treaty? Why, surely it means that in return for the advantages we propose to give to France we should get some corresponding advantages. Now, how are they to be measured? A simple method of measurement presents itself. We find that, as compared with duty we have been levying we will lose directly, according to the statement of the Minister of Finance, made on the 13th March last year, in the neighbourhood of \$82,000. That is the direct loss, calculated on the importations from France of the preceding years. But, as was pointed out by the hon. gentleman from East Huron (Mr. Macdonald) on the subject, that is only a portion of the loss we will sustain, because the moment we reduce the duty on the French goods—sparkling wines and wines under twenty-six degrees—no one will think of importing the same wines from any other part of the world. We have been importing sparkling wines from the United States and various other parts of the world, and clarets up to twenty-six degrees alcoholic strength. Although these are not admitted under the treaty, because the treaty only deals with articles of French origin—wines sparkling and non-sparkling, and so on, of French origin entering Canada shall be free of duty—although we only reduce the duties in favour of French wines, that of course will divert the trade in those articles to France, and therefore we must add at once to the amount of duty we will lose on the direct importations from France the indirect loss on the importations we now make from other countries, which will not be much less than one-half of the loss in French duties. We know therefore what we are losing, measured by that standard. What are we gaining? I certainly did not know until the hon. member from West Ontario (Mr. Edgar) made the statement to-night—I was groping through the report, but could not find exactly what I suspected—that the benefits we were to get through our exportations to St. Pierre and Miquelon were not dependent on the terms of the treaty. That is now admitted. It is even boasted by the First Minister that we knew all about it—and I will come to that in a moment, if the House will bear with me—before the treaty was signed. It is stated that we knew perfectly well that this reduction in the duty on goods to St. Pierre and Miquelon was not owing to the treaty, and it is argued that of course we never expected to get the sole benefit of that reduction. Of course the right hon. gentleman argues, and so does the Minister of Marine and Fisheries, that we did not hope, and had no right to expect that we alone should get the benefit of the reduction of duty on the imports of

goods into these islands. That is quite true. But do these hon. gentlemen forget that although we did not expect that, if it was in the treaty we would have the right to insist upon it and enforce it; and as the matter stands now, it is not in the treaty, and the duty can be placed just as the French Government may think fit to place it on the importation of goods into those islands. The tariff can be changed as the French Government pleases. I do think we have the right to complain, if this was known to the Government—but with all deference, I doubt very much if it was—of the misleading statements that have been placed before the House. Can it be doubted, on reading the correspondence, that it is distinctly represented in that correspondence, that it is owing to this treaty we are getting these advantages in these islands. Let me refer to the letter of Sir Charles Tupper of the 26th of January last:

DEAR MR. BOWELL,—In continuation of my letter of yesterday, I may say that Sir Joseph Crowe and I met the French negotiators at 4 o'clock this afternoon at the Quai d'Orsay. They informed me that owing to the question of procedure in respect of the exceptions to the general tariff of St. Pierre and Miquelon, which, they said, the Government had the power to put into force without consulting the Chambers, there was an objection to a reference to this matter appearing in the body of the treaty. I pointed out to them that as this concession—

I ask the attention of the First Minister to this. It certainly does not agree with the statement made to this House.

—I pointed out to them that as this concession was one which had influenced the Canadian Government a good deal in their instructions to myself, it was desirable that some specific reference to the matter should appear on record. I suggested, therefore, as the best way of meeting the wishes of the Canadian Government in the circumstances, that it should form the subject of a letter to be attached to the treaty.

It does appear, according to that statement, that the High Commissioner did profess at all events—and I assume he was acting in good faith—that it was by virtue of and under the terms of the treaty that we were gaining these advantages, which we are now told are given to the whole world, so far as the trade with these islands is concerned.

This was agreed to, and the concession is mentioned in the draft of optional letter I referred to in my last, a copy of which I attach together with the question of the exchange of a reduction of the duty on paintings, prints, drawings, etc., for the minimum tariff on cheese.

Then, Sir, if we do not gain the advantage, because that is what I am coming to—if we do not gain the advantage in these islands what advantage do we gain in France? The Finance Minister puts the figures at \$30,000, or \$30,416, to be accurate, is all the duty that is taken off the goods we are shipping to France in exchange for \$82,000 which

we surrender at once in the direct importation from France and the loss which we sustain by the matter to which I referred a moment ago, the fact that trade will be driven into that channel by reason of the advantage we give to France in our market. Well, if reciprocity means fair treatment, if it means equality of treatment, if it means that we are to get as much as we give, can any hon. gentleman say that this is a treaty which, in the interests of Canada, we ought to ratify? It is useless to debate the question of free trade and protection. It is beside the question before us. The theory of this is that this, being a protectionist country we are surrendering a part of our protectionist policy to another protectionist country in exchange for an equivalent advantage given by that country. And if that result is not achieved, as it is not, we would not be justified in ratifying the treaty. No explanation has been offered us, though the question has been brought up, why Canada should be placed at a disadvantage in other matters. The French have carefully provided that if we interfere at all with the tariff on our part, they may immediately denounce the treaty; while they reserve liberty to alter their minimum tariff and we have no privilege of denouncing the treaty. Now, surely, that was a matter for explanation on the part of some Minister. Of course the correspondence we have here is very partial. We have not the communications addressed to Sir Charles Tupper, but only the letters from him, and we are unable therefore to understand, except from extracts he gives, what instructions he was acting under. But can it be possible that our Government allowed such a condition to appear in a treaty and called for no explanation? If an explanation was to be had, why should not the House be taken into the confidence of the hon. gentlemen and why are we not informed what that reason is? Again, Sir, why is it that if we make any treaty with any other power, France is to be admitted to all the benefits and advantages of it, while, if there is a treaty between France and any other country we get no advantage except in relation to the enumerated articles? Is that equality; is that what we who are watching the interests of the country ought to expect? So, whether you look at its main features, or whether you regard its incidents, we find that in no way has care been taken to safeguard our rights or to see that Canadian interests were properly protected. Now, Sir, I am not going at this late hour to deal with many of the matters which I had intended to refer to. But one or two questions, even though I detain the House at this untimely hour, I cannot help making a few observations upon. We are told that this treaty is the outcome of twenty years' negotiations, that we have been offering to France the very terms embodied in the treaty and now we have got them we are not

Mr. McCARTHY.

satisfied with them. Surely that is not a fair statement of the case. We have not for twenty years, but for many years been trying to get a trade arrangement with France, but no man can pretend that up to the last moment when this treaty was signed Canada ever offered to accept the terms to be found here. Look, Sir, at what Sir Charles Tupper demanded on behalf of Canada. The articles enumerated are to be found in two places. On page 25 of this blue-book appears the list, and an additional list is given on page 30. Among them we find ships, pearl ashes, agricultural implements, sewing machines, petroleum, agricultural products, including hay and bran, animals and their products, cheese and butter, eggs, game and poultry. And even to this long list additions were subsequently made. What we were seeking was a fair honest treaty with France, and to be told that we are bound to take anything we can get is to belittle the country in every way and is not an argument that I, for one, am prepared to accept. I find here something to explain what I could not otherwise understand the reluctance of the Government to ratify the treaty. We find here that the High Commissioner, deliberately, as it appears to me, overstepped the instructions received by him from the Government. Instructions were sent him on the 11th of January by the Minister of Trade and Commerce in the most imperative terms that he was not to bargain with the French Government with relation to steamship subvention, and he was not to give to the French Government the advantage of the most-favoured-nation arrangement except in so far as the articles named in the treaty were concerned. The High Commissioner flaunts the instructions he gets in the face of the Government, apparently. He immediately goes to the French authorities and says: I am not authorized to include in the treaty what I have represented to you with regard to the intentions of the Canadian Government as to the subvention. And he says the only reason for that—let me read his words so that I may do no injustice to the High Commissioner:

The only reason was that it was not considered proper to make a question of this kind the subject of engagement with another country.

So I do think that the language of the hon. gentleman who leads the Opposition is perfectly justified. We did bargain, in the first place, with the French Government that we would implement this treaty by a subvention for a steamship line. We did it through our High Commissioner, who represented to them afterwards that this condition could not be put in the treaty, because "it was not considered proper to make a question of that kind the subject of engagement with another country;" but if language means anything, we did represent to the French Government that it was part and parcel of the terms on which this treaty was to be signed that we would establish, at all events,

to the extent of a subvention, a direct line with France. We have been told this afternoon by the Minister of Finance that the Government have no intention of carrying out their part of the agreement.

Mr. FOSTER. There is no use, I suppose, in attempting to correct the misquotation, because I am misquoted all round, first by the leader of the Opposition and now by the hon. gentleman. I made no such statement. I made this statement simply, that we are not bound by any treaty to do so. I did not say whether we proposed to do so or not.

Mr. McCARTHY. Very well, we have the explanation of the hon. gentleman, but I think we are entitled to know whether the Government do or do not propose to carry out that stipulation. This hair-splitting fashion is not the way the House ought to be dealt with by the Government. The hon. gentleman, we know, last year gave that as one of the reasons why he would not recommend the House to ratify the treaty, and now we are told that he did not say they would not do so, but that they are not bound to do so by the treaty. All I can say is that there is only one of two courses open to this Government, in honour, either to repudiate the acts of the High Commissioner or to ratify them in good faith. There is no middle course. The High Commissioner undoubtedly has pledged the honour of his Government to the French Government to that subvention, and if this Government is not prepared to ratify that stipulation the arrangement ought to have been disowned; at all events, the High Commissioner ought to have been recalled, and the Government ought to have been free from the obligation which he made without their authority. In the same way, we find that he was not authorized, he was expressly enjoined not to include the favoured-nation clause in the treaty. He did so. The explanations were all here. We know no more about that than the Minister did when he addressed the House on 13th March last. His explanation was that the High Commissioner had made that mistake, had entered into that agreement, either through error, or for the reasons given in his letter, and the letter is here. He knew, therefore, how the matter stood, we know how the matter stands now. Well, we see that this kind of engagement may be embarrassing. According to the argument addressed to us to-night, it is a matter of no consequence. Well, why, if it was a matter of no consequence, was the High Commissioner directed not to embody those terms in the treaty? But we know it is a matter of consequence. What is troubling us now? The engagements made years ago by England with Belgium and with the German Zollverein. I suppose it never entered the heads of the statesmen who made those engagements that

they would be hampering the colonies of Great Britain as they have been hampering them. It never entered into their heads that these engagements would prove obstructive, and I commend the wisdom of the Government, I commend the wisdom of the Minister of Trade and Commerce when he forbade the insertion on the part of the High Commissioner of the favoured-nation clause, which the High Commissioner afterwards deliberately inserted. Now, we have the explanation why this treaty was not ratified. Notwithstanding all that has been said, I can hardly think the First Minister was sincere to-night when he told us that the Government all along intended to ratify this treaty. The excuse is that there was not time last year. That was used by the Minister of Finance when he addressed us, when he gave these various reasons why the treaty should not be ratified last year, and when he called upon the House to consider well the terms of the treaty before we voted upon it. Then the matter remained in abeyance, apparently, all through the year, and even at the opening of this session the Government had not determined, apparently, whether they would ratify this treaty or not. We are told that the cause of this delay in announcing to the House that the treaty was to be ratified, was a desire to deal courteously by the deputations that were to wait upon the Government. Surely, if the minds of the Government were made up, it was idle to invite or to permit these gentlemen to travel to Ottawa as deputations, and to present arguments to them on a subject as to which the minds of the Government were fully made up. Sir, I shall support the amendment to the amendment, and if that is voted down, I shall support the amendment of the hon. member for Muskoka, on the substantial ground that this treaty does not give fair play to Canada in any respect, that it is unequal and unfair in all its conditions. It is a treaty which takes away from the duty on luxuries and virtually puts it upon the necessaries of life, a measure which, at this time of day and in the circumstances of this country, this House is not justified in adopting. I have figured it out, and I find that the duties upon wines averaged about 55 per cent ad valorem, taking the specific and the ad valorem together, they are now reduced 25 per cent. Whether we are prohibitionists or whether we belong to the opposite school, we all agree that these are luxuries, and for mere sentiment, for no substantial advantage, for no advantage that can accrue to any industry of this country, we are removing from the luxuries of life a duty yielding \$125,000 to \$150,000, which sum will have to be made up on the necessaries of life, already overtaxed.

Mr. DAVIN. I crave the indulgence of the House for a few minutes while I explain the reasons that influence me in

voting in the division that is now imminent. Although I shall follow in the course that has already been taken by far more distinguished members of this House than myself, I shall venture to say a word as to the obligations of honour that rest upon this House. Sir, as I understand this question, the Government of Canada is bound in honour to ask this House to affirm this treaty, but the House, strictly speaking, is not bound in honour to affirm the treaty, nor to affirm it at all, unless it shall appear to the House that the treaty will be of commercial value to Canada. That is one point of view, for in a case of this kind we dare not confine ourselves to the merely commercial aspect of the case. There is, I hold, a clear and constitutional principle which ought to guide the action of this House. I consider that the Government is bound to stand or fall by this treaty; but if it should appear to this House that, on the whole, the best treaty possible under the circumstances was made, that the Government and its plenipotentiaries did all in their power to make a satisfactory treaty, even though the treaty may fall short of what we could desire, even though it might fall short of what was attainable, yet, if it shall be shown that the treaty is on the whole likely to prove useful to Canada, then I say that the House would act dishonourably if they did not support the Government, and support its High Commissioner, who made the treaty. Sir, it is very important on this, the very first occasion of the kind, that it should be clearly understood that the Parliament of Canada is not bound by anything a man in the position of Sir Charles Tupper does or did in Paris. We are perfectly free, I hold, to come to this treaty and ask it to render an account of itself; and I say for myself that if on looking at the treaty I should come to the conclusion at which the hon. gentleman has arrived, that this treaty was a bad treaty for Canada, that it was vicious, that it was wholly unequal and it was such a treaty as Canada should not be asked to accept, I as a member of this House would then feel I was bound to vote against the Government, because I hold that the Government could do nothing else than stand by this treaty, even though its plenipotentiary may not have carried out to the very full the instructions that were given to him, or may have gone beyond his instructions in some small detail. I want to say one or two words; if the House will bear with me in regard to what I cannot but consider was a clever but still, if I may say so, a carping speech, a fault-finding speech on the part of my hon. friend from Simcoe (Mr. McCarthy). He said it was idle to say that certain interests would be served. He asked what the lumber interests would gain, as though he was addressing a jury and having the last word and there was no one to reply to him. What would the lumber

Mr. DAVIN.

interest gain? he asked. What was the difference between 45 and 75 centimes? he inquired. Why, there is a very large difference. Add a few more centimes, and the amount is doubled. But we need not pause to ask what is the difference between 45 and 75 centimes. All the leader of the Opposition has to do is to ask some of the lumbermen in Quebec who are friends of his own, as to what will be the advantage to Canada as regards lumber, and the answer will be such as was given by the hon. member for Hochelaga (Mr. Lachapelle), or by Senator Snowball to the Minister of Marine and Fisheries. My hon. friend said we would lose \$82,000. And here I must say that he betrayed a defect that I have noticed in my hon. friend whenever he comes to deal with questions of this kind, the defect which belongs—and I say it with a certain amount of modesty and reticence, and still I must say it—to a scologist in any science or on any given subject. Nothing can be easier than to talk flippantly political economy. But the hon. gentleman said we would lose \$82,000. I may point out that unless you approach this question strictly from the standpoint of a prohibitionist, there is not a man on the Opposition side of the House who should not rejoice, apart entirely from the admission into France of our lumber and other products under favourable conditions, at getting rid of taxation, at lowering the burdens on the people. Let me point out in regard to this supposed loss of \$82,000 that in the same sentence in which the hon. member for Simcoe (Mr. McCarthy) pointed out that loss, he gave the answer, for he quoted with approval his hon. friend from Huron (Mr. Macdonald). The light which the hon. member for Huron pounced on the question gleamed once again in the mind of the hon. member for Simcoe (Mr. McCarthy), and he said this is the direct loss. But what would be the result? People would get in a far larger quantity of wine than they are obtaining now from France. Undoubtedly if this should prove to be the result of the operation of the treaty, it would be the same as that which followed similar legislation in England, the result of a lower duty being to add greatly to the customs returns; and instead of our revenue losing \$82,000, I should not be surprised if the Finance Minister came next session with a budget showing instead of a loss a gain, or at all events a loss of not a single cent. Let me say here, in passing, that putting again the strictly prohibitionist view aside, and I may say I sympathize with them in their alarm, would any man in his senses who knows anything about wine growing countries doubt for one moment the truth of what Mr. Gladstone boasted was the result of lowering the duties on cheap wines, the stimulation of their consumption, and that cheap wines with a small percentage of alcohol in them undoubtedly contributed to the cause of temperance? But I say that merely in passing, and I as-

sure my hon. friend that he need not be alarmed in regard to the probable loss, because he undoubtedly answered his question in his own remarks. The hon. gentleman asked what advantages would be gained? But he did not tell the House under what disadvantages we should suffer. He is in the same position as almost every hon. member who undertakes to discuss this treaty. Certain changes are enacted, but you cannot without experience know what will be the result. I have not heard a single hon. member who was able to enter into the details of the treaty and show the incidence of the change, showing how far this or that result would follow, how the figures would pan out at the end of twelve months. That term twelve months is in my opinion the safeguard of this treaty. Without it, speaking for my own constituents, I should have had to vote against the treaty, because I have there a large number of prohibitionists whom I represent, and they thought the treaty was to extend over a very long period, but with twelve months in it when we can pronounce upon the treaty, what is the difficulty? Let a wave of prohibition pass over the country and let an Act be passed to carry out prohibition, and in twelve months the treaty can be put on one side and the people can be placed in the peril described by the hon. member for Bellechasse (Mr. Amyot), in which we should all be getting indigestion from drinking water. In regard to what was said about the steamship subvention, the hon. gentleman said that Sir Charles Tupper pledged the country to give a subvention to a steamship company. But what answer would the hon. gentleman make with a wave of his hand if such an appeal were made in a court? He would say, it is not in this treaty. There is no use going further than that. My hon. learned friend stooped to an act that I thought quite unworthy of a statesman of his pretensions. He stooped to demagogism; he stooped to play the part of a demagogue about lowering the duties on sparkling wines, and, of course, his plea was intended to sound in the ears of men of toil. Without playing the roll of a demagogue, I want to show how the tables can be turned on him. He talked about reducing the price of the luxuries to the rich. I have shown already that instead of the rich paying less, they will pay more. And now, Sir, what is the answer to it all? If the exports from this country to France are increased in consequence of this treaty, in what will they be increased? Canned meats is one article, and are not the sons of toil interested in the manufacture of canned meats? If the manufacture of canned meats is increased, will not there be more sons of toil engaged in that industry? Does the same not apply to condensed milk, preserved fish, preserved apples, boots and shoes, wood pavement, extract of chestnut and other tan extracts?

Mr. MILLS (Bothwell). Chestnuts.

Mr. DAVIN. What does the hon. gentleman say?

Mr. DALY. He said "chestnuts."

Mr. DAVIN. I will leave them entirely to my hon. friend (Mr. Mills). He has a monopoly in them. I ask, Mr. Speaker, are not the middle classes and the working classes interested in the increased exports of all these goods which this treaty will bring about? For every objection that has been brought against this treaty, there is a ready answer, and that makes out a strong case in its favour. The treaty may not be all that we desire, but I say that on the face of it, it is a step in the right direction. Remember that it is our first treaty, and unless there are some very strong reasons, very different reasons from the clap-trap and the mere quibbling and carping that we have heard, I say that this House ought not be asked to reject the first treaty, and to give the Government of England, and the statesmen of England the idea that when we again ask them to join with us in negotiations, that the first thing which would happen would be that when the treaty was brought before a volatile Parliament it would be rejected, and that Parliament would condemn the action of the High Commissioner of its Government, even though he should have acted side by side with one of the ablest diplomats and statesmen of his time, and one who had been Governor General of Canada, and knew the needs of the country and the spirit of our people. Amongst other things this treaty shows that we are at the threshold of greater events than Canada has yet seen. Those who have approached this treaty in the spirit of my hon. friends from Simcoe (Mr. McCarthy) and from Muskoka (Mr. O'Brien), and from Ontario (Mr. Edgar), and those who have poured what I would call little, petty streams of criticism upon it, are out of sympathy with the hour, and are not in full touch and rapport with the splendour and the breadth of view of that day which is drawing upon Canada.

Mr. OUMET. I hope the House will bear with me for a few moments while I address it on this subject, which I consider to be one of great importance. The main question that has been discussed at great length is this: are we in honour bound to ratify this treaty according to the request that is now made by the Government? I will not discuss that question, but I will suggest that perhaps the more business-like way of putting pretty nearly the same question is this: is it to our interest to honour the signature of our plenipotentiaries who have signed the treaty for us? I say that it is in our interest to do so. As has been said, we have been over twenty years trying to negotiate a treaty with France. The French nation has been the only nation that has been willing to negotiate with us, and I maintain that that is a compliment paid by that

great nation to Canada. If we are going to refuse to confirm this treaty, signed by our representatives, I believe that we shall be fifty years more without having a like proposal from any other country. Let me ask: Is it our interest to ratify this treaty from a business standpoint? We must remember that the French nation in the matter of importations comes next to England. France imports foreign goods to the amount of nearly \$900,000,000 a year, and of that enormous amount, it imports \$288,000,000 of goods that are produced and exported by this country. When we talk of the little French treaty, and the few articles included in it, we must not lose sight of the fact that in 1891 France imported \$38,000,000 worth of these very articles alone. Of these articles, we have ourselves exported \$28,000,000 to Great Britain and elsewhere, while our direct trade with France hardly amounts to \$500,000 a year. We are looking for markets, and here is a market of \$38,000,000 worth in France, for the articles mentioned in that treaty. We have now an opportunity of exporting these goods to France on conditions which give us the preference over nearly every other country exporting to France.

Mr. LAURIER. That is not so.

Mr. OUIMET. How is it that it is not so?

Mr. LAURIER. The First Minister said a moment ago that there was no preference.

Mr. OUIMET. Is not the minimum tariff which we are to have a preference?

Mr. LAURIER. The Prime Minister said it could be extended to any other nation.

Mr. OUIMET. Why, Mr. Speaker, we have had speeches in this House hours and hours long to prove that if we only had a preference of 10 per cent or even 5 per cent in the English market, it would be the greatest boon that could come to this country. When we see by comparing the minimum tariff and the maximum tariff with France that we shall have a preference of between 33 and 50 per cent over other nations, are we going to be told that we are not going to increase our exports to France? France imports annually \$38,000,000 worth of the very articles mentioned in this treaty, and in our competition for this trade we shall have a preference of from 33 to 50 per cent over other nations. Is this not beneficial to Canada? Now, I come to that argument that has been presented by the leader of the Opposition. He said that when lumber was admitted free to the French market we did not establish any commerce in that article with France, and that with this treaty, with a minimum tariff no better result can be obtained. France imposes high duties on the goods she has to import. She has not the lumber she wants; she must import it, and, ac-

Mr. OUIMET.

ording to the theory of the hon. gentleman, surely the French people pay the duties imposed upon it. Then, if we have to compete with Russia or Norway, or the United States in the supply of lumber in the French market, and we have only to pay 33 per cent against these other countries paying 50 per cent, are not our goods receiving a preference over the others? I already said that time and again it has been argued that if England were to impose only 5 per cent on all the goods coming from the other nations, this would be a preference for us that would give us possession of the English market to the extent of all the goods we could send there. If that argument is good for England, why should it not be good for France? As I have said, France is the second country of the world in the importation of goods from foreign countries, and when the French people offer us preferential terms, not to the full extent we wished for, but to the extent of the goods she imports, amounting to \$30,000,000 a year, of which we could export to France \$28,000,000, I say she is granting us a great preference. Now, take the British market: we export our lumber there, and pay no duty on it. Norway exports her lumber principally to France; she has the benefit of the minimum tariff. Do you think if Norway could only sell her lumber to France at the same price, after paying the duty, at which she could to England, that she would send it to France? It is because she finds a profit there that she sends her lumber to France instead of to England. It is not a question of sentiment; it is a question of business. And, Sir, there is another thing: trade invites trade; commerce invites commerce. When a ship leaves Halifax, or Quebec, or St. John for a French port, loaded with lumber or the products of the fisheries, we have plenty of other things, like wheat, meat, &c., which we could send to the French market on the same conditions as other countries. Everybody knows that France imports a very large quantity of breadstuffs.

Mr. LAURIER. That is not included in the treaty.

Mr. OUIMET. I do not pretend that. I only say that we shall stand on even terms with the other nations in the things we produce, and if we create a trade in the articles that we export to the amount of \$28,000,000, surely the ships will find some advantage in completing their cargoes with wheat and other products that we sell in the English market in competition with the rest of the globe, and on the French market we shall be, after all, on equal terms with the other nations of the globe. We shall not sell our wheat at a less price than the other nations, and do you think that those nations who send their wheat to France, sell it at a less price than they do in the English market? Surely not; and why? Because their ships would just go to the next port—

to Southampton, instead of to Bordeaux or Havre, or some other French port, if they could get better prices in England. So I say this treaty is only a beginning; it is only an overture, and if our tradesmen know how to utilize their opportunities they will do it in such a way as to bring about another treaty, which I expect will be much larger than the present one, and much more beneficial to both countries. Now, I come to another point. One of the reasons given by the hon. leader of the Opposition why we should not ratify this treaty is that we have not lived up to our bargain, and what does he propose? He proposes to repudiate the whole bargain. That is his argument. He says we are dishonouring ourselves—for what? For not voting a subsidy, when he argues that there is no advantage at all in having commercial arrangements with France. Why should we bind ourselves to vote a subsidy of \$500,000 when he says himself that this treaty is of no importance at all? We shall bide our time; we shall follow the exigencies of trade. If it becomes necessary to the interests of this country to encourage a direct line to France, we shall do it, as we have done everything that has been understood to be of advantage to this country. We shall do it, not in consequence of an engagement, because there is no engagement, but for the interest of our own people and for the fostering of our commerce with France. As I have said already in this House, I am sorry to see that the hon. gentleman is belying the professions of those newspapers that are supporting him in the province of Quebec. Last year when he suggested that we were temporising, that we were delaying, what did the papers supporting him in the province of Quebec—'L'Electeur' and 'La Patrie'—say? I am not citing these things to raise any national feeling. I think that sentiment has more to do with this matter than business. The fact is that France is the only nation that until now has been willing to negotiate a treaty with us. And what is the motive of that willingness? France, no doubt, recollects with some degree of pride and pleasure that there is in Canada a population of one and a half million of her own blood, and I do not think I am wide of the mark in stating that were it not for this, France, in all probability, would not have been the first nation willing to negotiate a treaty with us, and would not have shown the patience she has. For twenty years treaties have been negotiated, and never brought to any conclusion with that country, and if this treaty has not been brought to a conclusion before this, it was not owing to any lack of willingness on the part of France to do her part. It is unfortunate that the prejudice should have taken root in the province of Quebec, but no doubt the feeling there exists that if this treaty was not ratified, it was simply because it was a treaty with France.

Mr. MILLS (Bothwell). No.

Mr. OUMET. What does the hon. member for Bothwell know about it? He has not read what I have read, and I deny his right to insinuate that what I am saying is not true. What I say is based on articles that have been published to this very effect.

Mr. LAURIER. Why do you not read some articles of your own papers?

Mr. OUMET. Our newspapers have stated what I have just expressed. They have stated that the treaty is not as good a one as we might expect, but that, at all events, it is a beginning, and that we should respond to a nation which has been willing to negotiate a treaty with us, especially when hon. gentlemen opposite taunt us so often that under our National Policy we are in favour of restricting commerce with every other country. What we have done is exactly in harmony with the principles of the National Policy. We are prepared to trade with every country on more than equal terms, and I say that we are trading with France on even terms. After all, when they offer us a market of \$38,000,000, what is the amount of wine we are going to import? The amount imported to-day, including the wines imported through other countries, is not over a million dollars worth. Some people are shocked because the duty is reduced on wines, but we must not forget that wine is a staple article of French export. What else could we get from France? France will not send us lumber or wool or breadstuffs, and when, fifteen years ago, if we offered to reduce the duties on wines, it was because that was the only product in connection with which we could invite France to trade with us, and could give France some advantage. The treaty we are now asked to ratify is the first one we have succeeded in negotiating in twenty years. It has been signed by our plenipotentiaries, and we must not forget that these plenipotentiaries, though accredited by Great Britain, were accredited by our own request, and were, to all intents and purposes, our representatives. Sir Charles Tupper is the man who actually negotiated and concluded the treaty, and the English ambassador was only there to do what Sir Charles Tupper requested, as representative of this Government. Sir Charles Tupper did not obtain all he demanded, but obtained what he could get, and I repeat that if we refuse to honour the signatures of our representatives at Paris, we may say farewell to all prospects of future negotiations with France or any other country. Certainly, that rejoices the hearts of hon. gentlemen opposite. They would rejoice if this country were to go to the dogs, if our commerce were destroyed, and our Government with it. By all means this House is in honour bound to ratify the signatures of our representa-

tives, and in doing so we shall be acting in our best interests. This treaty will be the opening of a new trade, and lead to immense advantages not only with France, but with other countries. This treaty will be spoken of on the continent of Europe, and our neighbours, the Americans, will learn that if they will not trade with us, we can find other nations who will, and who will give us advantages which the great republic has always refused.

Mr. CHARLTON. At this late hour, I shall not detain the House any longer than a few minutes. I simply desire to present one or two considerations which I do not think have yet been touched upon. It is evident that the Government have approached the consideration of this question with some hesitation and some doubt as to the proper course they should follow. It is evident that it is only after considerable hesitation they arrived at the conclusion to ask Parliament to ratify this treaty. It is only natural that should be the case. It is natural that the treaty should have struck them as one not desirable in our interests, and that I believe in the real sentiment of the Minister of Finance and the First Minister. I want to point out to the Government that this treaty, should it prove unsatisfactory to Canada, as, in my opinion, it undoubtedly will, can only be terminated on notice given, not by us, but by the English Government. I want to point out to the Government the fact that certain circumstances exist that render it possible, if not probable, that England may be governed in her conduct in this matter in the future, not by our wishes or interests, but by considerations of greater importance to herself. We know to-day that there is friction between English interests and French interests in Egypt, that there is friction in the Soudan, that there is friction in the matter of the concession by the Belgian Government to Great Britain of a strip of the eastern portion of the Congo Free State to connect the English possessions in the north with the English possessions in the south of Africa. We know that relations exist between these two countries that are strained and delicate. Now, the time may arrive, and quite likely will arrive, when we want to terminate this treaty and ask the English Government to take the necessary steps. But circumstances may be such that England would decline to do it for the reason that she does not want imperial interests, of far greater importance than those involved in this little treaty with France, to be imperilled. That is a matter that has not been brought up—

Sir JOHN THOMPSON. I discussed that.

Mr. CHARLTON. I am glad the hon. gentleman has discussed that. If he has discussed that question, I am surprised that he stands before this House and asks for the ratification of a treaty which can only

Mr. QUIMET.

be undone in the manner I have referred to. There is another point that has not been alluded to. The provision for the importation of a wine at a reduced rate is one which will, probably, in reality apply to other countries besides France. France, since the phylloxera has worked such destruction of the vines, is not able, I believe, to furnish the wine required for home consumption even. France has not the supplies of wine to spare to this country, if this is true. She imports immense quantities of American cider and high wines and manufacture these into the wine of commerce which is exported to the United States and Canada. Under this arrangement France may admit the cheap wines of California, Cape Colony, Australia, Spain and Portugal and dump into this country, as of French origin, those wines which we refuse to admit. I do not propose to detain the House, but in closing I may say that the treaty is one that for other reasons I cannot support. It will tie our hands in any preferential trade arrangement we may seek to make with other British colonies, as the outcome of the conference which has just been held in this city; it will tie our hands in any negotiations for reciprocity in the United States if we get a Government in power that will be in favour of reciprocity, and will make the reasonable concessions necessary to secure it. It fixes definitely the amount of duty which we may exact, while France is free to raise her minimum duty to within a small fraction of her maximum duty, if she so desires. I shall support the amendment to the amendment, and, if that is defeated, I shall support the amendment; and I warn the Government that if this treaty is passed it may be a good deal more difficult to get it rescinded than it has been to get it ratified.

House divided on amendment to amendment of Mr. Edgar :

YEAS :

Messieurs

Allan,	Landerkin,
Bain (Wentworth),	Laurier,
Beausoleil,	Lavergne,
Beith,	Leduc,
Boston,	Lister,
Bowman,	Livingston,
Brown,	Lowell,
Campbell,	Macdonald (Huron),
Cartwright (Sir Richard),	McCarthy,
Casey,	McGregor,
Charlton,	McMillan,
Choquette,	McMullen,
Christie,	Mills (Bothwell),
Colter,	O'Brien,
Dawson,	Paterson (Brant),
Edgar,	Perry,
Edwards,	Rider,
Featherston,	Rinfret,
Flint,	Rowand,
Fraser,	Sanborn,
Gibson,	Scriver,
Gillmor,	Semple,
Grieve,	Somerville,
Guay,	Sutherland,
Harwood,	Tarte.—51.
Innes,	

NAYS :

Messieurs

Amyot,
Bain (Soulanges),
Baker,
Béchar, d,
Belley,
Bennett,
Bergeron,
Bergin,
Bernier,
Blanchard,
Boyd,
Boyle,
Brodeur,
Bruneau,
Bryson,
Cameron,
Carignan,
Carling (Sir John),
Caron (Sir Adolphe),
Carroll,
Carscallen,
Chesley,
Cleveland,
Cochrane,
Cockburn,
Corbould,
Costigan,
Curran,
Daly,
Davin,
Denison,
Desaulniers,
Devlin,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds & Gren.),
Ferguson (Renfrew),
Foster,
Fréchette,
Frémont,
Gillies,
Girouard (Jacques Cartier),
Girouard (Two Mountains),
Godbout,
Grandbois,
Haggart,
Haslam,
Hazen,
Henderson,
Hughes,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,
Kenny,

Lachapelle,
Langelier,
Langevin (Sir Hector),
Leclair,
Legris,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
McAlister,
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McKay,
McLennan,
McNeill,
Madill,
Marshall,
Masson,
Metcalfé,
Mignault,
Miller,
Moncrieff,
Monet,
Montague,
Northrup,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Pope,
Pridham,
Prior,
Proulx,
Robillard,
Roome,
Rosamond,
Ross (Dundas),
Ross (Lisgar),
Ryckman,
Simard,
Smith (Ontario),
Sproule,
Stairs,
Stevenson,
Taylor,
Temple,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Vaillancourt,
Wallace,
Weldon,
White (Shelburne),
Wilmot,
Wilson,
Wood (Brockville),
Wood (Westmoreland)—119.

Amendment to amendment negatived.

PAIRS :

Ministerial.

Messrs. Putnam,
Cargill,
Mills (Annapolis),
Mara,
Barnard,
Reid,
Corby.

Opposition.

Messrs. Forbes,
Walsh,
Bowers,
Martin,
Davies,
Mulock,
Borden,

House divided on amendment of Mr. O'Brien :

YEAS :

Messieurs

Allan,
Bain (Wentworth),
Beith,
Boston,
Bowman,
Brown,
Campbell,

Innes,
Landerkin,
Lister,
Livingston,
Lowell,
Macdonald (Huron),
McCarthy,

Cartwright (Sir Richard),

Casey,
Charlton,
Christie,
Cockburn,
Colter,
Dawson,
Edgar,
Edwards,
Featherston,
Flint,
Fraser,
Gibson,
Gillmor,
Grieve,

McGregor,
McMillan,
McMullen,
McNeill,
Mills (Bothwell),
O'Brien,
Paterson (Brant),
Perry,
Rider,
Rowand,
Sanborn,
Scriver,
Semple,
Somerville,
Sutherland.—44.

NAYS :

Messieurs

Amyot,
Bain (Soulanges),
Baker,
Beausoleil,
Béchar, d,
Belley,
Bennett,
Bergeron,
Bergin,
Bernier,
Blanchard,
Boyd,
Boyle,
Brodeur,
Bruneau,
Bryson,
Cameron,
Carignan,
Carling (Sir John),
Caron (Sir Adolphe),
Carroll,
Carscallen,
Chesley,
Choquette,
Cleveland,
Cochrane,
Corbould,
Costigan,
Curran,
Daly,
Davin,
Denison,
Desaulniers,
Devlin,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds and Gren.),
Ferguson (Renfrew),
Foster,
Fréchette,
Frémont,
Geoffrion,
Gillies,
Girouard (Jacques-Cartier),
Girouard (Two Mountains),
Godbout,
Grandbois,
Grant (Sir James),
Guay,
Haggart,
Harwood,
Haslam,
Hazen,
Henderson,
Hughes,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,

Kenny,
Lachapelle,
Langelier,
Langevin (Sir Hector),
Laurier,
Lavergne,
Leclair,
Leduc,
Legris,
Lépine,
Lippé,
Macdonald (King's),
Macdonell (Algoma),
McAlister,
McDougald (Pictou),
McDougall (Cape Breton),
McInerney,
McKay,
McLennan,
Madill,
Marshall,
Masson,
Metcalfé,
Mignault,
Miller,
Moncrieff,
Monet,
Montague,
Northrup,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Pope,
Pridham,
Prior,
Proulx,
Rinfret,
Robillard,
Roome,
Rosamond,
Ross (Dundas),
Ross (Lisgar),
Ryckman,
Simard,
Smith (Ontario),
Sproule,
Stairs,
Stevenson,
Tarte,
Taylor,
Temple,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Vaillancourt,
Wallace,
Weldon,
White (Shelburne),
Wilmot,
Wilson,
Wood (Brockville),
Wood (Westmoreland).—123.

Amendment negatived.

On main motion,

Mr. LAURIER. I move the following amendment :—

That all the words after the word "That" be struck out and the following inserted instead

thereof :— “ the Treaty with France having been negotiated under the assurance given by the British Plenipotentiaries to the French Plenipotentiaries that the Canadian Government's policy was to establish a direct line of steamers between Canada and France, said assurance being especially contained in the letter of Lord Dufferin and Sir Charles Tupper to Mr. Develle, Minister of Foreign Affairs, the 6th of February, 1893, to wit :—

‘ We take this opportunity of confirming what we already made known to Your Excellency during the progress of the Conference, viz. : that the Canadian Parliament, desirous of favouring the development of commercial relations between the two countries, has voted a subvention of £100,000 for the purpose of establishing a line of steamers to run between a Canadian port on one side, and a French terminus port on the other.’

It was the duty of the Government before proposing the ratification of the Treaty, either to accept the statement of the said plenipotentiaries, or to notify the French Government that they would not be bound by the same.”

House divided on amendment of Mr. Laurier :

YEAS :

Messieurs

Allan,	Landerkin,
Bain (Wentworth),	Langelier,
Beausoleil,	Laurier,
Béchar,	Lavergne,
Beith,	Leduc,
Boston,	Legris,
Bowman,	Lister,
Brodeur,	Lowell,
Brown,	Macdonald (Huron)
Campbell,	McCarthy,
Carroll,	McGregor,
Cartwright (Sir Richard),	McMillan,
Casey,	McMullen,
Charlton,	McNeill,
Choquette,	Mignault,
Colter,	Mills (Bothwell),
Dawson,	Monet,
Edgar,	O'Brien,
Edwards,	Perry,
Featherson,	Rider,
Flint,	Rinfret,
Fraser,	Rowand,
Gibson,	Sanborn,
Gillmor,	Scriven,
Godbout,	Semple,
Guay,	Sutherland,
Harwood,	Tarte,
Innes,	Vaillancourt—56.

NAYS :

Messieurs

Amyot,	Kaulbach,
Bain (Soulanges),	Kenny,
Baker,	Lachapelle,
Belley,	Langevin (Sir Hector),
Bennett,	Leclair,
Bergeron,	Lépine,
Bergin,	Lippé,
Bernier,	Macdonald (King's),
Blanchard,	Macdonell (Algoma),
Boyd,	McDougald (Pictou),
Boyle,	McDougall (Cape Breton),
Bruneau,	McInerney,
Bryson,	McKay,
Cameron,	McLennan,
Carignan,	Madill,
Carling (Sir John),	Marshall,
Caron (Sir Adolphe),	Masson,
Carscallen,	Metcalfe,
Chesley,	Miller,
Cleveland,	Moncreiff,
Cochrane,	Montague,

MR. LAURIER.

Cockburn,	Northrup,
Corbould,	Ouimet,
Costigan,	Patterson (Colchester),
Curran,	Patterson (Huron),
Daly,	Pelletier,
Davin,	Pope,
Denison,	Pridham,
Desaulniers,	Prior,
Devlin,	Proulx,
Dickey,	Robillard,
Dugas,	Roome,
Dupont,	Rosamond,
Dyer,	Ross (Dundas),
Earle,	Ross (Lisgar),
Fairbairn,	Ryckman,
Ferguson (Leeds & Gren.),	Simard,
Ferguson (Renfrew),	Smith (Ontario),
Foster,	Sproule,
Fréchette,	Stairs,
Frémont,	Stevenson,
Gillies,	Taylor,
Girouard (Jacques Cartier),	Temple,
Girouard (Two Mountains),	Thompson (Sir John),
Grandbois,	Tisdale,
Grant (Sir James),	Tupper (Sir C. Hibbert),
Haggart,	Tyrwhitt,
Haslam,	Wallace,
Hazen,	Weldon,
Henderson,	White (Shelburne),
Hughes,	Wilmot,
Ingram,	Wilson,
Ives,	Wood (Brockville),
Jeannotte,	Wood (Westmoreland).—109.
Joncas,	

Amendment negatived.

PAIRS :

Ministerial.

Opposition.

Messieurs

Putnam,	Forbes,
Cargill,	Walsh,
Mills (Annapolis),	Bowers,
Mara,	Martin,
Barnard,	Davies,
Reid,	Mulock,
Corby,	Borden,
McAlister,	Christie.

House divided on main motion of Mr. Foster (second reading of B. 147) :

YEAS :

Messieurs

Amyot,	Kaulbach,
Bain (Soulanges),	Kenny,
Baker,	Lachapelle,
Beausoleil,	Langelier,
Béchar,	Langevin (Sir Hector),
Belley,	Laurier,
Bennett,	Lavergne,
Bergeron,	Leclair,
Bernier,	Leduc,
Blanchard,	Legris,
Boyd,	Lépine,
Boyle,	Lippé,
Brodeur,	Macdonald (King's),
Bruneau,	McDougald (Pictou),
Bryson,	McDougall (Cape Breton),
Cameron,	McInerney,
Carignan,	McKay,
Carling (Sir John),	McLennan,
Caron (Sir Adolphe),	Madill,
Carroll,	Masson,
Carscallen,	Metcalfe,
Chesley,	Mignault,
Choquette,	Miller,
Cleveland,	Moncreiff,
Cochrane,	Monet,
Corbould,	Montague,
Costigan,	Northrup,
Curran,	Ouimet,
Daly,	Patterson (Colchester),
Davin,	Patterson (Huron),
Denison,	Pelletier,
Desaulniers,	Pope,
Devlin,	Pridham,

Dickey,	Prior,
Dugas,	Proulx,
Dupont,	Rinfret,
Dyer,	Robillard,
Earle,	Roome,
Fairbairn,	Rosamond,
Ferguson (Leeds & Gren.)	Ross (Lisgar),
Ferguson (Renfrew),	Simard,
Foster,	Smith (Ontario)
Fréchette,	Sproule,
Frémont,	Stairs,
Geoffrion,	Stevenson,
Gillies,	Tarte,
Girouard (Jacques Cartier),	Taylor,
Girouard (Two Mountains),	Temple,
Godbout,	Thompson (Sir John),
Grandbois,	Tisdale,
Grant (Sir James),	Tupper (Sir C. Hibbert),
Guay,	Tyrwhitt,
Haggart,	Vaillancourt,
Harwood,	Wallace,
Haslam,	Weldon,
Hazen,	White (Shelburne),
Henderson,	Wilmot,
Hughes,	Wilson,
Jeannotte,	Wood (Brockville),
Joncas,	Wood (Westmoreland).—120.

NAYS:

Messieurs.

Allan,	Landerkin,
Bain (Wentworth)	Lister,
Beith,	Livingston,
Bergin,	Lowell,
Bowman,	Macdonald (Huron),
Brown,	McCarthy,
Cartwright (Sir Richard),	McGregor,
Casey,	McMillan,
Charlton,	McMullen,
Cockburn,	McNeill,
Colter,	Mills (Bothwell),
Dawson,	O'Brien,
Edgar,	Perry,
Edwards,	Rider,
Featherston,	Rowand,
Flint,	Sanborn,
Fraser,	Scriven,
Gibson,	Semple,
Gillmor,	Somerville,
Grieve,	Sutherland.—41.
Innes,	

Mr. CASEY. The hon. member for East Hastings (Mr. Northrup), the hon. member for Richmond and Wolfe (Mr. Cleveland), the hon. the junior member for Hamilton (Mr. Ryckman), and the hon. member for Algoma (Mr. Macdonell) came into the House after the question was put.

Mr. SPEAKER. Was the hon. member for East Hastings present, and did he hear the question put?

Mr. NORTHRUP. I heard the question put.

Mr. SPEAKER. Was the hon. member for Richmond and Wolfe present, and did he hear the question put?

Mr. CLEVELAND. I have got it by heart.

Mr. SPEAKER. Did the hon. member hear the question put?

Mr. CLEVELAND. Yes.

Mr. SPEAKER. Did the hon. junior member for Hamilton hear the question put?

Mr. RYCKMAN. I did on the first division, and I heard the last part of it on the last division.

Mr. SPEAKER. The hon. gentleman must have heard the question read from first to last in one or other of the languages, to entitle him to vote. Did the hon. member hear the question read from first to last?

Mr. RYCKMAN. No; I did not the last time.

Mr. SPEAKER. Strike his name from the list. Was the hon. member for Algoma present, and did he hear the question put?

Mr. MACDONELL. I heard the different amendments, and I heard the motion.

Mr. SPEAKER. Did the hon. member hear the question put?

Mr. MACDONELL. No.

Mr. SPEAKER. Strike his name from the list.

Mr. McKAY. The hon. member for Kent (Mr. Campbell), the hon. member for South Middlesex (Mr. Boston), and the hon. member for Welland (Mr. Lowell) were not present when the question was put.

Mr. SPEAKER. Was the hon. member for Kent (Ontario) present, and did he hear the question put?

Mr. CAMPBELL. I did not hear the question put.

Mr. SPEAKER. Strike his name from the list. Was the hon. member for South Middlesex present, and did he hear the question put?

Mr. BOSTON. I did not hear the question put.

Mr. SPEAKER. Strike his name from the list. Was the hon. member for Welland present, and did he hear the question put?

Mr. LOWELL. I did hear the question put.

Motion agreed to, and Bill read the second time.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to, and the House adjourned at 2.50 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 11th July, 1894.

The **SPEAKER** took the Chair at Three o'clock.

PRAYERS.

FIRST READING.

Bill (No. 159) respecting the land subsidy to the Canadian Pacific Railway Company.— (Mr. Daly.)

DOMINION LANDS.

Mr. **DALY** moved for leave to introduce Bill (No. 160) respecting Dominion Lands. He said: This is a Bill of three short clauses. It is to amend section twenty-three of the Dominion Lands Act, which is the section relating to school lands. It provides that in the event of any person proving that he squatted upon school lands prior to survey, and upon the land being surveyed and on his substantiating the fact of his residence, he will be permitted to homestead that section, and it is further provided that land shall be found elsewhere in substitution for the particular land on which he squatted. The reason is that in a great many instances hardships ensue to people who squatted on school lands prior to survey. This was the law prior to 1883. The next clause provides for the publishing of orders and regulations. The next provides for the sale or lease of public lands:

The Governor in Council may authorize the sale or lease of any lands vested in Her Majesty which are not required for public purposes, and for the sale or lease of which there is no other provision in the law.

The necessity of this is because we have not the power, in connection with Ordnance lands, of disposing of lands lying along the river front, and, therefore, require this legislation.

Motion agreed to, and Bill read the first time.

PUBLIC DEBT.

Mr. **CHARLTON** asked, What was the total public debt of Canada on 30th June, 1894? What was the net public debt of Canada, 30th June, 1894?

Mr. **FOSTER**. The total gross debt of Canada on the 30th June, 1894, was \$305,071,801.86. The net debt was \$240,528,905.41.

FISHERY WARDEN ON COAST OF LABRADOR.

Mr. **LAVERGNE** asked, 1. Is W. H. Whitely, of St. John's, Nfld., still in the employ of the Government as a fishery warden,

Sir **JOHN THOMPSON**.

den, on the coast of Labrador? 2. Have any complaints been made to the Department of Marine and Fisheries against the said Whitely as to his mode of granting and cancelling fishery leases and licenses? 3. Has the Government been informed that the said W. H. Whitely does not charge any license fee to Newfoundlanders, favours the same to the detriment of Canadians, and refuses fishery locations to Canadians in order to grant them to Newfoundlanders? 4. Will the Government inquire about this matter and take immediate action to remedy such a state of things?

Sir **CHARLES HIBBERT TUPPER**. 1. W. H. Whitely, of Bonne Espérance, is fishery officer for the Bonne Espérance division, Labrador. 2. No complaints have been made to the Department of Marine and Fisheries as to Mr. Whitely's mode of granting and cancelling fishery leases or licenses. He has nothing to do with granting or cancelling them. 3. The Government has not been informed that W. H. Whitely does not charge any license fee to Newfoundlanders, and refuses fishery locations to Canadians in order to grant them to Newfoundlanders. 4. If any distinct and specific charge is made, an immediate inquiry will be held. I should like to add in justice to Mr. Whitely, who has been the object of several inquiries during the last two or three sessions, and all those inquiries have been answered satisfactorily, that Mr. Whitely, as I am informed by Commander Wakeham, who knows him very well indeed, has been there many years. He is the largest resident merchant on the coast, he has lived there for 40 years, and has been fishery officer for over 30 years, and is respected by every one on the coast. For the sake of educating his family, he was obliged to go to St. John's, Nfld., in winter with them, though some of the family remained at Bonne Espérance in the winter. At first he used to come to Quebec in winter, but this was a long, tedious journey in a schooner, and when the mail boat was put on fortnightly from St. John's, Nfld., to Labrador, it was much handier to go to St. John's. Mr. Whitely receives \$100 from Canadian Government, but no allowance for travelling expenses. He is a justice of the peace and postmaster at Bonne Espérance. Owing to his means and influence, he is able to keep order among the fishermen at this out of the way place, in a way that no one else could.

BIRTH OF AN HEIR-APPARENT.

Sir **RICHARD CARTWRIGHT**. Before the Orders of the Day are called, I would like to say a word or two on a subject which may perhaps be of some interest to members of the House. I have not observed that the Government have moved the House to congratulate Her Majesty in any way on a certain recent interesting and auspicious event. Now, we are all aware

that the Government of late have been very busy indeed. One section of the Government have been employed in celebrating what I may call the victory of the Lord High Commissioner over certain malapert Ministers who have been taught their places at long last. Another section have been equally busy in devising the 121st amendment or thereabouts to a tariff which seems specially designed to promote a united Empire, by making it as difficult as possible for Canadian consumers to use British manufactured goods; and yet a third section have been engaged in the most useful and sanitary operation of whitewashing themselves and their colleagues, somewhat after the fashion of the renowned W. M. Tweed, and it is to be hoped that the ultimate results will not greatly differ from those which attended the operations of that gentleman. But those gentlemen are now reasonably at leisure. They have eaten their leek, they have applied their whitewash, and they have put up every conceivable bolt and bar against the British goods.

Mr. SPEAKER. Order.

Mr. CHARLTON. I move the adjournment of the House.

Sir RICHARD CARTWRIGHT. And I think, if I may be permitted to continue my remarks, that they may now find time possibly, and I am sure in so doing they will meet the wishes of both sides of the House, to offer our congratulations to Her Majesty on an event, which, both as a sovereign and a woman, must have given very great pleasure to that illustrious lady. It may possibly be the case that the Premier can find no precedent for an address in a case of this sort. I believe myself that the circumstances are absolutely unprecedented in British history, and for that matter, so far as I know, in almost any other history. It is a most rare event that a reigning sovereign should have the pleasure of seeing no less than three direct heirs in descent to the throne in her own lifetime. I think, under the circumstances, it might be very well that Ministers should move the House to take some official notice of the event, as, if I am not misinformed, it has been done by one or two other colonial Legislatures in session; and if they do not see their way to do so, although it is of course reasonable that they should have the opportunity of taking the initiative, I dare say Her Majesty's loyal Opposition might be able to relieve them on this occasion.

Sir JOHN THOMPSON. On the motion for the adjournment of the House, I congratulate the hon. gentleman, the member for South Oxford (Sir Richard Cartwright), on having begun to recollect, after many years of forgetfulness, that he is a British subject, and owes a duty to his sovereign and to the institutions of his coun-

try. The observations which the hon. gentleman has made introductory to the subject of a congratulatory address to Her Majesty, are like a great many observations which he addresses to the House, when he is in a particularly unpleasant mood, as he is after the long sitting last night and his unpleasant experience of this morning. No member of the Cabinet has been engaged in celebrating a victory of the High Commissioner over any of his colleagues, nor has any victory taken place. That is the first answer which I have to give to the hon. gentleman's question. In the next place, no amendment has been devised to the tariff, much less would there be a particle of truth in saying that we have devised the 121st amendment for the purpose of excluding British goods from this country. In the third place, instead of being engaged in whitewashing any of their colleagues, the members of the House who have been connected with the investigation to which the hon. gentleman's polite allusion is evidently made, have simply been engaged in seeing that justice is done, in their opinion, to a member of this House, instead of the blackwashing process which the hon. gentleman desires to see applied, not in the interest of justice, but in the interest of low party intrigue.

Mr. LAURIER. I am sure that the House will be sorry that the right hon. gentleman did not answer the remarks of my hon. friend in the same pleasant mood in which they were expressed. The hon. gentleman loses his temper, whereas my hon. friend was never so pleasant before, I think, as he is to-day. I therefore advise the hon. gentleman to resort to a similar method, which has unfortunately been somewhat rare with him. But without discussing now whether it was the High Commissioner who triumphed in that matter of the treaty, or whether it was some members of the Government, at all events the hon. gentleman will admit that in the performance of his many duties he has forgotten the most important event to which my hon. friend has referred.

Mr. FOSTER. The hon. gentleman who has just spoken has forgotten to inform the House what his view is to-day as to the results of the work of the High Commissioner.

Mr. LAURIER. I may tell my hon. friend that I am not to be reconstructed. I am of the same mind all the time.

Motion to adjourn negatived.

THE TREATY WITH FRANCE.

Mr. FOSTER moved that the House resolve itself into Committee on Bill (No. 147) respecting a certain treaty between Her

Britannic Majesty and the President of France.

Mr. LAURIER. I would like to ask the leader of the Government if it is the intention that we shall sit on Saturday?

Sir JOHN THOMPSON. I think so.

Mr. LAURIER. I think that will meet with the approval of the House.

Motion agreed to; and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. McCARTHY. Before this clause is carried, I would like to ask the Minister of Finance whether it is proposed to reduce the duties upon wines from the Australian colonies in an equal measure with the reduction of duties on French wines, which will follow the coming into force of this treaty? As I understand the effect of this treaty, it merely applies to wines of French origin, but it applies to those wines whether they are imported into Canada from France or from England, or any other country. We have had a conference sitting recently with a view to increasing intercolonial trade. If our first act after that conference is to reduce the duty on French wines to 25 per cent—for that is practically what it comes to—while leaving the wines imported from the sister colonies at 55 per cent, it is a very unfair discrimination. I would like to have the assurance of the Government that wines from Australia and the Cape—I do not know whether wine-growing is carried on so much there as in Australia—

Sir RICHARD CARTWRIGHT. Yes, it is.

Mr. McCARTHY—will be put upon the same footing.

Mr. FOSTER. Mr. Chairman, I have no hesitation in answering my hon. friend's question, perhaps a little more widely than he has asked it. In the first place, then, the treaty does not oblige us, as is apparent on the face of it, to give to France preferential treatment in our market. It simply obliges us to take off the ad valorem duty. We are at perfect liberty to take off the ad valorem duty upon wines coming from any other country. We are at perfect liberty to reduce the specific duties below the present rate, but, in that case, of course we should be obliged to give France equal treatment with the other foreign country or power. We are not, however, obliged to withhold from our sister colonies the same treatment or better treatment than we give to France in relation to her wines; nor is it the intention of the Government to withhold from the sister colonies at present equal treatment with respect to the same kind of wines as is given to French product.

Sir RICHARD CARTWRIGHT. What does the hon. gentleman propose with re-

Mr. FOSTER.

spect to other wines—German, for instance, and Spanish?

Mr. FOSTER. With reference to the wines of countries which have most-favoured-nation treaties the clauses of which bind us, then wine of the same quality would come in under the same conditions as French wines. With reference to other foreign countries, that may be a matter for consideration as to what is best to be done. The points I have answered take in all except the nations that have no favoured-nation treaty.

Sir RICHARD CARTWRIGHT. Germany has a favoured-nation clause, and Spain also.

Mr. FOSTER. No; not Spain.

Sir RICHARD CARTWRIGHT. It had at one time.

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT. If French wines are admitted at this reduction; if German wines are admitted, if Australian and Cape wines are admitted on the same terms—and I presume United States wines, if any such come in—how will United States wines be treated?

Mr. FOSTER. They need not be treated in the same way.

Sir RICHARD CARTWRIGHT. No, no. What I want to know is what the Government proposes to do. This is the proper time to have an explanation of the policy of the Government with respect to these countries.

Mr. FOSTER. The Government does not intend to discriminate for the present against any country.

Sir RICHARD CARTWRIGHT. It would follow that all wines of this description, practically speaking, will come in at this reduced rate of duty. From the calculations given by the Finance Minister, as far as I can understand them, he had only considered the loss on the wines which were imported from France. I do not think he took account of the others.

Mr. FOSTER. Two calculations were made; first, as regard the French imports, and next as regards all imports of a similar nature from other countries.

Sir RICHARD CARTWRIGHT. As regards French wines, the amount given by the hon. gentleman as representing our loss was \$82,000. As far as I can judge from our Trade and Navigation Returns, a considerable amount will have to be added to represent the loss on imports from other countries. The hon. gentleman might state what that amount is in addition to the loss on the French wines. I should presume it would come to \$40,000 or \$50,000.

Mr. FOSTER. If the hon. gentleman will look at the statements made in the blue-

book, he will see that calculations and tables were brought down for the years 1891 and 1892. However, it is not much trouble to give the results again. Of course, the calculation covered not only the loss on the wines, but also that on other articles as well. On the importation of 1891, the reduction on wines, not sparkling, and containing not over 20 degrees of proof spirit, will be \$23,840—

Sir RICHARD CARTWRIGHT. I think there must be an error there.

Mr. McCARTHY. It appears on page 20. The total on champagne and other sparkling wines is given at \$46,000. I would draw the attention of the hon. Minister of Finance to the statement for the year 1892. There is plainly a mistake. It is put at \$58,000 for that year, as against \$82,000 for 1891. The hon. gentleman will see that the loss on sparkling wines is given at \$23,000.

Mr. FOSTER. I will read the figures for 1892. According to the importations of 1892, the loss on the non-sparkling wines would be \$30,499, and on champagne and other sparkling wines, \$41,695. On the importations of 1893, the loss would be, on the first class, non-sparkling wines, \$30,234, and on champagne and other sparkling wines, \$41,313; total, \$71,547. Then, with regard to countries other than France, 1891 and 1892 are given in the blue-book. I will give the figures for 1893. On wines imported from other countries than France the reduction would involve \$76,568 on the non-sparkling wines, and \$8,722 on the sparkling wines. So the total loss would be about \$150,000.

Sir RICHARD CARTWRIGHT. That is somewhat in excess from the hon. gentleman's former estimate.

Mr. O'BRIEN. I would like to ask the hon. Minister if this would include the wines made in Hamburg, an inferior class of sherry? If it does, the treaty will have a most disastrous effect upon this country. In spite of what my hon. friend from Bellechasse (Mr. Amyot) said last evening, I have not the slightest objection to the introduction of French wines on any ground of their affecting the welfare of the people. But I should object to a treaty which would have the effect of bringing in the very low and injurious class of wines which are manufactured in Hamburg and some other German ports, which are not wines at all and the introduction of which into this country would be most injurious in every respect.

Mr. EDGAR. I would draw the attention of the hon. gentleman to the fact that the treaty uses the expression "wines other than sparkling wines." I suppose we can interpret that by our own tariff Act. Item 8 of the Tariff Bill which is before us puts in one item:

Wines of all kinds, except sparkling wines, including orange, lemon, strawberry, raspberry, elder and currant wines containing twenty-six per cent or less of spirit of the strength of proof.

That is the definition of our tariff as regards wines. The treaty does not say wines made from the juice of the grape alone, and I take it that we would surely be bound to give effect to that treaty in the spirit of our own tariff enactment. I would ask the Finance Minister another question. I understood him to say that by this treaty we do not discriminate in favour of France in the matter of wines. Is that what the hon. Minister said?

Mr. FOSTER. No. My hon. friend, with that unfortunate facility for hearing just a part, and the part which suits himself, sometimes, has not got all the view I conveyed. I said there was nothing in the treaty to bind us to discriminate in favour of France.

Mr. EDGAR. I should say so, too. But while there is nothing to have that effect in the treaty itself, yet there is something in the Tariff Bill before the House which, read with the treaty, does discriminate in favour of France against every other country in the world as regards wine. The treaty says that France shall be relieved of the 30 per cent ad valorem duty on certain classes of wine. Under the tariff Bill, the Government may do so by proclamation under Order in Council. Under the Customs Act, which the Government is passing through the House now, wines of two kinds included in the French treaty, that is to say, under items eight and nine, are as against the whole world, without any exception whatever, under the terms of this Act, to be subject to the old specific duties and 30 per cent ad valorem in addition. Wines coming in from Great Britain even, unless this tariff is altered before this session closes, must pay the duty from which French wines are exempted. Wines coming in from the United States, from the Cape of Good Hope and Australia under the terms of this Act are not exempted, and we have no treaty exempting them, and unless legislation is passed by the Government this session, this treaty will absolutely discriminate, as regards wines, in favour of France, and against the whole world, Great Britain included.

Mr. SCRIVER. I think I am justified in stating that the statement of the Finance Minister in reply to the question put to him by the hon. member for North Simcoe (Mr. McCarthy), rendering it probable, to say the least, that the same privileges which have been conceded to France in this treaty will, at no very distant date, be conceded to the colonies generally, and perhaps to other countries, will justify the attitude of the temperance people towards this treaty, rendering it probable, if not certain, that intoxicants will be cheapened and increas-

ed in quantity ; and this fact, I am free to say, will increase and intensify the feeling of the temperance people of the country generally against this treaty.

Mr. O'BRIEN. I remind the Finance Minister that he has not yet answered my question in regard to sherries. Will they come in under this treaty at a reduced rate of duty ? It is very important that this question should be answered, because if that class of wines is admitted under the treaty, then the mischief will be increased tenfold as it applies to French wines.

Mr. CHARLTON. I appear to have misunderstood the Finance Minister, and I am confident other hon. members have also misunderstood him. The hon. member for South Oxford (Sir Richard Cartwright) asked the Finance Minister whether the wines of Germany would be admitted on the same basis as those of France, and he answered : "Yes, under the provisions of treaty." He next asked whether, in that event, the wines of Spain would also be admitted, and he said no ; and in the course of the questioning I understood the Finance Minister to say that the wines of the United States would be admitted upon the same terms as the wines of France, and after a moment's conversation with the leader of the Government, the Finance Minister informed the House that no discrimination would be made against any colony in the matter of wines. If that is the case, we will have the wines of all countries admitted on the same terms as the wines of France, and we have the statement of the Finance Minister that the wines of Australia, Cape Colony, Germany, and the United States will be admitted on the same terms. Hon. members want to know definitely to what extent this provision lowering the duties on sparkling wines and other wines will go. Will it include other countries than France ? Will it include the United States, Italy, Spain, and Portugal ? What countries will be excluded, and what countries will be included ? The temperance sentiment want to know the facts. If all importations of wine are to be reduced in price, then the general dissatisfaction with the treaty will be very much intensified among the temperance people. Their objection to the treaty was based on the assumption that it only affected the wines of France and, of course, it would be increased if the statement of the Finance Minister be correct, that this reduction is to apply to all countries, or even to many countries. What we want to know is, what countries are to be exempted from the operation of the duties on wine ?

Mr. FOSTER. I think my hon. friend if he had listened to what I stated, would have had the information already, but I will try and make the matter clear to him. He seems to have the idea that I had involved myself in confusion in regard to this point,

Mr. SCRIVER.

but it was probably owing to the fact that we were speaking on different questions. The question, as it seems to me, stands exactly thus : By this article of the treaty we bind ourselves simply to let in French wines of a certain grade at a certain rate. We do not bind ourselves by the treaty to discriminate in favour of France with respect to those classes of wine. If we allow French wines of those classes to come in at that rate, we are obliged by virtue of certain treaties to allow like wines of certain other countries to come in at the same time and on the same terms.

Mr. CHARLTON. What countries ?

Mr. FOSTER. Belgium and Germany. The question was asked, whether Spain had not the benefit of the most-favoured-nation clause. My answer was that she had not at the present time, and the consequence was that her wines would have no right to come in under the most-favoured-nation clause. The next branch of the subject was in regard to colonial wines, and I said we were not disposed to treat the colonies on any less favourable basis than is given by the treaty to French wines ; and I went further, and said that by the treaty we were not precluded from treating the wines of like standard received either from the colonies or from Great Britain on a less favoured basis than that we extend to the wines of France, and, further, I stated that at present we were not disposed to make any discrimination against any country sending wines here. Of course, that is a matter of grace. These other countries have not the claims of kinship that our colonial friends have, but for the present we do not propose to begin the discrimination, and it may be that in the course of a little time we may get from some of these countries reciprocal benefits for the favourable treatment that we offer them in this respect. I think that states the whole position. My hon. friend inquired as to a certain class of wine. I cannot answer him categorically, because I do not know the class of wine of which he speaks ; but the general answer is : that wines to come in from the Zollverein under advantageous treatment must be wines of a character and grade similar to the French wines which are allowed in, and if they be of that similar character and grade they would come in at the same rate of duty.

Mr. MACLEAN (York). I wish to ask the Minister of Finance whether he intends to make any concession to the wine-growers of Canada in the way of lowering, or removing the duty on alcohol used for the purpose of the fortification of their wines. Our wines now come in competition with these French wines, and I think it would be incumbent on the Government to state now, whether they intend to grant any compensative legislation to our wine-growers in this direction.

Mr. FOSTER. The only answer I can make to that question to-day is: that the Government are considering the proposition that was made by the Canadian wine-growers with the view of removing any disability that they actually may be under as compared with their now French competitors.

Mr. MACLEAN (York). But both the American wine-growers and the French wine-growers have the advantage of free alcohol for the fortification of their liquors, and I say that it is only justice to the Canadian wine producers that they should enjoy the same advantage.

Mr. McMULLEN. Yesterday, in discussing this question, the First Minister stated that the deputations which had waited upon the Government in the interest of the Canadian wine-growers had urged that some of the ingredients—alcohol, I presume—should be placed in a more advantageous position with regard to the excise imposed upon them. I think it is right that we should now know how far the Government intend to comply with that request. We are considering a treaty that very seriously affects our Canadian wine-growers, and I believe that they should now have some intimation from the Government as to what they intend to do.

Sir JOHN THOMPSON. It is impossible that we could state to-day what the policy is to be on that question. If the hon. gentleman will look at the petition of the wine-growers, he will see that it contains a series of statements, supplemented by the explanations that they gave to myself when they waited upon me, as to the condition of their business under the French treaty. It will require us, first of all, to know whether Parliament will ratify the treaty or not, and then we have to take up and consider the various statements made by the wine-growers with regard to the extent to which French wines will compete with their industry, and with regard to the reasonableness of the request they make as to the material for the fortification of their wines. These statements, while they have been received by us with all respect, require to be investigated, so that we may vouch for them to the House, before pronouncing on a policy.

Sir RICHARD CARTWRIGHT. That might be all well enough if this matter were brought up for the first time. But remembering that the treaty has been under consideration for eighteen months, the House had a right to expect that the Government would be fully conversant with all these details. It was not when these people first appeared before the hon. gentleman, that he knew that their industry was likely to be interfered with by the importation of French wines. The thing was stated to my knowledge in the public press as long as fourteen or fifteen months ago. I would

like to inquire of the Finance Minister, as I suppose his officers have advised him about it: what quantity of alcohol or brandy, or whatever they use for fortifying their wines, is annually consumed by our own wine-growers?

Mr. FOSTER. The Controller of Inland Revenue has that information. I may say in reference to the question which has just been discussed: that the Department of Inland Revenue has been looking into that matter very carefully.

Mr. EDGAR. As I understand it, the Finance Minister has stated to the House, that upon this treaty coming into force, similar wines and other goods of Germany and Belgium will have to come into Canada on similar terms. I understand that to be a necessity under the treaties which Great Britain has made with Germany and with Belgium, which included Canada in the most-favoured-nation treatment clauses; treaties which we are trying to get denounced so far as Canada is concerned. That being so, I want to know from the Finance Minister: whether he would not require legislation, under our tariff, to meet that; whether the treaty between Great Britain and Germany, for instance, will, ipso facto, be authority for our customs-houses to allow in the wines of Germany at the same reduced rates as they will have to allow them in from France, when this treaty is completely brought into force. I hope I have made myself clear to the Minister, and I hope he will not think I am unduly pressing him.

Mr. FOSTER. I like to be pressed.

Mr. EDGAR. What I want to know is: whether, in his view, legislation will be necessary. In his tariff Bill he has not so far made provision for that.

Mr. FOSTER. First of all, I may say, with reference to the Tariff Bill, that it is not completed yet.

Mr. EDGAR. I quite admit that.

Mr. FOSTER. With reference to the claim of these countries, which have most-favoured-nation treaty arrangements, I do not think it will be necessary that a clause in the tariff should state that wine from these countries should come in at that rate. I think they could claim that under their treaty, that if they paid a higher duty, they should have the benefit given them by their treaty. I want to say again, that the Tariff Bill has yet to be read, and that there is time to do anything that is necessary, and wherever—as has always been our rule—it can be amended for the good of the country, it will be so amended.

Mr. EDGAR. As I understand it, and I hope my hon. friend from Huntingdon (Mr. Scriver) and the temperance people will understand it also: the bringing of this treaty

into force with regard to France, will automatically allow Germany and Belgium to send in their similar wines at the same reduced rate.

Mr. MILLS (Bothwell). If that is the position taken by the Government, I think it is an erroneous position. I have no doubt whatever that wines properly so-called, brought from Belgium and Germany, under the most-favoured-nation clause of the treaty with Great Britain, would be entitled to come in here under the same treatment if we grant that the English contention of Spain is of universal application. But I do not think it follows that every artificial ingredient designated wine, could be claimed to be brought in under the treaty, and I think it would be a very mistaken view, if the Government or Parliament were to permit such a notion to go abroad, because a declaration of that sort might be used against us if it were found necessary to undertake to exclude these wines. The hon. member for Muskoka has spoken of artificial preparations called wines.

Mr. O'BRIEN. I am speaking of what is properly called a wine, because it contains more or less of the juice of the grape; but it is known to be an adulterated and a very deleterious article.

Mr. MILLS (Bothwell). It seems to me that this Parliament, without any violation of the treaty into which Great Britain has entered, has a right to legislate to exclude articles of that sort on the ground that they are preparations, the use of which is exceedingly injurious to the health of the people. I think there ought to be no doubt or mistake with regard to that. But I understood the hon. Finance Minister to state yesterday that the High Commissioner had informed France that Canada had not a maximum or a minimum tariff; that whatever tariff we adopted in this respect with regard to the wines imported from France would be adopted in regard to wines imported from every other country; that there was no intention to have two rates of duty upon imported wines. If the Minister hesitates about adhering to the rule he declared yesterday, I think now is the time we should know it.

Sir RICHARD CARTWRIGHT. I think we had also better have here the Controller of Inland Revenue, who, according to the hon. gentleman, has been specially charged with looking into these matters, and who possesses information which the Finance Minister does not. Has the hon. gentleman sent for him? Because I think we should have the benefit of the information he can give us on this point.

Mr. McNEILL. I think it would be very difficult to draw the line which would distinguish wines such as have been referred to by my hon. friend from Muskoka (Mr.

Mr. EDGAR.

O'Brien) from other wines, which may not be exactly of the same grade. There is no doubt that it is usual to fortify wines in France, in Germany, and I suppose to a certain extent in this country also. How much they may be fortified, or to what extent foreign ingredients may be introduced into them, is merely a matter of detail and of degree, and I think it would be exceedingly difficult to lay down such a rule as the hon. member for Bothwell (Mr. Mills) has referred to, unless some such course is pursued as I believe is pursued in France, where that only is described as wine which contains only the juice of the grape. In Canada, I believe, there is not any wine, or scarcely any wine, manufactured without the addition of sugar. In France that is not the case. There some wine is manufactured without the addition of anything to the juice of the grape, and that, I believe, is alone described as wine. I very much fear, from the discussion which we have had to-day, that the result of the admission of all these foreign wines to which reference has been made, will be that our Canadian wines will become very much deteriorated, will become very much more alcoholized by the artificial addition of alcohol, than was formerly the case. It would seem, from the question that has been put more than once by my hon. friend from East York (Mr. Maclean), who is so much interested in this matter, that already a considerable amount of alcohol is employed by our wine makers in Canada, and there can be no doubt that the addition of alcohol to wine is deleterious. There is no doubt that such wine is not likely to be so wholesome a beverage as it would be if the alcohol were created by the addition of sugar to the juice of the grape. The result of all this would seem to be that we shall have a great deal more alcohol of a deleterious kind consumed in this country than we would have had, had there not been the introduction of these different varieties of foreign wines. That is a result, I think, very much to be deplored.

Mr. SCRIVER. I must say I was a little surprised at the appeal made by the hon. member for East York (Mr. Maclean) to free from duty the spirit or alcohol which our wine-makers use in fortifying, as he calls it, the wines which they make. After listening to his eloquent speech last night, advocating the more general use of cheap and pure wines, and his condemnation of what he called the intemperate use of that beverage, which is said to cheer and not inebriate, and by the intemperate use of which he claimed that a certain number of the females of this country were made fit to become inmates of a lunatic asylum, I was surprised to hear him appeal to the Government to take off the duty from a spirit which the wine-makers have said in their petition must cost no more than \$1 a gallon. If it costs more than that, they cannot fortify their wines so as to make them compete success-

fully with the foreign wines. I have never used these wines myself, but it seems to me that any wine which is fortified by the use of a spirit which costs only \$1 a gallon is not a fit beverage for sane people.

Mr. McCARTHY. I think the statement we have had from the Finance Minister is one of very grave import, and, although I suppose it is not necessary to be followed by legislation, still it is well that we should consider it now, as it has been made to us. In the first place, it appears to me that the French Government may well complain if this reduction in duty is to be made general. What advantage are the French people to have from their treaty if we are to reduce our tariff all round on wines of the kinds mentioned in the treaty? Of course, I quite understand, as I find in the correspondence, that it was distinctly stated by the High Commissioner, that we would not bind ourselves to discriminate in their favour; but I think that when this treaty was signed, it was signed on the understanding that French wines would have an advantage in our market over the wines of other countries.

Mr. FOSTER. No.

Mr. McCARTHY. If the hon. gentleman will wait a moment, he will see what I mean. What this article stipulates for is "wines, sparkling and non-sparkling, of French origin." I can perfectly understand, and I so understood from the first, that we would apply that to all countries—that no matter where French wines came from, they would be subject to that provision, and in that sense we would not discriminate. But what the hon. gentleman says now is that we are to admit United States sparkling wines, for example: what we will do will be to admit all sparkling wines and all non-sparkling wines of the degree of alcohol, specified here, from all countries. That, of course, we are not called upon by the treaty to do, and for my part I am not prepared to go any further than we have gone. It appears to me that having gone the length of admitting French wines of that description, while it is fair and right that we should extend the same privilege to wines of a similar character coming from our own colonies, it is a vastly different thing to apply the provisions of the treaty, not in its language, but in its essence, as it were, to the United States and other countries, which give us no advantages.

Mr. EDGAR. It applies to Germany now.

Mr. McCARTHY. I was going to come to that. I was dealing with those countries not included in the favoured-nation clause. With regard to the favoured-nation clause, how does that apply? Under it, whatever benefits we give to France we are bound to give to the countries embraced in that clause. That is to say, we are bound to give to these countries the admission into Canada,

at the reduced tariff, of wines of French origin which they may export. The treaty does not include all sparkling or non-sparkling wines. It specially states "all sparkling or non-sparkling wines of French origin," and therefore I submit that we would not be bound to extend to other countries anything beyond the very language of this treaty, and the French plenipotentiaries guarded themselves very carefully in the language they used. The treaty does not read "all sparkling and non-sparkling wines entering Canada," but "wines sparkling and non-sparkling of French origin." If that is not the meaning of it, what is?

Sir JOHN THOMPSON. That is the meaning of it.

Mr. McCARTHY. Then we are going beyond what we are compelled to do, even in the case of those countries which enjoy the favoured-nation treatment, and certainly, in the case of those who do not enjoy that treatment, we are reducing the duty on wine and lessening our revenue to an extent beyond what we supposed when considering the question last night. I think this is a very favourable opportunity for us to extend the same privilege to our sister colonies, and carry out the idea which prompted our calling delegates together from all parts of the colonies at the meeting which has just been brought to a close. I think this would be a favourable opportunity to do that, but if that advantage has to be extended, not merely to the sister colonies, but also to Italy and Portugal, and all the rest of the world, I do not see that there is very much to be gained by it.

Mr. MACLEAN (East York). In reply to the hon. member for Huntingdon (Mr. Sriver), I wish to say that all wines contains more or less alcohol. The wines of this country contain as little alcohol as those of any other; but when they are moved, they have to be fortified, and all I claim is that our own wine-producers should not be at a disadvantage as compared with the foreign producers. Our wine-growers say in their petition to the Government:

Owing to the exorbitant price spirits are sold at in Canada, they cannot be used but at a loss, to make sweet wines, or to fortify weak wines from vintages produced during unfavourable seasons when grapes do not attain their full maturity, or otherwise are wanting in saccharine elements or contain an excess of acids.

The wine manufacturers of France and also those of California, and other parts of the United States, can with certain government restrictions distill from their grape must, pomace or wines, and in these countries wine-makers can buy from the distillers, without having to pay an excise duty, the high wines or cologne spirits they need to make sweet wines or fortify weak ones, which process is called "vinage des vins."

The privilege of distilling spoilt wines or grape must, is practically denied us, and we are annually losing thousands of dollars, which might be saved,

had we the advantage of the French or California wine-makers.

Without entering into the merits of the discussion as to whether people ought or ought not to drink wine, I simply say that the Canadian wine manufacturer ought not to be under a disadvantage, but should enjoy all the advantages which the foreign growers possess.

Sir JOHN THOMPSON. With regard to the question of the most-favoured-nation treatment, I think we ought to keep ourselves, as regards this discussion, free altogether from any complication which would arise through our adopting any particular interpretation of that clause. There is the view put forward by the hon. member for Bothwell (Mr. Mills): that we are not obliged to give to those countries having the most-favoured-nation clauses, the benefit of treaties which we purchase by tariff concessions from other countries, unless we get tariff concessions from them also. Then there is the view put forward by the hon. member for North Simcoe (Mr. McCarthy). We are not, however, dealing with that subject now, but with the subject contained in the treaty, and before we are called upon to give effect to any interpretation with regard to the most-favoured-nation clause in treaties with other countries, we shall have to consult this House and Parliament, and in the meantime there can be no change in the duties made. I do not quite understand the view taken by the hon. member for West Ontario (Mr. Edgar), that that clause works automatically, and that perforce if we give concessions to France with regard to their wines, we must—even without legislation—give the same treatment to Germany.

Mr. EDGAR. I only made that statement after getting it from the hon. gentleman's colleague, who said that legislation, in his judgment, was not necessary to bring into force the clauses of treaties of Great Britain with Germany and Belgium, in reference to these products, and that after this treaty came into force, the custom-house officers would be justified, under it, without any legislation, in reducing the duties on wines. That is why I said it would be automatic.

Sir JOHN THOMPSON. I did not so understand the hon. gentleman, and did not catch that remark, but that view would require reconsideration. The tariff law of the country is supreme, and no treaty can be given effect to by the customs officers of this country without the authority of Parliament. Of course, such a clause is automatic in the United States, simply because once a treaty is ratified by the Senate it is the law of the land, and becomes the customs law of the land if it deals with customs. In this country the case is different. Our tariff law will remain in force until changed by Parliament, when the whole subject of our relations with the most-favoured nations,

Mr. MACLEAN (York).

and likewise other wine-producing countries, will be considered. We do stand by this policy, and it is in accord with the promise given to Great Britain, and the expectations held out to the other colonies: we will give these concessions both to Great Britain and the other colonies, and we regard that point as settled. The other points are simply foreshadowed to-day, and Parliament will be consulted before any action is taken.

Mr. McCARTHY. Will the proclamation bringing the treaty into force be issued before the next meeting of Parliament?

Sir JOHN THOMPSON. We may be bound to do it soon.

Mr. McCARTHY. How will the customs law be affected? The hon. gentleman said very properly that we must alter our customs law before we can give effect to the treaty. If we do not alter in advance the customs law this session, it would be better the proclamation should not be issued before next session.

Sir JOHN THOMPSON. I would not like to say we would not put it in force until the next meeting of Parliament. But the interval will be a very short one, if there should be an interval at all. The ratification must be made by the French Chamber, and they have not taken up the subject. My information was they would close on the 14th July, and Parliament will be sitting, we hope, within six months from this.

Mr. WELDON. As this Bill ratifies the treaty, I would like to have our minds made clear on the point raised by the hon. member for Simcoe. He gave a very technical interpretation to the treaty, when he says that under the most-favoured-nation clause we are only bound to admit wines of French origin from the countries enjoying that clause. Surely that is too narrow and technical a reading. Surely the German people would complain that it was a breach of faith—that we were only technically keeping the clause, and practically breaking it. We bind ourselves to France to admit French wines, and the hon. gentleman says we are only bound to Germany to admit from that country what we admit from France, namely, French wines. That is very technical. We must treat Germany in the matter of wines as we treat France. Under the 5th clause of the Zollverein, there is little doubt. That clause reads:

Any favour or privilege or reduction in the tariff of duties, either on imports or exports, which either of the two parties may concede to any other power shall be extended immediately and unconditionally to the other. Therefore any promise we make to France must unconditionally be kept with Germany.

On schedule A,

Sir RICHARD CARTWRIGHT. What was the total amount we exported to France of these articles last year?

Mr. FOSTER. Timber, rough or sawn, \$105,196; canned meats, \$1,326; lobsters, \$124,801; apples, dried, \$1,400; leather, sole and upper, \$803; total, \$233,526.

Mr. CHARLTON. Are these all the articles exported?

Mr. FOSTER. These are all the articles that appear in our Trade and Navigation Returns to have been exported. When we seek to find from the French import tables what our exports are, we find it impossible to do so owing to their different tabulation. To get at that the figures would have to be got from all the different ports of entry in France.

Sir RICHARD CARTWRIGHT. Can the hon. gentleman tell us the sum total imported into France from all countries of all these various articles, according to their books?

Mr. FOSTER. In round numbers, France imports of products included in the list of minimum duties given to Canada to the amount of about thirty-eight or forty millions.

Mr. CHARLTON. Francs or dollars?

Mr. FOSTER. Dollars.

Sir RICHARD CARTWRIGHT. That is of the entire list of articles in the treaty?

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT. Have you at hand the figures showing how much of that was in wood?

Mr. FOSTER. I have not those figures at hand at the moment.

Sir RICHARD CARTWRIGHT. Going back to section 3, I observe that the stipulation is respecting "articles of Canadian origin imported direct from that country accompanied by certificate of origin." These certificates, I presume, would have to be granted by the French consular agent?

Mr. FOSTER. I suppose so. That would be considered by them an official certificate.

Sir RICHARD CARTWRIGHT. You have not made provisions for granting them through our customs.

Mr. FOSTER. No.

On schedule B,

Mr. FOSTER. Those words, "common soap" must come out. The article which is admitted from France is not common soap, but it is the castile soap. If you look at the reading you will see that it is savon de Marseilles, and it is really the definition of common soap, or savon commun. Savon de Marseilles is the term for castile soap. It is only castile soap that the negotiations related to, and that we are to admit, so that in this schedule we do not need to keep the article of common soap 1½ cents per pound.

Five cents should be made 2 cents, that is the real duty on castile soap.

Bill reported.

FAST ATLANTIC STEAMSHIP SERVICE.

House resolved itself into Committee to consider the following resolution:—

That it is expedient to provide that the Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Canada and the United Kingdom, making connection with a French port, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council seems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year.

(In the Committee.)

Mr. LAURIER. We have had no explanation at all, so far, from the Government. We expect some explanations.

Mr. FOSTER. This question occupies a similar position, but in a greater degree, before the House that the French treaty did when it came up yesterday for consideration, in this respect, that it is not new to the House. The matter of the improvement of an Atlantic service is one of many years' discussion and consideration in this House, and I imagine nearly all the members who are present are quite as well acquainted with the different steps that have been taken, as I am myself. Some three or four years ago when a resolution was introduced and a Bill passed authorizing the Government to pay a subsidy of \$500,000 for a fast Atlantic service, I remember the discussion upon it was pretty thorough, and full explanations were given as to the policy, the aims and design of the Government the quality of the service that it was thought desirable to get; and the steps which had up to that time been taken were laid before the House. Since that time, on two or three occasions, a debate has arisen with reference to the advertisements that were published, the tenders that were received, and the provisional arrangements that were entered into by the Government with certain parties for the purpose of establishing this line. Therefore, it will not be necessary to repeat what history is involved in the statements that have been made so fully before the House, and that are easily referred to in pages of the 'Hansard.' There is, however, I suppose, an additional explanation required now when the Government asks for an additional subsidy. This involves an addition to the present authorized amount of \$250,000 a year, and some explanation is certainly due as to why the Government has been moved to ask for this additional vote. To put it shortly, I may say the reason is this: The

whole policy of the desirability of a fast Atlantic service has been affirmed by this House, and is believed in by the majority, and the Government has the views of the majority in that respect. Granted, then, that a fast Atlantic service is desirable, that we all wish to attain it, and that we want one of the type and character of that which has been laid before this House, that is, one as good as our neighbours have. Now, we have found it practically impossible to get that service for a subsidy of \$500,000 a year, and holding the same view as to the necessity for the service, the Government has come to the conclusion that if \$500,000 will not bring it, they are prepared, as an ultimate and outside limit, to go to the amount of \$750,000 per year for ten years, in order to secure that service. Now, a division of opinion may arise as to whether the Government and the country are justified in going beyond half a million in order to secure the advantage of a fast Atlantic service. The Government have considered the question very thoroughly, I think, and they have come to the conclusion that the desirability is so great, and the advantages which would accrue are so great, that the country would be justified in extending the amount heretofore agreed upon to \$750,000. And for the very same reason that the desirability of a fast Atlantic service was urged when it was put before the House in previous years.

Mr. MILLS (Bothwell). The hon. gentleman has referred to advantages; what are the advantages?

Mr. FOSTER. I shall come to that point directly. I wish to say just here a few words with respect to the efforts made by the Government. I am not going to detail in an exact description all that has taken place; suffice it to say this: We have, on two occasions entered into provisional arrangements, which we contemplated, in the first instance, would result in our obtaining a service for \$500,000. That was the provisional arrangement, if I recollect aright, entered into with Anderson & Company. That, however, as the House well knows, and as the country knows, was not carried out. The promoter found it impossible to carry out the establishment of the line under the conditions which were imposed. That went by the board. Negotiations then arose with several companies, with the Allan line, with several English lines, with a French line, with a large company known as the Compagnie Generale Transatlantique, with a Belgian company as well, and the result of all those negotiations has simply been this, that the demands have run up from responsible parties from \$750,000 to \$1,250,000 as a subsidy required to carry on a fast mail Atlantic service under the conditions which were imposed. In all these negotiations a practical conclusion was reached in one alone. That was as regards the negotiations with Mr. Bryce Douglas, since deceased, who repre-

Mr. FOSTER.

sented a very able company in Great Britain, in which Lord Hartington had a very large interest, and with Mr. Douglas we did make a provisional arrangement offering for the service we required, \$750,000 per annum for ten years. That, I think, would have been carried out, we believe it would have been carried out, except for two causes: one, the unfortunate death of Mr. Bryce Douglas, the chief promoter; and the other, the crash which occurred in the financial market about the time when the scheme was being floated, which made it practically impossible to float such a large scheme for such a purpose. All of these negotiations have brought the Government to the conclusion that with a less subsidy than \$750,000 per year, it is impossible for them to accomplish the object they have in view. They, therefore, present this proposition to the House, and ask for authorization on these terms and to this extent. With respect to the Atlantic service, I may say that other services are conjoined with it, and the House would scarcely have the idea it should have before it in the discussion of this subject, if it confined itself entirely to a fast Atlantic service. Within the last few days—and I think it is not unfitting that I should refer to it—there has been sitting in Ottawa a notable conference, notable certainly as regards the countries themselves, the extent of them, the population of them, the resources of them, and their geographical disposition, and notable also with respect to the character and calibre of at least some of the men who sat in the conference. That conference was an outgrowth, it was a successor, although it was not on the pure and direct lineal line, but it was practically a successor of the conference held in London in 1877. This, however, was entirely a colonial conference, and the basic idea of the conference, of the work of the conference, and the results of its labours was this, the building up of a unity of sentiment, of thought, of commerce, and of feeling between the different parts of the Empire. The two great forces which are relied upon to build that up are those of communication by cable, and steam communication, the one bringing together, by securing almost the entire annihilation of space, communication between these different populations and countries, binding them in unison with each other and with the Empire; and the other, securing steamship communication and thus promoting the interchange of trade and commerce between these different countries. These two ideas were the chief ideas which underlay the conference, and which actuated and which resulted in the work of the conference. Some attempt has been made, and successfully, to partially carry out that idea. A year or two ago, or rather three or four years ago, the Government of Canada obtained the assent of Parliament, and the authorization was willingly given, to spend a certain amount of money on a service between Australasia

and Canada, and last year we were successful in obtaining the hearty sympathy of all the Australasian colonies, and the actual and practical co-operation of one of the largest of the colonies, New South Wales, which contributed a joint subsidy with Canada towards establishing that portion of the line of through communication between Australia and Canada. The Huddart line of steamers runs with regularity—it is a good line and most excellent in all its appointments—and it makes regular and speedy trips between Australasia and Canada, with a constant accretion and accumulation of freight, carried both ways, and what is equally gratifying, a constant and large increase of passenger travel across our continent, going to the old country, largely. There is a practical step taken in the direction of realizing those ideas of which I have spoken. But there was another and more stupendous step than that taken before this great idea of intercolonial and Imperial communication had taken hold of us, and we had, by large efforts on our own part, and great enterprise on the part of the capitalists, built a line of steam communication from the Pacific to the Atlantic. So we have now taken two steps towards completing that communication, one thoroughly completed, and the one other well and successfully begun. So to-day the line of communication is open between the Australasian continent and the Atlantic seaboard. Now, we feel it to be necessary to carry out this idea—and that is the idea I should like the House to remember in the discussion this afternoon, to establish a fast Atlantic service from our eastern shores to Great Britain and the continent, working in unison with the Pacific service, and thus open up and complete one of the most important and magnificent through lines of communication to be found anywhere in the world. And we are prepared as a Government, and we ask Parliament to look upon this measure with that idea present in their minds, and we ask them to be prepared to make a large sacrifice in order to complete that line of communication from sympathy with the ideas that I have mentioned, and from exact and definite advantages which we believe will accrue to ourselves from the establishment of this as well as the other line of communication. So much for the idea. That idea is not simply entertained warmly by Canada, but I may say that in the conference which has just ended, it has had the entire sympathy, and the promise of the practical co-operation of all our Australasian co-colonists. They have approved of the idea and have joined with Canada in the furthering of the accomplishment of that idea.

Mr. CHARLTON. To the extent of assisting with a subsidy?

Mr. FOSTER. To the extent of assisting with a subsidy; the subsidy of the Austra-

lian colonies, of course, going on the Pacific side of the line of through communication. And, all at the conference were perfectly agreed that in view of the Imperial interests, and the large possible advantages which would accrue, that the British Government as well had some interest in it, and all united in respectfully placing the claims of this great through line of communication before the mother country with the idea of soliciting joint operation in carrying out the scheme as a whole.

Mr. CHARLTON. How does this line compare as to distance with the Suez Canal line?

Mr. FOSTER. By the present line of communication you may start a letter from Sydney and you can put it into London in quicker time than you can start it from Sydney and put it into London by the eastern route. And, with equal speed and under equal condition—that is having on the Atlantic a service of equal speed and one into which the other service can run easily and quickly without being disjointed—they can put letters and passengers more quickly into London, and I believe with greater comfort and certainly with greater variety and pleasure to those who travel, than by the other line.

Mr. PRIOR. How much quicker?

Mr. FOSTER. From one to three days quicker. Now we will be perfectly fair about that. It is quite possible that the advent of a competing line of communication via the routes I have spoken of, may add to the quickening of the communication by the Suez route, and that consequently their time may be reduced; but what I have stated is upon the basis of the present time, and if they can quicken time, we can quicken time as well.

Mr. CHARLTON. That depends a good deal on the distance. Have you got the distances there?

Mr. FOSTER. I have not the actual distances just now.

Sir RICHARD CARTWRIGHT. Do you not remember roughly the distance from such a point as Sydney to, say, Marseilles?

Mr. FOSTER. I do not remember the distances, and I would not like to give them without being correct, but I will have them before the discussion is over. I laid some stress upon the idea of having this through line to London without the disjointing and delay which take place under present conditions. To-day when you have made your speed upon the Pacific, and your speed across the Canadian Pacific Railway, you have then no Canadian line starting from our ports which can be used, as it were, under agreement, or authority, or control, to facilitate the connection between the Canadian Pacific Railway and the route across the Atlantic.

It has occurred, time and again, that mails which came with all possible speed across the Pacific, and with all possible speed across our railway, have lost two or three days in the transfer at the city of New York, and so have arrived in London much later than they otherwise might. But, with this communication complete, with this part of the line supplied and a through communication established, that would not occur, and on uninterrupted and well-jointed line of communication would have the advantages and would result as I have stated with reference to the delivery of mails and of passengers.

Mr. MILLS (Bothwell). Has the hon. gentleman a statement as to the comparative cost to a passenger, from Sydney to London via the North American continent, and the cost via the Suez route?

Mr. FOSTER. I have not the actual ticket price, but I can tell my hon. friend that that regulates itself, and as these two lines of communication are competing lines the cost must be graded about the same, taking into account the advantages or disadvantages on the different lines. I imagine the difference in that respect is practically not worth talking of. The gentleman who has been the pioneer of the Pacific trade, and who has managed the running of our steamers now plying between Sydney and Vancouver, took in, of course, this larger idea of intercommunication and made overtures to the Government, and has been laying his plans and making his investigations and inquiries in Great Britain; and as a result of our conversations with each other—as is shown by the papers that have been brought down—the Government, after proposals and counter proposals, went so far as to grant a provisional agreement under which, under certain conditions, a contract might be made with Mr. Huddart giving him a certain amount of time and certain conditions under which to, if possible, float his company and establish his line. The conditions were: that we should give him \$750,000 a year for the first ten years as a subsidy, and thereafter for the second ten years we should give him at least \$300,000 per year; that being the extent of the obligation. The kind of vessels and the character of the service which is to be carried on is detailed in the papers which have been brought down, and it is only necessary for me to say that they are to be first-class.

Sir RICHARD CARTWRIGHT. These papers do not seem to have been printed as they ought to have been.

Mr. FOSTER. I am sorry that the papers have not been printed. They were brought down in sufficient time, and it does not seem to have been the fault of the Government that they were not printed. The provisional agreement is as I have stated, and the service is to be a first-class service in equipment

Mr. FOSTER.

and every respect, and the speed is to be first-class speed so as to do the voyage from port to port in first-class time.

Mr. LANGEЛИER. How many knots an hour?

Mr. FOSTER. I think 20 knots an hour, deep sea trial, long course.

Mr. McCARTHY. What time is given Mr. Huddart to implement the contract?

Mr. FOSTER. After the passage of the resolution to which we hope to have the consent of Parliament, Mr. Huddart has been given three months in which to implement his proposals, and to carry out the establishment of the line.

Sir RICHARD CARTWRIGHT. Apparently what you contemplate is not a ten years' contract, but a twenty years' contract.

Mr. FOSTER. We would not as a Government enter into this thing for a single moment unless we thought it would be permanent. To make a flash in the pan, to have a five or a ten years' service, and then let it drop, we think would not be wise, but would be a waste of money. So we contemplate as a permanent arrangement granting a subsidy for the first ten years of \$750,000 a year, and a subsidy for the second ten years of \$500,000 a year, and after that we will let posterity, or those who live after that, take care of the service.

Mr. CHARLTON. What is the amount of the subsidy for the service between Canada and Australia?

Mr. FOSTER. New South Wales gives £10,000 per year, and Canada £25,000 per year; the other colonies have not yet made their contributions. Conditions must always have their effect, and in the Australian colonies they have their effect in the lapsing of the mail subsidies and subventions. Some of the colonies which are thoroughly well disposed towards the line and will assist it have not found it possible to do so at this particular time; but the fact that they are not able up to this time to give a direct subsidy does not argue that they will not help it. Then, again, there are sectional difficulties there, arising in part from causes that will always have their influence and in part from the fact that the Australian colonies are not confederated. Some of the colonies have already made an offer of a subsidy, provided they may have a port of call. That remains still to be adjusted. New South Wales has granted her subsidy provisionally for three years. So that when these subsidies fall in arrangements may be made, if it is found possible, for a greater length of time. Now, as to the time that Mr. Huddart received to implement the conditions of the proposal, it was three months. But at that time it was not contemplated that Parliament would not be called together at an earlier period or that

the resolution would not have been passed at an earlier period; and the supposition was that Mr. Huddart would have had an opportunity, with the power of the resolution behind him, to implement his proposals in a fairly favourable time of the year. However, things have gone on until this particular time; and we do not bind ourselves, and have not bound ourselves, to cut Mr. Huddart off at the end of three months if at the end of that time he has established his bona fides, and has not been able to complete the operation. So that, as contemplated in the correspondence, it is the design of the Government to extend that time somewhat to Mr. Huddart, as far as it may be considered wise to do so, in order to give him a fair chance to float his project and establish his capacity to get the line into operation. However, that is by the way. Now, with reference to the line itself, the policy of the Government is the same as it was before. We propose to make the connection on this side simply and solely a Canadian connection. It will be noticed in the papers brought down, that the port mentioned in the provisional agreement is the port of Halifax. It is not finally decided that Halifax shall be the port. Representations have been made from other possible terminal ports, amongst others, from the city of St. John, a large and enterprising port in the Maritime Provinces, which has many natural facilities and many enterprising business men, and which has claims for possible participation in the advantages that will arise from commerce going across the Atlantic. These views have been impressed upon the Government, and Mr. Huddart has acquiesced in them; and the provisional proposition has been amended by submitting for the word Halifax the words which occurred in the preceding arrangements that were made: Halifax, or St John, or both as may be hereafter determined upon.

Sir RICHARD CARTWRIGHT. Is Halifax for the whole year around?

Mr. FOSTER. No; that is for the winter port. When speaking of the Maritime Provinces, we speak of that portion of the service that is carried on in winter. This agreement must of course be between the Government and the promoters or contractors of the line. St. John, I may say both as a member of the Government and with somewhat of a personal interest as well, has a most enterprising set of citizens, and great natural advantages, and has to be in every way considered as regards the ports from which our great steamship lines go, during the winter season especially.

Mr. GILLMOR. What about St. Andrews?

Mr. FOSTER. St. Andrews is in the past and will be in the future. It has a history, and I hope it will continue to have a history even brighter in the future than it has had

in the past; and sometime or other I hope that lines of fine steamships will be found going in and out of the noble port of St. Andrews. I was going to add my hope that my hon. friend will still be its representative when that takes place; but I do not know that I can do that unless he modifies his party allegiance. On the other side we propose, as before, to have a terminal port in Great Britain—that has not been decided upon either—and to have a connection, either by the vessels direct, or by a cross service with a port in France, so as to make the communication complete between France and the continent and Great Britain and ourselves. Now, my hon. friend has asked me about the advantages that would accrue. I am not disposed just now, and I do not think it would be wise for me, to go into a long argument as to the advantages which would accrue from the establishment of this service. They are patent, I think, to any one who looks into the question. In the first place, there is the advantage of prestige which it would give us. How are we situated to-day? A great country with five millions of people, a reading and writing and travelling people; and yet we are dependent, so far as Canadian instrumentalities go, for communication between ourselves and Great Britain, upon lines of steamships which have been founded by enterprising men, which have a history and have been well carried out, but which it is not saying too much are to-day, in point of speed and equipment, not sufficient for communication in these modern days between such a country as Canada and Great Britain. It is a decided loss of prestige for this country, in the eyes of its own citizens and of those who may be regarded as its friends and may become its future citizens, to have a limp and lame and halting service on the greatest highway of commerce for this country, to wit: between this country and Great Britain. Three-fourths of our mail matter, I may be right in saying more than three-fourths, finds its way to Great Britain through a foreign port; and we think it would add to the prestige of the country, if our postal communication, and our passenger communication as well, were supplied with a means of communication more consonant with modern demands for convenience of transit and rapid mail service than is the case to-day. We may be sentimental or utilitarian, but it is sometimes indeed very difficult to find the dividing line between the two. The best sentiment is very often the best utility, and I think there is a good deal of store to be set by the argument arising from the sentiment of pride and prestige in this matter. But there are advantages outside of that. This line of swift communication between Canada and the old country will not only carry our mails and our passengers and do that in a way which will minister to the pride and gratification of the Canadian people, but it will also be a means of

carrying the products of Canada, which must necessarily, in increasing quantities, seek a market in the old world. I refer to products of high value and of somewhat perishable character, which require quicker transit and improved methods of treatment and care in transit. This line of steamers which will be built, and which will have a large freight capacity as well as speed and passenger and mail conveniences, will supply that need, and give to our farming population and our mercantile population a very great advantage—an advantage which they all appreciate, and which they are, so far as their sentiment has been made known, very desirous of obtaining. There is not a Board of Trade from British Columbia east of importance which has not taken up this subject and forwarded its views to the Government; and the views of these Boards of Trade are unanimous in their expression of the desire that this Government would implement the present means of communication by a fast Atlantic service. Take the best collection of mercantile men in the best cities of the country to-day, go to a great Board of Trade meeting at Toronto or Montreal, and there is no sentiment which you can express before the six hundred or eight hundred business men assembled at either of these meetings, which will be more loudly applauded and more heartily concurred in than the expression of your desire for a fast and improved Atlantic steam service. That must count for something. Business men are hard-headed, as a rule, and when they applaud an idea of that kind, they are not actuated by partisan motives at all. They are simply actuated by the enlightened and progressive feeling which actuates sound business men; and if you take those great cities, you will find that the sentiment of their business men is largely in favour of this scheme. That sentiment is based on something, and must have some weight in the scale, coming as it does from hard-headed, solid business men.

Mr. MILLS (Bothwell). What about the freights?

Mr. FOSTER. My hon. friend is very anxious. He is leading me on too fast, but I am getting ahead very speedily as it is. But you may say that there are other men than the mercantile men, the business men, the nabobs of the Board of Trade. So there are. There are the hard-handed and hard-headed producers of the country; and to-day our farmers are concentrating their attention more and more upon that immense and increasing market in Great Britain, where the best finished products, and the best paying products we have, will find a ready market and cash return. For the dairy products and the finer meat products and for all these kinds of products which bring forth the intelligence and the industry of the best and most enlightened farming

Mr. FOSTER.

enterprise in the country—for all that class of what you may call fine and finished products, there is an increasing demand on the other side, and there is on this side an increasing appreciation of the necessity of taking advantage of everything which will tend to their betterment in that direction. A line of steamers such as we propose, will supplement that idea. When you talk of this scheme to the educated farmer, and by them I do not mean simply those who have received a college education, though every farmer might be the better for that, but all those who have improved methods and ideas of farming—when you talk to these men about this scheme, they see its advantages just as well as do the business men on Boards of Trade in every city of this country. Some men may talk in a hard, calculating, selfish way, of dividing this subsidy of \$750,000 per year into so many dollars, and distributing of it among the producers of this country instead of spending it in this way. In the first place, you would not divide it; and in the second place, that idea is too narrow for this large country to entertain. So that in these respects, there is a strong sentiment in the country founded upon these considerations, founded upon the advantages to trade generally, which largely favours the establishment of a line of this kind. I might go on to speak of other advantages. We will have the advantages of the carriage of our own mails, which is always a forerunner of something else. Just as John the Baptist was the forerunner of a greater, this means of swift steam communication, and this means of the establishment of the electric cable, are the precursors of a solid increase of business. My hon. friends opposite may not altogether appreciate my simile, but it not one that is too far drawn, after all. After all, it is true, and we must acknowledge that the cable and the swift steamship line are the pioneers of trade, which is bound to follow in continually increasing proportions. And if hon. gentlemen do not like the simile, they can take the more prosaic form of expression. That view, however, is true. A fast steamship service will bring passengers from Australia and Great Britain and from other countries through this Dominion, so that they can see its great extent and its vast resources, its fine diversity of climate and productions, and the great future before it. That will give us a high place in the appreciation of these people, many of whom will not confine their expenditure to their personal wants, but will be induced to invest their capital in our midst. We have evidences of that already, owing to the means of communication that now exist. Go through the country to British Columbia, and you may mark investment after investment which has been made simply through the casual travel drawn to this country, and the appreciation of the advantages the coun-

try offers for investment which have forced themselves on the attention of travellers. That has taken place, and it is folly to say that such a result will not follow in this case. These are some of the advantages that will take place. Without wearying the House further at this moment, especially as I may have something to say in answer to objections which, I have no doubt, will be raised by hon. gentlemen opposite, I will now conclude. However, I just want, in impressing this matter on the attention of the House, to ask hon. members again to think of a little more than simply the sum of \$750,000. I would ask them to think of the growth of our country, of its possibilities, of its union with other countries, and of all the benefits that may come from these large lines of communication, and to consider whether it is not the best policy for us not to shirk expenditure in order to secure these advantages, even though at the outset we may have to pay pretty dearly for them. It is the first step that costs. But I can look into the future, and I think the not very far future, when this country has double or three times the population it has to-day—

Mr. CHARLTON. How long ?

Mr. FOSTER. Longer than it would be if there were none like my hon. friend in this country carrying on a propaganda likely to drive our people from the country. Not very far in the future, I can see the time when this country, with double or treble its present population, with its great resources developed, with greatly increased travel and trade, will support on the Atlantic as well as on the Pacific not only one, but many lines of first-class communication which will not call upon the treasury to any great extent for their support, but which will be supported by the very development of trade and commerce that will have taken place. But as, I say, it is the first step that costs, and we must be prepared to take the first step, even though it does cost, relying upon the resources of the country and the future of the country to bring the day when the cost will be less, though the advantages will be always in increasing proportion.

Sir RICHARD CARTWRIGHT. After all this grand eloquence, I feel that it would be perhaps rather hard to bring the hon. gentleman down to more prosaic facts.

Mr. FOSTER. I wanted to make a good admixture with what I knew your speech would be.

Sir RICHARD CARTWRIGHT. Possibly the hon. gentleman may know the nature of what I am to say ; possibly not. Perhaps the hon. gentleman is not aware that long before he was a member of this Parliament I was myself a strong advocate of a swift Atlantic line. And I may tell him this, if he wants to know it : that I brought that matter a great many years ago before the British authorities and the British postal

service, and I think he would have done well to do the same. My own impression in this matter is that we had better leave out of consideration what the hon. gentleman calls the sentimental side until we get at the facts. Later on, when he brings down the Bill, which I presume he is going to found upon this resolution, we may have something to say. Meantime, I may congratulate him on the fact that a large portion of the mantle of the High Commissioner appears to have descended upon him. There is a twang in what he has said of the wonderful 640,000,000 of bushels of wheat that we were to have exported years ago, and the \$58,300,000, in cash, or securities better than cash, that were to be brought into our treasury on or before the 1st January, 1891. How those promises, and a good many other promises like them, have been fulfilled our history records only too well, and therefore the hon. gentleman must pardon a little skepticism on our part, and he must excuse us if we ask to defer for a time the consideration of the sentimental side of the question. Sir, I think it might have been as well, perhaps, for the hon. gentleman to give us some information as to what he supposed would be the character of this service : I mean the number of steamers required and the probable cost of constructing them. That, I suppose, he has got. He would hardly have gone into this matter without ascertaining such facts as these.

Mr. FOSTER. The number of steamers required will be at least four, and the cost of building them will be somewhere in the region of £200,000.

Sir RICHARD CARTWRIGHT. If the hon. gentleman expects to get a 20-knot service, and if he expects, at the same time, a freight-carrying service of the character he describes, I am afraid that for once in a way his ideas are exceedingly limited if he supposes that an expenditure of £200,000 apiece will admit of these conditions being fulfilled. I am very much afraid that he will find £500,000 sterling would be nearer the mark than £200,000.

Mr. FOSTER. It seems I have underrated the cost.

Sir RICHARD CARTWRIGHT. I am afraid you have, very materially. And this goes to show that possibly a little more consideration might have been given to these proposals before the Government compromised themselves upon them.

Mr. FOSTER. Yes ; the cost will be £400,000 or £500,000 for each vessel, instead of £200,000.

Sir RICHARD CARTWRIGHT. In other words, an expenditure of £2,000,000 sterling will be required for the fleet. Unless the rates of steamship insurance are much lower for winter service, and particularly for the waters we propose to traverse than they used to be. I would strongly suspect that

even so large a sum as \$750,000 a year would scarcely allow a fair rate of interest, plus insurance, on the money necessary to construct four vessels of that size. I would like to know if the hon. gentleman is in a position to give us information upon a point of some considerable moment, and that is the probable estimated cost per voyage of vessels of this description—I mean the return trip from this country to England and back again.

Mr. FOSTER. I cannot at the moment lay my hands on the paper giving that information. The cost would be somewhere in the region of \$60,000 or \$70,000.

Sir RICHARD CARTWRIGHT. So that, taking fifty-two voyages in the year, the expense of maintaining this fleet, wholly apart from any question of depreciation or accident or anything of that kind, will amount, roughly, to about \$3,500,000 per annum, or £700,000 sterling. I merely want to call the hon. gentleman's attention to the matter, because he will see that in considering what he is now proposing, which I understand is to be a twenty-years contract, we ought to be very well advised indeed as to what sort of a bargain we enter into and what possibility there would be, or what reasonable probability there would be that the promoters can carry it out. I confess that as I look at the matter it seems that the whole of our subsidy would barely pay the interest on the cost of construction plus a very moderate rate of insurance. Then there would remain the cost, which, as I suppose, the hon. gentleman knows, is extreme, of vessels maintaining a twenty-knot service. Now, I would like to know from the hon. gentleman, as, no doubt, these matters have been fully considered by the promoters at any rate, what tonnage, after deducting engine room, he supposes would be available in these vessels. And I would like to know also what the hon. gentleman calculates the consumption of coal would be.

Mr. FOSTER. The vessels are to be about 10,000 tons register. They will have a carrying capacity of about 3,000 tons of cargo. They will carry 500 first-class and 1,000 steerage passengers.

Sir RICHARD CARTWRIGHT. And they will carry 3,000 tons of freight?

Mr. HAZEN. I think the provisional contract says 4,000 tons.

Sir RICHARD CARTWRIGHT. Unfortunately the papers have not been printed, so we are at a disadvantage in discussing these matters, and are obliged to call upon the hon. gentleman for information which would had been at hand had the papers been printed. As I understand, he proposes to have a service which will take 3,000 tons of freight.

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT.

Sir RICHARD CARTWRIGHT. And would allow of 500 first-class passengers?

Mr. FOSTER. 300 first-class, 200 second, and 1,000 steerage.

Sir RICHARD CARTWRIGHT. Now, I would like to know whether the hon. gentleman is prepared to state to the House—perhaps it may be in these papers—for what sum he could obtain a contract for a sixteen or seventeen-knot service from the company that are now engaged in carrying on ocean service.

Mr. FOSTER. So far as the result of the tenders has gone, it would take a sum ranging from \$500,000 up to \$700,000. That however, was the sum two or three years ago, when these tenders were asked for.

Sir RICHARD CARTWRIGHT. I thought he might have got later information, because it would appear to me an extraordinary circumstance if \$500,000 or \$600,000 were demanded for a sixteen or seventeen-knot service, and only \$750,000 for a twenty-knot service. I presume the hon. gentleman is perfectly well aware—if he is not, I have no doubt his mercantile friends behind him can inform him—that the increase of expenditure for every additional knot over sixteen is enormous. It would probably cost, if I am correctly informed, twice as much to obtain a twenty-knot service, and consequently the difference between the two tenders, if he has received tenders, seems to be very great.

Mr. FOSTER. The actual figures of the tenders were £104,000 from the Allans for a sixteen-knot service, taking some of their fast vessels, and gradually adding thereto. That was in 1889.

Mr. LAURIER. 1890 or 1891.

Sir RICHARD CARTWRIGHT. The hon. gentleman will notice that it is a matter of considerable moment for us, in considering this question, to know what service of a more moderate character might be obtained. I think it is a matter to be regretted that the hon. gentleman has not endeavoured to ascertain more recently.

Mr. FOSTER. I can afford the hon. gentleman a little more information. In 1890 we had a tender from an English firm, a well-known shipping firm, Furness & Co., offering to establish a sixteen-knot service for a little over \$900,000. There is also a tender for a seventeen-knot service for \$750,000, by a French company.

Sir RICHARD CARTWRIGHT. Any other?

Mr. FOSTER. That is all I see now.

Sir RICHARD CARTWRIGHT. There is an enormous discrepancy between these tenders, because, as I was just observing, there is no doubt that an additional three or

four knots will cost twice as much at any rate, will cost the company a great deal more, than would be required for supplying a more moderate service of sixteen or seventeen knots per hour. The hon. gentleman is no doubt aware of another thing; he must be aware that there is great doubt in the minds of experienced merchants and experienced seamen whether it is at all possible, with any reasonable degree of safety, to run at the rate of twenty knots, day and night, through all that part of navigation from the Straits of Belle Isle up to Quebec, during the summer season. Having gone over that route a number of times, I should very much prefer, for my own personal safety, a more moderate rate of speed. I would like to know what arrangement the hon. gentleman is making with the company with respect to this payment. Is it to be made according to services rendered? If these people fail to give us the 20-knot service, have the Government the power of forfeiture?

Mr. FOSTER. That depends entirely upon the contract, which is not yet made, but in the contract the Government will certainly guard that point carefully. We do not propose to pay for a service unless we get the advantage of it.

Sir RICHARD CARTWRIGHT. That is precisely what I wanted to know. I think we ought to have the contract which the Government proposes to make, submitted to us.

Mr. FOSTER. But the Government has made no contract, the contract, in all these details, is yet to be made. We have simply stated on broad lines what we are prepared to do, and the gentleman at present in question has undertaken to see whether he can float a company to carry that out. When he satisfies himself with reference to that, then will come the making of the contract; all these different details will then be taken up. But the contract that we did actually make with Mr. Anderson would be a guide upon this point, and in that contract, of course, we guarded all these points.

Mr. LAURIER. I think the hon. gentleman somewhat forgets the engagements he has made already with Mr. Huddart. In the papers which have been brought down, and which I have had the advantage to purchase for some time, I find the proposition made by Mr. Huddart was this:

The company to be incorporated (in England) under the Companies Acts, 1862 to 1890, whereby the liability of its members is limited to the amount of their shares. Capital £2,000,000 to be raised as follows: Ordinary shares, £500,000 divided into 100,000 shares of £5 each. Debentures, £1,500,000, three and a half per cent on 21 years debentures, to be guaranteed by the Dominion Government in a manner to be agreed upon.

This was the proposition of Mr. Huddart. Now, at a later stage—the date is not given

—this letter was written by Mr. Bowell to Mr. Huddart:

JAMES HUDDART, Esq.,
Ottawa.

SIR,—I am instructed to inform you that the Government of Canada is prepared to enter into a contract (subject to the approval of Parliament) with you, or a company to be formed by you, for the placing upon the route, between England and Canada of four Royal Mail Express Steamships, each capable of steaming 20 knots per hour at sea, of from 8,000 to 10,000 tons register—as may be found commercially necessary—for passengers and freight, fitted out with modern refrigeratory machinery for the successful transportation of beef, fish, game and other perishable articles, &c., a cold, chilled or frozen condition. Trips to be weekly. The terminal ports in Canada to be Quebec in summer and Halifax in winter.

No mention here of St. John, by the way.

The mails to be landed and received during the summer at Rimouski. The terminal port in England to be hereafter agreed upon. Each vessel to be allowed one week in the year for repairs, &c.; but the continuity of the weekly service must be maintained by the substitution of some other vessel of suitable character. The contract to be for ten years, renewable upon such terms, both as to time and amount of subsidy, as may be mutually agreed upon by the contracting parties. The steamers to carry all mails which may be offered both in Canada and in England, upon terms and conditions usually contained in contracts of this character. The Government agrees to pay in aid of such service a subsidy of \$750,000 per year for a term of ten years under such conditions as may be required by the Government for a first class service; and to pay for ten years subsequent out of subsidy earned, the interest upon a capital sum of £1,500,000 at the rate of 3½ per cent per annum.

There are the conditions.

Sir RICHARD CARTWRIGHT. Now, if I correctly interpret what my hon. friend has just read, what Mr. Huddart proposes is: that we should practically furnish, or make ourselves responsible for, the greater part of the capital that is to go into these steamers. I cannot conceive a more foolish and suicidal arrangement than any such arrangement, if the Government enter into it.

Mr. FOSTER. In what way?

Sir RICHARD CARTWRIGHT. As I understand it, the Government agree to pay a subsidy for ten years, equivalent to 3½ per cent on a capital of \$1,500,000.

Mr. FOSTER. What does that practically amount to?

Sir RICHARD CARTWRIGHT. The result will be that if the party breaks down, the Government will be unable to withdraw from the contract so far as that amount is concerned.

Mr. FOSTER. Not at all. It is out of subsidy earned that this amount will be paid.

Sir RICHARD CARTWRIGHT. It is proposed to issue debentures guaranteed, and this document appears to be a quasi-guarantee. What is the use of talking about a capital of £1,500,000, and guaranteeing interest at the rate of 3½ per cent on a proposition signed by Mackenzie Bowell, as Minister of Trade and Commerce, unless it was meant practically to bind our credit to the payment of bonds for that amount. However, I see it is six o'clock, and we had better suspend the discussion.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

IN COMMITTEE—THIRD READINGS.

Bill (No. 57) to incorporate the Gleichen, Beaver Lake and Victoria Railway Company.—(Mr. Davis, Alberta.)

Bill (No. 157) to again revise and further amend the Act to incorporate the Brockville and New York Bridge Company.—(Mr. Taylor.)

FAST ATLANTIC STEAMSHIP SERVICE.

House again in Committee on Resolution.

(In the Committee.)

Sir RICHARD CARTWRIGHT. Mr. Chairman, perhaps the Minister of Finance has by this time overhauled his papers and as he enlarged on the possibility of obtaining a much faster service via this route from the Australian colonies to England than at present exists, possibly he can now tell us, what the comparative distances are, from Melbourne or Sydney to Liverpool, by this route, and by the Suez Canal route?

Mr. FOSTER. I am sorry to say that I have not been able to get these distances. I think my memo. must be in the department.

Sir RICHARD CARTWRIGHT. 'Prima facie' I shall imagine that there was a difference against our route of some two or three thousand miles.

Mr. FOSTER. I do not think so.

Sir RICHARD CARTWRIGHT. If the hon. gentleman is positive on this subject I will not contradict him, but I should like to know.

Mr. FOSTER. It cannot be that.

Sir RICHARD CARTWRIGHT. The hon. gentleman will see as to the question of obtaining any considerable proportion of the mail service, that this is a matter of some moment. My impression is that the distance from Sydney to Vancouver plus the journey across the continent and plus the Atlantic voyage, must very considerably exceed the distance via the Suez Canal.

Mr. FOSTER.

Mr. FOSTER. But that distance across the continent though long is made by fast travel.

Sir RICHARD CARTWRIGHT. I grant you; but the hon. gentleman was perfectly correct in saying that if we put on a fast service at both ends, that there is a very considerable chance of the service via the Suez Canal being improved. After all said and done this is a question of distance. I think the sea distance alone from Melbourne to Vancouver and from Quebec to Liverpool, is quite equal to the distance via the Suez Canal.

Mr. FOSTER. I can give you the average mail time?

Sir RICHARD CARTWRIGHT. The distance will be more to the purpose, because if we know the distance we know what could be done. The hon. gentleman estimated that these new steamers would carry about 3,000 tons of freight, and I would like to know what rate of freight is expected to be charged per ton, in the calculations that have been submitted to the Government?

Mr. FOSTER. That is a matter which has not been discussed and must be left largely to competition.

Sir RICHARD CARTWRIGHT. It is a matter which it would be very desirable that the hon. gentleman and the Cabinet generally should be advised upon, before recommending this project to the consideration of the Parliament.

Mr. FOSTER. We have not yet attempted to regulate steamship freights.

Sir RICHARD CARTWRIGHT. I am not asking that the hon. gentleman should regulate it. I am asking what are the hypotheses put forward by these promoters as the basis out of which they expect to earn enough to keep their line going. It is very important that they should submit those to the Government, and very important that the Government should know whether they are correct or not. They have two sources of revenue as far as we can see: the freight they can obtain on these 3,000 tons, and the number of passengers they will be able to carry. As to the passengers, we know very well that during a few weeks in the year, there will be a considerable number, if the fast line service is adopted, and during that time I think it quite likely that very fair returns may be obtained; but we know perfectly well that during the greater part of the year, the number of passengers going by this route would be small. During the winter months the hon. gentleman can hardly flatter himself that there will be any very large number of passengers crossing that part of the Atlantic, and if he will take the trouble to confer with the managers of the New York steamship lines, he will find that that is precisely their experience. Unless I

am greatly mistaken, many of these expensive Atlantic liners are taken off altogether after serving their purpose for a few summer months. So far as it is possible to obtain any idea of the cost of this service, from the vague and general information which the Government appear to possess, the minimum cost for expenses would amount to three and a half millions of dollars per annum, allowing some \$60,000 or \$70,000 for the round trip; and from the information that has been furnished me I am afraid that this is an underestimate of what the actual cost would be. We have to fall back, therefore, to a large extent upon the freight. The hon. gentleman says that he does not know what the freight rates would be; but this we do know: that our return freights will be very small. We know perfectly well that there is little chance of getting more than a full cargo one way. To a very great extent these ships will return in ballast, and we know that a great bulk of our exports, from their nature, consist of articles of large bulk and small value; articles which this company and no other company could pretend to carry unless they take the low rates which are usually paid to the ordinary liners. Now, I should like to know from what articles the hon. gentleman and the promoters expect to make up on an average a cargo of 3,000 tons per week at remunerative rates. Grain, I presume, they will hardly carry. Flour they will hardly carry; at any rate, they cannot hope to get any more for that than would be given to ordinary ocean tramps. The same thing applies to a great extent to such articles as cheese and apples, which are not likely to pay for speedy transit. Live cattle are out of the question. So that practically, as far as I can see, there remain a very small number of articles which the hon. gentleman can expect to see carried. I can hardly see how there can be any reasonable chance of making up a cargo of 3,000 tons a week from what the hon. gentleman calls the finer description of meats and perishable goods. I would like to know what class of articles he expects to furnish a cargo of that extent at remunerative rates?

Mr. FOSTER. It is impossible for me to answer categorically what the vessels will carry. They will carry very much the same description of freight as is carried by other fast lines of steamships. Having a refrigerating apparatus, they will take such articles as chilled meats, and anything else that requires cool storage. My hon. friend knows quite as well as I do all that variety of articles from which freights will be found. The very same description of articles will come to be carried in these vessels from Canadian ports as is carried by the same class of vessels from United States ports. The argument of my hon. friend has been valuable in one respect. He has shown the large amount of capital that is necessary; he has shown the great cost of management;

he has shown that there may be some difficulty in getting full passenger lists; he has shown that there may be some difficulty in getting freights. All these are difficulties which meet the establishment of a new line. The initial difficulties in these respects must not be underestimated. They are large. All the arguments and assertions of my hon. friends go to prove that an undertaking of this kind in its early years is one which has disadvantages and disabilities to contend with, and which necessitates a large amount of aid in order to put upon even keel. I do not think any capitalist who undertook to provide a steamship service of this nature, to compete with the more southern lines, would expect to make it pay in the initial years; and that is the reason why a contract extending over a period of years is required. These difficulties will no doubt be met. Now, I do not agree with my hon. friend that it would be difficult to find passengers for these vessels. If the vessels are made first-class, if their equipment is first-class, if their catering is first-class, I do not doubt at all that even in that part of the year which my hon. friend seems to fear, these boats would obtain a fair share of the traffic; and in the major part of the year there is no route for the passenger tourist, or the passenger who wishes quick time, that would be more available or that would commend itself more to those travellers than this route. There are reasons why that is so. It is better in certain seasons of the year than the more southern routes. But, still, the contest will come. It goes without saying that to-day probably a majority of the Canadian travellers go by the southern routes for the sake of getting better vessels. Suppose you divert all that passenger traffic, which is quite possible, even that might not fill these vessels. The travel from the western states, and the through travel also have to be catered for. I look for a large diversion of the through travel which has hitherto gone by the Suez route entirely. For New South Wales this service would be admittedly—there was no question about it when it was discussed in the Conference—the quickest one for both mails and passengers. The vast extent of the Australasian continent must be taken into account. The island is a vast continent in itself, and when you go to the western side of the island you are many hundreds of miles away. For New South Wales, Victoria, Queensland and New Zealand this route furnishes an alternative service for both mails and passengers. For these there is not a shadow of a doubt that this line will tap the travel which has hitherto gone by the Suez route. Take the experience of gentlemen who have travelled by these two routes, and you will find that they are loud in their praises of the Pacific route. By that route they get rid of a great many disadvantages and inconveniences. They get rid of the torrid temperature of the Suez route; they get the most Pacific Ocean in the world for travel—

that is the universal testimony of people who have travelled upon it. Not that storms do not occur on the Pacific; but year in and year out it is a remarkably Pacific Ocean. Then they get diversity. As soon as they reach the shores of British Columbia, they have a change from the sea route. They have an agreeable diversion to a land route of 3,000 miles; and after that they are taken up by the Atlantic route. I have no doubt at all that a great deal of the through passenger travel will be diverted to this route; and for the western United States it furnishes an alternative route, which must attract a certain amount of that travel. So that I do not think it is hopeless at all to expect that in the course of time, as the route advertises itself, and makes its attractions and capabilities known, it will draw very largely for passenger travel.

Mr. MILLS (Bothwell). Does the hon. gentleman count on freights from Australia for this route?

Mr. FOSTER. Certainly not. That would be an absurd thing—to think that you could load a vessel at Sydney, transfer the freight at Vancouver to the Canadian Pacific Railway, carry it to Halifax or Quebec, and tranship it again. I do not think my hon. friend would ask that question, except in a quizzing mood.

Mr. MILLS (Bothwell). The hon. gentleman has made such extraordinary statements to-day that I did not know what he expected.

Mr. FOSTER. I saw the trap the hon. gentleman wanted me to fall into.

Sir RICHARD CARTWRIGHT. All I can say is that if these are the sources of supply which this line will have to depend upon, it will have a great difficulty to pay its expenses. Practically, if it is to do any good at all, it must depend on the freight and passengers it can obtain from Canada. It is quite true that a certain percentage of the American travel may be diverted during a limited portion of the summer months; but it will only be a small percentage; and the hon. gentleman proposes to have vessels which will carry about 1,500 passengers of the various grades. Now, I do not think he or the promoters are at all justified—knowing what we know of the capabilities of this country, and knowing what we know of the competition to which they will be subjected—in expecting to divert any considerable portion of that traffic. And while it is perfectly true that the St. Lawrence is a most magnificent and picturesque route, it is equally true that the navigation of the St. Lawrence at a high rate of speed would be a very dangerous experiment.

Mr. FOSTER. That advertises it.

Sir RICHARD CARTWRIGHT. I say distinctly that I do not believe it is possible to navigate the St. Lawrence from Quebec

Mr. FOSTER.

to the Straits of Belle Isle, week in and week out, at an average speed of twenty knots an hour. I would be very sorry to go on a vessel that undertook to do it.

Sir CHARLES HIBBERT TUPPER. At what rate of speed would you feel safe in going?

Sir RICHARD CARTWRIGHT. At a very considerably less rate of speed—a less rate of speed on the whole, I submit.

Sir CHARLES HIBBERT TUPPER. I would like to know the number of knots.

Sir RICHARD CARTWRIGHT. I am not proposing a fast Atlantic service. The hon. gentlemen are proposing a twenty-knot service, which is close on to twenty two or twenty-three ordinary miles per hour. The hon. gentleman knows well enough—and there are plenty of gentlemen in his department who can inform him if he does not—that that is a pretty perilous rate to proceed at during the night along the gulf of the St. Lawrence, and he knows that that, although it is a most picturesque route, it is likely to be, during a considerable portion of the year, much more dangerous than the southern route which starts clear from a point on the ocean. I do not mind telling the hon. gentleman that if the real object were to attain a fast route between the two continents, it is my conviction, for one—although I simply give it for myself—that the true point of departure will be found in some one of the open ports of Nova Scotia, from Nova Scotia to Milford Haven. And I could quite understand the British Government and ourselves finding it well worth our while to make a considerable sacrifice for the purpose of maintaining a fast route. You could get a route nearly a thousand miles shorter than that from New York and several hundred miles shorter than that from Quebec. If the object were simply to bridge over the sea between the two continents, Nova Scotia would be the proper point of departure, and as far east as you could get. However, we are not discussing that, but the proposition the hon. gentleman has made. It is quite clear that neither the Government nor any of the parties concerned have given, or are willing to give, the House anything like detailed information as to the sources of revenue. When we are asked to engage in a contract ranging over a term of twenty years, we ought to see our way a good deal better than the hon. gentleman or his colleagues appear to see it. We ought to have a great deal more than the hon. gentlemen know, or, at any rate, choose to tell us, about the sources of freight supply. I admit that what he says is correct enough as to certain perishable articles, but I do not admit that they will make anything like a cargo of three thousand tons on an average, week in and week out, and the steamers will be obliged

to fill up with the coarser description of article which constitute the bulk of our exports, and probably will have, for a good many years to come, to accept very small rates. The hon. gentleman knows perfectly well that the ordinary expenditure for these vessels will be very heavy. He knows perfectly well, and if he does not, his colleagues know, that where you are dealing with such very costly implements as vessels costing five hundred thousand pounds sterling, a large sum every year has to be set apart for repairs and depreciation. That amount has been mentioned at various rates, as high as fifteen and even twenty per cent; and I am inclined to think that the experience of the great New York liners goes to show that these estimates are not much in excess. If you add that to the enormous figure the hon. gentleman himself has admitted, it will be perfectly evident that it is very questionable indeed whether it will be possible—because, as I have already shown, the subsidy will all be absorbed in paying interest on the capital sunk and ordinary insurance—under any circumstances, to make this line pay expenses for a considerable time. We know perfectly well that the next act in the drama—if we get ourselves committed to an enterprise of this kind, and if this can be shown or proved to be unsuccessful, for the reason I have stated—will be an application for a further subsidy, and we also know (and I will have more to say on that probably before we close), that the financial position of Canada to-day is such that those extended engagements should only be entered into with very good cause. The hon. gentleman knows, and I know perfectly well, that for a year or two he is not likely to be troubled with a large surplus. He knows that at this moment his revenue is two million dollars, at least, short of what it was this time last year, and that that means a considerable deficit. Now, he is proposing to add three-quarters of a million dollars per year for a term of ten years to our expenditure. The least then he can do is to show that there is good ground for believing that further demands will not be made and that there is reasonable expectation of the enterprise paying its way.

Sir CHARLES HIBBERT TUPPER. The hon. gentleman has referred to the question of the navigation of the St. Lawrence and to information which is available to me. That is an important subject, and I think it only right that at this stage I should put the House in possession of the information at my command. I was thunderstruck to hear the hon. gentleman's leader, earlier in the session, speak as he did of the dangers of the navigation of the St. Lawrence. I could not understand where the hon. gentleman obtained such extraordinary information about the river, and the Gulf of St. Lawrence—not only beautiful and pictur-

esque as it has been admitted to be to-night, but one of the finest waterways in the world, a waterway which is the great boast and pride of this country, and which has been described by a very high notable authority as a lane well marked by lights and as one of the safest water courses in the world. Why, one of the great advantages of the St. Lawrence route is its safety; and if we only had steamships that would at all compare with those that at once confront an angry ocean with all its dangers, I am sure that passengers would much prefer to embark on these steamers and traverse a waterway so placid as that of the St. Lawrence. Had we such steamers, our share of the travel would be even greater than it is. The hon. gentleman has made extraordinary statements, both as regards the navigation of the St. Lawrence and as regards this enterprise from a paying point of view. Such statements are most dangerous. Coming from him and at this stage, they can only have one effect, that of injuring this scheme in the money market, in the minds of people who are not so well acquainted with the facts as the navigators on these waters. It really seems unfair. I submit that that is not the way in which any Legislature that approves of aiding a steamship service should take up a question of this kind. We know, for instance, that in connection with the Canadian Pacific Railway the same prophecies were made by hon. gentlemen opposite, and we know that their effect was dangerous, and no doubt retarded for a long time the successful floating of that scheme. These hon. gentleman prophesied that that road would never pay for the grease on its axles. We know they prophesied that it would never be built, or that if it were built, it would only be at the cost of ruining this country. Those dangerous statements had their effect no doubt in creating difficulties, but those difficulties were ultimately surmounted and triumphed over in a magnificent manner, and so I believe in like manner will the statements made by the hon. gentlemen to-night be falsified. He asks that we shall say at once what none even of the projectors can at the moment say, what all these specific plans are, the exact nature of the cargo from the first passage to the last in the year, and the exact rate of freight they would charge. Take England when, in her day, she heavily subsidized steamers—she heavily subsidizes them yet—but take any discussion in the British Parliament upon assistance to steamship lines, and I challenge hon. gentlemen to find a case in which such questions were asked. The reason is to be found in the fact that Parliament as a whole was anxious to see the enterprise succeed. It was so in the United States. You endeavour to get the best offer you can, but you leave private people to take the risk. They have all the facts before them. But no Government is

able to satisfy Parliament upon the minutiae of the steamship business. But we can meet these other questions. We can meet what I consider to be libels upon a fair fame of the navigation of this splendid Canadian waterway. Now, the hon. gentleman has referred to information that is at my hand. Unfortunately, when other gentlemen were looking into these projects some time ago, these damning statements were made and published all through the English papers. We know there are enemies to this scheme. Some people think their private interests are affected, though some obtained heavy state aid when they first embarked upon this sort of work. From Canada, from old Canada, they got subventions that were probably comparatively larger than the \$750,000 which is now proposed. However, stories of that kind, whether they came from interested parties or not, appeared in the London paper in the time of Mr. Anderson's contract, and in the time before him to the effect that the navigation of the St. Lawrence was most dangerous. Now, Commander Gordon, who had sailed up and down the Gulf, and spent summer after summer there in all weathers, wrote a most indignant denial of these statements from a nautical standpoint. He was a retired officer of the Royal navy, himself a magnificent sailor, who never lost a ship, and never got a ship into danger. His opinion, as expressed in the London papers, was that the navigation of the St. Lawrence was far safer for steamships than the waters of the Atlantic coast, either on the American side or on the side of the mother country, and that the great dangers to trans-Atlantic navigation by this route were not in the gulf or river, but as the vessels neared the Irish coast, and as they neared the British Islands, dangers which are common to all lines. And he pointed out that, relatively speaking, the dangers in reaching New York harbour, taking them all round, were greater than those met in reaching the Canadian Atlantic ports in winter or the port of Quebec in summer. In this his statements are corroborated by other officers. Take, for instance, the commanders of these huge British ships, these leviathans, such as the 'Blake'—these and other officers are in the habit of sending to the Department of Marine congratulations upon the way in which that waterway is lighted, and expressing their gratification at the ease and safety of navigating these waters both up and down. The leader of the Opposition early in the session, as I have said, made a most extraordinary statement. He based it upon a statement in Admiral Bayfield's pilot book, to the effect that in the St. Lawrence it was not safe at night or in foggy weather to go a greater speed than from four to six knots an hour. That, to some extent, was an authority for the statement made by the hon. gentleman. I was astonished. I had not looked into the subject with the thoroughness I thought the hon. gentleman had done. So I made in-

Sir CHARLES HIBBERT TUPPER.

quiry. The statement seemed to be contrary to everything that I had gathered, either from navigators or from underwriters, or from those who are continually finding fault, and who are very glad to find fault, with the department on the slightest occasion. I had heard no such statement, but had been led to believe quite the contrary. I asked for an explanation, and I think it only fair to the country and to Parliament that I should put them in possession of the criticism made by my officers on this question. Perhaps the easiest way is to give it just as I got it, instead of giving my own interpretation of it:

Captain Bayfield's surveys of the river and Gulf of St. Lawrence, between Quebec and Strait of Belle Isle, were made, and the first charts issued, between 1827 and 1834. Captain Bayfield was engaged in surveying in British American waters up to 1845, but did little or no work on this route after 1834. Captain Orlebar resurveyed parts of the route about 1858 to 1860. Captain Boulton made a resurvey of the Beaujeu channel in 1874. The British Admiralty have since then made a complete survey of the island of Newfoundland. This involved a resurvey of the Strait of Belle Isle. The Dominion Government, acting with the Imperial Government, have made a late survey of the river St. Lawrence from Quebec to the Saguenay, and of the east end of the island of Anticosti. When Captain Bayfield's survey was completed in 1834—

—I would call particular attention to this—

—there were only four lights between the Atlantic Ocean and Quebec, viz.: those at Green Island, established in 1809; Point de Monts, 1830; and the South-west Point, St. Paul's Island, and South-west Point, Anticosti, in 1831. Two more were added shortly afterwards, probably as a result of the survey then made. Heath Point, established in 1835, and Lower Traverse light-ship, 1836. There were then no fog-alarms, no gas buoys, no light-ships. There are to-day between Belle Isle, or Cape Race, and Quebec, 70 light stations and 4 lightships, from which 87 lights are shown. Three of the light-ships are equipped with steam fog-whistles, and fog-horns are established at seven stations, and explosive signals at nine. The fourth lightship has a bell as a fog-horn signal.

This list does not include any of the lights in the Gulf of St. Lawrence south of Gaspé, or on the Cape Breton coast, but only those under the control of the Dominion of Canada, which would be used by a vessel sailing between Quebec and Ireland, by either the Strait of Belle Isle or Cape Race.

Now, Mr. Chairman, this is added:

Besides the regular lights there are 8 gas buoys, two of which are equipped with bells, and over 50 can buoys. The new charts show characteristic soundings throughout the Strait of Belle Isle, in the approaches to Anticosti, and up the river St. Lawrence, and—

—as I have stated to the committee—

—the route has been described by a competent authority as a "well-marked and well-lighted lane."

So much, then, for the condition in which these waters are. Now, I will trouble the committee—because this is important information upon a subject upon which I am certain hon. gentlemen opposite have entirely gone wrong—with something more. My officers say further:

Any contention that high speed cannot be maintained in the gulf in consequence of the danger of navigation is not borne out by the facts. The gulf can be described as a fine open stretch of water remarkably free from out lying dangers. There is no more difficulty in a steamship running at a full speed, under ordinary conditions of weather, from the entrance of the gulf to within 60 miles of Quebec than in maintaining full speed on the open Atlantic.

There is necessarily a slight element of danger in thick weather in consequence of the relative proximity of land, but this danger is certainly no greater than the danger that arises in approaching land on any of the Atlantic coasts. In fine weather, or even in bad weather, if clear, the gulf coasts are now efficiently lighted and fairly well provided with fog-signals, to which we are steadily adding. In thick weather speed must be reduced whether a vessel is in the gulf or the open Atlantic, but in the gulf there is not the same liability to fog that is found on other portions of the Atlantic coast, and the path of cyclonic storms always trends to the south of the gulf and consequently extremely bad weather is not encountered in that vicinity.

Now, the memorandum refers to the old chart or pilot book to which the hon. gentleman referred. It is based upon information in Bayfield's time, and cannot apply to the present time, as it is contrary to the practice of cautious and well known commanders. However, so far as caution in approaching the shore is concerned, it is simply a caution which is inserted in the sailing directions in all parts of the world. It is intended as a caution against approaching little known coasts, rather than as applicable to well known pilotage grounds. Now, I want to call the attention of the hon. gentleman to another point. A rate of 13 knots would have been as startling to any Parliament considering the subject in the days when the Allan line were given a \$400,000 subvention to run down the gulf, as this suggestion of a 20-knot steamship; in both cases the danger is the same. I was curious to hear an answer to my question from the member for South Oxford, but he did not give it very definitely, because I think that nautical men would say that there is very little difference in striking an iceberg or a shoal when running at 13 knots and running at 40 knots; in both cases the consequences would be disastrous. The distinction of danger is very difficult to draw. But this is the point, that at that time without these lights—for it was many years ago, as the hon. gentleman knows, that the first steamships were subsidised—the danger could have been magnified with truth to a far greater extent than any dangers that have been suggested on the present occasion; and with

that history of many years, with a system far inferior to what now obtains, this is the magnificent record in connection with mail steamships—and it is given to me by my officials, and I suppose will be accepted as correct—that no mail vessel has for the past twenty years been wrecked in the St. Lawrence. Compare that with the record on the English coast, the Irish coast, or the coast out of New York. Take the pilot chart, and if we published a geodetic survey, such as they published in New York, and anything similar to that would be shown, then investors in England, in approaching this question, might well be frightened, for there is hardly a chart issued that does not show you the spot of a wreck outside New York harbour, month after month. But the case is in favour of the St. Lawrence when we can show that although these steamships of the different lines run year in and year out, not one vessel carrying mails has been lost or wrecked in the St. Lawrence for the past twenty years. Then I am also told by these officers whose duty it is to observe these things:

The fastest vessels hitherto used in the St. Lawrence trade have found no difficulty in navigating it at full speed, except as before stated in exceptionally bad weather, which may be met on any route, which when met will unavoidably delay vessels, as they are now often delayed in the English Channel, in the Irish Channel, on the banks of Newfoundland and in the approaches to New York. If a seventeen knot vessel can run at full speed there is nothing to prevent a twenty-five knot vessel from similarly keeping up her full power.

I will not weary the committee by going back further to a document which I have, and which any hon. gentleman can see if he wishes. It was prepared in the lifetime of the late Commander Gordon and was published in the papers, in which he gave his opinion that this route was one of the safest in the world; and I think he was the authority to whom I referred when I said that these waters had been described as a well lighted lane.

Mr. LAURIER. The hon. gentleman raised a point which I will not discuss with him on the present occasion. On a former occasion I quoted to the House, not my own opinion, because I do not pretend to be an expert in those matters, but the opinion of competent authorities as to what were deemed at that time the difficulties of the navigation of the St. Lawrence. These difficulties are there. The hon. gentleman says, and I am glad to hear it, that they have been overcome by the application of art and science. That is possible. I do not dispute that point with him, not being an expert in those matters. But I am only too glad to receive the opinion of competent authority on the present occasion as on the former occasion. But I would call his attention to this fact, that four or five years ago when the subsidy of half a million dollars a year

for a fast service, was voted by this Parliament, men on the floor of this House then warned the Government that the conditions which you were exacting at that time of a 20-knot service, of a service equal to the fastest and to the best which was then plying the ocean, could not be expected. There were conditions which did not exist elsewhere, and these conditions were the physical difficulties in the way. Now, the hon. gentleman said that the difficulties exist no more. Well, if that be so, I am sure that everybody will be glad to hear it, every Canadian will be happy to know it. If it be possible at the present time to maintain a service of 20 knots an hour over the St. Lawrence route, it is a subject for rejoicing. I am not approaching this question to-day in a carping spirit, I am only asking for information. So far we have not the information we ought to have. We have a proposition of ten lines only, which has not been supplemented by the Minister by any other information which will enable us to come to a decision. He has presented to the House his proposition accompanied by glittering generalities, going as far as John the Baptist. But we expect something more, and we are obliged at the present time to put question after question to the hon. gentleman. John the Baptist was preaching in the desert, as some gentleman observed a moment ago. I do not know whether this project will also be the precursor which hon. gentlemen expect it will be.

Sir CHARLES HIBBERT TUPPER. I am sure you were deserted last night.

Mr. LAURIER. Well, I have only to say that the lash of Sir Charles Tupper, long as it is, does not extend to this side of the House. We are asking for information on this question, and it is only by means of a surgical operation that we have been able to extract from the Minister of Finance any information concerning this project. What have we before us? We have simply this:

That it is expedient to provide that the Governor in Council may enter into a contract for a term not exceeding ten years with any individual or company, for the performance of a fast weekly steamship service between Canada and the United Kingdom, making connection with a French port, on such terms and conditions as to the carriage of mails and otherwise as the Governor in Council seems expedient, for a subsidy not exceeding the sum of seven hundred and fifty thousand dollars a year.

This is very meagre information. We ask for more. We ask, for example, what will be the length of the contract? It is stated in the resolution that it will be ten years, but when we look into the matter carefully, after having cross-examined the Ministers, we find that it is practically for twenty years, because there is a provision for its renewal for ten years more. So we have this information, that the contract is really

Mr. LAURIER.

to be for twenty years, and not for ten years. There is another feature with respect to this matter on which, in view of the discussion of yesterday, we should be informed, and have full information. The hon. gentleman said that connection will be made with a French port. How is that to be understood? What is the kind of connection we will obtain? If a steamer leaves an English port to proceed to Canada, will it come direct, or will it touch a French port? We are interested in obtaining an answer to this question, because the hon. gentleman knows as well as I, that this is a most important point. The Finance Minister has spoken about a great Imperial route. I should like to know at the present time what are the means by which the connection is to be made with a French port? How is this to be done? Will steamers call at a French port after leaving England, or will they come direct to Canada?

Mr. FOSTER. The hon. gentleman has asked for definite and exact information on a point with respect to which I am not prepared to give him definite and exact information. The only condition laid down, and it is the condition that has always been laid down, is that there shall be connection with a French port—the line shall go from Canada and Great Britain and to France. There are two ways in which this can be accomplished. One is that a vessel which leaves Halifax, St. John, Quebec, or Montreal shall itself make a French port. Another way, and it would be the natural method, is for the vessel's mails, passengers, and some freight to be landed at an English port, and then proceed to a French port, and after landing cargoes and return to the English port, load up and take on board mails and passengers. Under certain conditions that might be carried out, but, of course, it would depend a great deal on the port which was chosen in Great Britain. The other way in which it could be done would be to have a transit or cross service between an English port and a French port, run by the same company, and worked by the same line. One or other of these plans is the one which will be adopted, but which one will depend on the possibilities of the case.

Mr. MILLS (Bothwell). Will the vessels go in any case to an English port first?

Mr. FOSTER. Yes. If Plymouth or Southampton was chosen, passengers and mails would be landed there, and possibly some of the freight, but in that case the freight port would probably be London, and the vessel would go there. If Liverpool was the port chosen, the difficulty of making a direct service would be very greatly enhanced, and the difficulty would be so great it would, I think, be impossible to do it. In that event, a cross service would be the most natural mode of making the connection.

Mr. LAURIER. I am surprised if hon. gentlemen opposite are satisfied with the information given by the Minister of Finance. The Government is asking Parliament to vote a subsidy of \$750,000 a year under certain conditions stated, one of which is that there shall be connection with a French port; yet the hon. gentleman is not prepared to give to those who are expected to vote this subsidy an explanation as to the very point which hon. members wish to know.

Mr. FOSTER. I have given the explanation.

Mr. LAURIER. The hon. gentleman said there are two ways, but they are very different ways of carrying out the service. This is an important point with those with whom we are negotiating as to the subsidy, those who will undertake to carry on this service, and they should know exactly what would be required of them. We should know whether the vessels will call at a French port or not, whether they will be allowed to go direct from France to Canada and from Canada to France, also whether connections will be made with other steamers, or whether they will be obliged to call at French and English ports themselves. If hon. gentlemen opposite are satisfied with these explanations, there is nothing more to be said, and I will let them say so, but as men of common sense I appeal to the House if the Minister is treating the House fairly when he is not prepared to give full information on this subject. Parliament has now been in session four months; this proposition is now brought down, but the Government cannot tell hon. members what they are prepared to do in this connection. I submit that if the majority are satisfied with such treatment, it is for them to say so, but the country cannot accept it, nor can this side of the House accept it. We have ample reason to expect from the hon. Minister full information, and yet he simply states that there are two ways in which this matter can be carried out. Anybody, however, could tell us that fact as well as the Minister. But it is as to which of the two ways will be adopted that we desire information.

Mr. DAVIN. In the North-west and in Manitoba we take great interest in this fast line service, and we are very anxious that the Government should take guarantees as to the freight rates that will be charged by this line. A short time ago we discussed the question of ocean freight rates, and I hope that before any arrangement is made with this new company the Government will take guarantees that a maximum rate will be fixed. There is another matter which I have no doubt the Government will watch, and that is that satisfactory arrangements should be made for cold storage, as I hope by the time this line is working, we in the North-west and

Manitoba will have made arrangements for doing a large export business in that line, and I hope, therefore, the Government will see that satisfactory arrangements are made in that regard. There is another suggestion I would venture to throw out, and it is this. At the present moment twenty knots an hour seems to be a very high rate of speed, but twenty years from now, or even ten years, twenty knots an hour across the Atlantic may not be the maximum speed; and I think it would be well to consider whether in making any arrangements with this company the Government should take care not to tie its hands in this matter of speed, but to make such an arrangement as will bind the company ten or fifteen years hence to give us a service that will attain the maximum speed of that day, or a speed having the relative position to the maximum speed of ocean-going vessels that twenty knots occupies to-day. As the leader of the Opposition has said, I am not an expert any more than he is, and I cannot say now whether large ocean vessels steam faster than twenty knots an hour. An hon. friend says twenty-one knots. If that be the maximum of speed at the present time, the speed we are bargaining for stands as twenty is to twenty-one, and it would be very easy to make such an arrangement that ten, fifteen or twenty years hence, if the maximum speed was then twenty-three knots, a relative advance would be made by the company with which we are entering into arrangements. But what we in the North-west—and I am speaking now after consultation with my friends from Manitoba and the North-west—are most anxious about is: that the Government should take guarantees as to the freight rates that should be charged, and that a maximum shall be fixed, so that we shall not be in the position that we were told the other night we are in to-day, and that this steamship company which will be chartered by ourselves shall not take into account what the price of the cattle, dead or alive, will be in Liverpool, and instead of calculating the rate at which they will carry freight with a view to a fair profit, that they will not simply ask themselves what rate can this freight bear. I hope that these few remarks will be considered by my hon. friend the Finance Minister, and that he and the Government will bear in mind these matters about which we are anxious, namely, freight charges and ample capacity for cold storage, while at the same time looking forward to the relative maximum speed.

Sir JAMES GRANT. I was very pleased indeed to hear our Finance Minister introduce this resolution with reference to a fast steamship service. The able and exhaustive address which he delivered, so comprehensive in its character and involving almost every point in connection with the question under discussion, makes it quite unnecessary for me to detain the House at

any length in discussing this very important question. We have also heard the extremely able and comprehensive statement of the Minister of Marine and Fisheries, on the important question as to the navigation of the Lower St. Lawrence. We know perfectly well that the capitalists of Great Britain from whom we expect the money to establish this Atlantic service will look very carefully at this discussion in the Canadian House of Commons before they embark in this progressive enterprise. If the navigation of the Lower St. Lawrence was so impracticable as some would lead us to suppose, do we fancy for one moment that the capitalists of England would help us to carry out this very desirable undertaking. Far from it. But the statements brought forth to-night with reference to this question, are so conclusive in their character, and from such eminent authorities who have given a life study to the matter, that we have no reason to doubt that the navigation of the St. Lawrence, is as safe as the navigation of any waterway in the world. Some twenty years ago when the construction of the Canadian Pacific Railway was under discussion, one of the great problems before us, was the water stretches. To-day with another great project submitted to this country to complete a system of rapid service not only across the Atlantic continent but across the great oceans, we find that the question of the navigation of the Lower St. Lawrence is again disturbing the equilibrium of those who ought to help us through with this most great scheme. I doubt if at any time in the history of Canada a more important proposition was ever placed before our people than that which we are now considering. Living as we do in a progressive age, we require to keep in pace with the times. We know that our neighbours to the south of line 45, have very materially advanced the interests of their great country by those lines of rapid steamers, sailing from New York to the various ports of Europe. Are we not aware of the fact that our principal Canadians take the New York route to Europe in preference to the boats sailing from our own ports, which doubtless rendered great service to Canada in their time, but which to-day lack the speed of the fast American ships. Having the country we have, having a people of such energy and activity, and developing such extraordinary resources as we have developed by the Canadian Pacific Railway within the last twenty years, it is absolutely necessary for us, not only to have rapid transit from one end of the country to the other, but also to have a fast service across the Atlantic. We cannot keep pace with the times unless we engage in this enterprise. What does a fast service mean? A fast service brings us in more immediate and speedier contact with the outside world, and it will cause many individuals to come to our country and see our resources, who otherwise would not visit

Sir JAMES GRANT.

us. It has been pointed out by a very able authority, a gentleman whose opinions are looked up to with pride and satisfaction—I refer to Sir William Van Horne—a gentleman who has studied the lines of travel in the great American republic. He has pointed out that the most rapid lines of travel are those along which the greatest settlement has taken place. We know that we have the thorax of the Dominion in our great North-west Territories, and in order to bring the tide of immigration into that country, we must have facilities to transport it there, and to transport it with the greatest rapidity. If there is one thing more than another deserving of the support of public men in this country, it is that they should lend a hand to carry out this fast service within as short a time as possible, in order to encourage as great a tide of immigration here as we possibly can have. We hear a great deal about the expenditure of \$750,000 a year for this service. We remember that when the construction of the Canadian Pacific Railway was under consideration, Sir Charles Tupper came down with a measure asking twenty-two and a half million dollars to complete that road, and we know that those who had the progressive idea of this country in mind at once acquiesced in and voted for it. Let us remember the vast benefits which that great line of railway has conferred upon Canada. At one time this national highway was looked upon by many as a sort of *lusus naturae*, but it has brought the outside world to recognize the fact that in no country is there to be found a people possessed of a more go-ahead and progressive spirit, than is to be found among our five millions of Canadians. Has not that railroad developed our resources and brought us a great tide of immigration? We have asked for quantity, and quality from our immigrants, and we have got the quality, for no country in the world has been blessed with a more desirable class of settlers who have come here to make homes for themselves. We prefer having suitable immigrants to undesirable immigrants in large numbers. We do not want paupers to come to this country; we want individuals with moderate means who will help to contribute to our resources and to the advancement of our material interests. The Canadian Pacific Railway, therefore, instead of being a failure as some faint-hearted people prophesied at its inception, has concentrated and developed the resources of Canada in a manner that we have every reason to feel proud of. This railroad has not only developed our country, but it has united us as a people from the Atlantic to the Pacific. It has accomplished even more than that in this short space of time. We must have a fast line to complete the entire circle from the east to the west. We know what steam and electricity will do for us; and when this fast line of steamships is an accomplished fact, undoubtedly the Pacific

cable will follow That is very desirable, and we must have it, because the trade of the country will demand it. I do not take much stock in the observations which were made by Sir John Colomb at the Royal Colonial Institute, London. I read the able address which was recently delivered by our Commissioner, Sir Charles Tupper, on the resources of Canada, and I felt that it was one in which every Canadian had reason to feel pride. It is a statement which does great credit to him, and which must tend to advance the interests of this country. Canada has played a most important part in the Empire, and no less a part in the past than in the present. What has that great conference which recently took place in Ottawa done? It has shown the outside world, and the representatives of the other colonies assembled here, that the statesmen now in power in the Dominion of Canada were willing to undertake the responsibility of sending the Minister of Trade and Commerce to Australia to see what they could do to assist us in promoting the unity of the Empire. We know what conferences have done in the past; and history is repeating itself. The great conference that took place one hundred and twenty years ago, to the south of us, when the representatives of the thirteen colonies met at Philadelphia. True, they separated from the British Empire and established their independence. That conference brought about the greatest schism that ever took place in the Anglo-Saxon race. Another conference was held in Prince Edward Island thirty years ago, when the representatives of Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island met at Charlottetown, and by wise and careful deliberations formulated principles which united us together and enabled us to enjoy to-day the glorious privileges of Confederation. The past few days we have had another conference, a conference still more important, which has brought together representatives of the seven self-governing colonies to meet representatives of the seven provinces of the Dominion of Canada and the representative of Great Britain. This important assembly met in this capital, selected by Her Majesty, on the anniversary of the very day Her Majesty ascended the throne, as if there was something behind it. I look upon this conference as one of the most important events in the history of our country, and I believe that it will result in bringing about, not only a fast Atlantic service, but a cable service between this continent and Australia. There is one other point to which I wish to call attention, that is, to the route across this North American continent compared with the old eastern route. If we compare these two routes in a sanitary point of view, I may be asked as a medical man, to say what I think about them. I say that the route across the North Ameri-

can continent is vastly superior to that by way of the Suez Canal. Who can compare the hot atmosphere of the Suez Canal, sweeping across the arid sands of the desert, with the exhilarating atmosphere across the Dominion of Canada by way of the Canadian Pacific Railway? I believe the day is not far distant when we shall have a fast service from Australia, Japan and the east across the Pacific, over the Dominion of Canada and home to England. I feel proud as a Canadian to consider what has been accomplished in so short a space of time. I will not go over the ground so ably traversed by the hon. Minister of Finance. Suffice it to say, that I am pleased to have this opportunity of offering a few observations, and I trust that when the vote is taken there will be no division in according to our Minister the fullest support possible for the well-timed resolution which he has placed before the House on this interesting and important occasion.

Mr. MARTIN. As I said a moment ago, if we are to have a fast service, I quite agree with the hon. member for Western Assiniboia (Mr. Davin), that attention should be paid by the Government to the question of rates upon the ocean. However, I rise for a different object. The hon. Finance Minister, as I understood him, has based his support of this proposition almost entirely upon sentiment—upon the grand idea that passengers were to be taken from Australia, across the Pacific Ocean on practically Canadian and Australian steamers, across the American continent, through Canada upon the Canadian Pacific Railway, and then across the Atlantic to the old country upon a line of steamers sailing from a Canadian port and subsidized by the Canadian Government. I beg to draw his attention, and the attention of the House, to this fact, that at the present time through passengers from Australia to England, and those from England to Australia, instead of passing through Canada over the Canadian Pacific Railway, pass for nearly half the distance across the continent through the United States. The Canadian Pacific Railway, instead of taking those through passengers over the fertile plains of Canada, which are to be filled up with the immigrants spoken of by the hon. gentleman who has just taken his seat, take them through a large part of the United States. If, as the hon. gentleman has suggested, this fast line of communication between Australia and England is to result in settling the country, we have to ask ourselves what country it is which is to be settled. Because, let me point out that the great competitor with Manitoba for immigration is the states to the south of us, notably North Dakota. Now, the Canadian Pacific Railway, under the name of the Minneapolis, St. Paul and Sault Ste. Marie Railway, ordinarily known as the "Soo line," passes from the north-west

corner of North Dakota, right through that state and comes out at the south-east corner, so that those through passengers, instead of being able to see the fertile plains of Manitoba and the North-west, go through a portion of the North-west in which they will hardly see a farm, in which the farms are few and far between. They go only as far east as Pasqua, which is a few miles on the other side of Regina, thus passing through a portion of the North-west which is almost entirely devoted to ranching, and in which they will scarcely see a farm: going on to the boundary through another portion of the country in which they will scarcely see a farm; then passing through the states of North Dakota, Minnesota, Wisconsin, and the northern part of Michigan; and coming back into Canada at Sault Ste. Marie. This is the route taken by those through passengers at the present time. Of course, it is true that there is also the Canadian Pacific Railway running from Pasqua to Sudbury, all through Canadian territory, and if the Government will arrange with the Canadian Pacific Railway to take through passengers over that line through the plains of the North-west, through the fertile plains of Manitoba, through the city of Winnipeg, then they will be able to base their idea of sentiment upon some facts. But, so far as I can see, the Canadian Pacific Railway will, in the future, probably pursue the policy they are following at present, and have been following ever since the Soo line was opened for traffic, namely, that of sending practically all their through passengers through those states I have mentioned over the Soo line, thus leaving Winnipeg on a branch road, so far as that through traffic is concerned. I may say that Sudbury is about 1,400 miles from Pasqua or Moosejaw, where the Soo railway leaves the main line. The distance is about the same either way. In fact, I fancy it is about fifty miles further over the Soo line. This point, where the Soo line leaves the main branch of the Canadian Pacific Railway, is some 400 miles west of Winnipeg, so that when, through the forces of nature and other circumstances over which this Parliament has no control, but to which the Canadian Pacific Railway, as a business enterprise, were bound to give attention, the present state of affairs was brought about, we find that the through passengers never see those portions of the North-west they should see, never see the city of Winnipeg, but are taken to similar portions of the United States, devoted to similar industries and to agriculture. Instead of going through the city of Winnipeg, instead of seeing the results of Canadian enterprise, in the North-west, they go through the cities of Minneapolis, and St. Paul, and never learn really the resources and position of the north-western portion of Canada. I regret very much this circumstance, and I think it detracts a very great deal in-

Mr. MARTIN.

deed from the basis of sentiment on which the hon. Minister of Finance founds this proposition. The distance from Montreal to Vancouver is some 2,900 miles. The distance from Sudbury, where the Soo line leaves the Canadian Pacific Railway, to Pasqua, where the Soo line again joins with the main line of the Canadian Pacific Railway, is something over 1,400 miles, so that for almost half the distance from Montreal to Vancouver the passengers are taken through American territory. I may say that the Canadian Pacific Railway have made special efforts to make the Soo line attractive in every way to the travelling public. They have put a magnificent service on that line, and have succeeded in taking almost every through passenger in that direction. This is a matter in which the city from which I come feels specially aggrieved. We feel specially aggrieved that after Canada has spent so many millions constructing a railway into the North-west, and after so much has been said of the benefits of a great line of communication from the Atlantic to the Pacific, the cruel fact remains that instead of that communication taking place through Canadian territory, as it was expected it would, so far as through passengers are concerned—from whom we expected a great deal in the way of advertising our country and bringing its natural resources before the world at large—these passengers never see Winnipeg, but that city is really side-tracked, and the money we have spent goes to the benefit of the people in North Dakota.

Mr. KENNY. I am very much surprised to hear the statement which has just fallen from the hon. gentleman from Winnipeg (Mr. Martin). I am sure that the House generally will be equally surprised and disappointed to learn from that hon. gentleman that the policy of the Canadian Pacific Railway is actually to divert traffic from Canada instead of through Canada. One object of a fast Atlantic service is to divert the passenger traffic across this continent, which the hon. gentleman tells us goes largely through the United States, to the Canadian route, and I supposed that there were no men in Canada so interested in carrying out that policy as the owners of the Canadian Pacific Railway. I know that as soon as the Canadian Pacific Railway was completed, those who were in the active management of that railway intimated their intention of endeavouring to procure from the Imperial Government a contract for the transportation of the eastern Asiatic mails, the mails from China and Japan, over their railways to Vancouver and by a line of steamers on the Pacific ocean. The gentlemen who are prominent in the management of the Canadian Pacific Railway did, in conversation with me, and I am sure with many other members of this House, explain that it would be a decided advantage to them if the passenger traffic from Europe

to China and Japan, which now goes by the way of the United States, could be diverted to Canada. The men who make these long journeys are necessarily men who have a good bank account, because the expense of the journey is so great that it is only men that are well to do who can make it, and it is desirable that when these gentlemen cross the American continent they should go by the Canadian route, because though they travel for the purposes of pleasure or of business, they would occasionally stop off on Canadian soil to admire our beautiful scenery and our magnificent prairie country and would be tempted to make investments and take an interest in the development of the resources of Canada. Now, how is it that we lose that passenger traffic to-day? It is due to this fact, that the man in England and on the continent of Europe, who desires to make that trip, has first to cross the Atlantic ocean. He puts himself in communication with the agents of the various steamship lines crossing the Atlantic, and is told by them that the direct service to Canada is an inferior service, that it is a slow service, and that if he wants to make the voyage in comfort, and speedily, he must go to New York. What happens? When he arrives in New York, his intention is to take the Canadian route across the continent, but he has letters of introduction to bankers and others in New York, he explains his object, and they use all their influence to induce him to take the American and avoid the Canadian route; and I always thought that there were no people in Canada so much concerned in this fast Atlantic service as the Canadian Pacific Railway Company. Hon. members of this House will remember that a year or two ago it was stated in the newspapers that that railway company was desirous of making some arrangement with the Government of Canada for placing a line of steamers on the north Atlantic—a fast service—and I should have been glad had they succeeded in so doing. I would have been glad for this reason, that whilst the companies, which are only owners of steamships, are merely interested in getting passengers to cross the Atlantic, the Canadian Pacific Railway, if it owned the steamships, would be equally interested in getting those passengers to remain as long as possible in Canada, and in inducing them to settle in Canada.

Mr. MARTIN. If the hon. gentleman will allow me—perhaps he is not aware that the Soo Line, of which I have spoken and which runs from Sault Ste. Marie to North Portal, south of Regina, is owned by the Canadian Pacific Railway Company.

Mr. KENNY. I am quite aware of that, Mr. Chairman. I assure the hon. gentleman that I sympathize with the regret he has expressed to this House that the Canadian Pacific Railway Company in the transportation of passengers who come from Europe, across this continent, should divert

them to their American route from their Canadian route—which I understand to be his cause of complaint—and I think it is a very just one, and it is contrary to all the policy which I have heard expressed by the managers of that company. The hon. gentleman has told the House that the service established by the Canadian Pacific Railway Company along their American route is an attractive one. I think he must also admit that their service by their Canadian route is an equally attractive one. I suppose that if a passenger, contemplating crossing the continent either way and purchasing a ticket at Montreal or Vancouver, expressed a preference to go by the Soo road, the Canadian Pacific Railway Company will offer no objection. But I am surprised, and I think the House will be surprised to hear that after all that Canada has done for the development of the Canadian Pacific Railway, the officers of that company are now energetically diverting the course of travel from the Canadian route to their American route. In fact it has always appeared to me that, as far as Canada was concerned, we could never derive the full benefit which I expected from the large expenditure we have made in the construction of the Canadian Pacific Railway, and from the large subsidy we are now paying to steamships on the Pacific ocean plying between Canada and Japan and between Canada and Australia: until we had an efficient service, a fast service, on the Atlantic Ocean. This matter has been frequently under discussion in the House ever since I have had the honour to sit here. I am convinced the majority of the people of Canada desire that Canada shall have her own transatlantic mail service. I believe that they desire that it shall be an effective service and that it shall be in its aim, object and administration essentially Canadian. Objection has been taken by the hon. the leader of the Opposition on the ground that the character of the service between the terminal port in England and France has not been sufficiently defined. Now, the hon. gentleman must know that ever since the Cunard Line was established, or from a date soon after it was established and down to the present day, it has always had a service between Liverpool and Havre for their French commerce. I imagine that it would be possible, if the present project is successful, as I sincerely trust it may be, to make some such arrangements between the English port and the continent as is conducted to-day by the Cunard Line between Liverpool and Havre. As regards the amount of the subsidy, it is a large amount; but I think the country will be more reconciled to pay the subsidy mentioned when it is considered that the tenders which have been made to the Government of Canada during recent years for the sixteen-knot service were half a million dollars a year, that the Furness Company, a company well and favourably known asked, for a sixteen-knot service,

\$900,000 a year, and that the French company, for a seventeen-knot service, asked \$750,000. So there is nothing unreasonable in the amount which the Government is asking us to vote for a thoroughly efficient service. The difficulties of diverting travel from its accustomed routes are great, and, no doubt, even when this service is established, it will be a matter of time and will require energy and activity and ability on the part of the owners of these steamers and their managers to divert travel from its accustomed routes. These considerations, I think, would warrant us in making a contract for ten years, with a renewal subsequently. Reference has been made to the St. Lawrence route. I expressed my individual opinion upon that part of the question on previous occasions in this House, and I am of the same opinion, still I would not venture to say one word, in a debate like the present, against any route; for this reason—that I know that no matter how humble may be the position a man occupies in this House, this project is met with hostility, as it has enemies, as the vested rights are opposed to it, and as they have made their influence felt not only in Canada, but on the other side of the Atlantic, in Glasgow, Liverpool and London, that every word that is said against this service in this House will be quoted against it in the London newspapers, and in the Liverpool and Glasgow newspapers as well. But I must say, and I am simply repeating what I have said here before, that if Canada's ambition is to place on the Atlantic a service which shall run with the regularity of a ferry, it should start in England from a non-tidal port and should run to the same non-tidal port all the year round in the Dominion of Canada. When I made that statement before in the House I felt that I was taking a position very much in advance of the public sentiment of Canada to-day. It is thought desirable in the public interest that we should have this service running to Quebec during the summer months and to such port as may be found suitable during the winter months, that, under any circumstances, whether it is a twenty-knot service or a fifteen-knot service, it shall be essentially Canadian, and that its terminal port all the year round shall be within the Dominion of Canada. I have referred to the hostility of vested interests. Certain railway interests are evidently hostile to any arrangements which would take the winter terminal port from Portland, in Maine, for this reason—that these railway companies have made their arrangements and have made their outlays of capital in Portland in connection with this service and they are positively hostile to any change of terminal port in the winter. The fact is that we have been for many years past subsidizing a line of steamers which was largely instrumental in building up a foreign port at the expense and to the detriment of our own Canadian

Mr. KENNY.

port. I am of the opinion that this fast Atlantic service is a national necessity. A country of 5,000,000 of population, we have spent \$100,000,000 or more upon a transcontinental railway system, and as often happens in business, it becomes a necessity for us to make a further investment of capital in order to protect the original outlay. Therefore, I think it is manifestly to the interest of Canada that we should establish on the Atlantic a service which will be in keeping with our railway service, and which will be in keeping with the steamship services which we have on the Pacific Ocean, and with the aspirations of the Canadian people. I read recently in a newspaper published in the interest of hon. gentlemen opposite, a statement that the fast Atlantic scheme would, if adopted, be quite as bad for Canada as the Canadian Pacific Railway was. I sincerely hope that the fast Atlantic service may be as great a benefit to Canada as the Canadian Pacific Railway has been. It is my opinion, and I know it is shared by hon. gentlemen on both sides of this House, that no public work done in Canada since Confederation has benefited us so much as the building of the Canadian Pacific Railway, no other act has so attracted the attention of the mother country and of capitalists throughout the world, and of the people to the south of us, no other act has so raised us in the estimation of our own people as the construction of the Canadian Pacific Railway. It is my opinion that if we succeed in the project we now have in hand, benefits will result equally advantageous to this Dominion. Why Mr. Chairman, it is within the knowledge of all of us that of the gentlemen who came from the Antipodes to attend here the conference which has been so eloquently referred to by the hon. member for Ottawa (Sir James Grant), those who came from the west came by our Canadian route; the British flag waved them a farewell when they sailed from Australia; it floated over them on the voyage from Australia to Canada, and welcomed them when they arrived in Canada. How was it with the gentlemen who came to this conference from the east? I believe every one of them crossed the Atlantic from England to New York; not one of those gentlemen who came to this conference from the east, came by the Canadian steamers. Other things being equal they would have preferred to come by the Canadian route, but owing to the fact that the service is so inferior as compared with that which exists to New York, they did not travel by it. We know that there is not a single day in the week in which one or more steamers are not entering the port of New York from Europe and from Great Britain, and yet so anxious are the Americans to have a service essentially their own, that by special Act of Congress they have purchased two British ships, and the Cramps, of Philadelphia, are now building two more ships for that service. Those of us who have crossed the Atlantic

from New York, know that the ships which leave that port are first-class in every respect; they are magnificently and luxuriously fitted up, and they are sailing frequently. If it is good for the Americans to have a service of their own, I say it is good for Canadians to have a service of their own. The outlay is large, I admit; but if the hon. gentlemen will take the trouble to examine closely they will find that the \$750,000 which we pay out yearly will actually be disbursed in Canada by these steamships. They will require to purchase each trip about 2,500 tons of Canadian coal, the value of which will be about \$6,000. If you multiply that sum by fifty-two weekly trips, you have something like \$300,000. Then we must remember that these steamers will carry about 3,000 tons of freight, although we cannot expect they will always be filled with freight; and hon. gentlemen will realize that the expenses of these ships, their ordinary disbursements, what they will pay for provisions, etc., will involve an expenditure in Canada annually which will equal the \$750,000 which we pay out as a subsidy. It has been said that one of the great benefits which it is hoped will accrue to our fellow colonists and to Canada as a result of this conference, will be the establishment of a cable between Australia and Canada. Now, for my own part I should imagine that a completed service super mare would be more beneficial, more appropriate, than a service sub mare, and that really the sub mare service should follow the super mare. However that may be, I trust that if the cable is established, it will confirm and strengthen the pleasant relations which were inaugurated recently between Canada and the other colonies of the empire. But it does appear to me that it would be more proper to complete our steamship service. The opponents of this project urge that we must be economical. Economy is a very good thing, very praiseworthy, very commendable; but after all, economy never built the Canadian Pacific Railway nor any other great work in Canada. While I think it is wise to be economical, I think this is a project which will result in great benefits to Canada. I think it is an object which is earnestly to be hoped for, devoutly to be prayed for, and cheerfully paid for.

Mr. McMULLEN. It is quite clear that my hon. friend who has just taken his seat is very anxious to get a fast Atlantic service, so as to benefit the city from which he comes.

Mr. KENNY. I did not say a word about it.

Mr. McMULLEN. He thought a great deal about it, although he did not mention it. No doubt the city of Halifax was in the hon. gentleman's mind. Now, we have endeavoured this afternoon to extract from the Government information regarding the

ultimate results to Canada of the fast Atlantic service. After the Finance Minister moved the second reading of this resolution my hon. friend put a number of questions to him, one of which was with regard to the length of the route by the east, and by the continent of America to the Australian colonies, the difference in length, and the possible difference in time, and the Minister could not tell what the difference in length was; he had not even given the question that much consideration. Then when we inquired with regard to the character of the freight that these fast steamers would carry he was not in a position to give us any information at all. The hon. gentleman might very well have armed himself with a great deal of information on both these points. Had he taken the trouble to inquire what was the class of freight carried in the fast Atlantic service that comes to New York, he could easily have found out whether Canada produces to any considerable degree that kind of freight that is carried from American ports to Liverpool, and whether the same kind of freight would likely be carried by our fast Atlantic service from Quebec or Halifax to Liverpool. That information we certainly should have had. The country will unquestionably expect from the Government answers to the questions which we have put to-night, and which have not yet been answered. I do not think that the House should be treated as it has been treated to-night during the discussion of this question. Hon. gentlemen opposite have trifled with the House in connection with this very important question. It is a very large amount to contribute, \$750,000 a year for ten years. This capitalized at a reasonable rate of interest represents about twenty million dollars, which could be better utilized than by expending it on a fast Atlantic service. How are the labouring classes and the farming community to benefit by such a service? The hon. member for Assiniboia (Mr. Davin) has spoken in regard to cold storage. If such provision were made on board of the steamers, no doubt it would prove advantageous. We would like to see the establishment of a dead meat company in Canada, for it would be beneficial to the country; but our experience in that regard in the past has not been a happy one. The enterprise had an unfortunate ending, and a considerable amount of money was lost in it; but we would like to see it re-established. I wish to point out in connection with the trade done that no information has been given as to the freight that will be shipped, and as to how Canada is to be benefited by it. We are told that we are to have some transcontinental traffic, and the hon. member for Ottawa (Sir James Grant) made an eloquent speech on that subject. Winnipeg trains, however, go through Minnesota, Dakota and the northern states instead of through Canada, and then from

Ottawa to the coast the Canadian Pacific Railway route is by way of the Short Line, which runs through the State of Maine. There are two links wanting even in that portion of the route. When the hon. gentleman again proposes to rise and make a patriotic and kite-flying speech he should recast it, and make provision for those two missing links in the national transcontinental line to which he has referred. I contend that the Government should be in a position to give the House more information on this subject. What are we to say to the people with respect to the advantages to be derived from a fast Atlantic service? What practical provisions are to be made with respect to the charges for freight, and what kind of freight is to be carried? We have no information on these points—half of the questions asked have not been answered by the Government. Perhaps this lack of information is due to the fact that the Finance Minister is not in a state of health to enable him to give the subject full consideration. If such is the case, then some other members of the Cabinet should have studied it in order to have been able to furnish the House with intelligence and courtesy that information to which we are entitled.

Mr. WELDON. I desire to say a very few words in support of the resolution now before the House. There is no doubt that the bold and courageous measure which has been introduced to-day is one worthy of the strongest support of hon. members. I cannot share the pessimistic view as regards the prospects of the company that organizes a twenty-knot service on the Atlantic in connection with the Canadian Pacific Railway and with the Australasian service. If hon. gentlemen will take a map and look at the North Atlantic they will see there is from the Straits of Belle Isle to land on the Irish coast an open sea, which these vessels will cover in three clear days, which is explained by the fact that they will run so far north. After the consideration which was presented to the House by the hon. member for Ottawa (Sir James Grant), namely, the comfort in the summer of the northern route, the advantage of our cool climate, we can see at once that if there is a vigorous movement on the land by the railway companies, by the Canadian Pacific Railway and the Grand Trunk Railway, to tap the centres of the population of Canada, and the great cities in the north-western states, there is no reason, apart altogether from the question of tapping the Australasian trade, why this route should not derive a large revenue from passengers alone. This country contains five millions of people, many of them wealthy people, who are well able to travel, and who have social and trade connections with the British Isles, and if we can obtain a line equal to the great New

Mr. McMILLAN.

York lines, we may hope to draw our Canadian people to our own steamship lines. Besides, there are close at hand, four large cities, Detroit, Chicago, and the twin cities of Minnesota, Minneapolis and St. Paul, with two millions and a quarter of people in those four cities alone, having intimate trade connections with the British Isles, travelling there very frequently—cities full of wealth, and including, of course, many people who travel—if our railways can tap these great centres they will at once have a guarantee for passenger traffic sufficient to make this new steamship line a success. I am now speaking of summer travel. All this traffic is without any regard to the hope we have of diverting a considerable portion of the passenger traffic from those distant colonies of the Empire which are in the under-half of the world. What are the advantages to be derived by Canada, apart from sentiment? Surely it is a great advantage to the Canadian Pacific Railway, the Grand Trunk Railway, and the Intercolonial Railway, to increase their traffic in this way, and these results form no inconsiderable portion of the total practical economic advantages to be derived from the vigorous carrying out of the resolution now before the House. But, Mr. Speaker, is the hope of diverting the traffic from Australasia altogether a vain hope? Is there any considerable passenger travel from the Australian colonies to the British Islands now which we may fairly hope to divert to the Canadian route? My information derived from gentlemen resident in Australia and also from gentlemen from the Antipodes who have been in our city, is that there is an enormous stream of passenger traffic in the early months of the year, January, February, and March, composed of people who are making their way from those colonies to Europe. The Peninsula and Oriental Line runs a fortnightly service, and during those three months of the year the vessels carry swarms of people, the berths being taken long before the vessels sail. The Orient line has also a fortnightly sailing—they are magnificent boats, and their cabins are always crowded. A French company, the Messageries Maritimes, has a monthly sailing, and the vessels are crowded during the early months of the year with colonists going to the British Isles. During October, November and December, and the early part of January, when they are returning to their homes, these vessels are crowded again. The North German Lloyd, too, which has a monthly running to Australia, must not be forgotten, besides which there are a number of smaller lines carrying a great many passengers. I have already mentioned that there is enormous travel during the months of January, February and March, and also during October, November, and December; but, during the intervening six months there is also considerable travel. Now, what hope have

we of diverting any considerable portion of that traffic? If we can tell the people of Australia that they can be carried across the Atlantic in three clear days and we can assure them of what gave me the very highest pleasure to hear from the Minister of Marine when he gave the House an official and guarded account as to the safety of the St. Lawrence route, when these facts are put before the people of the Australasian colonies, and also the people of the western states, what an attractive programme we are able to present. We have heard, recently, the opinion of Australian gentlemen visiting Ottawa as to the transcendent grandeur and beauty of the three ranges of mountains lying between the prairie and the western sea. Our friends who have travelled by the eastern route, have also told us of the drawbacks to the Suez route, of the terrible storms which prevail in those torrid seas, of the intolerable heat of the Indian Ocean and the Red Sea, and dismal days when travelling through the Suez Canal and the Eastern Mediterranean. The Pacific route is charming. The Canadian route is simply magnificent, and with three days of open sea on the Atlantic, how much more attractive to wealthy people is it to point them to this northern cool Canadian route. So I say with regard to the trade of Canada in the first place, and with reference to the passenger traffic from Australia in the second place, that those in this House are not acting fairly who speak haltingly or doubtfully of this project, which to those of us who have given it some study, seems abounding in promise. I shall not speak of the other phases of the project now. I confess that I am an ardent Imperialist whose strong hope is that this Empire, now well united, shall be more thoroughly united and not disintegrated. To me it is of considerable moment and satisfaction that these ships that cross the long wash of Australasian seas, and that these Atlantic ships which cross from Newfoundland to Ireland, shall be the carriers of a great commerce in peace and the convoys of that great commerce in war. To me it is a strong consideration that these ships will lend appreciable strength to the navy of England in protecting Canadian commerce in time of war. For these reasons I have the very greatest pleasure in supporting the resolution before the House.

Mr. HAZEN. After the speech to which the committee just listened, the remarks which I am going to make will be but commonplace and prosaic, as they will not deal in any degree at all with the great features of the scheme now under consideration by this Parliament, but with a matter that comes more particularly home to the constituency which I have the honour to represent in Parliament. When the provisional contract entered into between the Government and Mr. Huddart was laid on

the Table of this House, there was a very great degree of irritation felt, not only in my constituency, but in the province of New Brunswick as well, because of the fact that the only Maritime Province port named in that contract as a suitable winter port at which these vessels should call, was the port of Halifax. It was felt that this conclusion had been come too entirely too speedily and without a fair consideration of the many advantages possessed by the port of the city of St. John. The people of that city had just made a very large expenditure upon their harbours, without one single dollar of federal assistance, they had put that harbour into excellent condition to do a large freight and passenger business, they had provided elevator accommodation and wharf accommodation, their harbour is in a most favourable geographical position, being 300 miles in round numbers nearer to the city of Montreal—the great distributing point of Western Canada, than Halifax is; and it was felt by the people of St. John that they stood in the best position to get whatever freight business might come to the Maritime Provinces during the winter months. The feeling of the citizens very naturally was: that without a fair consideration of the merits of the different ports, this Parliament would be asked to pass legislation which would have the effect of carrying away from the port of St. John business which in the course of nature—no subsidies at all being granted—might reasonably be expected to come to it. This feeling of irritation was based on ground so substantial that when I and my colleagues representing that constituency approached the Government and placed so strong a case before them, I am pleased to say that not only the Government, but the gentleman who is promoting this line, both consented that the provisional contract should be changed in regard to the provision which stated that the terminal port in the Lower Province should be Halifax. As has been announced here to-night by the Finance Minister, the provisional contract does not now state that Halifax shall be the port in the winter months, but that the terminal port in the Lower Provinces shall be either Halifax or St. John, or both.

Mr. LAURIER. How are they going to manage that?

Mr. HAZEN. It is agreed upon, and I have the authority of the Government and of Mr. Huddart that it is so.

Mr. LAURIER. I understand that, but how will it work? Will they go to Halifax and St. John, or to each port alternately, or how?

Sir JOHN THOMPSON. That is to be determined by agreement between the company and the Government.

Mr. LAURIER. That is another of the points which has yet to be determined.

Mr. HAZEN. Under the provisional contract which now states that the winter port in the Maritime Provinces shall be Halifax or St. John, or both, there are four options. In the first place, after consideration, Mr. Huddart and the Government may come to the conclusion that taking all things into consideration the port of Halifax is the best port for the terminus of that line in the interests of the country as a whole. The second option is, that looking at it from the same standpoint, they may come to the conclusion that the port of St. John offers greater advantages than does the port of Halifax, and that in the interest of the trade of the country as a whole, the port of St. John should be selected as the terminal port. The third possibility for the Government is—and now we come to the question of both ports—that there should be an alternative trip to St. John and to Halifax, the vessel one week going to Halifax and the other week to St. John. The fourth alternative is this: that as now the Allan line of steamers come to Halifax and go to Portland, Maine, they might come to Halifax and then come up to St. John. These four propositions are all worthy of consideration, and I may say that as a representative of the province of New Brunswick and of the city of St. John, I am pleased that the matter has been placed in the position it is now in. I am satisfied that when it does come to be determined, it will not be determined without the most careful investigation and inquiry, on the part, not only of Mr. Huddart—who tells me that he will visit St. John and carefully examine the advantages possessed by that port—but also on the part of the Government. I trust that the conclusion come to will be the one best in the interests of the country as a whole. I am rejoiced that this provisional contract has been so changed, and I am rejoiced, not from a narrow sectional feeling, nor from a local feeling, but because I believe that in the interests of Canada it is most desirable that no mistakes should be made in the location of the terminal points, and that the greatest amount of care should be taken before these terminal points are finally decided on. Now that the contract has been changed in that way, on the representations and suggestions, and on the strength of the case which my colleagues and I were able to present, I know that the most careful investigation will take place before any conclusion is arrived at. This would not be the place for me, nor would the House at this late period of the session tolerate any discussion with regard to the merits of the different ports in the Maritime Provinces. There are many important advantages possessed by the port of St. John. Its favourable geographical position, the fact that it is much nearer western Canada than the port of Halifax, the fact that at all seasons of the year and during all the winter months it is absolutely free from ice, the fact that it is a safe port, as stated by such high authority as Sir John Hopkins, admiral

Mr. HAZEN.

of the North Atlantic squadron and other eminent navigators, all tell in its favour. The safety at the port is vouched for by the fact that the insurance rates, both on freight and hull, out of that port are as low as in the case of any other port in the Lower Provinces. All these are questions that will have to be weighed when the terminus comes to be considered. I am pleased that the matter has been placed in the position it is now in. It places us on an equal basis with the other Maritime Province ports. It is a recognition of the merits possessed by the harbour of St. John. It shows that the rights of that port have to be considered in matters of this sort, and I believe that this recognition by the Government and by the Parliament of this country, will go a long way to dispel the erroneous idea which has existed for many years in different parts of the Dominion; that the navigation of the Bay of Fundy and the harbour of St. John is not of a safe character. The very contrary can be demonstrated, and will be demonstrated to the satisfaction of those interested in this steamship line.

Mr. CHARLTON. We have heard to-night from a great many sections of the country interested in the fast Atlantic service, and a great many interests have been represented in this discussion; but one very important interest has not received that attention which it deserves; I refer to the tax-paying interest. In my opinion we are entering upon a scheme, in connection with this fast Atlantic service, that will develop the necessity for a much larger expenditure of money than is contemplated by the Government in the grant they are at present asking for. If it is true that tenders for a sixteen-knot service have been higher in some cases than the Government propose to ask from this House for a twenty-knot service, I think we may fairly assume that the amount asked for will be inadequate for the purpose they contemplate. It is necessary to build four vessels, costing £500,000 each, so that the total expense will be £2,000,000 sterling. We have presented to us to-night the fact that the Government have not matured properly their plan. We have no definite statement made by them as to how they propose to connect with a French port. We have heard it stated that they propose to have winter ports in the Maritime Provinces, but it is uncertain what ports will be selected. The Government have not given to this House any tangible assurance as to the amount of business which this steamship line will secure. The fact that its winter terminus will be different from its summer terminus proves that the business will shift from one route to another, and this line will labour under disadvantages such as the lines centering in New York do not labour under. The Government have a magnificent scheme in view, that is, to establish a weekly service on the Atlantic in connection with the Canadian

Pacific Railway route, and one of the great sources of revenue for this line is to be travel from Australia. Well, Sir, an expense that will naturally and necessarily follow the voting of this subsidy for a fast steamship line on the Atlantic will be an increased subsidy for a line between Vancouver and Australia, so as to enable the ships on the latter line to sail more often than once a month. If this scheme is carried out, the result will be that there will have to be a weekly service on the Pacific from Vancouver to Australia. This whole scheme involves a possible expenditure of from \$1,000,000 to \$1,500,000 a year, instead of an expenditure of \$750,000. This grand scheme of a weekly line from Australia to Vancouver, to connect with the Canadian Pacific Railway, and a fast line of steamships across the Atlantic, is a very fine scheme indeed—a captivating scheme. We have had a great deal of gush about this matter. But this thing is to cost money; it is to cost a great deal of money. It was stated to-day that our total debt is \$305,000,000, and our net debt \$240,000,000, and whatever schemes we may have in view, whatever our vaulting ambition may reach after, it is as well to stop and count the cost and consider the means we have at command. The trouble with Canada is that it is already overloaded. We have a population of 5,000,000, and we have been entertaining schemes commensurate with the resources of a population of 25,000,000. We are like the frog in the fable which wanted to become as large as an ox, and swelled up in contemplation of its resources until it burst. We are in danger of incurring obligations in this and other directions that will result, not in promoting the advancement or prosperity of this country, but will result in disaster. The Finance Minister this afternoon drew glowing pictures of the prosperity that would come to Canada as a result of this scheme—the doubling and trebling of our population. Sir, we have heard these prognostications made before, and against them we can present the naked fact that the population of this country is not increasing rapidly—that in the last decade it increased only 11 per cent, and in the previous decade less than 16 per cent. This cold fact, placed in juxtaposition with these glowing anticipations of growth and prosperity, might fairly check us in the schemes we are entertaining. Now, Sir, this annual subsidy of \$750,000 is equivalent to an addition to the debt of this country of \$20,000,000, and if it is necessary, as it will be before this scheme is made complete by the addition of a weekly service from Canada to Australia, to make that sum \$1,500,000, that will be equivalent to an increase of \$40,000,000 to the debt load of the country. The trouble is that great and captivating as the scheme is, the country is not able to pay the costs, and there is not enough in it for this country to assume the responsibility. England is interested in

this matter; the Australian colonies are interested in it, and we are proposing to saddle ourselves with a great expense, incurred for the sake of promoting the prosperity and advancement, not of ourselves alone, but the prosperity and advancement of the mother country and the Australian colonies. I believe it is not in our interest to assume such onerous obligations. I believe we had better pause in this matter; we had better wait until the Government have more thoroughly matured the scheme, because it is perfectly evident that the scheme they have laid before the House is an immature scheme—that they are proposing a large expenditure with no definite idea of how the running expenses of the line are to be paid, or what its resources in the way of revenue and business are to be. It is certain that the Government in going into this matter will in all likelihood be assuming obligations and giving guarantees of stock for the purpose of building these boats, that will place us under serious responsibilities, with the result that we shall probably regret having, in the present strained state of our finances, incurred these obligations for problematical advantages, which will probably never be realized to the extent which the Government expect. For these reasons I say that we should consider the interest of the taxpayer. We should realize that Canada is a country already overburdened by debt and taxation, that we are carrying loads wholly out of proportion to our resources, and that, however grand and captivating these schemes may be, however much certain localities such as Halifax, St. John or Quebec may prosper by the establishment of this line, and the expenditure of this large sum of money, the great mass of the people of Canada are interested, not in embarking in such schemes, but in saving the money that they will cost.

Mr. McMILLAN. There is one idea which struck me when the hon. Minister of Finance was telling us that our agricultural population would be greatly benefited by this line to Australia. I wonder if the object of that line is to bring into Canada this six million of cattle, which we were told by one of the delegates, could be purchased in Australia at two pounds, ten shillings per head. As far as that fast line is concerned, I am perfectly convinced, as a farmer, that the statement of the Minister of Finance, that the farmers are in favour of the subsidy is without foundation and fact. They know well that they are not going to be benefited by it, but, on the contrary, will have an extra burden imposed upon them. We are paying at present \$147,000 per year to a line of steamers to carry the mails. Should that line still continue to run, the trade that will be taken by this fast line will be the best paying trade that can be secured on the route. They are not going to carry the coarser freight, unless compelled to do so in order to complete their

cargoes, and what ever coarser freight they will have to carry will have to be carried at a loss. It is absurd to say that a fast line across the ocean can be run as cheaply as a moderately fast line; and therefore, in order to make the traffic pay they will have to charge higher rates of freight, and the farming community will not thus be benefited. Before the Government ask the rate-payers to bear this extra burden, they should give us, in detail, the benefits that will accrue to them—whether it is by securing lower freight rates or in what other way. As regards the St. Lawrence route, which the hon. member for Halifax (Mr. Kenny) said he would not like to say anything about, I must say that after having crossed by the St. Lawrence route many times during the past few years, I cannot agree in what the hon. Minister of Marine says regarding its safety. That hon. gentleman said that it is one of the safest routes for passengers. Well, Sir, I have always heard captains of those steamers say that the passage is a very dangerous one, and to argue that a line of steamers, running at the rate of twenty knots an hour, can be run with just as little risk close to the mainland as in the open ocean, is to argue an absurdity. If the hon. gentleman were on board the steamer on which I was crossing, when we were going through the Straits of Belle Isle at the rate of six or seven miles an hour, and when we only escaped by the skin of our teeth striking an iceberg, he would not venture to make such a statement. During three days in the beginning of June last year, while in the gulf of St. Lawrence, we did not make sixty miles on account of the hazy weather. On dull days and dark nights, the steamers on this route cannot make more than six miles an hour, and to say that they can run at the rate of twenty miles an hour is to seek to impose upon the credulity of the people. As a farmer, I am convinced that we will not get any increased accommodation owing to this fast line. All that will result will be the increased amount of taxation which we will have to pay; and our finances are in such a condition at present that the Government would do well to pause before imposing any extra burdens on the people. Certainly, one steamer a week entering the port at Montreal in the summer, or the port of Halifax in the winter, cannot have the effect of diverting a very large amount of passenger traffic to this country. That line will not even have the monopoly of carrying the mails, because we know that those who have letters to post, if they are not in time to catch these steamers, will send them by way of New York. I would ask the hon. member for St. John (Mr. Hazen) if it is not a fact that the Board of Trade of that city passed a resolution against this proposition? At that time it was stated that the winter port was to be at Halifax, but now the Government have left that point undecided, no doubt to draw the support of

Maritime members to this measure. I do not believe that this will be any benefit to the farming community, because, as regards our most perishable products, such as fruit, apples, butter, cheese and eggs, if they are put into refrigerators on a moderately fast vessel, the trade will be served just as well as it would be by this line, because in any case the difference in time cannot be more than two days, and no hon. gentleman can maintain that the saving of a couple of days could be of any great advantage. This cry about the great advantage which is going to accrue to the farmers, is only a repetition of what we have been hearing for the last fifteen years as to the benefits accruing to them through the National Policy. But this session the Finance Minister was compelled to admit that the farmers and the labouring classes have to pay the whole amount of the duties imposed on the goods they consume. I shall certainly vote against this proposition, especially in view of the haphazard way in which we are asked to enter into this expensive arrangement.

Mr. WOOD (Westmoreland). I do not wish to detain the House at this late hour, but I cannot refrain, before the debate closes, referring to this one point in connection with the subject, and I do so as a protest against the manner in which the hon. gentleman who last addressed the House and the gentleman who preceded him dealt with it. They followed the line of some of those on that side who addressed the House, in condemning the Government because they did not bring down a detailed statement, showing how this scheme is to be made a commercial success. It must be apparent to any one that that is an impossibility. No doubt there is a difference of opinion on this point. I noticed in the papers some time ago that gentlemen from Montreal, who have much experience in steamship business, furnished figures to show that this scheme could not be made to pay. Their opinions, no doubt, are entitled to some weight, but we have opposed to their views those of other gentlemen prominently connected with the Canadian Pacific Railway, who expressed opinions directly the contrary. That simply shows to my mind that in any scheme of this character, when it is in its experimental stage, as this is at the present time, those who are in the very best position to form a judgment will differ as to its commercial success. So far as I am concerned, I think it is the duty of members of this Parliament who feel as I do to express themselves in favour of the scheme, and I have heard nothing in this debate which would lead me to the conclusion that there is anything to prevent the commercial success of the scheme. Let us, for a moment, consider the conditions which are required to make it a success. There are certain facts known to us all. There are certain principles which every

person knows govern the movements of the travelling public. In the first place it is essential in these days that the conveyances should be made comfortable. Any company that undertakes to gain the patronage of the travelling public should furnish conveyances up to the standard of comfort and convenience, and even luxury, which the travelling public of these days demand. I understand that it is the intention of the promoters of this scheme and that it is contemplated by the Government that in this respect this line of steamships shall be equal to any that cross the Atlantic. The next great question is the question of safety. It is unnecessary that I should say anything upon that point after what has been said by the Minister of Marine and Fisheries. I was exceedingly pleased to hear the favourable statement he was able to make with regard to the navigation of the St. Lawrence. It confirms the favourable opinions I have always held of that route. And there is this further to be said: it must be remembered that in these northern latitudes, in the summer time, we have, during the twenty-four hours, some eighteen hours of daylight, and during the remaining six hours the darkness is not nearly so dense as in more southern latitudes. So that when a ship is at sea in northern latitudes she can maintain day and night the highest rate of speed, and the danger of collision with other ships or with floating ice is reduced to a minimum. In my opinion the advantage in point of safety is altogether with the Canadian route. Now, after comfort and safety are secured what is the next point? The next point is the question of speed. In my opinion the failure or success of this whole scheme turns upon this one point whether the line will be able to reduce the time required to make the journey between Europe and America. It is well known that in these days travellers almost universally go by the fastest trains and by the swiftest steamships. Other considerations may have their weight, but this I believe, is the question of vital importance. Now, let us consider for a moment, from such facts as are within our knowledge, what are the chances of the Canadian route becoming a success from this point of view. In the first place we have an important advantage in having the shortest mileage route. Any member of this House can convince himself of this fact if he will go into the library and stretch a string on the globe from Montreal, or from Chicago, or any other point in the North-western States to Liverpool and London. He will find that the direct line passes through the valley of the St. Lawrence and almost directly through the Straits of Belle Isle. In addition we have the longest land journey and the shortest ocean voyage. In point of speed, for saving of time that is of very great importance; for we all know that travel by land is faster than travel by water in the ratio at least of two to one. Consider the winter route. If you stretch a string on the globe

from any point west to Halifax and thence to Liverpool or London, it is longer than it would be via the St. Lawrence; but if you stretch it to New York and from New York to Liverpool or London it is considerably longer still. Our geographical position gives us those advantages that we have by winter or summer route the shortest route and also the longest land journey and the shortest ocean voyage. These are advantages which nature has given us and which no rival route can take away, and these in themselves, in my opinion, are sufficient to settle the question in our favour. Let us test this in another way. The distance from Liverpool to Rimouski or Halifax is about 2,500 miles. A steamship running twenty miles an hour will make that voyage in five days and three or four hours. Allow sufficient time for delays in approaching land—or reckon it another way and allow the ship four or four and one-half days at full speed, twenty knots an hour, and, in approaching a harbour, twelve to sixteen knots an hour. She will make the journey easily in five and a half days. Rimouski is eight hours from Montreal, and Halifax is twenty-four hours from Montreal. The time required for a twenty-knot steamer from Liverpool to Montreal would be five days and twenty hours in summer and six and a-half days in winter. Now, the quickest time that can be made from New York is practically seven days. We hear about the record-breakers that make trips in five and a half days, but that means a trip from the lightship at Sandy Hook to the lightship at Queenstown Harbour. And if you will consult as I did to confirm my opinion, the returns of the American Post Office Department you will find that the fastest steamers between Britain and New York last year required seven and one-half days on an average for the delivery of mails between Liverpool and New York. The 'Umbria' and the 'Etruria,' the fastest steamers of the Cunard Line, required respectively 7 days, 11 hours, and 48 minutes, and 7 days, 11 hours, and 54 minutes. The 'Teutonic' and 'Majestic' require about the same, and even the 'Campania,' the new steamer of the Cunard Line, which has made such wonderful fast passages, breaking the record of all steamers that preceded her, in two trips in the summer of 1893, under the most favourable conditions, took 6 days, 22 hours and 18 minutes to deliver the mail between Liverpool and New York. Now, in the same summer, the summer of 1893, the 'Parisian,' which, I believe, is only a fourteen-knot steamer, delivered the mails between Liverpool and Montreal in seven days, or within a little more than an hour of the time of the 'Campania' on her fastest trip, when she was really running twenty-two knots an hour. It appears to me, with these facts before us, that if we take advantage of our geographical position, we can reduce the time required for the journey between Europe

and America from ten to thirty hours within what is required at the present time between Great Britain and New York; and if we can do that, I believe the success of this scheme from a financial standpoint, is assured. Hon. gentlemen have asked for calculations. Well, the Minister of Finance made a statement to-night that these steamers were calculated to carry three hundred first-class passengers, two hundred second-class passengers, and one thousand steerage passengers. Now, it is simply a question whether we can get this traffic or not. Any school boy, if he takes these figures and calculates the receipts according to the ordinary passenger rates, will find that if these steamers can secure the passenger traffic there is no question that they will pay handsomely. If we can show that the journey can be made between Great Britain and America safely, and in from ten to thirty, or forty, or even, to some points, perhaps fifty, hours less than by New York, there appears to me to be nothing in the way of making this enterprise a commercial success. I may be more sanguine than other members, but I have had confidence for years that the time would come when we would have a fast Atlantic service, and when it would prove a commercial success. The information which I have been able to receive, and the information which has been laid before the House in this debate, confirms me in the opinion that all we require now is capital, business enterprise, good management and pluck to make this scheme a success. I cannot say what success will crown the efforts of Mr. Huddart, who has this scheme in charge, in the money markets of Great Britain, but I sincerely hope that he may be able to raise the capital required, and that he will be successful in carrying out this very important project which he has undertaken.

Mr. CHESLEY. After the long discussion which has taken place on the resolution now before the House, I shall not detain the House for any great length of time at this late hour. For several years past this question of a fast Atlantic steamship service has been before the country, and has been thoroughly discussed by the press of the country and by the boards of trade throughout the Dominion. I find from inquiry and from conversation that a large number of the members of this House believe that Canada ought to have a line of fast steamers on the Atlantic Ocean running directly between Canada and Great Britain. Whether this idea that is so prevalent, may be considered as sentimental, or whether it may be considered as a purely business matter, does not appear at the present time to enter into the question. The fact remains that a large number of the members of this House, especially from the western provinces and from the province of Que-

Mr. Wood (Westmoreland).

bec. believe, as I said, that Canada should have a line of steamers of her own, subsidized with Canadian money, and with the terminus in Canada. I may say that I am quite in accord with the idea that if we are to continue to subsidize steamers carrying mails across the Atlantic, the steamers should have their terminus in our own ports, and that our money should no longer be paid to lines of steamers having their terminus in foreign ports, the result of which is to build up the trade of those ports at the expense of this country. A great deal has been said in reference to the amount of money that it is proposed to give as a subsidy to this line of vessels. It will be remembered that in the session of 1889 the sum of \$500,000 was voted by this House as a subsidy, and the Government were given authority to enter into a contract with an individual or a company for the purpose of establishing this line of steamers upon the Atlantic between Great Britain and Canada. Well, five years have elapsed since that enactment was placed upon our Statute-book, and so far as I have heard, no company or individual has made an offer to take advantage of this \$500,000 and establish such a service. The matter has remained practically a dead letter for five years, and the Government now come to Parliament and ask authority to increase that amount by \$250,000. The sum is a large one, and if we are to have this line of steamers, if the idea prevalent in this country is to be carried out, and this line of steamers is to be subsidized with three-quarters of a million dollars a year for ten years, then I think that all the information attainable as to the route, as to the ports, and everything else that would be a subject for fair consideration, ought to be laid before us and considered before the contract is finally arranged between the Government and any company that may accept the offer. I think the fact that an offer of \$500,000 having been before the world for the last five years and no party having come forward to take advantage of it, is the very best evidence that the sum is considered insufficient by people who are interested in such matters. Therefore, if we are to have a line of this character, it is absolutely necessary that the amount of subsidy should be increased, and that the inducement held out should be strengthened. Now, this line has chiefly been discussed to-night as a mail and passenger line, but we are told that these steamers are not only to carry mails and passengers, but that they will be able to carry three or four thousand tons of freight; therefore, they are to become a freight line as well as a mail and passenger line. The hon. member for Halifax (Mr. Kenny) says that these vessels should run from a non-tidal port to a non-tidal port, and I suppose that what is uppermost in his mind is that these vessels are to make fast trips across the ocean be-

tween the two nearest points of land. That may be all very well if you consider the matter in connection with mails and passengers alone, but if these vessels are to carry three thousand tons of freight, the condition of things is entirely altered. We all know that water carriage is much cheaper for freight than land carriage, and it behooves the Government and the contractor, whoever he may be, in dealing with this matter of a mixed character of freight, passengers and mail, to consider where the terminal point of this business shall be, especially on this side of the water, in the winter season. I believe it is decided beyond doubt that it will be at Quebec in summer. The city I have the honour to represent in this House is only 480 miles from Montreal, which is the common centre. The sister city of Halifax is 760 miles from that city. If it is proposed that freight for these vessels be hauled nearly 300 miles additional for the purpose of taking those steamers at a certain point, it is a mistake, and the effort will prove a failure; this freight must be sent to the nearest seaport where those vessels can take it on board, if we expect to succeed in competing with the short lines of railway between Montreal, New York, Boston and Portland. If we expect to make it a freight line and ensure its success in carrying freight, then that must be by adopting the shortest railway route and the port nearest Montreal. That is my view on this question.

Mr. GILLMOR. That port is St. Andrews.

Mr. CHESLEY. I believe the distance to St. Andrews is a little shorter than to St. John. In addition I may state to this House a fact not generally known, and it is this, that in coming to the city of St. John over the Short Line Railway, if you wish to go to Halifax you must cross St. John River over the cantilever bridge, which is owned by a company, and Sir William Van Horne, president of the Canadian Pacific Railway, has stated publicly that the tolls on the bridge per car are equal in cost to an extra haul of 150 miles. So hon. members will see that if freight is carried from Montreal to Halifax, it does not only pass over 760 miles but over a distance equal to 900 miles, or double the distance of the haul to the open port of St. John. This, I think, is a plain and simple statement of facts, and I am glad to know that we have been able to place the case before the Government and before Mr. Huddart, who has charge of the matter, in such a way that they have consented to change the terms of the provisional contract from "Halifax" to "Halifax or St. John, or both," with a view of meeting the wishes and strong representations made to them on this question. There are very many points connected with this matter which are not as well understood as they might be by the general public, perhaps by members of this House, and per-

haps by members of the Government as regards detail, but I simply make the statement, and I wish it to be remembered, that if we expect to make this a freight line, carrying 3,000 or 4,000 tons of freight from Canada to the markets of the world, we must in order to be able to meet the competition of New York, Boston and Portland, make St. John the winter terminus of the route. For very many years past large inducements have been held out to the city of St. John to make public improvements and expend the money of the citizens for the purpose of being prepared for this trade when it should reach the port. We were told when this House subsidized what is known as the Short Line Railway at a very great cost to the country that it was for the purpose of bringing the seaports of the Maritime Provinces as closely as possible to the business centre of the country, which is Montreal. That line is built and it is a fixed fact to-day. The distance is 480 miles, and it is the shortest route to our own port. Afterwards we were told in St. John that we had not necessary harbour facilities for the purpose of handling freight. The Canadian Pacific Railway came in there, and in order to bring the road down to the deep water terminus the citizens bought from the Dominion Government a property at a cost of \$40,000 and handed it over to that railway company to give them a deep water terminus on the western side of the harbour, entirely clear of the bridge and its tolls. After that was done, the city in view of the trade we expected from the west went to an expense of nearly half a million dollars in constructing a deep water terminus in connection with the Canadian Pacific Railway. That terminus has been made, and it is one of the best on this side of the Atlantic. There is a depth of water of from 27 to 30 feet, there is a large water front and a very large area of ground enclosed, and the largest steamships can lay there afloat at low water. In connection with that, we have placed on that property one of the best elevators in Canada. So the House will see that our port is well and thoroughly equipped for the handling of western freight, and if we are to obtain any of the advantages accruing from this large expenditure of money made by the citizens of St. John from their own pockets, without any assistance from the Parliament of Canada or the country at large, then I say we have a right to ask that when this agreement is made we should be considered, at all events in connection with the freight business of this steamship line. I believe further, that we are in such a position that we will be considered. When the Finance Minister has stated publicly to-day that this change had been made, that the provisional contract has been changed in that way, and we further had the statement that Mr. Huddart had agreed to this and put it in writing, we know that when the final arrangement is

entered into between the Government and the contractor, Mr. Huddart, notice must be taken of this, and I am satisfied it will be dealt with to the advantage of our port. I do not say this in a spirit of antagonism to Halifax. If it is determined that Halifax is the best port at which to land mails and passengers as being the nearest point of land, I concur. But I wish to mention this fact, which also is not entirely understood—and I make this statement backed by the opinion of the captains of the Furness line and of the Dominion Line, and of the manager of one of these lines of steamers—that if two steamers leaving the other side of the Atlantic at the same time were off Halifax together, and one steamer went into that port and landed mails and passengers, while the other proceeded to St. John direct without stopping, the mails and passengers would be landed at about the same time in each case, from the fact that the distance is 280 miles by rail and by water, and the increased speed of the railway is just about off-set by the detention of leaving the ocean and entering the port of Halifax. It is well for this House to understand that fact, because it ought to enter into the consideration of this whole question when it is being dealt with by the Government. I have not grown as eloquent over this subject as some hon. gentlemen who have spoken. I have not predicted the many great things that this line is going to accomplish for the country, but sincerely hope, if established, that it will be entirely successful. There are many matters in connection with this project that might be discussed very fully. I affirm again that I am thoroughly in accord with the principle that when you pay the public money of Canada to subsidize a line of steamers on the Atlantic Ocean, that the terminus of these vessels should be in Canada, and that whatever business may accrue from that transaction should accrue to the people who pay the money as a subsidy. I was more than surprised to-night to hear members in this House, especially hon. gentlemen from the west, express an almost universal feeling in favour of this line of steamers. They are perhaps, or at least appear to be, more in favour of it than the people of the Maritime Provinces, because there may be some question there as to whether this line will be a paying line or not. I find that the prevalent idea in this House is: that Canada must have a fast line of steamers on the Atlantic Ocean, with a terminus in Canada. I shall conclude by hoping that the Government, after having put the port of St. John in the provisional contract, will fairly and fully consider the claims of that port when the time comes for making the final arrangement.

Mr. MACLEAN (York). My province has not, I believe, been heard from to-night, but the feeling in Ontario is undoubtedly in

Mr. CHESLEY.

favour of this fast Atlantic service. However, the feeling in Ontario is on general lines, and I regret to say that the question has taken too much of a local aspect here to-night. For instance, although we are in favour of the scheme we do not think that it would be wise to define at present the port at which the Atlantic terminal shall be. It may be in Halifax or in St. John or in Louisburg. I have heard very eminent authorities say that in Cape Breton you will find the best and nearest port to Europe, and if that is the case, we in the west do not wish to be bound down to either of the ports of Halifax or St. John. There is another consideration of this matter. The terminal port of this service must be determined by the railway situation, and the railway terminal may in time come to be away up towards Labrador or it may be in Louisburg. If a really fast Atlantic service is desired it must be from the seaport nearest to Liverpool. Railways are constantly extending eastwards, and that being the case, the port must be adapted to such railway extensions. The question also seems to-night to turn on the contract with Mr. Huddart. For my part I would rather have seen the proposal put as an offer, open to the world, so that we should have the greatest and freest competition in this matter, and if Mr. Huddart should fail in his enterprise, which I hope he shall not, that there might be an opportunity for other men to come forward and endeavour to carry it to a successful issue. In order to organize this scheme and to finance it, it requires the very highest ability and the very best and most intimate connections with the financial world, and from the discussion to-night one would almost gather that these qualifications are limited to Mr. Huddart. As I have said, I would like to see the contract placed before the public in such a way that the capitalists of the world would have an opportunity of taking it up so that he who was most able to command the money should have an opportunity of undertaking the service. It will require a whale among the fish to finance this project. It will require a whale among the fish to manage this line, and it will require a whale among the fish to draw business to this line and build up our country through means of it as it ought to be. I make bold to say here to-night that I think the Canadian Pacific Railway Company is the corporation that should organize, equip and maintain this service. I do not know what the views of that company may be in regard to the project. They may be behind Mr. Huddart, for all I know, or they may, at least, be friendly towards him; but whether that be the case or not, other things being equal, the Canadian Pacific Railway Company should control this Atlantic service. The Canadian Pacific Railway would have a vital interest not only in inducing immigrants to come here, and to carry them across the ocean, but they would have a

vital interest in settling up our North-west Territories. I again repeat that for this reason the contract should be open to competition, and I think if that were the case we would have a much better chance of seeing this project accomplished. I may say that as far as the west is concerned, and especially my own city of Toronto, we have a substantial interest in this fast Atlantic service. At present, New York gets most of our passenger traffic to Europe, but we would naturally prefer to use the Canadian port. I trust that the Government will succeed in their efforts. I trust that this scheme will be successfully floated and that Canada will have the honour of having the most rapid, most substantial and most comfortable line crossing the Atlantic ocean.

Sir RICHARD CARTWRIGHT. I am not going to review the discussion which has already gone through a pretty wide range, as we will have several other opportunities in which to deal with it, when I hope we will succeed in getting a little more detail and useful information out of the Government than they appear to possess to-night. As a good deal has been said by my hon. friends from St. John (Mr. Hazen and Mr. Chesley), and as I happen to have a memorial from the St. John Board of Trade, it may just be as well to read, what—prior to this happy deliverance between Halifax and St. John—the Board of Trade of St. John had concluded on the subject. Their memorial reads as follows:—

Whereas this Board is informed that it has been proposed to subsidize a fast line of steamers to carry mails, passengers and freight, making weekly trips between ports in Canada and the mother country, and that the proposal has not met with the favourable view of the Government; that the steamers contemplated are to be of 20-knot speed, and to freight accommodation for a general cargo of about 3,000 tons; and it is in contemplation that a yearly subsidy of \$75,000 for an extended term of years, shall be paid by the Dominion of Canada in connection with such fast Atlantic line.

Whereas this Board believes that steamers of 20-knot speed cannot compete successfully for through mails and passengers with steamship lines from New York, which have already attained a speed of 22 knots, which speed in the near future will be increased. In this connection this Board is of the opinion that the greater distance between the Canadian winter ports and the great American centres and New York should be considered, and it is believed that unless inducements as to speed and accommodation fully equal to, if not in advance of the New York lines can be held out, passenger traffic cannot be diverted from the channels it has already formed, and that should the Dominion become bound to a subsidy of such large amount for steamers of but 20 knots speed for an extended term of years, there will, in this respect be no adequate return.

Therefore, if the views of the Board in this respect are correct, the proposed service will become practically a fast freight line, carrying a portion of the Canadian lines, and having incidental pas-

senger accommodation; a service which in the opinion of this Board could be secured by a much smaller expenditure than is now proposed.

That the expenditure of so large a sum as \$750,000 yearly to be guaranteed for such a service for an extended term of years must involve a most serious demand upon the resources of the country and hinder aid to the development of other enterprises, tending more materially to advance the interests of the whole Dominion. While if, as this Board is led to believe, the proposed line is being advocated largely in Imperial interests, the giving of so large a subsidy would seem to cast upon Canada an undue proportion of the cost, and a responsibility far beyond any probable return.

This Board therefore respectfully asks that the terms of the proposed scheme be reconsidered, and that the Dominion may not be committed (in the hope of a passenger traffic which this Board believe will not be secured) to a contract which would involve a heavy burden upon the resources of the country without proportionate return.

And your memorialists as in duty bound will ever pray.

Resolution reported.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 11.40 p.m.

HOUSE OF COMMONS.

THURSDAY, 12th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

SLIDEMASTER AT FORT COULONGE.

Mr. RIDER (for Mr. Devlin) asked, Who is the present slidemaster at Fort Coulonge? When was he appointed? What is his salary? Who was his predecessor? What was his salary?

Mr. OUMET. The present slidemaster at Fort Coulonge is Edward Davis, temporarily employed as deputy slidemaster at Coulonge. He was appointed on 6th April, 1894. His salary is \$1.50 per working day. His predecessor was A. Proudfoot, whose salary was \$1 per day.

WIDENING LACHINE CANAL

Mr. MONET asked, What sum of money has been paid to Alphonse Charlebois, contractor for the widening of the Lachine Canal in 1876?

Mr. HAGGART. The sum of money paid to Alphonse Charlebois, contractor for the widening of the Lachine Canal from 1876, was \$65,200.

PAYMENTS TO MR. L. Z. MALLETT.

Mr. MONETTE (translation) asked. What amount has been paid to Mr. L. Z. Mallette for repairs to the Dufferin Terrace, and for the rebuilding of the Kent and St. Louis gates at Quebec?

Mr. OUIMET. (Translation.) The following amounts have been paid to L. Z. Mallette: For the rebuilding of the St. Louis Gate, at Quebec, \$9,200; for the rebuilding of the Kent Gate, \$9,500. There was no payment made to that gentleman for repairs to the Dufferin Terrace.

NON-PAYMENT OF INTEREST ON DOMINION STOCK.

Mr. McCARTHY. I would like to ask the hon. Minister of Finance why it is that the interest on the Dominion stock, due on 30th ulto., has not been paid? I have a letter from a gentleman who is a holder of some Dominion stock, and he complains of the non-payment of interest.

Mr. FOSTER. This is the first I have heard about the matter; but I will inquire and let the hon. gentleman know.

MR. TURCOTTE, M.P.

Sir JOHN THOMPSON. I would like to mention that it has been agreed that the discussion on the report of the Committee on Privileges and Elections on the case of the hon. member for Montmorency (Mr. Turcotte) should be taken up for discussion to-morrow. I move:

That the fourth report of the Select Standing Committee on Privileges and Elections be taken into consideration to-morrow, after routine proceedings.

Motion agreed to.

SUPPLEMENTARY ESTIMATES.

Mr. LAURIER. Mr. Speaker, I would remind the right hon. leader of the House that he promised that we should have the Supplementary Estimates yesterday, but they have not yet been brought down.

Sir JOHN THOMPSON. I renewed that promise yesterday for to-day.

Mr. LAURIER. And I suppose the hon. gentleman will renew it to-day for to-morrow.

Sir JOHN THOMPSON. I hope yesterday's promise will be fulfilled, but if not, I make the same promise for to-morrow.

INQUIRY FOR RETURN.

Mr. McMULLEN. I would like to ask the Government if they have brought down the return respecting the cost of construction of public buildings in Manitoba and the North-west?

Mr. HAGGART.

Mr. OUIMET. The officers of the department are preparing the statement called for by the hon. gentleman. But a difficulty has arisen, owing to the punctuation of the resolution, as to whether the hon. gentleman desires the cost of these buildings in detail since Manitoba and the North-west were incorporated in the Dominion. If, however, it is only for the last three years—

Mr. McMULLEN. That is all.

Mr. OUIMET—then the return will probably be laid on the Table to-morrow.

THE TREATY WITH FRANCE.

Sir JOHN THOMPSON moved third reading of Bill (No. 147) respecting a certain treaty between Her Britannic Majesty and the President of the French Republic.

Sir RICHARD CARTWRIGHT. I would take this opportunity of inquiring from the Controller if he can inform us what is the amount of alcohol, or brandy, or whatever material is used, which our wine-growers are in the habit of consuming yearly, according to the returns of his department, in fortifying the wine which is made in Canada?

Mr. WOOD (Brockville). I suppose the hon. gentleman is aware that we exercise no supervision over the manufacture of domestic wine.

Sir RICHARD CARTWRIGHT. As this is a matter of some importance, and as it would naturally have engaged his attention, does he know, as a matter of fact, how much is consumed? We are informed that we manufacture about 2,000,000 gallons of native wine; about how much alcohol is required or used by these people for fortifying and preparing it?

Mr. WOOD (Brockville). I can get the information for the hon. gentleman; I would rather be accurate about it.

Motion agreed to, and Bill read the third time and passed.

FAST ATLANTIC STEAMSHIP SERVICE.

Mr. FOSTER moved second reading of resolution respecting the granting of a subsidy for the performance of a fast weekly steamship service between Canada and the United Kingdom.

Mr. McMULLEN. I would like to ask the Minister of Finance if it is intended, in case this proposed fast line is established, to still continue to the Allan line the subsidy they are now getting?

Mr. FOSTER. Certainly not.

Mr. CHARLTON. Then this amounts to the Government subsidizing one line, and crushing out of existence the other line.

Mr. FOSTER. A line of 20 knots is to be subsidized, while the subsidy is withdrawn from a line of 10 or 12 knots.

Resolution concurred in.

Mr. FOSTER moved for leave to introduce Bill (No. 161) further to amend the Act respecting Ocean Steamship Subsidies.

Motion agreed to; and Bill read the first time.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions reported from Committee of Supply (July 9th).

To meet the expenses of the Inter-colonial Conference..... \$5,000

Sir RICHARD CARTWRIGHT. By the way, has any formal statement of the conclusions arrived at, been handed to the Government and been put in type?

Mr. FOSTER. Not yet. The minutes of proceedings, of course, have been taken, and they are now being revised, and as soon as the revision is finished, they will be printed. I hope we shall be able to have them printed, probably within a week or so—not sooner, I am afraid.

Sir RICHARD CARTWRIGHT. I am afraid they will not be of much use to the House.

WAYS AND MEANS—ADMINISTRATION OF JUSTICE IN QUEBEC.

Mr. FOSTER moved that the House again resolve itself into Committee on Ways and Means

Mr. TARTE. (Translation.) Mr. Speaker, in rising in my place in order to bring before this House the grievances and protests of public opinion in the province of Quebec, in connection with the administration of justice and the conduct of a certain number of magistrates charged with administering the law, I entertain no illusion, nor do I experience any feeling of idle fear as to the responsibility that devolves upon me. I am fully alive to the serious responsibility that attaches to such a course; but, at the same time, the conviction is deeply rooted in my mind that I only obey the dictates of duty to public interest, and that I am voicing the opinion of the majority of those amenable to the law in the province of Quebec. Allow me, first, to testify my respect for a pure judiciary, for those honourable judges upon whom devolves the magnificent and noble mission of rendering, through a sound interpretation of the law, to Caesar the things that are Caesar's—that is to say, of administering justice to the citizens of this country. But my respect does not degenerate into a senseless idolatry, nor into a servility altogether out of place. Judges are servants of the country; therefore, those

amenable to the tribunals, the ratepayers, have the right, through their chosen representatives in Parliament, to impeach them on just grounds. We live in an essentially democratic country. Parliament is the high court of justice in the Dominion. That the judges should be irremovable is a rather extraordinary privilege, to my mind—I am not prepared to advocate a change in another direction—but, as I said, that judges should be irremovable is a privilege extraordinary enough; should we now make them irresponsible, I do not know where this new departure would lead us to. I, therefore, claim, in behalf of the press and of members of Parliament, the right of freely criticising magistrates and the way in which they administer law. It is of the highest importance, Mr. Speaker, that judges should be kept under a two-fold control: that of public opinion and that of Parliament. Our system of government lends to their position an exceptional importance. We live under a system of confederation in which the central power exercises a predominating authority. The appointment of lieutenant-governors belongs to the central power. So with the appointment of the judges. Lieutenant-governors, so appointed by the federal authority, are irresponsible to a large extent; now, if, in addition to lieutenant-governors, judges are also declared, at least practically, irresponsible, our system of government would soon degenerate into a pure autocracy. I, for one, enter my strongest protest against the theory of a school, quite large and quite noisy, which attempts to implant in our midst the notion that never should the conduct of lieutenant-governors and judges be open to criticism. I readily agree that one should be guarded in his expressions when criticising the judges. I readily admit also that whenever a member brings to the notice of Parliament grievances and protests, great care should be taken to keep within the strict limits of truth. It may, perhaps, be objected that it is rather late for me to take the steps I am now taking. To this I answer that I was in hopes that the hon. Minister of Justice would himself initiate the proceedings of which I am bound to take the initiative. It is quite impossible that the protests from the province of Quebec, in the matter under discussion, should have failed to reach the ear of the hon. Minister. His French-speaking colleagues around him cannot plead ignorance to the fact that long protracted and acrimonious polemics have been carried on, in the Quebec press, in regard to the conduct of several judges. The 'Minerve' itself, the mouthpiece and property, to a large extent at least, of the hon. the Postmaster General, has indicted some judges. Queen's counsels, under their own responsibility, have pledged themselves to cite them before Parliament. The Minister of Justice himself has received complaints against several judges. I know that, concerning one of the judges to whom I shall soon refer, Ministers

have received communication of a memorial, drafted by Messrs. Beauchemin and Mallette, two eminent Conservative lawyers, indicting, so to say, Judge Tellier. I expected, therefore, that the hon. Minister of Justice would take the initiative, and that he would not compel a private member to rise in his place and take the step I am taking to-day. I may add that it is a well-known fact, among those who surround me, that the state of my health, for two or three months past, was not at all what could be desired. I may further remark that after going through the ordeal of several investigations of which I had taken the initiative, in concert with gentlemen who, later on, lost all recollection of their own doings, I hardly felt inclined to pledge myself again. Allow me further to state, Mr. Speaker, that owing to the fact that so many members of the Bar had, in my presence and elsewhere, protested against the conduct of judges, I expected that some of them would bring before the House the grievances they felt prepared to sustain. An incident which happened a few days ago, in the House, and which is still within the vivid recollection of members of this House, an incident, I say, which ought to elicit expressions of regret from some of us, at least—is the immediate cause of the step I am taking at this late stage of the session. Pursuant to that incident, I was laid under the necessity of proceeding, and I do now proceed. I do act, under my own responsibility, and should I fail, during this session, to accomplish all I intend to do, I pledge myself to do more at the next session. The community knows that whenever I have adopted a line of conduct I believe to be the right one, I never flinch. If, therefore, I am not prepared to-day to prefer charges against a larger number of magistrates, the reason is that the time at my disposal did not allow of my completing the dockets which are partly in my possession. Prior to proceeding any further in the matters to be dealt with, I wish to extend my thanks to those members of the Bar who have supplied me with the information upon which I intend to ground myself in the difficult work I have undertaken, and which I hope successfully to push to a successful issue. Here is how Todd, in the first volume of "Parliamentary Government in England," page 571, deals with the question of parliamentary inquiries :

The great function of Parliament has been declared to be "the maintenance of the law and the redress of grievances. Thus, it is one of their principal duties and functions to be observant of the courts of justice and to take close care that none of them, from the lowest to the highest, shall pursue new courses unknown to the laws and constitution of this kingdom, or to equity, sound legal policy or substantial justice." * * * The express power, which is given both Houses of Parliament under the two acts 12 and 13 William III., ch. 11, and Geo. III., ch. 23, to address the crown for the removal of judges from office, who are otherwise declared to

Mr. TARTE.

be irremovable, is indicative of the duty that devolves upon Parliament to watch the course of the administration of justice. And Parliament has not only the right to address the crown for the removal of a particular judge, but in cases of misconduct, it has the right of exercising a superintending control over the manner in which they discharge their duties, and to institute inquiries relative thereto. The judges of the land act under responsibility ; and any misconduct of which they may be guilty may be inquired into, and animadverted upon, by either House of Parliament.

Further on, Vol. II, page 872, he says :

It is also evident that the action of Parliament for the removal of a judge may originate in various ways. It may be invoked upon articles of charge presented to the House of Commons by a member in his place, recapitulating the cases of misconduct of which the judge complained of has been guilty ; or, after a preliminary inquiry—by a royal commission, (at the instance of Government, or at the request of either House of Parliament) or by a select committee of the House—into the judicial conduct of the individual in question.

Such is the course I contemplate following in dealing with this question. We are now living under a reign of terror in the province of Quebec, and in using such language I do not fall into exaggeration—those are the accurate and exact expressions to be used. Still, I wish it to be understood that this language should not apply to quite a large number of magistrates ; though, unfortunately, they apply to a number of judges who belong to the class of those who keep the community under the reign of terror I have just mentioned. To what must be attributed such a state of things ? To a fact which all men of experience who now listen to me will agree to, namely, that all magistrates, for a number of years past, have been selected out of one party alone. Formerly judges sat in Parliament. We have had to sustain long, protracted struggles before we succeeded in bringing about a change in a state of things which made of the House a truly autocrat government. We at last got rid of the presence of judges in Parliament, who were then, as now, under the control of the Crown. Our public liberties were placed in jeopardy by the fact that judges sat in Parliament. Is there not a still greater danger in having judges on the Bench who interfere with politics, magistrates who are not responsible to the people, while an attempt is now being made to render them irresponsible to Parliament ? Mr. Speaker, I shall now proceed to enumerate the articles of the charge I have to prefer against a certain number of magistrates. It is natural enough that I should begin with Mr. Justice Bossé. I mentioned his name the other day in my seat in this House. Prior to that, I had dealt with him in the press. Events have brought me in contact with the hon. judge under important circumstances. It was no fault of mine that brought me before him in criminal trials.

The House is acquainted with the character of those trials, while hon. members still recollect the great parliamentary inquiry held here in 1891. It was the facts connected with such inquiry that brought me into immediate relation with the Hon. Judge Bossé. I had reposed confidence in him up to the moment when I happened to get better acquainted with him. I was aware of the fact that, as a politician, he had never risen to the first rank. I knew that, as a practising lawyer he had not displayed the broadness of views for which members of the Bar in this country and elsewhere have made a name for themselves; but I was under the impression that he had divested himself of vulgar prejudices and risen above degrading passion. I found out, as I shall prove later on, that on the judicial Bench, whenever a political question was at stake, he was a violent partisan. I shall deal with facts within my personal knowledge, and within the personal knowledge of hon. members of this House who have been mixed up in those events as members of the Bar. I have just mentioned the inquiry of 1891, relating to the abominable frauds perpetrated in the Public Works Department for upwards of twelve years. Those frauds were brought to my notice under circumstances which I need not relate to the House anew. The first step taken by me in connection with the public denunciation of these frauds was when I published, on the 30th of April, 1890, a declaration signed by Messrs. Robert McGreevy and O. E. Murphy. This declaration has been looked upon by some as a piece of indiscretion. There are men who share my responsibility for that declaration, but they seem to forget it. I published that declaration for the public good, in the interest of the country. I trust history will not impute to me as a crime the fact of having resorted to that means for bringing to justice the thieves who had been robbing the public treasury for years and years, and who have been put on their trial by the Government and punished. A few days after those affidavits had been published, I was arrested at the instigation of Mr. Thomas McGreevy, jointly with the two subscribers of the declaration of the 30th April. I waived all claim to dilatory proceedings and I declared myself ready to stand my trial at the nearest term of the criminal court, which opened in the month of October, 1890. During the interval which had elapsed between the arrest of Messrs. Robert McGreevy and O. E. Murphy and my own arrest for criminal libel, Messrs. McGreevy and Murphy had been arrested at the instance of Mr. Michael Connolly for conspiracy to defraud in relation to a note signed by Michael Connolly, a note which, as hon. members of this House still recollect, was nothing but a bit of waste paper about four inches long by about two inches wide. In order the better to show the extent of the guilt involved in Judge Bossé's con-

duct in the matter, I shall proceed without delay to relate to the House the circumstances which led to the arrest being made. While searching for the papers necessary to our common defence in the criminal libel suit, Mr. Murphy had found this famous note, about that large about four inches by two. Mr. Robert McGreevy, who was present when the find was made, asked Mr. Murphy to transfer the note to him. Mr. Murphy without reflection handed the note over to him. A prosecution was instituted by Mr. Robert McGreevy against Michael Connolly by a firm of lawyers of high standing at Quebec, Messrs. Casgrain, Angers & Lavery. Now, when the moment was at hand when Mr. Murphy was called upon to swear to the note having been given for value duly received, he declined to do so. I avail myself of this occasion to bear witness to the memory of a man whose character has been so much blackened and who is now gone over to the great majority, but a man with whom I held intercourse for two years, especially during the inquiry held here, and to repeat on the floor of the House, that whenever he was called upon to give evidence under oath, he always told the truth. When called upon to give evidence that the note had been signed for value received, he declined to swear to it. The prosecution was forthwith given up. What happened next? Mr. Michael Connolly, who was paddling the same canoe as Nicholas Connolly and Thomas McGreevy, immediately brought a criminal suit for conspiracy to defraud against Robert McGreevy and Owen Murphy. The suit was brought on, after the latter had declined signing an affidavit contradicting their first affidavit, signed by him and published by myself on the 30th April. They were arrested, if I recollect aright, on the very day of the opening of the criminal term, pursuant to their refusal to sign the affidavit just mentioned. The object of the arrest was obvious: Messrs. Robert McGreevy and O. E. Murphy were essential witnesses; they were the very men whose evidence would be most conducive to the unearthing of the robberies which had been perpetrated and in connection with which the hon. Minister of Justice later on instituted criminal and civil proceedings. The battle was engaged; my charges struck a blow at the Connollys and at Thomas McGreevy. There was, therefore, a tremendous interest at stake for them in ruining the men who had been their accomplices and who turned out to be their accusers. The latter had declined—as I said twice before—to sign affidavits contradicting their true declarations, published by me on the 30th April. They had by all means to be got rid of. Mr. Justice Bossé could not plead ignorance to the nature of the suit brought on, because at the October criminal term Robert McGreevy and Murphy were indicted before him. There

was a true bill found against him, and at the same time the jury returned a true bill against me for criminal libel against Thomas McGreevy. No sooner had the report of the jury returning a true bill against me been presented to the court than my counsel, Mr. Casgrain, stood up and read to the court a speech in which I pleaded justification and declared myself ready to stand trial. My plea of justification was an exhaustive review of the situation. It was simply impossible that Judge Bossé, upon the perusal of the plea, should not be aware of the aim and the nature of the suit brought against Robert McGreevy and O. E. Murphy. We then witnessed a strange struggle. The hon. member for Bellechasse was for the time being Crown Attorney—the Quebec Crown. In spite of all the harm which he now says of me, and which he did not think me guilty of at that time, I still keep a green spot in my heart for the hon. member, in remembrance of the exertions he then put forth to obtain justice for us. He does not lack legal skill, and he is looked upon at the Quebec Bar as a crafty lawyer. I had also retained the services of lawyers of high standing; I had for counsel the hon. leader of the Opposition (Mr. Laurier) and the hon. the Attorney General for Quebec (Mr. Casgrain). After the first skirmishing was over, we were all agreed, and the Quebec Bar with us, as to the fact that Mr. Justice Bossé was under the control of Thomas McGreevy, and we were quite perplexed as to what course we should follow. I was ready to stand my trial, and my counsel insisted upon going on with the case. Robert McGreevy and Murphy, put off their guard, when arrested on the very day or on the eve of the opening of the criminal term, were applying for delay. Mr. Justice Bossé did not mean proceeding that way. As just stated, Robert McGreevy and Murphy were applying to the court for delay, and we declared our readiness to go on without delay with the suit. Mr. Justice Bossé, driven to the wall, obliged, out of mere propriety, by reason of the affidavits produced before him, to grant the delay applied for by Robert McGreevy and Murphy, felt that he was under the necessity of fixing a day for my trial. We were positive that the case would be proceeded with. What was then brought to bear? I am going to relate facts of which I shall give convincing evidence. A trial, known as the "Ste. Anne case," was then being tried at that term of the criminal court. The hon. Senator had been assaulted, at an election, and his assailants were indicted before the criminal court. At the opening of the court, Mr. Fitzpatrick, who appeared for the Ste. Anne people, made a motion to have the petty jury list produced, on the ground, as he stated, that Mr. Gagnon, the sheriff, who had returned the panel, was a nephew of the hon. Mr. Pelletier.

Mr. TARTE.

the real prosecutor of the Ste. Anne people. Mr. Justice Bossé, at the opening of the term and prior to fixing a day for my trial, had declined to grant the application made by Mr. Fitzpatrick. On the very day following that, when we had compelled him, through fear of public opinion, to fix my trial: on the very next day, I say, he granted Mr. Fitzpatrick's application, which he had rejected a few days before, and he dismissed the jurors; and so it came to pass that he adjourned the term to prevent my case being heard. Being powerless to try the case of McGreevy and Murphy, he simply prevented my case being heard. He had determined, first, to ruin the two men whom he knew to be the accusers of those who had been his political chiefs: the accusers, I say, of men who had been even more than that! Prior to allowing my case to be heard, he had determined to try the case of those two men. Mr. Justice Bossé then abruptly closed the October term. There are only two terms of the Criminal Court in Quebec every year. The next term was to come off in the month of April following. It opened on the 10th of April, 1891. But meanwhile events had progressed. I had continued the sequel of those indiscretions which I am now upbraided for by some persons: public opinion had thereby been deeply impressed with the conviction that frauds had been perpetuated for too long a time before the face of the Minister of the Public Works Department. The county of Pormeuif was opened through the death of the regretted Dr. de St. George; I had made known to the public my determination to run for the Federal Parliament in that constituency, but a dissolution of Parliament had cut short that project. Events had hurried on. General elections had been held, and I had been returned to the House for Montmorency. The criminal term opened on the 10th of April: Parliament had been convened for the 29th of the same month. The hon. leader of the Opposition was my counsel. At the very opening of the term, he applied to the judge to fix a day for the trial of his client. We knew beforehand that my trial would not be fixed so soon; but we wished to ascertain to what extent the judge would carry his denial of fair play. Delays intervened; the honourable judge always granted the motions made in behalf of McGreevy by his counsel. Then came a day, in the middle of the term, prior to the session, when we applied to the court for putting off the trial until the next term. The hon. leader of the Opposition, as I said, was my counsel: I was a member of Parliament; it was a fact of public notoriety that I was to take my seat in the House on the 29th of April, and to bring down before Parliament the charges of which I had the evidence in my possession. I refrain from relating by their particulars, the underdealings which took place during that term; such manoeuvres had been

up to that moment unheard of in the judicial history of the country; suffice it to say that, so desirous was Judge Bossé of reaching his ends, that, even without taking the advice of the Attorney General, he went so far as to fix for the hearing of Robert McGreevy and O. E. Murphy a date, prior to that fixed for the hearing of men who were waiting in jail for their trial. I call upon all the lawyers in this House, irrespective of political parties, who hear me and are able to rise above paltry political considerations, to say whether this is not an unprecedented fact. I call upon the hon. Minister of Public Works, who has been the representative of the Crown for several years before the Criminal Court at Montreal, to tell me whether, in the course of his legal career, he has ever met with a single case where a judge had, under his own responsibility, fixed a date for the hearing of persons at large, prior to that fixed for the hearing of prisoners actually waiting their trial in jail. Mr. Justice Bossé, as I said, and without consulting the Attorney General, after having declined, at the outset, to fix a day for my trial, went to the length of fixing a date for the trial of Robert McGreevy and O. E. Murphy, prior to that of people actually detained in jail. The hon. member for Bellechasse did not fail in his duty under the circumstances. Once does not make a habit. The substitute of the Attorney General, the member for Bellechasse, perfectly understood the odious part, the infamous game played by Judge Bossé. He said more harm of him than we did ourselves. The representative of the Crown realizing, in last analysis, the nature of the plot organized by the guilty parties to defeat the ends and burk the course of justice, loyally sided with us. The question really in point was how to prevent Robert McGreevy and O. E. Murphy being condemned to penitentiary before they had given their evidence. Mr. Justice Bossé had bent his energies—I do not know whether it could not be proven, by probing facts to the bottom, and taking also into consideration the fact that so many people perjure themselves—the judge, I say, had determined upon sentencing those men to penitentiary. Such is, at all events, my conviction, which is shared by a great many people. A great many cases had been placed on docket during that term. As Judge Bossé plainly saw that he could not reach, by means of a first panel, the case of Messrs. McGreevy and Murphy, he inquired from the substitute of the Attorney General whether he intended summoning a second panel of jurors. The representative of the Crown replied in the negative and at the same time read a communication from the Attorney General in which it was stated that the Crown was not ready to proceed with the case of Messrs. McGreevy and Murphy. Judge Bossé, on hearing the letter read, flew into a terrible passion and from the Bench, denounced the Attorney General and his substitute in violent terms. There

were only two days left for the expiration of the jurors' career. The judge, without taking the advice of the substitute of the Attorney General, peremptorily fixed a day for hearing the case of Messrs. McGreevy and Murphy. The substitute of the Attorney General, provided with a 'nolle prosequi' which he himself had procured from the Attorney General's office, entered the judge's chamber, holding the document in his hands. I was standing near by with my counsel. He came out of the room and told us: I just saw the judge and told him: You want to create a scandal and save criminals; now we are going to raise a scandal too, and show you up, if you drive us to it. Such were the facts related to my counsel and to me by the Crown Attorney. He also told us: Judge Bossé is going to yield. We had to find a back door for the judge to come off. Mr. Isidore Belleau then moved that the trial should be postponed to the next term, and the judge granted the motion. This falling back is the exact counterpart of a similar retreat I shall soon speak of. Let us see what came to pass: the parliamentary inquiry of 1891 was held. Most positive and conclusive evidence was adduced of the frauds perpetrated, but the honourable judge was still on the Bench bemoaning the downfall of his beheaded friends. He was on the watch for his victims. The criminal term opened in October, 1891. Messrs. Robert McGreevy and O. E. Murphy had for defending counsel, F. X. Lemieux and Isidore Belleau, two Queen's counsels. The trial was no trial at all. It was a regular refusal of justice, an act of revenge and of persecution. I repeat on the floor of the House what the two lawyers just mentioned told me when the trial was over. Whenever a question comes before the Bench, in any matter connected with politics, Judge Bossé can divest himself neither of his prejudices nor of a spirit of partisanship. I have ready at hand an extract from one of Lord Brougham's speeches, which I shall presently read. On hearing it read, the House cannot fail to recognize in it the full-length portrait of Judge Bossé, the unjust judge—I will not say the portraiture of the prevaricating judge, as that would be going beyond my meaning—but I shall say the unjust and the partisan judge. During the McGreevy-Murphy trial, the stand taken by Judge Bossé, his every action showed he only sought to convict the prisoners. As they understood that they could not expect any fair-play from the judge, they left the country. Judge Bossé had the two lawyers called in his room. I hold from both lawyers, and more especially from one of them, the report of what they said to the judge on that occasion: "Mr. Justice Bossé, the accused parties were perfectly right to leave the country. You did not give them any fair-play at all. You have been acting all the time as if you had made up your mind to sentence them to penitentiary." I now approach another political trial, the Mercier

case. In the McGreevy-Murphy case, Mr. Justice Bossé had, without taking the advice of the Crown representatives, fixed a day for the trial of people out of jail, prior to the date fixed for prisoners actually detained in jail. All the counsel who appeared for the accused stood up by turn and declared that they were ready to let this case take precedence of the trial of their clients. This trial was of paramount importance. Those persons were under an indictment for treason. The attention of the whole country was riveted on that important judicial event. Now, as I said, notwithstanding that the defending counsels for the prisoners had stood up by turn and declared their readiness to let this trial take precedence over their cases, the Hon. Judge Bossé peremptorily declined their offer and ruled that the trial of the prisoners detained in jail should forthwith be proceeded with. His object in so doing was transparent. He had manifestly agreed with the Crown on depriving the defendants in the Mercier case of the advantage of knowing the second panel which was to be assigned. On the day that the second panel was summoned, the defending counsel applied to the court for the petit jury list being produced in court. This application was peremptorily rejected by the judge. I call to witness all lawyers in this House, irrespective of political parties. I am aware that passion often sways the minds even of members of this House. But here are facts on which lawyers who have at heart the good name of the profession—and there are many—cannot differ of opinion. While the jurors were deliberating, and prior to the verdict having been delivered against Mr. Mercier, and the persons accused of the same offence with him, an incident occurred, to which I wish to direct the attention of the House. The paper 'L'Electeur' published an editorial extolling the merits of the ex-Premier. Whether there was any truth in it or not, or whether it was a timely article, it is not within my province now to say. But let any unbiassed man read now that editorial, and tell me whether there was room in it for a judicial reprimand? As I said, the jurors were deliberating—and should the proof be allowed, evidence could be adduced showing that the jurors had already taken three or four votes, and that they had been unable to agree on a verdict. It is a fact the judge could not be ignorant of. When the jury returned to court, on the following day, the Hon. Judge Bossé gave a terrible lecture to 'L'Electeur,' and made use of a language, unparalleled for its violence, towards the accused persons. The jurors went back to their room and two hours later returned a true bill. I have no hesitation in stating that, on that occasion, from the very opening of the trial as throughout the proceedings, the Hon. Judge Bossé did not act as a judge, but played the part of a regular tyrant who believes himself above public opinion and above Parliament. He

Mr. TARTE.

tried to stifle the press; he threatened the editors with imprisonment. As members of the press, we contended that it was our right, during the progress of a criminal trial, to inform the country as to what was going on in court; and we gave the judge to understand that we would stick to our right, as we were afraid neither of him nor of the prison. The eyes of the country were opened to the light, and public opinion was roused to such a pitch, that the Hon. Judge Bossé had to pack off, to quit the Bench. I know—and history bears witness to the fact—that lots of things secrete themselves under false appearances, under the mask of truth, justice and legality. The hegira of Judge Bossé from the Bench, on that occasion, is owing to the fact that he was afraid of public opinion. I was an eye-witness to his coming down from the Bench; an eye-witness to his leaving the court. I knew he was to quit the Bench—and should others fail to grasp my meaning—the judge, I am sure, will understand me. Now, I may say, Mr. Speaker, that from the moment he came down from the Bench—and I have no hesitation in so saying—from the moment he presided over political trials, he lost the confidence of all those who are amenable to the tribunals in the province of Quebec. A number of lawyers who sit in this House, as well as others outside of Parliament, are fully aware of it. No wonder that, after having had to deal with him, as just stated, I should have endeavoured to analyse the motives which might have influenced his course during the political trials referred to. I am very careful not to state anything beyond what I am prepared to substantiate. I know that in such cases, it is difficult to obtain the proof of facts, as evidenced during the great Parliamentary inquiry of 1891. All those who have participated in that inquiry—the hon. Prime Minister, first of all—know that a number of witnesses did notoriously perjure themselves. I even know of a witness who had his evidence drafted for him by two lawyers, one of whom died since, while the other is still in the full enjoyment of life. I am, therefore, very careful not to go beyond what I am prepared to substantiate. Still, Parliament is no ordinary court of law; Parliament is vested with inquisitorial powers. I spoke, a few days ago, of a cheque: I did not speak of it without pondering over the matter. Let me seize this opportunity of stating that I never meant to say that Judge Bossé had taken a bribe.

Mr. BELLEY. (Translation.) What about that cheque?

Mr. TARTE. (Translation.) You need only, Mr. Speaker, to refer to the editorials I have published in past years, in which I alluded to Judge Bossé in connection with the matters now before the House. I always said, and I say so again, that never, on any of the occasions referred to, had

Judge Bossé taken a bribe. I never meant to say so. I spoke about a cheque, the other day, and I am going to refer to the matter again. It is a well known fact in political circles that Thomas McGreevy and Connolly, while being kept in confinement, in violation of the promises made to them, showed to a certain person papers which were still in their hands and which may still be in their possession, for all that I know of it. Among those papers was one, I was told by one of the individuals who saw them, a cheque which had been sent as a blank cheque to Judge Bossé, when that criminal suit brought by McGreevy against me was pending before the Court.

Mr. OUIMET. (Translation.) What was the amount of the cheque ?

Mr. TARTE. (Translation.) From the information given me by that gentleman, I gather that there were outstanding accounts in connection with contested election cases. When he sent the cheque, McGreevy, it appears, had written a note to Judge Bossé saying : Fill up the cheque for the amount due to you. The gentleman who related the facts to me is still living, as also the witness who was present at the interview. I met him lately in Montreal.

Mr. BELLEY. (Translation.) Is the cheque still among Mr. McGreevy's papers ?

Mr. OUIMET. (Translation.) Has the cheque been filled up ?

Mr. TARTE. (Translation.) After it had been placed in Judge Bossé's hands.

Mr. BELLEY. (Translation.) How do you account for the fact that the cheque is still in Mr. McGreevy's possession ?

Mr. TARTE. (Translation.) The hon. member ought to know that a cheque is returned to the person who has signed it, after it has been paid.

Mr. BELLEY. (Translation.) Was the cheque among Mr. Robert McGreevy's papers ?

Mr. TARTE. (Translation.) No ; it appears that it is among Mr. Thomas McGreevy's papers.

Mr. BELLEY. (Translation.) If it is still a blank cheque, how is it that it was in Mr. McGreevy's papers ?

Mr. TARTE. (Translation.) The question put by the hon. gentleman shows that he did not take the trouble to follow my line of argument.

Mr. OUIMET. (Translation.) Would it be indiscreet on my part to ask the hon. member to give us the name of the gentleman who informed him ?

Mr. TARTE. (Translation.) It would be unfair to give the names now ; it would be bad policy and not at all in the interest of the future investigation. The hon. Minister

recollects that, during the great inquiry in which he himself took part, it had been agreed upon not to divulge the names of the witnesses beforehand. I should think it a mere matter of prudence to follow the same course in this case. But I shall not fail to subpoena that gentleman as a witness, should an investigation be granted. I shall also subpoena the individual in whose presence the information was conveyed to me in Montreal. Should I have been deceived, I shall be the first to say so. I cannot assume the responsibility of the fact, except in as much as the information proves true. But it should be well understood, Mr. Speaker, that I never charged in the past, nor do I charge now Judge Bossé with having taken a bribe. I state again that he is unjust, tyrannical and that he should not meddle with the administration of justice in those political trials ; but I never said and I do not mean to say that he is a corrupt judge. But, Sir, I have been informed that upon other occasions, considerable sums of money had been exchanged, for political purposes, between Messrs. McGreevy and Bossé.

Mr. AMYOT. (Translation.) Were those sums of money given to Judge Bossé after his appointment to the Bench ?

Mr. TARTE. (Translation.) Previously to his appointment.

Mr. OUIMET. (Translation.) Did the gentleman who informed you that he had seen that cheque among Mr. McGreevy's papers, mention the amount of the cheque, or was the hon. member inquisitive enough to ask that gentleman to what amount the cheque had been filled up ? Did he also inquire as to what institution or what bank it was paid.

Mr. TARTE. (Translation.) I do not recollect having asked him whether the cheque had been paid to a bank. I do not remember what was the amount mentioned, because, in the course of our conversation, several cheques and sums of money were mentioned. It is in the neighbourhood of \$2,000, I think, but I cannot state the exact amount, on account of so many other cheques having been mentioned. I may add that we then expected to have the cheque, but these gentlemen, having been released from custody, have thought it proper to keep their small papers. I sum up the accusations brought against the Hon. Judge Bossé as follows : I accuse before this Chamber Judge Bossé of having acted as a partisan and not as a magistrate, during the terms of the Criminal Court held at Quebec in the month of October, 1890, the month of April, 1891, the month of October, 1891, and the month of October, 1892 ; of having conducted himself in such a way as to cause Her Majesty's subjects to lose respect and confidence in the administration of justice ; of having abused his position as a judge, for party purposes and for the benefit of certain men with whom

he had identified himself before he ascended the Bench; of having, to reach his ends, rendered unjust and arbitrary decisions; of having usurped the functions and the rights of the responsible Attorney General; of having held on the Judicial Bench language and propositions calculated to prejudice juries against persons brought before the tribunal.

Mr. GIROUARD. (Translation.) Is he the only judge charged?

Mr. TARTE. (Translation.) No.

Mr. GIROUARD. (Translation.) Are you going to make the other charges now?

Mr. TARTE. (Translation.) Certainly.

Mr. GIROUARD. (Translation.) It had better be done now.

Mr. BELLEY. (Translation.) The charges are rather vague.

Mr. TARTE. (Translation.) I never expected to convince the hon. member. When I began this statement of facts, I never entertained any hope in that direction. The next magistrate to whom I regret to have to allude to, is the Hon. Judge Ouimet, to whom is assigned the judicial district of Richelieu. I should state that in bringing forward these charges, I do not act in my own personal name. Personally, I have no grievance against the honourable judge. I have always looked upon him as one of my friends; I make this charge on behalf and at the request of a large number of citizens of the district of Richelieu. Mr. Ouimet was appointed to the Bench on the 11th of April, 1886. He was instructed to reside at Sorel, the chief town of the district, where he was charged to administer justice.

Mr. GIROUARD. (Translation.) Is this obligation to reside in the judicial district enacted under the authority of an Act of Parliament, or by a mere order of the Government?

Mr. TARTE. (Translation.) I think it is a statutory enactment.

Mr. GIROUARD. (Translation.) Would you quote the Act?

Mr. LAURIER. (Translation.) It is the Act of 1872.

Mr. TARTE. (Translation.) I shall not undertake to interpret the laws relating to the administration of justice, for I confess that the hon. gentleman is more competent than I am in that line. I bring down facts upon which the hon. member will have to express his opinion and on which I think he is inclined to pronounce himself rather hastily. I am going to lay before the House facts which I am in possession of, and should they prove untrue, I would only be too happy to confess my error. On the 8th of April, 1889, the Board of Trade of Sorel sent to the Government, or rather to

Mr. TARTE.

the hon. Minister of Justice the following resolution

Resolved:—Whereas the despatch of judicial business in this district has suffered to a large extent, for some years past, from the absence of a residing judge at Sorel, the chief town; and whereas, owing to said absence, the trade interests have not yet reaped the benefits of the provincial law of 1888 relating to summary matters; and whereas the judicial business of this district is large enough to necessitate the permanent presence of a judge at the chief town.

This Board respectfully prays His Excellency the Governor General in Council to take all necessary steps in order that this district shall no longer be deprived of a residing judge:

Resolved:—That this Board do address itself to the members of the Commons for the county of Richelieu and for the other counties of the district, and urge them to press upon the federal government their claim to the effect that the district of Richelieu be no longer deprived of a residing judge.

This resolution was forwarded on the 10th April to the hon. Minister of Justice, who forthwith communicated it to the hon. Judge Ouimet, at Sorel. The judge's reply, dated 4th May, 1889, reads as follows:—

“SOREL, 4th May, 1889.

“SIR,—I have the honour to reply to your favour of the 23rd ultimo, by which you draw my attention ‘that repeated complaints have been made to the Department of Justice, by reason of my not residing within my judicial district as required by law,’ ‘and to acknowledge the receipt of J. B. Labelle, Esq., M.P., letter addressed to you, and annexed to an extract from the minutes of a meeting of the Board of Trade held at Sorel, on the 8th day of April, 1883.’

“1. That I have been appointed a judge of the Superior Court, for Lower Canada, on the eleventh day of April, 1886, while absent in the North-west Territory of Canada, as chairman of the Royal Commission on rebellion losses of 1885.

“2. That the Commissioners returned back to Ottawa, in July, 1886, and were engaged to look at and examine the evidence in support of the very numerous claims filed before them in order to make a report, till the month of August, 1887, when the Commissioners presented their final report to the Minister of the Interior and concluded their work;

“3. That I resumed permanently my official duties as judge for the district of Richelieu, in September, 1887;

“4. That since that date, I have always attended, monthly, to my official duties, and with my residing in my judicial district, during (21) twenty-one days per month, with the exception of part of the months of July and August, the vacation time, as it appears by the proclamation herewith annexed, issued by the *Quebec Official Gazette*, 16th April, 1887, fixing the terms of the Superior Court, Circuit Courts, and Criminal Court in the said district of Richelieu;

“5. That outside of the twenty-one days above mentioned, devoted as aforesaid to my judicial district, I sat in the Civil Courts at Montreal and St. Hyacinthe on requisition, to help my brother

judges, without, in any way, causing any prejudices in the affairs of my district, as provided by law;

"6. That in March, 1888, I rented a house at Sorel, for my residence, from Mrs. Mathieu, of Montreal; but that on the first day of May, 1888, on account of some family trouble about the property, Mrs. Mathieu has been unable to give me possession of the house, which occurrence obliged me to get special rooms at the Brunswick Hotel, at Sorel, as it appears by the Hon. Judge Mathieu's letter, herewith filed.

"7. That later on, in January, 1889, I rented another house, at Sorel, on King Street (Rue du Roi) No. 129, from E. Moreau, Esq., advocate, as mentioned in their notarial lease, passed before A. P. Bouchard, Notary Public, hereto also annexed, which house I presently occupy.

"8. That consequently, I am residing judge in my judicial district, within the meaning of the Statute, and the terms of my commission.

"9. That judicial matters, in the district of Richelieu are attended to according to law; so, I fail to see any complaint against the administration of Justice, as it fully appears by the official statements of the Clerk of the Superior Court, hereto annexed.

"Those, Sir, are my official explanations in answer, to your request.

"I have the honour to be, honourable sir,

"Your most obedient servant,

"(Sgd) J. ALPH. OUIMET,

The Honourable

Sir JOHN THOMPSON,

Minister of Justice, etc., etc., Ottawa.

Meanwhile the hon. judge communicated to the hon. Minister of Justice the lease made and passed between Mr. Moreau and himself on the 10th of April, 1889, two days after the resolution I have just read had been adopted by the Board of Trade of Sorel. I am sorry to have to state—for I have the proof of it at hand—that when Judge Ouimet wrote this letter to the Minister of Justice he had never resided at Sorel, in the district of Richelieu; that he was not residing there at the time, and that he has never since resided there. The hon. judge leased a house from Mr. Moreau; he boarded and lodged there during the terms, and that is all. His family has never resided in Sorel, and does not yet reside there. The best proof of it is a petition sent to the Minister of Justice, in the month of May, 1894, signed by business men and leading citizens of the district of Richelieu. It reads as follows:—

To His Excellency the Most Honourable Sir JOHN CAMPBELL HAMILTON GORDON, Viscount of Formartine, Lord Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland, Lord Aberdeen in the Peerage of the United Kingdom of Great Britain, Governor General of Canada, &c., in Council.

The humble petition of the undersigned, amenable to the tribunals and residing in the city of

Sorel and in the judicial district of Richelieu, in the province of Quebec, respectfully submits:

That from the time of its re-organization into a separate judicial district in 1857, down to the spring of 1886, the said judicial district of Richelieu always had a judge of the Superior Court residing and living in the town or city of Sorel, its chief town, to administer justice, in pursuance of the express provisions of the law;

That, from the said time (the Spring of 1886) down to this day, the said district has always been, as it still is, deprived of a residing judge, and this for reasons which your petitioners are unaware of;

That, during the said lapse of time, that is to say, for eight consecutive years, justice has been invariably administered and it is still administered by one of the honourable judges of the Superior Court residing and living in the city and district of Montreal, and usually exercising his functions there.

That, in the opinion of your petitioners, the actual and effective residence at the chief town of the said district, of a judge especially entrusted with the administration of justice, as formerly, and as in the other judicial districts of this province, would be highly conducive to the promotion of the interests of those who are amenable to the laws, and would also to a large extent aid in the progress of the locality and promote the general business interests throughout the said district.

Wherefore your petitioners humbly and respectfully beg that Your Excellency be pleased to take and adopt such means and steps as he may, in his wisdom and prudence, deem fit, expedient or necessary, to procure and insure permanently in the future, to the persons amenable to the tribunal in the judicial district of Richelieu the services of a judge of the Superior Court, residing and living in the chief-town of said district, in the city of Sorel, to administer justice, &c.

And you will do justice.

And as in duty bound, your petitioners will ever pray.

Sorel, May, 1894.

It will be proven beyond dispute that the honourable judge never resided in Sorel, but that he has always resided in Montreal. Now, however incredible the fact may appear—the Auditor General's Reports are authority for it—this gentleman has drawn, since his appointment to the Bench, from 1887 to 1892, the sum of \$2,286 for sitting in other courts in Montreal out of his judicial district. The hon. member for Jacques Cartier (Mr. Girouard) was inquiring as to how the law stood on that point. The law is very clear: it is endorsed on the blanks of certificates which are given to the judges to transmit their accounts to the Department of Justice. Every judge is entitled to draw \$6 a day if he goes out of the judicial district where he resides. Now, the hon. Judge Ouimet has drawn \$2,286 for sitting in Montreal, where he resides. I may perhaps be told that this is not a serious accusation. Should a simple citizen obtain money under such pretexts, he would immediately be indicted before the criminal court. I do not mean to say that the judge know-

ingly and wilfully did so; I do not say that he has pondered the full extent of his guilt; but the public who know how the law stands on the matter, can ascertain, by referring to the public accounts, that a gentleman upon whom devolves the administration of justice, draws sums of money to which he has no right. This is a fact, in my opinion, the gravity of which should not escape the notice of those who have at heart the respect due to a pure magistracy.

Mr. OUIMET. (Translation.) If the hon. member allows me to interrupt him, I would like to know whether the receipts to which he refers are the original receipts?

Mr. TARTE. (Translation.) What.

Mr. OUIMET. (Translation.) I would like to know whether they are the original receipts or merely copies of them?

Mr. TARTE. (Translation.) I lay before the House and before the hon. Minister of Justice the papers which have been handed over to me on the matter. The hon. Minister of Public Works, by referring to the report of the Auditor General, will satisfy himself that the amounts stated as having been drawn by Judge Ouimet for having sat at Montreal, while he resided there, are correct. I find those sums stated in the Auditor's Report. As far as Judge Ouimet is concerned, I may say that the communications which I have received on the matter teem with grievances about the way in which he administers justice in his district. The fact that he has always declined to reside in his judicial district has resulted in actual refusals of justice. Lawyers and litigants complain that he despatches his business in great haste and then hurries away. I sum up my accusations against the hon. Judge Ouimet as follows: I accuse the Hon. Judge Ouimet of having neglected his judicial duties in the district in which he is charged to administer justice, that is to say, in the district of Richelieu; of never having resided in the said district to the great detriment of the ends of justice; of having deceived the Minister of Justice, especially by a letter written on the 4th of May, 1889, in which he stated that he had resided in the district of Richelieu, and in transmitting to him a lease made and passed in the city of Sorel, the 16th day of April, 1889, before Monsieur A. P. Bouchard, notary, which lease has never been executed by the said honourable judge; of having, while he resided in Montreal, taken and drawn from the Government of the Dominion, in the years 1887, 1888, 1889, 1890, 1891 and 1892, considerable sums of money, that is to say, \$2,286 for travelling expenses for being transported from his supposed residence at Sorel, and of having sat as judge in the said city of Montreal; of having, in fact, resided at Montreal since the date of his nomination

Mr. TARTE.

until to-day, instead of residing at Sorel, in the judicial district of Richelieu. I have another count of indictment against that judge, but I do not think it proper to bring it to the knowledge of the House. I may, perhaps, in the course of the inquiry, that may be made into the general administration of justice, amend my actual charges and make other accusations. The time at my disposal has been so short that I have thought it preferable to wait until all my papers were in proper shape.

Mr. GIROUARD. (Translation.) It is better to make a clear house. If the hon. gentleman has other charges to make, it is better to make an end of them.

Mr. TARTE. (Translation.) The hon. member for Jacques Cartier (Mr. Girouard), who is an eminent lawyer, and one of the senior members of this House, is perfectly aware that in a case like this, the proof is difficult, and it takes a long time to procure the necessary evidence. I have no right to bring before the House facts which may have come to my own personal knowledge, but respecting which I have been unable to gather all the desirable information.

Mr. GIROUARD. (Translation.) Well, then, let the hon. member not mention them at all.

Mr. TARTE. (Translation.) I do not quite agree on that point with the hon. member; still, I shall take his suggestion into consideration. The fact ought not to be lost sight of—and those among the hon. members who are conversant with English parliamentary history will agree with me—that in the inquiries held on the administration of justice, such as the one I ask for, those members of the British Parliament who had suggested them, have had sometimes to proceed for years and years, session after session. It can, therefore, be no matter of surprise that I should reserve to myself the right of amending my accusations, and of preferring other charges should I judge it proper to do so. The hon. members of this House ought to have it at heart to reach the truth. Some citizens of St. Hyacinthe have placed in my hands the papers on which I ground the charges I have to formulate against Judge Tellier. I must say that, personally, I have no grievances against the hon. gentleman. I happened to get acquainted with him when he sat in this House, and since that time I have had no intercourse with him. A few years ago, Messrs. Beauchemin & Mallette, two lawyers of high standing in the district of St. Hyacinthe, drafted a memorandum, which I shall communicate to the hon. Minister of Justice. This memorial would be given in evidence, should the Government grant an inquiry. These lawyers, whose political proclivities are well known, had made specific charges against the conduct of that magistrate. He was accused of being an unjust and partial judge. On that point, I do not wish going

beyond what is stated in the memorial. Mr. Tellier belongs to that class of judges who travel a great deal, and who draw large allowances for real or presumed travelling. By referring to the Auditor General's Report, you will find out that in 1891, Mr. Tellier has been absent from the judicial district of St. Hyacinthe for 218 days. In 1892, he was absent 243 days, according to the same report. In 1893, he was out of his district for 271 days; that is to say, he drew from the public exchequer as travelling allowances, in 1891 the sum of \$1,308; in 1892, \$1,458, and in 1893, \$1,626. Lawyers whom I have consulted assured me that judges sit on an average during 250 days a year. At all events, there are 52 Sundays, besides a certain number of legal holidays. There is also the judicial vacation. And further, they have a court at St. Hyacinthe; the judge, surely, ought to have sat on the Bench there. And yet Mr. Justice Tellier has charged for 271 days, for which he drew payment, for travelling expenses when out of his district. I may, perhaps, be open to reproach for not making charges against other judges, and for not pointing out other facts. I trust that I have been far enough—without creating more scandal than is necessary—to put on their guard other judges who may have made the same mistakes, and to prevent them from committing other faults. But, at all events, I think it is high time that public opinion should assert itself by the voice of those who are its representatives in Parliament, and insist upon the judges of the land setting the example of the respect due to the laws. The charges which I have made against Judge Tellier, besides those contained in the memorandum whose existence I have pointed out to the hon. Minister of Justice, may be summed up as follows:—I charge the Hon. Judge Tellier to have acted as a partisan and not as a magistrate on several occasions; to have, in the elections, sought and asked candidates to come forward in opposition to the party which he combated before he accepted the office of judge; to have, in a spirit of partisanship, refused to permit judicial advertisements to be published in the newspaper called the "Union," which is hostile to the Conservative party; to have, while on the Bench, attacked the Provincial Government, while it was administered by his adversaries of other days; to have followed a general line of conduct which created the impression that the hon. judge is partial and favours one political party more than another in matters which come before him; to have, without any right and illegally, drawn travelling allowances, especially in the years 1891, 1892 and 1893. As I have just stated, when replying to the hon. member for Jacques Cartier (Mr. Girouard), I shall take into consideration the suggestion he offered me, that is to say to pass over in silence the names of those judges against whom I am not prepared now to

bring charges. I expressly reserve to myself the right of making other charges should I deem it proper, either at the next session of Parliament or before royal commission which the Government might appoint. I wish it to be well understood that I have other papers, which I have communicated to some of my colleagues in this House, but, all things well considered, we have come to the conclusion that it were better—seeing that those papers have not yet been put in proper shape—not to proceed now against the judges. The hon. member for Jacques Cartier is certainly alive to the feeling now prevailing in the province of Quebec. He is one of the men whom I rely upon to extend a helping-hand to me in the difficult task I am now undertaking. In doing so, I am equally free from hatred and from political animus, for, among the judges whom I have just named are found two men with whom I have always been on the most friendly terms. It is neither in my own name nor in order to ventilate personal grievances that I proceed against them, but because they have asked me to do so. Before going any further, allow me to read the extract from Lord Brougham's speech alluded to at the outset. It is taken from his speech on political reform, delivered, if I recollect aright, in 1828:

Now, what is the consequence of this carrying party principles into judicial appointments? The choice of judges is fettered by being confined to half the profession, so that you have less chance of able men, and those you get are of necessity partisans, and therefore less honest and impartial. Why should the whole Bench be ministerial or Tory? No man can desire it to be so for the purposes of judging over a community, far, very far, from being ministerial or Tory. Yet it must be so unless vacancies should occur during those visits of Whig Ministries, "few and far between" when once in a quarter of a century power alights upon that party, and then spreads its wings and flies from them in a few months. Does not this arrangement instil into the minds, both of expectant judges and of men already on the Bench, a feeling of a party fatal to strict justice in political questions? I speak impartially and unhesitatingly on this point, for it is perfectly notorious that, nowadays whenever a question comes before the Bench, whether it be upon a prosecution for libel or upon any other matter connected with politics, the counsel at their meetings take for granted that they can tell pretty accurately the leaning of the court, and predict exactly enough which way the consultation of the judges will terminate, though they may not always discover the particular path which will lead to that termination. While the system I complain of continues, while you suffer it to continue, such a leaning is its necessary consequence. The judges have this leaning; they must have it; they cannot help having it; you compel them to have it; you choose them on account of their notoriously having it at the Bar; and you vainly hope that they will suddenly put it off when they rise by its means to the Bench. On the contrary, they know they fill a certain situation, and they

cannot forget by whom they were placed there, or for what reason.

Here we have delivered from life, in its general features, the system complained of, now prevailing in the province of Quebec. I call upon the members of the Bar who sit in this House, to tell us whether in the majority of cases, namely in political cases, they cannot tell pretty accurately the leaning of the court. This is a fact established beyond controversy. Lawyers will tell you that they multiply proceedings in order to avoid producing the evidence and arguing their cases before certain judges. I call upon all members of the Bar who hear me to say whether such is not their experience. After that, how is it possible that our population should rely any confidence in our magistrates? We are being criticised for our attacks on the judiciary. It is no pleasure, no privilege to stand up and censure the judges. That it is by no means a pleasant task is evidenced by the fact that three-fourths of the members of the Bar are afraid to incur the risk attending such a course, for a judge has it in his power, if he so chooses, to ruin his accuser; and such ruin may be brought about within a very short time. Were you to take information on the matter, you would learn that a lawyer loses all his cases because the judges before whom he argues his cases belong to the Conservative party. I call the attention of the hon. Minister of Justice to that state of things, and I entreat him to make investigations about it. He may to a large extent, remedy this lamentable state of things, by putting a stop to the system, the evil effects of which I have pointed out, and by a more severe control being exercised over the men who occupy seats of justice. It is the prevailing impression on the other side of the House—an impression which is shared by a great many minds out of this House,—that the party in power may rely upon the judges appointed by them. Things have come to such a pass that many politicians on the ministerial side look upon the judiciary as the best political organization to be found in the country. No matter how my words may clash with the feelings of a large number of people, I am bound to tell the truth. It behooves those who grasp the situation, to extend a helping-hand to the hon. Minister of Justice in examining into the facts, and to prevail upon him to grant an inquiry calculated to put a stop to the present state of things. I do not feel very sanguine about the treatment which a certain press keeps in store for me. I am not in the habit, as a rule, of being stirred up or ruffled by any amount of abuse heaped upon me. I have fulfilled, I think, the duty devolving upon me, without resorting to intemperate language. If the facts brought before the House were unfounded, untrue, I should be too happy to acknowledge my error and to apologize, as any man is in honour bound

Mr. TARTE.

to do upon such occasions. Should, on the other hand, the facts prove true—I speak on the assumption that the hon. Prime Minister may attach enough weight to my statements to warrant his ordering an inquiry to be made into the general administration of justice—the hon. Minister shall find out that I have not said the whole truth. I could have said a great deal more in that connection. Under the circumstances I felt that the duty devolved upon me of rising in my place in the House; but I may add that I do not intend to stop mid-way, and that I shall bend all my energies upon pursuing my investigations, and pushing on to a successful issue the task I have undertaken; and should the hon. Minister of Justice deem it expedient to order an inquiry to be made, I shall make it my duty to lay before him all the information available.

Sir JOHN THOMPSON. I need not remind the House that the question now before it is one of great importance, as it affects the judiciary, especially the judges of one of the highest courts of a province. The House has a very delicate duty to discharge, and one that requires great care from every person who has either to deliberate on the charge or even to speak to it. I received a note from the hon. gentleman yesterday, intimating that he would make charges to-day. I received, a week or ten days ago, from him an intimation that he would do so in a short time, and in consequence of that I refrained for many days from making observations which I might have thought it my duty to make with respect to what transpired in the House about two weeks ago in the course of another discussion. The House will remember that something transpired while we were debating another question with respect to the judiciary of the province of Quebec, although the measure before the House at that time had no relation to the judiciary of Quebec. But in consequence of what was said at that time, and which I shall not of course repeat, two of the judges of the province of Quebec whose names had been brought into that discussion communicated with me in terms which I feel, in justice to them, as well as to the judiciary generally of Quebec, I should mention to the House now, because it has some connection with the attitude which I shall have to take with respect to what has transpired this afternoon. Immediately after that discussion in the House, I received, by telegraph, a communication from Judge Bossé, stating, in effect, that he had received information through the press, or otherwise, of accusations that had been made against him, and stating the purport of those accusations. The learned judge stated that he had to give the most unqualified and emphatic denial to the accusations which had been made; but both in that message and in several

messages subsequent to that, as well as in more formal communications, the learned judge insisted, as a matter of fairness to himself, that an investigation should take place into the charges which he understood had been preferred then. I received, a day or two afterwards, a communication from Judge Davidson, in which that learned judge stated, as to the charges in connection with himself which had been made in this House, that those charges were absolutely untrue, and he insisted, as a matter of justice to himself, that a like investigation should take place. Both of those judges pressed upon me the propriety and importance of myself undertaking the business of accusing them before this Parliament of the charges which had been made, for the purpose of having a thorough investigation into their conduct, especially in relation to those charges, but in regard to any others, also, insinuated or suggested. The view which I took of the request of those judges was this: That while the statements which had been made in the House were, in my humble opinion, most offensive to those judges, they did not involve such charges as could be treated as an impeachment against either of them. The rules of discussion would, I think, prevent me referring to what took place on that day, even for the purpose of justifying the opinion I have just expressed; but I certainly felt a great deal of sympathy with men who were under an accusation such as had been suggested that afternoon, while at the same time I felt that the charge had not been made in a distinct way, but had been based rather on hearsay statements of what had been said against those judges outside; and while I entertained very great sympathy for them, I felt that the charges made of misconduct on their part were not such as would justify me in asking the House to proceed with an inquiry regarding them. That impression was confirmed by the statement which the hon. member for L'Islet (Mr. Tarte) made on a subsequent day, in which he impressed upon the House that he had not made an accusation against Judge Bossé with respect to the cheque which has been discussed to-day, but that he had asserted only that certain things had been said to be the general impression respecting certain other things which had been said by Mr. McGreevy. When we come to consider what has taken place this afternoon, in the course of the hon. gentleman's speech, I think I must submit to the House that the hon. gentleman has not dealt with the judiciary of his province in a way we had a right to expect of him. In passing, I may say that the judiciary of that province, which I am exceedingly sorry to hear impugned in very general terms occasionally in this House, has at this moment the highest respect of the people of the Dominion at large. We know but little in other provinces

of the party questions. I mean the smaller party questions which agitate politicians in that province, and which lead them sometimes to question the conduct of members of the Bench, but we know the high standing which the judiciary of that province has held for very many years past, and all that we know of the men who compose that judiciary now, or nearly all we know of them—and perhaps I need not qualify it to that extent even—leads us to respect them personally as gentlemen and as honourable judges; and we in the other provinces of Canada feel, to say nothing of what the people in the province of Quebec may feel, that the reputation of the judiciary of that province is exceedingly dear to all the people of the Dominion, who treasure as one of the best possessions of the country, not only a pure judiciary, but a judiciary distinguished by its learning, its attainments and the record of the individuals who compose it. Therefore, I feel that while, as regards the general principle of the treatment of judges in Parliament, it is a matter of great delicacy and concern to the House how they shall be treated and spoken of here, it is in relation to that judiciary a matter of great concern to all of us as to how we shall proceed and as to how they shall be treated in discussions in this House. We think, therefore, that when the hon. member for L'Islet (Mr. Tarte) came to discuss the conduct and to impugn the conduct of members of that judiciary it would have been at least fair that he should have given to the judges concerned and whom he has accused to-day, a copy of the accusations which he would make against them, or, at least, that the hon. gentleman should have given to me a statement of what the charges were which he intended to prefer, in order that I might be able to present to the House this afternoon the nature of the answer they would make. The hon. gentleman is not bound by any rule of order to do so; he is within the rules of the House, and has a perfect right to make his accusations on a motion to go into Committee of Ways and Means, and we have no right, perhaps, to complain. His conduct in that respect is a matter for the judgment of the House and of the people he represents, but it would have been more satisfactory to all of us if we had an opportunity at least to hear what the judges had to say in regard to these matters, and what my department might have to say in regard to the particular complaint made, so far as the hon. gentleman has particularized with respect to the sums which two of the judges have received from the public treasury. I think the hon. gentleman also owed it to Judge Bossé, and certainly to the judiciary of the province of Quebec, when he rose after consideration of this subject, for he must have considered it, seeing that many of the matters he alleged had been discussed before, that the accusa-

tions which he would make when he rose to accuse the judges should be very specific and detailed in their character. Surely the hon. gentleman's object was not to attack private character; surely his object was not to degrade in the public estimation the men who occupy the seats of justice in his own province. I assume—I surely have the right to assume—that the object of the hon. gentleman (Mr. Tarte) was to have a fair investigation and a fair criticism of the conduct of those whose conduct he thought was improper. Sir, that investigation can only take place under the rules of Parliament, under the precedents which guide us from the mother country and here, when specific accusations are made to the House, giving time, place, circumstance, and name of the cause. We are here to-day listening to the hon. gentleman (Mr. Tarte) making an accusation, for instance, against Judge Bossé, with regard to the manner in which the judge conducted himself from time to time, in the hearing of a cause in which the hon. member for L'Islet (Mr. Tarte) was concerned. Endeavouring to hold oneself impartial as regards the investigation which the hon. gentleman has challenged under the accusation he is bringing forward; the only impression he left on my mind from the speech he made with regard to Judge Bossé in relation to the trial of his own cause was: that the learned judge had not tried that cause to the satisfaction of the hon. member for L'Islet (Mr. Tarte). That is not an accusation to be made in this House, that is not an accusation upon which a public inquiry can take place into the conduct of the judge. The hon. member (Mr. Tarte) tells us that motions were made at various times to put off the trial, or to fix the date of trial; and that in one very important trial there was long deliberation by the grand jury and several ballotings in the jury room. On whose authority, pray, is that said? The hon. member (Mr. Tarte) takes care that it shall not be upon his authority. He tells us that there were many ballotings in the grand jury room, and that the judge must have known of them. He tells us that at a subsequent day the judge was bitterly denounced in a newspaper—which I suppose he will admit to be a partisan newspaper in the sense of espousing strongly a particular party which took a deep interest in that trial—he says that the learned judge was bitterly denounced in that paper, and that subsequently, and before the trial began, the judge vindicated or endeavoured to vindicate himself from the attack and left the Bench in order that another judge might preside at the trial. One would naturally infer—if one's mind were not infused with a strong sense of prejudice or resentment against Judge Bossé—that he did that from a sense of propriety and of delicacy; that when at the very outset of the trial, before even the

Sir JOHN THOMPSON

trial commenced, but when the accusation had been found by the grand jury, he found that he had been accused publicly in the press of partisanship and of helping to procure that accusation; one would have thought that his motive in retiring from the Bench might fairly be taken to be the motive of a man of sensitive feeling anxious that the trial should proceed without that suspicion attaching to its result, which would perhaps have attached to it if he had gone on to try the case after his motives had been so strongly impugned. But the suggestion which is made by the hon. member for L'Islet (Mr. Tarte) is: that under these circumstances, the retirement of Judge Bossé from the Bench was the result of cowardice and conscious guilt. Mr. Speaker, that is not the way in which a judge should be spoken of in this House. I am referring to Judge Bossé alone. I would be quite as sensitive in the case of any judge in any province of Canada, and I would say: not only that that is not the way to make charges against a judge, but that it is not the way that judges should be spoken of in this House. If the hon. gentleman (Mr. Tarte) accuses Judge Bossé with regard to the disposal of any particular application to him in that case or any other case, let him accuse Judge Bossé of having made a wrong decision from a corrupt motive, and this House, as well as my own department, is bound by the very sentiment of respect that it entertains for the Bench at large, to make an investigation in order that the ends of justice may be promoted, and the exact state of the facts arrived at. But what the hon. member (Mr. Tarte) does is to read a paper, which he wishes to be considered as formal charges; a paper which does not mention one cause, one date, or one instance, but which contains a general charge of partisanship and prejudice as against the judge. I think, therefore, Sir, that the statement I have ventured to make in reproach as to the way in which the hon. gentleman (Mr. Tarte) has made this accusation is well justified and will be borne out by the general feeling of the House. The hon. member (Mr. Tarte) conceiving that the learned judge was actuated by the feelings which he has suggested, of partisanship and hatred against himself, has drawn, and has presented the inference to the House, that in postponing the trial of the hon. gentleman (Mr. Tarte) and in fixing a day for the trial of McGreevy and Murphy earlier than the day on which the hon. gentleman himself would be tried, the object of the learned judge was to get those persons convicted and sent to the penitentiary in order that when they appeared as witnesses for the hon. gentleman (Mr. Tarte) they might appear under the ban of a condemnation already pronounced. What statement has the hon. gentleman made to justify that? He has undertaken to state what his

opinion is as to the feelings and motives of Judge Bossé. But these are not charges such as I supposed he would make when he gave notice to me that he would prefer charges, and they are not charges such as ought to be made without distinct date, circumstance, and accusation, that the decisions were improperly given. Notwithstanding that the hon. gentleman went over a number of the incidents of the trial of himself and these other persons, he did not intimate nor even attempt to show the House that the decision of Judge Bossé with regard to any particular application whatever was wrong in point of law, much less to show reason for suspecting corrupt motives. The hon. gentleman has chosen to present a detail of those incidents to the House, as incidents which justify in his own mind the impression that the learned judge was acutated by malice towards him, was desirous of seeing him convicted, and was desirous to see his witnesses prejudiced in the minds of the jury who might come to try him. He has suggested this, without anything being put forward to the House to show that the judgment which the learned judge gave was not perfectly right, and fair, and correct, and such as any other judge would have given. Let me call the attention of the House to the terms in which these charges against Judge Bossé are made, so that I shall not be under the dread that in hearing the hon. gentleman (Mr. Tarte) speak in a tongue with which I am not quite familiar, I have misjudged the expressions which he used, or the general tenor of his remarks. Here is his statement in writing :

I accuse before this Chamber, Judge Bossé of having acted as a partisan and not as a magistrate, during the terms of the criminal court held at Quebec in the month of October, 1890, the month of April, 1891, the month of October, 1891, and the month of October, 1892.

The House will see that in the course of these five months the learned judge must, in the ordinary course of business, have had multitudes of cases before him, and multitudes of motions to act upon, and the accusation is, that he acted in a partisan manner and not as a magistrate. If this House should hold an inquiry on the subject, the learned judge is absolutely without a date, without the name of the cause, without the name of an accuser, and it might be that when we came to an investigation, if an investigation should be held, we should find that the hon. gentleman (Mr. Tarte) is relying not upon any knowledge that he has upon the subject himself, but upon a statement such as he based his remarks upon the other day : that such was the general tenor of the understanding of those who had conversed with a certain man, while that man was in jail. The next statement in this paper is :

Of having followed a course of conduct of a nature to deprive the subjects of Her Majesty of

respect and confidence in the administration of criminal justice.

Not even the comfort of having any months named as regards that accusation. It may relate to the judge's whole career since he went on the Bench.

Of having abused his situation as a judge in order to follow the ends of the party politics of certain men with whom he was identified before he ascended the Bench.

No cause, no date, no incident !

Of having, in order to attain his object, rendered unjust and arbitrary decisions.

I would ask the House if a vaguer charge could possibly be made against a magistrate than that.

Of having usurped the functions and the rights of the responsible Attorney General.

No indication whatever of what cause is referred to, or of what time the offence is supposed to have been committed.

Of having held on the Judicial Bench language and propositions destined to prejudice the jury against persons brought before the tribunal.

Now, the hon. member, I think, will see—and if he does not I am confident that every other member of this House will see—that these are statements which ought not to have been made here, unless time and place and date and circumstances were given, such as any person, even the humblest in the land, would feel that he was entitled to before being accused, much less before being tried. But I am placed in this position, Mr. Speaker. If I am to refuse an investigation into these charges, I shall leave that judge under calumny and slander, it may be under the public impression that an accusation has been made here which he could not answer ; and, therefore, with regard to what shall be done upon these charges, I must ask the House to permit me to reserve my answer until a future day. The consequences of the statements made to-day are very serious, even though the accusations themselves may seem to the House to be vague and trivial. The consequences are very serious indeed to the judiciary, to say nothing of the judges immediately concerned ; and when I am conscious, as I have already told the House, that the judges impugned indignantly repudiate the truth and justice of those accusations, and are most eager that an investigation should take place, the House will see the peculiarly embarrassing position in which I am placed with regard to my relations to the judiciary of that province. The accusations which the hon. member has made against the other judges, while exceedingly vague, are of a somewhat different character. The accusation against Judge Ouimet, whose judicial district is Richelieu, and whose residence is fixed at Sorel, is this :

I accuse the Hon. Judge Ouimet of having neglected his judicial duties in the district in which he is charged to administer justice, that is to say, in the district of Richelieu; of having never resided in the said district, to the great detriment of the ends of justice; of having deceived the Minister of Justice, especially in a letter of the 4th of May, 1889, in saying to him that he had resided in the district of Richelieu, and in transmitting to him a lease made and passed in the city of Sorel, the 16th day of April, 1889, before Monsieur A. P. Bouchard, notary, which lease has never been executed by the said honourable judge; of having, while he resided at Montreal, taken and drawn from the Government of the Dominion, in the years 1887, 1888, 1889, 1890, 1891 and 1892, considerable sums of money, that is to say, \$2,286, for expenses of travel for being transported from his supposed residence at Sorel, and of having sat as judge in the said city of Montreal; of having in fact resided at Montreal since the date of his nomination until to-day instead of residing at Sorel, in the judicial district of Richelieu.

I will state to the House briefly what I remember as regards these complaints. They were brought to my notice, as the hon. member has stated, by a communication from the Board of Trade of Sorel, in the year 1889. The complaint on that occasion was simply and solely that the judge had not resided in Sorel, as the Board of Trade thought he ought to do. It was not alleged, if I remember rightly, that any injury to the interests of suitors or the interests of justice resulted therefrom; but, in the opinion of the Board of Trade, they had a right to insist that the judge should live there. I communicated the complaint to the learned judge, and he answered it in the letter which the hon. member has read to-day, indicating that he had leased a house in Sorel, that he had not been able to take possession of it, that he, therefore, lived in the meantime in the city of Montreal, and that in the city of Montreal he discharged judicial duties from day to day, as he was called upon to do by his brethren. The House will remember that while a judge of the Superior Court of Quebec is assigned a place of residence in his appointment and by his commission, and is expected to reside there, he has equal jurisdiction in every other part of the province, and is liable to be called upon to do judicial duty in any other section of the province where an additional judge is required. That was the reply made, and I communicated it to the Board of Trade of Sorel; and since then I do not remember to have heard of the matter at all until the receipt of the letter of this year which the hon. member has referred to, and which came during the late part of the session, so that it has not yet received any personal attention. Of course, an inquiry will be made carefully into the circumstances to which the hon. gentleman has referred in his charge, with reference to the drawing of

Sir JOHN THOMPSON.

travelling expenses and the expenses of sitting in the city of Montreal. But I must say that the conclusion which I came to in 1889, irrespective altogether of the lease to which the hon. gentleman has referred, and in respect of which he has said that I was deceived, was that the complaint of the Board of Trade was a very trivial one, so far as the administration of justice was concerned. I ascertained, as I thought reliably at the time, that the judge had discharged all the duties required of him in the town of Sorel, and that his presence was needed at Montreal a great deal in connection with the administration of justice there—vastly more so than in the town of Sorel. Then, there is the statement made against Mr. Justice Teller; and the hon. member has intimated that I have received with regard to that judge a communication from an avocat in the judge's district—St. Hyacinthe, I think he said. I have not at this moment the slightest recollection of having received any such complaint. The communications, verbal and otherwise, in which I have ever heard the name of Judge Teller mentioned were communications of which any man sitting in a judge's seat might well be proud; and I have always considered that if there was a judge anywhere whose conduct was above reproach and suspicion, that judge was the very one whom I have just named. Therefore, the House will perceive, when I read them, how completely unjust are the accusations which are made, in view of their vagueness and their utter inadequacy to the requirements of any charge which ought to be made against any public magistrate.

I accuse the Hon. Judge Tellier of having acted as a partisan and not as a magistrate in several circumstances. Of having, in the elections, sought and demanded candidates in opposition to the party that he had combated before he accepted the charge of judge. Of having made proof of a partisan spirit in refusing to permit judicial announcements to be published in the newspaper 'l'Union' which is hostile to the Conservative party. Of having made, he being on the Bench, attacks against the Provincial Government, when it was administered by his adversaries of former times. Of having held and followed a general line of conduct which has created the impression that the hon. judge is partial and favours one political party rather than another, in the matters which come before him. Of having drawn, without right, and in an illegitimate manner, travelling allowances, especially in the years 1891, 1892 and 1893.

These are the accusations which have been made against Mr. Justice Tellier. As regards the matter of expenses, of course an inquiry will be made, as I stated in the case of Judge Ouimet; but as regards the other charges, which ought never to have been made, unless accompanied by a specification of the circumstances which would justify an inquiry, and inform the accused magistrate of what is alleged against him and

what he has to meet, I shall give information to the House, at as early a date as possible, of what the Government propose to do with regard to an inquiry.

Mr. LAURIER. Let me say, at the very outset of the remarks I have to offer on this occasion, that I will endeavour to speak with a full sense of the propriety and the gravity with which such a subject ought to be approached. I fully agree in what the hon. gentleman said a moment ago, that the character of the judiciary ought to be held sacred, that it should never be attacked except for cause adequate. Still, agreeing in this inherently, we are aware that judges are after all men and liable to error—liable to err involuntarily, and liable to err voluntarily, as all men are. Judges, whether on the Bench or not, are after all composed of the same flesh and blood that they were before they ascended to that dignified position; and we have examples in history of judges on the Bench—and some of them more eminent and greater men of history—who have so far belied their reputation as to incur the deepest censure on their memory for all time to come. I need only cite the case of Lord Bacon as an example, which is in everybody's memory. But let me say that while I make this reference, I do not intend at this moment—and I wish to be well understood—to cast any suspicion whatever upon the judges whose names have been brought before the House. At the same time, I am bound to say this: and I speak with a full sense of my responsibility as a member of this House, attaching some value to my reputation as a public man, that the administration of justice in the province of Quebec is not as satisfactory to the public as it ought to be; that there are judges in that province whose conduct is certainly calculated to disgrace the high positions they hold and the administration of justice at large. That is largely due to the fact that judicial appointments have been made too often, not upon judicial considerations, but upon political considerations—that men have been appointed to the Bench whose only qualification for that office was the services they had rendered to their party, and not their standing as members of the Bar. Four names have been cited this afternoon—Mr. Justice Davidson, Mr. Justice Bossé, Mr. Justice Ouimet and Mr. Justice Tellier. Let me say at once that the remarks which I make with regard to the character of the appointments cannot apply in any way to Mr. Justice Bossé or Mr. Justice Davidson. Both these gentlemen were partisans in the sense that we are all partisans, when engaged in politics. We are here defending our course, promulgating our own views, and when I say that Judges Bossé and Davidson were partisans before they were appointed to the Bench, I do not apply that term in any offensive way. They were both, I am glad to say, able lawyers, though partisan in politics, well-learned in their professions,

and both were at the very top of their profession while at the Bar. Let me go one step further with regard to Mr. Justice Davidson. I must say this to my hon. friend from L'Islet (Mr. Tarte): that when I heard the other day the name of Mr. Justice Davidson mentioned by him, I could not construe his remarks—he will pardon me for so saying—at all as detracting from the character of that learned judge, who acted, I am bound to say, at a time when there was great political excitement in the province of Quebec, on a commission appointed to investigate the Baie des Chaleurs scandal. He was appointed at the same time as Mr. Justice Baby and Mr. Justice Jetté. Now, I must say this: although in my remarks I may perhaps not altogether agree in the opinion of all my hon. friends, that I cannot forget that if these three gentlemen were acting as a commission, they so acted upon the advice of the then responsible adviser of the Crown, Mr. Mercier. But having said this, I must add, however—and I say it without meaning any offence at all to Mr. Justice Davidson—that I dissent in a great many ways from the report he made on that occasion to the Lieutenant-Governor. I think the report was not at all justified by the facts, but in saying that I do not want to attack his judgment in that respect. I only wish to remark that the reasoning of Mr. Justice Jetté, in my opinion, was of a nature more calculated to commend itself to the judgment of all impartial men, than the report of Judges Davidson and Baby. Of course, in all these matters, gentlemen who belong to the legal profession understand rightly that because one man differs from the decision of a judge, it does not follow that the judgment is wrong, and it does not follow at all that any implication should be deducted therefrom that the conclusion at which the judge arrives may not after all have been the best. But for my part, I give my views just as they are. Now, with regard to the charges made against Judge Bossé this afternoon. If I understood my hon. friend aright he did not at all question the competence of Mr. Justice Bossé as a learned judge and a learned member of the profession. He did not discuss or decry his legal acumen or his great learning. No man who has had the honour of practising before Mr. Justice Bossé would decry these qualities in respect of which he is justly eminent. The only charge that is made against Judge Bossé by my hon. friend the hon. member for L'Islet, was that Mr. Justice Bossé was of hot temper, and, perhaps, of vindictive temper as well. Now, I quite agree with my hon. friend, the Prime Minister, that it is difficult for the judge to repel a charge of that kind. There are men on the Bench—I give my own views and do not intend that what I say shall apply to Judge Bossé—who are so constituted that they are unconsciously biased by preconceived notions. They may come to conclusions which I think the better temper

of the men would not endorse. They come to these conclusions, not at all through dishonest motives nor through anything that may be presented as a charge against them, but because the preconceived notions that they may hold upon one subject or another—let it be politics or anything else—bias their judgment, though they are not in their own minds conscious that they are being so biased. I can understand, as the right hon. Prime Minister said a moment ago, that on the charge made by my hon. friend it would be difficult for him to come to any conclusion. But I do not at all agree with the right hon. gentleman when he says that the accusation which was made against Judge Bossé was altogether to be set aside because it was too vague. In fact, I was glad to hear that Judge Bossé himself had come to a different conclusion, and, in a communication which he sent to the Minister of Justice, had expressed not only his willingness, but, as I understood the hon. gentleman, his anxiety to have the matter properly investigated. If investigated at all, the first thing he would do—at all events the first thing he would be entitled to do—would be to demand particulars as to the charges which are brought against him. My hon. friend from L'Islet accused Mr. Justice Bossé of having acted on a certain occasion in a partisan manner. Now, no charge against the reputation of a judge could be graver than this. But this is the accusation which my hon. friend from L'Islet, on his responsibility as a member of this House, brings against Judge Bossé. If my hon. friend from L'Islet had not been a layman, if he had been more versed not only in legal practice, but—he will permit me to say, as he is a young member of this House in parliamentary practice—he would have seen that it would have been more conducive to the object he has in view to bring his charges forward in more accurate and definite language. But, after all, the accusation is there, and I am glad, I repeat, being an old associate of the Bar with Mr. Justice Bossé, having, though not very often recently, yet often in former years, had the honour of appearing many times in his court, to hear that he cannot allow his fair name to rest under the accusation made, and that he is anxious for an investigation. However, I do not dispute what the right hon. gentleman said a moment ago that Mr. Justice Bossé would not have the advantage he has a right to have if he were compelled to face an investigation on the charge of the hon. gentleman without further explanation. But I need not remind the right hon. gentleman, I need not remind any hon. member of this House, that it is the right of the judge, under such circumstances, to have full particulars before he is called upon to enter upon his defence.

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

Mr. LAURIER.

After Recess.

Mr. LAURIER. Mr. Speaker, with regard to the charges preferred against Mr. Justice Ouimet and against Mr. Justice Tellier, I must say that I differ in toto from the opinion expressed by the right hon. the Minister of Justice. The charge against Mr. Justice Ouimet is, in my estimation, of a very grave character indeed. The right hon. Minister of Justice stated this afternoon that this charge was too vague to be entertained. Sir, it seems to me that the charge is as direct as it can be, and it is nothing less than this—and it is a very grave offence—that Mr. Justice Ouimet has been drawing from the public exchequer moneys for travelling expenses to which he was not entitled. Mr. Justice Ouimet is assigned by his commission to the charge of justice in the district of Richelieu. By the law as it exists in the province of Quebec, certain judges are assigned for the district of Montreal, certain others for the district of Quebec, and in each of the rural districts one judge is entrusted with the administration of justice. The law in this respect is to be found in article 2319 of the Consolidated Statutes of the province of Quebec :

Ten judges of the Superior Court shall reside in the city of Montreal, and two of them shall always be available for the business of the Circuit Court of the said district, four shall reside in the city of Quebec, one in the city of Three Rivers, one in the city of Sherbrooke, one in the village of Aylmer or in the immediate vicinity of each of these localities, one in the county of Gaspé, or in the county of Bonaventure, as provided in the next article, and one in each of the following districts, namely : Arthabaska, Beauharnois, Bedford, Iberville, Joliette, Kamouraska, Montmagny, Richelieu, Rimouski, Saguenay and St. Hyacinthe, in the places which are assigned to them according to law.

Now, as I understand from the declaration of the Minister of Justice this afternoon, and in fact it is a matter of public notoriety, the commission of Mr. Justice Ouimet obliges him to reside at the town of Sorel, which is the shire town of the district of Richelieu. Yet, it is a matter of public notoriety that Mr. Justice Ouimet never complied with that condition, and never at any time resided at Sorel, but always resided in the city of Montreal. At the same time, if I understood the hon. member for L'Islet, about the month of May, 1890—

Mr. TARTE. 1889.

Mr. LAURIER—1889, the Board of Trade of Sorel sent a memorial, calling the attention of the Minister of Justice to this fact. The Minister of Justice always, if I understood him aright, stated that the offence at worst was a trival one. Sir, it is impossible for me to share that opinion with the right hon. gentleman. The offence is not and cannot be a trival one. If the law obliges Mr. Justice Ouimet to reside at a particular

place, and if he fails to reside at that place, the offence cannot be a trivial one, especially in a judge of the land. I would not admit that it would be a trivial offence for any one to systematically disregard an obligation imposed upon him by law, and formally accepted by him, but when it is considered that this offence is committed by a judge of the land, it surely cannot be considered a trivial offence. The judge, by his station, is bound to set an example, he should be the very first to obey the laws which it is his mission to administer. What respect, I want to know, can the citizens of any country have for the laws when the very man who is charged with the administration of those laws is the first to disregard them? Moreover, Mr. Justice Ouimet himself fully acknowledged he was in the wrong, that he was disregarding the law, when, upon his attention being called by the Prime Minister to the fact that a complaint had been made against him because he did not reside in his district, he sent to the Prime Minister what was, to all appearances, an evidence that the charge was wrong, sent him a lease of the house which he had just hired in the town of Sorel, thereby conveying to the Minister of Justice the impression that up to that moment he had been obeying the law, and that for the future he would comply with it, since he had taken the trouble to rent a house in the town with the evident intention of residing there. Sir, I must say that the words used this afternoon by the hon. member for L'Islet, when he characterized this proceeding of Mr. Justice Ouimet as a deceit practiced upon the Government, were not a whit too strong, because Mr. Justice Ouimet conveyed to the Minister of Justice the impression that henceforth he would reside in the district of Richelieu, in the town of Sorel. As a matter of fact, I repeat, that Mr. Justice Ouimet never, at any time in his life, complied with that condition and inhabited the house which he had rented, but he continued to reside in the city of Montreal. There are here many members of the Bar of Montreal who know that I am within the strict truth when I assert that at no period of his judicial career did Mr. Justice Ouimet reside in his district. Well, under such circumstances, I ask, is it a trivial offence—was it not a deceit practiced upon the Minister of Justice? If Mr. Justice Ouimet had said to the Minister of Justice: I have resided in the city of Montreal, I am aiding in the administration of justice in that district—it would have been a very different thing, and the Minister of Justice would have been bound to tell him: All this may be true, but the law requires you to reside in your district, and you must reside there. But instead of that, the judge—I am sorry to have to speak in this manner, but I place myself in the judgment of every hon. member within my hearing at this moment—con-

veyed a false impression to the Minister of Justice when he told him, as a defence to the complaints of the Board of Trade, that he had rented a house in the town of Sorel. What conclusion could be drawn by the Minister of Justice? Evidently he understood that Mr. Justice Ouimet was going to reside in that house he had rented. In point of fact, he continued to live in the city of Montreal, in point of fact his family has always lived there, in point of fact his domicile has always been in the city of Montreal. Now, Sir, this is the first instance in which Mr. Justice Ouimet has disregarded his duty, but there is another which, in my estimation, is certainly of a very grave character. My hon. friend from L'Islet charges that Mr. Justice Ouimet, through an entirely indefensible construction of the law, has continued to draw large sums of money every year in the way of travelling expenses. The Minister of Justice told us this afternoon correctly, because it is a matter of common notoriety to all who live in the province of Quebec, that Mr. Justice Ouimet has aided in the administration of justice in the city of Montreal. It is admitted on all hands that he has been holding courts and sitting in Chambers in the city of Montreal; but I say it was indefensible for him under such circumstances to draw money for sitting in the district of Montreal. What is the law in this respect? The law says that the judges shall have a salary and then travelling expenses:

That is to say: In the province of Quebec, to each of the judges of the Superior Court attending as such any court held at any place other than that at which he is directed to reside, for each day that he is absent from his said place of residence, \$6.

Now, Sir, I call attention to the fact that Mr. Justice Ouimet is assigned to the district of Richelieu. Whether he sits in the district of Richelieu every day in the year, or only ten days in the year, he is allowed to draw \$4,000, and nothing more; but if he goes out of the district of Richelieu and holds a court in the district of Arthabaska, or in the district of Three Rivers, or in the district of Quebec, or in any other district, he is allowed for each day of absence \$6 for travelling expenses. So far, so good; I think the law is fair. But Mr. Justice Ouimet was required to reside in the town of Sorel; he did not reside in the town of Sorel, he resided in the city of Montreal; and will it be pretended that he should be allowed to draw \$6 a day for travelling expenses when he was administering justice in the very town in which he was to reside? It may be said that it is beneath us to resort to pettifoggery or quibbling in a matter of this kind; it may be said: It is true that Mr. Justice Ouimet was directed to reside in the district of Richelieu, he did not reside in the district of Richelieu, he resided in the city of Montreal, but it would be an

intolerable abuse of justice to pretend that because he was assigned to reside in the district of Richelieu and failed to carry out that obligation, he should not be allowed under such circumstances to draw travelling expenses for the time he was administering justice in the city of Montreal. Well, Sir, I say that the thing is indefensible, such a construction of the law would be unwarrantable. I do not like, however, to speak too strongly upon this case, because Mr. Justice Ouimet has not yet been heard in his own defence; but I must say that there is enough in the accusation of the hon. member for L'Islet to warrant an investigation, and a request to Mr. Justice Ouimet for an explanation of his course. Now, passing to the case of Mr. Justice Tellier, I do not care at this moment, since he has not yet been heard in his defence, to express too strong an opinion upon the case, neither do I care to endorse the panegyric passed upon him by the Minister of Justice. That point will come up in due time; but I take issue altogether with the Minister of Justice when he stated, if I understood him aright, that the charges against Mr. Justice Tellier were altogether too vague to demand an investigation. The first charge, as I gathered from the reading thereof by the hon. member for L'Islet, and afterwards by the Minister of Justice, was this, that Mr. Justice Tellier interfered in politics, that he sought candidates in the county in which he resides and in the neighbouring county. Well, Sir, I want to know if there can be a more direct and a more offensive accusation than that? The language is plain. Mr. Justice Tellier is here accused of interfering with politics, forgetting his position as a judge, and looking after candidates, taking part in the selection of candidates, seeking himself to have candidates brought into the field. In face of this accusation, I repeat that I must take issue altogether with the views expressed by the Prime Minister. The Prime Minister told us, however, that the accusation was too vague, that the hon. member should have indicated the particulars of time and circumstance. Sir, it is impossible on such an occasion to be more particular than one would be in any process of court, and I call the attention of the Minister of Justice to this fact. Would he, for instance, in a matter with which we are all familiar, in a controverted election petition, exact such minute information when the petition was brought forward? The hon. gentleman knows as well as I do, and, in fact, everybody knows it, that in all controverted election petitions, the charges are as broad as they can be made. The man is charged with having violated the law in almost every particular, but before he is put on his defence he has a right to have particulars; and, of course, if an investigation were had, a judge would have the right to call upon his accuser to

Mr. LAURIER.

give him the particulars, to state the circumstances, the parties with whom he was alleged to have conspired, the year and the date, and so on; but I leave it to the judgment of every member present whether, when a judge is charged with having actively interfered in politics, it will not be a miscarriage of justice to say that the accusation should not be investigated because it is too vague. Mr. Justice Tellier is accused of being a partisan. There is another charge to which the right hon. gentleman referred, one very trivial, I admit, but one which, if true, shows the partisan character of the judge. It is alleged by the hon. member for L'Islet (Mr. Tarte) that Mr. Justice Tellier compels suitors that come before him to publish the advertisements which they are bound to give according to the laws of procedure in the province of Quebec, in one paper rather than in another paper, that he compels them to publish their advertisements in a Conservative rather than in a Liberal newspaper. According to the laws of procedure in our province, advertisements have to be published in many instances. If a man is absent from the province he can be assigned by advertisement. A meeting of creditors may be called, and an advertisement has to be published in the newspapers. If it be true, as has been stated here, that Mr. Justice Tellier will stoop to the baseness under such circumstances of saying to a suitor: You shall advertise in this paper rather than in that paper, you shall advertise in this paper because it is a Conservative paper, and not in that one because it is a Liberal paper—this would be very mean and very base, and it would show a partisanship which ought to be repudiated in any judge. That is not, however, the most serious charge brought against Mr. Justice Tellier. Mr. Justice Tellier, under the law which I have quoted, is authorized to charge certain travelling expenses. If he goes out of his district, he can charge \$6 a day for travelling expenses. In one year, Mr. Justice Tellier drew from the public exchequer, \$1,626, at the rate of \$6 per day; this would mean that the learned judge was out of his district and sitting in other courts during 271 days. Well, Sir, there is in this fact something which requires explanation. I do not care to speak more strongly than I can avoid speaking; but we all know that there are 52 Sundays in the year, that in the province of Quebec there are at least thirteen holidays, so sixty-five days have to be deducted from the 365 days in the year, leaving 300. Mr. Justice Tellier must live, by law, at least eight days in the month in his own district for the purpose of administering its judicial affairs, and that would mean 80 days, which, again, would leave 220 days. Then there is the long vacation of two months, giving sixty days more to be deducted. That would leave less than 200 days which the learned judge could devote to other districts, to other than his

own district. And yet Mr. Justice Tellier charged for 271 days, for which he drew payment for travelling expenses. The thing is physically impossible—it is not possible that Mr. Justice Tellier can have been 271 days out of his district; and this charge requires explanation. I do not care, as I said a moment ago, to go beyond what is actually legitimate and necessary in this matter, but here are accusations specific and determined in themselves which the hon. member for L'Islet (Mr. Tarte) in the discharge of the duties he owes to his constituency and to the country has brought to the knowledge of the Minister of Justice. It is true that the judges must be respected, it is very true that the administration of justice is sacred, but it is equally true that it is the duty of Parliament to see that every officer, be his station high or low, does his duty, and if charges of this kind are brought up against judges, who, of all men, should be the least amenable to suspicion, who, of all men, should be above suspicion, such charges cannot be passed with a sweep of the hand, but they demand at the hands of the Minister of Justice, and subsequently at the hands of Parliament, a full and absolute inquiry.

Mr. CURRAN. The charges which have been brought to-day by the hon. member for L'Islet (Mr. Tarte) are not, as the right hon. leader of the House says, the charges we have been awaiting during the last few weeks. They are not the charges which the country had a right to expect for considerably more than a year, they are not charges indiscriminately propounded within the last few days or during the present session, because, during the last session of Parliament they were iterated and reiterated. The threat that they were to be launched was published over and over again throughout the land, and certainly there can be no excuse for any vagueness or indefiniteness or want of precision in the charges which the hon. gentleman not only stated that he would make during the course of last session of Parliament, but which he has made to-day, charges which are, upon his own showing, not of recent date, but charges which in the case of Mr. Justice Bossé resulted from circumstances which took place prior to the fall of the Mercier Government, and during the great excitement of years gone by, and in the case of Mr. Justice Ouimet, the great part of the indictment, if what has been laid before the House may be called an indictment, against him, were brought against him by the Board of Trade of Sorel years and years ago. We have had these charges put forward, I say, designedly, with skilful vagueness. The hon. leader of the Opposition would lead the House to believe and lead the country to believe that the hon. member for L'Islet (Mr. Tarte) being a new member of the House, being a layman, was unable, from a lack of technical

training, to put into shape and definite form, and specific phrase, the charges which he wished to launch against the honourable occupants of the Bench in the province of Quebec. But surely those who have been in this House for any length of time are aware that in all these political matters, the hon. gentleman could secure the services of many hon. and learned friends to assist him. Could not the hon. member for L'Islet (Mr. Tarte) have applied to the hon. member for Bothwell (Mr. Mills), whose learning we all acknowledge, and whose skill in matters of this kind no one disputes? Could he not have applied to his leader, or to the hon. member for Quebec Centre (Mr. Langelier), or to the numerous lawyers well skilled in the practice of their profession, who would have put those matters into proper shape for him? But it was designedly done. These charges were launched on the public because the hon. gentleman knew, and those in his confidence well knew, that it would place the leader of the Government, the Minister of Justice, in the position which he describes as one which is very painful indeed. On the one hand, charges utterly vague are put before the House, with which this House cannot deal, and on the other hand, the leader of the Government has before him from some of the judges whose names are mentioned here, communications claiming that a full and thorough investigation should be made into any charges that might be made against them. We have then the statement which the hon. gentleman reiterated to-day, but in what shape is it? After having laid these charges upon the Table of the House what does the hon. gentleman (Mr. Tarte) do? He is not content with the charges as they stand, but he avails himself of the occasion and enjoys the opportunity of making a firebrand speech to accompany those vague accusations. He tells us that the judiciary of Quebec—and he has not been reproved for it by his leader—has come to be considered as the best political organization of the Conservative party in that province. Is that a charge that should be allowed to be made without reproof from those of the Liberal party who practice at the Bar of our province? I say now, what I had occasion to say before in this House: that in the province of Quebec, we have a body of judges, whose honour and whose integrity, whose honesty and whose learning have been the admiration of the whole Dominion of Canada. I am satisfied, Sir, that never in the brilliant history of the judiciary of the province of Quebec were there more able men on the Bench than now, from the Chief Justice of the Court of Appeals, down to the youngest member of the Superior Court. The hon. gentleman (Mr. Tarte) seeks to tarnish the judiciary, and he shows how high his appreciation of virtue is. After having denounced his own fellow-countrymen in the province of Quebec, after having covered

them with opprobrium, after having spoken of them in language unfit to be uttered in any Parliament about the judiciary of any country; he shows his high appreciation of virtue by delivering the funeral eulogy of the late Owen E. Murphy, and speaking of him as a paragon of perfection. We can see from that, the hon. gentleman's standard of morality. He thinks there is nothing bad enough to be said, not merely against three or four of the judges of his province, but against very many of them, and yet in the whole course of his experience he tells us, he never met a man who spoke so truly as Owen E. Murphy, during the time he was in partnership with him in carrying on his investigations. I was happy to hear the leader of the Opposition speak in quite different terms of the learning of Justice Bossé, from those which his colleague (Mr. Tarte) used in referring to the legal attainments of that judge. The member for L'Islet told us that Judge Bossé had never been a very distinguished lawyer, but I am glad to say, that testimony as to his great learning and ability was given by the leader of the Opposition. But we are told by the member for L'Islet, that Judge Bossé was a violent partisan; that he was a politician over and above all things; that he could not get rid of his political proclivities and that politics submerged everything else in him. Well, some of us have the honour to know Judge Bossé, and some of us have sat with him in this House. During four years of my first session in Parliament, I occupied the same desk with him, and I knew, as every body else knew, that Mr. Justice Bossé came into this House for no other reason than to comply with the most earnest solicitation of his political friends. He did not like political life; he came here against his will, and he remained here against his will, and no inducement could be offered him that would decide him to return when the term of his first Parliament expired. He might have carried his constituency again and preserved that constituency to the Conservative party, but he did not like politics enough, and I am sorry to say he did not like his party enough to sacrifice his feelings, and so he returned to his law practice and the Conservative party lost the constituency as well as his distinguished ability. We are told by the hon. gentleman who has spoken on the opposite side of the House, that these charges are perfectly clear and perfectly definite. The leader of the Opposition in the first part of his speech seemed to take the same view as the right hon. the leader of the Government with regard to that, but warming up to the subject he at last told us that nothing could be more definite or pointed than these charges against the judges. It takes but very little argument to show those who have heard the speeches, that my hon. friend (Mr. Laurier) is entirely mistaken with regard to the position assumed by the right hon. the leader of

Mr. CURRAN.

the Government. My hon. friend (Mr. Laurier) made a very strong statement with reference to what he considered the very grave charge that Judges Tellier and Ouimet obtained \$6 a day when they were residing outside their district, and he says that the Public Accounts show that they had no right to charge the sum alleged against them. There is no use wasting time over that. The right hon. the leader of the House stated in the most emphatic language that he would look into that charge immediately; and that is the only charge about which there is any definiteness at all. The authorities say that a charge of this kind against a judge should be like an indictment, and now let us see what is the nature of the charge laid against Judge Tellier. The elementary lesson given to every law student is, that in making a complaint, the first rule should be: look out for time and circumstance. Where is the time, place or circumstance mentioned in this charge? Judge Tellier is accused:

Of having acted as a partisan and not as a magistrate on several occasions.

What occasions, when, where and how? Is there any year given in the charge, is there any time specified, are there any circumstances related to show what would constitute the offence with which this honourable judge is charged? He is further charged:

To have in the elections sought and asked candidates to come forward in opposition to the party which he combatted before he accepted the office of judge.

What election, when, where, in what district, in what part of the province? Was it in the province of Quebec at all? Nothing definitely is stated. We are not told who the candidates were, who were applied to, or when they were applied to. And yet my hon. friend the leader of the Opposition says, that that charge is perfectly clear.

To have in a spirit of partisanship refused to permit judicial advertisements to be published in a paper called the 'Union,' which is hostile to the Conservative party.

To have done this, when? Where is this journal published? What particular advertisements are referred to? In what cases were those advertisements? In what year did they occur? And what were they about? Not a single syllable in all this upon which any one could for one moment be put on trial in the most inferior court in the country. He says further:

To have, while on the Bench, attacked a provincial government while it was directed by his adversaries of other days.

It is not mentioned when. Was it the Joly Government, the Mercier Government, or what Government was it? When was this action done, where was it done, and how was it done?

To have followed a general line of conduct which created the impression that the honourable judge is partial and that there is one political party more than another in the affairs that come before him.

Well, that is really charming; its precision is simply delightful. Now, we come to the last charge, which, as I said before, the hon. Minister of Justice said would be investigated; that is to say, that he had, without any right, and illegally drawn travelling allowances in the years 1891, 1892 and 1893. That is not very specific. There is no sum mentioned. The judge is not given particulars which would enable him to meet this charge. Yet, seeing that the years are given, and that he is charged with having drawn money which he had no right to draw according to law, the Minister of Justice has undertaken to say that an investigation will take place into that charge. Now, I leave the case of Mr. Justice Tellier, and proceed to take up the case of the hon. Mr. Justice Ouimet. He is accused of having neglected his duties in the judicial district of which he is the administrator, of never having resided in that district, of having deceived the Minister of Justice by a letter written on the 4th of May, and of having, while he resided in Montreal, withdrawn certain sums of money—and here the sum is specifically stated as \$2,286—for travelling expenses during the years mentioned here. This charge with reference to travelling expenses is specifically made, and the hon. Minister of Justice has promised that it will be investigated. An investigation will also take place, I have no doubt, into the charge of neglect of duty. It may be shown that the chief justice of the province felt that the judge, instead of residing where he is supposed by law to reside, was of more use in the city of Montreal, where there is an overwhelming amount of work to be done, and requested him to reside there: and no complaint has been made since the resolution was passed years ago by the Board of Trade of Sorel, not because the business was neglected, not because the members of that board had any charge to make against the judge, but simply because he did not reside there, and probably they considered that the place was losing a certain amount of importance by his absence. But if any charge worthy of the fair investigation can be brought against this hon. gentleman, if more especially no explanation can be given of his charges for travelling expenses, then certainly he will be called to account. But when we come to the first charge that is brought here, that which caused the great explosion this afternoon, that which we waited for with such great interest, that which the whole country was told to wait for with the greatest expectation, there never was any such fiasco before in any Parliament, since parliamentary institutions were established. We have heard charges made time and again; we have heard those charges reiterated, and the hon. gentleman

who made them never called to order by this House, or criticised by those who are supposed to lead him in this House. There was nothing that this country was not led to expect of turpitude, of wrong-doing of the deepest dye, on the part of our honourable judges in the province of Quebec. We did not know what those charges were. The judges were told, and they have been told again to-day, that after these three gentlemen had been disposed of, other judges would have to look out. No names were given of any against whom those charges are to be brought; but the judiciary of Quebec have been told, as they were told before: Look out; we will not only denounce you in Parliament, but we will level against you the whole machinery of our press; we will open the batteries upon you, right and left, back and front; and if you dare to act as honourable men, if you dare to stand up for what is just and right and proper, we will let you see that we are the people, and the power of the press at our command will teach you that, although you hold positions which you can only be deprived of by Parliament, at all events we can make your positions on the Bench intolerable, because you cannot open your mouths to defend yourselves; you have to sit there and listen; and we will make you feel that to be on the Bench in the province of Quebec is to be in a position that by and by no honourable man will care to occupy. If people without responsibility are to be allowed to come forward and make charges with impunity against men of honour and integrity who have attained a high position in their profession, then men fit for the position of judges will refuse to accept the office. Now, what are the peculiar circumstances of Judge Bossé's position? We know what was taking place in the province of Quebec at the time the Hon. Judge Bossé is said to have made himself amenable. The whole province was in turmoil. The two political parties were grappling together. A Government in the course of a few years had squandered millions and millions of the people's money, and were trying to squander more; the province was brought to the verge of bankruptcy and the people were rising in their might; but those who had been enjoying the sweets of that kind of wrong-doing did not wish to be driven from office, and consequently they left nothing undone to retain their places. It was at that particular time that criminal proceedings were taken before the court in which certain gentlemen figured; and because the judgments of the court were not given in accordance with the views of the hon. gentleman who has brought forward these accusations, and who was concerned in those suits, we are told forsooth that the judge who pronounced those judgments, who made those orders, who granted delays or caused cases to go on, was a man whose passion had blinded him, and whose pre-

justice had made him unfit to sit on any judicial tribunal in this country. After all this great outcry, after the province of Quebec and the Dominion had been prepared for something definite and dastardly, something on which Parliament could act, the hon. gentleman comes before this House and accuses Judge Bossé of having—what?

Of having acted as partisan, and not as a magistrate, during the term of the criminal court at Quebec, in the months of October, 1890, April, 1891, and October, 1892. Of having conducted himself in such a way as to cause Her Majesty's subjects to lose respect and confidence in the administration of criminal law.

That is very indefinite.

Of having abused his position as judge, for party purposes and for the benefit of certain men with whom he had identified himself before going upon the Bench.

Not even the names of these gentlemen are given—nothing to indicate what the hon. gentleman is driving at.

Of having, in order to arrive at his end, rendered unjust and arbitrary decisions.

In what court? In what case? At what time? Under what circumstances? Not one of these is given.

Of having usurped the functions of the representative of the Attorney General.

In what case?

Of having pronounced upon the Bench speeches that were calculated to prejudice juries against persons brought before them.

In what case? What persons were brought before him? Again, no particulars are given. There is not the slightest indication of the most ordinary particulars that are required in any indictment brought before any court, in the simplest case that could be brought before a court of justice, and that is the whole charge brought against Judge Bossé. With reference to other subjects not connected with Judge Bossé's matter, there may have been certain irregularities. No doubt irregularities may have grown up in the province of Quebec—if you may call them so—with regard to certain judges who reside in the city of Montreal, and who by law—a law that is becoming to some extent obsolete—who, by the letter of that law, ought to reside in another district. These are matters which will require investigation, and no doubt that investigation will be given, and probably that investigation may lead to changes which have been spoken of in the Legislature of Quebec as to doing away with the old system of decentralization no longer suitable to the present state of things. But taking everything into consideration, what after all have we? We have simply a great noise made in the press, in Parliament, in every section of the coun-

Mr. CURRAN.

try, which prepared us for something that was going to astonish and shock everybody—and these frivolous and indefinite charges are the result of it all. The judges of the province of Quebec may breathe, indeed. It is true there are some more who are threatened. It is true that we have been told these are not the only charges which will be made; but if those that are kept back are similar to those that have been brought forward, then, thank God, the judiciary of the province of Quebec may hold its head as it has done in the past. The judiciary of the province of Quebec is not in a worse position, in so far as the hon. gentleman who has brought these charges is concerned, than almost every other section of society. The public men of the province have not escaped his venom, the hierarchy have not escaped his vituperation. Nobody has escaped. It is an honour to be denounced by him. The last, the very last lines that were written to the public of Canada by the late lamented Archbishop Taché, of St. Boniface, whose funeral I had the sorrow of attending only a few days ago, were written in reply to an attack of that hon. gentleman. I thought of this, when looking at the remains of that great patriot and prelate, who had done so much for his country. I thought of the attack which had been made on him, in his declining years, after he had devoted his whole life to the service of his country, after he had done all he could in its behalf as a missionary, from his early youth, after he had for fifty years sacrificed his time and all the energy and strength of his mind and heart and soul for its benefit. In his last hours that venerable and noble prelate felt himself called upon to stand up and defend himself against the hon. gentleman. And when he was told that the charges made against him were intended for others, "Oh, yes," he said, "you say they were intended for others, but you know on whom they must fall, and the last, the unkindest blow of all, is you charge that my intelligence is deteriorated, that I am no longer able to stand up and defend my people, and that I have sacrificed them." And now, following this attack on Archbishop Taché, who has gone beyond the hon. gentleman's reach, we have these charges made against the judges. These gentlemen can well afford to stand in such noble and exalted company, and for my part I feel there is no more valuable certificate of character than to be vilified by the man who has vilified everything high and noble and generous in this country of ours.

Mr. GIROUARD (Jacques Cartier). I feel, as an old member of the Bar of the province of Quebec, that I should not allow the charges which have been made by the hon. member for L'Islet (Mr. Tarte) to pass without offering to the House a few remarks. The hon. gentleman has said that lawyers fear to

express their views on occasions like this, because they are called upon every day to plead cases before the honourable judges who are accused. The hon. gentleman has forgotten the history of the Bar of the province of Quebec. Does he not know what took place in 1874, when the Bar of Montreal, during two consecutive terms, refused to appear before the court of appeal. Sir, the Bar of Montreal, like the Bar of any country, are the proper guardians of the Bench, and it is not for a layman, even able as the hon. member for L'Islet may be, to undertake such a charge. The Bar of Montreal in 1874 undertook to discharge its duties, and did it nobly. They did it without attacking the whole judiciary of the province of Quebec. Their charges were directed against some men, and limited to those men, and their charges were successful, without resort to laymen, and much less to politicians. On that memorable occasion I did not hesitate to do my duty like any other member of the Bar, for there was not any exception. We undertook to vindicate the administration of justice, and we did it well. You have no doubt, Mr. Speaker, noticed that within such a short time as ten or fifteen days since the hon. gentleman made his first charge against the judiciary of Quebec, mentioning only two judges, he had already changed his mind. His first charge was directed against Mr. Justice Bossé and Mr. Justice Davidson. Within ten days he has already dropped one name. No more is said of Mr. Justice Davidson. It is evident that the hon. gentleman is in the habit of making serious charges against men high in office in this country, who cannot defend themselves on the floor of this House, nor even anywhere else, except upon an impeachment. It is evident that the hon. gentleman is in the habit of making charges without giving to these charges due deliberation. The hon. gentleman owes it to Mr. Justice Davidson, he owes it to this House to say why he did not repeat his charges against him to-day. He ought to have made an apology to the honourable judge, and before he asks us to believe what he says to-day, he ought to give some reasons why he did not continue his charges against Mr. Justice Davidson. The hon. member has charged two honourable judges with partisanship. The hon. leader of the Opposition has told us that judges are but men. Yes, Mr. Speaker, judges are men, and whether the judges are taken from the political arena or from outside of it, men, lawyers especially, have their leanings in politics and their preferences as between the political parties of the country. Are we to believe that men who have political leanings, political inclination, or political sympathies, are incapable of discharging the duties of a judge? Look at what took place some ten or twelve years ago on the other side of the line. Fifteen of the best judges in the land were selected by Congress to try the validity of what is known as the Tilden-Hayes presidential

election. I believe eight of these judges were Republicans and seven of them Democrats. They were all men who had been discharging judicial functions for years and years. The fifteenth judge was chosen because his political leanings were not then known. And, Mr. Speaker, when they came to consider the validity of that election, on every question that came before them the eight Republicans stood on one side and the seven Democrats on the other. Are we to be told, Mr. Speaker, that these men were not acting in good faith and were not discharging what they considered to be their duty? No, Mr. Speaker. I have not the slightest doubt that the men who, in the province of Quebec or in the other provinces, are called upon to decide election petitions or other political trials act honestly, believing that they are performing their duties and acting as judges ought to do. A great deal has been said by the learned leader of the Government and by my hon. friend the Solicitor General about the vagueness of these charges. I quite agree in the opinion of the hon. members. In an important moment like this, on a solemn occasion like this, when we are to undertake the trial, not of an ordinary criminal, but of one who is called upon every day to judge his fellow-citizens, we should not forget the forms of procedure which have been laid down in that ancient Parliament which is the model of our own. We should hesitate very much indeed before we venture to depart from the forms of procedure laid down in the British Parliament. In Todd's 'Parliamentary Government' in England, page 874, I find this rule laid down:

That the House of Commons should not initiate, and Ministers of the Crown ought not to sanction any attempt to institute criminative charges against any one, unless upon some distinct and definite basis; and in the case of a judge such charges should only be entertained upon allegation of misconduct that would be sufficient, if proved, to justify his removal from the Bench. But it is immaterial whether such misconduct had been the result of an improper exercise of his judicial functions, or whether it is solely attributable to him in his private capacity, provided only that it had been of the nature to unfit him for the honourable discharge of the judicial office.

I find this case cited by Todd, at page 864:

On June 2nd, 1891, a member of the House of Commons, in his place, presented an article of charge of certain crimes and misdemeanour against the Hon. James McClelland, one of the barons of the courts of Exchequer in Ireland, which was delivered in at the table of the House and read. He then moved that, on that day fortnight, the House would resolve itself into a Committee of the Whole, to take the said article into consideration. Lord Castlereagh (the Foreign Secretary) denied that "there was any rational ground to impute such corruption to Baron McClelland as to justify the inquiry;" and after a short debate the motion was withdrawn; and it was resolved that the said article of charge be rejected.

On page 865, Todd cites the following :—

In 1821, Chief Baron Standish O'Grady, of the Irish Court of Exchequer, was accused by the Commissioners on the Courts of Justice in Ireland, in their ninth and eleventh reports, with having unjustly and arbitrarily increased his own fees.

And what was the decision of the House ?

Whereupon it was resolved, after much debate, and the rejection of some amendments exculpatory of the Chief Baron : (1) That the receipt of fees by judges in the courts of common law and exchequer has been recently abolished by law. (2) That this House, under all the circumstances above stated, does not deem it necessary to adopt any further proceedings in the case of Chief Baron O'Grady.

Let us take first the case of Mr. Justice Tellier and Mr. Justice Ouimet upon the common ground that they have received fees to which they are not entitled by law—I mean, by fees, travelling expenses. Why is it that the hon. member, if he wants to be fair to these two honourable judges, did not mention the case exactly as it appears from the report of the Auditor General ? Why did he not mention that at least half a dozen judges stand in exactly the same position ? Mr. Speaker, I mention this because the very fact that several other judges, respectable judges of the province, did the same thing, is the best proof that it must be legal and honourable, and that these two judges, Mr. Tellier and Mr. Ouimet, were not violating any law. I find, for instance, that in 1887, Mr. Justice Taschereau, who is allowed to reside in Montreal, received for travelling expenses, \$1,344—

Mr. LAURIER. Will the hon. gentleman pardon me. Mr. Justice Taschereau is allowed by law to reside in Montreal.

Mr. GIROUARD (Jacques Cartier). That is what I say. But since what date ? The hon. leader of the Opposition knows that it is only about two years since he was authorized to live in Montreal.

Mr. LAURIER. I do not know the date.

Mr. GIROUARD (Jacques Cartier). Is it more than three years ?

Mr. LAURIER. I cannot say the date.

Mr. GIROUARD (Jacques Cartier). I know it is at least within the last three years that he is allowed to reside in the city of Montreal, and Mr. Justice Taschereau received in 1887, \$1,344, as a matter of fact having his residence in the city of Montreal, although he was required by the law, as in the case of Mr. Justice Ouimet, to reside in his own district. In 1890 he received \$764 for travelling expenses ; in 1891, \$890, also for travelling expenses ; in 1892 he received \$688 for travelling expenses ; and in 1893 he received \$836. Take the cases of Mr. Justice Plamondon, Mr. Justice Lynch, and Mr. Justice DeLorimier, they are all the same.

Mr. GIROUARD (Jacques Cartier).

Mr. LAURIER. Not at all.

Mr. GIROUARD (Jacques Cartier). Mr. Justice DeLorimier has his residence in his own district, only for the term.

Mr. LAURIER. I know nothing of the case of Mr. Justice DeLorimier, but as to Mr. Justice Plamondon, I say emphatically that the charge of the hon. gentleman is not true.

Mr. GIROUARD (Jacques Cartier). I beg the hon. gentleman's pardon, I make no charge against Mr. Justice Plamondon. I say that I find in his case a charge for travelling expenses, in one year, amounting to about \$870. I know that Mr. Justice Plamondon resides in Arthabasca, at the chef lieu in his own district. I have no doubt that he, as well as Mr. Justice DeLorimier and Mr. Justice Taschereau, had a right to make the charges they did. I know them to be too honourable to do anything in violation of the statute. But why single out Mr. Justice Tellier and Mr. Justice Ouimet, and say nothing of these other judges ?

Mr. LAURIER. I will tell the hon. gentleman the reason why. I know that for every cent that Mr. Justice Plamondon has charged for travelling out of his own district, he actually did travel on circuit away from his place of residence. That is quite different from the case of Mr. Justice Ouimet, who has charged for holding court at places where he resides.

Mr. GIROUARD (Jacques Cartier). I take issue with the leader of the Opposition on that point. He says he has been travelling in his own district and attending to circuit. In 1890 he got \$870 for travelling on circuit ; and in 1893, \$390. There is a vast difference. Very likely he was called upon to attend the Court of Review in Quebec, which is perfectly legal. I want it to be understood that I make no charge against any of these honourable judges, whom I know to be very careful in carrying out the law ; but I say that what the other judges do in similar cases must convince the House that, after all, Mr. Justice Tellier and Mr. Justice Ouimet have not been guilty of violating the statutes. More than that. Suppose for a moment that these judges have been overcharging their travelling expenses ; there is a remedy, but it is not before this court, not even by impeachment, not by making such a charge as the hon. member for L'Islet has made. The remedy is to make a criminal charge in the ordinary court of justice, where a judge has a right to be heard like any other man who is put in the dock, and against a decision of which court he has a right to appeal. I say that even though these judges have been overcharging for their travelling expenses, we have no right to investigate that offence. If true, let the accuser prove his charge before an ordinary court, and if those judges

are found guilty, then they should be dismissed by the Government upon such conviction by an ordinary and proper tribunal. Now, I come to the other charge made against Mr. Justice Ouimet, that of non-residence. I am not going to defend Mr. Justice Ouimet, who, by law, is required to reside in his own district. I think all judges should give an example to the community of respecting the law of the land. However, there may be something said in his favour. It may be said that he has been discharging the duties of a judge in the district of Montreal. I have seen him there myself, week after week, day after day, discharging the duties of a judge residing in Montreal. And, Mr. Speaker, do you not think that his presence was required there when you consider that even at the present time there are over a hundred cases in arrears on the roll of the Court of Review, and it will take more than one year to clear up that roll. Now, even if Mr. Justice Ouimet is required by law to reside in the town of Sorel, and if he has not done so, the proceeding is not by impeachment. You cannot find a single precedent in the world where an impeachment was laid upon such a count as that. The proceeding of the hon. member should be by taking a vote of non-confidence in the Government for allowing the judge to violate the law after the complaint made by the Sorel Board of Trade. Now, I come to the charges made against Judge Bossé. I was very glad to hear the hon. leader of the Opposition contradict the hon. member for L'Islet on the point of the capacity of Judge Bossé. The hon. member for L'Islet, showing what an impartial accuser he is, says that as a political man, Mr. Justice Bossé was a failure. Well, Sir, if to be a success in politics one must be skillful in throwing mud in the faces of every one opposed to him, decidedly, Mr. Justice Bossé was not a success. That gentleman, I believe, sat in this House during four years, and all those who sat in the House with him will remember that whenever he addressed the House no other member commanded more respectful attention than he did. I quite agree with the leader of the Opposition when he said that no member of the Bar in the city of Quebec occupied a higher position than Mr. Justice Bossé when he was in active practice; and to-day, as a judge in the Court of Appeal, he stands second to none in the province of Quebec. Now, let us examine into the charges of the hon. member for L'Islet, or into the articles of the charge preferred by him, not in the indictment, if I may be allowed to use that expression, that he has laid upon the Table of the House, but in his own speech. The first charge is that in the trial of the hon. member for L'Islet in 1890, Mr. Justice Bossé showed partiality. In what way did he show partiality, how did he display partisanship? He says that there was a criminal charge made against

O. E. Murphy and R. H. McGreevy for the sole purpose of preventing the hon. member from proving by those men that he was justified in writing the articles that he did in his newspaper. The hon. member says that he asked that his trial might go on first in order that he might have the testimony of those two witnesses, Murphy and Robert McGreevy, before their character was impugned. Evidently the hon. member for L'Islet had some doubt in his own mind whether his two witnesses would not be found guilty. But instead of making it a reproach to Mr. Justice Bossé for insisting upon the trial of these two men, who were his principal witnesses, before he began the trial of the hon. member for L'Islet, I think the course he pursued is rather to be commended. Mr. Justice Bossé wanted to establish beyond doubt that these two witnesses were to be believed, and the only way to establish their character was to have the charges made against them, investigated and cleared up. But the trial of the hon. member for L'Islet was begun first, and that is the first article of complaint laid by the hon. member, but instead of proving his case, I think he has proved the very reverse. The second article in the charge relates to the same trial. Mr. Mercier was then in power. He had undertaken, along with the hon. member for L'Islet, to bring formidable charges against the Government at Ottawa. The hon. gentleman had in view, not the vindication of justice, but the overthrow of the Dominion Government, and if charges were brought against that Government which would secure that end, then the ends of justice would be attained. Seeing that Murphy and Robert McGreevy were to be tried first—and I gather all these facts from the speech of the hon. gentleman, for I do not know them otherwise—Mr. Mercier gave directions to the Crown prosecutor, who was the hon. member for Bellechasse (Mr. Amyot), I believe—

Mr. AMYOT. I was one of them then.

Mr. GIROUARD (Jacques Cartier). I repeat that I am not familiar with the facts, as I was in Europe at that time; but gathering the facts as presented by the hon. member for L'Islet (Mr. Tarte), it appears that Mr. Mercier gave instructions to the Crown prosecutor to enter a nolle prosequi.

Mr. TARTE. I wish only to say that Mr. Mercier never gave any order. He never took any interest in the case; he was not even here at that time.

Mr. GIROUARD (Jacques Cartier). If Mr. Mercier did not give the order, his Attorney General did, and that is the same thing. The hon. member for L'Islet (Mr. Tarte) this afternoon, in his own speech, said that the Attorney General was pleased to give the order not only in writing to the

Crown prosecutor, but he took the trouble to go to the court-house and see the Crown prosecutor and order a *nolle prosequi*, unless a different order was given by the judge. Let us now take the other ground of objection, the second article of the charges made by the hon. gentleman, that of political partisanship. If the political trials which took place in Quebec had not occurred, we would never have heard of the inefficiency of the judicature of the province. In fact, we never heard of it until the Mercier Government came into power. When Mr. Mercier saw that his plundering was discovered, and that his trial was going to come on before the courts, he resorted to all means possible to cast discredit on the judges. The hon. member for L'Islet (Mr. Tarte) said that injustice was committed by Mr. Justice Bossé, and that he was guilty of partisanship and of an act of tyranny. And what was in it? There were men in jail awaiting their trial. The Government officers wanted these political trials to proceed first. Mr. Justice Bossé would not consent. He applied the ordinary rule of criminal practice, and said that men in jail should be tried first and men out of jail should be tried afterwards. In what respect was that wrong?

Mr. LANGELIER. The charge made by my hon. friend is that the judge did the very reverse.

Mr. GIROUARD (Jacques Cartier). I understood the hon. member for L'Islet (Mr. Tarte) to say that that was the case.

Mr. LANGELIER. The member for L'Islet (Mr. Tarte) said the judge did exactly the very reverse, that he insisted on trying men not in jail before he tried the men in jail.

Mr. GIROUARD (Jacques Cartier). I do not think that makes much difference. The judge did not decide the cases according to the wish of Mr. Mercier and his friends, and consequently he and his friends are dissatisfied to-day. Another charge is this: The hon. member for L'Islet (Mr. Tarte) said the grand jury could not agree to bring in a true bill against Mr. Mercier. One morning there appeared an article in 'L'Electeur,' a very insulting article—

Mr. CHOQUETTE. Not at all.

Mr. GIROUARD (Jacques Cartier). It was an article which was a very insulting article to Judge Bossé. At ten o'clock, according to the recital of facts made by the hon. member for L'Islet (Mr. Tarte), the judge brought in the grand jury and gave them a lecture, as the hon. member said, in regard to the articles published by 'L'Electeur' commenting on the case and containing insulting remarks as regards the judge. It is too often the practice of newspapers to make comments on judges, and instead of the judge being deserving of reproach in this instance, he was

Mr. GIROUARD (Jacques Cartier).

worthy of approbation. The hon. gentleman mentioned in a further article of complaint, as the motive which induced Mr. Bossé to act as he did, that a blank cheque was sent him by Mr. McGreevy. When pressed by hon. gentlemen on this side of the House, the hon. member for L'Islet (Mr. Tarte) said the cheque was filled up. But he did not know the amount, he did not know whether the cheque was paid by the bank, if I understood him correctly. But he made an admission, which, in my opinion, was very important. He said the cheque was drawn in order to pay costs in election cases, which were conducted by Mr. Justice Bossé when a counsel practising at the Bar. What is there wrong in that? If I were judge, and a cheque was sent to me for professional services rendered by my office, I would perhaps send the cheque to my office; but suppose I did not, the question was this, was the amount due, was it pretended that it was given in order to induce the judge to decide in favour of the party sending the cheque, was it sent with a view to corrupting the judge? The hon. member himself admitted that there was no such intention on the part of the sender, and that the cheque was not accepted with any such corrupt object in view. Suppose the facts mentioned by the hon. member for L'Islet (Mr. Tarte) were true so far as this blank cheque was concerned, there is nothing to show any impropriety on the part of the judge in receiving the cheque. To conclude, I look upon the charges made by the hon. member as futile, as frivolous, as affording a mere pretense under cover of which to throw mud at the judiciary of the province of Quebec, because in the late days of political excitement those judges decided against the hon. gentleman's party, and consequently were the cause of the overthrow of the hon. gentleman's friends in the province of Quebec. In order to show that the hon. gentleman cannot really be serious, he even threatened the judges with further charges. When asked to bring forward those charges, the hon. gentleman said he was not prepared to do so. If he were not prepared to do so, he should not have made that declaration if he had any respect for the judiciary of his own province. When asked to give the name of the witness who told him he saw the blank cheque, the hon. gentleman failed to do so; he said, I cannot give you my secrets, I am bound to keep my secrets; when the trial comes on, I will give you the name. He further said, Where would I have been in 1891 if I had given the names of my witnesses? There is, however, a marked difference between the case of 1891 and the present case. The case of 1891 was a political one. It was a great charge of conspiracy against certain members of this House, and even against a Minister of the Crown; but we cannot say that either political party has

anything at stake in the charges made against the honourable judges. If the hon. gentleman (Mr. Tarte) wanted to show that he was acting in good faith, in this matter, he would have said : I never saw the cheque—he has admitted that to-day—and he would not have refused, as he has done, to give the name of his authority. I find another fault with the proceeding of the hon. gentleman. It has been pointed out by the leader of the Government, as far as the Government is concerned, and as far as the judges are concerned, that the hon. gentleman has given no notice of his charges. But we have some one else concerned in this matter ; the members of this House are concerned in it. The hon. gentleman (Mr. Tarte) knowing that he was bringing the most serious charges that could be brought against any officer of this country, more serious than the charges that were made in 1891, more serious than any charge that could be brought against any Government ; knowing this, he should have given notice to the House and to every member of the House, in order that the parties interested might be communicated with and prepare their answer to these charges. But, Sir, the hon. gentleman has not given notice to the House, and although I requested him privately to do so, the first intimation I had of the nature of the charges was when he rose in his place this afternoon. At the present hour, when we are at the close of the session, it is most unfair that charges should be made when the judges have not even time to reply, and when there is not time for an investigation. I call the special attention of the leader of the Government to this. I say that the reputation of the judges of this country is so important, and so sacred that even if we have to sit here another month—if the hon. gentleman is going to grant an investigation—these charges ought to be inquired into—not by a Royal Commission, because we have had too many of these Royal Commissions already—but investigated on the floor of this Parliament. Notwithstanding my desire to go home, and enjoy the beautiful country air, I say if it is necessary to remain here two months longer we ought to clear up these accusations before Parliament prorogues. It is important to the administration of justice it is important to the people of this country, and it is important to the judges charged that we should know the truth about this matter, if in the opinion of the House there is anything to investigate. For my part, I do not see that there is anything to investigate. If my views were to prevail, I would move that the articles of complaint be rejected and that no further proceedings be had upon them ; but, of course, a matter of this importance is always in the hands of the Minister of Justice, under whose charge, under whose care, and under whose protection the judges of the land are specially placed.

Mr. WELDON. Mr. Speaker, I rise to make a single point, and that on a question of practice. I shall take no part in the merits of the discussion about which I know nothing. The manner in which the hon. member for L'Islet (Mr. Tarte) has undertaken to place these charges before the House clearly shows the need of a better practice than that now prevailing. When charges of so grave a nature as those indicated by the hon. gentleman some days ago and threatened in his speech, are to be urged by any member of Parliament against judges of the Superior Courts, it certainly is but common fairness to the judges themselves, it certainly is but observing the dignity of Parliament, and but observing the well-established and sound practice, that some opportunity should be given to have these charges put before the Minister of Justice in the first place, that they may be then communicated to the judges, so that their answer would be in the possession of some member of Parliament, in order that when the discussion is in the first place brought up in this House and spread on the wings of the press over the whole country, and put in 'Hansard,' the answer might go with the charge. A winged lie that gets forty-eight hours start flying around this earth will never be overtaken and destroyed by the truth. One-third of the people of Canada to-day have their minds clouded by a charge made against one judge in the province of Quebec, as we understood it the other day, the charge that he had taken a bribe. I need not characterize the indecency of referring to that cheque if the hon. member (Mr. Tarte) did not mean to have it believed by this House and by the country that the judge had taken a bribe. But, notwithstanding the impression left on our minds, the hon. gentleman (Mr. Tarte) says to-day that the judge referred to is not venal, and is not, in his opinion, corrupt. The second charge made by the hon. gentleman has reference to the travelling expenses charged by certain judges. What possible harm could the administration of justice suffer if that charge had been sent to the Minister of Justice in the first instance, and by the Minister to the judges themselves, so that the answer might be put in possession of the Minister, or one of his colleagues, with the result that the answer could be given to-night to the country along with the charge. If that charge is false, what a cruel wrong it is that a lie shall go out over the whole country to the destruction of the reputation of the judge. Therefore, I urge, Mr. Speaker, that Parliament, for the better protection of its own dignity, and for the better protection of the judges, should insist that in matters so grave and so serious, a better and wiser practice should prevail. I do not think I need cite authority to prove this, but I will read from the remarks of one

gentleman who, a few years ago, was a member of this House, and who, on all questions of constitutional law, was listened to with the greatest respect. I am sure I express the regret of many that that distinguished lawyer and statesman has not now a seat in this House. The words I will quote were used in a discussion very much like the one we are at present engaging in.

Mr. LAURIER. Is that Mr. Blake ?

Mr. WELDON. I will give the name in a moment :

I think that we ought to insist that our course of procedure should give him (the Judge) some opportunity to answer the charge, to state his case when it was being debated before the House, as we would give to any other judicial officer. This judge is unfortunately to be left without that opportunity of answering here to us now, the present charges which the honourable gentleman by the course he has pursued, has made, in my opinion, most unwarrantedly in point of form, whatever may be the truth of their substance.

Those are remarks taken from the speech of the Hon. Edward Blake in 1883, in the case of the county judge of Bothwell, which my hon. friend (Mr. Mills) will know all about. I may say that the view taken there by Mr. Blake was shared by Sir John Macdonald. I think, also, that this House can do nothing better—as has been said two or three times to-day—than insist on specific charges in cases like the present. We must all deplore any general attack on the reputation of the whole Bench of a province, and we should insist on specific charges, and upon giving this measure of fairness to the judge, that we would insist upon giving to the meanest criminal.

Mr. JEANNOTTE. (Translation.) Mr. Speaker, after hearing the vague accusations which have been formulated by the hon. member for L'Islet against the judges, I thought that perhaps I might dispense with coming to their rescue, considering that voices commanding a greater authority than mine have pleaded with eloquence their cause. I would not have risen in my place were it not for the statement made by the hon. member for L'Islet, that, in bringing forward those charges, he did not speak in his own name, but that he was voicing the feeling of the majority of the inhabitants of the province of Quebec. The province of Quebec, to quote his own words, was under a reign of terror, and the people were living in awe of the magistracy charged with the administration of justice. I take issue with the hon. gentleman on that point. I shall not say that the statement was an untruth, because such language would be unparliamentary; but I say that it is a gratuitous, an unfounded assertion, as I am going to show. I am the representative in this House of two judicial districts, the district of Mon-

Mr. WELDON.

treal and that of Joliette. Should the persons amenable to the courts of justice be living under a reign of terror, as stated, there would not be such a large number of cases before the courts. We have in Montreal quite a number of judges, and yet, as the hon. member for Jacques Cartier stated, there are over a hundred cases in arrears on the roll of the Court of Review. There are sittings of the Circuit Court every day of the month, and yet all the cases inscribed cannot be heard. At the Court of Review and the Court of Appeals there are heavy rolls which cannot be cleared up. If Montreal were under a reign of terror, how is it that there are so many litigants, so many suitors? Does such a state of things argue a lack of faith and confidence in our tribunals? By no means. It implies but this: the hon. gentleman's thunderbolts have proved in the end nothing but a harmless fusee; he has merely been letting off crackers in the House. I understand why the hon. gentleman has kept back so long the charges which he had promised to make two years ago. He expected that a general election would have been held this year; and these charges were kept in store on an emergency as the only means of securing his return to the House. But when he saw that general elections would not be held this year, and that the press was forcing him to act in the matter, he launched that formidable indictment which was to shake the province of Quebec, if not the Dominion, to its very foundations. What was the outcome of it? Nothing at all. The House has still a vivid recollection of the charges published by the hon. gentleman in 1890, in that well-edited paper 'Le Canadien.' The thieves who were plundering the province of Quebec were made the target of his thunderbolt articles. In 1891 he had changed his opinions and made up his mind to leave the folds of the Conservative party, which was no longer pure enough for him. But in 1891, just after leaving the Conservative party, the hon. gentleman was seen stumping the country in favour of those whom he had just branded as thieves and deserving to be kicked out of power. We met him on those occasions, and when called upon to give expression to his views with regard to the Quebec scandals, he would say that he did not want to champion the cause of robbers. So the hon. gentleman passed condemnation upon both parties; the Conservative party he denounced as the party of corruption; and as to the Liberal party of Quebec, it was a repair of thieves and brigands. Which party was he going to side with? For a man with so delicate a conscience, a man who instinctively abhors immorality and corruption, and who has many secrets which he keeps disclosing as he goes along, this selection was no easy job. Where did he drift after leaving the Conservative party? He fell in with robbers and brigands. But the hon. gentleman

does not stop there ; he had somebody else to attack. L'Abbé Gosselin was one of them ; he simply told that reverend gentleman to shut up, that he was an ignoramus, and that he was going to set him to rights as he had done with so many others. But the hon. member does not stop midway ; and after giving a good lecture to that priest, he goes one step further. He denounces the bishops, as the hon. Solicitor General (Mr. Curran) just stated. Was he then going to stop there ? By no means ; nobody has escaped his venom. He is now busy throwing mud at the judges, besmirching the ermine, and if he could possibly have sullied his own reputation, it would have been done long ago. What are the charges brought against these judges ? In my opinion, those charges are absurd and unfounded. The district of Montreal is altogether free from the taint of corruption, if the hon. gentleman is to be believed. With regard to the district of Joliette, he is reticent. None but honest administrators of justice are to be found there. But since the departure of the hon. member for Quebec, things have undergone quite a change ; when he was there, he saw to it that the law was well administered, and so it was up to the moment when he was unfortunate enough to have three bad cases before the courts. The Hon. Judge Bossé, up to that moment, had enjoyed an enviable reputation ; he had been a lawyer of high standing ; he was noted for his legal acumen and his knowledge of the law ; but since he gave judgment against the hon. member, he is no longer but a second-rate lawyer and a rabid partisan. In short, the hon. member passes judgment upon all classes of society ; and his findings have about all the same weight. The hon. member for L'Islet is not through yet with his charges, for he told us that he had other accusations to make. I presume that he is now going to betake himself to the district of Montreal, and that he will pay a passing visit to the district of Joliette. As to the latter district, my mind is quite in peace, should the hon. member turn his batteries in that direction, for the administration of justice in that district is in the hands of an honest judge. And yet, this judge has also drawn from the public exchequer allowances for having administered justice in Montreal, although he resides there. The hon. leader of the Opposition and the hon. member for Jacques Cartier (Mr. Girouard), have stated that the judge for Terrebonne was allowed by law to reside in Montreal. He has certainly now the right to reside in Montreal, though, when he was appointed to the Bench, he was bound by law to reside in the district of Joliette. I also take issue with the hon. member for L'Islet (Mr. Tarte), on another point, when he stated that our population lacked confidence in the judiciary. The best proof that the community rely confidence in the judiciary is found in the fact that we have not a sufficient number of judges in Montreal

to attend to the dispatch of judicial business ; and that the judges appointed to rural districts have to come and help their brother judges. Those judges only come to sit in Montreal at the request of the chief justice. They are paid six dollars a day for their travelling expenses, and this only when they hold court. This allowance is granted to them as a compensation for their trouble in administering the law in the district of Montreal. As regards the administration of justice, as in all other matters, all those who are high in authority, and who have to see to it that the law is obeyed and respected, are made the target of attacks and censure. If we pass in review all the other social bodies, we shall find that exactly the same thing occurs in every instance. Take, for instance, the family : is it not true that the father, the head of the family, is criticised by his children, whenever they feel the weight of parental supervision ? They are apt sometimes to think that they are more clever than the head of the family. Take, again, our educational institutions ; we all have had some experience in that line. Is it not a fact that we criticised our superiors when they forced us to work, so as to benefit, to the largest possible extent, by the pecuniary sacrifices incurred by our parents ? In all stations of life, authority is criticised. And if we turn to our municipal organizations, we will also find that municipal authority is constantly censured and criticised. So again with our banking institutions, which are under the control of the shareholders themselves.

Mr. LAURIER. (Translation.) And even aldermen are open to criticism.

Mr. JEANNOTTE. (Translation.) Yes ; I will come to that point by and by. Have not bank presidents been called robbers, and have not the accusers of those men been also accused in their turn ? Take, for instance, the Montreal City Council, the most immaculate body under the canopy of heaven, when I was one of its members. Is it not a patent fact that all the imaginable harm is said of them, that the gravest and most violent charges are brought against those men, who devote their time without any remuneration, to the service of the city ? I protest against malicious insinuations directed against men who are vested with authority, in all the walks of life. When I rose to address the House, I wished only to say a word or two. I merely wished to record my protest against the statements of the hon. member for L'Islet (Mr. Tarte), statements which are altogether unfounded, not to say false, which would be using unparliamentary language. It is surely a painful spectacle for the French-speaking members of the House to see accusations of that nature launched against men of their own blood. I have been sneered at for stating, when the Bill for corrupt practices at elections was under discussion in this House, that the Bill was calculated, in my opinion, to create

a bad impression abroad; that it had a tendency to make the world believe that we were a corrupt people, apt to be bribed and to take bribes. And, still, I was right in making the statement. For, should the judges of the land be called upon, under that Act, to leave the Bench and go fishing through the constituencies, as a smelling commission, for criminative evidence in relation to corrupt practices, it would come to this, that the candidates, ill-treated by them, following in the footsteps of the hon. member for L'Islet (Mr. Tarte), shall come and lay their grievances before this House, and complain of the administration of justice by the magistrates. What I said when that Bill was under discussion, I do repeat now. I said, and I say again, that the inquests should not be conducted by judges, on the ground that the political party whose interests are affected will always find room for complaining. No wonder, Sir, that people are found who censure the decisions of our courts. The first case I ever had in court, though I did not argue it myself—for I was not a lawyer at the time—I lost it. Of course, I found that the judge was wrong. I went in appeal and I lost again. Then, I began to think that, perhaps the judge might be right and that I was wrong. It is contended that, in the province of Quebec, the judges do not properly administer the law, owing to the fact that they cannot divest themselves of a spirit of political partisanship. Such is the import of the charges made by the hon. member for L'Islet (Mr. Tarte). The hon. gentleman is wrong; he should not use such language. Killing two birds with one stone might happen in such a case as this. A judge was attacked, of late, on account of his Liberal proclivities. It would be quite easy for us to take up the gauntlet; victims might happen to be found in both parties. An honourable and respectable press should not stoop to those base attacks. I blame the press as I blame the hon. member for L'Islet (Mr. Tarte) for voicing the feeling of the malcontent. The hon. member told us that he was not speaking in his own name, but that he was voicing the feelings of the great majority of the people in the province of Quebec. I deny the contention. This allegation of the hon. gentleman is unfounded, utterly baseless, and the facts I have just related formally contradict his statement. I wind up my speech with these few remarks; and, as I said, I should not have risen in my place had not the hon. member for L'Islet stated that he was but echoing the opinion of the majority of our rural and urban population. The hon. gentleman forgot to mention the new settlements when he alluded to our rural population. I presumed he meant to say that later on he would bring charges against the justices of peace in the country. His next onslaught shall probably be directed against the justices of the peace and the commissioners for the summary trial

Mr. JEANNOTTE.

of small causes, especially if he pleads before them and loses his cases. I represent a county of the district of Joliette, and I reside in Montreal. I am therefore in a position to know how justice is administered in those two districts, and what was the opinion of the population about it. I may say, Mr. Speaker, without any fear of contradiction, that the people in those two judicial districts are not at all alarmed at the way in which law is administered. The people there respect the judiciary and are quite satisfied with the administration of justice. Our magistrates are respected, and deservedly so. They are liable to err, like the rest of human kind. I was also under the impression that the judge's decision was wrong when it was given against my clients, and when I carried my cases to the Court of Review or to the Court of Appeals, I have lost and gained in appeal, which goes to prove, after all, the judges in the court below had perhaps rendered a fair judgment, and that I was wrong, and too hasty in attacking his decision. But I never raised such a tempest about it as the hon. member does now. It often happens that a case is appealed and carried, while before the Supreme Court it may be quashed. One is never sure to gain one's cause, even if he has two judgments in his favour. The fact that a judgment is quashed does not imply that the judge in the court below acted improperly. Any member of the Bar, of some experience, will tell you so. It does not follow that the judgment quashed has been rendered by an unjust man. And when the decision given by three judges of the court below is quashed in the Superior Court, are we to believe that those three judges were dishonest? I say, no. Those three judges acted fairly, honestly, but they simply put a different construction on the law. The five judges of the Court of Appeals are neither more honest nor more honourable than the judge of the Superior Court whose decision they have quashed. I believe that the judges administer law to the best of their knowledge and conscience; and it is most unfair to say that their judgment is swayed by a spirit of political partisanship. Judge Tellier, of St. Hyacinthe, is accused of being a partisan, of yielding to his political sympathies on the Bench. But why did not the litigants aggrieved take their cases in appeal? I would like very much to have the names of the men who put their complaints in the hands of the hon. member for L'Islet (Mr. Tarte). It would perhaps be found that the list is swollen by the names of all the unlucky litigants who lost their suits before the judge. Hence, probably, originate those complaints against Judge Tellier. Now, it is alleged that Judge Tellier compels the suitors or the lawyers to publish their advertisements in a Conservative rather than a Liberal journal. Such an assertion is ridiculous. That such a thing should happen is simply

impossible. It is ridiculous to come and tell such stories to people who know procedure. It is not at all necessary to go before the judge and ask him in which journal the advertisements should be published. When we subpoena an absent witness, we are not to go before the judge and ask him in which journal the advertisement must be published. Any lawyer who would make such a blunder would be laughed at by the judge. I say, therefore, that all the charges of the hon. member amount to nothing, and the reason for the hon. gentleman making so much noise, the cause of his bringing forward his accusations at the close of the session, is his belief that the general elections would soon be held. As the elections are to come off only in two years, he understands that he has taken a false step, which he cannot retrace, while public opinion, aroused by his onslaught on the judiciary, anxious to know the truth about those charges, compels him to go forward and proceed with his impeachment. I say, therefore, that it was only when driven to the wall, that the hon. gentleman has decided to come and tell us the hearsay stories we have just listened to. My hon. friend opposite says it is too late now, at this stage of the session, to begin an inquiry into the charges. As the hon. member for Jacques Cartier (Mr. Girouard) said, if the Government is going to grant an inquest into the truth of these charges, let it begin now, even if it were necessary to remain here two months longer. If disrespect for the judiciary is fostered in the people, the outcome will be anarchy. Judges are no longer necessary, when the people believe that judges are corrupt, mere partisans, from whom no justice can be expected. I say then that in the public interest, not only of the province of Quebec, but of the whole Dominion, a serious inquiry should be made into these charges. I would further suggest that, if the Minister of Justice grants an inquiry, a general investigation should be made on the general administration of justice. It is important to know whether the charges launched against the other judges are true or not. Although no other charges have been laid on the Table of the House, still there have been published some in the press. The Prime Minister just told us that it would require a few days to examine into those accusations and find out whether they are founded or not. In my opinion, if the Government grant an investigation, it should be of a broader nature and should go beyond the charges laid on the Table of the House by the hon. member for L'Islet. It should not be confined to the accusations brought against the hon. judges Tellier and Ouimet who have received money; but it should extend to all the other judges who have also received some. I see in the Public Accounts the names of seven or eight judges who are in the same predicament. If Judge Ouimet charged illegally his travelling expenses, then Judge Delorimier is also guilty of the same offence. But, in my opinion, neither of them

are guilty. I should rather be of opinion that they have been underpaid for the time they have sat in Montreal where their presence is so much needed. I am, therefore, of opinion, Mr. Speaker, that in spite of all those charges, the province of Quebec may continue to venerate and respect the Judicial Bench; and should the charges prove of such a nature as to justify the Government in granting an investigation, this inquest should extend to all the charges brought against the judges, not only on the floor of the House, but in the Canadian press. I shall support such an investigation, even if it is necessary to remain here two months longer. I may be told that, being a bachelor, it is no wonder that I should speak that way. It may possibly be so, but, at all events, the general good of the country, the administration of justice should prevail over private comforts.

Mr. AMYOT. Mr. Speaker, as my name has been dragged into this discussion, I do not think I should allow it to go without saying a few words. It is true, I was Crown prosecutor in those criminal trials before the court in Quebec when the Hon. Justice Bossé decided some of the points of procedure. I do not think I should now give the details of what I did as Crown prosecutor, or state what private instructions I received from the Hon. Mr. Mercier and from the Attorney General in relation to the conduct of those trials. I think it is the better for me to wait until the enquête takes place, when I will tell the whole story of what I know. Suffice it to say now that in all that occurred then I did not find one single word or act of the Hon. Justice Bossé which was not fully in accordance with his duty as a judge. At all times he tried to secure the best possible administration of justice. It is true that as Crown prosecutor I differed with him on points of procedure or upon the urgency of going on with the trials. All that will be explained, however, and then Parliament will see who was trying most to have justice administered in our province—whether it was the Attorney General, or the Prime Minister acting for him, or the judge himself. The facts will be made known at the enquête. I do not believe in commenting now on facts stated *ex parte*. I regretted a little while ago to hear the hon. leader of the Opposition commenting very bitterly upon facts concerning Messrs. Justices Tellier and Ouimet without those honourable judges having an opportunity to give their version of the facts. I think we should not do that in this Parliament or any where else. It is not proper to pass judgment upon facts stated *ex parte*. We have had precise accusations made against these judges in connection with money drawn from the public exchequer. In my opinion that could not be the basis of an impeachment in the present circumstances, though the charge is a grave one and certainly should be ventilated. But would it not have been proper to

say to these honourable judges : We will make such and such accusations against you, and you should have your answer ready, so that the country will be apprised at the same time of both the charge and the defence ? The hon. member for L'Islet (Mr. Tarte) has been adopting a mode which is most unfair to the judiciary at large, and to the judges attacked in particular. He has been acting in accord with the conduct of some part of the press of this country. I have under my hand a widely circulated paper from Quebec, "l'Electeur," of Tuesday, the 10th of July, in which there is a telegram dated Ottawa, July 9, as follows :—

To-morrow Mr. Tarte is going to make before the House his accusations against the judges. It is said that his accusations apply to four judges.

And they are named ; and of all those judges named only one is to-day accused specifically. After giving the names of those judges, the telegram says :

The accusations against the two first are, it appears, very minutely defined. It is contended that in the accusations concerning one of the four judges there are allegations the proof of which will oblige the importation before the commission of many women of bad repute from Montreal.

I say, Mr. Speaker, we should be ashamed, in this refined country, to see such base accusations made against the moral and private character of the judges. And that paper protects itself behind the charges that the hon. member for L'Islet (Mr. Tarte) is going to make, and when the hon. member makes his charges there is not a word of that in them ; yet the accusation in the paper remains against the judiciary at large. It is not only to-day that this sort of thing has been going on. It began in this Parliament last session, eighteen months ago ; but it has been going on in the press of the country for many years by all sorts of inuendoes and insinuations. The respect of the public for the Bench is one of the conditions of order in society ; and very guilty are those who take it upon themselves to try unjustly to diminish that respect. Of course, if the judges prevaricate, there must be a remedy ; if they are corrupt, there must be a remedy. They are not above the law ; they do not make the law ; they only administer it ; and there must be a remedy. But what is the proper remedy always adopted in constitutional countries ? It is by an impeachment formally made in Parliament, in which charges are formulated definitely and specifically. But what is done to-day, and what has been done for many years past ? All sorts of insinuations have been made, and nothing else. Even to-day we heard the hon. member for L'Islet saying that all the lawyers could ascertain that Judge Bossé was in the hands of Thomas McGreevy. He did not say that the judge was in the hands of Thomas McGreevy, but that the lawyers said so. Later on he said that I myself was saying all possible things against Judge Bossé :

Mr. AMYOT.

and in another part of his speech he said that the lawyers told the judge that Robert McGreevy and Murphy were right in going away, because they were going to be condemned. He has not the courage directly to accuse the judge himself, but is making others accuse him, by saying that such a fellow said such and such a thing. Mr. Speaker, that is not an honourable, an honest or a straightforward way of accusing a party. So far as I am concerned, I never said one word against the honesty and probity of Mr. Justice Bossé. I always respected him when he was at the Bar. Whenever I had a hard point of law, to whom, but him amongst the old lawyers, did I like to go to consult, to get good sound advice ? And when he was appointed on the Bench, all the lawyers of Quebec were glad, because the high office was given to one amongst the most prominent of us, and because we were to have on the Bench a man whose great knowledge of law was a sure guarantee for the administration of justice. I have never said anything against that honourable judge, and I am quite sure that the lawyers who the hon. gentleman alleges said these things against Judge Bossé, will, when they are called upon, give a flat denial to that accusation. But this is not the way to bring charges against a judge. Why does not the hon. gentleman say specifically what wrong he has done ? He says he does not speak against the integrity of Mr. Justice Bossé. Why then did the hon. gentleman speak of the cheque of the Hon. Thomas McGreevy at all ? If that cheque was not intended to buy the honourable judge, what was its intent ? And if it was not so intended, why speak of it at all ? Why make that insinuation ? This is not straightforward, not worthy of a gentleman who is protected by his privilege as a member of this House. Had he made such an insinuation in a newspaper, he knows that he would have been brought before the jury of his country and made to suffer the consequences. Here, however, he is not exposed to any such consequences, and finding himself thus protected, he indulges in slanders and insinuations. He charges that money was obtained by the Hon. Judge Bossé. When asked if Judge Bossé received that money before he was appointed judge, he replied yes. Then, why bring it here at all ? Where is the law that would prevent Mr. Justice Bossé receiving money before he was made a judge, from the Hon. Thos. McGreevy, either as a lawyer for legal purposes, or as a politician for subscriptions or otherwise ? What blame can be attached to the honourable judge in that respect ? And if there be no harm in it, why mention it here ? I do not question the intention of the hon. gentleman, but to-day he comes with new accusations which he does not dare support by furnishing any particulars. He has made this insinuation, he has spread it among the minds of the people, sheltering himself behind his irresponsibility as a member of this

House, and to-day he is careful to avoid it altogether in the conclusions he makes. Will the Minister of Justice, in the instructions to be given, if he gives any, instruct the judges or a royal commission to investigate this insinuation? But if the Minister should appoint a commission of investigation, the whole of the charges ought to be brought before it—not only those made to-day, but also the insinuations he made on a former occasion, so that an end may be put once for all to this levelling of charges and insinuations against our judiciary. Out of our thirty-six judges, we find that only three have been accused to-day, and what do the charges amount to? Is there one single corrupt decision charged against them, or one judgment claimed to be ill-founded, No. We have Judge Bossé accused of having delayed a law suit in one instance and of not having delayed a law suit in another instance, and we are not informed of the circumstances. No details whatever are given us. Surely those cannot be called charges. We have charges concerning many matters against two other judges, and still no particulars are given. The Minister of Justice is charged by the hon. gentleman to make an investigation at large and seek to find some evidence against these judges. I am glad that all the other judges have escaped, and that we are in a position to say to the rest of the Dominion that after years of litigation, and after every means taken by the hon. member, who even went so far as to invite people through his newspaper to furnish him with proof, we can point the rest of the Dominion to our judiciary as composed of men as pure and enlightened as are to be found in similar position in any other country in the world. We are gratified to know that in our province we have upon the Bench men who can compare with the judges of any country. Mr. Justice Bossé and Mr. Justice Davidson have requested the Minister of Justice to grant an enquête, and I think they are entitled to one. But as regards Mr. Justice Davidson, into what can the Minister of Justice investigate. We were told that he mistook a servant girl for a sister of charity, that he had gone somewhere, but where we do not know. It may have been to church. But the hon. member for L'Islet (Mr. Tarte) thought that he might as an honourable man utter in this House insinuations and charges which will appear in our official records, not only for one day, but for ever, and although he has cast these insinuations against Mr. Justice Davidson, which appear in our official record, to-day, when he formulated his charges, he has nothing to say against the honourable judge; and if the Minister of Justice does not investigate these insinuations, he will say that he laid the information, but that hon. Minister failed to proceed on that information. And the hon. member calls that attitude an honourable one. I am sure that the lawyers in this House, who have a proper sense of

justice and experience of the way our law should be administered, will not endorse such conduct in this House, but will do their duty as right-minded citizens by taking means to prevent a repetition of such conduct. I will not take up more time of the House, but will simply repeat that in the evidence which I may have to give as to the conducting of the criminal terms alluded to by the hon. member for L'Islet, not a word will come from my lips except in praise of the manner in which Mr. Justice Bossé conducted the proceedings during these terms.

Mr. BELLEY, (Translation.) Mr. Speaker, I beg leave to say a few words in connection with the accusations before the House. In 1893, the hon. member who has formulated those charges ran for the Federal Parliament in the county of L'Islet. He then attempted to stir up the electors of that constituency, and told them: "Return me to the House of Commons and I shall impeach several judges. I pledge myself to put a stop to the corruption which prevails among the judiciary of the province of Quebec." For two years past, we have not heard a word about those formidable charges. It was but the other day that they were brought on the tapis, the hon. gentleman having been compelled to place them before the House. There is no gainsaying it, Mr. Speaker, everybody was anxious to know what was going on on the Bench; everybody wished to know whether the judicial ermine had been sullied, as stated. To-day we have the satisfaction of knowing beyond the shadow of a doubt that our magistracy is admittedly above suspicion. The very charges launched by the hon. member for L'Islet (Mr. Tarte) are the best possible proof that the members of the Bench of the province of Quebec faithfully and honestly administer justice. That they are not corrupt and are worthy of public confidence. The hon. member for L'Islet (Mr. Tarte) finds himself in a very sad predicament. He cannot even lay any claim to the merit of having followed the regular procedure in bringing down his charges. Instead of making vague accusations, he should have specifically stated the allegations upon which he intended to rest his charges. Therefore, the course followed by the hon. member is a crying shame, and deserving of unqualified condemnation at the hands of the country. The accusations formulated by the hon. member against the Hon. Judge Bossé are futile, and those put forward against the two other judges have nothing in them calculated to make these officials lose the respect to which they are entitled. The only charge he prefers against them is that of having irregularly received money from the public treasury for travelling expenses. That is the only charge he could find against them. The hon. member for L'Islet (Mr. Tarte), when undertaking to voice the feelings of those who had griev-

ances against the judges, more out of spite and disappointment than otherwise, and when putting forward his charges in the vague manner which he did, has assumed a part unworthy of the position he occupies as a member of this House. I would have expected that the hon. member would also have preferred charges against the Hon. Judge Davidson, as he did against Judge Bossé; for he had mentioned the name of Mr. Justice Davidson the other day when he told us that Mr. Justice Bossé had received a blank cheque from Mr. Thomas McGreevy. But to-night, the hon. member has formulated no accusation against Mr. Justice Davidson. Why did not the hon. member bring, also, charges against the latter? The reason is that the hon. member, who has always been the evil spirit of his nationality, who has missed no occasion of belittling, of disparaging it, did not dare formulate any charges against an English-speaking judge. He received instruction from the hon. leader of the Opposition not to do so, because he was an English judge, and that such a course would be calculated to prejudice the interests of the Liberal party in the minds of a great many of their partisans. Such a course, I contend, is a crying shame, it is revolting. The other day, the hon. member made insinuations of the gravest nature against Judge Davidson. Why did he not come to-day before the House and bring charges against him? The only reason is that he was afraid of a portion of the Liberal party from a political standpoint; I mean that he was afraid lest it should injure the interests of their common cause. When the hon. member, in former days, attempted to discredit the magistracy, not a single member of the Bar ever did believe a word of what he said. To say we have the satisfaction to know that we were not wrong in disbelieving his utterances. We knew perfectly well that the hon. member had contradicted himself on every question, and he would do so again on this question. His utterances never had any weight. We knew that he had thrown mud at everybody. We knew that he had constituted himself the accuser of the clergy, that he had been now in favour of free trade, now in favour of protection. Yesterday, a Conservative; to-day, a Liberal, there is hardly anybody whom he did not drag in the mud. Did he not attack the hon. leader of the Opposition himself? There is not a single individual in either party whom he did not violently attack. It is because we knew his past conduct that we did not believe in his declarations. But to-day, he supplies us with the proof that we were right in disbelieving his allegations. The magistracy is avenged, and the hon. member has the fate which he deserves.

Motion agreed to, and House again resolved itself into Committee of Ways and Means.

Mr. BELLEY.

(In the Committee.)

Lamp springs, 10 per cent ad valorem.

Sir RICHARD CARTWRIGHT. What is the object of this, and what is the present duty?

Mr. FOSTER. The present duty is 25 per cent. The old duty upon articles included here was 10 per cent, and this keeps it at the old duty.

Sir RICHARD CARTWRIGHT. For what reason is the change made?

Mr. FOSTER. The thing used for a lamp spring is a clock movement, and we rearranged the duty on clocks.

Horse clothing of jute, shaped or otherwise manufactured, 30 per cent ad valorem.

Mr. FOSTER. Jute cloth, out of which this clothing is made, is now dutiable at 20 per cent, and, under the tariff as it stands, the rate on the clothing, the manufactured article, will be 20 per cent also. The old duty on this article was a compound duty. It is thought fair to make this 30 per cent, seeing that it is a manufactured article. It certainly would be unfair to leave it at the same rate as the material of which it is manufactured.

Sir RICHARD CARTWRIGHT. That may be true, only the 20 per cent duty would have taxed the manufacture. I see no reason for making a change. But I do not suppose the article amounts to much.

Glass bulbs for electric lights, 10 per cent.

Mr. FOSTER. This is a reduction of duty. They are not manufactured in this country. The tariff now before the House taxes them 30 per cent.

Frames, clasps and fasteners for purses and chatelaine bags or reticules nor more than 7 inches in width, when imported by the manufacturers of purses and chatelaine bags or reticules for use in their factories, 20 per cent.

Mr. FOSTER. A lower duty is put on these because they are not manufactured in the country. Under the present tariff they would be dutiable at 35 per cent.

Maple sugar, 20 per cent.

Mr. FOSTER. That is not otherwise provided for. I explained that.

Sir RICHARD CARTWRIGHT. What is this equivalent to as a specific duty?

Mr. FOSTER. I suppose it is valued differently at from 8 cents to 12 cents and 15 cents per pound.

Sir RICHARD CARTWRIGHT. This is a duty of about 2 cents per pound, then. I suppose it does not matter a great deal, but it is a heavy duty.

Mr. SCRIVER. We do not import any.

Mr. RIDER. What is the object of this duty of 20 per cent on maple sugar?

Mr. FOSTER. To get as much revenue as we can out of any that comes in.

Sir RICHARD CARTWRIGHT. I should imagine the possible revenue from this would be \$50.

Mr. FOSTER. Well, that will help.

Sir RICHARD CARTWRIGHT. You threw away \$300,000 to-day for mighty little consideration, and now you want to save \$50. Very well.

Mr. FOSTER. No objection to saving \$50.

Mr. RIDER. I would be glad if the hon. Minister would give this a little further consideration. Our only market for maple sugar is in the United States, and a duty of this kind would have a tendency to provoke retaliation and do us harm.

Mr. FOSTER. Would you like the duty taken off?

Mr. RIDER. Yes; or put in a reciprocity clause, as in the case of certain kinds of grain.

Mr. FOSTER. I would have no particular objection to taking the duty off.

Add to section 227 of Bill No. 125 "An Act to consolidate and amend the acts respecting the duties of Customs," the following words: "But not less than 35 per cent.

Sir RICHARD CARTWRIGHT. What does that mean?

Mr. FOSTER. That is to do what I proposed to do when we were going through concurrence. You would not allow us to do it then, consequently we had to bring it down in the form of a resolution.

Sir RICHARD CARTWRIGHT. I have no doubt I had excellent reasons for it, though I have forgotten them. But what does this relate to?

Mr. FOSTER. That relates to small bolts and rivets, less than $\frac{3}{8}$ -inch, the duty upon which the genial whip on this side of the House made a very strong plea to have increased. We did not find it possible to admit his plea in that respect, but proposed to add a saving clause that the duty should not be less than 35 per cent. If the hon. gentleman will think what is necessary in order to make one of these screws or rivets he will come to the conclusion that it is not an inordinate duty.

Ground logwood, ground fustic and patent prepared dyes—free.

Mr. ROSAMOND. Is log-wood itself free—chip log-wood?

Mr. FOSTER. Yes.

Mr. ROSAMOND. It is not mentioned. The extracts of log-wood and ground log-wood are mentioned, but not chip log-wood, the form in which it is usually imported.

Mr. FOSTER. Chip log-wood, and the pure chips, and the ground log-wood, are now all free.

Tea adulterated with spurious leaf, or with exhausted leaves, or which contains so great an admixture of chemical or other deleterious substances as to make it unfit for use.

Sir RICHARD CARTWRIGHT. That tea is not to be imported at all?

Mr. FOSTER. That is put in the prohibited list.

Mr. STAIRS. I want to ask the attention of the Minister of Finance to a suggestion I have to make in connection with tea. I think the introduction of the item that has just been made in schedule "C," would enable him to strike out in section 708, the words commencing with the words "provided." I think as it stands that these words are not required, and that they may lead to a little difficulty in administration. Possibly the Minister will remember that I was of that opinion at first, and I am more strongly confirmed in it since he has put in the provision respecting the prohibition of adulterated teas. I think it is quite possible that as the two sections stand to-day, tea might be admitted and passed by the inspectors under the items which is put in schedule "C" and that it might not be possible for the importers to give proof that the tea purchased in bond was such as might be entered for home consumption in the country of production. I was of opinion when that provision was put in, that we were asking the importers to do something they might find it impossible, in some cases, to do. Of course, I know this is not the time to consider this suggestion, but I make it now in order that the Minister may have time to consider it before he takes up Bill No. 135.

Resolution reported.

SUPPLEMENTARY ESTIMATES.

Mr. FOSTER presented a message from His Excellency the Governor General.

Mr. SPEAKER read the Message, as follows:—

ABERDEEN,

The Governor General transmits to the House of Commons, Supplementary Estimates of sums required for the service of the Dominion for the year ending 30th June, 1895, and in accordance with the provisions of "The British North America Act, 1867," the Governor General recommends these Estimates to the House of Commons.

GOVERNMENT HOUSE,
OTTAWA, July, 1894.

Mr. FOSTER moved:

That the Message of the Governor General and the Supplementary Estimates contained therein, be referred to Committee of Supply.

Motion agreed to.

THE INSURANCE ACT.

House again resolved itself into Committee on Bill (No. 111) to amend the Insurance Act.

(In the Committee.)

Sir JOHN THOMPSON. We disposed of the Bill and left for further consideration the amendments of which I gave notice, and which are found on page 443 of the Votes and Proceedings. After the words "loan or investment company" in the eighth line of subclause 1 of section 16, I wish to add the words :

Waterworks companies, gas companies, street railway companies, electric light or power companies, electric railway companies, when the line of railway does not exceed twelve miles in length, every such company being a company incorporated in Canada, or on the security of life insurance policies.

Sir RICHARD CARTWRIGHT. What are the objects of these amendments ?

Mr. FOSTER. The main object of the amendments is almost entirely this one. The general line of investment of insurance companies is laid down in the Insurance law, and it has been for the last six or seven years past been strictly adhered to, the object being to have securities for investment on behalf of policy-holders such as would be prudent and safe investments. There were a certain number of companies acting under old charters in which the limit of investment was very much greater, taking in a range of securities which would not be allowed by companies coming in at present under the policy of investment which has ruled during the last five, six, or seven years. It is proposed to bring the old companies which have had this wider power of investment in securities not allowed to other insurance companies and not considered as reliable under the new law, but without disturbing any previous investments. But on going over the matter and conferring with the companies it was thought the present list of securities might be extended by the addition of certain lines, and accordingly the following new ones have been added:—Water-works companies, gas companies, street car companies, electric light or power companies or electric line of railway, when such does not exceed fifteen miles in length, and the stocks of any chartered banks in Canada. These are the new lines of securities in which all the insurance companies organized after the passing of this Act may invest, and it is an extension so far as those are concerned, and all the investments made by the companies chartered many years ago, and which charters giving them a wider power of investment, shall after the passage of this Act be limited to the securities laid down in it. The power of investment under the old charters included any bonds, stocks or mort-

Mr. FOSTER.

gages of marketable values. That gave them almost illimitable power. It enabled those companies with the old charters to invest in the stocks of railway companies, in fact in any kind of bonds or stocks. It is not proposed to interfere with investments already made in those lines, but the intention is to place all the companies on the same basis, and to compel all to invest in securities which are considered safe and prudent.

Sir RICHARD CARTWRIGHT. Did I understand the Finance Minister to say that bank stocks are included ?

Mr. FOSTER. Yes, they are now included.

Sir RICHARD CARTWRIGHT. Strictly speaking, there is an objection to that from the fact that although not often enforced, our bank stocks, I believe, still continue to carry the double liability. Is not that the case ?

Mr. FOSTER. Yes.

Sir RICHARD CARTWRIGHT. There is an objection to have the class of securities we are dealing with now subject, under any circumstances, to being called upon to pay a double liability. It is true that in most cases it does not at all follow that any large claim may be made upon them, but still the thing is a possibility.

Mr. TISDALE. I propose to move that the committee rise and report progress, with the object of referring this amendment to the Banking and Commerce Committee. The amendments to the Insurance Act, except this one, were referred to that committee, and were considered during two mornings, and were reported on satisfactorily to the department and to the committee. After we had got through our labours and made that report, this very important amendment was proposed, so that it has not been considered by the Banking and Commerce Committee, and the companies—particularly the best and greatest company in Canada : the Canada Life—are very much dissatisfied with this proposed curtailment of their powers. It is true that theirs is a very old charter, and as the Minister of Finance says, no company would get it now. But still they have been a most prosperous company under it for forty-seven years, and they are able to declare profits that such a change as this will largely curtail. With a change of such importance as this, suddenly brought on, we ought to have an opportunity of considering it in the committee where we can hear the objections of the companies, and get at the facts, as we cannot get at them in Committee of the Whole, particularly at this late stage of the session. In the case of a company that has existed and been so successful, and in all that long time has not lost a dollar in all their large investments, surely can stand another year under present conditions, provided there is not time to pass this Bill this session. This

Bill was inaugurated in the Senate and passed, and sent down to our House, and after hearing the companies very fully, the committee agreed upon some important amendments. This amendment, as at first introduced, would have curtailed \$5,000,000 of investment that the Canada Life has in this country, and although changes have been made favourable to the companies, still it is a very serious step, against the protest of a corporation so successfully managed, to insist upon this amendment without serious consideration. In the interests of the policyholders of that company, to whom 92½ per cent of the profits go, I would ask the First Minister to refer this Bill to the Committee on Banking and Commerce. I feel very strongly that this course should be taken. I do think that we should have some good reasons for this important and radical change. It is only fair to the public and to the companies that we should consider this amendment in the same way as we have considered the rest of the Bill. Apart altogether from the proposition that is involved, which is to curtail, against their will, the power that this company has had for forty-seven years, I feel it my duty to speak very emphatically about the matter. We want the circulation of money in this country. Our banking institutions, though excellent, are often insufficient for the class of securities, that have been safe so far as this company is concerned. Many of our insurance companies are small, as the Canada Life once was, but through good management it has grown to be a great company. We should proceed with all care and caution in this matter, and I do not see that there is any particular hurry for it this year. It is true that since these amendments were given notice of, some of the companies have been here in delegations, but they could not possibly be fully heard. I feel it my duty to move that the committee rise and report progress, with a view of asking the House to send this amendment for consideration to the Banking and Commerce Committee.

Mr. EDGAR. I largely agree with what the hon. gentleman (Mr. Tisdale) has said. This is an exceedingly important clause that we are asked to consider now, and it involves a great many complicated considerations. There may be some securities that are suggested here as proper investments for insurance companies, to which very considerable objections might reasonably be taken, and I think I am safe in saying that a good many securities are omitted from this which many people would think not unsafe investments for insurance companies. Considering the enormous amount of capital which has to be invested every year—the savings of the people—by insurance companies. I think they are institutions which should be handled with the greatest possible consideration by Parliament. This Bill, as the hon. member for

Norfolk (Mr. Tisdale) said, although a Government measure, was allowed to go before the Committee on Banking and Commerce, and they were invited to freely consider its provisions. I was one of those who spent considerable time and trouble in considering it, but the present proposal was not before us at all, and, of course, at this stage of the session, it is impossible that it could be fully considered. It would cause a great deal of delay to consider it properly, and as there is no urgency that I can see, I would suggest that the Government should allow the Bill to stand over for another session. Some important commercial legislation on the Orders of the Day must necessarily stand over. The Insolvency Bill and the companies Act cannot be taken up this session, unless we are going to stay a good many weeks more here, and this Bill is not so urgent, in the opinion of any body, as that insolvency law. If these other Bills are to stand, I think this Bill might very well stand also, so that I believe the committee could profitably rise and report progress.

Sir JOHN THOMPSON. I object to the view that this has suddenly been brought on.

Mr. EDGAR. I did not say that.

Sir JOHN THOMPSON. My hon. friend from Norfolk (Mr. Tisdale) did. Notice was given twenty-four days ago, and fourteen days ago a large deputation was heard to present all the objections which the companies had regarding it. They stated their views at length, and in consequence of their views we have made the amendments which I have read to-night. We have not heard since of any objections, but we have heard of the assent of all the companies except one that were represented on that occasion. And I submit to you, Sir, that the hon. member's motion is not at all in accordance with order. The House has referred this Bill to the Committee of the Whole, and it is proposed, while leaving the Bill before the Committee of the Whole, that we should rise and report progress and then refer the Bill to another committee; so that two committees would have the Bill before them at the same time.

Mr. McCARTHY. I understand that my hon. friend's motion was that the committee rise and report progress, and the reason he gave was that the order referring the Bill to the Committee of the Whole should be discharged, so that it might be referred to the Committee on Banking and Commerce. I would add my voice to what the two hon. gentlemen have said in favour of allowing this matter to stand. It does appear to me that it cannot do any harm to allow it to stand for six or eight months. It seems to me to be a very harsh measure to interfere with the vested rights of the Canada Life, the most successful insurance corporation that we have ever had. Not a word

has fallen from the Minister of Finance, and I do not think that any word could fall from any person, suggesting that the investments which the Canada Life has made—I speak of that company because I understand from what the First Minister has said it is the only company affected—are unwise or improvident or not in the interest of the policy-holders. Now, the policy-holders—and I speak feelingly, as a policy-holder—have invested their savings in this company, and they are interested in the profits of 92½ per cent. These profits have been obtained during many years past, and there is reason to believe that they will continue on the same basis for the time being. The company, as a company, and the stockholders have comparatively a very trifling interest in this matter. The whole stock of the Canada Life is \$125,000, and their interest in the profits is only 7½ per cent of the amount. The profits of 92½ per cent belong to the policy-holders. These have been invested knowingly and deliberately under the terms of the charter, and it does appear to me that it is un-British legislation to take away the vested rights of this company. I do not mean to say that we have not the power to do it. It could not be done in the United States. Such an attempt would, of course, be unconstitutional there. We have the power to do it here, but it is not the habit of British Parliaments to take away vested rights unless an overwhelming case of public convenience or inconvenience is made out. There is another reason why the hon. First Minister ought not to press the measure at the present session. The theory of our legislation is that a Bill should be read a first, a second, and a third time. Now, although I do not as a point of order mean to suggest that even at this stage these amendments may not be made, as not being within the purview of the title of the Act; nevertheless, after the Bill has been read the first time and the second time, has been referred to the Committee on Banking and Commerce, and has come back from that committee, it is then for the first time suggested in a notice of motion on the Order Paper that these amendments should be made. It is quite true that friends in the House may have sent these notices to the insurance companies; but what means have the general public of becoming acquainted with this legislation? It is not the kind of thing that attracts the attention of the newspapers, and the means which we have of sending Bills to our constituents and those interested in them are not open to us in this case, in the manner in which these suggestions have been made for our consideration. I would therefore join my hon. friend from Norfolk in urging that the committee rise and report progress, but more with a view of the matter remaining over for one year, so that it could be fully considered. I may say, speaking for myself, that I understood that these amendments were not to be

Mr. McCARTHY.

pressed this session. I informed the Canada Life and the Confederation Life, whose managers communicated with me when these notices were put on the paper, that I understood that some arrangement had been made so that the measure would not be pressed this session. I am not in a position to point out, and no person has pointed out, to what extent it does interfere with the vested rights of the Canada Life; it would have to be compared with the provisions of their charter. But I hope the matter will be allowed to stand.

Mr. SUTHERLAND. I do not know that I can add anything to the arguments that have been made in favour of allowing the Bill to be considered by the Banking and Commerce Committee; but I would express the hope that the House will agree to that proposal. The hon. Prime Minister has said that notice was given to the amendments proposed; but he has now proposed important amendments which we have had no opportunity of considering. This is a very important matter, affecting a great interest, and the Bill, when it was before the Banking and Commerce Committee, received a great deal of earnest consideration; and I am sure that, after hearing the views and the information which were presented to that committee, many members viewed the matter in a different light from what they did when the matter first came before the committee. I do not think any one pretends to say that the company more particularly affected by this measure has made any mistake in the interest of its policy-holders, in its investments. A great difference of opinion will exist in the country as to whether it is well to put upon it the disabilities proposed here. If the matter were discussed in the Banking and Commerce Committee, I am not sure that many other important points might not be raised to show that we would be doing an injustice to the people of Canada by some of these proposals; for instance, money would be taken for investment out of the country which is now not only rendering a good profit to those who have invested it in insurance companies, but which is also helping institutions in whose bonds and stocks companies such as insurance companies are able to invest their money. It is a large subject, and one that should receive most careful consideration on the part of those interested. I do not know how I, like the hon. member for Simcoe (Mr. McCarthy), got the impression that these amendments were not to be pressed this session. I understood that they were more particularly a departmental suggestion. In theory, the proposals appear to be very good, but the effect of them would be so widespread that I think the House and the Government ought to consider very carefully all that is to be said, pro and con. I would, therefore, urge upon the First Minister, if he can see his way clear to do so, to give us an opportunity of studying the effects of these amend-

ments before he presses them upon the House.

Mr. TISDALE. I think the Prime Minister misunderstood what I said about introducing the measure so late. What I intended to express was that I do not wish in any way to obstruct the passage of the Bill, but feel it my duty, in regard to this particular section, to say to the hon. gentleman that while it is true that the companies have assented to the amendments to this amendment, they did so because they felt that they could do nothing less at this time. What they would like would be a chance to be heard before we passed this particular clause; and it is only from a sense of public duty that at this stage of the session I feel bound to say, or move anything upon the subject. My opinion is very strong that if we had this clause before the committee and had the departmental officers present and the different companies represented there to discuss the matter a much more satisfactory understanding would be obtained. I do not wish in any way to imperil the passage of the rest of the Bill, which is satisfactory to the department and the country, but under the circumstances, I think the Government might allow the balance of the Bill to pass, and let it be understood, if they wish to press this clause next session, that all the parties will be brought before the Banking and Commerce Committee and give them a chance to be heard.

Mr. WOOD (Westmoreland). I do not know that there would be any objection on the part of the Government to refer this amendment to the Banking and Commerce Committee, if we had time to do so at present. Of course, as the speakers who preceded me have remarked, if this cannot be done at this period of the session, the question really is whether this clause shall be dropped now, or whether it should be gone on with. I might here say this, with regard to the necessity of referring this clause, in any case, to the Banking and Commerce Committee, that it does not appear to me much advantage would be gained by that course. This same clause has been considered repeatedly by that committee, since I have had the honour of being its chairman. It has been introduced into the Acts incorporating the different insurance companies in the past few years—that is the clause as first introduced by the leader of the Government. It has since been enlarged, and that has been done to meet the views of certain companies, the representatives of which came to Ottawa and waited upon the leader of the Government in reference to it, after it first appeared in print. In deference to their opinion, after the conference which took place between the companies and the officers of the Finance Department, it was considered not objectionable to adopt this suggestion, and add to the class of securities which were first included, the different

securities to which the right hon. the leader of the Government has referred to-night. Now, the result of the conference which has taken place, is that this clause, as it stands at present, is approved by and acceptable to all the life insurance companies in Canada, except the company to which the hon. member for South Norfolk (Mr. Tisdale) has referred, namely, the Canada Life. And so far as that company is concerned, the question seems to be narrowed down simply to this: whether we are to pass any legislation affecting it which will restrict the right of investment it had under its original charter. The object in introducing this, was, to place all life insurance companies on the same footing with regard to their investments, and for my part, I cannot see why that principle should be objected to with regard to any company. In order not to interfere with any vested rights which the hon. member for North Simcoe (Mr. McCarthy) referred to, this clause was only made applicable to future investments.

Mr. McCARTHY. It does interfere with vested rights.

Mr. WOOD (Westmoreland). Well, I have not the same standing in the legal profession which the hon. member for North Simcoe has, but I must say that I fail to see how it interferes with any vested rights of the Canada Life, or any other company.

Mr. McCARTHY. Surely if a company has a right to invest in a certain class of securities, and if that right is taken away, that is altering the charter of the company to that extent and interfering with its vested rights. The hon. gentleman is confounding "investment" with "vested."

Mr. WOOD (Westmoreland). If any interference with the rights a company possessed under its original charter is an interference with vested rights, the hon. gentleman may be technically right.

Mr. McCARTHY. Substantially right.

Mr. WOOD (Westmoreland). I am not a sufficiently competent authority to pronounce on that question, but it appears to me the question is simply this: The policy of the old Parliament of Canada, at the time this company obtained its charter was entirely different from that of the Dominion Parliament at present, which is the policy that was adopted some years ago and has been followed uniformly in the incorporation of all the life insurance companies, incorporated in the last few years. I fail to understand why, if this be a good policy, if it be desirable to limit the investments of insurance companies at all, that policy should not be made applicable to old as well as new companies. I must say that I fail to see any injustice or hardship whatever in applying the same rule to all companies alike. All the other companies doing business in Canada are in accord on this point, and I believe, desire to see this Bill passed, ex-

cept the Canada Life Company, and that company opposes it, as I understand to-night, upon the ground that it is unwilling to be deprived of any power of investment which it possesses under its original charter. The hon. member for South Norfolk (Mr. Tisdale) referred to the fact that this is an old company, that its affairs have been well managed, and that it is at present in a very good position financially, and that none of the policy-holders having been finding fault with their investments. The hon. member for North Simcoe said something to the same effect, namely, that he thought that the investments of this company and its past good management was a guarantee for the future. I for one am not prepared to indorse the statement that the management of the past is a guarantee for the future, and for this reason—the management and direction of the affairs of these insurance companies does not always remain in the same hands. The company may have been well managed by the directors who have had charge of it in the past, whether they have changed recently or whether they are likely to change in the future, I do not know. We do not know but that they may change and the management go into entirely new hands and a company that has been well conducted in the past may be very badly conducted in the future. With regard to this company, I would like to say further that since that matter came up I have looked a little into the affairs of the company. I felt it my duty to do so, because the company is doing a very large business in Canada, and I know that in my own section of the country and in the constituency I represent there are a large number of policy-holders who are deeply interested in the affairs of this company and to whom it would be a very serious matter if any mismanagement or any disaster were to result. This company has certainly done a very successful business extending over a long period of time, and has conducted its business really on the lines laid down in the clause we are considering, and has almost uniformly limited its investments to the class of securities we propose it shall in the future be restricted to. But, whether there has been a change in the management or not, I find in the reports published of the insurance companies, that within the last five years there has been a very material change in the class of investments which this company are making. Now, in the report which appeared last I find that the Canada Life have invested some \$450,000 in bonds of the Kingston, Napanee and Western Railway Company—6 per cent bonds. They enter these bonds in their list of securities at their par value as the market value. They have invested a further sum of \$400,000 in bonds of the Lake Erie and Essex and Detroit River Railway Company. They have invested a further sum of about

Mr. WOOD (Westmoreland).

\$400,000 in bonds of the St. Lawrence and Adirondack Railway Company. They have invested also in the Michigan Central Railway Company's bonds. They have invested a further sum of \$375,000 in shares of a commercial corporation, H. Walker & Son, for which they hold also \$400,000 of these same Lake Erie, Essex and Detroit River Railway Company's bonds. I have taken the last report of the Department of Railways and Canals to get what information I could glean from it in reference to the affairs of these railway companies. I might say here generally, in my opinion investment in securities of this class is not the kind of investment which our life insurance companies ought to make. Our life insurance companies are in a different position from almost any other class of companies in the country. They do not subscribe any large amount of stock. The money which they receive and which they have for investment is not money belonging to stock-holders of the company, it is money which is paid in by the policy-holders of the company, and which the company holds as a sort of trustee for the payment of these policies when they become due. We know the position in which many of these policy-holders would stand if there was any failure on the part of the life insurance companies to meet their obligations when they mature. These amounts for investment are made out of little sums which people who are insured pay from year to year in order to provide something for the benefit of their family or those who are dependent upon them after their death. And it would be a most serious matter if, through any mismanagement of these life insurance companies, these people who had trusted their money with them for safe-keeping were not to realize the amounts due them as the policies matured. I have felt, therefore, that these companies ought not to be permitted to invest in what I call a speculative class of securities of doubtful value, such as these railway bonds. And it appears to me that is really the underlying principle of this whole resolution; that is really why the Government have considered it necessary in regard to life insurance companies to take a sort of paternal—if you choose to call it so—charge of their business, and why Parliament has thought it wise and in the interest of this country that the class of securities in which they were allowed to invest should be limited to those which generally were considered safe in their character. The railways to which I have referred, the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway, I understand, now amalgamated, and have a total bonded debt of \$60,500 and \$450,000. Their net earnings in 1893 were \$44,361. It is true that this will be sufficient to more than pay the interest on their bonded debt,

but, so far as I can learn, these bonds have really no market value, and if the company, under any circumstances, were obliged to realize on the securities at the present time, they would really be unable to sell them in the open market, and would be obliged to take up and manage the road, in order to realize the amount which they have advanced upon it. Then the Lake Erie, Essex and Detroit River Railway Company is in somewhat the same position. It is a road eighty-eight miles long. The company has a subscribed capital of a quarter of a million dollars and a paid-up capital of only \$25,000. They have a bonded debt of \$900,000. The whole of these bonds, I find, are held by this Canada Life Insurance Company. During last year the net earnings of this road were \$36,393.49. This would be \$17,806.51 short of paying the interest on the bonds. I can hardly think that under these circumstances, this would be a very safe or desirable class of investments. They must certainly be a class of securities which could not find sale under present circumstances in the open market. The St. Lawrence and Adirondack Railway is twenty miles in length. The company has a capital of \$350,000 and a bonded debt of \$400,000. Last year their working expenses were \$45,404 and their gross earnings \$31,922. This railway company came short by \$13,481 of paying their working expenses, so that there would be nothing from the earnings of the railway, at all events, to pay interest on the bonds.

Mr. SUTHERLAND. Can the hon. gentleman inform us whether there are not some other securities in addition?

Mr. WOOD (Westmoreland). I can give the hon. gentleman no other information except what I find in these public reports.

Mr. SUTHERLAND. It is hardly fair to the company to make such a statement here, where they are not represented and cannot make any explanations. The company may be able to give explanations.

Mr. WOOD (Westmoreland). I am only reading their published statement.

Mr. SUTHERLAND. I just wish to say to the hon. gentleman that he might do an injustice to them.

Mr. WOOD (Westmoreland). I cannot conceive how there can be any injustice to the company in reading the published statements made by their own management, in which they give this as the list of their securities.

Mr. McCARTHY. What is the advance on these?

Mr. WOOD (Westmoreland). I did not add them up. There are \$450,000 on one, \$400,000 on another, and \$500,000 on another.

Mr. McCARTHY. What is the percentage of the advance, and what other securities are there?

Mr. WOOD (Westmoreland). There is no other security here.

Mr. McCARTHY. It does not follow there is no other.

Mr. WOOD (Westmoreland). This is a public statement of the management of the company, in which it is distinctly stated that these sums of money are advanced on these securities. If there were other securities, certainly they would be put in. It is a right and proper inference for us to draw that all the securities they hold are put in here, as they would not make a statement to their own disadvantage in that respect. We can hardly conceive it possible that a business corporation would do a thing so unbusinesslike as that. I do not wish to do any injustice to the company, and I would not have referred to this matter at all if it could have been avoided, but it did appear to me that this question is now narrowed down to this simple point, whether we are doing right at the present time, or doing any injustice to this company, in bringing them under the same rule that applies to all other companies, and limiting them to a class of securities, so far as investments are concerned, which all other companies adopt. It appears to me that it is the duty of Parliament, if it has any duty at all to perform with regard to these life insurance companies, to watch over the interest of the policy-holders, and it is the interest of the policy-holders which I feel it my duty to look after in this matter. The very fact that the policy of this company has entirely changed within the last few years, shows to my mind that there has been a change of management, and that if the principles which Parliament has adopted during the last few years are right, if they are necessary, if they are in the interest of the policy-holders, it is certainly in the interest of this company, and especially in the interest of the policy-holders, that the same legislation should be applied to them, and that in the future they should be limited to the same class of securities as those to which other companies are limited at present. I have no personal interest in this matter whatever, but since my attention has been drawn to it during the last few days by the interviews we have had with the representatives of this company, and knowing as we do that this is the largest company in Canada, and they hold at the present time insurance on the lives of some 25,000 persons, amounting to upwards of \$60,000,000, I feel it is of paramount importance to the policy-holders of the company in Canada, that the interests of this great company should be guarded. There are more interests involved in this company than in any other; I am not sure

but that there are as much as in all the other Canadian life insurance companies together. I think it would be a mistake to delay this matter. I see no object in delaying it; the matter seems to be narrowed down to so simple a question that it is simply a matter of policy just now for this Parliament to deal with. I see no object to be gained by referring this matter again to the Committee on Banking and Commerce; and I for one, as representing a large number of the policy-holders of this company, hope that the Government will pass this Bill and that this clause will be added during the present session.

Mr. EDGAR. I happen to be a policy holder in that company myself to the extent of \$20,000, that is the only interest I have in it, and I think that gives me some right to speak on behalf of the policy-holders. I must say that I think, if I am not unparliamentary, that it is exceedingly unfair and most unfortunate that the hon. gentleman occupying the position of chairman of the Committee on Banking and Commerce, should stand up in this House and make such an attack as he has made upon the securities of any large financial institution in this country, without their being here, or any body to represent them, to reply to his statement. What have we to do with investigating the affairs of that company? What is the inspector of insurance for, if he has been all these years allowing such securities as the hon. gentleman is throwing doubt upon?

Mr. FOSTER. The securities which their charter gave them a right to.

Mr. EDGAR. But would they be accepted by the insurance company as a proper investment?

Mr. FOSTER. He has no right to deny them.

Mr. EDGAR. Why have they not been reported upon long before this? We have the chairman of the committee, justified by the Government, making an attack upon a great commercial corporation, and they know perfectly well that every other insurance company in the country will publish the speech the hon. gentleman has made, and will misrepresent the whole condition of that company, the strongest financial institution we have in Canada except the Bank of Montreal, perhaps stronger even than that bank. I think it is unfair and most unfortunate, and that this action just shows one of the reasons why we should not go into a detailed discussion of all these elaborate securities. What does anybody in the House know about the character of these securities that the hon. gentleman has referred to? There may have been collateral securities and important personal securities in addition. There are connected with some of these railways in Canada men of very great wealth and

Mr. Wood (Westmoreland).

standing in the community. The railway of Hiram Walker was one of those mentioned, and doubt and suspicions are thrown upon his bonds. Why, Sir, does any body in this country suppose that the bonds of Hiram Walker cannot be made as good as gold? I am sure this whole discussion shows the unwisdom of proceeding with this Bill.

Mr. COATSWORTH. As I happen to have the honour to represent a large number of the policy-holders, I feel a considerable interest in this company. Now, looking at the matter from that point of view, two or three questions arise. There is no doubt that the statement made by my hon. friend from Westmoreland (Mr. Wood) in regard to the securities, is a very important one and a very serious one. Still, we must bear in mind that it is an ex parte statement, and although taken from their reports, we ought to have the explanations of the company, and we ought to know particularly whether, as has been suggested by some hon. members, these securities are collateral, or do not represent the full sum that they appear to represent. Besides that, the two objects that we want to secure on behalf of the policy-holders are, in the first place, that their moneys shall be invested in absolutely safe securities, and in the next place, that they shall produce the largest possible revenue. As I understand it, the effect of this legislation is likely to be this: it may, and doubtless will, result in the investment of the moneys of the company in more limited and, perhaps, safer classes of securities, but at the same time it will reduce the scope of their investments in such a way that their earning power will not be as great as hitherto. It will be freely conceded that that will be the result of the legislation. If that is to be the result of it, then we place them at a disadvantage as compared with the undertaking of other companies. They have been in the position heretofore to make statements with respect to their earnings, and, based on the earnings of the past, have made calculations for the future, not only with regard to their earnings, but also as to the statements they have made with persons with whom they have entered into contracts. No doubt the result of any great diminution in the income of the Canada Life will greatly shock the minds of policy-holders, who entered into contracts on the basis of the company's earnings in the past, and if the company's earnings are much restricted in the future, it will probably affect the business of the company very seriously. I have not had an opportunity of discussing this matter with my constituents, many of whom are policy-holders in that company. It is only within the last two weeks that I heard of the matter, and I did not even have an opportunity to attend when the discussions were taking place with representatives of the company, and I feel, therefore, that it is incumbent on me, representing as I do, very many of the shareholders of this com-

pany, to support the suggestion of the hon. member for South Norfolk (Mr. Tisdale). I do not say the proposed legislation should not pass, but I say this : that the matter is an exceedingly important one, and one which may affect to a very great extent 27,000 people, one on which we should not lightly or hastily embark, and one on which we are entitled to the fullest information before we decide conclusively what is to be done. The period of the session is so late that there is not opportunity to freely and fully discuss the matter, and therefore I feel inclined to support for the present the suggestion that the Bill be laid over until next session, and if we find on investigating the matter that the securities will be made better by legislation of this kind, I will most heartily support the Bill.

Sir JOHN THOMPSON. No doubt what the hon. member for East Toronto (Mr. Coatsworth) has said is correct. It is a matter of great importance and of great difficulty, too, when we find, and no doubt correctly, that the largest company in Canada, one having 27,000 constituents, can have its policy-holders object to a measure for the protection of the policy-holders. I do not think the hon. gentleman's objection that the company would be placed at a disadvantage as compared with other companies is well founded or well considered, for the same provision will apply to all companies. It applies to most companies now, except, of course, as regards foreign companies, which we can control by no legislation whatever. One would have supposed that it would tend to strengthen a company to have this additional legislative protection in regard to the investments of the company. I think the most improper suggestion that could possibly be made within the range of parliamentary debate is the observation made with respect to the hon. member for Westmoreland (Mr. Wood), the accusation of unfairness against him, and at the same time an attack is made on the Government. I assume that the company can stand a discussion of those investments which it has made ; I assume it has special explanations to make with respect to those investments ; I am willing to assume as correct what the hon. gentleman said in regard to the great strength of the company, the only doubt cast on that having been the observation of the hon. member for West Ontario (Mr. Edgar), that it is making an attack on the company to read in public its own sworn returns. I should think a company that would admit that that was the correct advocacy of its position was not in the position of strength claimed for that company. So far as regards interference with vested rights, the hon. member for North Simcoe (Mr. Tisdale), as the hon. member for Westmoreland said, is technically correct. The company has a right by law to make bad investments if it pleases. Any company in its position has that right, but with regard to

companies of all classes which have derived their sanction from legislative authority, it is never considered. I submit, an infringement in substance of vested rights to provide Government supervision with regard to them, or to provide safeguards as to where they stand in relation to the public. That is what the Bill does. I do not mean to say that the caution hon. members have observed as regards the details of the amendment is at all unfounded, or that the scrutiny which they gave to the measure is at all unacceptable ; but when we find we have reduced the stringency of the provisions in such a way as to remove all objections made by the deputation that came to Ottawa on the subject, and which deputation the officers of the department heard with myself, and where the hon. member for Westmoreland (Mr. Wood), chairman of the Banking and Commerce Committee, was good enough to assist me in receiving those representatives, and the simple answer of one company now is that we do not like the Bill, I do not think that is a good reason for asking that a useful proposition of legislation should stand over to another year.

Mr. SUTHERLAND. The First Minister must remember that the Canada Life Company is not before the House asking for any legislation, and I think I am perfectly correct when I say that no particular opposition was made to the legislation proposed by the Government. As I understand, every hon. member who spoke in favour of the amendment moved by the hon. member for South Norfolk (Mr. Tisdale) was simply asking for time and opportunity to examine the amendment proposed. Speaking for myself, I said that the amendments, so far as we understood them when read, seemed to be in the right direction so far as insurance law is concerned. It is unprecedented that when a company is not before the House asking for legislation, and is not represented by any advocate or person prepared to answer statements made with respect to the company's position on a public Bill like this, to go into details of the affairs of the company, as has been done by the hon. member for Westmoreland (Mr. Wood). That was the position I took. If the company had come here asking for legislation, the position might have been a very different one, because some representative would have been able to lay before the House particulars of the company's affairs. Great injury might arise from the statement made as it has been made in this House, very unfairly in which particulars were given respecting a company which is not before the House. It is quite true that hon. gentlemen in asking to have the legislation proposed postponed or referred to a committee stated that it was not that the Canada Life Company, but policy-holders might have the opportunity to see how that legislation will affect that particular company. It is true that reference has

been made to the fact that the company claim that this Bill will limit the rights under their charter, and they were referred to very properly as vested rights. For myself I am not a stickler for vested rights. I believe it is the duty of this House, if they find that rights have been granted to a company which are not in the interests of the public, to at any time reconsider their decision. But any member of this House will admit that it should be only upon strong representations and upon facts well established that we would interfere with rights that have been granted by previous legislation. I would like to call the First Minister's attention to the fact, that I do not think any member raised any particular opposition to the propositions made by the Government in this Bill. It was simply that we recognized in them important changes affecting seriously the policy-holders of insurance companies, that we asked for time to have an opportunity of considering the effect of the amendment. The chairman of the Banking and Commerce Committee appears to have had an opportunity of meeting these deputations to the Government, and after all the consideration that he seems to have given the question, I think he might have treated it in a very different manner and shown us some reason for the general legislation that was passed, instead of bringing up the private affairs of the company. To my mind it was a very unfair way of putting it on the present occasion when no person was in a position to meet it. I am confident and satisfied, as the Minister has said, that the company referred to is a strong, well managed company, and can stand the criticism of this House. But what has been said here, and the statements that have been made with reference to the company, must show the First Minister the importance of giving us an opportunity of considering this before the Banking and Commerce Committee, if only out of simply justice to that company, and to its policy-holders. I am sure that on calmer consideration the First Minister will see that it is unfair that we have not had an opportunity of considering the question, not particularly with regard to that company, but as to the general affect on all insurance investments. It is simply impossible for us to understand the proposed amendment as it was read to us at the Table of the House to-night. I still hope that after careful thought, the Government will grant the request that this should be referred to the Banking and Commerce Committee. I can hardly agree with the hon. member that there is not time for this course, because if the Government feels it necessary to press it this session, a special meeting of the committee could be called on a matter of such importance as this. If the course we suggest is adopted, the members of the House will be much better satisfied, and the people of the country who are so largely interested in the insurance companies will also be better satisfied. The hon. member

Mr. SUTHERLAND.

for Westmoreland (Mr. Wood) is not the only man who holds an insurance policy, nor are his constituents the only people in Canada deeply interested in this question. We all should have an opportunity of looking into the matter, as he says he has had, by consulting with the officers of the department and the parties interested. The hon. gentleman must know that in the past, many suggestions have been made by officers of the department which did not meet with the approval of the committee, and one thing can be said for that committee: there is no party politics introduced into it. The members of that committee meet and deal with these questions to the best of their ability and knowledge and decide on the facts placed before them. I am very sorry for what has taken place to-night, because I think it was quite unnecessary and unfair to bring up these matters in this particular case. If the Government passes this legislation through in this way, and if any injury is done, the responsibility will rest upon them and not upon the members of the committee who have not had an opportunity of considering the effects of the amendments proposed.

Mr. TISDALE. I do not agree with the hon. gentleman (Mr. Sutherland) in his strictures on the hon. member for Westmoreland (Mr. Wood). It is probably unfortunate that the hon. gentleman (Mr. Wood) brought up this matter, but I will not say that it is unfair. This company is quite able to stand it, and I would call the hon. gentleman's attention to the fact, that this company has nothing to conceal. They publish these statements and their proprietors and managers and policy-holders get these reports and are able to ascertain the class of securities, and the people interested have not shown any want of confidence in the company. That is an important point in this matter. With all deference to the hon. member for Westmoreland (Mr. Wood) I prefer the opinion of the gentlemen who control that company, considering their ability and financial standing and judgment, to the opinion of a gentleman who has only read their report. I say that the men who represent that company are second to none in Canada. Surely there are railway securities in Canada that to a certain extent are safe, and if not, it is about time that we stopped building railroads. We are willing that men should go to England and raise money on the bonds of such roads as he speaks of, and surely if the people of England are asked to supply money for them, they ought, to a certain extent, be considered safe securities. I entirely disagree with the hon. gentleman (Mr. Wood) that simply because they have railroad bonds on Canadian roads the securities are bad.

Mr. WOOD (Westmoreland). I did not say that these securities were bad. I simply read the securities. I called attention to the fact that this is a strong company, that

it had been doing business a long time, that it had gone on the principle of investment mentioned in that clause, that during the last few years they had changed that policy, and I called attention to the character of the investments they were making.

Mr. TISDALE. If there is anything in the argument, it is an argument that these securities are unsafe, and that insurance companies should not be allowed to invest in them.

Mr. WOOD (Westmoreland). My argument was this: that it was contrary to the policy which Parliament had adopted in regard to all other life insurance companies.

Mr. TISDALE. But not to the English and Scotch companies, that have no limits, and that were the patterns upon which these complaints were founded. A great deal depends on the class of men who manage the companies and their knowledge of this sort of security. I do not question that this class of legislation, up to a certain extent may not be correct, but since I have heard the discussion, and more particularly the argument of the hon. member for Westmoreland (Mr. Wood)—I have come to the conclusion that it is all the more important that we should consider this matter in the Banking and Commerce Committee where we can call the parties and hear them. I feel that I am discharging a duty here, and I am fearless in discharging that duty. I can say that the members of the Banking and Commerce Committee have grudged neither time nor labour in inquiring into these provisions. For my part I propose to do my duty on those committees or cease to be a member of them.

Mr. McCARTHY. The chairman represented the committee.

Mr. TISDALE. The chairman is a most able and estimable man, for whom I have every consideration; but, as I disagree with other gentlemen on other matters, so I disagree with him on this matter. There will be friction between the Government and the House, and dissatisfaction on the part of the companies if we do not give them the consideration that they demand. At times we have ignored the companies or refused to do what they wanted; but we have heard from them; and we have heard from them before the smaller tribunal in a way in which they could not be heard from here. I shall regret it exceedingly if the Government insist on passing this measure at this time and in this way. If they do, I shall simply have discharged my duty. I would very strongly like this clause to be dropped this session, and probably next session I would be one of the strongest supporters of the measure, after I had heard fully what these gentlemen might have to say. I go this far with the hon. member for North Simcoe, that while I agree that the general practice is, as laid down by the Prime Minister, that

we have a right in shaping this general legislation to deal with vested rights, still, this is a case in which we ought to be most careful, because I have the utmost objection to legislating away any right even to the extent of curtailing it, unless it is established to my satisfaction that the public interest demands our doing so.

Mr. BAIN (Wentworth). I do not suppose that anything I can say will affect the decision of the House; but I do feel under the circumstances that an appeal ought to be made to the hon. First Minister not to press this particular clause at this time. I do not disagree with him as to the necessity of protecting the policy-holders in insurance companies, where their interests are necessarily dependent upon these investments. But I regret to have heard to-night the way in which this matter was discussed by the chairman of the Committee on Banking and Commerce. I think that the subject of these securities is one which, if it came up at all, should have come before that committee, when the representatives of the company in question would be present and would have an opportunity of offering any explanation they saw fit. While I acquit the hon. member for Westmoreland (Mr. Wood) of intending to do any possible wrong to the company he has referred to, I want to point out to him that he has taken no account of the surrounding circumstances. If he knew the managers of the Canada Life as well as I do, from personal contact with those gentlemen for many years—for more than twenty years I have known the president of that company in connection with other financial transactions, and have had reason to respect his judgment on such subjects—I think he would have hesitated to make these disparaging references to that class of securities. We all know how railway companies are associated with each other, and how those securities may be guaranteed perhaps by other companies who have a controlling interest in them. But I do feel that if we pass this clause to-night, as the hon. First Minister seems disposed to do, the companies in keen competition with the Canada Life will at once place these two circumstances together, and will point to this class of securities as the reason for the passing of this Act; and I am sure that every hon. gentleman here will say that it was unfair to the company to place it in that position, in view of the keen competition that we know exists among the various life insurance companies. I can only plead, in the line of the remarks of the hon. member for North Norfolk, that no harm can come to the policy-holders of that company; and incidentally, I may say that it is the only company in which I hold a policy on my life, so that I have some interest in the welfare of that company. The hon. member for Westmoreland says that all the other companies are satisfied. So they are, when

the range of their investments is not affected by this legislation; but here is a company which has successfully conducted its business for a long series of years, and whose financial administration, to those who know intimately, is above reproach; and it does seem a little unfair that its rights should now be taken away from it in the expiring hours of the session, and under the present circumstances. I can only appeal to the hon. First Minister to allow this matter to stand over, and if he does, I believe no wrong will be done to any one, while justice will be done to the company.

Mr. FOSTER. The hon. gentleman has made a very pathetic appeal; but it is a little amusing to see the trend of the criticism of this measure, as though an attack were being made upon any particular company—say upon the Canada Life, which has been mentioned. That is not the purpose of the Bill or of the amendment proposed to be inserted in the Bill. The amendment is simply to relate to the securities of these companies for the future; and this company is one whose charter long ago had given to it a range of securities beyond what the settled policy of Parliament for the last six or seven years has considered safe or prudent, or such as insurance companies should be allowed to invest in. That is all. The criticism has been made, on the other hand, that this legislation interferes with vested rights. Technically, it takes away from this company a right which a charter granted to it forty-eight years ago gave it, as to the range of its investments. But it does not disturb any of the investments at present made. It only curtails the investments to be made in the future; it leaves intact all the investments made in any securities up to the present time. It is said that this is a departmental view. True, and that is the way the matter has arisen. The department, looking over the matter, has the right to advise the Minister of these things. In the course of its investigations, the department did advise the Minister of the range of investments which these companies had, and after consultation it was thought best that an amendment of this kind should be made. It is the departmental view, it is true, but it is a departmental view in which the Government entirely sympathises. Now, we must be fair. We must not construe this as an attack upon a company. Neither must we go to the extreme of supposing that it is a company that is being legislated against. That is not the case. The Government has the power of legislating with reference to insurance. Outside all the arguments that can be put, there is a perfect agreement upon this, that the interests of the policy-holders is the chief interest to be considered, and that the profits they get, but the safety of their investment. Talk about getting the policy-holders together, in order that they may press their views on the Government, that is impracti-

Mr. BAIN (Wentworth).

cable. Of the 27,000 to 30,000 policy-holders how many of them pay any attention to this, or would get any notice of it if it were left over for a year. They simply go upon the representations made to them by the company, and they insure, not for the sake of the profits, but for the sake of the investment they will have, when the policy expires. And the first consideration of this House should be to make sure that this investment of the policy-holders, which is their main investment, shall be in perfectly safe securities, as far as possible. Now, Parliament, in dealing with the charters of companies, is supposed to gain more experience every year, and to be able to deal more intelligently with them each year than in the preceding years. The charter that the Canada Life Company has was given forty-eight years ago. Under that charter, the range of its investments is practically unlimited. It may invest in bonds or mortgages or stocks, without reference to the Treasury Board, or without reference to their value. That charter was granted forty-eight years ago. Parliaments have met every year since, and in this matter of insurance companies we have come to look upon it as the settled policy that we should limit the range of their securities. For what purpose? Not out of any antagonism to the companies, but under the idea that it is the safety of the policy-holders which must be looked to. Now, there is a class of companies which had these large powers granted forty-eight years ago, but the policy of granting which, later Parliaments have condemned. All the later insurance companies are limited in their investments to a line of securities of a safer kind, in the opinion of Parliament. And now the Government, consistently with that policy, ask that those companies which obtained charters forty-eight years ago, giving them this unlimited power of investment, should, so far as their future investments are concerned, be obliged to conform to the later and better policy. An ingenious, but not a fair attempt, was made by an hon. gentleman on the other side to construe the statement of my hon. friend from Westmoreland (Mr. Wood) as an attack on the bona fides or the credit of certain companies. That was unfair. The hon. member for Westmoreland did not say that Hiram Walker & Sons was not a solvent company, that it could not pay dollar for dollar. He simply cited it as one of the investments upon which the Canada Life has made a loan, and it is altogether unfair to say that he attacked any one of these securities because he pointed out that such investments are not in the line of those sanctioned at present. But the safety of the policy-holders is the question before the House tonight, and as far as I am concerned, after the representations that were made to the department and the investigation I have given the matter, I would not take the responsibility myself of shelving the question,

and I think the House ought to take that responsibility. Who is to be harmed? The hon. gentleman who spoke last said that it would be a disadvantage to the Canada Life now if this amendment were pressed, because then the insurance agents of other companies would use it against them. I look upon its effect as exactly the opposite. The insurance agents, who are competing with those of the Canada Life, if this amendment be not passed, will be in a position to go to their constituency and say to those they are canvassing: Do not insure with the Canada Life, because its range of securities is not as safe as ours. Insure with us. But if we pass this to-night, and place all future investments of the Canada Life on the same basis as those of other insurance societies, that argument will be entirely taken away, and then they can only say, what will be true, that there is no advantage, as far as investment is concerned, on the part of one company over another company, because all the companies are restricted to the same class. So that it will be better for the Canada Life, in that light, that this amendment should pass rather than doubt should be cast on its investments. The hon. member for Westmoreland (Mr. Wood) simply read to the House, not the private affairs of the company—not at all—but the sworn statement which it is obliged to make. For what purpose is that sworn statement made? That it shall not be made public? No; but that it shall be made known. My hon. friend simply read what is in the blue-book, and what the company have sworn to. His contention was not that the Canada Life is not a safer company, not that it has not been well managed, not that it is not still well managed, but simply that in the interest of over \$60,000,000 of policies, in the interest of the investment of \$15,000,000 of assets, it is better that the range of securities which was allowed forty-eight years ago, should now be restricted to what Parliament has repeatedly declared advisable during the last six or eight years, and to which all the other companies are obliged to conform. There has not been an attack made upon any company, and no attempt to make capital against any one company. My hon. friend from Toronto thought that the profits might be somewhat brought down, if these investments were limited, but he very properly showed the preference which should be given to safety over profits. The first thing to be looked to is the safety of the investment of the policy-holders, and then after an investment is made perfectly safe, the next object is to obtain as much profit as possible. Parliament has held, during these last years, that a certain range of securities ought to be fixed in order to secure the general safety of the policy-holders, and while not disturbing the investments that have been made by any chartered company, chartered so long ago, all we ask is that for the future its investments shall be made

on the same basis and restricted to the same securities as those of the other companies.

Mr. McCARTHY. It is curious that the great interest which the hon. gentleman expresses for the policy-holders, and which I have no doubt he quite sincerely feels, does not strike the policy-holders present in this House.

Mr. FOSTER. A very small number are present.

Mr. McCARTHY. Well, of all those present, and I have not heard any one of them express but the one opinion, namely, that it would be preferable to allow the matter to remain in the hands of the company as it is, rather than have the powers of the company restricted. These gentlemen who are here—the hon. member for West Ontario (Mr. Edgar) and one or two others who have spoken, and myself—who are policy-holders in the Canada Life, are of that opinion; and I submit it is not an unfair conclusion to draw that the other policy-holders not present hold the same view. I quite appreciate the anxiety of the department of insurance, which is shared by the Government, to make these policies sure investments for the holders. No more commendable object could be presented to this committee. But at the same time, Sir, surely the policy-holders may be allowed to have some little voice in the matter. This grand-motherly way of taking care of our interests by our Insurance Department may not be appreciated as it deserves by the policy-holders. We have, with perfect knowledge of this company, its management and its affairs, chosen to invest our money in this way. Are we to be told that we do not understand our own business, that the Insurance Department is wiser in our own affairs than we are, and that the department is going to take care of us, if not the interest upon our investment, at least the principal itself?

Mr. FOSTER. That argument would do away with the Insurance Department altogether.

Mr. McCARTHY. Not at all.

Mr. FOSTER. Its work is all grand-motherly, you know.

Mr. McCARTHY. It may be grand-motherly, but it should not be so to too great an extent. I can see perfectly well that it is a good thing that these securities should be valued—

Mr. FOSTER. We have not that right.

Mr. McCARTHY. The department must put a value upon the security for the purpose of the deposit.

Mr. FOSTER. We have no right to discriminate.

Mr. McCARTHY. That is exactly what I am objecting to. The department wants to

take a right which they have not had up to the present time. After all, it is not very much we are asking. It may be that this amendment is in the right direction. But it is clear the department is not always right in reference to these securities, because the department itself has changed its opinion upon certain representations. We are told the matter has been decided on these representations and decided outside the House. It does appear to me that it is coming to that, and that we might as well go home. We are told that certain gentlemen representing certain companies met the Government. One member of this House was admitted to that conference. These gentlemen have met and decided the matter, and we are asked to ratify and adopt it at once. Surely the committee of the House should have the right to consider this matter and hear the arguments and know the reasons which lead to the conclusion which has been given to us. No arguments are given to us. The amendment is read and we are expected to swallow it. For my part, I think we ought to have time for consideration. I was led to believe that the matter would not be pressed this session, and consequently I did not prepare myself to deal with the subject, and particularly to meet any attacks made. But since the hon. member for Westmoreland (Mr. Wood) made his charges, I have looked at the report to which he referred, and I do not think it was wrong to say that in the way it was made the charge was an unfair charge. I hesitate not to adopt and repeat the language, and I think I shall be able to prove what I say. The hon. gentleman made a statement from the report of the company, and, as the Prime Minister said, the company cannot object to its sworn report being referred to. But not only did the hon. gentleman undertake to state the nature of the securities, he undertook to criticise and value these securities. He went to the report of the railway statistics, and, declaring that as this railway was earning so much, and the other so much, the securities given by those companies and bought by the Canada Life could not be good.

Mr. WOOD (Westmoreland). I read from the public report, and it is for the House to judge.

Mr. McCARTHY. I am speaking of the hon. gentleman's argument. Of course, it is for the House to judge, if we are permitted to judge anything. Not only did he quote from the public report of the company, but he went into criticism and actual valuation of the bonds mentioned in this list. But he left an impression very different from that left on my mind by the reading of this report, and, in justice to the company, I propose to give to the House the actual figures with regard to these investments. In the Kingston, Napanee and Western Railway Company's six per

Mr. McCARTHY.

cent bonds, and in the Bay of Quinté Navigation Company's six per cent bonds, the company holds \$560,000. But there is a margin of \$110,000 on that, for the company has advanced only \$450,000. Of the Lake Erie, Essex and Detroit River Railway Company's bonds, 6 per cent, they hold \$500,000, but only \$400,000 has been loaned, leaving a margin of \$100,000. Then we have all in one group the St. Lawrence and Adirondack bonds, the Michigan Central Railway Company's bonds, which I fancy are fairly good security, 600 shares of the Michigan Central stock, the New York Central and Hudson River Railway shares—perhaps the hon. gentleman will think these are a bad security—total, \$655,000, upon which \$500,000 has been advanced. Of the Lake Erie and Detroit River Railway Company's bonds the company holds \$460,000, and there is also 4,000 shares of Hiram Walker & Son's—and I do not think we can get a better security—these two together making \$796,000 upon which only \$375,000 has been advanced—nothing like the face value of the securities. And we are here, behind the back of this company, to say that these were improper or unwise investments.

Mr. WOOD (Westmoreland). My argument was that this was not a proper class of securities for the investments of insurance companies' funds.

Mr. McCARTHY. The impression the hon. gentleman left was that these investments were clearly unwise, but the impression on my mind on reading the report is entirely different. The hon. gentleman criticised these securities as being of a class that could not be realized upon at the present time.

Mr. WOOD (Westmoreland). I expressed that opinion.

Mr. McCARTHY. Very well; it was a criticism upon these securities. I think it was an unfair criticism, and if it was not purposely done to injure the Canada Life, I do not know with what object it could have been brought before the House by the chairman of the Banking and Commerce Committee. I have to make this statement in order that the full position of the investments of the Canada Life may go upon 'Hansard,' together with the half-statement made by the hon. member for Westmoreland. The hon. gentleman stated that there had been a change in the management of the company. It is well known that the management of the company is in the hands of the president, who is also the managing director, and that it has been in his hands for many years.

Mr. WOOD (Westmoreland). I did not say there had been a change of management. I said nothing about the management. I said that during the last five

years there had been a change in the character of the investments.

Mr. McCARTHY. The hon. gentleman said also that there had been a change in the management, or else I took his words down wrong. However, of course, I accept the hon. gentleman's statements on that point. There has been no change in the management of the company; it is still in the hands of the able gentleman who has brought this company to a point of success of which every one in Canada is proud. I do not know that there is anything in Canada to-day of which we have more reason to be proud than the success of the Canada Life. It is now branching out on the other side of the line. It has opened agencies in two of the neighbouring states. It is an institution which, instead of being attacked, ought to be supported by every person who has the interest of his country at heart.

Mr. DENISON. I wish to say a word or two with reference to the remarks of the last speaker, who seemed to think that the policy-holders were all in favour of having this stand over. I happen to be a small policy-holder, and, for my part, I am strongly in favour of this proposed amendment. What I want, and what I think every policy-holder in the company wants, is security. My object in insuring was that, in case of my death, my heirs might have something that they could count upon with certainty. I do not want to be in a company, the security of which I think there is any doubt about. The hon. member for North Simcoe (Mr. McCarthy) stated that the management of the company had been for a great number of years in the same hands as at present. We know that the present manager has been there a great many years, and consequently the chances are that before many years we are likely to have a change in the management. But as long as the present manager is there, I, as a policy-holder, have perfect confidence in his management, and would be glad to have him remain there as long as possible. But it is quite possible there may be a change of management under the same manager, through direction of the board of management. However, as a policy-holder I want to say that what I desire is absolute security rather than a high rate of interest. It is well known that where people look for a high rate of interest, there is a higher element of danger and loss; and the lower the interest, the better the chances for security, because when the security is good, of course the company or person can borrow more cheaply. As regards the remarks of the hon. member for Westmoreland (Mr. Wood), when he stated at the outset that he was quoting from blue-books for the accuracy of which he could not vouch, I think it is unjust to him to say that he was making unfair charges. I think any member of this House is justified in taking up a

blue-book and quoting reports that he finds in it as freely as he likes; and I for one would not join in the criticism to which that hon. gentleman has been subjected. I may say further that other companies besides insurance companies are limited in their investments. The Court of Chancery limits them. Trust corporations who carry out wills by deceased persons, are limited in their investments, and I concur in the idea that the investments of this company should be limited.

Mr. DICKEY. I wish to say a word in consequence of the remarks of the hon. member for North Simcoe, who undertook to speak for all the policy-holders in this House. I do not know on what ground he took, but I wish to say that I am a policy-holder in this company for the sum of \$6,000, and as such policy-holder I am extremely interested in placing some limitation on the investments of this company. What I want is that this company shall be safe, not only at the present time under Mr. Ramsay's management, a man in whom we all have confidence, but forty years from now—as I expect to live forty or fifty years longer; and it is only by limiting the investments of the company that we can be sure of permanent security. With regard to the postponement of this measure, I would say that according to the argument of the hon. member for Simcoe (Mr. McCarthy) and others, there is no necessity of postponement at all, because they argued on the principle that no change should be made, they argued on the principle that this company has vested rights with which this Parliament should not interfere. There is no necessity for any committee to take up that point. I do not know that this particular resolution may not be improved, but I sincerely hope that the committee will act upon the principle of limiting the investments of this company.

Mr. HAGGART. I have looked over the statement of the affairs of this company, and I find that they have investments to the extent of nearly \$15,000,000, and that they have liabilities to parties insured with them to the extent of \$65,000,000.

Mr. EDGAR. That is not the present value, not the present liabilities.

Mr. HAGGART. I was looking at the amount of the stock of the company, and I find it is \$1,000,000, and the amount paid up is \$125,000. I have no idea what the value of that stock may be; but it is possible that some person may get control of the stock of that company for a small sum of money. What would be the effect if a speculator, or some one that was interested in railways, should get control of the management of that stock, say, for the sum of \$250,000 or \$300,000? Is it not possible that this may be done, and that he could control these investments to the amount of \$13,000,000 or \$15,000,000?

I say nothing about the character of the investments; I have looked carefully over them, and I think probably that they are fairly and fully secured. I think the investments are good so far as I can see. But what is to prevent a person getting control of the stock, electing his own manager and getting control of the company, then realizing on the securities and getting possession of the five or six million dollars and investing it in some undertaking in which he was interested himself? He might be the purchaser of railway bonds, or of securities like that, and with the money that he gets from the sale of those securities, what is to prevent him from making investments the profits of which he may put into his own pocket, or the amount above the actual cash value, or the market value, and the policy-holders, perhaps, losing half their money? There is the danger, and I think it is the duty of the Government, in the interest of the policy-holders, in the interest of those who have by far the largest investment in that company, to see that no such power should be given to any set of directors or any speculators.

Mr. EDGAR. One word as to what the hon. gentleman apprehends from the danger of one person getting control of, we will say, the Canada Life Company. The hon. gentleman says that the person who got control might be interested in railway securities and unload them on the company. Very well, might not that gentleman give bonds, stocks, or other securities, say of building societies? Might he not be interested in all these different securities that the Government proposed to allow that company to invest in?

Mr. HAGGART. Are those speculative stocks that he is allowed to invest in?

Mr. EDGAR. Why, certainly; any stocks are speculative if you buy them cheap and sell them dear. What the hon. gentleman suggests is that some of the proprietors of this company should become common swindlers, and buy up railway stocks, sell them to the company, and put millions into their pockets. Well, if he is going to stop that, he must strike out all the investments in stocks or bonds of any institution whatever. The hon. gentleman's argument does not apply to the case at all.

Mr. CASEY. I think the remarks of the hon. member for West Ontario (Mr. Edgar) are eminently in place. I am unable to criticise the full list of the stocks in which companies are allowed to invest, because the amendment has been sprung upon us and I have not a copy before me. But in looking it over briefly, I notice that electric railways, street railways, and a number of other enterprises the stock of which could eminently be described as speculative stock, are left open to investment; and if it is possible to do the swindling trick described by the Minister of Railways and Canals, it is

Mr. HAGGART.

eminently possible to do it in connection with securities of this kind. I see investments are limited to railways under fifteen miles in length. Well, if the stock of a railway of 200 or 300 miles in length is a speculative investment, I do not see why the stock of a railway less than fifteen miles long should not be just as speculative and as easily manipulated. What I complain of as a member of the House is, not so much the character of the proposed amendments as our inability to ascertain their nature. The Government are not treating the committee, the companies and the country generally properly in springing these amendments on the House. I am neither a shareholder nor a policy-holder in the Canada Life; in fact I have the honour to be connected with a rival company, but of all things we should avoid discussing the business of any company covered by this Act in such a manner as to prejudicially affect its reputation and business. What we should discuss is the list of investments provided for insurance companies by the Government. The Finance Minister has stated that it has been the settled policy of the Government for five or six years to restrict the investments of insurance companies as is now proposed. If it has been so, it must have been their settled policy during this session, and if so, why did not the Government make those proposals before the Committee on Banking and Commerce, to which the Bill was referred? Why not have discussed the changes there after full notice had been given to the companies and parties interested? Why wait until the end of the session, and push through amendments which members have not had an opportunity to consider? Security, as the Finance Minister said, is the first object to be aimed at. Although I am not a shareholder or policy-holder in the company mentioned, as a member of this House I have a right to consider whether the list before us is a safer list than the one now permitted to the Canada Life, for example. The Finance Minister has said it is a safe one. The hon. gentleman, however, says he does not rely on his own judgment, but on that of the Superintendent of Insurance, Mr. Fitzgerald. We are all willing to give that gentleman credit for what ability he possesses, although some of us may not know what ability he does possess. But it is disrespectful to the House to bring down a list after the committee has finished with the Bill, and ask this House to accept amendments on the ipse dixit of Mr. Fitzgerald. It appears these amendments are not submitted by the First Minister or the Finance Minister, but by Mr. Fitzgerald, because the First Minister has admitted that they are not his own amendments. I think the representatives of the different companies, and the public generally, should have due notice of the changes proposed before they should be allowed to go into effect. The least that should be done under the circumstances

would be to refer the Bill back to the Banking and Commerce Committee for full and impartial consideration on its merits. I cannot say at this minute whether I support or oppose the proposed changes, because I have had no chance to consider them, and on that ground we should not be called upon to pronounce an opinion on them at the present time. In regard to the Canada Life Company, the point arises as to how far this House has the right to interfere with the charter of that company. It may be we are wiser than Parliament was forty-eight years ago, but whether we have the right to take away vested privileges is another question. Even if so, it is questionable whether we should exercise it. This Bill had better be reconsidered by the committee, and it should be referred back to it, or if the Government do not see their way to take that step the debate should be adjourned, so that hon. members may have time to consider it before they are called on to pronounce judgment.

Mr. LANDERKIN. I hope the Bill will be referred back to the Committee on Banking and Commerce. This is a very important matter. It is very desirable that the Government should strictly uphold any legislation they enact for the security of life insurance companies and policy-holders, and in every step they take in that direction I shall be very happy to support them. But here is a case in which a company interested has carried on business for a long time, has worked up a very successful business, has had a very brilliant career, possesses an able staff of directors and officers, and they complain that this change is going to limit their enterprise and lessen their revenue, and if it is going to have that effect, the Government should pause before they start out on any legislation which proposes to do anything detrimental to the welfare of a company so eminent as the Canada Life. It has been in operation for many years, and the success and well-being of the company and the judgment exercised in making investments lead us to believe as policy-holders in the company that their investments are as safe and secure as any investments made under the control of the Government. It is very well for the Government to be paternal, but it is possible to carry the paternal feeling too far, especially in regard to a public institution, conducted on business methods. We should have these institutions well managed; let the Superintendent of Insurance inspect the securities; if any security is defective let him pronounce it to be so, but let the company do business in its own way, and I believe it will make investments as safe as are those prescribed by the state. I contend that the company should not be limited as regards its investments, but that if considered desirable they should be inspected by the superintendent in order that they may be secure to the policy-holders. I do not wish to see any

steps taken that will cripple an institution which has had such unbounded success during so many years.

Mr. McMULLEN. I happen to be a policy-holder for a considerable sum in the Canada Life, though perhaps in a little different position from any other hon. member. I also happen to be a stock-holder and director in another company. I have listened to the arguments pro and con, and I must say that I think the amendment is in the right direction, and I am going to support it. Some hon. gentlemen have stated that this is interfering with the private rights of a company which has been existing for some forty-eight years. Well, we interfere with banks every ten years.

Mr. McCARTHY. We reserve the right to do that.

Mr. McMULLEN. And we have just as good a right to reserve the right to interfere with insurance companies, because they are incorporated by this Parliament. We regulate our banking institutions, and we have as good a right to regulate our insurance companies, and the fact that a company has had a charter for forty-eight years does not carry with it any argument that we may not interfere. I endorse, to a large extent the remarks of the Minister of Railways. I believe that the time is not far distant when Parliament will have to interfere in the direction of giving policy-holders, with a paid-up cash value policy, some interest in the management of these companies. Where there is a company such as the Canada Life, having under its control \$13,000,000 of money, held by the insignificant sum of \$125,000 stock, in my humble opinion, the day is not far distant when Parliament will have to declare that when a policy comes to have a certain cash value, the holder of that policy should have a vote in the election of directors, and in shaping the management of the company. It is unfair that such a very limited amount of stock, which might easily be controlled by one or two men, should leave such an enormous amount of funds which properly belong to policy-holders, at the risk of \$125,000 stock. After having listened to the whole argument, I am quite in favour of the amendment.

Mr. McNEILL. I regret very much the somewhat harsh criticisms that have been passed upon my hon. friend from Westmoreland (Mr. Wood). I think some of these criticisms almost went so far as to imply that his statement was not only in point of fact unfair, but that it was wilfully unfair. For my part, I can say that I think that any one who has had the privilege of the acquaintance of that hon. gentleman, must be well aware that there is no member in this House who is less capable of deliberately making an unfair statement. I do think that this difference of opinion

might be amicably settled. I have listened to this discussion with all the care that I could possibly command, and I do not really see why an amicable settlement of the differences between hon. members could not be arranged. In the first place, I think it is very natural that there should be a strong feeling of sympathy in favour of a company that has been for so long a time so successful, and so blameless. I think it is also natural that those who are upholding the cause of this company should ask that there shall be time given to have this motion fully investigated and fully understood, and that the representatives of this company shall have an opportunity of being heard. I cannot see why there should not be a meeting of the Banking and Commerce Committee, even yet before the close of the session, and if that be so, what possible harm can accrue from having the matter discussed there. Why should not this clause of the Bill be referred to that committee as well as the other clauses that have been already considered by it. My hon. friend from Cumberland (Mr. Dickey) said—and it was the only argument I heard addressed to that point at all—that it was useless to refer this clause to the committee, because statements had been made by those who were opposing the clause which implied that nothing that could transpire before the committee would change their views. When the hon. gentleman made that statement he must have overlooked the fact that my hon. friend from Norfolk (Mr. Tisdale) who moved this amendment, distinctly stated that if this matter were referred to the committee, it was very possible that he would support the proposal of the Government. I do not see why the Government should refuse this reasonable request so that this matter may be carefully investigated in the hope that all parties may be satisfied. If I had heard any argument whatever to show that this would not be done, I would be prepared to support the clause; but until some such argument is advanced I feel disposed to oppose it. Supposing even that there was not time to refer the matter to the committee this session, where is the injury going to accrue to any of the policy-holders by allowing it to stand over until next session.

Mr. McCARTHY. I hope the First Minister will yield; it is now half past one o'clock.

Sir JOHN THOMPSON. It is rather too late to yield.

Mr. McCARTHY. There is no such prime importance in the measure that we should sit up all night to carry it through. Even if we go into the consideration of it, it cannot be done in any reasonable time, and I really do think that the committee should rise. I want to say a word in answer to my hon. friend from North Wellington (Mr. McMullen). For my part, I think we ought to

be very careful indeed before we interfere with vested rights. The illustration that the hon. gentleman (Mr. McMullen) gave us about banks was not at all in point. We merely grant a charter to the banks for ten years, and at the end of ten years they have to ask for renewal, which we may grant on such terms as we think fit. But when a company is incorporated, when money is invested, when 27,000 policy-holders have chosen to go into this company, and many of them, and most of them, I dare say, have gone in because of the very handsome profits they have been paid under the good management of this company, it does appear to me that a case of overwhelming strength should be made out before we interfere at all with vested rights; and nothing of the kind has been made out here. This is merely a suggestion that has occurred to the insurance department during the sitting of the House. The Insurance Bill was introduced in the Senate in the early days of the session; it went through the Senate, was brought down here and read the first and second time, was referred to the Banking and Commerce Committee and was brought back here, and it was not until the 18th of June that this notice was put on the Order Paper. Then, there was no opportunity of circulating it throughout the country. Of course, the insurance companies became aware of it; but they are not alone interested in it. They are merely the trustees for the stockholders. The people interested in this change are the policy-holders, and they certainly have a right to ascertain the legislation going on in this House, which is supposed to be in their interest. I move that the committee rise, report progress, and ask leave to sit again.

Motion that the committee rise negatived: yeas, 35; nays, 70.

Mr. CASEY. I would like an explanation as to why the securities of water and gas companies, electric railway and power companies, street railway companies, and so on, are considered better than those which are excluded, such as railway bonds?

Sir JOHN THOMPSON. From experience they are found to be less precarious.

Mr. CASEY. We do not know a great deal about the stock of electric companies, as they have only been in existence a few years.

Sir JOHN THOMPSON. It is their debentures.

Mr. CASEY. Street railways are included here. These are sometimes very successful, but I have known of street railway companies which have come signally to grief. I should like to know whether this is a line of security better than those excluded. I do not see that street railway companies in general are at all better security than steam railway companies.

• Mr. McNEILL.

Mr. McCARTHY. Why is it that the bonds or debentures of steam railway companies are not admitted to be good security while those of street railway companies are supposed to be good? There must be some reason for the inclusion of the one and the exclusion of the other.

Sir JOHN THOMPSON. We think that steam railways are more precarious in the sense of running the risk of general trade throughout the country and adjoining countries. In discussing the objections which the companies had to the severe restrictions that were in the clause as printed, we endeavoured to reconcile our views with theirs, and we felt that the list of securities we have embodied in the amendment now before the committee is satisfactory to them all, except to the Canada Life Company, as regards its claim to vested rights.

Mr. CASEY. The clause referring to electric railways limits them to fifteen miles in length. Under that limitation, investments in the Toronto electric railway will be excluded, and that is one of the best paying railways.

Sir JOHN THOMPSON. All street railways are included, but to avoid misunderstanding, I move that the clause reads as follows :—

Street railway companies, electric light or power companies, electric railway companies, when the line does not exceed fifteen miles in length, although not merely street railways.

Mr. CASEY. Does that mean all street railways, however operated and without limit of length?

Sir JOHN THOMPSON. Yes.

On section 2.

Mr. McCARTHY. Is that to permit the company to make loans? It does not appear to me, on a hasty reading, to apply to anything but the debts of the company, or judgments recovered. That seems to require some consideration.

On section 5,

Mr. CASEY. Does the hon. Minister think it wise to limit the amount of investment in foreign securities when the company wishes to establish a foreign branch?

Sir JOHN THOMPSON. Yes, I think so. You know we have allowed investments in the United States securities and State securities

Mr. CASEY. But I am speaking of the amount. The clause that has just been read, as I heard it, says that the total amount shall not exceed \$100,000.

Sir JOHN THOMPSON. It seems necessary to have some limit to the amount.

Mr. CASEY. Why?

Sir JOHN THOMPSON. Otherwise we have no control over the value of foreign

securities. We allow not only all that is necessary, but all that is desirable where the company has a foreign branch.

Mr. CASEY. The hon. Minister does not know that he allows all that may be desirable. On what ground does the hon. Minister think it desirable to limit the amount to \$100,000. Suppose the company should think it desirable to invest three or four hundred thousand, and suppose they could make larger profit by doing so, why should they be prevented?

Mr. WOOD (Westmoreland). If the hon. gentleman—

Mr. CASEY. I am asking the hon. Minister.

Mr. WOOD (Westmoreland). But I would call the hon. gentleman's attention to the first clause where power is given to invest to any amount in securities of the United Kingdom or the United States.

Mr. CASEY. The hon. gentleman does not understand my point. I am not speaking of the nature of the investment, but of the amount of the investment that can legally be made.

Mr. WOOD (Westmoreland). It has always been limited to the amount necessary under the laws of the foreign country to enable the company to do business in that country.

Mr. CASEY. But some of the companies claim that it might be desirable, in order to give them a better standing and to enable them to do business on better terms to allow them to invest larger amounts.

Mr. McCARTHY. Make it \$200,000—\$100,000 is a mere bagatelle in the investment of the funds of an insurance company.

Mr. WOOD (Westmoreland). This is all the company asks.

Mr. CASEY. Perhaps the hon. Minister can answer my question now. I can understand the limitation as to the quality of investments, but I cannot see why the company should be limited to the investment of \$100,000 in a foreign country if more can be profitably invested there.

Sir JOHN THOMPSON. So as to keep the investments under the control of Parliament.

Mr. CASEY. But the investments of the company as to their amount should not be subject to the control of Parliament. The investment as to quality may be and should be, but not as to the amount. The object of parliamentary control as to the quality of the investment is the security of the shareholder and the policy-holder. But if the company find that it will pay them better to invest \$200,000 in a foreign country than to invest \$100,000, I do not see why this Parliament should interfere or meddle with the purely business management of the company. Nor do I see how the limitation of the amount keeps the investment more un-

der control of this House. Of course we have no control over these investments in a foreign country. After all said and done, I do not know how you are going to enforce this clause. Will you deprive a company of its license if they invest more than \$100,000 in a foreign country? How would the amount of investments be controlled?

Mr. FOSTER. They have to make their returns.

Mr. CASEY. What will you do to them if they invest more than \$100,000 abroad?

Sir JOHN THOMPSON. There is a penalty of so much for each offence against the Act.

Mr. CASEY. The question is, why should a company which finds it profitable and desirable to make investments abroad to the extent of more than \$100,000, be prevented from doing so?

Sir JOHN THOMPSON. We think that there should be a parliamentary restriction upon the amount as well as upon the quality of foreign securities.

On section 17,

Mr. McCARTHY. Does this prevent an insurance company from investing in real estate?

Sir JOHN THOMPSON. No.

Bill reported.

FIRST READING.

Bill (No. 162) to consolidate and amend the Act respecting land in the Territories—(Mr. Daly.)

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 2.05 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 13th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MR. TURCOTTE, M.P.

Mr. GIROUARD (Jacques Cartier) moved that the fourth report of the Select Standing Committee on Privileges and Elections, be now adopted. He said: We have had six or seven sittings of the Committee on Privileges and Elections to investigate this matter, and we have come to the conclusion that the hon. member for Montmorency (Mr. Turcotte) was not guilty in the manner and form

Mr. CASEY.

charged by the hon. member for Richelieu (Mr. Bruneau). Three motions were made before the committee, the first one to acquit Mr. Turcotte; the second one to convict him, and the third one that no decision be arrived at until the court had pronounced upon the penal suits taken against Mr. Turcotte before the ordinary courts of the province of Quebec. This last proposition was rejected, as was also the second one, and the first proposition, acquitting Mr. Turcotte, was adopted. I now move that this first proposition, that is to say, the report of the Committee on Privileges and Elections, be now adopted. I do not intend to offer many remarks in support of the report. As I understand the Act of Independence, I find that no member of Parliament should have a contract with the Government, or on behalf of the Government, directly or indirectly, or through the interposition of a trustee or any other person. I find, also, that no member of Parliament should execute any contract with the Government, or on behalf of the Government, directly or indirectly, or through the interposition of a trustee or a third person. Therefore, a member of Parliament must be very careful not to come within either of these two cases. Now, let us see, in the first place, whether the hon. member for Montmorency has been proved to have had a contract with the Government. My contention is that a member cannot be supposed to have a contract, or to execute a contract, with the Government, or on behalf of the Government, directly or indirectly, unless there is some kind of action or intervention on the part of the member with the Government. For instance, a man may have a contract with the Government and a member may intervene in order to secure its execution, by himself directly or indirectly, or through the interposition of a third person; but there must be a personal intervention by the member, either to obtain the contract or to obtain its execution. The evidence is not very voluminous, two witnesses only were examined, Provost and Larose, who were supposed to be the principal contractors, Mr. Provost for the provisions and groceries supplied to the citadel of Quebec, and Mr. Larose for provisions supplied to the Marine Department in the city of Quebec. Mr. Provost says that he tendered in good faith to the Government to obtain this contract. He says, moreover:

I was bound to execute that contract, and if Mr. Turcotte had not supplied me with goods, I would have been obliged to get them somewhere else.

And here is something more. You will find on page 14 that Mr. Provost is asked about a letter which the hon. member for Montmorency laid before this House when the charge was made against himself, and which has been proved before the committee. He says:

Q. Does the letter you wrote to 'L'Événement' contain the truth?—A. A part, probably.

Q. What part does not contain the truth ?

WITNESS.—Will you please return me the letter.
(Witness reads the letter.)

—A. It is the truth.

Q. Then your letters contained the whole truth ?

—A. Yes.

Now, that letter says :

Having been confined to the house for seven or eight days by a rather serious illness, I was unable until yesterday to see the parliamentary correspondence which appeared in 'L'Electeur' on the 16th April last.

You will please notice that this letter was written by Mr. Provost of his own movement, without any solicitation on the part of Mr. Turcotte. The letter continues :

In that correspondence it is stated that Mr. A. J. Turcotte, M.P., had secured for Mr. Provost, his partner, the contract for furnishing groceries to the citadel, and that after the dissolution of the firm of Turcotte & Provost, I had claimed the profits of the contract, something like \$1,600.

I desire to state here that I secured that contract in the regular way by tender, and that at the time when I secured it, I was not a member of the firm of Turcotte & Provost. Moreover, in view of the fact that just then I had no longer a store at my disposal, I made arrangements with the Turcotte firm for the delivery of my goods.

As to the other assertion of your correspondent that I was to have \$1,600 from Mr. Turcotte for the fulfilment of my contract, it is entirely erroneous. I did not make any such claim, and I had no occasion to do so, for I was paid personally by the Government, by cheques to my order.

Sir, I believe that the charges brought against Mr. Turcotte, so far as the citadel is concerned, are not proved. As regards the charge concerning the provisions supplied to the Marine Department, it has been almost generally conceded in the committee that there was no proof made. Mr. Larose says most emphatically that he secured the contract himself. It was perfectly understood at the beginning that Mr. Turcotte was not bound to give him the goods, and Mr. Turcotte said to him : "You may get the goods for the Marine Department at my store, if you like, or you may get them anywhere you please." Inferences might be drawn from some of Mr. Provost's answers. For instance, he was asked : "Why was the contract placed in your name ?" And Mr. Provost answered : "Mr. Turcotte could not contract in his own name." Then he is asked ; "Did Mr. Turcotte contract in the name of another man ? A. Nothing of the kind." Such a conclusion cannot be drawn from the answers of the witness, and I do not think it is our duty to judge this case by inferences. For my part I am willing to support the report of the committee, although I have some doubts in my mind. But in this case we are called upon to apply strictly a penal law, and as the benefit of the doubt must be given to the accused, I am willing to give him the benefit of that doubt.

I wish to call the attention of the House to a matter of very great importance, which was discussed to a certain extent in the committee. This case is pending before the courts of justice, and of course it is not necessary that we should wait for the courts of justice to pronounce on it. But what might be the consequence ? This Parliament might take one view and the courts of justice a different view, and this leads me to refer to the remarks which I made in moving the report of the Committee on Privileges and Elections in 1891 respecting Mr. Thomas McGreevy, and the hon. member for Three Rivers (Sir Hector Langevin). With the permission of the House I will quote what I said on that occasion, as my observations apply with equal force to the present case :

I ask whether the committee, having a history of this kind, in which almost every serious charge that comes before it seems to be decided by a party vote—honestly it is true, I do not pretend to accuse the other side of acting dishonestly more than I do this side, we all have our predilections—but it is time to consider, when the honour of a member of the House and the honour of his family are concerned, whether we should not adopt a tribunal which would give a guarantee of greater justice to the party concerned. I heard an objection made by an hon. member of the sub-committee that it would be unfair for us to divest ourselves of jurisdiction in a case of this kind. We have already divested ourselves of our jurisdiction in regard to the very existence of this House. At one time election petitions were always tried before a Committee on Privileges and Elections, but it was thought the ends of justice would be better attained if these cases were brought before the courts of justice, and I say that justice would be better rendered if such grave charges as these were brought before a court of justice. I think the constitution ought to be amended in that respect, not to destroy the Committee on Privileges and Elections, but to give this House power to refer any such charge to the Exchequer Court, with an appeal to the Supreme Court.

Perhaps it would not be wise to refer all cases affecting the seat of a member to the courts of justice. There may be cases when the dignity of the House is so much at stake that we cannot divest ourselves of our jurisdiction ; but I contend, and I specially call the attention of the leader of the Government to this case, and I hope that between the present time and the next session he will prepare a Bill to remedy the evil, that in cases of the violation of the Independence of Parliament Act the moment the charge is made it should be referred to the Exchequer Court, with an appeal to the Supreme Court. I move that the report be adopted.

Mr. EDGAR. Before this motion is adopted, I desire to offer a few remarks on this subject. It might be inferred from the short and very simple statement made by the hon. gentleman who moved the adoption

of the report that this case is of a very simple character. It is not a complicated case to my mind, either on questions of fact or on questions of law. There were only two witnesses practically examined, and their evidence has been printed and distributed among members of the House, and they were uncontradicted. So there was no dispute as to the facts. What as to the law? I think the law on the subject is as plain as statutes can well make it. I shall first refer to the legal position of the question, and then I shall see how the facts bear upon the law, and the law upon the facts. By section 10 of the Independence of Parliament Act it is provided that :

No person, directly or indirectly, alone or with another, by himself or by the interposition of any trustee or third party, holding or enjoying, making or executing any contract or agreement expressed or implied with or for the Government of Canada, on behalf of the Crown, or with or for any of the officers of the Government of Canada, for which any public money of Canada is to be paid, shall be eligible as a member of the House of Commons, or shall sit or vote in the same House.

As to that section I think the House will find, when the evidence is considered, that language could not be drawn to-day more aptly suiting the case which we have before us than the language of that clause. Then we have another section which also has a bearing on this case, and if there could be any possible loophole out of which the hon. member for Montmorency could crawl under section 10, he could fall under the provisions of section 12, which says :

If any member of the House of Commons occupies any office or commission or is concerned or interested in any contract, agreement, service or work, by section 9 or 10 of the Act rendering such candidate incapable of taking his seat and voting in the House of Commons, or knowingly sells goods, wares or merchandise to or performs any service for the Government of Canada or for any of the officers of the Government of Canada, by which any public money of Canada is paid, whether such contract, agreement or sale is expressed or implied and whether the contract is single or continuous, the seat of the member shall be vacated and the election shall be thenceforth null and void.

These are the two sections under which this charge would fall in order that the House might find the seat of the member for Montmorency (Mr. Turcotte) to have been vacated. But there is another section in the same statute which has a bearing on this case, and which shows the intention of the Legislature in this enactment. It is section 16, which I quote as follows :—

In every contract, agreement or commission to be made, entered into or accepted by any person by the Government of Canada or any of the departments or officers of the Government of Canada, there shall be inserted an express condition that no member of the House of Commons shall be admitted to any share or part of such contract, agreement or commission, or to any benefit to arise therefrom.

Mr. EDGAR.

In case of such a contract being signed and carried out there is a penalty of \$2,000 attached. This section would have applied to Mr. Turcotte if the Government had done its duty and drawn, according to law, the contract which Mr. Turcotte would have signed. Mr. Provost would have rested under a penalty of \$2,000 for having admitted a member to a share or part of such contract. The Government did not so draw the contract, and therefore this section is quoted by me only as showing the general scope and tendency of that legislation. To apply the law to the facts, I would refer first to what seems to me the only point that the hon. member for Jacques Cartier (Mr. Girouard) made in moving the adoption of the report. He said that it was disproved by the evidence that Mr. Turcotte had interfered between Mr. Provost and the Government with regard to this contract. When the hon. gentleman made that statement he must have forgotten that it was proved in evidence that as regards the first contract which Mr. Provost said was carried out by Mr. Turcotte, Mr. Turcotte in his own handwriting filled in the blanks in the contract. The hon. gentleman has forgotten, and it is beyond question that each of the three contracts for the Militia Department which are in question, were filled, executed and carried out, and the goods delivered by Mr. Turcotte. Is not that interfering between Mr. Provost and the Government? And more than that, the evidence shows beyond question that every cent of the money that was paid for these three contracts, either went into the firm of which Mr. Turcotte and Mr. Provost were partners, or went entirely and solely into Mr. Turcotte's own pocket. And is not that interfering in these matters between the Government and Mr. Provost? If not, I do not know what is.

Mr. AMYOT. Was Mr. Turcotte a member of the House in 1891?

Mr. EDGAR. Mr. Turcotte was not a member when he signed that application.

Mr. AMYOT. When he signed it?

Mr. EDGAR. When he filled it in, in November, 1891; but under that application which he filled in in his own handwriting he carried out the contract with the Government, because he became a member in March, 1892, and that contract covered the whole of the year 1892, and that is the first contract in question in this matter, and that is why I refer to it. He was, of course, ineligible for election at the time, and he has been ineligible ever since. The House will understand that the contracts which the member for Montmorency (Mr. Turcotte) is alleged to be interested in, were, as far as I am going to discuss them or move in this subject, contracts with the Militia Department for the supply of groceries and provisions for the citadel at Quebec, during the years 1892, 1893 and up to the 1st of April,

1894. The evidence shows that Mr. Turcotte was in partnership with Mr. Provost for ten years prior to the 2nd of February, 1893, doing a grocery business in the city of Quebec. Their interests were equal in the partnership, and that partnership was going on when Mr. Turcotte was elected to the House of Commons in March, 1892. That firm was fulfilling the Government contract for the supply of groceries to the Quebec citadel at that time. The contract, it is true, was standing in the name of Mr. Provost. Mr. Turcotte had, no doubt, good reasons for having it so, because he had been an unsuccessful candidate in 1891, and an election petition was pending, and a vacancy was anticipated, and Mr. Turcotte was a candidate early in the year 1892, and was elected. When he ran for the constituency his firm was doing business with the Government under that contract which stood in the name of one of the partners. It might just as well have been in the name of both, because it was for the benefit of the whole firm, and so it continued for the benefit of the whole firm until the dissolution of that firm by deed, under date 2nd of February, 1893. That there may be no doubt of these statements which I make, I would refer hon. gentlemen to the deed of dissolution of partnership, 2nd of February, 1893, exhibit 102, page 16 of the evidence. On page 11 of the evidence, Mr. Provost was asked :

Q. What was Mr. Turcotte's share in that business?—A. The half, we each had half.

There is, therefore, no doubt on that point. On page 8 of the evidence we find : that the tender for that year was signed by Mr. Larose on behalf of Mr. Provost. Mr. Provost does not repudiate the signature of his clerk, Mr. Larose, and so we will have to assume that Mr. Provost had it properly signed. That tender was sent in to the department (tender exhibit 26) under date 30th November, 1891, and Mr. Provost says at page 9 of the evidence :

Q. Do you know by whom it is written?—A. It is in the handwriting of Mr. Larose; the body of the paper is by Mr. Turcotte.

Now, that tender, as will be seen by page 9 of the evidence, was accepted on account of the department by Col. Panet, and it was carried out by the firm. The goods were supplied by the firm in the usual way, and as you will see at page 9 and 10 of the evidence, official cheques of the Militia Department were issued in the name of Mr. Provost, who was the nominal contractor, and they were endorsed by "Turcotte & Provost," the name of the firm, and they were deposited in the Merchants' Bank as Mr. Provost says : because we did business with that bank. The question is asked :

Q. Who furnished the groceries and provisions—in short all the supplies to be furnished under the

contract for the year 1893?—A. It was always the firm.

Now, these cheques which were made to the order of Mr. Provost, and endorsed by him to the order of the firm of Turcotte & Provost, were sometimes endorsed by the firm name by Mr. Turcotte himself. At page 10 the question is asked :

Q. Here is one—and there are several others like it—which is endorsed under your endorsement, by Turcotte & Provost?—A. Yes.

Q. In whose writing is that endorsement?—A. It is Mr. Turcotte's writing.

Q. Mr. Turcotte, the member for Montmorency?—A. Yes.

There were several other cheques, all endorsed, "Turcotte & Provost," in the handwriting of Mr. Turcotte. Mr. Turcotte, we see, was a partner in the firm. The groceries were supplied by the firm, the moneys were deposited by the firm, and the cheques were endorsed by the firm. Now let us see who got the benefit of these. At page 11, the question is asked :

Q. Whilst the firm of Turcotte & Provost existed, where did the money received under these cheques go to? for whom was it received?—A. The money was received for the firm, and used by the firm, like any other money.

Can there be any question about that? It is not disputed or contradicted. If there should be any doubt as to whether Mr. Provost's evidence was correct on that point, we have at page 27 the evidence of Mr. Larose, who was managing clerk for the firm of Turcotte & Provost :

Q. There are here a number of cheques of the year 1891; will you look through them in a general way, and say if you recognize them? (The witness looks over the cheques.)—A. Yes.

Q. You have looked over these Government official cheques for the year 1892, payable to J. B. Provost?—A. Yes.

Q. Do you know whether these cheques were deposited to the credit of Turcotte & Provost?—A. We used to deposit them in the Merchants' Bank to the credit of Turcotte & Provost.

Q. And these cheques were, in fact, so deposited?—A. Yes.

Q. All of them?—A. Yes; they are all marked at the Merchants' Bank.

Q. Were they deposited to the general account of the firm?—A. I do not know of any special account.

Q. Were they deposited to the private account of J. B. Provost?—A. Not to my knowledge.

Q. You were the manager of the firm?—A. Yes.

There we have it proved beyond question that during that whole partnership period one member of the firm had that contract in his name, that the firm supplied the goods, the firm drew the money, and the firm used the money for firm purposes. That part of the case is absolutely proved; it is not contradicted; there is no reflection or suggestion upon it. And will any one say that

that is not a case falling within the statute? Will any one say that Mr. Turcotte did not directly or indirectly, alone or with any other, by himself or by the interposition of any trustee or third party, hold or enjoy, undertake or execute, any contract or agreement with the Government for which any public money of Canada was to be paid? Why, the language of the statute fits this case exactly. The contract was in the name of one of the partners. In that case, you hardly require to call him a trustee or a third party; he was one of the firm itself. Mr. Turcotte might as well have held the contract in his own name or in the name of the whole firm; he would have had no greater interest in it and been no more responsible for it. And still, the majority of the committee considers that this is not a breach of the Independence of Parliament Act. Then, look at section 12 of the Act, which provides that if he is concerned or interested in any contract of that kind, he is ineligible and liable to have his seat vacated. Then, it goes further: or if he knowingly sells any goods, wares or merchandise to the Government of Canada, for which public money is paid or to be paid, he is ineligible and disqualified. Why, what case could the Act apply to if it does not apply to this case? Well, the partnership ceased. There is a deed of dissolution of the partnership. Exhibit 105 shows that Mr. Provost went out on the 2nd of February, 1893, and that Mr. Turcotte became the sole member of that firm, which was called Turcotte, Provost & Co. from that time forward. There are some documents put in relating to that change in the business. Exhibit 104, at page 17, shows that Mr. Provost sold out the whole of his interest in that grocery business to Mr. Turcotte. He made no reservations or exceptions; he sold the stock-in-trade and all interest that he had in the business of the firm for a consideration of \$12,000, which appears to have been paid, or for the payment of which provision appears to have been made; and one would suppose that this Government contract which the old firm was enjoying would naturally go to Mr. Turcotte with the other business of the firm. But the hon. gentleman will say that that contract was not the firm business, but Mr. Provost's own business. Then I would ask, did Mr. Provost keep that contract which was standing in his own name when he dissolved this partnership and went out of business in Quebec altogether? No, Sir, he did not keep that contract; he had nothing more to do with it; but he produces a document, signed by Mr. Turcotte, of the same date as the date of the deed of dissolution, the 2nd of February, 1893, which was a very important bearing on the case after that period. The document is exhibit 2, at page 4:

QUEBEC, 2nd February, 1893.

I hereby undertake to pay to Jean Baptiste Provost the sum of four hundred dollars a year,
Mr. EDGAR.

from the first of January, 1894, on condition that the contract be awarded to Mr. Provost, and failing the said contract I undertake to pay him but three hundred dollars a year from the said date, and conditioned, of course, on my business being prosperous.

A. J. TURCOTTE.

The words, "the contract," there are possibly meant to be mysterious; but Mr. Provost, who produced this document, was asked:

Q. What is the contract alluded to in the document you have just read?—A. I had only that contract; I do not see that there was any other; I had only that contract for furnishing supplies to the citadel; I think it is a contract for furnishing provisions to the citadel that is alluded to.

Q. What is the contract for the citadel? What was it for?—A. The contract to supply supplies and provisions to the troops.

So he identifies it as that contract for which he was to get a consideration from Mr. Turcotte. Now, we have a little further explanation about that mysterious agreement of the 2nd of February. At page 11, the question is asked:

Q. After the dissolution of partnership, whether it was in 1892 or 1893, to whom did the moneys go which were paid in fulfilment of these contracts for the citadel?—A. I handed over each month the cheques to Mr. Turcotte; but all I myself got is what is stated in the document marked exhibit 2.

That document is the contract, signed by Turcotte.—

Q. How did you get the sum mentioned in exhibit 2—that is to say, the sum of \$400; did you deduct it from some of the cheques or how did you get it?—A. I got Mr. Turcotte's cheque for \$400.

Q. But why did Mr. Turcotte give you the \$400?—A. Mr. Turcotte was to pay me \$300 a year for the good-will of the business.

Q. And as to the other \$100 included in the \$400, what were they for?—A. He paid me \$100 over; there was no further understanding than that, when he gave that document which he had agreed upon, \$300.

Q. But apart from the \$100 you have just mentioned, did you receive yourself, directly or indirectly, any part of the moneys arising from the fulfilment of the contracts for the citadel?—A. No.

Q. Neither in 1892 nor 1893?—A. No.

Then we have some more information on the point, at page 13:

Q. In 1894 I see you got the contract?—A. Yes.

Q. You said a while ago that it was not you that carried out the contract. Why is the contract in your name when it was Mr. Turcotte who performed it?—A. Because I considered myself bound by the paper now on file.

Then at page 8 we have more references to this exhibit 2. The witness said:

Q. These documents are signed "J. B. Provost." I want to know who J. B. Provost is?—A. It is I.

Q. Was it you wrote that signature "J. B. Provost"?—A. I have not as yet seen any of my own; I am looking over them.

Q. You stated a while ago that you kept a grocery store at Quebec?—A. Yes.

Q. Since what date?—A. Since the 15th March, 1894.

It appears that Mr. Turcotte went out of business in Quebec for about thirteen months and then returned to business again.

Q. Is that grocery store far from Mr. Turcotte's store?—A. No, it is but a short distance.

Q. How does it happen that it was not you who performed the contract which was in your name, when you had a grocery store. Was it because you could not do, or because you did not want to do it?—A. Because I considered myself bound by my contract, that is to say, that I was not to furnish the goods.

Q. Bound to whom?—A. To Mr. Turcotte.

Then at page 8 we have more references to this exhibit 2. The witness said :

I used to give the cheques to Mr. Turcotte and he put them to his credit.

Q. Why did you give him the cheques?—A. I did not consider that they were my property.

Q. But why did you not consider them your property? The cheques were made to your order and they were sent to you?—A. I have handed in a certain document here which shows the reason why; and I had an undertaking with Mr. Turcotte, and could not claim from Mr. Turcotte more than what is stated in that document itself.

Q. What were you to receive?—A. What is stated in the document, nothing more.

Q. Who was to get the remainder of the moneys paid for the fulfilment of the contract, over and above the \$400?—A. I have told you that I gave the whole amount to Mr. Turcotte.

Q. Was there any contract or arrangement between you and Mr. Turcotte, as to the fulfilment of the contract with the Government or the Militia Department for the supplies to be furnished to the citadel?—A. No contract other than the document I have handed in.

It is pretty clear what the arrangement was. We have the arrangement not only carried out, but the documentary evidence proving what it was. Whether Mr. Provost was a partner of Mr. Turcotte or not, while he was a partner he only got a half interest. When he went out of business, Mr. Turcotte got the whole benefit of the contract standing in his name and supplied the goods. But when Mr. Provost came back to business in Quebec and had a grocery store of his own, he got no benefit from the contract and supplied no goods under it, though it was standing in his name. Mr. Turcotte supplied the goods and got all the money. In the report which is laid before us, it is suggested that Mr. Turcotte could have had no beneficial interest in this contract after the dissolution of the firm after the 2nd February, 1893, because on that date a deed appears to be signed by Mr. Provost transferring to Mr. Larose, not to Mr. Turcotte, all his interests under the Government contract. That is seriously claimed as a reason why the committee should exonerate Mr. Turcotte. Well, I

propose to the House that we should discard that instrument altogether, except as an evidence of the fraudulent attempt to conceal and cover up this whole transaction. That instrument is exhibit 108, page 21 of the evidence. That is duly executed before a notary by Mr. Provost and Mr. Larose, and purports to transfer the contracts with the Militia Department for the furnishing of groceries from Mr. Provost to Larose. Mr. Turcotte's name is not mentioned in it. Now, the consideration in dollars and cents in that transfer is not given. It merely says, for valuable consideration. Now, let us see what Mr. Provost says about that pretended contract :

Q. I just want to know, purely and simply from you, whether it was you that signed that deed?—A. Yes; a power of attorney was prepared for me and I signed it.

Q. You signed that deed?—A. Yes; that was the deed I was made to sign.

Q. Who made you sign it?—A. I was made to give a power of attorney to Mr. Larose. I remember nothing but the power of attorney. I remember having given a power of attorney to Mr. Larose, and of that power of attorney Mr. Larose has a copy. Before saying that I signed the one which is now here, I should much like to see the other.

Q. Do you remember, about the date of the dissolution of your partnership with Mr. Turcotte, having sold your rights in the contract for supply in the citadel to O. E. Larose?—A. I do not remember that.

Q. Did the Mr. Larose who is mentioned in this deed No. 108 give you anything as payment, or did he give you any consideration whatever for the purchase of the contract you had with the Government for supplying the citadel?—A. No.

That is Mr. Provost's recollection. Now, what of Mr. Larose, the other party to the deed? At page 25 of the evidence it will be seen that Mr. Larose testified :

Q. Be good enough to examine exhibit No. 108 and say whether you recognize it?—A. I remember well having signed this document, but I do not remember precisely all its contents; it may have been read to me at the time and I may have signed it and still not remember now what the deed contains.

Q. At whose request did you sign it?—A. I went to the office of the notary, Mr. Charlebois, and there met Messrs. Arthur Turcotte and J. B. Provost, who had previously reached the place.

Q. What Mr. Turcotte?—A. Mr. A. J. Turcotte.

Q. The member for Montmorency?—A. Yes; and Mr. Jean Baptiste Provost. They were there to execute the deed of dissolution of the firm and I went there to get a power of attorney from Mr. Turcotte, for his business and at the same time that I signed my power of attorney, I signed exhibit 108.

Q. Then who asked you to sign exhibit 108?—A. I cannot say whether it was Mr. Turcotte, Mr. Provost or Mr. Charlebois that read the document to me and asked me to sign it.

Q. Were you told at the time, by Mr. Turcotte or Mr. Provost, why you were asked to sign that document?—A. No.

Q. You are sure that you are the O. E. Larose therein mentioned?—A. Yes.

Q. The J. B. Provost therein mentioned is the J. B. Provost that was examined before this committee?—A. Yes.

Q. I see it is stated in this document that Mr. J. B. Provost sold you the rights he held in a contract with the Militia Department for furnishing supplies and provisions, &c., for the citadel—I mean exhibit 108—and for a good and sufficient consideration. Did you give anything to Mr. J. B. Provost at the time?

Then the chairman, interrupting, said :

Q. What was the consideration you gave to Mr. J. B. Provost for transferring the contract to you?

—A. I never had anything with Mr. Provost.

By Mr. Langelier :

Q. Did you give him money or other consideration?—I paid nothing to Mr. Provost.

Now, I can show not only that the parties who signed that did not know what they were signing, that they did not know its contents, that no consideration whatever was given, but also that it was never carried out in any single respect.

Q. After the pretended sale set out in exhibit No. 108, that is to say, the sale to you of the contract with the Militia Department, by J. B. Provost, who carried out that contract?—A. The firm of Turcotte, Provost & Co.

Q. Of whom was that firm composed?—A. Of Mr. Turcotte, I think.

Q. Of which Mr. Turcotte?—A. Mr. A. J. Turcotte.

Q. The member for Montmorency?—A. Yes.

Q. Was it Mr. Turcotte who furnished the goods?—A. Yes.

Q. The member for Montmorency?—A. Yes.

Q. After that, to whom were moneys derived from the fulfilment of the contract paid?—A. The cheques came to the store.

Q. Were the cheques to the order of J. B. Provost?—A. Yes.

Q. Do you know whether the contract was submitted to and recognized by the department?—A. I do not know.

Q. But you remember that the cheques were made payable to the order of J. B. Provost?—A. No.

Q. Did Mr. Provost retain these cheques himself? Did he deposit them to his credit?—A. No.

Q. Then he received the money derived from the cheques and the cheques remained in the store; or the proceeds of the cheques, and that was deposited in the name of the firm of Turcotte, Provost & Co.?—A. Yes.

Q. You were at that time in the employ of the firm?—A. Yes.

Q. What position did you hold?—A. I was manager.

—and so on. Then the question was asked Mr. Larose—page 31 :

Q. Then, why was the contract transferred in that way by the deed?—A. I cannot give any other explanation; I do not know myself.

Now, I think, therefore, we can assume that not only was that transfer from Mr.

Mr. EDGAR.

Provost to Mr. Turcotte's clerk, Mr. Larose, intended to be a blind, but it was never carried out, the department was never notified. It was executed, but no consideration was paid for it, neither of the parties to it understood it, the contract was fulfilled just as before by Mr. Turcotte, and the money was received by Mr. Turcotte himself, who was not a party to this deed. It was intended to be a blind; it was an abortive attempt to make a blind, and instead of being a defence for Mr. Turcotte it aggravates his case immensely by showing the attempts at deception that were made throughout this matter to keep from the Government, or at least from Parliament, the fact that he was a Government contractor. Now, what does this proposed report suggest as to the grounds of defence? Let me read the first clause in this report, and let the House, after the evidence which I have quoted, understand what sort of defence it is :

Whereas the said Provost has sworn and established by documentary evidence that he had in good faith tendered for and obtained such a contract, relating to the Militia Department for the years 1892, '93, '94.

"In good faith" he tendered for and obtained this contract. Why, Mr. Speaker, that is a play upon words of the most childish kind. We know what kind of faith it was from the evidence. We know why it was done; we know what the intention was from the results. Where is that expression "good faith" obtained? Sir, it is obtained in the evidence, page 13. I know that, because I had the benefit of hearing that explained to the committee by the hon. member for Bellechasse (Mr. Amyot). The question was asked Mr. Provost :

Will you say why you made the tender in your own name in the place of making it in the name of Turcotte & Provost, or Turcotte & Co.?—A. Because Mr. Turcotte, being unable to have the contract in his name, it was made in my name.

That was what he meant by good faith, according to his notion of good faith. Honour among thieves, perhaps, but it was his notion of good faith. Then the Solicitor General asked :

Did you act in good faith in that matter?—A. It was in good faith; like the cheques I returned to the firm.

That is the kind of good faith. He tendered in good faith because Mr. Turcotte could not tender in his own name, and it was in good faith because it was "like the cheques I returned to the firm." The cheques came to his own name, and in good faith, and to keep good faith with Turcotte, he handed the cheques to Turcotte who put them in his pocket.

In making your tender, did you act in good faith?—A. Yes.

Of course he did, and that is the kind of

good faith, stated in the report, which we are asked to confirm on the subject of that contract. Then we are asked to say that Mr. Provost has carried out and executed these three contracts of 1892, 1893, and 1894. Does any man in this House believe that Provost had carried out and executed those three contracts with the department? He did not carry out one, except that during the first year he was a member of the firm that carried it out. But, worse than that, the committee asked this House to say that Mr. Provost received in pay departmental cheques to his order, and then it stops there, implying that he got that money. Why, Sir, is not that almost an insult to the House—to ask us to stop there, when every hon. member of the House who has looked at the evidence knows perfectly well that that is only a half truth which suggests a falsehood? We know that Mr. Provost received, in payment, departmental cheques to his order, but every single one of them he endorsed over, and did not receive a dollar of it himself from beginning to end. Then the report says it does not appear that Mr. Turcotte, in any way, interfered between him and the Government. Why, he interfered throughout; he took the whole business out of Provost's hands, and Mr. Provost did not conduct it at all. Then it goes on to say that Provost had not liberty to dispose of his contracts in the way he pleased and grant sub-contracts to whom he chose, he alone having the obligation to fulfil his contract with the Government. Now, as to his being at liberty to dispose of his contracts in the way he pleased, that is certainly not so, because exhibit 2 shows that he was under contract, and all his evidence shows that he considered he was under contract with Turcotte to let him have the whole benefit of the business as he did; and therefore, as between Turcotte and Provost, Provost was never, for one instant, at liberty to dispose of his contracts in the way he pleased, and also to grant sub-contracts to whom he pleased. We have had no evidence of that. He was acting in good faith, he said, with Turcotte, and how could he grant a sub-contract? He gives a reason: "He alone was under obligation to fulfil his contracts with the Government." Now, I will admit that he assumed an obligation to the Government to fulfil that contract, he was bound to fulfil that contract; but I say that Mr. Turcotte, as a partner of his during the partnership, was also bound to fulfil that contract with the Government; and afterwards when Provost acted alone for Turcotte, Turcotte was an undisclosed principal, and he was also liable to the Government under that contract, according to law, when the Government found out that he was the principal under that contract. Why, Sir, there must be an idea running through this paragraph that because Mr. Turcotte had not signed a contract with his own hand with the Government, he would

not be liable for violation of the Act. He did the work, he received the money, yet he would not be liable. Well, Sir, I admit that something very like that was held some years ago to be law, under an old statute in Canada, which was similar to this; that was the law as laid down in the old Russell case, but that is not the law of Parliament now, and has not been since 1877. In the report on the Anglin case, in the appendices to the Journals of 1877, this was the unanimous report of the committee, which was unanimously adopted by the House, and I would like the attention of the House to this point, because I think it bears upon this case:

That it appears from the evidence before the committee that the Hon. T. W. Anglin, since he has been elected a member of this House, has fulfilled various orders given by public officers for the insertion in his newspaper, the St. John 'Freeman,' of advertisements in connection with the public service, and various orders given by the post office inspector, under the instructions of the Postmaster General for the printing of forms required for the Post Office Department, and has received public moneys for such advertisements and printing.

We might say in place of that, that Mr. Turcotte has executed orders for work in the Marine Department, and he has received payment for them. Well, this report quotes the language of the old Russell case, in which it was held:

The performance of a particular work undoubtedly raises an implied contract to pay the value of such work.

The Russell report goes on to say:

It is to be remembered, however, that the statute is a disabling and penal one, and must be strictly interpreted. The word "contract" is accordingly to be taken in its most restricted meaning. There must be in our opinion, a distinct covenant, or a subsisting and continuous agreement, assented to by both parties, and having the character of mutuality.

That is what the Russell case says, and if that were law to-day, I think Mr. Turcotte would be relieved by it. But this committee in the Anglin case said:

The committee, are, however, of opinion that the said precedent and practice are erroneous, and that according to the true construction of the Act for securing the independence of Parliament, the transactions in question did constitute disqualifying contracts.

Now, Sir, it is impossible to fall back on that argument about mutuality, or a contract signed between the Government and a member, nowadays. I would, now, like to put this case to the hon. members for Quebec. Supposing Mr. Turcotte had supplied the goods under this contract, and the money not all having been paid to him for those goods, but the cheques for the money having come to the hands of Mr. Pro-

vost, and supposing Mr. Turcotte were to fail, and an assignee or trustee of his estate, or curator, whatever he would be called, were appointed for the creditors, does any one in this House favour a statement that the creditors of Mr. Turcotte would not be entitled to recover that money for Mr. Turcotte's benefit, which was held by Mr. Provost as trustee for Mr. Turcotte, for the goods Mr. Turcotte had delivered? I, of course, put aside the illegal character of the transaction. And in that view of the case, Mr. Turcotte will be carrying out this contract with the Government through a trustee, in the language of the Act. I think in this class of cases, Parliament should be jealous of its honour and it should proceed to vindicate its independence, and, moreover, it should resent any attempt by a Government to tamper with the liberties of the people by giving the right, as is being done by the majority report which the Government are supporting, to buy a member of Parliament with public money, under the present condition of the law. I wonder if the Government have still been accepting supplies from Mr. Turcotte for the Militia Department since the day this question came before the committee? The members of the Government were present, and have full knowledge of the evidence produced. I should like the Government to inform me whether, in face of the absolute knowledge that Mr. Turcotte is a beneficiary under the contract, they are accepting supplies and are going through the farce of handing a cheque to Mr. Provost, which they find is sent back to the department with Mr. Turcotte's name on it. Are they doing that? If they have stopped that proceeding, and I hope for the credit of the Government they have stopped that contract with Mr. Turcotte, how can they justify the majority report? They must condemn Mr. Turcotte if they have stopped the contract. If they have not stopped it, and are carrying out the contract under circumstances which they know about, they are guilty of a serious breach of the Independence of Parliament Act, with full knowledge of the facts. I believe the hon. member for Montmorency (Mr. Turcotte) is a very important political factor in the district of Quebec. I understand he occupies very much the same position there which Mr. Thomas McGreevy, of lamented memory, once held in that district, only while Mr. Thomas McGreevy was a particular pet of the hon. member for Three Rivers (Sir Hector Langevin), Mr. Turcotte is a particular pet, follower and supporter of the hon. Postmaster General. If the Minister of Justice does not know it, everybody else in this House is talking about it. It is being generally stated, that the Postmaster General has put his foot down on this occasion, and the rest of the Government, including the Minister of Justice, have to toe the mark and whitewash Mr. Turcotte at the dictation of the Postmaster General.

Mr. EDGAR.

Remarks of that kind are not confined to one side of the House, and the country will understand that if the majority report is carried by the votes of the Government, the sooner the Government is known under the name of the Caron-Thompson Government the better. I move in amendment as follows:—

That the Report be amended by striking out all the words after the word "inquiries," where it occurs in the first clause of the said Report, and inserting the following instead thereof:—

"As to the first clause of the order of reference, the finding of the Committee is:

That Arthur Joseph Turcotte and Jean-Baptiste Provost were carrying on the business of grocery merchants, at the city of Quebec during the period from the 11th March, 1892, until 1st February, 1893, under the firm name of Turcotte & Provost, each partner having an equal share in the business;

That on the 30th November, 1891, a tender had been put in for the supply of groceries to the militia in Quebec, for the year 1892, in the name of the said J. B. Provost; the writing in the body of the tender being in the handwriting of Mr. A. J. Turcotte, and the signature, J. B. Provost, being in the handwriting of Mr. Larose, an employee of the firm;

That the tender was duly accepted by the Militia Department, and the contract was duly fulfilled by the said firm, and the supplies were paid for by official departmental cheques amounting in that year to \$4,112.85, and all issued payable to the order of J. B. Provost, in whose name the tenders was made, the cheques were all endorsed by J. B. Provost personally, or in his name by Mr. Larose, under power of attorney, these cheques were afterwards endorsed, for deposit, by Turcotte & Co., sometimes in the handwriting of Mr. Turcotte, and sometimes in the handwriting of Mr. Provost, the cheques were then all deposited to the credit of the firm of Turcotte & Co., and the proceeds were received by the firm, and used by the firm, like any other firm money, although Mr. Provost swears, and is uncontradicted, that 'when the partnership existed I always put the money to Mr. Turcotte's credit and I derived no benefit from it;'

That under another similar contract with the Department, for the year 1893, in the name of the said J. B. Provost, the said firm became contractors for the supply of groceries to the citadel at Quebec, and did so supply them, and did receive payment for the same, until the 2nd February, 1893, when the said firm was dissolved by mutual consent.

As to the second clause of the order of reference the finding of the Committee is as follows:—

That on 2nd February, 1893, the firm of Turcotte & Provost was dissolved by mutual consent, and on the same day A. J. Turcotte entered into the grocery business on his own account in the city of Quebec under the firm name of Turcotte, Provost & Co.;

That by a deed of the same date J. B. Provost sold out his entire interest in the old business to A. J. Turcotte for a consideration of \$12,000;

That by another deed of the same date (Exhibit No. 108), J. B. Provost purported to sell to O. E. Larose all his rights and interest in his aforesaid

contract with the Militia Department for the supply of groceries to the citadel. No sum is mentioned as the consideration, but the sale is stated in the deed to be made for good and sufficient consideration ;

That with reference to this last mentioned deed (Exhibit No. 108), J. B. Provost had no recollection of signing any document to Larose of that date, except a power of attorney. He had no recollection of ever having sold his rights under the citadel contract to Larose, and he never received any consideration whatever therefor from Larose, that the recollection of Mr. Larose on the subject is that he went to get a power of attorney and was asked to sign, and did sign this deed, but he paid no consideration whatever to Provost for it, and did not carry out the contract, that the new firm of Turcotte, Provost & Co., composed of Mr. A. J. Turcotte alone, fulfilled the contract for the remainder of the year 1893, supplied the goods and received the money from the department by means of the cheques issued to J. B. Provost, endorsed by him, and handed over to the new firm and deposited to its credit ;

That the contract for 1894 was not awarded to J. B. Provost by tender as before, but by a letter from the Deputy Adjutant General, dated 10th January, 1894 (Exhibit No. 3), and was carried out, up to 1st February, 1894, and up to the date which this inquiry extends ; in the name of J. B. Provost, but for the exclusive benefit of Mr. A. J. Turcotte.

As to the third clause of the order of reference the finding of the Committee is :

That on 1st February, 1894, the said A. J. Turcotte ceased to use the firm name of Turcotte, Provost & Co. (Exhibit No. 106), in his business, and adopted the business or firm name of A. J. Turcotte & Co. (Exhibit No. 107), and under that name continued up to which this inquiry extends to do business as a grocer in Quebec, and to supply the Militia Department with groceries for the citadel at Quebec, and to receive for his own benefit the proceeds of the official cheques, although the contract stood in the name of J. B. Provost, and that the cheques were issued to J. B. Provost, and by him endorsed to the said A. J. Turcotte ;

That the only agreement in writing between J. B. Provost and A. J. Turcotte relating to these Government contracts, is a paper dated 2nd February, 1893 (Exhibit No. 2), signed by Mr. Turcotte, in the following words : " I hereby undertake to pay to Jean-Baptiste Provost, the sum of four hundred dollars a year from the 1st of January, 1894, on condition that the contract be awarded to Mr. Provost, and failing the said contract I undertake to pay to him but three hundred dollars a year from the said date, and conditioned of course on my business being prosperous ; "

That it is explained by Mr. Provost that the \$300 mentioned was for his good-will and \$100 for the Government contract, and the sum of \$100 was all he was to get out of the contract.

As to the fourth clause in the order of reference the finding of the Committee is :

That some time shortly before 3rd May, 1893, O. E. Larose was a manager or clerk for Mr. A. J. Turcotte in his grocery store in Quebec, at a salary of \$950.00 per annum ; and as an increase of work was given him by Mr. Provost having left the firm,

he asked for an increase of his salary. This was agreed to by Mr. Turcotte, at \$1,200.00 per annum, with the alternative that if Mr. Larose received the contract for supplying the Marine and Fisheries Department, at Quebec, his salary should be \$950 per annum, plus his profits from such contract.

That the contract was in due course received by Mr. Larose and fulfilled by him, and he made a profit for the season of 1893, of \$400.00 or \$450.00 thereon, and in addition thereto he received \$950.00 from Mr. Turcotte, to make up his salary for services as clerk and manager for Mr. Turcotte :

The Committee therefore find that Arthur Joseph Turcotte, Esq., member for the electoral district of Montmorency, after his election for said electoral district and until the 2nd February, 1893, was a partner in business with one Jean-Baptiste Provost, and did as such partner hold, enjoy and execute or was interested in a contract with the Department of Militia and Defence and under which public money of Canada was paid, and as a member of said firm knowingly sold goods to the Government for which public money was paid, although such contract was standing in the name of Jean-Baptiste Provost alone as a trustee or third party for the benefit of said firm, and that the election of the said Arthur Joseph Turcotte thereby became void.

The Committee further find that the said Arthur Joseph Turcotte, Esq., after said 2nd February, 1893, and until 1st April, 1894, held, enjoyed and executed and was solely interested in a contract with the Department of Militia and Defence and under which public money of Canada was paid, and knowingly sold goods to the Government for which public money was paid, although such contract was standing in the name of Jean-Baptiste Provost as trustee or third party, in reality for the benefit of said Arthur Joseph Turcotte.

And that the election of the said Arthur Joseph Turcotte thereby became void.

I do not draw any inference as to the result of the contract with the Marine Department, and I do not propose to ask the House to assent to the proposition that the hon. member should be disqualified on account of his dealings with the Marine Department, although, I think, he should be. It is a question, however, open to a difference of opinion, and, therefore, I have not included it in the amendment I propose ; but I confine myself to the contract with the Department of Militia and Defence, from which I have drawn those inferences.

Mr. MASSON. Mr. Speaker, before this question is put I would like to call the attention of the House to some few points in respect to it. I will not for a moment attempt to answer the long speech of two hours that we have just listened to from the mover of this resolution : but I would ask the House calmly to consider the evidence given, and the facts found by the majority of the committee and reported to the House ; and to contrast them with the finding that the hon. gentleman (Mr. Edgar) wishes the committee to have found, and this House to find now.

It is unnecessary for me in doing so to go into the evidence with any detail. The facts of the case as they stand are admitted on all sides. It is admitted that the first contract referred to was in the name of Provost, and in his name alone, that he tendered for it, that he obtained the contract, and he tells us that he tendered for it in his own name, because at that time his partner was a candidate for election to the House of Commons. There is nothing morally wrong or disgraceful in a person dealing with the Government, and but for the direct statute in that behalf there would be nothing wrong in a member of Parliament tendering in the open field for a contract, and if he, being the lowest tenderer was awarded the contract, there would be nothing morally wrong or disgraceful in fulfilling it. But legislatures in times past have considered that it is dangerous to allow such contracts to be made with members of Parliament, as the holding of such contracts might influence them; and for that reason, and that reason alone, these contracts are made illegal. It is not wrong, nor will any one contend that it is wrong or illegal, for a contract to be made with a member of a firm or corporation of which another member is a member of this House. No one will contend that the disability extends not only to the member, but to all those associated with him in business as members of a firm or corporation. The disability is confined to himself, and the contract must be for his benefit. It does not necessarily need to be in his name. The Act specially provides for that—that if he is the party to a contract made in the name of a trustee or a third party for him, then it is just as if it were in his own name. But the first test we have to apply to this case as to whether the Act complained of is within the statute or not, is this: Is there anything to show that Mr. Turcotte was a party to the contract? Was it made at his request? Was it made by reason of any agreement existing between him and Provost at the time, that would place him in the position of being a beneficiary interested in the contract, and place Provost in the position of being only a trustee or third party holding it for him? Was the contract taken by Provost in his name by reason of any agreement between Turcotte and himself? or was it taken at the request of Turcotte? There is not a scintilla of evidence that Turcotte requested it to be done, or that he was a party to the doing of it. Provost certainly had the right to tender; he certainly had the right to enter into the contract; he certainly had the right to supply the goods. But it is said that in supplying these goods he took them from the firm in which Mr. Turcotte was a partner. Had he taken them from another firm, that other firm would not be in any way interested in the supply of the goods to the Government. They would only be interested in the sale of the goods to Provost,

Mr. MASSON.

and Provost himself would be the only person interested in the delivery of the goods to the Government, and the receipt of the money from the Government. Can it be, therefore, argued that because he takes the goods from a firm of which a member of Parliament is a member, that member of Parliament has an interest within the meaning of the Act that there is no possibility of a contract being made except in such a manner as will bring him strictly within the statute? If it is possible for an outside firm to contract with a Government contractor to supply him with material and still remain independent of the Government, I think it is equally possible for a member of Parliament to contract with a Government contractor to supply that Government contractor with material, and still remain independent of the Government and of Parliament. Another test which might be applied to this: Did any privity or agreement exist between them during the existence of the contract whereby but for the Independence of Parliament Act Mr. Turcotte could call upon Mr. Provost for an account? Did there exist, either at the inception of the contract, or during the time it was being carried out, any privity or agreement whereby Mr. Provost could be called to account by Mr. Turcotte? If he could be called to account by Mr. Turcotte, then surely Mr. Turcotte would be interested in the contract. But there is not a tittle of evidence to show that. In fact the evidence is clear that there was no undertaking on the part of Turcotte with Provost that Provost should supply the goods, and that Turcotte should share in the profits, or get the proceeds of the contract. It was the voluntary act of Provost to take the goods from this firm, as he might have taken them from any other rival firm in the city. Another test as to whether this case comes within the statute is: If Provost was only the trustee or the agent or the third party for Mr. Turcotte, it would be clear that the Government, in the event of the failure of such a contract, made by the agent, could have enforced the performance of the contract against Mr. Turcotte as an undisclosed principal. Is there any evidence to show that the Government could have enforced that contract against Mr. Turcotte as an undisclosed principal? Or could Mr. Turcotte have maintained an action against the Government as an undisclosed principal? On these two latter tests, I think, there is no evidence to show either that the Government could have maintained an action against Mr. Turcotte as an undisclosed principal for the enforcement of the contract, or that Mr. Turcotte could, as an undisclosed principal, have maintained an action against the Government. Therefore, on the first charge, the charge which, perhaps, was attended with more difficulty for the defence than any of the others, the evidence amounts simply to

this, that Provost took the contract in his own name, that for the fulfilling of that contract he got goods from this firm, and that, on getting paid for those goods by the Government, he paid the firm for them. There is nothing in the application of the cheques. We all know that in business transactions a cheque or a bill of exchange passes as current money.

Mr. EDGAR. Will the hon. gentleman allow me to ask him a question? The hon. gentleman states that Provost bought these goods from the firm and paid the firm. What evidence is there of that? I have not seen it.

Mr. MASSON. The whole trend of the evidence is that Provost was the contractor, that Provost went to the firm and got these goods from the firm, that the cheques came to Provost, and that he paid them to the firm. Had the money been paid to him, it would have been the same as cheques. There is no argument upon the handing over of the identical document. In mercantile dealings, we know that cheques pass from a debtor to his creditor, and so do bills of exchange in the same way, and there is nothing in the identity of the cheque to prove conclusively that the money was paid by the Government to Mr. Turcotte. The explanation why the cheques were handed to Turcotte & Co. is clear. They were given to Mr. Provost and by him to Turcotte & Co. in payment of goods received by Mr. Provost from Turcotte & Co., for the fulfilment of his contract. I know it is urged that the fact of the firm finally receiving all the money is evidence that they were themselves the contractors, but I think we should require something more, in the face of Provost's statements under oath that he was acting bona fide, that he was bound to fulfil his contract, and that if he did not get his goods from Mr. Turcotte's firm he would have had to get them elsewhere. With reference to the other contracts, the same remarks hold good as to the purchases and the transfer made. There is not the same difficulty there, especially after the dissolution of the partnership, because up to the dissolution of the partnership the same state of affairs existed; but after the dissolution the contract was transferred, not to Turcotte & Co., the successors of the firm of Provost & Turcotte, but to Larose. It is therefore necessary, in order to attach this matter to Mr. Turcotte after that, to establish that there was an understanding between him and Larose, whereby Larose should hold the contract as his trustee or agent. There must be something to show that Larose was bound to account to him, and that if he played false and got the goods elsewhere and did not give Mr. Turcotte the benefit to which the alleged arrangement would entitle him, Turcotte would, but for the Independence of Parliament Act, be able to enforce it in a court of equity. There is no scintilla of evi-

dence to show there was any agreement between Larose and Turcotte, that the former should hold the money as trustee and account to Mr. Turcotte or the firm of Turcotte & Co. for the profits. As to the arrangement with Mr. Provost with reference to the \$400, that is a matter between the two, in which the good-will is set at \$300, and the subletting this contract at \$100. It is difficult to see how it can be argued that there is conclusive proof that Mr. Turcotte was a party to the assignment of the contract and was placing himself in the position of a contractor—in the position of a person who would have to deal with the Government and look to the Government for his remuneration. Had the assignment of the contract been to him instead of to Mr. Larose, that argument would have been irresistible. But when we find that the contract itself is transferred absolutely to Larose, until we find that Larose was simply standing between the Government and Turcotte and that Turcotte is in the circle, until then we have no case against Mr. Turcotte. There must be a legal connection or bond that can be enforced, and that, but for the Independence of Parliament Act, Mr. Turcotte could enforce. Where is there any evidence to show that? After the assignment, was there any privity between Larose and Turcotte, whereby the latter, but for the statute, could have enforced the contract. Neither in its inception, nor during its fulfilment, was there any evidence to show he could enforce it or that the Government could enforce it against him. There is nothing to show that the Government could have proceeded against Turcotte as an undisclosed party to that contract, or that Turcotte could have proceeded against them in that capacity. These are the main tests to apply, and it is unnecessary to go closely into the details of the evidence to see the plain facts, that through it all it evidently was present to the minds of the parties contracting, that Mr. Turcotte was not available. But for that reason, it is urged that the other parties did it for him. But because he could not do it himself, is that any reason why they should do it? Or because they did it they went on doing it, is that any reason to infer that they were doing it for him? It is not illegal for one member of a firm to deal with the Government, although another member of that firm may have a seat in this House. We have cases of that kind all around us. We have the cases of legal firms. One member of a legal firm may represent a constituency in this House and yet another may be employed by the Government in very large matters and receive from the Government yearly large sums. Does any one hold that it is wrong for one member of a legal firm to do business for the Government and receive pay from it because his partner has a seat in this House? and will any one hold that if this be done, the partner having a

seat in this House has violated the Independence of Parliament Act? It is quite possible for a contract with the Government to be made with one member of a firm and be carried out by him and for him to receive the money and divide it among the other members, exclusive of the member of Parliament, even though one of the firm may not be in a position to enter into such a contract himself without infringing the Independence of Parliament Act.

Mr. LISTER. He gets a part of the money.

Mr. MASSON. Has that ever been thought a fit subject of inquiry? Has it ever been thought necessary to investigate such a transaction and examine into the books of a legal firm? Why then should everything be assumed against a grocery firm, in such a matter, and in favour of a legal firm? It may be said that the stock in trade of a grocery firm is the property of all the partners; but in like manner the time and the ability of each member of a legal firm is the property of all, and all are entitled to share in the profits, just as the partners of a grocery firm are entitled to a share in the profits of their stock in trade. One member of a legal firm is as much entitled to the profits arising from the time and ability his co-partners have given to the service of the Government, as a partner in a grocery firm is entitled to the profits on the goods sold to a private individual or to the Government. Wherein is the distinction? What is a valuable asset in one firm goes to the Government through the channel of a single member; what is a valuable asset of another firm goes to the Government through exactly the same channel. It will be admitted that if one is legal and the other is illegal, something more than the bare fact of the transaction must be proved in order to establish that illegality. Have we any evidence to show that the transaction was with one party for the other? The gentleman prosecuting this charge did not cause the production of the books to show that the goods were charged to the Government or to Mr. Provost. If there was anything turning upon this point this at least should have been done. It would only be a matter of book-keeping, after all, but if anything turns upon it, then, even as a matter of book-keeping it should have been brought out. The barest possible statement of fact has been produced and from the bare statement of fact that one partner tendered, one partner got the contract and fulfilled that contract by taking material from his own firm, we are to presume that a member of Parliament knew all about it, was a party to it, and took the benefit of it. I say that we want more than the bare statement of facts to prove that. In a case like this, which is penal in its nature—for if we find the facts as we are asked to find them, the result must be the expulsion from this House of a member—we must construe

Mr. MASSON

the statute strictly and we must find that the case has been proved clearly before we can find the party guilty. A member of Parliament, in such a case as this, is entitled to the benefit of all the doubts that can reasonably rise. It must be proved positively, not merely by innuendos, or by presumptions, but by facts.

Mr. MULOCK. Why? In ordinary trials inferences are drawn; why not in this case?

Mr. MASSON. The circumstantial evidence that is brought in must be conclusive. To make it conclusive we must have something more than the mere statement of fact that the contract was made by one member of a firm and fulfilled by him through the aid of his firm. Mr. Speaker, I do not think it is worth while troubling the House longer in reviewing these facts. The evidence is short, and the facts are few, and the case turns upon the point I mentioned—upon the question whether these parties got the contract for the benefit of Mr. Turcotte, whether they were bound to him in such a way that they must be considered as trustees for him in the various steps that were taken and so that he was the recipient of the benefits within the meaning of the Act. I think that the evidence falls short of proving conclusively that this is the case.

Mr. LISTER. The hon. gentleman from North Grey (Mr. Masson) has evidently not read all the depositions taken before the Committee on Privileges and Elections, or he certainly would not have made many of the statements that he has made to-day concerning this case. The hon. gentleman who moved the resolution had some doubts as to whether the gentleman whose seat is attacked had a right to retain his seat. But the hon. gentleman who has just spoken, and who evidently has not read the evidence at all has no hesitation whatever. He thinks that there has been no breach at all of the Independence of Parliament Act. The hon. gentleman knows that before this committee only two witnesses were examined, Mr. Provost and Mr. Larose. The hon. gentleman will also, perhaps, recollect when I call his attention to the fact that, day after day as that committee sat, Mr. Turcotte was present in the committee room, and I would ask the hon. gentleman if it is not somewhat remarkable that Mr. Turcotte, who was there every day, and who must have had as much knowledge of these transactions as any witness called, never offered himself as a witness for the purpose of giving explanations of incidents which might or might not be clear to the committee. Mr. Turcotte did not hesitate to rise in this House and read a statement explaining, as he pretended, how it was that he had brought himself under the penalties of the Act. Was it because the statement he made here was not true, and that testimony given under oath would have shown that his statement to

the House was not a correct statement of the facts, or was it because he was guilty of the charge that he failed to take advantage of the right he had to go into the box and, under the solemnity of an oath, declare what he knew or did not know of the transaction. I say, Mr. Speaker, that the conduct of Mr. Turcotte in this matter in not taking advantage of his right and stating before the committee the facts within his knowledge is a circumstance weakening the contention for the innocence of the accused which my hon. friend from North Grey has so earnestly advocated today. My hon. friend says that it is not improper per se for a member of Parliament to enter into a contract with the Government. It might not be improper for a member of Parliament to enter into a contract with the Government if there was not an Act of Parliament forbidding it. But there is such an Act of Parliament, passed for manifestly good reasons. We all know that this matter of members of Parliament entering into contracts with the Government was considered to be against public policy. It became so bad at one time that a large proportion of the members of the House were interested in contracts, and, from selfish motives became slavish supporters of the Administration. It is not, as is contended, forsooth, because Mr. Turcotte is a grocery man that he is assailed, and it is not because somebody else may be a lawyer that he is not assailed. Well do I recollect the case of my hon. friend the Minister of Marine and Fisheries, when charges were made that the hon. gentleman was interested in large sums of money granted to his firm by the Government. The hon. gentleman's answer was that while he was a member of the firm, he never participated in the profits made by the firm acting for the Government. And there is just the difference between that case and the case under consideration. No person will pretend to argue for a moment that if a firm received compensation from the Government, and a member of that firm was also a member of Parliament, he would not come under this statute and be liable to its pains and penalties, but if he does not participate in the moneys received from the Government, then he cannot come under the statute, and he is not responsible. Over and over again I have heard my hon. friend the Minister of Marine and Fisheries state that he was not interested in any of the profits received from the Government, that went to his firm for services rendered to the Government by that firm. I would remind my hon. friend again that there is a distinction. Now, what do we find? This innocent man from Quebec, who has been characterized by my hon. friend beside me as the guide, philosopher and friend almost, of the Postmaster General, who occupies almost the same position towards him that a certain unfortunate gentleman did towards the late Minister of Public Works—this in-

nocent individual who can be entrusted with the mighty secrets of state, who can be entrusted with that mighty fund which the evidence shows has been gathered around that old historic place of Quebec, this innocent individual, for some reason of other, is not permitted to go into the witness box and tell his own story, he is not permitted to go into the witness box as a counsel to advise, or as a political friend; but he studiously abstains from going where he ought to have been the first to go, to tell the House whether these charges were true or false. My hon. friend from North Grey (Mr. Masson) says: But he had a right to take this contract; he entered into the contract in his own name, and he furnished goods out of the store like a third party would have done who had no interest in the store at all. He sold them to the Government and he got his pay, and that is all there is about it. Is that so? Does not the evidence of Mr. Provost show clearly that it is not so? On page 13 he was asked the question:

Will you say why you made the tender in your own name, in place of making it in Turcotte & Provost, or Turcotte & Co.?—A. Because, Mr. Turcotte being unable to have the contract in his own name, it was made in my name.

That was the reason. Mr. Turcotte was ambitious for political honours, he was likely to be a candidate, and he was a candidate for political honours in Montmorency. But he knew the law, and in that respect he was different from our hon. friend from Hastings (Mr. Corby), who honestly got up in the House and admitted that there had been a breach of the Act, but said he was ignorant of it, and the House accepted the explanation. But what do we find here? This man, who was a candidate for the House of Commons, knowing as he must have known that if he had a contract with the Government he would not be entitled to sit in the House, cunningly devises this scheme whereby he thought that the law might be set at defiance, and instead of entering into the contract in the name of Turcotte & Provost, he gets his partner and his friend Provost to make the contract. Did Provost make it as a matter of fact? Because we see that the trusted manager of the business, Mr. Larose, who had been in charge of it for twelve years, who had authority to sign the name of all the members of the partnership—we find that he was then the servant of Turcotte before Provost entered into the partnership at all. We find that Larose signed Mr. Provost's name, and that the body of the tender was filled up in the hand writing of Mr. Turcotte. For all we know Mr. Provost never saw the tender at all. Mr. Turcotte's confidential man signed Provost's name. Turcotte himself filled up the tender which was sent into the Government, and Mr. Provost swears that the reason this was done was because Turcotte was unable to

have the contract in his own name, and it was made in his (Provost's) name. Now, what do we find? They go into partnership. It is not pretended that Mr. Provost bought any goods from Turcotte & Provost, but the evidence shows that the goods under this contract were furnished by the firm of Turcotte & Provost. There was no selling to Mr. Provost, but it was a direct deal between Turcotte & Provost and the Citadel; so that the goods were furnished by Turcotte & Provost to the Government, and the Government sent in payment for those goods the cheque of the department, payable to Provost. Now, I call the attention of the House to that part of the argument of my hon. friend. If Mr. Provost was buying goods from Turcotte and Provost, he would have some profit on them. Instead of handing over the cheque that he received from the department and placing it to the credit of the firm, he would have cashed the cheque, he would have paid the firm what it was entitled to for the goods supplied, and he would have kept the profits for himself. But instead of that, the money received for these supplies is handed over directly by Mr. Provost, and it goes to the credit of Turcotte & Provost in their bank account, endorsed by Mr. Provost, and endorsed again by Turcotte & Provost, and the money deposited. The money was received by the firm and used by the firm, as the witness says, like any other money. Those are the words he uses: "The money was received for the firm and used by the firm like any other money." So that these two men in partnership, one of them a member of this House, were dealing with the Government directly under the form of a contract in the name of Provost, but really for the benefit of Turcotte and Provost, selling goods to the Government, receiving pay for them, the proceeds going to the firm like any other money that they might receive as merchants. Well, the partnership of Turcotte & Provost was dissolved. You would have thought that if this contract belonged to Mr. Provost he would have carried it out. Provost did not go into the business again for a year; the business was carried on by Turcotte in the name of Turcotte & Provost. Turcotte continued, after Provost left the partnership, to furnish these supplies as they had been furnished before to the citadel at Quebec, and the cheques that were received in payment of these goods were handed over by Mr. Provost at once to Turcotte, endorsed by Turcotte, placed in the bank to his own credit and became his own money. When the dissolution took place there was an agreement entered into, and Provost says that \$100 of money under that agreement was to be paid to him for the contract which he had with the Government. That that statement is true is supported by the fact and by the conduct of parties, because we find that cheques were handed by Mr. Provost to Mr. Turcotte, Mr. Turcotte endorsing them, and they were

Mr. LISTER.

placed to his own credit in the bank, and the money was as much his as was money received from any other source. My hon. friend has advanced many propositions of law. He said we must go on, and show that an agreement existed in fact between Mr. Turcotte and Mr. Provost whereby all the proceeds from that contract would go to Mr. Turcotte. Why need we go further than the appropriation of the money? If there was no evidence whatever, we have the fact that all the moneys received from this contract went to the credit of Mr. Turcotte or Mr. Provost, or to Mr. Turcotte alone. That fact supports and sustains the testimony of Mr. Provost, that there was an agreement between them whereby the whole proceeds of the contract should go to Mr. Turcotte. The hon. gentleman said that Mr. Provost obtained the goods from the firm and paid the firm. There is not a tittle of evidence to that effect; it is not pretended on the part of any of the witnesses that goods were bought by Mr. Provost from the firm of Turcotte & Provost, or from Mr. Turcotte alone, and that he paid for them. There is no evidence in that direction, the evidence is clear and conclusive that the arrangement was to turn over this contract and carry it out with Mr. Turcotte after the dissolution of partnership, by which arrangement Mr. Turcotte was to receive the whole profits of the contract, less \$100 per annum which was to be paid to Mr. Provost. Then the hon. gentleman said the contract was transferred to Mr. Larose. Was not that in itself a suspicious circumstance? Mr. Larose was the trusted manager of Mr. Turcotte—he was his partner. The hon. gentleman must know that Mr. Provost would have no right to transfer this contract to Mr. Turcotte, because he was a member of Parliament. Then the next best course to adopt in order to evade the statute law was to turn over the contract to some one else, and the contract was accordingly handed over to Mr. Larose, who was in fact Mr. Turcotte. I suppose it is being carried out to-day by Mr. Larose for the benefit of Messrs. Larose and Turcotte. Why is it necessary to go into any argument in regard to a case about which there is no doubt whatever? The evidence stands uncontradicted, and it must be assumed to be true. No attempt has been made to contradict it, and that being clear, it goes without saying that Mr. Turcotte is a person who has been beneficially interested in this contract. An hon. friend reminds me that the witnesses who have proved this case so clearly, were not witnesses friendly to those who have been preferring the charges, that in fact they were hostile witnesses, who were brought here under arrest. This is the class of witnesses by whom the hon. member who preferred the charges has proved them, and he has proved the charges clearly and abundantly. There is no doubt whatever that Mr. Turcotte was beneficially interested in the contract, and has been so up to the present time, and that being so, there is but one

course for this House to adopt to-day, if it pretends to observe in any degree the laws of the country, and that is to declare that the seat which the hon. member now holds has become vacant by his acts.

Mr. BRUNEAU. (Translation.) Mr. Speaker, if I rise to address the House after the hon. member for West Ontario (Mr. Edgar), who has so kindly co-operated with me during the inquest held on the charges which I have brought against the hon. member for Montmorency (Mr. Turcotte), it is not that I have much to add, as far as the evidence is concerned. I may be allowed, however, seeing that I have taken the initiative of those proceedings, to state, at the outset, that in following the course I have taken, I have neither obeyed the promptings of hatred, nor listened to the suggestions of revenge as against one of my French-Canadian colleagues. Up to that moment, I may say, our intercourse had always been of the most friendly character, and I hope that, in following the present course, I have not incurred the hon. gentleman's hatred, nor drawn upon myself his revenge. I have been reproached in the press of the province of Quebec with having initiated proceedings in this House against a French-Canadian colleague. I resent such language; for I think I am inferior to none of my colleagues in this House in attachment to my nationality. I may say, though, that I was quite prepared for these attacks from the Conservative press. For it is a well known fact that when you attack a member of the Conservative party, you attack the whole party; you attack the very head of the party. No wonder, therefore, that prior even to the charges having been brought down on the Table of the House, party spirit should have been appealed to by the Conservative press; and previous even to the proof being heard, a verdict of not guilty had already been rendered in favour of the hon. member for Montmorency. Allow me, Mr. Speaker, as a plea of justification, to state that, under the circumstances, I have thought it to be my duty and in the public interest so to act. I may also be permitted to say before the House, and in presence of the Ministers, that certain Conservative leaders in the city of Quebec have co-operated with me and lent me their support. They are men of high standing among the supporters of the hon. Postmaster General and the member for Montmorency.

Mr. AMYOT. (Translation.) Would the hon. member be good enough to give us the names of the parties mentioned; we have a right to know who they are.

Mr. BRUNEAU. (Translation.) I cannot divulge the names of those Conservatives who have come to me and assured me of their support as to the charges I have brought against the hon. member for Montmorency.

Mr. BELLEY. (Translation.) I deny that.

Mr. BRUNEAU. (Translation.) The hon. member for Chicoutimi denies it to be the case?

Mr. BELLEY. (Translation.) Why don't you name them?

Mr. BRUNEAU. (Translation.) The hon. member for Chicoutimi should not make insinuations of the kind. I declare before this House, upon my honour, that I have been urged by Conservative leaders of the district of Quebec to take the stand I have taken, and previous to my bringing down the charges having met the hon. member for Montmorency, I took the trouble to inform him of the fact. As to the inquest which has just been closed, I cannot but congratulate myself as to the position I have taken. The charges I brought, in May last, against one of my colleagues in this House, have been absolutely proved. What are the facts? They are of a very simple character; and it were idle for the hon. member for Bellechasse and the Conservative party to attempt to misrepresent them, and to draw from them inferences and deductions unwarranted by the facts. The evidence, based on the papers on file before the Committee on Privileges and Elections, shows that Mr. Turcotte, now member for Montmorency, was a candidate for parliamentary honours in that constituency in 1891, against the hon. member for L'Islet (Mr. Tarte). The evidence also shows that he was defeated at that election. We have also the documentary evidence that he was, at that period, in partnership with Mr. J. B. Provost, of Quebec, under the firm name of Turcotte & Provost, and that, in the month of February, 1891, prior to his election, he transferred his interests and his rights under the Government contract which the firm of Turcotte & Provost were fulfilling, stating in the deed of transfer, that as he was a candidate and he had a contract which stood under the firm name of Turcotte & Provost, he could not be at the same time a candidate in the county of Montmorency and a Government contractor. Mr. Turcotte was defeated by the hon. member for L'Islet (Mr. Tarte) at the election of 1891. The election of my hon. friend (Mr. Tarte) was contested; and as the present Government availed of all the means within their power to win nearly all the by-elections—with the exception, however, of Vaudreuil and Richelieu—nomination day for Montmorency was fixed on the day following the local elections. The Liberal party having been defeated in the province of Quebec owing to an unparalleled outburst of slander, of impudent falsehoods and appeals of politicians of the stamp of the hon. member for Chicoutimi and Saguenay (Mr. Belley), directed against the Hon. Mr. Mercier, the present Government was enabled to secure the return even

of the member for Montmorency (Mr. Turcotte).

Mr. BELLEY. (Translation.) Talk about the Langlais scandal.

Mr. BRUNEAU. (Translation.) That scandal is nothing compared with that of Pointe aux Esquimaux.

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

After Recess.

BILL FOR THE RELIEF OF JAMES ST. GEORGE DILLON.

Mr. SUTHERLAND moved that the House resolve itself into committee on Bill (No. 148), for the relief of James St. George Dillon.

Mr. MASSON. Mr. Speaker, before you leave the Chair, I wish to call the attention of the House to some of the principles involved in this class of legislation, and to the position in which this Bill now stands. Before being referred to the Committee on Private Bills, there was some discussion in this House which showed that at least some hon. gentlemen were dissatisfied with the evidence taken before the Senate Committee. Upon the probably correct ruling then urged by the hon. gentleman from Albert (Mr. Weldon), the Bill was sent to the Committee on Private Bills. Their report is now before us, which shows that no further evidence bearing upon the issue was taken, but that counsel for the petitioner was heard, and while the argument of counsel is not on record, the promoters of the Bill have taken the opportunity of printing and distributing it. From that argument members of this House who were not on that committee will see the various grounds upon which the Bill was supported. Although the evidence of the Senate Committee was not formally adopted, I suppose this House can treat it now as having been adopted by that committee in making that report. We have therefore to look to that evidence alone as to the facts of the case. These facts I mentioned on a previous occasion, but I will briefly rehearse them now. The parties were married on the 27th of August, 1883. For five years they lived together in Canada, during which time we may gather from the evidence that there were some slight clashes between them. Very vague evidence is given by the petitioner as to the wife's disobedience, absence from home, and not caring for children. I say that it is vague, because no detail is given. The magnitude and the effect of these cases of misconduct is not brought before us in the evidence in such a way that this House can form any definite decision as to what they amount to; but whatever they were, the evidence clearly showed that they were condoned. At the expiration of five years the petitioner and his wife, as man and wife, start for

Mr. BRUNEAU.

Europe, and arrive in France. As to what took place there the evidence is an entire blank. Travelling abroad as man and wife certainly must be taken as his condoning all previous offences. He and his wife arrive in France on goods terms; his wife entitled to his protection, his support and comfort, as well as his love. Not alone is it not mentioned in the charge, but he does not even hint at any misconduct in France. As part of a preconceived idea of his own, not communicated to her, he carries out his intention of separation; separation which I contend in the eye of the law must amount to desertion; separation, he says, with mutual consent. Any person versed in the English law of marriage must know that mutual consent cannot be considered a ground of dissolution of marriage. He, therefore, deserts her, and leaves her in a foreign country. He said he left her with her father, but the evidence does not show how the father happened to be in France and the mother in Canada. But of all places in the world to leave a young wife; to leave her in France, I think cannot be considered the very best place to leave her.

Some hon. MEMBERS. Explain.

Mr. MASSON. It is not hard to explain. France is a country where it is alleged. I do not say truly, that there are more divorced women than in any other country in the world.

Mr. BERGERON. Oh, no.

Mr. MASSON. She was left there, not with her mother, but with her father, and we gather from the evidence that the father and the mother were separated. She does not there remain, but shortly finds her way back to Canada, where she lived with her mother. As he himself puts it, and I quote his words:

Q. Had you any reason to suppose, that she was unfaithful to you, during the six years that you remained separate?—A. No reason whatever. As far as I know, she was living a perfectly proper life with her mother.

These are the facts as they are represented by himself up to the time that he applied for this Bill. I will not pretend to argue that the acts that he relies upon would not entitle him to a divorce, were he himself blameless; but I put my objection to the Bill upon two grounds: first, that in deserting her in a foreign country, causing a separation without just cause and excuse, by leaving her there, he disentitled himself to relief. I quoted some English authorities the other night, which I will not trouble the House with repeating now, but there are many others much stronger than those cited then:

If the husband, without reasonable excuse, separates from his wife, he is not entitled to a divorce, if she does commit adultery. If chas-

tity be a duty of the wife, protection is not less that of the husband, and the wife has a right to the comfort of the husband, and the husband's society, the security of his home and name, and his protection, so far as circumstances permit. If he falls short of this he is not wholly blameless, and if she falls (though not justifying her fall), he has so far compromised himself that he forfeits his claim for divorce.

Such was the decision of the judges in *Jeffrey vs. Jeffrey*, decided in England in 1864. In an earlier case, before the present rules of English practice came into force, it was held that where he separated from his wife, even suspecting her misconduct, or had at least cause to suspect, that that did not excuse him, but that he was bound to exercise greater vigilance and caution over her conduct, and if he left her unprotected, he deprived himself of any remedy on account of her misconduct. That case was decided in 1859, shortly before the present English rules came into force. I will not further delay the House, because I do not wish to occupy more than a few minutes of the hour devoted to private Bills. I only wish to point out that upon that ground the English authorities refused divorce, and though we are not bound by the English authorities, we should at least be somewhat guided by them. It may be argued truly that this Parliament is bound by no rules of procedure, and that it is our discretion to grant or refuse. I admit that to be a statement of the facts, and I will not cavil with it. I present these as English precedents, which I think this House will do well to follow. As I have said, there was nothing to justify the separation in France, and if there was cause before the parties left Canada, that cause was condoned by the husband. As another ground on which I think that further information is wanted, I refer to the report of the Senate Committee, which I presume we have a right to use, and if not, we should have better evidence before us. I find that during the examination he was asked whether he had been faithful to his marriage vows during the five years that they had lived together. To that he answered, yes. Then he was asked whether he had been faithful during the six years that they had lived separate. That question he declined to answer on the advice of counsel; the Senate Committee ruled that he was not bound to answer, and the question consequently was not pressed. I know it may be argued, as it apparently was argued before the Committee on Private Bills, that as the Senate Committee did not insist on an answer, no argument can be urged against him for his refusal to answer. I submit the contrary. If it is necessary that this House should have the information involved in an answer to that question; if it is necessary for the proper decision of these cases that that question should be inquired into; then, if on the advice of counsel he refuses to

answer, he takes the risk and responsibility on his own shoulders, and we have nothing to excuse him for. Now, I may say that since 1857, in England, the propriety of an inquiry on that point has been recognized. It was recognized by the ecclesiastical courts long before, but since 1857 it has been laid down in the rules of practice of the civil courts. At first there was no procedure for carrying these out. Then, in 1860 procedure was provided, and even under that procedure we find by the reports that a great number of cases have turned upon questions of practice in relation to when and how the objections should be raised. It was required that the Queen's proctor, acting on behalf of the Queen and the public, should, within four days after his intervention, file an affidavit setting forth the grounds on which he pressed the objection. But in 1877 the rules were made not to apply to the Queen's proctor. These rules were numbered from 70 to 76, and referring to the practice when parties put in an answer; and rule 202, passed on the 17th of April, 1877, provided that these rules, from 70 to 76, both inclusive, should no longer be applicable to proceedings by the Queen's proctor. The proctor may, by filing a plea, put himself in a position to cross-examine on this point. I see that it has been urged before the Private Bills Committee that it was not usual to cross-examine on that point, and I have no doubt that many authorities prior to the Evidence Act can be cited to show that cross-examination on that point was only resorted to when the party was examined by way of discovery, and not as a witness in the suit, and that he could only be examined when he had made statements to the contrary. But even before the Evidence Act, in undefended cases, where circumstances were brought out in the evidence tending to show that the petitioner may have been guilty of some matrimonial lapse, it was usual to call him into the box to give his explanation when he was not in a position to give evidence on his own behalf. When he was not in a position to be called to give evidence against himself, he was still, on a prima facie case, liable to be called into the box for explanations. Now, however, the practice is clearly laid down. Mr. Dixon, after quoting a number of cases, says:

As a matter of fact the petitioner now invariably appears in support of his own case, and is cross-examined with severity at times upon the question of adultery.

I think therefore it is clear that the English practice is that he is liable to be cross-examined on that question; and in this case the petitioner by refusing to answer the question has put an obstacle in the way of this House granting him the relief he seeks. Now, as I wish to be very brief, I will not detain the House longer in pressing these points. With regard to the question of collusion, which I referred to a few

nights ago, I have on further consideration, after consulting the authorities, which show that collusion should not be presumed, decided to abandon that view of the case. It only rested on suspicious circumstances, from which collusion might be presumed; and, as the rulings are against presuming collusion I abandon that point. But on the two points which I have mentioned, I think this case requires further consideration. I would therefore move, seconded by Mr. Henderson :

That all the words after "that" in the said motion be omitted, and the following substituted therefor: "This order be discharged, and the Bill be referred back to the Standing Committee on Private Bills to make further inquiry."

Mr. TISDALE. I propose to reply briefly to some of the arguments of my hon. friend in regard to this case. He bases his opposition to the Bill on two grounds: first, that there was a desertion; and, secondly, that we have not complied with the rules of procedure adopted by the English courts. Now, I must say that I cannot comprehend the hallucination which has taken hold of my learned friend's brain to cause him to attempt to convince this House or any sensible man that there is any ground at all for contending that there was desertion. If there ever was a case in which it was clearly proven that there was nothing approaching desertion, this is one. What are the facts? There can be no dispute about them. This man went to Paris with his wife, and there, he left his wife with her father by mutual consent. You will understand that the evidence is simply his own; but no one contradicted it. What is the evidence? It is a melancholy thing when a man has lived with a woman, that the circumstances of the domestic circle become such that they mutually agree to separate. They have the right to do so under the law, and I believe it is much more sensible and proper, when they find that they cannot live under the marriage vow on proper terms, to separate, after giving the matter serious consideration. But with whom did he leave his wife? He left her with her father, and surely he could leave her with no one better calculated to protect her and have control over her. When called upon to give his reasons for the separation, Mr. Dillon gave them, it seems to me, very modestly and moderately. One of his reasons was that their lives had been very unpleasant for several years previous to the separation. Her continued absences from home, her neglect of her children, her incompatibility of temperament, her leaving home against his orders—all these rendered life intolerable. The wife was not before the committee to be heard, she did not want to be heard, and surely her absence is a strong element in the applicant's favour. His moderation commended his case to my mind, and it is a distortion of the evidence, in my opinion, to attempt to say that

there was evidence of design in his taking his wife across to France and there deciding on the separation. What struck me in that connection was that this course showed a proper desire to avoid scandal at home, by bringing about the rupture abroad, because we all know how such disagreements, made public at the time of their occurrence in the quarter where the couple reside, cause great unpleasantness and scandal. This was mitigated, to some extent, by the separation taking place in a foreign country, and I have no doubt that they did not agree to part without having very seriously considered all the circumstances. The evidence shows that the wife had pecuniary means of her own, but, nevertheless, the husband allowed her fifty dollars a month, which, it has not been attempted to show was not an ample allowance. I cannot agree that the wife, having been left in charge of her father, was placed by design in the way of temptation to go astray. There is nothing to show that she did go astray while abroad. On the contrary, she came back and went to live with her mother in the city of Montreal before she went astray. What does that prove? It proves that the husband was sensible, both in the choice of the place where he left his wife, and in the choice of the person in whose care he left her. What is the second objection made by the hon. gentleman? He says we are not following the rules of the English court in regard to applications for divorce. But is Mr. Dillon to be punished because both the committee of the House of Commons, and the committee of the Senate, which is the divorce court here, decided that he was not called upon to answer a question, which he would have been bound to answer under the procedure of the English court. The English court has no jurisdiction here, the hon. gentleman admits that we have supreme jurisdiction, and yet he asks that this man shall not obtain his divorce because he did not answer a question which the committees of the Senate and the House of Commons decided he should not be called on to answer. That was not a refusal to answer, but in that he simply acted on the advice of his counsel, and according to the ruling of the court. The counsel in thus advising him simply did what he was bound to do. I leave it to any legal gentleman in the House whether, when he has established the case of his client before a court, it would not be his duty to advise his client to refuse to answer a question of that kind. And the committees having ruled the question was not in order, we are not here entitled to refuse the divorce because that question was not answered. I shall not allude further to the evidence except to say that, to my mind, this man acted, under the circumstances, in a proper way. It was not he that wanted the divorce, but his relatives, who felt themselves disgraced by the public revelations of this woman's conduct in the

Mr. MASSON.

city of Montreal. Further, there is this to be considered: the applicant had, as a reasonable and proper man, consented to the mother visiting the children, but his father informed him that she was behaving in such a manner that it was not proper the children should any longer be allowed to visit her. And, let it be remembered that, though separated in this way, he allowed the mother to visit the children, until her conduct became so shocking that he was appealed to by his father not only to release the family from the stigma resting upon them through her conduct, but to remove his children from her influence. Then it was that he came to the court, the only one in this country having jurisdiction. And yet, upon this plain statement of fact, my hon. friend engages in splitting straws to induce the House to refuse this man a decree.

House divided on amendment of Mr. Mason:

YEAS:
Messieurs

Amyot,	Harwood,
Bain (Soulanges),	Henderson,
Beausoleil,	Jeanotte,
Bécharde,	Langevin (Sir Hector),
Belley,	LaRivière,
Bernier,	Laurier,
Blanchard,	Leclair,
Brown,	Leduc,
Bruneau,	Lippé,
Bryson,	McDougall (Cape Breton),
Burnham,	Masson,
Carignan,	Mignault,
Carling (Sir John),	Monet,
Carpenter,	Ouimet,
Caron (Sir Adolphe),	Patterson (Huron),
Carroll,	Pelletier,
Christie,	Proulx,
Costigan,	Rinfret,
Davin,	Robillard,
Denison,	Simard,
Desaulniers,	Somerville,
Dugas,	Sproule,
Dupont,	Tarte,
Ferguson (Renfrew),	Temple,
Fréchette,	Thompson (Sir John),
Gillies,	Tupper (Sir C. Hibbert),
Girouard (Jacques Cartier),	Vaillancourt,
Godbout,	Wallace,
Grandbois,	Weldon,
Grant (Sir James),	White (Shelburne),
Guay,	Wood (Brockville),
Guillet,	Wood (Westmoreland).—64.

NAYS:
Messieurs

Allan,	Macdonell (Algoma),
Bain (Wentworth),	McCarthy,
Beith,	McDonald (Assiniboia),
Bennett,	McMillan,
Boston,	McMullen,
Bowers,	McNeill,
Boyd,	Madill,
Campbell,	Mara,
Carscallen,	Martin,
Casey,	Metcalfe,
Charlton,	Mills (Bothwell),
Coatsworth,	Montague,
Cochrane,	Mulock,
Corbould,	O'Brien,
Dyer,	Paterson (Brant),
Earle,	Pridham,
Edgar,	Prior,
Fairbairn,	Rider,
Ferguson (Leeds & Gren.),	Rosamond,
Flint,	Ross (Lisgar),

186½

Gibson,
Grieve,
Hughes,
Hutchins,
Ingram,
Innes,
Landerkin,
Lister,
Livingston,
Lowell,
Macdonald (Huron),

Rowand,
Sanborn,
Semple,
Smith (Ontario),
Sutherland,
Taylor,
Tisdale,
Tyrwhitt,
Wilmot,
Wilson.—61.

Mr. TAYLOR. Mr. Speaker, I desire to call attention to the fact that the hon. member for Restigouche (Mr. McAllister) has not voted.

Mr. McALISTER. Mr. Speaker, I am paired with the hon. member for Charlotte (Mr. Gillmor). If I had voted, I would have voted for the amendment.

Amendment agreed to.

MR. TURCOTTE, M.P.

Mr. BRUNEAU. (Translation.) I was about to say, before six o'clock that Mr. Turcotte had, previous to the elections held in February, 1891, transferred to his partner, J. B. Provost his interests under the contract for furnishing supplies and provisions for the Citadel. Mr. Turcotte was elected to the House of Commons about the 11th of March, 1892, and he continued in partnership with J. B. Provost; the firm of Provost & Turcotte fulfilled the contract which Turcotte, in 1891, had transferred to his partner. This was proved beyond question. The firm fulfilled the contract, and Mr. Turcotte got his share, amounting to a half-interest. Those facts are not denied, they are not contradicted, and in my humble opinion, this fact alone is sufficient to cause the seat of the hon. member in this House to be vacated. But there is further evidence of the fact showing premeditation on the part of the hon. member to wilfully infringe the Independence of Parliament Act. On the 2nd of February, 1893, took place the dissolution of partnership with Provost, and on the very same day, Provost sold to his clerk, Mr. O. E. Larose, the contract which he had with the Government. I may here add that Mr. Larose was at the time Mr. Turcotte's employee, and that he continued as manager of the firm up to the month of March last. On the very day that occurred the dissolution of partnership and the sale of his contract, Mr. Turcotte, member for Montmorency, gave to J. B. Provost, the holder of the contract a paper under which he undertook to pay to him the sum of \$300 for his good-will and \$100 for the Government contract. Since the 1st of February, 1893, Mr. Turcotte has sat in this House and has fulfilled a Government contract standing in the name of Provost. Since the 2nd of February, 1893, for the consideration of \$100 of money paid to Provost, Mr. Turcotte has fulfilled his contract and has been a beneficiary under this contract. All or nearly all the official departmental cheques, went, through the

agency of Provost, to the firm of Turcotte, Provost & Co., and that of A. J. Turcotte & Co., under which names Mr. Turcotte has been doing business alone, since that date. If, after 1891, at the time of the elections, when the hon. member for L'Islet (Mr. Tarte) was elected in the county of Montmorency against Mr. Turcotte, the contract was transferred by Turcotte to Provost and has since continued in Provost's name, the reason is, as stated by Provost, that Mr. Turcotte, being a member of Parliament, could not hold a Government contract. A proof which goes to show that Mr. Turcotte knew that he could not keep the contract under his own name, is the fact of his having been aware of the sale of the citadel contract to Larose. The evidence is clear, conclusive and still it is discarded in order to exonerate and whitewash the hon. member for Montmorency. Technicalities and a wrong construction of the statute law have been resorted to; they have even distorted the charges which I have brought before the House. The report states that the accusation purports that Mr. Turcotte's contract was made in Provost's name for Turcotte's benefit, while the simple reading of the first charge formulated by me amply and positively shows the contrary. In the second place, the committee report states that Provost tendered for and obtained in good faith his contract with the Government, and the inference was drawn from that fact that Mr. Turcotte was not guilty of a serious breach of the Independence of Parliament Act. Is it not true, Mr. Speaker, that Mr. Turcotte was Provost's partner when the contract for supplying the Quebec Citadel was awarded to him, in 1891? Is it not true that he was his partner in 1892, when, in the fall of the year, Mr. Provost was informed by a letter from Colonel Duchesnay, that the contract was continued for the year 1893? What construction is it possible for the hon. members to put on Provost's statement to the effect that if the contract stood in his name, the reason was that Mr. Turcotte could not hold a Government contract? The report of the Committee on Privileges and Elections states, in the third place, that it was Mr. Provost who fulfilled the Government contract. This is mere quibbling. It was not Provost who fulfilled the contract; in other words, Mr. Turcotte fulfilled it, in partnership with Mr. Provost up to the 1st of February, 1893, and from the 1st of February, 1893—it is an undeniable fact that Mr. Turcotte alone has been fulfilling this Government contract. A fourth reason alleged in the committee report goes to say that Mr. Provost was free to sublet his contract to whom he chose. Nothing more futile could be imagined. Why, is it not a well known fact that it was the firm of which Mr. Turcotte was a member that fulfilled Provost's contract? Supposing that Mr. Provost were free to sublet his contract to whom he chose, was Mr. Turcotte entitled to fulfil this subcon-

Mr. BRUNEAU.

tract? I say no, decidedly, and the law on the subject is as plain as statutes can well make it. By section 10, of the Revised Statutes of Canada, chap. 2, it is provided that:

No person, directly or indirectly, alone or with another, by himself or by the interposition of any trustee or third party, holding, enjoying, making or executing any contract or agreement expressed or implied with or for the Government of Canada, on behalf of the Crown, or with or for any of the officers of the Government of Canada, for which any public money of Canada is to be paid, shall be eligible as a member of the House of Commons, or shall sit or vote in the same House.

Who, I ask, is the member of this House who would deny the fact of Mr. Turcotte having, up to the 1st of February, 1893, held, enjoyed, made or executed, under the firm name of Turcotte & Provost, the contract awarded to J. B. Provost? Nobody, either within this House or outside of it, could deny, in face of the evidence adduced, the fact of Mr. Turcotte having directly held, enjoyed, made or executed, with the Government of Canada, from the 2nd of February, 1893, the contract made by Mr. Provost with the Government. The fifth reason alleged, however incredible it may appear, Mr. Speaker, is this: it is contended, with a view to justifying and whitewashing the hon. member for Montmorency, that Provost, on the 2nd of February, 1893, had sold out his contract to Larose. Why, Mr. Speaker, is it contended that it was Mr. Larose who fulfilled Mr. Provost's contract, and who received the money from the department? This statement of the committee report is altogether at variance with facts, as it was proved in evidence that Mr. Larose never did execute the contract nor give any consideration for the same. Further, from the documentary evidence on file before the committee, it appears that all the cheques were made in Mr. Provost's name, and endorsed by him; that the cheques thus endorsed were transferred to the hon. member for Montmorency, Mr. Turcotte, who endorsed them personally, or had them endorsed by some of his employees, and they were then deposited to his own credit in the Quebec Merchants Bank. When this evidence is considered, a more unpalatable reason than that could hardly be found, in extenuation of the guilt of the hon. member for Montmorency. Now, it was undoubtedly the character of that evidence which elicited from the independent press of the province of Quebec an opinion adverse to the whitewashing which, through a spirit of partisanship, the Committee on Privileges and Elections wish to give the hon. member for Montmorency. With your permission, Mr. Speaker, I will read to the House some expressions of opinion from independent newspapers of the province of Quebec. It is within the recollection of the members from the province of Quebec that, at the late elections of 1892, the Conservative party have

spread broadcast throughout the province of Quebec, the Montreal 'Star,' in order to prove their charges against the boodlers and the robbers, as they then styled the Liberal party. If that paper were such an authority at the time, I presume it is still so to a certain extent. In connection with the case of the hon. member for Montmorency, the 'Star' contained the following despatch from Ottawa, in its issue of the 30th of June last:—

A bare quorum, scattered among the empty benches, enabled the Government to get through certain appropriations for pressing necessities. The Curran bridge and Turcotte scandals are still dragging their weary length along. Why Mr. Turcotte has refrained from resigning thus far is a mystery. Such a course, in view of the evidence, seems inevitable.

On the 7th of July instant, the 'Star,' after editorially reciting the facts of the case, came to the conclusion that it was impossible for it to approve of the motion of the hon. member for Bellechasse:

It is difficult to see how the Government, having permitted Mr. Corby to go to his constituency can accept Mr Amyot's motion in the Turcotte case. The evidence seems to a lay outsider to be absurdly clear. Mr. Provost, Turcotte's old partner, swears that contracts to supply provisions to the Militia Department (the citadel), originally held in the name of Provost and Turcotte, were subsequently made out to himself (Provost) alone; that the tenders for the contracts had been put in his name, instead of the firm name, because Turcotte being a member of the House of Commons, the firm he was interested in could not hold a Government contract; that under an agreement, contained in a letter which he filed, he received \$100 from Turcotte on account of the contract; that, although the cheques from the Militia Department, in payment of provisions, were made payable to him (Provost), he used to hand them over to Turcotte, because he did not consider them his own under the agreement existing between him and Turcotte; that Turcotte endorsed these cheques (some of them were produced) and supplied the provisions for the filling of the contract. A document was produced purporting to be a sale of the contract to Larose, but Provost could not remember having signed it. And, moreover, the cheques were, no doubt, in Provost's name and put to the credit of the firm.

This is the case in connection with Provost and the Militia Department. Larose, an old clerk of the firm, had a contract with the Marine Department; and he swore that he had been asking for an increase of salary and the firm gave him the profits of this contract in lieu thereof. Did not that imply that the firm really owned this marine contract? But Larose aside, can there be any doubt as to the effect of the other case? Mr. Amyot's apologetic resolution is very deftly drawn; but the task it attempts is too great for human ingenuity. He maintains that the Militia contract was Provost's own exclusive property; but Provost tells us that he only possessed \$100 value in it, and that all profits went to Turcotte or his firm. Mr. Amyot cunningly meets this by saying that "there is no evidence of any profit out of contract with

the Militia Department," but neither is there evidence that there was no profit and there is evidence that Mr. Turcotte stood where the profits would fall, if any accrued. This is also a point that Mr. Turcotte himself might have illuminated, had he made a statement under oath.

And it winds up with these words:

The Government certainly cannot accept the Amyot motion without stultifying itself. Even if there be a tendency to whitewash, the "wash" is too thin.

When the report of the committee on Privileges and Elections was published, it was again discussed by the press, and the 'Star' returned to the charge. It is an appeal to the Government not to perpetrate such a gross injustice as that they seem bent upon committing, in whitewashing the hon. member for Montmorency. About two days ago, it thus expressed itself:

A member of Parliament should not dabble in Government contracts. It is not enough for him to evade conviction under the letter of law; he must be above suspicion. But in the Turcotte case it is hard to see that even the stored coach-and-four of the accused gets through. Provost swears that he gave the Government cheques received on account of the Militia contract, over to Turcotte; and Larose admits that he received the profits of the Marine contract in lieu of a demanded increase of salary from Turcotte's firm. The Government have, of course, a majority large enough and probably subservient enough to apply the needed coat of whitewash, if the leaders give the word; but the Ministry will not strengthen its position in saving one man by a resolution which will array Messrs. Weldon, Dickey and McCarthy with the Opposition. The country is becoming more careful of the independence of Parliament than it formerly was; and this will be a bad time to let through so doubtful a case—to put it in its most favourable light. As we see it, the case is not at all doubtful, and Turcotte ought to go.

Thus the independent press of the country, which is not fettered by Government contracts, gives expression to its views as to the nature of the evidence produced before the Committee on Privileges and Elections. Some members of this House—who, by the way, found fault with my bringing charges against one of my French colleagues—may, perhaps, take objection to the 'Star' being quoted as an authority on the matter, on the ground that it does not champion French-Canadian interests. Well, then, let me quote other papers beside those which do not champion the interests of my race; let me give expressions of opinion coming, not from French Liberal papers, but from a Montreal paper, which deservedly styles itself an independent paper. On the very same day that the 'Star' published the editorial, I have just quoted 'Le Monde,' thus commented upon the matter at issue, under the heading, "Saved at last":

The member for Montmorency is to keep his seat: such is the decision come to by the majority of his

colleagues in Committee. The House will follow suit. He is to be congratulated, so much the more so as his case was without any redeeming feature. He has been given the benefit of the doubt, owing to the leaning towards leniency which is the attribute of a majority of members whose conscience is not quite at rest. Mr. Turcotte had better, in our opinion, have followed in the footsteps of Mr. Corby. Are we then to allow the English-speaking members to monopolize apparently at least those great traditions of manly courage?

And in the same editorial, 'Le Monde' further remarked:

Upon Mr. Amyot devolved the task of white-washing Mr. Turcotte.

The letter written by Mr. Provost, and published in 'l'Événement,' on the 16th of April last, was not inserted in the report of the Committee on Privileges and Elections. The chairman of the committee, the hon. member for Jacques Cartier (Mr. Girouard) has given the member for Montmorency the benefit of the doubt, and in order to justify his course in moving the adoption of the report, he remarked that Mr. Provost stated "that the letter contained the whole truth, that he had tendered in the regular way, and that he had been paid personally." Allow me, Mr. Speaker, to call your attention to that letter, and to say that it is most positively contradicted by the documentary as well as by the verbal evidence, produced before the committee. Mr. Provost states in his letter:

In that correspondence it is stated that Mr. A. J. Turcotte, M.P., had secured for Mr. Provost, his partner, the contract for furnishing groceries to the citadel, and that after the dissolution of the firm of Turcotte & Provost, I had claimed the profits of the contract, something like \$1,600.

I desire to state here that I secured that contract in the regular way, by tender, and that at the time when I secured it I was not a member of the firm of Turcotte & Provost. Moreover, in view of the fact that, just then, I had no longer a store at my disposal, I made arrangements with the Turcotte firm for the delivery of my goods.

As to the other assertion of your correspondent, that I was to have \$1,600 from Mr. Turcotte, for the fulfilment of my contract, it is entirely erroneous. I did not make any such claim, and I had no occasion to do so, for I was paid personally by the Government by cheques to my order.

J. B. PROVOST.

Now, let me call the attention of the hon. members of the committee and of the hon. members of this House to the statement made by Mr. Provost in the letter addressed by him to 'l'Événement.' The statement that he was not one of the members of the firm when he obtained the contract in 1891, and when the dissolution of the partnership took place on the 22nd of February, 1893, is disproved by the facts. He further states: "I was paid personally by the Government, by cheques to my order." That is a falsehood, for he was paid by Mr. Turcotte. He got a share, he received a half-interest, up

Mr. BRUNEAU.

to the 2nd of February, 1893, and since the 3rd of February, 1893, Mr. Provost has received and been paid only \$100, not by the Government, but by the hon. member for Montmorency (Mr. Turcotte), under an agreement dated the 2nd February, 1893. This statement is evidently calculated to mislead public opinion, and Mr. Provost declared that he published it only to put a stop to the rumour that he was the informer.

Mr. AMYOT. (Translation.) Mr. Provost swore to the truth of that statement.

Mr. BRUNEAU. (Translation.) The hon. member may put the construction he likes on the evidence, but he should not indulge in quibbles. Even if Mr. Provost had stated that his letter to 'l'Événement' contained the whole truth, such a statement might be erroneous, and it is clearly so. He is, besides, an illiterate man, as shown when he was called upon to give his evidence before the committee, and he does not know the exact import of words, like the hon. member for Bellechasse. He might therefore have been unconsciously led into error, for, I am happy to say that I believe him to be an honest and upright man. Such is the proof made. Such are the uncontroverted facts in evidence. I do not know what stand the majority of this House are going to take on the question, but I hope the good example set by two Conservative members of the Committee on Privileges and Elections will find followers on the floor of this House, among the other members of the party. Should they not follow that example, many people would endorse the 'Star's' statement:

If the Conservative party can only live by such means it is time for decent men to wash their hands of the party.

House divided on amendment of Mr. Edgar:

YEAS:

Messieurs

Allan,	Leduc,
Bain (Wentworth),	Lister,
Beausoleil,	Livingston,
Béchar,	Lowell,
Beith,	Macdonald (Huron),
Bernier,	McCarthy,
Boston,	McGregor,
Bowers,	McMillan,
Brown,	McMullen,
Bruneau,	McNeill,
Campbell,	Mignault,
Carroll,	Mills (Bothwell),
Cartwright (Sir Richard),	Monet,
Casey,	Mulock,
Charlton,	O'Brien,
Christie,	Paterson (Brant),
Edgar,	Proulx,
Edwards,	Rider,
Flint,	Rinfret,
Geoffrion,	Rowand,
Gibson,	Sanborn,
Grieve,	Sempie,
Guay,	Somerville,
Harwood,	Sutherland,
Innis,	Tarte,
Landerkin,	Vaillancourt,—
Laurier,	Weldon.—54

NAYS:
Messieurs

Amyot.
Bain (Soulanges),
Belley,
Bennett,
Bergeron,
Blanchard,
Boyd,
Bryson,
Burnham,
Carignan,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe),
Chesley,
Coatsworth,
Cochrane,
Costigan,
Curran,
Daly,
Davis,
Denison,
Desaulniers,
Dickey,
Dugas,
Dupont,
Dyer,
Earle,
Fairbairn,
Ferguson (Leeds & Gren.),
Ferguson (Renfrew),
Foster,
Fréchette,
Gillies,
Girouard (Jacques Cartier),
Girouard (Two Mountains),
Grandbois,
Grant (Sir James),
Guillet,
Haggart,
Henderson,
Hughes,
Hutchins,

Ingram,
Ives,
Jeannotte,
Kaulbach,
Kennedy,
Lachapelle,
Langevin (Sir Hector),
La Rivière,
Leclair,
Lippé,
Macdonell (Algoma),
McDonald (Assiniboia),
McDougall (Cape Breton),
Madill,
Mara,
Masson,
Metcalfé,
Miller,
Moncrieff,
Montague,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Pope,
Pridham,
Prior,
Robillard,
Roome,
Rosamond,
Ross (Lisgar),
Simard,
Stairs,
Taylor,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Wallace,
White (Shelburne),
Wood (Brockville),
Wood (Westmoreland).—84.

Ministerial.

PAIRS:

Opposition.

Messieurs

Bernard,
Putnam,
Macdonald (King's),
McLean (King's),
Cameron,
Haslam,
Corbould,
Craig,
Northrup,
Ryckman,
Stevenson,
McAlister,
McKay,
Hazen,
Mills (Annapolis),
McDougald (Pictou),
Reid,
Ross (Dundas),
Bergin,
Smith (Sir Donald),
Davin,
Cleveland,
Hodgins,
Joncas,
Baker,

Davis,
Forbes,
Walsh,
Yeo,
Perry,
Fraser,
Gillmor,
Featherston,
Langelier,
Martin,
Scriver,
Colter,
Fauvel,
Frémont,
Brodeur,
Bourassa,
Préfontaine,
Dawson,
Devlin,
Delisle,
Goddard,
Lavergne,
Legris,
Borden,
Choquette.

Amendment negatived.

House divided on motion of Mr. Girouard (Jacques Cartier):

YEAS:

Messieurs

Amyot,
Bain (Soulanges),
Belley,
Bennett,
Bergeron,
Blanchard,
Boyd,

Jeannotte,
Kaulbach,
Kenny,
Lachapelle,
Langevin (Sir Hector),
La Rivière,
Leclair,

Boyle,
Bryson,
Carignan,
Carling (Sir John),
Carpenter,
Caron (Sir Adolphe)
Chesley,
Coatsworth,
Cochrane,
Costigan,
Daly,
Davis,
Denison,
Desaulniers,
Dugas.
Dupont,
Earle,
Fairburn,
Ferguson (Leeds & Gren.),
Ferguson (Renfrew),
Foster,
Fréchette,
Gillies,
Girouard (Jacques Cartier),
Girouard (Two Mountains),
Grandbois,
Grant (Sir James)
Guillet,
Haggart,
Henderson,
Hughes,
Hutchins,
Ingram,
Ives,

Lippé,
Macdonald (Algoma),
McDonald (Assiniboia),
McDougall (Cape Breton),
McLennan,
Madill,
Mara,
Masson,
Metcalfé,
Miller,
Montague,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Pope,
Pridham,
Prior,
Robillard,
Roome,
Rosamond,
Ross (Lisgar),
Simard,
Stairs,
Taylor,
Thompson (Sir John),
Tisdale,
Tupper (Sir C. Hibbert),
Tyrwhitt,
Wallace,
White (Shelburne),
Wilson,
Wood (Brockville),
Wood (Westmoreland).—82.

NAYS:
Messieurs

Allan,
Bain (Wentworth),
Beausoleil,
Béchar, d,
Beith,
Bernier,
Boston,
Bowers,
Brown,
Bruneau,
Campbell,
Carroll,
Cartwright (Sir Richard),
Casey,
Charlton,
Christie,
Dickey,
Edgar,
Edwards,
Flint,
Geoffrion,
Grieve,
Guay,
Harwood,
Innes,
Landerkin,
Laurier,

Leduc,
Livingston,
Lowell,
McDonald (Huron),
McCarthy,
McGregor,
McMillan,
McMullen,
McNeill,
Mignault,
Mills (Bothwell),
Monet,
Mulock,
O'Brien,
Paterson, (Brant),
Proulx,
Rider,
Rinfret,
Rowand,
Sanborn,
Semple,
Somerville,
Sutherland,
Tarte,
Vaillancourt,
Weldon.—43.

Ministerial.

PAIRS:

Opposition.

Messieurs

Barnard,
Putnam,
McDonald (King's),
McLean (King's),
Cameron,
Haslam,
Macdonell,
Corbould,
Craig,
Northrup,
Ryckman,
Stevenson,
Moncrieff,
McAlister,
McKay,
Hazen,
Mills (Annapolis),
McDougald (Pictou),
Reid,
Ross (Dundas),
Bergin,
Smith (Sir Donald),

Davis,
Forbes,
Welsh,
Yeo,
Perry,
Fraser,
Gibson,
Gillmor,
Featherston,
Langelier,
Martin,
Scriver,
Lister,
Colter,
Fauvel,
Frémont,
Brodeur,
Bourassa,
Préfontaine,
Dawson,
Devlin,
Delisle,

Davin,
Cleveland,
Hodgins,
Joncas,
Baker,

Godbout,
Lavergne,
Legris,
Borden,
Choquette.

Motion agreed to, and report concurred in.

SESSIONAL INDEMNITY.

Mr. FOSTER moved that, to-morrow, the House resolve itself into committee to consider the following resolution :—

That it is expedient to provide that for the present session of Parliament the deduction of eight dollars per day mentioned in section 26 of the Act respecting the Senate and House of Commons, Chapter II of the Revised Statutes, shall not be made for twelve days in the case of a member who has been absent from a sitting of the House of which he is a member, or of some Committee thereof, during such number of days, but that this provision shall not operate to extend the maximum amount mentioned in section 25 of the said Act, and that in the case of a member elected since the commencement of the present session it shall not apply to days prior to his election.

Motion agreed to.

LAND SUBSIDIES TO RAILWAYS.

Mr. DALY moved that, to-morrow, the House resolve itself into committee to consider the following resolution :—

1. That the Governor in Council may grant the subsidies in land hereinafter mentioned to the Railway Companies, and towards the construction of the railways also hereinafter mentioned, that is to say :—

To the Rocky Mountain Railway and Coal Company, Dominion lands to an extent not exceeding 6,400 acres per mile for a line of railway from a point at or near Olds Station, on the line on the Calgary and Edmonton Railway, in a westerly direction to the Red River, and thence along the said river in a westerly direction to the Coal Fields, a distance of about 60 miles.

To the Canadian Pacific Railway Company, Dominion lands to an extent not exceeding 6,400 acres per mile for a line of railway from a point in the vicinity of Souris, on the Souris Branch of the Canadian Pacific Railway, in a westerly direction to the Pipestone Valley, a distance of about 32 miles.

To the Brandon and South-western Railway Company, Dominion lands to an extent not exceeding 6,400 acres for a line of railway from a point in Township 1 in either Range 23 or 24 west of the First Principal Meridian, in Deloraine, a distance of about 17 miles.

2. The said grants and each of them may be in aid of the construction of the said railways respectively in the proportion and upon the conditions fixed by the Orders in Council made in respect thereof, and except as to such conditions the said grants shall be free grants, subject only to the payment by the grantees respectively of the cost of surveying the land and incidental expenses, at the rate of ten cents per acre in cash, on the issue of the patents therefor.

Motion agreed to.

Mr. BRUNEAU.

BUSINESS OF THE HOUSE.

Sir JOHN THOMPSON moved :

That when the House adjourns this day, it do stand adjourned until 3 o'clock p.m. on Saturday, and that Government business have precedence on that day.

Motion agreed to.

FAST ATLANTIC STEAMSHIP SERVICE.

Mr. FOSTER moved second reading of Bill (No. 161) further to amend the Act respecting ocean steamship subsidies.

Mr. McMULLEN. Before adopting this motion, I think the Minister should be in a position to give to the House the information that was asked for at the introduction of the Bill. We wanted to know whether it was the intention of the company to provide for cold storage, and as to what kind of freight would be carried, but he was not in a position to give us the information. I would like to know whether it is the intention that cold storage shall be provided in these steamers, and what is likely to be the class of freight to be carried by them ?

Mr. FOSTER. Cold storage is to be provided, of course. My hon. friend will see that by looking at the provisional agreement, the papers with relation to which have been placed before the House, the class of freight to be carried is really explained by the provision for cold storage. It is that class of freight which requires that peculiar treatment in its passage across the Atlantic to enable it to be put in good condition upon the English market. The same class of freight will be carried by these vessels that is carried by the vessels from New York, consisting of chilled meats, poultry and perishable goods of that kind, which require cool and even temperature, or which require freezing.

Mr. MILLS (Bothwell.) Before the Bill is read the second time, I beg to say that I was a good deal disappointed with the observations which the hon. Finance Minister addressed to the House upon the resolution yesterday. I expected the hon. gentleman would have been able to give to the House definite information upon this subject. He spoke of the proposed line as though it were a connecting link between the Australian colonies and Canada and the mother country. If there was no communication between Canada and the mother country without this very large appropriation, then the observations which the hon. gentleman addressed to the committee would have had more force. I think we are called upon to consider not only the material advantages that the country is likely to derive from this very large charge upon the public resources of this country, but we have also to consider what the effect may

be upon the various means of communication that exist at present without any subsidies, and that will exist after such a very large subsidy is granted, under more disadvantageous circumstances than they do at this moment. I expected that the hon. gentleman, instead of dealing in generalities, would have given us information upon this subject. The hon. Minister, in the observations which he addressed to the House, showed that something between 150,000 and 160,000 tons of freight might be carried from Canada to Great Britain by these steamers each year, but he did not undertake to show the House what kind of freight these steamers were to obtain, and what the chances were of getting the necessary freights to warrant this undertaking. Now, Sir, we know that in the appropriation this House has made for steam communication between the Maritime Provinces and the West India Islands, the country has derived none of the advantages which the hon. gentleman anticipated, and which he led the House to believe would be derived from the establishment of that means of communication; on the contrary, we have from all the ship-owners who are engaged in the West Indian trade, complaints that the trade they are obliged to carry on as a mere private enterprise, depending upon freight charges which are made to those whose goods are being carried from the Maritime Provinces to the West India Islands, is seriously interfered with by the appropriation which Parliament has made, and instead of rendering substantial assistance to the commerce between Canada and the West India Islands, it has seriously damaged that commerce. Now, I did expect that the hon. gentleman would have told the House in what way this appropriation in aid of this projected line of steamers, if brought into active operation, would affect the steam communication that now exists between Canada and the mother country. There are important enterprises that have existed for many years for the purpose of carrying on trade between Canada and the United Kingdom. In what way are these parties to be affected by a Government appropriation? It does not seem to me that the consideration of that matter lies beyond the question we have before us, but on the contrary, it is pertinent to the consideration of this question how far we are to injure men whose money is invested in private undertakings, by subsidizing to this very large extent another line of steamers to enter into competition with them. Then the hon. gentleman did not point out to us in what way the country was to be benefited by this undertaking. He spoke in vague terms of the lines of steamers that ply rapidly between Europe and America being preferred to those that progress more slowly; but while this might be an advantage to travellers, the hon. gentleman did not show in what way that was to advantage us, how it was to benefit this country. It is true

that he told us that wealthy men—and it is only the wealthier class who travel in this way round the globe—would visit our country, would be carried through it, would see various portions of it, but a class of persons who would thus be brought through the Dominion of Canada are not the class who are likely to make Canada their abode. Parties who are likely to settle here are of very different classes to those who would be carried through Canada if such a line were to be made successful. I do not believe the success in that respect will be what the hon. gentleman anticipates, and if it were, I am unable to see what great advantage the country is to derive from this undertaking. We in Canada have been promised, for the past fifteen years, the rapid settlement of the country, and the rapid increase of its wealth. Our late census shows that the expectations of the Government in those respects have not been realized, that the progress of settlement has been very slow, and that the increase of wealth in so far as personal property is concerned, has scarcely kept pace with the depreciation in the value of real estate, and so it is questionable whether the value of property in Canada, personal and real, is today very much greater than it was ten years ago. I think there has been a general feeling on the part of the great majority of the people of this country, that if we are to secure the settlement of our waste lands, if we are to add to the material well being of this country, to any appreciable extent, we are obliged to lighten the burdens of taxation and diminish public expenditure. It appears to me that, in order to accomplish this object, which is of the first importance, we should abstain from increasing further our liabilities and making large additional charges on the resources of Canada. The Government propose to enter into contracts which will impose, during the next ten years, on this country an annual outlay of three-quarters of a million of dollars. The hon. member for South Oxford (Sir Richard Cartwright) put to the Finance Minister during the progress of his speech, some questions which made it pretty clear that even if this enterprise is undertaken, it is not likely to be continued unless a larger subsidy is given even than is now proposed. Let me suppose, for a moment, that the hon. gentleman is able to get some parties who will secure the construction of steamers, who will put them on the route, and that it is found afterwards that the freights are very meagre, and that the number of persons who choose to travel in that way is not at all equal to the number of passengers the steamships could accommodate, what would the hon. gentleman ask Parliament to do if the enterprise was likely to fail? It is pretty clear that the hon. gentleman would not be willing to go back, but would insist on going forward, and we would, in all probability, be called upon to increase the subsidy which the Min-

ister of Finance now asks. Whether that be so or not, it seems to me, looking at the resources of the country, the slow progress made in the settlement of our waste lands, and the circumstances of our population, it is not wise at the present time to increase the permanent charges on the revenue of Canada in the way the hon. gentleman proposes. I can see nothing in it that would be advantageous to the agricultural class. It can be a matter of no consequence to the farmers of Canada whether a steamship requires seven or ten days to cross the Atlantic from a Canadian port. There is nothing in the trade which the hon. gentleman has spoken of which will compensate the taxpayers for the very large sum which the hon. gentleman proposes to charge against the people of Canada. I have no doubt that, looking at the Government as now constituted—I am not speaking of the personnel of the Government, but of the departments of the Government—looking at what the expenditure had been in the past, what it is at this moment, without, in the least degree, interfering with the efficiency of the public service, it could be cut down at least two million dollars, and I do not say but that it might not be cut down by four million dollars a year. But the hon. gentleman's proposal is to add this year three-quarters of a million dollars to the expenditure, and thus seriously to interfere with the reduction of taxation which the people demand. Why, the Minister of Finance at the beginning of this session announced his intention to reduce the taxes. He must have thought it was a proper measure in so far as he was able to accomplish it, or it would not have received the sanction of himself and his colleagues. It may be that the measure is disappointing; but, however that may be, the intention was expressed, and I dare say the Minister would tell us now, if it were in order to discuss the subject, that the intention had been accomplished. But it is apparent that the hon. gentleman adds at one stroke \$750,000 a year to the charges upon revenue, he will not be in a position, from his point of view, at all events, to further reduce the taxes of the people. How, then, does the hon. gentleman expect to secure immigration for Canada? We can only get people to come here and reside, to occupy our waste lands, and undertake to establish homes here by making Canada a cheap country to live in, by reducing the burden of taxation on the population; but the hon. gentleman proposes merely for the advantage of the wayfarer and sightseer who may cross the continent, to expend \$750,000 annually for travel east instead of west. I do not think the people of this country have anything more than a very remote interest in what the hon. gentleman proposes to accomplish, and, as to the effects of it, they will be very different from what the hon. gentleman has pictured. He has told the House that Canada

Mr. MILLS (Bothwell).

is the half-way house between Australia and England. That may be so if we take one route. It is off the line if we go by another route. I have no objection whatever to trade coming through Canada, if those engaged in the trade can secure it. I have no objection to Canada and other colonies being more closely drawn together, and I believe this might be done to the mutual advantage of all; but I do not think it would be advantageous that this should be done solely at the expense of the people of Canada, and I do not think the people of this Dominion are primarily those who have the largest degree of interest in it, either from political or commercial considerations, and that being so, I regret very much that the Government have committed themselves to this enterprise. I do not believe this is the most effective way of securing closer trade relations between Canada and the mother country. If we wish to cultivate trade relations we ought to undertake to reduce the liabilities as quickly as we can, to reduce the burdens on our population, to secure as far as we can freer intercourse between Canada and those other countries, and if we can succeed in lightening the burdens of our people and reducing the taxation, we will do more to promote trade and to secure settlement than we can by all the tall talk and the glittering generalities which the hon. gentleman has addressed to us on the introduction of this subject to the House. I make these observations because in the first place, I do not think that the hon. gentleman is likely to succeed. I may go further: I say that it seems to me that he can hardly expect to succeed, and if he did I believe it would be a very great misfortune to this country for many years to come.

Mr. McNEILL. Mr. Speaker, I do not intend to take up the time of the House at this late stage of the discussion on this great question for more than a minute or two, but I do not like to allow the observations which have fallen from the lips of my hon. friend (Mr. Mills) to go without saying just one word in reply. I did hope, after the discussion we had on this subject the other night, that the second reading of this Bill would have been passed without any further discussion and by the unanimous vote of this House. It does seem to me extraordinary that any hon. gentleman could think it possible to argue, that there is any doubt at all as to its being an advantage to this country to have a line of steamers plying between Canada and the mother country, at least the equal of these great steamers that ply between New York and England. For my part I do not think that the proposition is arguable, and I will not attempt to argue upon that line. If what so great an authority as Sir William Van Horne says is correct—and there is no greater authority on this continent than he is on matters of this kind—if what he says be correct, and if it be the

case that we can divert a very considerable proportion of the traffic which now goes by New York to our own ports, then the benefit which will accrue to this country will be so great and so far-reaching that it is almost impossible to forecast their extent. The hon. gentleman (Mr. Mills) says that we are off the main route if some other route is taken. Of course we are off the main route if an inferior route and a longer route is taken; but what we say is: we have the greatest transit service in the world across this continent; we have the finest steamship service on the Pacific, and the only thing remaining for us is to complete the link with the mother country and the heart of the Empire. We say that we have spent an enormous sum of money in providing the finest service across the American continent, that we have spent large sums of money in subsidizing these steamships on the Pacific, and we contend that we cannot possibly get anything like a commensurate benefit for the outlay we have already made, until by a fast Atlantic service, we complete the route between the east and the heart of the Empire. The hon. gentleman (Mr. Mills) talks about the tremendous burden it would be to the people of this country; but the hon. gentleman seems to forget that when this country consisted only of the provinces of Quebec and Ontario, we then subsidized a line of steamships to the extent of about half a million dollars a year. Canada now consists, not merely of Ontario and Quebec, but of the whole of the half of this continent. In those former days, we had no line of communication between the Pacific and the Atlantic, and we now have, as I have already said, the finest line of communication upon the continent. We then had no steamships on the Pacific; we now have the finest steamships crossing that ocean. At that time the revenue of Canada was \$8,000,000 a year; to-day the revenue of Canada is \$37,000,000 annually. At that time the trade of Canada with the mother country was \$39,000,000 annually, to-day it is \$107,000,000 a year. At that time the trade of Canada with the world was \$78,000,000 a year; to-day it is \$248,000,000, and yet the hon. gentleman thinks that it is extravagant on our part to increase, under these circumstances, the subsidy from \$500,000 to \$750,000. For my part the only doubt that I have on this matter is as to whether we have gone far enough. The only doubt I have is as to whether it would not have been better to have given even a larger subsidy—I do not say that it should have been done, but that is the only doubt on my mind.

Mr. MILLS (Bothwell). The Minister admits himself that this cannot be a route for the carriage of freight.

Mr. McNEILL. The Minister is here to answer for himself, but I never understood him to make that statement.

Mr. CHARLTON. Australian freight.

Mr. McNEILL. The vessels will be capable of carrying 6,000 tons; 2,500 tons of coal and 3,500 tons of freight. Why should they not carry freight? Why should not this be a route for freight as well as for passengers when we have such vessels on the ocean for the purpose of carrying freight? I should like the hon. gentleman to inform me why this should not be a route for freight?

Mr. MILLS (Bothwell). Does the hon. gentleman suppose for a moment that this route can compete with the route around the Cape or the Suez Canal route, for the carriage of freight, when by these other routes they have a continuous water way?

Mr. McNEILL. We are not talking about competing around the Cape for freight. We are talking about Canadian freight; we are talking about the freight of half a continent, and that is enough for a few vessels for some years to come. The position the hon. gentleman (Mr. Mills) takes is simply this: that having the finest line of communication across the continent, and having the finest line of communication upon the Pacific, we are to sit down here in abject helplessness and to say, that we will not attempt to have a fine line of communication upon the Atlantic, because this great country is incapable of having it, or because, I suppose, Providence has decreed that we are to be without. I cannot understand that argument. The country that did not consider the Rocky Mountains a barrier too great to overcome, is not going to say to-day that she is unable to provide a line of fast steamers on the Atlantic. The history of this country within the last few years teaches us a different lesson, and if my hon. friend (Mr. Mills) could raise his spirit to the height of the spirit of the people of this country, he would find that they have very little regard for such doctrine as he has been preaching to-night. I believe that the people of Canada to a man, when they understand this matter, will approve what this Government has done, and shall look with pleasure for the continuation of the great policy, which has been carried out so successfully in the past. This is only a portion of the same policy Canada has pursued; and the policy that has been carried out in the past would be incomplete if we said to-day: that we are not able to establish such a line of steamships on the Atlantic as is absolutely required to give us the full advantage of the outlay we have already made.

Mr. MACDONALD (Huron). I do not wish to enter into a lengthy discussion upon this question, but I wish to put myself on record so that my opinion may be known. I listened attentively to the speech of the hon. the Finance Minister and I read it carefully over this afternoon, and knowing that he is an able man, and that he can present a question in its strongest light before this House, I have come to the conclusion that he was

at a loss to find strong arguments to sustain the resolution that he moved. In my opinion he did not present one solid argument in favour of the project. In glowing language he spoke of the great advantages we were likely to have; but he never came down to details or endeavoured to show what classes of the people would be benefited by this fast line. He stated that the prestige of Canada would suffer if we did not have a line as fast as those which run from New York to the old country. Now, in my opinion, and in the opinion of men who know a great deal more about ocean navigation, it is impossible to have a line of steamers on the northern route that will make the same time as the steamers on the southern route, because the northern route has disadvantages which the southern route has not. Therefore, although we may vote this large sum of money for the purpose of establishing this line of steamers, we shall never have as fast a service as the southern route possesses. The result will be that a large number of the passengers whom we expect to get for this fast line will continue to travel as they do now, by the southern route. The Finance Minister tried to show that this fast line would be of great advantage to the farmers of this country. Wherein did he show that it would be of advantage to them? He said that this line would carry dairy products and other finer products of the farmers. But what advantage would it be to the farmers of this country to have their cheese landed on the English market one day sooner? Would they realize more profit on it? Not one sentence did the hon. gentleman utter to show that the farmers would realize one cent more on their dairy products by having them landed twenty-four hours sooner than is done by the present steamers. Then, with regard to our eggs, butter and other so-called perishable articles, what advantage would the farmers of Canada derive from having them placed on the English market twenty-four hours sooner than at present? If the hon. gentleman will come down to practical grounds, and show how our farmers will realize a higher profit on what they have to sell, or how they will otherwise be benefited by the establishment of this fast line, he will be presenting an argument which will be received by the people of this country; but merely to say in general terms that they are going to realize great profits is only begging the question. Then, I would ask, what great advantage is it going to be to the great majority of the people of this country to have a fast line of steamers which will land its steerage and other passengers in England twenty-four hours earlier than at present? I am within the mark when I say that not more than one out of every hundred of the people of this country cross the ocean at all; and to those who do it does not matter one fig whether they

are twenty-four hours longer in crossing or not. Therefore, the people who are called upon to pay their subsidy are the people who are not going to realize any benefit directly or indirectly from the establishment of this fast line. It is said also that the boards of trade throughout the country have interviewed the Government and pressed upon them the importance of establishing this line of steamers; and the hon. gentleman went so far as to say that when any person spoke before the boards of trade in the large cities and mentioned this project, he was cheered to the echo, which showed that there was a sentiment in the country in favour of it. Did the hon. gentleman give the reasons put forth by these boards of trade as influencing them to interview the Government on the subject? What profit is to come to the cities from having their mails or their imported goods, or anything else, delivered one day sooner? There might be an argument in favour of that if we had not the cable line between this country and the old country; but in the presence of the cable I cannot understand how any firm or business man in this country could be largely benefited from receiving their mails twenty-four hours sooner than at present; and I have not heard a single argument from the other side showing what benefits they would realize. Nor have I heard a single argument to show what advantages would be gained by the ninety-nine people out of every hundred who are called upon to pay this subsidy, but who do not use the steamships directly or indirectly. Therefore, on behalf of these ninety-nine people, I am constrained to oppose this subsidy. The people of this country have borne a heavy burden for many years; they are now passing through a crisis; and they are hardly prepared to undertake the obligation of paying \$750,000 a year for ten years, and after that \$500,000 a year for another ten years, to establish a line of steamships which will bring no advantage whatever to the farmers and working people of this country. I think it is unwise to place such a burden upon their shoulders, and, therefore, in their interest I oppose this measure.

Mr. McCARTHY. Mr. Speaker, I think it is right that I should say a very few words to express the opinion I hold with reference to the Bill which we are now discussing. I do not yield to my hon. friend from North Bruce (Mr. McNeill), nor to my hon. friend from Albert (Mr. Weldon), in my support of any feasible and proper scheme calculated to bind more closely the ties between this country and the mother country, and to bring us nearer to our sister colonies. But, Sir, as was said the other night, with reference to the French treaty, so I think it may very well be said with reference to this proposition, that we ought not to allow a sentiment to carry us away,

Mr. MACDONALD (Huron).

without some consideration as to the business character of the proposal, and the burdens which that proposal entail, and will entail for the next twenty years, upon the people of this country. We have done much, it has been said, in building the Canadian Pacific Railway; and in glowing terms my hon. friend said that the people who were not deterred from building a railway across the Rocky Mountains are certainly not going to halt in the establishment of an Atlantic line of steamers. But, Sir, the very fact that we have spent an enormous sum of money in building the railway uniting the Atlantic and the Pacific, ought, I think, to make us pause, and give our people a little time to recover before we add to the burdens necessarily imposed upon us by that great undertaking, by the addition of another subsidy for what is said to be the furtherance and completion of that great scheme. Now, Mr. Speaker, we have a connection with the mother country. We have two lines of steamers leaving our ports weekly from the city of Montreal and connecting with the mother country. Therefore, to say that we should now vote this subsidy of \$750,000 a year because in the days of the old provinces, when we had no communication by the St. Lawrence, when we had to build up a line of ocean communication between Canada and England, we voted a comparatively much larger sum in proportion to our resources than we are called upon to vote now, does not appear to me to be an argument which at all tends to the conclusions which the hon. gentleman wishes the House to adopt. When we subsidize a line of railway, do we subsidize it where a line is already in existence? No, we establish a line of railway, we grant a subsidy, in order to open up communication by rail between certain points, between which there is no communication. But to-day we have communication not, I am quite willing to admit, as fast or perhaps as well equipped as we would like—but still a communication between the St. Lawrence and the mother country, which, on the whole, is fairly and reasonably good. Then just let us see what benefit we expect to derive from the granting of this subsidy. Do we expect that we are going to carry many more passengers? Perhaps we may. I have had some little experience of crossing the Atlantic. It has been my fortune, within the last eleven or twelve years, to have crossed the Atlantic as many times. I have either gone or come, and in some cases have both gone and come, by the St. Lawrence, and have had opportunities of conversing with the steamship captains regarding the proposal which has been mooted from time to time for the establishment of a fast line. And what has their experience been? I have no desire in any way to decry the enterprise, but I feel confident in saying that their experience has been that twice perhaps in a year—once the

'Parisian,' the best boat on the Allan Line, and once the 'Vancouver,' the best boat on the Dominion Line, carries a full load of passengers from Montreal or Quebec to England, and on every other trip these boats go without a full load. Now, that is an actual, positive fact. It is not that they are not able to carry the number that offer, but that, with the exception of the July trip on the Allan boat and the corresponding trip on the Dominion boat, there is not a sufficient number of people offering, even at the reduced rates at which these boats carry passengers, to fill up the room and space they have for passengers. Exactly the same thing happens on the return trip. Once on the return route in September, these boats are also crowded to their utmost capacity, and once only, and if you take the trouble to look into the fifty-one other occasions on which these boats cross, I venture to say you will agree with me that they do not carry one-third of their capacity. We might, if we had a fast and better equipped line, induce a certain number of wealthy people who now go via New York to take the boats which ply to and fro from that port,—the 'Majestic' and the 'Teutonic' of the White Star Line, and the other boats of the Cunard, and the other lines of steamers, but we must also remember that there is also the North German Lloyd boats which carry a certain proportion of people even from Canada—we might get a certain proportion of these people to take the St. Lawrence in preference to the other route. But I do not think any hon. gentleman will contend that if we had on the St. Lawrence route the very best line of the whole four or five, that all the Canadians would go by it. People like variety, and my own experience is that friends of my own have sometimes chosen, for the novelty of the thing, to go by the German Lloyd boats at one time and by the Cunard boats another time, and again by the White Star Line; and I have not the slightest doubt that if we had the very best line of them all, we would not even control the whole of our own trans-Atlantic traffic. I admit also, if you choose, that we would induce a certain proportion of people of the Western States to go by our fast line. I think that is quite possible, though I do not believe it would be a very large number, because I think the majority of Americans would still continue to go by New York, but it is possible that a fast line, such as we propose to establish would secure a certain proportion of the travel from the Western States. But granted that these boats would be laden down with passengers, of the class of people who can afford to pay the rates of a twenty-knot boat, I want to know how this country will be any the better off by that. I want to know how, for the \$750,000 you are going to put on the necks of the people, they are going to be better off because boats sailing by the St. Lawrence go out—if your imagination will

carry you so far—week after week, laden down, every berth full, with travellers who are able to pay high figures for the accommodation. Some of them may be Canadians, some of them may be foreigners. Unless this country grows much more than it has grown in recent years, the bulk of them must be foreigners, if these vessels are to carry full loads. And are the people of Canada to put their hands in their pockets and pay to establish a quick express service for the benefit of the Americans, the citizens of St. Paul, Minneapolis, Chicago, and the other cities of the west? What earthly benefit will that be to the people of Canada? People come in here now through the tunnel at Sarnia and pass on to Boston by the Grand Trunk. Do let us be practical. I have seen these trains go by laden with Americans, passing through Toronto, and these people, when they are not sleeping or lolling on their soft cushions in the Pullman cars, look out right and left at our smiling fields. I would like to know what great advantage it is to us to carry people in that way. Yet the proposal is that we are not merely to give them rail accommodation, but give them Atlantic accommodation at a cost every year to our people of \$750,000. That is what it amounts to. If there is going to be any great benefit derived from the passenger traffic—and I am assuming now, much against my own conclusion, that this line will go full, because when you come to think of the winter months, what will it be? Are our people in the west going to travel down by the Intercolonial Railway to St. John or Halifax in order to catch that steamship line, or will they still go by New York? I do not believe that there will be five per cent of the few who travel from Canada in the winter months who will take this line in preference to the New York route. They are not going to spend sixty hours, I think it is, in a railway, with the chances of a snow blockade, in order to take a steamer from Halifax, when in fifteen hours they are certain to get to New York and may take a boat from there. But for the sake of argument, conceding that these boats will carry all these people, conceding what the highest and wildest imagination on this side of the House can picture, let us see what will be the case in the matter of freight. Are we to be called upon to add to the subsidies we are already paying in order to get our freight carried? Are there not vessels enough leaving the port of Montreal now to carry all our freight? Is there an hon. gentleman sitting in this House, on either side, who will pretend that for want of vessel accommodation in the St. Lawrence our freight is driven to take another route? Sir, the trouble is not there. The trouble is that the vessels that go from here have to come back empty, because we put a tariff on goods coming to this side that prevents the importation of English goods. Take down the tariff—bring that down to a reasonable level so that cargoes can come

Mr. McCARTHY.

from the other side into this country and you will have fewer vessels coming into Montreal empty, and you will have done something to build up the trade between this country and the mother land without costing this country \$750,000 a year for subsidies. I have taken the pains to look into the Trade and Navigation Returns. I have not the figures by me at the moment, but I can state the general result of my investigation, which is that many of our vessels have to come into the port of Montreal in ballast, the meaning of which is that the cargo they take from here has to pay the freight both coming and going. The difficulty is not that we cannot find vessels that we need to subsidize carriers for our freight. Why, as the hon. gentleman who last addressed us (Mr. Macdonald, Huron) said, and said with perfect truth, with conclusive truth, is there a merchant who cares whether his freight is twenty-four or thirty-six hours longer coming or going—

Mr. FOSTER. Lots of them. You will find them in your own city, if you inquire.

Mr. McCARTHY. I would like to know in what kind of goods there is the necessity for such speed. Take the farmers of this country—does it make the slightest difference whether our exports of wheat or other produce of the farm go in a 20-knot vessel or—

Mr. ROSS (Lisgar). Or in a sailing vessel.

Mr. McCARTHY—or in a sailing vessel, practically; whether they go by an Allan boat that will take fifteen days to get to London, or whether they go by a boat that will steam at 20 knots and reach her destination at Southampton in six days. There may be some classes of goods for which a fast service is desirable, just as there are express parcels for our railways to carry goods that will bear the expenses of quick transportation. But, for the bulk of our trade, I venture to say that no practical man would pretend that these goods would bear the cost of what is practically an express service. And so we come back to the question, what is this proposition? We are asked to establish this line, with its \$750,000 of cost upon the people of this country—and why? Because Sir William Van Horne, the highest authority, as my hon. friend from North Bruce (Mr. McNeill) said, upon this subject, has spoken in favour of it. Sir William Van Horne would be a great fool if he did not speak in favour of it. If this project is going to benefit any body, it is going to benefit the carriers of this country, and particularly the Canadian Pacific Railway. But we have already done for the Canadian Pacific Railway as much as we can afford to do, and as much as this country is prepared to do. We have subsidized it with \$25,000,000 and 25,000,000 acres of land, and we are not called upon to do anything further for the Canadian Pacific Railway. I wish that road every prosperity, but it must now take care of itself, as it

seems to me. It cannot be expected that we in this country, for the benefit of the Canadian Pacific Railway, or the Grand Trunk Railway, or any of these carriers can give any further aid in any form or shape. And that is practically all that Sir William Van Horne has ever said or urged—and very naturally—in favour of this line. But, Sir, apart from that there is a matter, not so important in one sense, and yet, I venture to think, of some little importance. I think that before we vote this money we ought to know that this scheme has a reasonable chance of success. We have already the experience of voting subsidies to railways, which, with the imprimatur of the Dominion of Canada upon them have been able to go into the money markets of the world and obtain capital which otherwise they could not have obtained. And we have had capitalists complaining, not making legal claims, but setting up moral claims, the complaint being that by our endorsement of the scheme we have given it a currency, which on its merits it would not have secured. I do not believe that we ought to pass this Bill on any such supposition. I think the hon. Finance Minister has a very shrewd suspicion that that will be the result. And I dare say, looking at the state of the exchequer, that is his hope. I do not think he cares to add to his deficit now looming up in enormous figures the amount of this subvention. In fact, I do not know where he is going to get the money.

Mr. MONTAGUE. Reduce the tariff.

Mr. McCARTHY. I do not quite see the point of my hon. friend's observation. What I ventured to say was that I do not believe that by reducing or increasing the tariff, you can screw many dollars out of the people of this country in the shape of taxes. I think that you have gone—that is, that we have gone—to the utmost limit of the tax-paying power of the people of this country, and the present condition would seem to indicate that. If hon. gentlemen agree with me in the conclusions I have drawn, then, as reasonable men we ought not to be carried away by the kind of rhetoric we have been listening to, but, as reasonable, practical business men we ought to see whether this scheme can be made a success. If a practical man cannot take a sheet of paper and show a reasonable prospect of this scheme being floated, or of its being a success when floated, I do not think any man of business would say we ought to proceed. Most of us can make our fortunes on paper, but I do not know any one who can make a fortune out of a scheme of which he cannot predicate in advance that it is likely to be a success. Now, we have heard expressions from the Finance Minister—for he did not seem to know very much—

Mr. FOSTER. That is chronic.

Mr. McCARTHY. I do not think the hon. gentleman will blame me for saying that.

when we remember that at one moment he announced, in reply to the hon. member for South Oxford (Sir Richard Cartwright) that the cost of these vessels would be \$200,000 apiece, and a moment later was compelled to admit that they would cost about five hundred thousand dollars—I should say pounds—apiece.

Mr. FOSTER. Pounds—my hon. friend seems to be as far out as I was.

Mr. McCARTHY. I made the mistake of saying dollars instead of pounds. That is about the calibre of the hon. gentleman, that is about the kind of observations we are treated to from him when he seeks to be witty. I think the hon. gentleman, remembering the high position he holds, had better, for the dignity of the country, if not for his own, treat such matters with a little less levity.

Mr. FOSTER. Thank you, my mentor.

Mr. McCARTHY. I think I was justified in saying that the hon. gentleman knew but little about the matter when he stated at one moment that the cost would be £200,000 apiece, and soon after had to admit that the cost would be between £400,000 and £500,000.

Mr. FOSTER. And the hon. gentleman knew about as much when he spoke of their costing that number of dollars.

Mr. McCARTHY. I made the mistake of saying dollars for pounds. I made a mistake, just as he sometimes might do, in saying dollars instead of pounds. However, that is neither here nor there. Now, Sir, he admitted afterwards that the cost would be \$60,000 or \$70,000 per trip.

Mr. FOSTER. Fifty thousand or sixty thousand dollars is what I said.

Mr. McCARTHY. Pardon me, I heard you distinctly. I cannot take back water on that, for I heard the hon. gentleman say \$60,000, or \$70,000—unless he wishes to correct himself and put the amount right again. Then, if you will make that up and multiply it by the number of trips, and make some allowance for the wear and tear, and then put on the other side the possibilities from travel and the possibilities from freight, which the hon. gentleman has not favoured us with, I do not believe there is a practical business man in this House who can make the two ends meet. Then what will happen? Either one of two things must happen, either the scheme cannot be floated, and discredit is done to us in propounding a scheme which is rejected by the people of London, or the scheme is floated and fails to be successful. Then, of course, there will either be an absolute collapse or a claim made upon us to add to the subsidy we have already granted. That argument will be used, the argument has already been used. Why, we have gone \$500,000, and this is only \$250,000 more; and then if we give \$750,000 and Mr. Huddart comes back and

tells us. I have tried to float this scheme and cannot do it on \$750,000, I must have a million, we will be asked to give a million. But if the scheme is floated and fails, we will be asked to support it by an additional grant in order to keep up the credit of the country. Now, I think the first thing we ought to have had from the hon. gentleman who undertook to bring this scheme before the House, was a statement, such as we had a right to expect, as to the possibility of success. That we have not got, and so far as we have extracted from that hon. gentleman any figures on the subject, these figures do not warrant, in my humble judgment, and I do not think they do in the judgment of any business man in this House, a belief that this scheme is likely to prove a success. Now, I cannot approve of this scheme, first and foremost, because I see no advantage to the people of this country in the establishment of a fast line, beyond a secondary one; secondly, I do not believe that this line can be a success. I am putting aside altogether the doubt which has been thrown upon the St. Lawrence route, because my own belief upon that subject is that in day light—I do not think the Minister of Marine and Fisheries would go any further than I am willing to go—in day light, or in bright nights, the St. Lawrence is probably as safe as the open sea. But given a fog, I do not think even the Minister of Marine and Fisheries, brave and intrepid as he is, would feel satisfied that a vessel should be propelled beyond the very slowest possible speed in the St. Lawrence, looking at the ice we find there, and looking at the difficulties of navigation when, during a period of fog, it is impossible to navigate a ship. Now, there is no use of our living a fool's paradise and shutting our eyes to the dangers of that route in some kinds of weather. Of course we know it is a beautiful route, it is much pleasanter for those who travel to keep in sight of land, to get off the wearisome sea voyage at an earlier period. I quite appreciate all these advantages, but at the same time those who travel as often as I do have experienced the delay, for I do not think I have ever travelled both ways when we were not delayed some considerable time, at all events, by fog, when it would be madness for the captain to allow the ship to go beyond a snail's pace. Even if we had our twenty-knot boats, it would not be expected that we could make twenty-knot time; the result might be at best, with our short distance—I think it is 300 miles shorter—or with a faster line, not necessarily a twenty-knot line, that we might establish practically as short a route between Quebec and the other side as they do between New York and the other side, giving 300 miles in our favour. But what does that come to with these enormous ships? We hear every now and then of a great Cunarder or a ship of some other New York line, having made Queenstown in five days and thirteen or fourteen hours. That is the best they can

Mr. McCARTHY.

do, and we know that the bulk of people get off at Queenstown and have to travel eight or ten hours before they reach Liverpool; so that the time amounts practically to about six days. Now, while a service of sixteen or seventeen knots would be a more reasonable one for our route, more consonant with our means, quite sufficient for every purpose, we would practically be within six days of the other side, and I think we can attain that without burdening the people of this country as it is proposed. But we are called upon for what purpose I have not been able to conceive, to grant this subsidy in order that the people may come from far off Australia and travel over a Canadian route and then take boat and go to Liverpool. I would like to know whether a man who is making a journey of forty or fifty days, would be induced to come, or prevented from coming, by the existence or non-existence of a fast line. We have got the grand service of the Pacific, we have got the grand service we hear of across the mountains, we have a service to suit us from Montreal to England. If a man wants to go from Australia to England, is he going to say: I am not going by that route, I will go by the Suez Canal and endure all its discomforts, all its heat, all the dangers from sickness attendant on that route, because when I get to Montreal I will only find a boat that goes fourteen or fifteen knots an hour? Now, is that likely? I do not think it will ever enter any man's head to refuse to come by reason of that difference in time. Now, I would be willing to give a small sum to encourage the Allans and the owners of the Dominion Line, if encouragement be needed, to improve their service. I am free to admit that the service for passengers has not been kept up since the building of the 'Parisian' and the 'Vancouver,' as we had a right to expect. But what does it prove? It proves that the practical men engaged in this business have not felt warranted by results to give us a better service, and the Allans will tell you that the boat that loses the most money is the best boat they have on the line, the 'Parisian,' the favourite boat that always commands the travel whenever the travel is there for it. For these reasons I desire to have it understood that I am opposed to the grant of this \$750,000.

Mr. KENNY. It is very evident to the House that a great change has come over the spirit of the dream of the hon. gentleman who has just taken his seat. He has told the House for the first time since this question of an improved Atlantic service has been under discussion, that in his opinion a fast Atlantic service would be no benefit to Canada. We all know that so far back as 1889 this House, in its wisdom, decided that it was in the interest of Canada to subsidize a fast Atlantic service to the extent of \$500,000. So far as my memory serves me, when that question was under discussion in this House

the hon. member never said one word in opposition to that project.

Mr. McCARTHY. Nor in its favour.

Mr. KENNY. The hon. gentleman protects himself now by telling us that he never said a word in favour of it. If he thought it would be disadvantageous to Canada, as he now professes to think it to be, it was his duty to have told us he was opposed to it, and have given the House the reasons for his opposition, but as he remained silent it is evident he was recreant to his duty to that extent if he believed then, as he says he believes now, it would be injurious to Canada. The hon. gentleman has referred to his experience in trans-Atlantic navigation, and he has told us that he feels warranted in speaking with authority on this matter, owing to the fact that during the past ten or twelve years he has made frequent passages across the Atlantic. On this question, therefore, the hon. gentleman, as far back as 1889, when he explains he did not say a word in favour of a fast trans-Atlantic service, he was, from his own personal experience, as familiar with this question as most of the hon. members of this House. I think it is regrettable that the hon. gentleman, entertaining the strong views he does, did not make them known sooner to the House, and the hon. gentleman cannot therefore expect his arguments to have the same weight as they would have had if they had been presented when the question was first brought under discussion, for it is difficult to reconcile the hon. gentleman's silence with the vote of \$500,000 per annum in 1889, and the speech he made to-night. The increase under consideration is \$250,000 a year, and he is terribly apprehensive that this additional amount is going to entail vast disadvantages on the Dominion of Canada. The hon. gentleman also told us that before this scheme was accepted by the House, it was the duty of the Government in proposing this measure—I presume he throws the responsibility on the Government—to state to the House the amount those steamers will earn each trip, the value of the passenger list, the amount of the freight list, in order, I suppose, that this information may be used for or against the promoters of this project when they go on the money market of England. We are to-day simply asked, if it is not wise in the interest of Canada to increase the amount we voted with the hon. gentleman's sanction.

Mr. McCARTHY. Not at all.

Mr. KENNY. The hon. gentleman certainly was a member of this House in 1889 when \$500,000 was voted, and when every project which was likely to increase the intercourse between Canada and the mother country received his cordial approval. He had no misgivings in those days in regard to the expenditure of \$500,000 for improving those relations; but for reasons which I will not attempt to define, he has entirely

changed his view in regard to this project and other measures which he seemed formerly to favour, and the advocacy of which gave him his principal influence in this House. The hon. gentleman said it was the duty of the Government to state to the House exactly the financial aspect of this question, so that hon. members might know in advance what the passenger list will be, and what the freight list will be; in other words, the Government were asked to tell the House what the revenue of the steamers would be. We can estimate the expenditure, because we have particulars respecting the disbursements of other ships crossing the Atlantic, and the cost of those ships upon a round trip, but no man living could make a positive estimate as to exactly what the freight list would be, what the rates for freights would be, or the rates of passage. That is a risk which the owners of the ship will have to take, and I think it will be rather the duty of the promoters of the enterprise when they issue their prospectus to make that statement rather than for the Government to make it here. The hon. gentleman said that when this project is launched on the money market of England the fact of the name of Canada being identified with it involves on us the obligation and duty of inquiring exactly into questions of freight and passengers, and the hon. gentleman has argued that as in regard to railway projects when floated on the London market, if afterwards they turned out not to be unsuccessful, their failure inures to the disadvantage of Canada. Whatever force there may be in the hon. gentleman's statement as regards railways in Canada, it can have no application to the present project, for this reason: capitalists, ship-builders and business men of England know quite as much as we do, and a great deal more, in regard to trans-Atlantic steam navigation, and therefore I must say there is no force in the hon. gentleman's argument wherein he made it obligatory for the Government to come down with a positive statement as to the returns with respect to earnings from freight and passengers. The hon. gentleman also stated that we must take some time during which to recover from the large expenditure made on the Canadian Pacific Railway. We all admit that for a population as small as that of Canada, we have incurred a very large obligation; but it has been urged, on the other hand, and it is a valid argument to use in this case, that it is only the part of wisdom that we should endeavour to establish a fast Atlantic service in order to derive the full benefit of the expenditure we have previously made. The hon. gentleman thinks a fast Atlantic line will not increase travel through Canada, and that even if it did, it would be no advantage to Canada. I must say that this is a novel doctrine; I have never heard it argued in this House or out of it that it was not advantageous to divert to our shores and through our territory a large amount of passenger traffic.

Mr. McCARTHY. Will the hon. gentleman explain how people carried across this continent and taking a steamer at Montreal will prove beneficial to the country?

Mr. KENNY. The hon. gentleman in some aspects of the case is more sanguine as to its success than I am. Looking at the passenger traffic, he thinks it possible that passengers may come from New York to take the St. Lawrence route.

Mr. McCARTHY. I did not say so—the hon. gentleman misunderstood me.

Mr. KENNY. I remember that the hon. gentleman spoke of western travel, because we are all familiar with that question, and there is a general belief that a fair amount of passenger travel will certainly be secured for this line from the Western States.

Mr. McCARTHY. I hope so.

Mr. KENNY. But before the hon. gentleman arrived at that point, he intimated to the House that there was some other source of travel.

Mr. McCARTHY. The hon. gentleman evidently misunderstood me.

Mr. KENNY. The hon. gentleman (Mr. McCarthy) thinks that it will be no advantage to Canada to have a large amount of travel diverted to it from other countries. He must be sufficiently familiar with the ordinary routes of travel throughout Europe to know that the most noticeable recent improvements on that continent are to be found along the most frequented lines of traffic. Not only is that the case in Europe, but it is positively established with respect to this continent. Even in an old settled country like Europe, the hon. gentleman must know that within the last ten or twenty years the greatest progress that has taken place, is due entirely to the fact that by an improved system of railways, and improved steamship communication, the course of travel has been diverted to the more progressive cities and countries. What has happened in Europe is very certain to happen here. Therefore, I think it is very much to be regretted that the hon. gentleman (Mr. McCarthy) having this information in his breast for so many years—because he has told us that it was within ten or twelve years that he has commenced to cross the Atlantic so frequently.

Mr. McCARTHY. Ten or twelve years since I first began to cross, and I have been gaining information ever since.

Mr. KENNY. Well, 1889 is only five years ago. If the hon. gentleman possessed this information five years ago, when the question was under consideration in the House, he either had a very poor opinion of the value of the statements he might make, or else perhaps he had a poor opinion of the intelligence of the House.

Mr. KENNY.

Mr. McCARTHY. There is a third explanation more obvious still, and that is that I was not present in 1889.

Mr. KENNY. The hon. gentleman was, perhaps, crossing the Atlantic in 1889?

Mr. McCARTHY. I think, perhaps, I was.

Sir CHARLES HIBBERT TUPPER. I just happen to notice that in 1889 the hon. gentleman was busily engaged in discussing a subject entitled "Wrecking in Canadian waters," so that he must have been in the House then.

Mr. KENNY. The hon. gentleman considers that he is not to be held accountable for not having expressed his views before, simply for the reason that he was not here in 1889. I speak subject to correction, but it is my opinion that this question has been frequently referred to in the House since that date, and the hon. gentleman (Mr. McCarthy) must have been very frequently absent if he had not some opportunity before the present, and before this change of sentiment came over him, to explain his views to the House. The hon. member for Bothwell (Mr. Mills) stated that Canada had foolishly spent some of her income in establishing steamship communication between Canada and the West Indies, and that the only result of that outlay had been that we injured certain sailing ships that were engaged in the trade, and that no advantage had accrued to Canada. I understand that this question was referred to in the House very recently, and that one gentleman who sits on the same side with the hon. member for Bothwell (Mr. Mills) expressed his opinion that it was an advantage to Canada to have a steamship service with the West Indies. If the hon. member for Bothwell (Mr. Mills) will look at the total exports from Canada to the West Indies in 1887, when we had no steamship communication with those countries, he will find that they amounted to \$2,005,559 worth, and that in 1893, when we had steamship communication, they amounted to \$3,059,140. I will readily admit that our trade with the West Indies is not as satisfactory as I think it should be, and that when I argued in favour of a subvention for that steamship service it was because I believed that without that service we should lose the trade we then possessed. I may say that, having watched the development of that steamship traffic between Canada and the West Indies, I am more convinced than ever of the correctness of my argument then, because I find that gentlemen who were active in their opposition to that proposal, are now in self-defence obliged to encourage steamship communication, and are actually agents for steamship lines between Canada and the West Indies. Let us see again if the statement of the hon. gentleman (Mr. Mills) is correct, that it has been no advantage to

Canada to have steamship communication with the West Indies. In the year 1887, when we had not steam communication from Canada to the West Indies, our total export of flour to that country amounted to 254 barrels. Now, the hon. gentleman will not contend that we cannot produce as good flour as any country in the world, and in order to show the development of that trade under a steamship service, I may say that in 1893, with steamship communication, Canada exported 13,228 barrels of flour to the West Indies. I think that is a very satisfactory answer to the statement of the hon. gentleman. Take our exports of animals and agricultural products to the West Indies. In 1887, without steamship communication they amounted to \$181,440 in value, and in 1893 with steamship communication they were \$469,381 worth. I give these figures to prove the correctness of my previous contention, that if we had not the steamship service our exports to the West Indies would have been infinitely less than they were in 1887. Whilst I make this statement to the House, I must say, also, that, in my opinion, our trade with the West Indies is not as large as it should be, and I think that is very considerably due to the fact that the people of the United States have more steamships and better and faster steamships, running from their country to the West Indies, than we have from ours.

Mr. McCARTHY. Subsidized ?

Sir CHARLES HIBBERT TUPPER. They were at first.

Mr. KENNY. As the trade between the West Indies and Canada has developed under a steamship service, so I believe that the trade between England and Canada will develop under a fast Atlantic steamship service. Another hon. gentleman told us that all the boards of trade of Canada had petitioned in favour of this improved Atlantic service, and yet the same gentleman says that it is going to be no benefit to the business of Canada. That would simply mean that he knows better than the merchants of Canada; and the hon. member for Simcoe (Mr. McCarthy) must know better than all the boards of trade of Canada, because he places his individual opinion against the united wisdom of all those boards of trade in the different cities of the Dominion. The hon. gentleman has intimated that this project is not likely to be a success. Well, I do not know any better way to accomplish its failure than the mode of procedure which the hon. gentleman has adopted, he has intimated to us that he would be glad if it would succeed, and, sharing that opinion with him, I regret exceedingly the form of address which he has made to the House this evening.

Mr. CAMPBELL. Mr. Speaker, in speaking on this question I am not in the position that was attributed to the hon. member for

North Simcoe (Mr. McCarthy), because when the vote for \$500,000 was proposed in 1889, I then expressed myself as unfavourable to that grant; and I am still more confirmed in that position to-day when the proposed vote has been increased to \$750,000. Now, I have listened to the discussion that has taken place, and I have not heard any arguments at all addressed to the House that would warrant us in making this large grant. It is a serious matter to increase the debt of this Dominion by thirty or forty million dollars. Our debt is now a very heavy one for five million people, being equal to \$60 a head for every man, woman and child in this Dominion, while the debt of the United States, with 65,000,000 people, is only about \$12 a head. Look at the position of Canada as compared with that of the United States. The United States, with 65,000,000 people, have been content to go on in their own way, without establishing a single line of steamers to cross the Atlantic ocean. Until lately there has not been a single line of American steamers crossing the Atlantic. All the steamship lines crossing the ocean are owned by English or Scotch capitalists, and are registered in Liverpool, London or Glasgow. Yet we, with our five million people, with an enormous debt, with great demands on the treasury, and with deficits anticipated next year, and the following year—a little country like this wants to rush into deeper debt in order to have a fast line of steamers at a cost of \$750,000 a year. Now, I am satisfied that the hon. member for Halifax (Mr. Kenny) would get up and oppose this proposition if he did not suppose that the terminus would be at Halifax.

Mr. KENNY. I think that is a most unfair observation for the hon. gentleman to make. I addressed the House on this subject yesterday, and I never mentioned the name of Halifax in the whole of my speech. I think it is hardly fair for the hon. gentleman to attribute such motives as that.

Mr. CAMPBELL. I do not want to hurt the hon. gentleman's feelings at all; but I know that the hon. member for Halifax is too good a business man; he has too much at stake in the city of Halifax, and he has too much knowledge as a business man, to advocate a scheme like this if he did not know that it was going to be a great benefit to the city he has the honour of representing. I believe the same thing is true of the hon. members from the city of St. John. They expect that St. John is going to be the terminus; and a short time ago what did we find the business men of St. John doing? When they believed that the terminus was not going to be there, they passed a resolution strongly opposing the grant of \$750,000. So far as the boards of trade are concerned, I think the great majority of

them have pronounced against this scheme. I think it was only a short time ago that the board of trade of the city of Hamilton passed a resolution opposing this scheme; I understand that the board of trade of the city of Kingston passed a resolution opposing it; and the other smaller boards of trade throughout the country, such as those of Brantford, Galt and Guelph, have all I believe, passed resolutions opposing it. I do not know any board of trade, except those of Toronto, Montreal and Halifax, that has passed resolutions in favour of this proposed grant. Now, the hon. member for Halifax brings up the question of subsidies to the lines of steamers sailing to the West Indies, and he argues that if these have been a benefit, the proposed subsidy would also be a benefit.

Mr KENNY. I was answering the hon. member for Bothwell (Mr. Mills).

Mr. CAMPBELL. The hon. gentleman, at all events, argued that as the line of steamers to the Spanish and British West Indies had increased our trade, the like result would follow from the establishment of this line of steamers. But the conditions are altogether different. To the British and Spanish West Indies there was formerly no line of steamers at all; there were only sailing vessels; and it is impossible to build up a trade when you do not know when your shipments will arrive or leave. But what is the fact in the other case? We have now in Canada four lines of steamers crossing the Atlantic. There is no difficulty in making shipments to England, Ireland or Scotland; we know every day that these steamers are going to sail from Montreal or Quebec or Halifax. If we had no line of steamers already, it might be argued that we should establish a line; but having these lines, I think it is the height of folly to establish another line for the sake of getting steamships three or four knots an hour faster than we have at present. Now, the only argument advanced in favour of this scheme is that our passenger travel would be increased. Granted that it would. It would be a great wonder if we did not get some benefit. There is no doubt that a few more passengers would cross by these steamers than by the present lines; but I venture to say that very few passengers from western Canada or the western States would go via Montreal or Halifax when they could go by the New York route, which is a much shorter rail route. They want a change, and they can go there and find a steamer sailing every day in the week—as fast a steamer as we could hope any of the proposed steamers to be. Then, what object would they have in taking a long railway journey in order to go by a steamer from a Canadian port? Then, how much of our mail matter would go by these steamers? Are business men going to hold their letters over for a steamer that sails once a week? What

Mr. CAMPBELL.

matter if their letters have to wait for twenty-four hours? To-day telegraphing is cheap, and no business man thinks of doing business with the old country by letter. It is too slow, and it matters little whether our letters go in six days or eight days or nine days, as long as they get there. Then, after all, what does any person care whether his letters go by Montreal or New York, as long as they go safely? We can now send our letters either via Montreal or New York or Boston, as we desire. So that, even supposing the passenger travel did increase, I do not see that it is going to be of great benefit to the people of Canada if we have to provide this fast line of steamers at an enormous expense. We shall have to pay the piper. I do not think it will pay. Looking at the matter in all these features, I am decidedly opposed to this grant. I think it is altogether premature for a small country, burdened down as we are. With so many demands made upon us, and with so many ways of spending our money, I think we might well hesitate before granting this large sum to establish a fast line of steamers. I am satisfied that it will never carry—it is not expected to carry—our bulky freights. These will have to seek the markets of the world in smaller vessels, of which there is an abundance now. The only trouble is that these vessels cannot get freight, and as I have said, the bulky freights must seek the markets of the world in cheaper and slower boats than this fast line. Our butter and cheese and such things have now plenty of boats to carry them across, and it does not matter much whether they reach the other side two or three days sooner or later. There are a great many other ways in which we can spend all the money we can spare to much better advantage. And it is not only \$750,000 that we may have to spend. The chances are that we will have to improve the service on the Pacific Ocean, and to pay an additional amount for carrying the mails. And apart from all that, it is not fair to these enterprising men who have established lines of steamers at enormous expense to step in and create a competing line, and thus ruin their business. It is well known that if we give this large grant to this new line, we must thereby take traffic from the Allan, the Dominion and the other lines from Montreal. And it is not fair to those people to build up a rival line for which there is no occasion at all. I therefore think the motion is very unwise, not in the interest of the people, and one which should be rejected by this House.

Sir RICHARD CARTWRIGHT. I do not, at this hour, intend to add much to what I had occasion to say when the hon. Minister of Finance introduced this measure, but I take the opportunity of remarking to the hon. member for Halifax (Mr. Kenny) that his speech, quite as much as that of the Minister of Finance, convinces me that this

is absolutely a leap in the dark, so far as any genuine knowledge is possessed by the Government as to the possibility of making of this line a commercial success. I differ totally from certain hon. gentlemen in believing that it is not our duty to discuss and analyze any such proposition as this. It is emphatically our duty, when the Government ask us to enter into a contract, extending over a most unusual term of years, to analyze and examine, to the best of our power, the statements on which that proposal is based. There can be no doubt whatever that it will not be to the benefit of the credit of the people of Canada if large sums of capital are induced to be embarked in this enterprise—whether furnished by English or other capitalists. I do not care—and if it should prove, as the hon. gentleman knows right well, a great many other investments of English capital in Canada have proved—to be a very unremunerative enterprise. I know perfectly well that for many a long year after the Grand Trunk Railway was constructed—and yet the Grand Trunk Railway has undoubtedly, in the long run and on the whole, proved of very considerable service to the people of Canada—the credit of Canada suffered in a very considerable degree. I know that the improvement of Canada in many ways was very greatly retarded by reason of the fact that members of the Canadian Government of that day had—probably without sufficient reflection—committed themselves to predictions with respect to the success of that road, which unfortunately were very far from being fulfilled. Why, as long a time after its construction as 1875 and 1876, I had the ill success of that enterprise continually flung in my face, when I was negotiating loans in London for the benefit of the people of Canada, and the point on which those capitalists most insisted was that prominent members of the Canadian Government had recommended it as a highly remunerative one to the English public. I am not going to say that it would not be greatly to the benefit of the people of Canada to have an improved steam service. On that point, I think there is a tolerable consensus of opinion. But what we have to consider is: first, whether, under the proposition now submitted, there is a reasonable chance of securing the service, and next, whether we can afford to pay for the luxury. For my part, I am bound to say that, looking at the present financial position of Canada, I regard the proposition to pay \$750,000 a year, in addition to our present engagements, as one which ought to be very carefully considered indeed, before we commit ourselves to it, especially for a period of ten or twenty years. Every human being who pays the slightest attention to the state of affairs in Canada to-day knows that in all human probability, for some considerable time to come, we will have very great difficulty in making both ends meet, unless we choose to greatly increase our taxation.

When the Government know that there is already a deficit, in an all probability, of not less than \$500,000, if the account be fairly stated, for the year 1893-94, and when they know that there is the strongest possible likelihood that there will be probably a very considerably greater deficit for the succeeding years, they have no right to propose to add \$750,000 a year to our expenditure or thereabouts, unless at the same time they show where the money is to come from. It is their duty, when they make such a proposition, to tell us in what way they propose to obtain the funds, because they are perfectly well aware—I think that is very clearly demonstrated—that there is no reasonable ground for expecting that the people of Canada collectively are going to be benefited to any great extent, no matter how great a success this line may be. But there are one or two other considerations which the Government might have said something about, and about which they have said nothing. I have very considerable doubts—and I know they are shared by men of long experience in these matters—whether it is likely that you are going to carry on successfully a mixed freight and passenger service at this very high rate of speed. Practically, I believe, the great ocean greyhounds, as they are called, which maintain a very high rate of speed across the Atlantic, do not attempt to carry any considerable quantities of freight. I do not believe that freights in sufficient quantities to bear a very high rate of toll will be found for these boats. Nor have the Government brought forward any evidence whatever to contradict that opinion. Now, there are certain natural advantages which Canada possesses, if a fast service be desired, which the Government might, under certain conditions, have fairly presented to our view. There is no doubt, as I hinted the other evening that there are points, particularly points in the province of Nova Scotia, which are very much closer to Europe than any other point on the North American continent. I had reason to believe that, under certain conditions, operating in conjunction with the Imperial authorities, operating, perhaps, in conjunction with the United States authorities, it might have been possible for the Government, by judicious arrangement, to have obtained the co-operation of these other Governments in starting a really fast passenger line between certain points in England—or perhaps Ireland, though I think England would be the preferable terminal point—and the extreme available point in the province of Nova Scotia. The distance would be very little more than two-thirds the distance from New York, and it might be possible—if it is a matter of such enormous importance to obtain such an extremely fast service—to obtain a service which would give a decided advantage to the Canadian route over any other possible route. A line might be run in that way that would shorten the Atlantic trip to four days in-

stead of six or seven days, which is the present average; and if, in the course of invention, it became possible greatly to increase the speed of ocean steamers, the same relative advantage would be found for this route. I could understand the Government coming to us after due co-operation with the Imperial authorities and with our neighbours to the south, with a proposition to shorten by one-third the ocean ferry from Nova Scotia to England or Ireland, and I think that perhaps an arrangement might be made which, without putting a heavy burden on the people of Canada, would give us, if it is so desirable a thing, this fast passenger and mail service. I do not mean to say that even that could be made to pay without large subsidies, and I do not mean to say that it would be possible for us, by our own individual and proper motion, to make it pay; but I do say that if such be the object of the Government—and be it remembered that it is only as a very fast line for passengers than any sort of argument has yet been brought forward in favour of this line—it might be, I say, that something might be done in that direction. But I am bound to say, Sir, that, for the general benefit of the people of Canada, I can see nothing in the proposition now submitted to them which warrants the expenditure of three-quarters of a million dollars per year in the present financial condition of the people. We are to bind ourselves for twenty years to an expenditure of three-quarters of a million dollars a year. There is a great deal of force in the remarks which were made by one or two hon. gentlemen in reference to this matter, that you are extremely likely to be called upon for much larger subsidies for both ends of the line. You are extremely likely, if this \$750,000 prove inadequate, to be called upon for a much larger sum for your Atlantic service, and I suspect that you will be called upon for a much larger sum presently, if this scheme does materialize, for an improved service on the Pacific. Now, Sir, it is sheer folly for us to enter upon these engagements without seeing our way better than I believe the Government sees it at this time. I say, and repeat, when the Government with a deficit known to exist in the current year, with a deficit likely to exist in the ensuing year, propose to add largely to the expenditure of the country for a considerable time, it is their duty to say what particular set of taxes they are going to put on in order to pay for this. I must say that I think there is only too much ground for believing that the hon. member for North Simcoe (Mr. McCarthy) was perfectly correct in saying the Government bring this down without any very strong belief that the scheme will be put in practice within any reasonable space of time, or that they will be called upon to provide the funds for it.

Sir RICHARD CARTWRIGHT.

Mr. SPROULE. I wish to say a few words, Mr. Speaker, because I think the question a very important one. If we read the signs of the times and observe the manifestations of the people, we must see plainly that this is one of the important requirements of Canada to-day. Whether we consult the commercial world, the travelling public, or the sentiment of the country, we find the scheme indorsed. The hon. member for North Simcoe says that no reason has been given in favour of this scheme except a sentimental reason. But even that is a good reason. In the Intercolonial Conference, which was held here within the last few days, it must have been apparent to every one who paid the slightest attention to it, that one of the important reasons that was urged for the bringing the colonies closer together, or in getting them under something like a commercial zollverein, was a sentimental one, and that was urged by almost every member of the conference. Sentimental reasons in real life often induce nations and individuals to do things that they would not otherwise do. Therefore, we ought not to overlook the sentimental reason. The hon. gentleman says we cannot make the speed on this route. The hon. Minister of Marine and Fisheries gave reasons for believing that we could make speed on this route. His reasons were given from the experience of men, who, above all men in the country, ought to know the truth in this matter. At least the reasons were satisfactory to my mind, and I believe that we are safe in assuming that speed can be made on the St. Lawrence route. The third objection of the hon. member for North Simcoe was that a man going across the ocean did not care for a fast route. I think he gave the best answer to that. He told us that for many years past, while he had been travelling back and forth between here and the old country, in the majority of instances he had gone by way of New York.

Mr. McCARTHY. I did not say that.

Mr. SPROULE. Well, would the hon. gentleman be kind enough to tell us how many times in the last twelve years he has gone by way of New York and how many times by the Canadian route? I understood him to say that most of his trips were made by way of New York, and why should that be the case if there is no advantage in the line? We are living in an age of excitement, enterprise and hurry. Business and travel take the shortest route, and the object is to save time, whether one hour or many. Take the case of two railways touching common points. Any man who is travelling will take the railway which makes the shortest time to the point he wishes to reach. So will trade take the quickest route. The hon. gentleman asks what benefit it will be to Canada to have

passengers come by this route instead of by New York. Is it not a fact that passengers travelling through the country become a great means of advertising the country? The fact that we are on a highway of travel, that people come by this way from China and Japan, as well as from Australia, has been a means of advertising for Canada which we could get in no other way. So long as people travel by these routes there will always be the incentive for the investment of money in various enterprises here, and in that way, if in no other, the country will benefit. We know that to-day, whatever may have been the fact a few years ago, travel from Canada to England, Ireland or Scotland is largely by way of New York. We believe that that is due to the fact that they have faster lines of steamers, that our own lines are getting behind the age. The hon. gentleman asks why we do not support the lines in existence. One gentleman said we had four lines of steamers crossing the Atlantic from the port of Montreal, and that it is an injustice to them to subsidize another line, because they propose to make faster sailings. But we do so because these men have fallen behind the times. Though they have made large sums of money out of this trade, they do not see their way clear to giving us a faster service, and because they believe they control whatever trade there is, they are not prepared to improve their lines of steamers. For this reason these steps are proposed in order to provide a faster line than we have to-day. Now, if it is claimed that it will not be a success from a commercial standpoint, we might ask whether these men have made money out of the business heretofore. Who are the millionaires of Canada to-day? Are they not the steamship-owners of the country? Take the men who run the Allan line, who run the Beaver line and the Dominion line; these are men who have made a great deal of money out of Canada during the last twenty years; these are the wealthy men of the country, and they have made their money out of this trade. But to-day their lines are falling behind, because the country needs more rapid transit, and the steamship companies need to improve their speed every year. Now, consider this question from a farmer's standpoint. We know that in public discussions all over the country there has been many expressions of opinion that it is important in the interest of Canada that we should improve our steamship lines, not only by way of obtaining a faster transit, but in the way of cold storage. It is proposed in this scheme to include cold storage for the carriage of perishable commodities from Canada, and that is one of the more important requirements of the time. We are told that for this subsidy of a little more than \$500,000 a year the country will reap no corresponding advantage. Well, consider the development that has taken

place in our export trade during the last two years. Take the product of cheese exported to the old country. A few years ago it did not represent \$500,000, now it represents nearly \$13,000,000 a year; a small portion of the returns from this one line would pay annually the sum asked for in connection with this scheme and the development of that trade, as also in other perishable goods of farmers' produce, can be largely enhanced by better steamship communication. But we find that we have not made an equal development in the lines of butter, fruit and various other things on account of the very slow steamship travel to-day, and because we have not the advantages of cold storage, and if we can get both greater speed and cold storage by the subsidy that is offered to this company, then it becomes important that we should give it. Although we may not be able to figure out to our own satisfaction just how much trade will be developed by reason of this fast line, neither could we do it when we proposed to subsidize the Canadian Pacific Railway, neither could any one tell what the trade of Canada would be by reason of that enterprise. The hon. member for North Simcoe (Mr. McCarthy) is opposed to it, and I inferred from his remarks that if he had been in the House a few years ago, he would have opposed the proposal to give \$500,000, as was done for this purpose. Well, it is only an acknowledgment to his own constituency and to the world that he has been negligent in his duty heretofore, because it has been the exception rather than the rule that the hon. gentleman has been found in his seat attending to the business for which he was elected. But when he tells us now after a lapse of some five years that he finds out that he made a mistake then, it is an acknowledgment that I would scarcely expect him to make in this House, and he will not make it when he goes back for re-election, if he ever does go back to that constituency. His silence on that occasion gave consent to the proposition, and I do not think his constituents will blame him for it. The hon. member for South Oxford (Sir Richard Cartwright) said this was a jump in the dark. Well, the hon. gentleman said the very same thing in regard to the Canadian Pacific Railway. He says we are going to destroy our credit abroad by this grant, just as we did in the venture of the Grand Trunk Railway and the Canadian Pacific Railway. I would like to ask that hon. gentleman if there ever was a time in the history of Canada when our credit stood higher in the markets of the world than it does to-day. We have by means of this expenditure opened up these vast lines of communication, and I think it was most unfortunate for him to advance that argument, because if there is one thing more than another that has strengthened our credit, I think it is our experience with the Canadian Pacific Railway.

The hon. gentleman says that we cannot afford to pay the price for this luxury, as he calls it. I am sure the business people of Canada do not regard it as a luxury, but as one of the necessities of the day. The voice of the people for several years has spoken in that direction, and the Parliament of Canada have responded by making this offer, which we believe will accomplish what is needed for Canada. The commercial world thinks it is needed and the commercial world ought to know what is needed in that line better than any one else. The class of men who are engaged in navigation think that it is possible, and they ought to know whether it is possible. The voice of the Canadian people is that it is needed, and I think that as a class they know as well what they want as the people of any other country. We know what has been accomplished for Canada in making her known to the outside world by means of the Canadian Pacific Railway that we have built up, and that experience I think will warrant the further expenditure that is now asked for. It seems to me that we are standing in this position to-day. We have made one of the great highways of commerce across our country that has been a great advertisement to the country, that is attracting not only capital from abroad, but people from abroad, and is bringing us abreast of the great nations of the world. But there is one link in that chain that is wanting, and for the want of that connecting link we are not receiving the benefit that we ought to receive from this vast thoroughfare crossing our country; and if we supply that link I am satisfied that in time to come we will find it to our benefit, and we will not regret it any more than we regret to-day the building of the Canadian Pacific Railway. It may be said that we have not been able to give statistics to satisfy every man in this House that we will receive dollar for dollar in return for the outlay; but in no enterprise of this kind can any man figure out beforehand what the result will be. We know that we are living in a fast age, and those who are not keeping up with the age are falling behind. What suited us twenty years ago will not suit us to-day; what suited the travelling public ten years ago will not suit them to-day. Unless we keep up with the age we must fall behind, and if we neglect this means of supplying the great need to our country that I have pointed out, we will be recreant to the trust reposed in us by the people of Canada.

Motion agreed to, on division.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.30 a.m. (Saturday).

Mr. SPROULE.

HOUSE OF COMMONS.

SATURDAY, 14th July, 1894.

The SPEAKER took the Chair at 3 o'clock.

PRAYERS.

PUBLIC ACCOUNTS COMMITTEE.

Mr. BAKER moved the adoption of the tenth report of the Committee on Public Accounts.

Sir JOHN THOMPSON. Will the hon. gentleman state the purport of the report?

Mr. BAKER. The report recommends the printing of the report and exhibits. There is no conclusion drawn by the committee—the matter is left wholly in the hands of the House.

Mr. LAURIER. Does the hon. gentleman expect that this printing can be done before the session comes to a close?

Mr. BAKER. Not unless the session is protracted beyond the length now expected.

Mr. LAURIER. That would mean that there will be no discussion during the present session.

Mr. BAKER. No discussion on the printed evidence in complete form. The evidence has been printed from day to day, and is nearly complete; so there is nothing to prevent discussion, if the subject is brought before the House.

Motion agreed to.

REVISION OF LISTS.

Mr. LAURIER. Before the Orders of the Day, I wish to call the attention of the First Minister to a paragraph which appears in a newspaper, it is true, but that newspaper is the Montreal 'Gazette,' which is supposed to be more or less an organ of the Government, and to have more or less some authority and importance. It is headed "Revision of Electoral Lists." It says:

The electoral lists for the Dominion Parliament are now undergoing their annual revision. Mr. H. J. Kavanagh, Q.C., is the revising barrister for Montreal Centre, Mr. Justice Archibald for Montreal West, and Mr. Justice Mathieu for Montreal East.

It goes on to state the qualifications of the electors under the present law, and it concludes as follows:—

Those who have not yet registered their names should do so as early as possible, so as to secure their names being placed on the lists before they close.

I do not understand that it is expected the revision will take place under the pre-

sent law and under the present rolls. I understood, some few weeks ago, that instructions had been given to the revising officers not to proceed with the revision of the lists, in view of the amendments which the Government contemplated in regard to the law. I do not suppose that a contrary order has been given.

Sir JOHN THOMPSON. That paragraph can have no reference to the Dominion lists. There were instructions given not to proceed, and I am sure the revising officers are not proceeding, and will not proceed until the decision of Parliament is given on the Franchise Bill.

REPRESENTATION OF QUEBEC WEST.

Mr. LAURIER. I have not observed, Mr. Speaker, that you have yet issued your warrant for an election to fill the vacancy in Quebec West.

Mr. SPEAKER. I have not notified the House of the issue of the writ, because I have not been notified of a vacancy having occurred in the representation of Quebec West.

Mr. LAURIER. I have a pretty distinct recollection that the Prime Minister himself announced the death of the late lamented member. I observe that the statute reads as follows:—

If any vacancy happens in the representation of the House of Commons by the death of any member or by the acceptance of any office, the Speaker on being informed of the fact by any hon. member in his place—

I would have supposed under this section that the notification of the Prime Minister would have been sufficient to inform the House that a vacancy had occurred, and a writ would have been issued.

Mr. SPEAKER. I do not read the Act in the same manner as does the leader of the Opposition. I think I require to be specially informed by some member rising in his place and announcing it, on which of course my writ would be issued immediately, or this would be done on my being notified in the other way, by two members in writing.

Mr. LAURIER. If that is your decision, Mr. Speaker, given in accordance with your construction of the law, I beg to notify you of the death of the hon. member for Quebec West.

Mr. McCARTHY. I should like to know whether it is not competent under the provisions of the statute for the House to directly issue a writ. I do not think the power of the House to control the issue of the writ is taken away because the statute directs that you, Mr. Speaker, may issue a writ in a certain event. That is a cumulative and additional power, but the authority of the

House to issue a writ still remains. If not, it would be well to repeal that section, as it should be left open to the House during the session of Parliament to do, as is done in England, direct the issue of the writ. I can see perfectly well that it is important that the Speaker, when the House is not in session, should be able to exercise his power, but when the House is in session it should direct the issue of a writ. It appears to me that it is a shocking scandal that this constituency should have remained unrepresented for six or seven weeks because you, Mr. Speaker, have not been technically informed of the death of the late member, although the Prime Minister made a eulogy with respect to the late deceased member which I think was joined in by the hon. gentleman opposite, and everybody assumed it was known, although perhaps not officially to you, Mr. Speaker.

Mr. AMYOT. This House is not Parliament; it is bound by the laws of Parliament, and you, Mr. Speaker, are bound by the laws which Parliament has passed, and this House has no right to override the laws thus passed.

Mr. SPEAKER. My own view with regard to it is, that certain preliminaries must take place before the Speaker can issue his warrant, and these preliminaries are specified in the Act. With reference to vacancies, the Act declares:

If any vacancy happens in the House of Commons by the death of any member, or by his accepting any office, the Speaker, on being informed of such vacancy by any member of the House in his place, or by notice in writing, under the hands and seals of any two members of the House, shall forthwith address his warrant to the Clerk of the Crown in Chancery for the issue of a new writ for the election of a member to fill the vacancy, and a new writ shall issue accordingly.

Now, as I read the statute, I am of the opinion that I must be informed in one of the two ways specified; either by a member rising in his place and informing me directly of the vacancy having occurred, or by two members informing me in the other manner described by the statute, by sending me a notification over their hands and seals.

Mr. AMYOT. That is the law.

Mr. McCARTHY. Pardon me, Mr. Speaker; you have not answered the question as to whether the House has the right to issue the writ.

Mr. SPEAKER. I do not think I should be called upon to express an opinion upon a question of law of that kind.

Mr. McCARTHY. Oh, you know all about the House.

FAST ATLANTIC STEAMSHIP SERVICE.

House resolved itself into Committee on Bill (No. 161) to further amend the Act respecting Ocean Steamship Subsidies.

(In the Committee.)

On section 1,

Sir RICHARD CARTWRIGHT. In the first place I desire to inquire of the Minister of Finance, what authority he has for supposing that we will escape the surtaxe, as it is now, if we send our vessels to an English port and then communicate by a cross service with a French port?

Mr. FOSTER. I do not think we will escape the surtaxe at all.

Mr. LAURIER. Then what is the use of having this communication if you do not escape the surtaxe?

Mr. FOSTER. The proposition for a service connecting with Great Britain and France, is a proposition which was decided on by Parliament, as to its desirability, before we had a French treaty at all.

Mr. LAURIER. Yes, but if I understand the matter, the only object of this complicated service in compelling these boats to be connected with a French port, was even at that time to avoid the surtaxe.

Mr. FOSTER. Oh, no.

Mr. LAURIER. If that was not the object, what was the object of the subsidy which was given three years ago, and to which the Minister of Public Works referred with great pride, the other night. We subsidized a few years ago, a direct line between France and Canada, with the special object of avoiding the surtaxe, and if it is not to avoid the surtaxe, what is the object of it? Does the hon. gentleman expect that he can develop a trade by this hybrid system of having communication at the same time between France and England. I can understand boats plying directly between Canada and France or between Canada and Great Britain; but I confess—and the hon. gentleman must admit himself—that he lays a very serious objection upon the practicability of the line he proposes to subsidize, if he compels these boats to be connected with a French port. If it is not to avoid the surtaxe, I am at a loss to understand what are his motives for having such a communication as this.

Sir RICHARD CARTWRIGHT. Possibly the hon. gentleman wants to kill two birds with the one stone. He wants to make the French treaty a nullity, which I think it practically will be if the surtaxe goes into operation; and at the same time to make it impossible to get the contract, which may be a desirable object all things considered, for this fast service.

Mr. LAURIER. Surely we have a right to get some information from the Government. Here is a resolution of just ten lines binding the Parliament of Canada, to a subsidy of \$750,000 a year, and even at this moment when we are considering the Bill in com-

mittee the hon. gentleman is not able to tell us what is to be the nature of the communication which we will have. It is intended that the boats to be subsidized will call at a French port? There is a preliminary contract with Mr. Huddart, and if it materializes, is it intended that the boats should call at a French port, or is it intended that there should be a line between an English port and France?

Mr. FOSTER. My hon. friend will recollect that I answered that question the other evening. I said that it was impossible to tell yet. It will be modified by the circumstances and conditions as they are found to be. I explained then that there were two methods by which the connections could be made. One was that the main vessels should go of themselves to a French port. I explained that if certain ports were ultimately decided upon as the ports of connection in England, that that would be rendered feasible. That is: that it would be rendered much less difficult than if certain other ports were chosen. We do not know as yet what port will be chosen as the port in Great Britain, so that it is impossible to answer the hon. gentleman's question, and it will have to just be regulated and guided by the circumstances as they arise. We propose to give \$750,000 for a subsidy, and we must moderate our fulfilment of that, according to the conditions proposed by this resolution, with circumstances as they arise. The other method of communication would be by a cross-service which could be easily carried out, and if one of certain ports is decided upon as the best port in Great Britain, this cross-connection would be the only service which could be had.

Mr. MULOCK. Would you escape the surtaxe by that?

Mr. FOSTER. We would not escape the surtaxe by that. As I explained to my hon. friend, we would not escape the surtaxe by the vessels breaking bulk in an English port before they went to a French port, but we would escape the surtaxe if the vessels went direct to a French port.

Mr. McMULLEN. I do think that it is absurd for us to proceed with this Bill in the face of the very meagre and unsatisfactory information that the Government is able to give us. If the Minister is disposed to deal fairly with the House, the information that has been asked for should be given to us and to the country, and should be laid on the Table before we proceed with the Bill. By passing this Bill, we are virtually placing in the hands of the Government the granting of a subsidy of \$750,000 a year for a fast line service, and we are leaving every detail and every important matter absolutely in their hands. There is no information given as to what is going to be done. Then, with regard to the anticipated freights to be carried from this

Mr. McCARTHY.

side to Europe, and from Europe to this side, we are also largely in the dark. Now, I think it is not treating the House properly to ask them to pass this Bill and then to go home, leaving the Government to see what they can do during the recess. I was sorry yesterday that, owing to my having asked a question across the floor when the Speaker was in the chair, I was deprived of the privilege of addressing the House on the second reading of the Bill; but I fully endorse the criticisms then offered upon this scheme by the hon. member for North Simcoe (Mr. McCarthy). I do think it is a scheme entirely beyond the financial powers of the people of this country, in the face of the burdens they have now to bear, and I think the House should insist on having more information before consenting to its adoption. We have a fairly good steamship service to Great Britain now, and by the course we are asked to pursue we are going to hamper and cripple that service. We are threatening to establish a new line that will largely take from them the traffic they now have, and we are going virtually to prevent the improvement of those lines as long as this Act is on the Statute-book, because their owners will fear from year to year that this fast line is going to be put into operation, and that their lines will have to become merely freight lines. It is not treating those lines fairly to proceed in this way, and for my part I will oppose this scheme at every opportunity.

Mr. McCARTHY. I would like to have a more direct answer from the hon. Finance Minister to the question with regard to the surtaxe. If this fast line calls at an English port before going to a French port, would our goods be subject to the surtaxe?

Mr. FOSTER. Yes.

Mr. McCARTHY. Notwithstanding the treaty, which allows our goods, if they go by a direct line, to be admitted free of that tax. I think it expressly says that goods of Canadian origin, to be admitted free of that surtaxe, must go direct.

Sir JOHN THOMPSON. That is a provision of the law regarding the surtaxe d'entrepot. That is not in the treaty.

Mr. McCARTHY. I am right about that. The treaty says:

The following articles of Canadian origin imported direct from that country, accompanied by certificates of origin, shall receive the advantage of the minimum tariff on entering France.

Would it not be considered a direct importation simply because the vessel called at Southampton or some other English port on the way?

Sir RICHARD CARTWRIGHT. I think the goods must go from a port on this side, possibly from an American port, direct to a French port, without calling en route.

However, the Minister of Finance can make a more authoritative statement on that point.

Mr. FOSTER. I think there is no doubt that if a cargo starts from Canada, and the vessel calls at another European port before it calls at a French port, and breaks bulk, that would not be considered a direct importation, and the goods would be subject to the surtaxe d'entrepot.

Mr. MULLOCK. Suppose it does not break bulk?

Mr. FOSTER. If it does not break bulk it seems to be reasonable to suppose that would be direct.

Mr. MULLOCK. Has the Minister nothing more than a mere opinion upon it? Has there been no discussion to ascertain what construction the French authorities would place upon such a condition? The matter should not be left to guess work, because the Minister has recommended the treaty on account of the preference it will secure for our goods in France. If we are not going to get the benefit of preferential rates, what is Canada getting in return for what she is giving? Surely the Government have some understanding with the French authorities as to what sort of carriage will secure to us the benefits of the treaty.

Sir JOHN THOMPSON. It is not a matter for understanding with the French Government at all. France has a law on the subject, and the treaty contains no modification of that law. We must send our importations direct, for the French law requires that to be done, otherwise they are subject to the surtaxe d'entrepot. It is not considered feasible that the steamers sailing from Canada to England should call at a French port. Great quantities of our goods, such as canned goods and fish, may go direct by sailing vessels and other lines from Canada to France, or through the United States to France, irrespective altogether of this line. It is not expected that this line of fast steamers should go to an English port and then to a French port, even though by doing so they would secure exemption from the surtaxe.

Mr. LAURIER. At all events, one thing is clear: we were all under the impression that this connecting with a French port was with the view of avoiding the surtaxe; but I understand from the statement now coming from the Treasury benches, that that is not the intention. May I ask, therefore, what is sought to be obtained by this connection? The hon. gentleman must admit that it is a great obstacle to the establishment of this line. If the men who are to invest their money in the enterprise are to be told that it is an obligation upon them to have a connection with a French port, that is a construction which I am sure that no one up to this moment has given to the proposition. This is a point on which we should have information.

Sir JOHN THOMPSON. I think it is a mistake to say that the connection with France, referred to in this Bill, was pressed with a view to avoiding the surtaxe, because that condition was a part of the arrangement for a fast line before the treaty was negotiated. If I do not mistake, it was in the Act of 1889, before the negotiations for the treaty commenced, and the object was to facilitate trade with the continent.

Mr. LAURIER. But even at that time there was a tariff, to which our goods going into France were subject. If they went by England, or if the vessel carrying them called at another port, they were subject to the surtaxe, and if the treaty meant anything at all it meant that our goods were to avoid the surtaxe, and to be subject only to the tariff. The surtaxe existed in 1889, and I understood that one of the objects of the treaty was to avoid that tax.

Mr. MILLS (Bothwell). If the doctrine of continuous voyage were to apply in this case, it seems to me that under the arrangement the hon. gentleman proposes we ought to escape that tax. It is well known that in the early part of this century the Americans undertook to carry goods between the Dutch West Indies and Holland, and landed those goods in Boston, reshipping them there, and carrying them to Holland. Lord Stowell held that when the intention was, at the time the goods were shipped, that they ultimately should go to Holland, the fact that they were landed and re-shipped again at Boston did not prevent the voyage being regarded as a continuous voyage. The same doctrine was laid down by the Supreme Court of the United States in the prize cases during the period of the civil war. Goods intended for the Southern states were shipped very often to Nassau and re-shipped there again for the southern ports, but the court held that as the intention was that these goods should ultimately go to the southern ports, at the time of the original shipment, the voyage must be regarded as a continuous voyage. If goods are shipped from Canada with the intention that they shall go to France without being transhipped—if that was the original intention and they are carried to France, it seems to me that the marine doctrine of continuous voyage ought to apply in the construction of this treaty. If that be so, the construction would not be adverse to this country, as the hon. Minister of Finance points out. But I wish to call the attention of the committee to opinions which have been expressed by the Minister of Finance and by the High Commissioner with regard to another matter. Of course, it would be irregular to allude to anything that transpired in a former debate during this session, but I may say this, without any reference to the place where the opinion was expressed, that the Minister of Finance led us to believe that this subsidy was being proposed

Mr. LAURIER.

with the view of giving effect to the representations which the High Commissioner made on a former occasion. The High Commissioner said that although there was no intention of including the proposed establishment of direct communication with France in the treaty, as that would be contrary to the policy of this Government, nevertheless that was the intention. That intention has not been abandoned, and I understood the hon. Minister of Finance on one occasion to say that when this subject came up for discussion, it would be seen that the Government had not abandoned that intention. If the hon. Minister is now rightly construing the effect of this subsidy, the Government have abandoned that contention, that intention is not being carried out, the appropriation of this money for the proposed line has nothing whatever to do with the treaty, and will not have anything to do with giving effect to any representation the High Commissioner made to the French Ministers. If that is so, then certainly either the hon. gentleman was mistaken in the views he expressed on a former occasion, or the Government must intend to propose something more than they have yet submitted to the House, because if the Government have not abandoned their intention of establishing direct communication with France, we must expect something further on the subject.

Mr. FOSTER. My hon. friend, I think, strained the argument, and I do not think the data are quite sufficient to justify the conclusion he has come to, that something like bad faith will be exercised towards the French Government if the fast line service is not implemented by direct communication between Canada and France. What the High Commissioner simply did was to make a statement of fact expressed in a statute passed by this House, namely, that a certain subsidy had been granted for a line of communication between Canada and France. That was a fact which might well be stated, as giving an earnest of the intention and desire of Canada to develop trade as far as possible with that country. But certainly there can be no contention that bad faith would be exercised, so far as the French treaty and trade are concerned. There is no surtaxe d'entrepot in this country. And whatever may be contended with regard to the surtaxe d'entrepot in the case of goods shipped by a British vessel from Canada to France which touches during the voyage at a British port, that can be no bar to the sending of products to Canada from France by a vessel which touches at a British port. So that that cannot be in the least construed as showing any bad faith in connection with this treaty. But we may as well understand, first as last, that before there was any talk of a French treaty, this policy of through communication with France was

agreed upon, not only with reference to trade with that country, but to trade communications in general. The idea long present with the House was that we should have a fast Atlantic service, and in course of time it came to be mooted, in connection with that idea, that if we had a fast line of steam service with Great Britain, we should extend that so far as to have connection with the European continent, and when the question came to be considered what part of Europe should be the destination, the decision was arrived at to make the connection with a port in France, and that intention was expressed in a statute, without reference to any treaty or avoiding the surtaxe d'entrepot. The surtaxe d'entrepot is a law of France intended especially for the benefit of her own commercial marine, and the conditions of it must be met by us as well as by any other country that makes a treaty with France, and in no case does France take off this surtaxe d'entrepot from any country with which she makes a treaty, provided the conditions are such as to warrant the exaction of that impost.

Mr. EDGAR. With reference to the interpretation by the Government to-day on the effect of sending Canadian goods to France by a vessel which touches first at an English port, I think that the High Commissioner, on a very important occasion, took quite the reverse view. Sir Charles Tupper publishes, at page 37 of the blue-book, an extract from a speech which he made to a deputation from Milford Haven, representing that as a good point for the Canadian line. He said to that deputation:

There was, however, one feature connected with the matter which had not been prominently adverted to. It was the feature to which Canada attached a deal of importance. That was they proposed to have not only a direct and rapid communication by going to an English port, but they proposed also to have a direct line of communication between Canada and the continent of Europe by requiring vessels to proceed on to a French port. Owing to the system adopted, and held with such tenacity by France, the trade between Canada and France was greatly obstructed by the want of direct steam communication between the two countries.

The next clause is one to which I will draw the particular attention of the Minister of Finance:

Now, a vessel coming to an English port in the first instance would not at all affect the regulations in France, provided the vessel went on under through bills of lading and delivered her cargo, if intended for France or any port on the continent of Europe, without having landed it in England first.

Now, what is the position that the Commissioner took, that the surtaxe d'entrepot could not apply, and would not come in

force against Canadian cargoes, so long as the cargo was not landed at an English port. I do not know whether that was right or not, but it seems not to be a correct view according to the Minister of Finance. Perhaps the Minister of Finance can say what reason he has for doubting the High Commissioner?

Sir JOHN THOMPSON. It is all the better.

Mr. EDGAR. It may be all the better; but do you not see, Mr. Chairman, that the Commissioner, who has been specially engaged over there not only in negotiating the treaty, but in looking up the different ports in England to which the fast line might run, is supposed to know a good deal about the subject he is specially paid \$10,000 a year for looking after. And if he was wrong, and if the Finance Minister is right to-day, I really would like to know. The Minister of Justice may have looked up the French law on the subject, for, after all, it all depends on that. What is the French law on the subject?

Mr. AMYOT. I think I am able to satisfy the hon. gentleman. I have a pamphlet published by "La Presse" on the 25th of March, giving an extract from the French law, which is as follows:—

It is also admitted that direct transfer by sea is not interrupted by stoppage on the way in one or many harbours in other countries to load or unload the vessel, if the goods being entitled to the favour have not left the ship and no such goods have been loaded on the ship at that port.

So it seems that the interpretation given by Sir Charles Tupper is the right one, and that the Government—

Mr. EDGAR. Are wrong.

Mr. AMYOT—in promising so little, are not beyond the mark, and that they will probably give us much more than they promised.

Mr. EDGAR. But then their interpretation—

Sir JOHN THOMPSON. We have no interpretation. We do not give the House to understand that we have any assurance that the goods will be admitted. We do not undertake to say that the law of France will be administered by them in a certain way, and we must—

Mr. LAURIER. Go it blind and take what you can get.

Sir JOHN THOMPSON. No, we do not go it blind at all. But we get the communication for trade purposes with the continent which Parliament desired us to get before there was any negotiation on hand, before there was a treaty. Then we try to get the best interpretation of the treaty that

we can; but we should be fools if we promised in advance that the authorities in France would administer the customs law in a certain sense, a sense which we desire, but which we cannot dictate to them.

Sir RICHARD CARTWRIGHT. But it does look the most slipshod imaginable legislation and the most unbusiness-like legislation for the Government to come down with a proposition to engage ourselves in a contract involving so large a sum of money, and not be able to inform us now, after having had the benefit of three or four of these gentlemen in Paris for months together, upon so simple a point as this.

Sir JOHN THOMPSON. Because they had nothing to do with this project.

Sir RICHARD CARTWRIGHT. But it was the hon. gentleman's duty to ascertain this point before submitting the question to us. We ought to be advised on these matters. We cannot form an accurate judgment as to the value or the possible cost of this scheme unless we are advised. It is quite clear that either, to all intents and purposes, you must have a French terminus or those who purpose contracting for this service must maintain a cross service, which will be a pretty expensive operation. Does the hon. gentleman know the cost of a cross service, if you have your port at Milford Haven or Liverpool?

Mr. CASEY. I deeply sympathize with the hon. the Premier and the hon. Minister of Finance in the trial to which they are submitted to-day in discussing this subject generally. They are teased with questions. They are asked to explain things. They are asked to describe things. And what are they asked to explain and describe? They are asked to describe that which is indescribable. They are asked to explain that which is unexplainable. For the scheme before the House is very much like chaos, as it was before the Creative Spirit passed over its surface; it is without form, and void. It is indescribable and inexplicable to any ordinary understanding, and I submit that it is unfair to ask these hon. gentlemen for explanations which cannot be given, for facts which they do not know, for opinions which they admit they are not qualified to give. But, although this scheme cannot be described, it can be illustrated in a vague way—the whole matter is vague; it is a floating question, the Ministry and the country are at sea about it; the whole scheme is at sea. But it can be illustrated to the mind of one who will think of those great devilfish or octopuses described by Victor Hugo, with a small body—in this case, a very small mass of concrete facts, bobbing up and down in the middle of the Atlantic—and eight tentacles reaching for support in all directions. No, not the whole eight tentacles, one of them is fixed, anchored firmly around the citadel at Quebec, for we are

told that Quebec is the only possible summer terminus. Another tentacle is feeling along the shores of Nova Scotia trying to insinuate itself into the harbour of Halifax, while another passes Nova Scotia and is stretching up into the Bay of Fundy, floating in the bore of that celebrated expanse of water to see if it cannot obtain a footing—I suppose one can hardly speak of a footing for a tentacle, but a place to fasten upon, in the harbour of St. John. On the eastward, the other tentacles are spreading far, one towards Southampton, another towards Liverpool, another towards Havre, and another towards some port in Germany.

Sir CHARLES HIBBERT TUPPER. Where did you locate the bore?

Mr. CASEY. I am told that it arises with greater force and vigour in the county of Cumberland than anywhere else. All this mixture of discussion that has arisen about the subject leads us, in the immortal language of Sir Boyle Roche, to "smell a rat and see him brewing in the air." In all this discussion of summer terminus and winter terminus, we see the rat materialize. In this connection, I may be able to relieve the anxiety of my hon. friend from Wellington (Mr. McMullen) and those who are in doubt as to what this steamship line is intended to carry. We have had a great deal of discussion as to what it will carry, and where the freight is to come from. I infer from the misty, yeasty mass of discussion that has arisen, that this scheme is intended to carry, at all events, all those ports in the Maritime Provinces which can put forward any claim to be the winter terminus of the line. The two hon. members from Halifax, no doubt, will feel their positions more secure after this Bill is passed. The members from St. John will feel that they can say to their electors: Return a good solid New Brunswick contingent to support the Government, and the winter terminus of that line will be in St. John. The people of the constituency in which Louisburg is situated, will flutter with delight. Even smaller places than that will be excited over the question. The municipality of Shediac will pass resolutions; the citizens of Kouchibouguac and Kouchibouguacis will be in a flutter of excitement; and Tignish, as my hon. friend suggests, and various other points of equal notoriety and importance in the Maritime Provinces, will be led to think, that if this Bill passes the House, and if their district returns a good supporter of the Government, there is a chance for one of the tentacles of the great octopus being landed right among them. That I believe to be the chief object of this proposed fast line—to carry the Maritime Provinces, and not to carry freight, either by cold storage or otherwise. But, leaving for a moment this view of the question, I wish seriously to urge upon the House and the country

Sir JOHN THOMPSON.

that at the late Intercolonial or Imperial Conference, more should have been done than we have heard of, to secure from other members of the Empire, large contributions towards this line, if it is to be undertaken. We have been told that we ought to be proud of the fact that Canada has provided such excellent transcontinental means of transportation, and we are told that having done so, we are bound to spend more to secure transoceanic transportation of the same character. And this is how it goes on, from one expense to another. If we improve one part of our communication we are told that it is our duty, in the interest of the Empire and in the interest of the world at large, to make that communication better in other directions. Now, Sir, I think the Empire and the world at large ought to contribute a little this time to help us. We have done all this at our own expense, so far, and the advantage has not been so great to Canada as it has been to those who are taking long voyages, or those who wish to send freight through to ports on the Pacific and beyond. We undertook the immense burden of building the Canadian Pacific Railway without securing Imperial aid, but to the great benefit of Imperial communications. I do not know exactly what Imperial aid has been secured in this case, but it cannot be anything very considerable, when we are called upon to contribute as largely as we are doing. I do not know what was said at the conference as to whether the Australasian members of the Empire should contribute anything to this enterprise. I think they are as much interested in it as Canada, for it is to be a highway leading from Europe to Australasia, and it is not just that the people who live along the route of a great international highway should bear all the cost of constructing and keeping it in first-class condition. Then, I do not think enough has been done to consider the rights of the existing companies who have so long and satisfactorily carried the trade between this country and Great Britain. If it is wise to appropriate this sum of money for the purpose of securing the fast steamship line, I think it should be a condition of the appropriation that the existing companies should be allowed an opportunity of competing for the prize. They have done nearly everything that was required in the way of accommodation. If money is to be expended to this extent in securing better communication, I think these existing companies should be offered, by the text of the Bill itself, a chance to compete for the carrying out of that undertaking. There are so many ways of looking at the effects of this proposal upon the various parts of the country, and they have been so fully discussed, that I will not go into them at all; but I think these two points do require the emphatic

attention of the House and the country before this Bill is passed.

Sir RICHARD CARTWRIGHT. There are one or two points as to which it is very desirable we should have an authoritative statement from the Government. As I said, we are at a very great disadvantage in not having printed copies of the correspondence in our hands, and, therefore, we have got to rely very largely on the statements made by the Minister of Finance. One point which I want to have a definite assurance about, is this: When we talk of a fast steamship service, is the hon. gentleman prepared to assure the House that if this \$750,000 is to be paid, we will have a bona fide service of twenty knots an hour? That is a very different thing, as the House well knows, from having a steamship capable of performing twenty knots an hour. I desire, therefore, to know, in the first place, whether an absolute speed of twenty knots an hour is intended to be secured to us?

Mr. FOSTER. My hon. friend will see, in looking at the conditions of the arrangement, that it is a stipulation that the vessels shall have a speed of twenty knots an hour in deep sea.

Sir RICHARD CARTWRIGHT. And maintain that?

Mr. FOSTER. Shall have a speed.

Sir RICHARD CARTWRIGHT. "Shall have a speed" is a very vague term. There are fifty vessels that can attain what is called a twenty-knot speed, for one that will maintain a twenty-knot speed across the Atlantic; and what I want to know is whether the Government have decided definitely that a speed of twenty knots in deep sea, as he calls it, is to be maintained. I take it that if the words "deep sea" are included, they would not include the St. Lawrence navigation. How is that? We can hardly call the St. Lawrence navigation "deep sea" in the ordinary acceptance of the term.

Mr. FOSTER. All that we do in making these proposed arrangements, is to lay down the particular lines upon which the service shall be conducted. The lines are stated very succinctly, but not in detail. One of the conditions is that after having a certain tonnage, after having a certain capacity, they shall have a speed capacity as well. When we come to make a definite contract with these steamships for a speed capacity in deep sea of twenty knots an hour, the details will be worked out, of course.

Sir RICHARD CARTWRIGHT. But that is not a detail, it is what you might call a principle in a fast service.

Mr. FOSTER. Of course my hon. friend

will quite understand that certain allowances will have to be made. In the Anderson contract, which serves largely as a guide, there was a stipulation that the vessels should have a capacity of so much on trial speed, that they should make from port to port a voyage of eighteen knots: that is, that between the port in Great Britain and the port here, the average speed should be maintained at eighteen knots an hour.

Mr. MULLOCK. Suppose they do that?

Mr. FOSTER. If they did not, they came under the penalty which ultimately would have worked the forfeiture of their contract.

Sir RICHARD CARTWRIGHT. We have been talking all through this discussion of a twenty-knot service, which is nearly equivalent to five hundred miles per day. Now, there is little doubt that if such stipulations are introduced as the hon. gentleman alludes to, it won't be a twenty-knot service we will get, but an eighteen-knot service. Some reason or other will be alleged as an excuse for reducing the speed and there is a strong temptation to do so in view of the enormous expense which attends the obtainment of an extra knot or two. From what the hon. gentleman now says, he seems to deduct 10 per cent from the twenty-knot service. If he adopts anything like the same rule that was adopted for the Anderson service, this is going to be a bare eighteen-knot service, and not a twenty-knot service. There is another point as to which it is desirable we should have a clear understanding. Certain parties have applied for a guarantee of their debentures. There is a very curious expression to which I have called attention before, in the reply of the Minister, which would seem to me to mean that the Government are not adverse to guaranteeing debentures to the amount of £1,500,000. I desire to know now whether the Government propose to give any guarantee of interest for a term of years unless the service is rendered?

Mr. FOSTER. To that question I have given already an explicit answer, and if it is not so considered, I wish to give an explicit answer now. All that to which the Government has pledged itself is this, under certain conditions to give a subsidy for ten years of \$750,000 a year, and for a succeeding term of ten years to guarantee the interest of a certain amount of bonds, that interest to be paid out of subsidy earned, which is equivalent to the Government giving as a subsidy for the second term of ten years an amount equivalent to the interest at 4 per cent on the bonds to the amount of £1,500,000. I have made already the explicit statement that this sum is to be paid out of the subsidy earned, and if subsidy is not

Mr. FOSTER.

earned, no payment is contemplated and no payment will be made.

Sir RICHARD CARTWRIGHT. Of course such a guarantee amounts to very little, but unless special care is taken in the wording of the contract, people will be apt to be deceived.

Mr. FOSTER. Full care will be taken.

Sir RICHARD CARTWRIGHT. People will naturally think when there was a discussion in regard to debentures being taken at 3½ per cent, interest guaranteed by the Canadian Government for ten or twenty years, that that guarantee will be irrespective of the payments for subsidy.

Mr. McNEILL. I do not think that the hon. member for South Oxford (Sir Richard Cartwright) is correct so far as speed is concerned. If there is a requisition that there shall be a speed of twenty knots on the Atlantic, I do not think we need have any fears that there will be any deliberate reduction of speed when the vessels reach the St. Lawrence, setting aside the technical question as to whether that is deep sea or not. It will certainly be largely dependent on the rate of speed the vessels are able to maintain whether this enterprise will be successful or not. The hope is that by shortening the route we will thereby draw traffic which we otherwise would not obtain, and there is no danger whatever that the vessels will deliberately slow up when they get into the St. Lawrence.

Mr. GILLIES. I should like to ask the Finance Minister in regard to what will be the winter terminal port, whether it is restricted to Halifax or St. John, or whether other ports in Nova Scotia will be considered. I was under the impression that it was an open question, and that the company would have a free hand in selecting a port, subject, of course, to ratification by the Governor in Council, until I heard the Minister of Finance the other day say that the port of St. John was bracketed with Halifax in the provisional contract. From that statement I would assume that the selection would be limited to those two ports. If so, I would like to know it definitely, so that I may take such steps as recommend themselves to me with a view of having the third section of the Bill enlarged so that the Governor in Council may have a free hand in dealing with this matter. There is another port, that of Louisbourg, fully as capable of meeting the requirements, and even more capable of serving as a winter terminus than either Halifax or St. John, and I have been placing its claims, feasibilities and advantages before the Government, and I will do so before this House at the first favourable opportunity, so that public attention and the attention of investors in this trans-Atlantic steam-

ship project may be drawn to the importance of this historic port, and that its pre-eminent advantages above all other ports on the Canadian Atlantic coast as a terminus may be fully realized by them.

Sir JOHN THOMPSON. The only two ports which have been named in the discussion with respect to this matter, and there has been very much discussion with respect to preliminaries, and also details, are Halifax and St John. Of course, no port is precluded from making its representations to the company, and we do not intend to make an enactment that no other port shall be taken; but those are the only two ports in regard to which I have any reason to hold out any expectation as regards selection being made.

Mr. MULOCK. The Bill before the committee is the only document showing the authority to be conferred on the Governor in Council. If that is the fact, I find nothing in it that contemplates any liability beyond a period of ten years. The Finance Minister has referred to a guarantee to the company, besides the amount of their bonds, for a term at the expiration of the first ten years. What I desire to ask is, what statutory authority is the Government supposed to take beyond that which is contained in the present Bill; or are we discussing merely a ten years' subsidy at the rate of \$750,000 per annum?

Mr. FOSTER. That is all.

Mr. MULOCK. Then how is the Government going to make provision for extending aid to the company after those ten years have expired? Is Parliament to be asked to give such authority now?

Sir JOHN THOMPSON. No, it is not. One of the proposals which Mr. Huddart made was to the effect that some arrangement should be made, if his offer were accepted, for a term beyond the ten years period. Of course, by that time it would be considered by us that if any subsidy were to be given by Parliament, it would be much less than this sum, and the sum mentioned in the proposal to us which we should undertake to give, if we undertook to give any sum beyond the ten years period, was an amount not less than interest on £1,500,000. In speaking of that as a guarantee, it is a loose form of expression—we do not propose to guarantee any bonds absolutely. It is a fact, however, that we would permit the contractor to assign subsidies earned, and we would recognize the assigned, and that amount might be paid out of the subsidies that might be voted or might be earned.

Mr. MULOCK. Are we to understand that no liability of any kind is being incurred beyond \$750,000 a year for ten years?

Sir JOHN THOMPSON. Yes.

Mr. MULOCK. And all conversation and discussion as to what might happen after the period of ten years is merely looking into the future, but forms no part of the contract or understanding between the country and the company in question. The reason it is important that this matter should be made perfectly clear at this stage is this: There is a tendency on the part of the Government to assume certain power by Order in Council and afterwards call on Parliament to ratify its action. An example of this was given three or four years ago. During the first session after the general election of 1891, Parliament was asked to ratify a verbal understanding said to have existed between some members of the Government and the Canadian Pacific Railway in regard to a transaction seven years old. It was in regard to an extension of the railway through the southern part of Manitoba, and this railroad, according to the Act of Parliament, was to receive a certain number of acres per mile. The company chose to extend the line fifty miles further. There was no statutory or other authority entitling the railway to any additional grant, but after the general election Parliament was asked to give, I think, 320,000 acres of land to this railway on an understanding that had existed between one of the departments and the railway company seven or eight years before, and it was granted, there being an Order in Council laid on the Table based on the report of the Department of the Interior, stating that there was such an understanding, although it was of a hazy and nebulous character. This debate is taking place, and the Minister has in a sense pretended to have it in his mind to hold out some sort of promise that at the end of ten years some other kind of a liability is to be incurred. I want it to be distinctly understood that the Government has no power whatever to create any such liability at the present time, however flimsy such liability may appear, but which may hereafter be developed into a liability, in the way we know sometimes happens in public matters of this kind. The Government should now give us distinct pledges that in no way will they enter into any contract or liability beyond what is authorized within the four corners of the statute, so that we shall not be called upon to redeem the honour of the Crown, which may be said to be pledged in view of the discussion which has taken place here.

Sir JOHN THOMPSON. It is perfectly clear that the only authority which the Government will have is that conferred by the statute, namely: to make a ten years contract for a sum not exceeding the sum named in the statute. There has been a proposal made by Mr. Huddart that we should make a contract looking to a further subsidy, and while we will have no authority to do that,

we will make it only, if we make it at all, subject to the approval of this Parliament. That is beyond the ten-year period. What Mr. Huddart proposes, and what we shall do if necessary, subject to the approval of this Parliament, is to indicate that the service will be continued for a further period of ten years; but the hon. gentleman will see by the papers brought down what is said as regards that, and the word "guarantee" is not used at all in the sense he alludes to.

Mr. MULOCK. The Minister of Finance used the word.

Sir JOHN THOMPSON. Yes, I know; he was describing it, not quoting it.

The Government agrees to pay in aid of such service a subsidy of \$750,000 a year. As to a subsequent period, it may for the ten years subsequent out of the subsidy earned pay the interest on the capital sum of a million and a half dollars at the rate of 3½ per cent per annum; the contract to be entered into within three months after the requisite authority is to be obtained from the Parliament of Canada.

That is the Hon. Mr. Bowell's letter in reply to Mr. Huddart's proposition. The hon. gentleman will see that the interest on that will be \$300,000.

Mr. MULOCK. How could there be a contract for a longer period than ten years?

Sir JOHN THOMPSON. If there be no contract there will be no subsidy earned. The subsidy will be only the amount of the actual poundage for the mail service carried on in Canada, if the mail service reaches any considerable growth at all by that time.

Mr. MULOCK. The allusion to the subsidy is in case this country chooses to send freight, mail or otherwise, by that line, as any other shipper would.

Sir JOHN THOMPSON. Subsidy earned.

Mr. MULOCK. It is in that sense the Minister of Trade and Commerce has used the term, just the same as any private citizen might be indebted to the line for services rendered. But we are giving this as a bonus.

Sir JOHN THOMPSON. We undertake to give them our mails for a subsequent ten years, if the contract is performed.

Mr. MULOCK. Then under that contract the reference to a subsidy after the ten years, is in connection with a contract to render service for a longer period than ten years?

Sir JOHN THOMPSON. Yes.

Mr. MULOCK. And so it has reference to what may be earned?

Sir JOHN THOMPSON. I will pass over the papers to my hon. friend.

Sir RICHARD CARTWRIGHT. The statement made by the Premier was apparently this:

Sir JOHN THOMPSON.

March 6th, 1894.

I would concur that the renewal should be said to be for a ten years period, and that the guarantee of interest for a second term of ten years, should be at 4 per cent on one and a half millions dollars to be paid out of subsidy earned.

Sir JOHN THOMPSON. I think the letter I read is later than that.

Sir RICHARD CARTWRIGHT. It all shows how extremely unreasonable it is to go on with discussions of this kind until printed documents are placed in the hands of members. I must say, I have never known a question of this importance which has been marked by such an extremely slipshod style of proceeding. This correspondence could have been printed in three or four hours, and it should have been printed long ago. With respect to the other point, the more I look at this, the more I see that our guarantee for anything like a genuine fast service is going to be very much flimsier than my hon. friend from Bruce (Mr. McNeill) imagines. Here are the words of the Hon. Mackenzie Bowell:

JAMES HUDDART, Esq., Ottawa.

I am instructed to inform you that the Government of Canada is prepared to enter into a contract, subject to the approval of Parliament, with you or a company to be formed by you, for the placing on the route between England and Canada of four Royal Mail Express Steamships each capable of steaming 20 knots per hour at sea.

Not a word in this, you will observe, of steaming practically 20 knots an hour, or even 18 knots. All that is required, and the Government are prepared to enter into the contract, is that the steamships should be capable of steaming 20 knots at sea. They might not run 15 knots. It does appear to me that we are under a great delusion when we are talking of a 20-knot service. The more explanations we get about it, it looks to me that the 20-knot service is to fizzle down to an 18-knot service, and in practice will be very likely to fizzle down to the 15 or 16 knots, which will very effectually dispose of an enormous deal of the so-called argument that has been used as to the possibility of securing a very considerable portion of that class of passengers who desire to have a short trip across the Atlantic. I think that my friend from Bruce (Mr. McNeill), before he is many years older, may have to revise a good many of the declarations that he gave on the floor of this House as to the value of a fast service.

Mr. McCARTHY. If I understand it rightly—for I have not been able to see even a copy of the papers brought down, and which have not been printed—there is now something in the nature of a provisional contract. That is: there has been a letter from Mr. Huddart which has been answered by the Minister of Trade and Commerce, and I understand that Mr. Bowell has assented

to the proposal of Mr. Huddart; making in that sense a contract. If that is so the contract is, that we shall not merely deal for ten years but for twenty years, and yet the Government are only asking authority to enter into a contract for ten years. I thought that what the Government were really asking us to do was to give authority to carry out the provisional contract that had been made with Mr. Huddart. But, if the provisional contract is for a period going over the first ten years, by a renewal period of a further ten years, then we are not conferring authority, and nothing can be done until the next session of the House unless Mr. Huddart enters into a new arrangement.

Mr. LAURIER. If we refer to the speech of the hon. Minister of Finance when he introduced this resolution, we will see that it is not only contemplated, but in fact stated there in so many words, that this is practically to be a twenty years' contract. Now, I call the attention of the House to the language of the hon. Minister as reported in 'Hansard' on page 5882. Speaking of the conditions with Mr. Huddart, he said:

The conditions were: that we should give him \$750,000 a year for the first ten years as a subsidy, and thereafter for the second ten years we should give him \$500,000 per year; that being the extent of the obligation.

Then later on:

Sir RICHARD CARTWRIGHT. Apparently what you contemplate is not a ten years' contract, but a twenty years' contract.

Mr. FOSTER. We would not as a Government enter into this thing for a single moment unless we thought it would be permanent. To make a flash in the pan, to have a five or a ten years' service, and then let it drop, we think would not be wise, but would be a waste of money. So we contemplate as a permanent arrangement granting a subsidy for the first ten years of \$750,000 a year, and a subsidy for the second ten years of \$500,000 a year, and after that we will let posterity or those who live after that, take care of the service.

Mr. FOSTER. That \$500,000 should be \$300,000

Mr. McCARTHY. You said \$500,000.

Mr. FOSTER. That may be.

Mr. LAURIER. Nothing could be more explicit than this language. Now, coming to the negotiations which took place, I find that unfortunately a good many of the communications are not dated; but taking the papers as they are, and they are in chronological order, I find that Mr. Huddart first of all proposes to incorporate a company with a capital of £2,000,000—£500,000 in shares, and £1,500,000 in debentures bearing 3½ per cent for twenty-one years, to be guaranteed by the Dominion Government in a manner to be agreed upon. To this the Minister of Trade and Commerce gives an answer in which, as stated by the hon. Prime

Minister, the word 'guarantee' is not to be found:

The Government agrees to pay in aid of such service a subsidy of \$750,000 per year for a term of ten years under such conditions as may be required by the Government for a first-class service; and to pay for the ten years subsequent, out of subsidy earned, the interest upon a capital sum of £1,500,000 at the rate of 3½ per cent per annum.

This answer elicits a reply from Mr. Huddart in these words:

As to the question of the Government guaranteeing to pay for the second ten years of service, out of subsidies to be earned, the interest upon the capital sum of £1,500,000 at the rate of 3½ per cent per annum, I beg to point out that when that rate of interest was mentioned it was proposed that your Government should also liquidate the principal. Now that it is agreed that the Government shall only pay interest, it becomes necessary that the rate should not be less than 4 per cent. It would be impossible to succeed in obtaining the money at a lesser rate.

To this the Minister of Trade and Commerce replies on the 7th of March, as follows:—

3rd. You ask that a guarantee of interest for the second term of ten years should be at the rate of 4 per cent per annum, instead of 3½ per cent on £1,500,000, payable out of subsidies earned. The Government would be willing to accede to this request, to be, of course, conditional on the service having been found satisfactory.

Now, Sir, it is manifest that there is an engagement on the part of the Government to have the subsidies granted, not for ten years, but for twenty years. It is an engagement adopted on both sides—by Mr. Huddart and by the Government.

Mr. McMULLEN. I would like to inquire of the Minister, in the event of this proposition becoming law, how long would it be before we might expect the proposed service to commence?

Mr. FOSTER. That will depend a good deal upon the success of the promoter in floating the scheme and having the contracts entered into for the building of the vessels. Upon that the hon. gentleman with all his exigency would not ask the Government to pronounce a decided opinion. That is one of the things on which no information can be given. But after the scheme is floated, after capital is found and the contracts are entered into, then it will be possible approximately to come at a period within which the service may be established. These vessels are very large and require a great deal of time for their building. I suppose vessels of that size could be built in twelve or eighteen months; so that to have the service complete would require two years.

Sir RICHARD CARTWRIGHT. But surely you will have a time limit?

Mr. FOSTER. We will have a time limit, and the time limit will, of course, be stated in the contract we make.

Sir RICHARD CARTWRIGHT. That is a point on which you might have made up your minds.

Mr. FOSTER. How could we do it? The hon. gentleman knows, because the papers brought down show, that we give an additional time to Mr. Huddart to float his scheme, to get his capital, and to have everything arranged for building the vessels, in order to allow him a reasonable time in which to do that. When once the scheme is floated, and the contracts for building the vessels are made, then, of course, we will enter into a contract, and that contract will state at what time the service is to be commenced.

Sir RICHARD CARTWRIGHT. Do you give this gentleman three, or six, or nine months in which to collect the capital?

Mr. FOSTER. What we propose, as the hon. gentleman will see by the papers, is three months from the passage of the resolution. There has been some criticism because these papers have not been printed. They were brought down about a month ago, but they mysteriously disappeared, and did not appear again for some time. I think they turned up in the hands of the hon. leader of the Opposition the other night.

Mr. LAURIER. There is no mystery about that, and the statement of the hon. gentleman is about half true. The first batch of papers was brought down about a month ago, and the second about eight days ago.

Mr. FOSTER. And the first were the important ones.

Mr. LAURIER. They were both important.

Mr. CHARLTON. The House is called upon to take action in this very important matter without being placed in possession of the necessary information. These papers should have been printed, so that every member might have had an opportunity of making himself acquainted with all the details. The matter seems to be shrouded in mystery. We were told that there was no provision made with regard to the second ten years, that the Government had a perfectly free hand, and that if they proposed to grant any subsidies for those years they would be free to have them applied in a certain way. The impression left on the House was that the Government could refuse to grant subsidies for the second ten years. But we have it now made clear by the papers that there is an explicit arrangement for the second ten years. There is so much uncertainty about the provisions of this whole intended contract that the matter should be held over until Parliament, which is seized with the authority of acting in this matter, is in a position to comprehend fully all the facts connected with it. It is evi-

Mr. FOSTER.

dent, in the first place, that this Mr. Huddart is being placed in a position which gives him advantages that he is not entitled to over the owners of existing lines. We have steamship lines at present. We have one line that has received a subsidy for carrying the mails, and the Government now propose to make a grant of a large sum of money annually, one of the incidents of which will be to crush out of existence the lines now in existence, and to render unremunerative the capital which has been invested in good faith by shipping firms in Canada. We have the Allan line and the Dominion line, we have all the steamship lines that this country needs, and we have capital prepared to embark in the construction of additional vessels if they are required; and the Government, by making the provision now proposed to be made, will ruin the individuals whose money is embarked in these lines. And, as I pointed out the other night, we have not seen the end of this matter, if we enter into this engagement. This subsidy of \$750,000 a year will prove insufficient to accomplish the purpose the Government have in view, if they embark on this scheme, and I predict that the inevitable result will be that further grants must be made. Then the establishment of this line is part of the general scheme. We are to have steam communication with Australia. We are to establish a line that will invite Australian business by offering special facilities for the transportation of passengers between the Antipodes and Great Britain, and to make that scheme workable, we will have to pay an additional amount, in the form of subsidies, for lines upon the Pacific Ocean. It will be entirely inadequate, for the purposes of this scheme, to have a monthly service from Melbourne or Sydney to Vancouver, but we will require to have as frequent trips from Australia to Vancouver as from Quebec or Halifax or St. John to England. So that one of the consequences involved will be additional subsidies to a Pacific line, and before we see the end of this matter, in place of a subsidy of \$750,000 a year, we will require to pay at least \$1,250,000 or \$1,500,000 a year. And this we have to contemplate when our revenue is falling and our country overburdened with debt.

Some hon. MEMBERS. No.

Mr. CHARLTON. We have increased our uncontrollable expenditure since 1878 four or five times faster than the population of the country has increased. We have been extravagant; we have been launching out into wild schemes, and whether this scheme in itself is desirable or not, we are bound to pause and consider whether this country is in a financial condition to warrant our embarking on it. Most assuredly it is not. Our population is increasing very slowly, the increase in the last decade being only between 11 and 12 per cent. One of the reasons for this is that our country is overburdened with taxation, and our people are

fleeing from it because they have fear for the future, and yet we are asked, not only to continue the same extravagant course, but to accelerate it to ruin. We are asked to add practically \$20,000,000 to our public debt, and to take a step that will inevitably lead to further large expenditure. The scheme is not sufficiently matured; it does not commend itself to the judgment of the tax-paying community, and we ought, before taking final action, to be possessed of all the information in connection with it. We ought to have all the papers; we ought to have time to consider it. It is brought down in the closing days of the session, when it should have been placed before Parliament a month or six weeks ago. One of the bad features of the policy of this Government is the keeping back of important schemes of various kinds that may elicit severe public criticism, until there is not time to apply that criticism and consider the case. I protest against it in the name of the tax-payers. I say it is a scheme which, upon its face, does not commend itself to the better sentiment of the country, and one which should receive careful and full consideration, with all the facts before us, and with time to consider these facts, before we decide the matter.

Mr. MULOCK. The papers which the right hon. First Minister has been good enough to lend me to read contain the word "guarantee," as quoted by the Minister of Finance. The reason why I think the word should be changed is that it would imply the country becoming responsible to third persons, and not only being bound to pay its just debts for services rendered, but perhaps made liable upon bonds and pledges to make good that liability, even if no services be rendered. Now, one feature of the Bill is that it does not declare the full liability contemplated. If there is to be any understanding about entering into a contract involving a liability beyond the ten years liability, we should clothe the Government with the necessary authority, and it should be within the letter of the law that the Government may contract it. These hazy understandings, sooner or later, are sure to lead to trouble. I would prefer myself giving a clear and unmistakable power of attorney than a vague authority that may be used much further than was contemplated, or than it could be used if the power of attorney were in explicit terms. Reading from the papers on the Table, I find that the Minister of Trade and Commerce, in a letter addressed to Mr. Huddart, the date of which does not appear, used these words:

And to pay for ten years subsequent, out of the subsidy, the interest upon the capital sum of one million five hundred thousand pounds at the rate of 3½ per cent.

The right hon. Minister of Justice will observe that when this correspondence began it spoke about a payment to the company of interest at the rate of 3½ per cent out of the

subsidy earned, and not a guarantee. Mr. Huddart replied to that letter, and alluding to the renewal, said:

As to the renewal of the contract, although it is not specifically provided that it shall be given for a term of ten years, I think it is necessary to say in our minds that it should not be for a less term than ten years. It would help the position hereafter if you would indicate your approval of this opinion. As to the question of the Government guaranteeing to pay for a second ten years' service, out of the subsidies to be earned, the interest upon a capital sum of \$1,500,000 at 3½ per cent per annum, I beg to point out that when the rate of interest was mentioned, it was proposed that the Government should also guarantee the principal. Now that it is agreed the Government shall only pay the interest, it becomes necessary that the rate should not be less than 4 per cent.

The answer to that proposal by the First Minister was as follows:—

March 6th, 1894.

Sir John Thompson's memo. :—

I would concur that the renewal should be understood to be for a ten years' period, and that the guarantee of interest for the second term of years should be at 4 per cent on £1,500,000, to be paid out of subsidy earned, both matters to be of course conditioned on the service being found to have been satisfactory to the Government.

The right hon. the First Minister will observe that he has used the word "guarantee" there, and it will probably be construed into this country giving a pledge and guarantee of some kind out of the subsidy. And if you guarantee for a period of ten years to pay at least 4 per cent out of the subsidy earned, you thereby pledge the country to supply traffic to that line, at least to the extent of £60,000. You are guaranteeing here, if you are agreeing to anything, to pay out of the subsidy earned at least £60,000. You are agreeing to supply traffic to the extent of £60,000, and you are entering into a contract to furnish custom of some kind to the extent of \$300,000 a year to this line.

Sir JOHN THOMPSON. To pay at least that sum if the company earn it.

Mr. MULOCK. Not if it earns it.

Sir JOHN THOMPSON. Certainly; how can we pay anything if they do not earn it?

Mr. MULOCK. How can they earn it unless you deliver it? You are agreeing to deliver them goods.

Sir JOHN THOMPSON. We deliver money to them. If we never sent a letter, we would pay them \$300,000 if they earned the subsidy that is by making the voyages at the speed provided for in the contract.

Mr. MULOCK. The Minister is changing his base. A little while ago he said as to the payments to be made during the second ten years that these payments would be made for services rendered.

Sir JOHN THOMPSON. I beg pardon. I was not citing the arrangement; I was reasoning on the fairness of undertaking to make those payments in a time ten years in advance of this, or twelve or fifteen years. I was showing that the amount we were making ourselves liable for would be that which the steamship line would earn practically by carrying our mails. I was not undertaking to say that the sum we would pay them would be limited to the poundage, but the argument I was making was that we might fairly undertake to pay for the following ten-year period a sum equal to £60,000 sterling, considering the poundage which would be earned by them in the ordinary mail service.

Mr. McCARTHY. Is it useful to discuss this question, for I understood the Minister to answer to me that there was no intention of entering into a contract beyond ten years?

Sir JOHN THOMPSON. I did not say that. I said we were not taking authority to make the contract for more than ten years, and if we make a contract for the succeeding ten years, we will come to Parliament and ask its authority for doing so.

Mr. McCARTHY. That is what I understood, that this Bill gives authority for a ten years' contract. The only question is whether the Government will feel authorized, when they have express power from Parliament to make a contract not exceeding ten years, to enter into a contract for twenty years.

Mr. MULOCK. But they tell us they are going to do it.

Mr. McCARTHY. Then I do not see the object of the Bill. If the Government are satisfied that no contract can be made for a period short of twenty years, what is the use of passing this Bill? If the measure is to be subject to the approval of Parliament and cannot become operative until the House meets again to approve of it, I cannot see the object of conferring this power now.

Mr. FLINT. I do not propose to make any lengthened remarks on this question, because I am painfully aware that every moment at the closing hours of the session is precious to hon. members. The hon. member for Halifax (Mr. Kenny) laid it down recently as an axiom that the silence of any member of Parliament when a proposition of this kind is submitted carries with it the presumption that he favours the proposal. I presume the House does not agree with that opinion, because, naturally, if that view were accepted by the House, every member opposed to a measure would feel called upon to express his opinion at greater or less length, which would lengthen debates that are already, perhaps,

Mr. MULOCK.

too long for this period of the session. So far as I am concerned I was ready for the consideration of this matter—and I believe the same is true of other members who are not generally favourable to the policy of the Government—with an open and unbiassed mind, prepared to be convinced that this expenditure, which, under ordinary circumstances would be looked upon as something very serious and grave, might be justified as bringing with it sufficient and substantial advantages. After listening carefully to what has been said by the very able and experienced gentlemen who have advocated this proposition, I am not convinced as to the substantial advantages which will accrue. In the very eloquent speech with which the proposal was introduced, the main points dwelt upon by the Finance Minister were the prestige which would accrue to the Dominion as a whole from its facility in transporting passengers from the old country to this and across the continent en route for the Australian colonies. Another hon. gentleman, speaking with a great deal of warmth, dwelt at some length upon the advantages that would accrue to the North-west Territories and the unsettled portions of the Dominion from the encouragement to immigration. Other gentlemen dwelt upon other features of the case, such as the facilities which would be given for the exportation of certain of our agricultural products. Now, I think the debate has shown that in all these particulars there are no compensating advantages for the enormous outlay we are called upon to make. The question of immigration certainly cannot be involved, because, as has been shown very clearly, immigrants are not particular as to the time of their arrival of this country within one, two, three or even more days, and the very nature and character of the class of steamships that are to be engaged by this heavy appropriation forbids the idea that the line will to any great extent bring immigrants into the Dominion. In regard to freight, time is scarcely ever of the essence of the contract as to the carriage of the ordinary classes of freight that go between this country and the mother country. The delay of one, two, three or more days is of no consequence whatever in regard to the vast bulk, ninety-nine hundredths of the freight that we shall send to the mother country. The weight of the argument has been mainly upon the advantage of the passenger traffic and the collateral advantage to the Dominion by way of advertising the country. Now, I do not think that any hon. gentleman will seriously argue that the financial and substantial advantages to be derived from this class of traffic—though there must be a certain advantage to the country from wealthy travellers passing through it—can at all correspond with the demand made upon the public purse. I

think it is also apparent from the loose and vague nature of the proposal at the present time that concessions are being made to certain local interests and that there is more of a political than a commercial view taken by the Government and its supporters in encouraging this scheme. While not binding the Government down to items and details in every particular, I think that, in order to set at rest certain questions which have agitated the country for the last twenty years or more, and which threaten, under the discussion of this scheme until it is fully in operation, to agitate the country for many years to come, the House ought to have something fixed and final as to where the winter port of this line in the Dominion should be. At the present time, owing to strong representations made, and properly so, by the representatives of St. John, we have a sop thrown to these gentlemen that possibly the harbour and city of St. John would be made one of the termini on this side in the winter time. This only keeps open the question that has too long embarrassed public men and embarrassed business relations in the Maritime Provinces. The question of the advantages of the port of St. John and the port of Halifax has been carried on almost ad nauseum to the people of the Maritime Provinces and the people of the Dominion at large, and I think the Government, before passing these resolutions, should declare definitely the nature of the engagements of the company as to making its terminus at one or both of these ports. If they make a terminus at both, we can easily see that it will mean only a fortnightly steamer in the harbour of Halifax, and the same in St. John, unless the passenger terminus is made in Halifax and the freight terminus in St. John. This latter would have certain advantages. St. John has many advantages, notwithstanding all the advantages of the port of Halifax. I am not here to enlarge upon the advantages of St. John, but certainly its supporters make out a good case. They are 300 miles nearer to Montreal, the commercial metropolis of the Dominion; they are about 275 miles nearer, so far as the carriage of freight by sea is concerned. Freight by sea can be carried much more cheaply than overland, particularly when you take into consideration the expense of transshipment. I think the merchants and citizens of St. John have made out a very strong case, and the Government should settle the question here before the resolutions are passed, as to the exact relation in which the merchants of these two ports will stand. By leaving the question open to the extent proposed by the Minister of Justice, he will encourage claims from other ports upon the Atlantic. The province of Nova Scotia is favoured by nature with large and commodious ports, capable of receiving ships of the largest tonnage. I do not mention

this as making a claim, but I have no doubt a claim could be put in and will be put in, if this question is left open, for the port of Louisburg, and for the port of Shelburne. The port of Shelburne is well known to be one of the finest in the world in its harbour accommodations, and a railway is being constructed to connect it with the Intercolonial at Halifax. Now, if this question is left open, we will have an agitation on the south coast of Nova Scotia, and claims put in for the winter port terminus. I think the Government, before bringing this resolution down, should have settled this point with Mr. Huddart, and that the claims of these ports should either be put aside, or one or other of them decided upon definitely, rather than that the matter should be left open for the two years which are to ensue before the steamboat line is to come into operation. We all know the political effect this will have; we all know the promises that will be made, not, perhaps, directly by the Government, but by their supporters, in Cape Breton, and in the counties on the south shore of Nova Scotia, in the neighbourhood of St. John, and in the river counties, as well as in the county of Halifax. Now, the political effect must be very bad, and the commercial effect must be bad also, because business relations will be suspended, to a certain extent, in anticipation of a settlement of this question by the Government. As I said before, I only speak in this superficial way upon a subject which requires at the hands of every member of this House a great deal of study. I regret exceedingly that the papers and correspondence on this subject could not have been printed in order to enable the members of the House to carefully study the questions involved. We are told now that there is a contract which, by mutual agreement, may be enlarged or narrowed, and in which more extensive details may be inserted. But it is a contract binding upon the Government as far as it goes. But, at the same time, even without the passage of this resolution, the good faith and honour of the Government are, to a large degree, already pledged, and pledged beyond the powers that are now asked for, as has been shown by the hon. member for North York (Mr. Mulock), and the hon. member for Simeoe (Mr. McCarthy). The contract really extends far beyond the time of this Parliament and extends, at least, for twenty years. I complain that those who have a great anxiety to assist the Government, if the scheme is feasible, and those who have an anxiety to make this scheme satisfactory to the people of the country, should not have had an opportunity to look into it and to study all these details. Now, a fast line in itself is not obnoxious to large masses of the people. There is a certain patriotic gratification in having a line equal to those which run between the great American cities and Europe; but if we are to pay too dearly

for our whistle, if we are not to have substantial financial advantages arising out of it, then we must forego the gratification of our patriotic feeling, and our desire for prestige. No one questions the financial ability of the Dominion of Canada to maintain a line equal to the best in the world. The Dominion could build a line at its own expense, and thus receive whatever credit might be derived from it; but every one agrees that it would be a very foolish outlay of money for the Government to undertake it. The only question is as to the financial advantages to be derived by the great mass of the tax-payers from one end of the country to the other, by the establishment of this line at so great an expense. If Halifax is the winter port, there will be a great local advantage to that city. There will be a great local advantage derived by the city of Quebec and the neighbourhood from the amount of labour which will be required in the landing of freight and passengers from this line at that port; and so with regard to the city of St. John. There is one branch of the subject, however, which it will not do for us to overlook, and which militates against the port of St. John. It is that at Halifax we have a more speedy and cheaper coal supply than could be obtained at the port of St. John. If Louisburg should be chosen during these ten years, or at any time beyond that, then a still greater advantage would accrue to the line by obtaining their coal supply still more easily and cheaply. There would also be a great advantage to the general revenue of the whole province of Nova Scotia by the extra sale of coal to supply these steamships: and there would be other collateral advantages which would be derived by a growing and ambitious port by having the terminus of this line. I regret that the Government have not taken this question of winter port or ports once and for all out of the domain of agitation by settling it definitely, even though, at some risk to their popularity. I think the people of the whole Dominion are tired of the discussion of the winter port question; but I foresee as one of the results of the passage of this resolution, a renewed agitation on that question, which will not be settled, at any rate, for some time after the ensuing general election.

Mr. WOOD (Westmoreland). I did not intend to offer any remarks to-day, but there have been some remarks made by the hon. gentleman who last addressed the House, and by some who have preceded him, which should not be allowed to pass without an answer. The hon. member for North Norfolk (Mr. Charlton) condemned this scheme because, he said, it is intended to destroy existing lines of steam communications between Canada and Great Britain. The hon. gentleman says that it is unfair to the gentlemen who have invested their capital in these undertakings that this proposition

Mr. FLINT.

should be entertained by Parliament. I do not see how that hon. gentleman can claim there is any unfairness in this transaction, if he remembers the statement that was made by the Minister of Finance the other day, that this offer was first made to the managers of the Allan line of steamships, and that they asked, for this same service, a subsidy which amounted to \$1,250,000; that they asked, too, for a 16-knot service, a subsidy equal to the amount that we are proposing to pay Mr. Huddart for a 20-knot service. It appears to me that these hon. gentlemen, in discussing the question to-day, have entirely failed to comprehend the object of this service. It is, as I understand it, to secure a service between Canada and Great Britain, which will compete with the existing lines of steamships between New York and Great Britain. The hon. gentleman who has spoken proposed to deal with the present Allan line of steamers or with a line of steamships which has a speed of 16 knots. That is to my mind simply absurd. You might as well try on the streets of Ottawa to compete for travel with an omnibus against the present electric car system. This objection is really the same as was advocated, first by the hon. member for North Simcoe (Mr. McCarthy), who addressed the House last night. He said he thought a 16-knot service was everything that Canada required. In my opinion a 16-knot steamship is the very worst class of steamship you could place on the route between Great Britain and America at the present time. It is fitted for neither one class of traffic nor another; it is not fast enough to secure first-class passengers in competition with the 20 and 22-knot steamships sailing to New York, and it is too fast and too expensive to compete for freight traffic against 8, 10 or 12-knot steamers now carrying freight between Montreal and the mother country. If the hon. gentleman will study the statistics of the merchant shipping of Great Britain, he will find that 80 per cent of the entire steam tonnage of Great Britain has a speed something less than 12 knots an hour. These statistics prove conclusively that all the freight traffic of the world carried by steamers, is carried by steamships of a very low rate of speed, the cost of transportation being the prime element of consideration in carrying freight. On the other hand, in order to secure the passenger traffic it is necessary to have vessels thoroughly equipped, and the most comfortable vessels that can be produced.

Mr. McCARTHY. Hear, hear.

Mr. WOOD (Westmoreland). The hon. member for Simcoe (Mr. McCarthy) says "hear, hear." I am glad to know he endorses what I am saying. The hon. gentleman entertains doubts, apparently, in regard to the commercial success of this undertaking. As I stated in the few remarks I made on a former occasion, I can see no reason, and I

claim no good reason has been presented to the House in the course of the discussion which has taken place, why there is anything to prevent, under proper management, this scheme proving a commercial success. Why, there are passengers to carry—no one can deny it. The passenger traffic between Great Britain and America has assumed enormous proportions. It furnishes employment for from twenty-five to thirty of the largest and best equipped steamships on the ocean. A great portion of that traffic is Canadian, and the Canadian is the national route for these passengers. I claim that in proportion to our population we have two or three times the social and commercial intercourse with the continent of Europe which the people of the United States enjoy. Taking the great mass of people in the Southern States, I believe one-half or two-thirds of the whole population never think of crossing the Atlantic. In Canada all classes of our people travel, and I believe nearly all of them have at some time or other crossed the Atlantic, and many of them have made trips across very frequently. I consider this is a propitious time to introduce a scheme of this kind. We have the steamship line on the Pacific. We have the Canadian Pacific Railway completed, and there is developing at the present time a most important stream of travel between Europe and the Pacific, China and Japan and the continent of Australasia. With proper steamships on the Atlantic in connection with our railways, and our steamships on the Pacific, I certainly can see no reason why we should not practically monopolize the entire traffic. I may remind the House that this is not an unimportant traffic. Last year the steamers from China and Japan brought on an average 150 cabin passengers each week. That of itself is sufficient to furnish one-fourth of the traffic required to give those steamers now proposed a full passenger list. Then, as has been pointed out during the discussion, we are in a position, from our geographical position, to compete successfully for a very considerable portion of the passenger travel through the north-western states. I see no reason whatever why, under the exceptional circumstances, hon. gentlemen should entertain such fears as to the future of this enterprise. We have the traffic; all we want is the class of steamships to attract the travelling public, and there is no reason in the world why they should not go by this route. I believe it is possible, if proper steamships are put on the route, to convey by our Canadian route passengers and mails between Europe and America as safely and comfortably and in far less time than by any other route; and if we do that, and have passengers and freight, I do not see why hon. gentlemen opposite have any reason to entertain feelings of apprehension as to the success of this scheme. I must say that I for one have full confidence, if it is properly managed, that this scheme will prove

a grand commercial success. I have been surprised, in the course of this discussion, to hear an hon. gentleman like the hon. member for North Simcoe (Mr. McCarthy) and the hon. member for Yarmouth (Mr. Flint) claim that Canada is to derive no advantage from having a fast passenger service of this kind. To my mind it is one of the most important questions before the country to-day, one which more closely involves the future progress and prosperity of the country than any question which has been before Parliament for some time past. I attach a good deal of importance to the direct money benefit which the country will receive from this traffic should this scheme prove a success, as I believe it will prove. One of the hon. members who addressed the House, I believe the hon. member for Halifax (Mr. Kenny), pointed out that these steamers would require thousands of tons of coal, and that their other disbursements would amount to a considerable sum. This is a point worthy of consideration. In addition, I believe it would not be impossible to show that the actual disbursements all through the country of a large number of passengers would amount to an important sum. If we could induce, by establishing a service of this kind, a few thousand tourists of the wealthier class to visit this country and spend each year two or three weeks here, their actual disbursements alone would go a long way towards meeting the amount we are required to pay to secure this steamship service. But while those matters are important, they are not, in my opinion, the most important. I believe this question is of vital importance to the future progress, development and growth of this country. No one will dispute the fact that in Canada we have great resources; they are vast in their extent; they are varied in their character. What we want to do is to make those resources known. In my opinion there is no way in which we can accomplish that object so effectually as to bring the people of foreign countries here, and let them see our country for themselves. The hon. Minister for North Simcoe (Mr. McCarthy) last night spoke of the folly of bringing wealthy men, at the expense of the Canadian people, from Chicago, and Minneapolis, and St. Paul on this side of the Atlantic, and from Paris or London on the other side, and carrying them across this country in luxurious Pullman cars. I am surprised that any gentleman, and especially a gentleman occupying the position which he does, and with the experience which he has in dealing with large public questions of this kind, should venture to utter such an opinion as that. That, to my mind, is just the very thing this country wants. We want to see these wealthy men come to Canada, and travelling, if you like, as he says, in their Pullman cars. We want them to look out of the windows as they go along and see our fertile fields, and the thriving villages and towns they will pass through all along their journey. I venture to say that if we

can succeed in doing that, there is no sound business man but will be convinced from his own observation that he can find in Canada a vast field for safe and profitable investment for his capital. Then, Sir, we want those who are interested in manufacturing enterprises to visit the country. Let those who have the capital and the disposition to enter into new manufacturing industries travel through it. Let them see its resources. Let them see the vast variety and extent, and the cheapness of the raw material which we have in this country. Let them see our magnificent water powers; let them see the means of communication that we have, and they will be convinced, too, that this is a magnificent field for entering into new and diversified manufacturing industries. We want men who are interested in commerce to visit our cities, to become acquainted with our business men, to study the manner in which our business is transacted, to see the products which we have to sell, and to convince themselves that there is opportunity here for large commercial transactions. The hon. gentleman has talked about immigration. We want above all that those who are interested in agriculture should come to this country and travel, if you wish, simply along our lines of railway. Let them look out from the windows as they go along and see the fertile fields—

Sir RICHARD CARTWRIGHT. Of Nova Scotia and New Brunswick teeming with population during the last ten years.

Mr. WOOD (Westmoreland). Yes, and the North-west, too.

Sir RICHARD CARTWRIGHT. And in the North-west, too.

Mr. WOOD (Westmoreland). We want that class of people to come to our country to observe the fertile fields, the herds of cattle and the flocks of sheep, to see the very comfortable homes in which our rural population live; and when they have passed through the older provinces where the country is settled, let them go a little further on and see the vast extent of country which is still waiting for settlers. The hon. gentleman talks about the growth of population in New Brunswick. We have been putting forth efforts to bring people to this country, we have been circulating literature, publishing statistics and sending agents abroad. These have accomplished much. They have not, perhaps, accomplished everything that we might desire in this respect, but I will say this: so far as my own personal opinion goes I believe that such a scheme as this at present before the House, and which will bring to this country a continuous stream of foreign travel, will do more to settle the country, to stimulate our manufacturing industries, and to promote our commerce, than any other device which has ever been proposed. This, Mr. Chairman, is not a new policy which we are now considering. As

Mr. Wood (Westmoreland).

the Minister of Finance has observed: it is merely repeating a proposition which has been before this Parliament for years; the only difference between this proposal and the proposals we have had before being, that the subsidy now asked for is a little larger, but the service is correspondingly better. This is a policy which has received the sanction of every Parliament since Confederation. It has been the policy of every Government in this country, not only since Confederation, but the policy of the Governments of the provinces before Confederation. From the days of Joseph Howe and Samuel Cunard down to the present time it has been the aim and ambition of the Canadian people to have a trans-Atlantic service which shall be Canadian in its character, and which shall make Canada a highway for foreign travel. For my part I hope this scheme will succeed. I believe it will succeed. I believe there are no grounds whatever for the fears which the hon. member for North Norfolk (Mr. Charlton) expressed: that in future we will require larger subsidies. My opinion is that if this scheme is fairly launched, after it has once proved that we can successfully compete with the New York route, as I believe it can be and will be proved, then in a few years we will not need to pay a large subsidy, we will not need to pay any subsidy; but we will have not only this line of steamships, but a number of lines on the route carrying passengers and mails between Canada and Great Britain.

Mr. McNEILL. Before my hon. friend (Mr. Wood) rose to make the very interesting and pertinent observations he has addressed to the House, I wanted to say one word in reference to the speed of the vessels to which my hon. friend from South Oxford (Sir Richard Cartwright) referred. He spoke as if this were a contract and that we could not obtain any more definite statements with reference to the speed to be maintained than we find here. There really is nothing in this as I read it with reference to the speed that is to be maintained, but the statement is, that vessels of a certain power shall be supplied, and I take it, when the contract is entered into, the Government will see that the power of these vessels shall be properly applied.

Mr. LAURIER. You are trusting to the Government.

Mr. McNEILL. I am trusting to the Government certainly. There is nothing to lead me to believe that they will not enter into a contract so as to give effect to the meaning of these words, Mr. Huddart himself, says, that it is of vital importance that the service should be a fast service, and that the success of the service depends upon its being fast. He says in one of his letters to the Minister:

I cannot find courage enough to submit lower rates of speed, or smaller steamships.

Showing that he considers, as I have said, that the success of the unertaking depends upon our maintaining a high rate of speed.

Sir RICHARD CARTWRIGHT. I would recommend it to be so specified in the bond.

Mr. McNEILL. There is no bond.

Sir RICHARD CARTWRIGHT. It is pretty nearly equivalent to it.

Mr. McNEILL. I take it that when a definite contract is entered into, it will be found that provision will be made to have the benefit of the full power of these vessels, and I have reason to believe that Mr. Huddart himself will be anxious to provide for that.

Mr. LAURIER. Will the hon. gentleman allow me an observation? He heard a moment ago the remark of the hon. member for Westmoreland (Mr. Wood) that freight traffic is carried at a low speed, not exceeding 12 knots. At the present time passengers are carried at 20 knots. As the hon. gentleman observes, these ships are to carry both freight and passengers. Passenger vessels do not generally carry freight—not even 1,000 tons. These vessels are to carry 3,000 tons. How does he reconcile these facts? Are we to have the low speed to carry freight or the high speed to carry passengers?

Mr. McNEILL. My hon. friend is somewhat mistaken in his facts. It is really not a fact that fast vessels carry only about 1,000 tons of freight. The 'Teutonic' and the 'Majestic' carry as much as 3,000 tons of freight. I was informed by a member of this House that the purser of the 'Teutonic' told him when he was crossing the Atlantic that she had then on board 3,000 tons of freight.

Mr. LAURIER. She must have more than 20 knots capacity, then.

Mr. McNEILL. I think not.

Mr. LAURIER. I am not an expert; I only ask for information; but I understand that all the steamers of 20 knots now plying between New York and the old country do not carry more than 1,000 tons of freight.

Mr. McNEILL. The hon. gentleman is mistaken as to that. When this subject was under discussion before, 700 tons was mentioned as the greatest amount of cargo carried; but the 'Teutonic' and the 'Majestic' are new vessels, built on a different plan from those older vessels, and vessels are now being constructed on still better lines and with a greater carrying capacity. These vessels will be able to carry from 3,000 to 3,500 tons of freight, and they may be very much smaller vessels than the 'Teutonic' or the 'Majestic.' They may be only 8,000 tons, whereas the 'Teutonic' and the 'Majestic' are 10,000 tons. Mr. Huddart himself told me the other day that they would have a carrying capacity of 6,000 tons, of which 2,500 tons would be for coal. But supposing,

for the sake of argument, that my hon. friend is perfectly correct in saying that the 'Teutonic' and the 'Majestic' do not carry more than 1,000 tons of freight, though I know he is mistaken, that has nothing to do with this matter, because these vessels are to carry from 3,000 to 3,500 tons of freight, and are to be capable of a speed of 20 knots.

Mr. LAURIER. I will quote to my hon. friend the letter from a German steamship company, dated Hamburg, June 23rd, 1890, and addressed to Messrs. Munderloth & Co., Montreal. It says:

Do the Dominion Government really want 18 to 19-knot steamers, or will they be satisfied with 17, if it be but called something more? A knot difference makes a tremendous difference in expenditure. As yet there are only seven merchant steamers afloat and one building, which have an actual service speed of over 18 knots. They are the 'City of Paris,' the 'City of New York,' the 'Teutonic,' and the 'Majestic' of the White Star line, the 'Augusta-Victoria,' the 'Columbia,' the 'Normania' and the 'Furst Bismarck' owned by the Hamburg-American Packet Co.

That is the company writing this letter. The writer goes on to say:

The question now arises, what is really intended? Is it a line for postal service and Canadian passengers only, to sail between Southampton and Quebec or Montreal? Or is it to be a direct communication with the great New York lines, with Halifax as a landing and starting point and fast railway trains thence to New York? Are the steamers to run the whole year or only in summer? As Canada can hardly supply a sufficient number of passengers for such costly boats, I suppose the object will have to be to attempt encroachments upon the ground of the New York lines. Will that be a success? Calculating the working expenses of a voyage of such a boat, I arrive at the following figures:—

Wages and maintenance of crew	\$10,000
Bunker coals	20,000
Engine and dock stores	3,000
Ordinary repairs and outfit	5,000
Insurance	8,000
Port dues and expenses	4,000

Every round trip 50,000

Now, I call my hon. friend's attention to this:

There is nothing to be taken into account for interest on capital, nor for depreciation, which items must be set down at about \$250,000 to \$300,000 per annum for every steamer.

Cargo cannot be taken into calculation, as these big steamers take ridiculously little, and cannot afford to lose time in loading and discharging, consequently very little would be made out of that source. All will depend upon the income derived from first and second-class passengers, as emigrants for Canada will hardly be sufficient from Southampton and continental ports and emigrants for America difficult to dissuade from the New York route.

That is a very competent man, the manager of the Hamburg-American Packet Co.

Mr. McNEILL. I have no doubt the gentleman who wrote that letter is a competent man, but I know that the 'Majestic' and the 'Teutonic' carry a great deal more freight. In fact, there is nothing in that letter about 1,000 tons, which I expected to hear from my hon. friend. But, as I have said, a member of this House, Mr. Burns, told me that he had just come across the Atlantic in the 'Teutonic,' and that the purser of that vessel had told him that she had on board 3,000 tons of freight. But, independent of that, these vessels will carry 3,000 tons of freight, and there is no doubt that there has been enormous advance in naval architecture within the last three or four years in respect of this matter of combining speed with carrying capacity. So that, so far as that is concerned, I think we may pass it by. As to what the hon. member for Westmoreland (Mr. Wood) said, with regard to the average speed of vessels carrying freight being 12 knots an hour, that is no doubt the case with regard to ordinary freight. But does my hon. friend suggest that there are not hundreds of thousands of tons of freight carried every year, which it is most important should be carried in fast ships? Does my hon. friend suggest, for example, that if we had, as we hope to have, in these vessels, cold storage for the carrying of fresh meats, it would not be a wise thing to have that carried in vessels steaming faster than 12 knots an hour? I am quite certain that the hon. member for Westmoreland never suggested such a thing. If we have cold storage for fresh meat, it stands to common sense that the fresher we can put that meat on the English market the better.

Sir RICHARD CARTWRIGHT. That is of very little consequence. Fresh meat is sent from Australia

Mr. McNEILL. The advantage we would have over Australia would be that we would be able to put our meat on the English market much earlier.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman think it matters a straw whether it goes 36 or 48 hours earlier?

Mr. McNEILL. I think it matters a great deal. The sooner we land the meat on the English market the better. If we are sending poultry or eggs over, it makes a very great difference. And I think there are many other kinds of freight which are known to business men, as to which it would make a very great difference whether carried faster or slower across the Atlantic, and as to which it is very important they should be carried fast. As regards what my hon. friend said about the competition being limited to two ports, I did not understand that two ports only are to be allowed to compete for

Mr. LAURIER.

this line. I understood the right hon. Prime Minister, on the contrary, to say that there would be an opportunity for other ports to compete, if they desired to do so; and I presume it will be left to the contractor to decide for himself what is the better port.

Sir RICHARD CARTWRIGHT. Did the hon. gentleman listen to what the First Minister said? He spoke of only two ports being involved.

Mr. McNEILL. I understood the First Minister to say the very opposite. I understood him to say that, in his opinion, the two ports mentioned were most likely to be chosen, but that it would be left to the directors of the company to decide which was the best port.

Mr. McCARTHY. I desire to move an amendment before this is carried. I want to see that we distinctly understand that the provisional contract is not the one that is to be carried out—that all the Government take power to do is to enter into a contract for a ten-year service. I have read the papers since I addressed the committee, and I find there is a distinct contract, which could be enforced in the Exchequer Court against the Government, for a twenty-year service, if ratified by Parliament. Now, the Government are asking power to enter into an arrangement, and I think we ought to know whether it is the intention of the Government to negotiate a contract on the basis of a ten year service or not.

Sir JOHN THOMPSON. It is impossible to be more explicit than I have been. It is impossible for any one to be more explicit, but I am bound to assume that the hon. gentleman is in good faith in putting the question. The papers which have been brought down show that the Government have contemplated, entering an arrangement with Mr. Huddart for a ten years service at a subsidy of \$750,000, and to undertake for a renewal, after the ten years period has elapsed, at a very much reduced rate. We are asking the power of Parliament now to enter into a contract for the ten years service at a subsidy of \$750,000 a year, and no more.

Mr. McCARTHY. Then I would suggest to the right hon. gentleman, as everything is so vague in the terms of this Act, that these words should be added:

That such contract to be made shall be subject to the approval of Parliament.

Sir JOHN THOMPSON. I will not accept that. We are asking authority to make a contract.

Mr. McCARTHY. For ten years, and the two points are: first, ten years; second, that the amount shall not exceed \$750,000. But I did not gather from the right hon. gentleman that it would be impossible for the Government to include in the contract

a renewal clause. Everything being vague, as to the terminal point, as to the speed, everything being at sea. I do not think it is unreasonable that so important a contract should be subject to the approval of this House.

Sir JOHN THOMPSON. If we have to make every detail subject to the approval of this House and wait until we get authority from this House, there is not use making a contract with Mr. Huddart or anybody else. If every detail, the dates of departure and arrival, the destination, the rates of freight, and the speed and the penalties and all that—is to be ratified by Parliament, no man who is capable of carrying out the contract will ever make one.

Mr. McCARTHY. I do not make any such unreasonable proposition. The Government propose a contract with Mr. Huddart. That may contain, as many do, the stipulation that it shall be subject to the approval of Parliament. The question will be whether, not the details, but the contract as a whole, shall be subject to the approval of Parliament.

Mr. MELOCK. The question is whether we have a Government by Parliament or by Governor in Council.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

Mr. McMULLEN. I just want to say a word or two in reply to some remarks made this afternoon. It was said the manufacturers of this country would reap a very large advantage from the establishment of this line. I hold in my hand an extract from the Canadian 'Manufacturer,' the organ of the Canadian Manufacturers' Association :

Let us see what it means for Canada to have a fast line of Atlantic steamers at a cost of \$750,000 a year. The sum of \$20,000,000 can be obtained in the money market by an annual payment of \$750,000. It is well to inquire at this time if Canada can indulge in the luxury of paying \$750,000 a year for a fast steamship service. Such steamers do not accept as freight such produce as Canada desires to ship abroad. If quick passages across the Atlantic are desired it would be cheaper for Canada to supply tickets free of cost than to pay \$750,000 a year. If a traveller must make a quick passage across the ocean let him try the New York route : and if a merchant is desirous of a quick delivery of goods from abroad, let him order them to be sent via New York.

Now, the 'Sun,' which is the organ of the Patrons of Industry, has this to say :

Patrons realize that a capitalized expenditure of \$20,000,000 on a fast Atlantic service could be better spent, if it is to be put at all, in relieving the farmers of Canada from some of their present hardships. If \$750,000 a year is to be given to a

steamship company to carry millionaires rapidly to Europe, it will have to be raised by means of the customs tariff.

These are two very important extracts, and I thought it my duty to read them to the committee.

Bill reported.

CANADIAN PACIFIC RAILWAY—DRAWBACKS.

House again resolved itself into committee on resolution respecting the allowance of drawbacks on certain articles manufactured in Canada for use in the construction of the Canadian Pacific Railway.

(In the Committee.)

Mr. MILLS (Bothwell). I suppose the Minister will give us some explanation with regard to this, and state fully upon what grounds the Canadian Pacific Railway have a claim to this interpretation of the contract subsisting between them and the Government.

Mr. HAGGART. When the road was under construction, it was impossible in many cases, owing to the rate at which the work of construction was proceeding, to furnish bridges of a permanent character, and temporary bridges were put in. These are now being replaced with works of a permanent character. Under the law the company was allowed to bring in free of duty such bridges as they wished for building the road. Under a subsequent act it was provided that where they got the bridges manufactured in the country, the manufacturers were allowed a drawback. I explained the matter when the resolution was first introduced, and promised the leader of the Opposition to bring down the correspondence on the subject. This is the letter which I received from Mr. Shaughnessy, the Vice-President of the Canadian Pacific Railway, asking for the drawback :

You are familiar with the fact that during the progress of construction of the Canadian Pacific Railway, it was necessary, in order to push the work to completion with the greatest possible dispatch, to make some portions of the work of a temporary character by using the timber of the country for bridges, in localities to which material for permanent iron bridges could not possibly be transported until after the rails were laid. Since the line was opened for traffic, the company has been gradually and continually providing the permanent structures originally contemplated.

Under the terms of the contract with the Government, the company was permitted to import into the country, without the payment of duty, certain articles required in the original construction of the railway, such as rails and fastenings, iron bridges, etc., and it was thought necessary, in the public interest, to pass an Act at the same session of Parliament, authorizing the Government to pay a drawback to any person in Canada, who

manufactured for the company, the same articles (see 44 Victoria, chapter 12). This Act was amended the following session by 45 Victoria, chapter 7, which is, as I understand, now in force.

I beg to enclose herewith the following accounts in favour of the different manufacturing companies for drawbacks, with the necessary affidavits made by the company's chief engineer, and the managers of the manufacturing companies:—

Dominion Bridge Company, for rebate on Gull River bridge.	\$1,844 90
Dominion Bridge Company, for rebate on Beaver River bridge	1,227 04
Dominion Bridge Company, for rebate on Harrison River draw span	1,877 68
Hamilton Bridge Company, for drawback on Pic River bridge	5,950 92
Hamilton Bridge Company, for drawback on Pitt River bridge	1,754 83

These accounts are payable to the bridge companies, but are forwarded through this office, in order that the circumstances under which the bridges were provided, and the grounds upon which the manufacturers are entitled to the drawbacks, might be fully explained, and certified by our chief engineer.

Will you kindly pass these accounts on to the proper officer for payment, and advise me when this has been done, so that I may settle accounts between this company and the two bridge companies.

Yours truly,
(Sgd.) T. G. SHAUGHNESSY,
Vice-President.

On receipt of this letter, I went to the Department of Justice and they seemed to have some doubt as to the meaning of the clause and whether it should apply to the bridges that were now being constructed. In order to remove these doubts I have brought down these resolutions.

Mr. McMULLEN. Can the hon. Minister give us an idea as to how these stipulated amounts are arrived at as the proper sums to be given as drawbacks on these bridges.

Mr. HAGGART. By the amount of duty the manufacturers would have to pay on the materials that enter into the composition of the bridge. That is something that would have to be found out by the department, and the law provides in what form it shall be fixed.

Mr. McMULLEN. Of course; a good portion of the iron used in the bridges manufactured in Canada is from pig iron on which we have paid a bounty of \$2 a ton. In order to get an accurate account of what they are entitled to, the bounty on the pig iron should be taken into consideration as well as the duty on the iron which was imported into the country. I would like to know if there has been any definite system adopted by which these amounts have been arrived at?

Mr. HAGGART. I do not know what form has been adopted. The Act says:

Mr. HAGGART.

The Governor in Council may from time to time make regulations for ascertaining the quantities and value of the fish plates and other fastenings, spikes, bolts, nuts and iron bridges manufactured in Canada and used for the Canadian Pacific Railway in the original construction of the Canadian Pacific Railway as defined by the Act 37 Victoria, Chapter 14; also the quantity and value of all telegraphic apparatus manufactured in Canada and used by the said railway company in the original construction and in the first equipment of a telegraph line in connection with the Canadian Pacific Railway. The Governor in Council, with the assent of the Treasury Board, and upon such terms and conditions as they may think proper, may pay over to the person or persons in Canada for whom such articles as aforesaid, manufactured in Canada have been procured for the said company, sums of money not exceeding the amount of customs duty which would have been payable on such articles respectively if imported into Canada.

Mr. McMULLEN. I suppose there have been rebates made on some other bridges, or are these the first?

Mr. HAGGART. I think application was made to Council, and then referred to the Treasury Board, and the Treasury Board fixed the amount to be repaid the as a rebate. I do not think there are any regulations as yet.

Mr. McMULLEN. It would be well if some definite regulations were made in the Order in Council by which the rebate on every bridge could be gauged. If it has got to be left to the returns that the manufacturers of bridges themselves make—I suppose when they are made under oath we have no right to question their accuracy—there might not be uniformity. Next session a return may be asked for setting out the refunds that have been made, and there might be difficulties in getting at the accurate amount these people are entitled to.

Mr. HAGGART. I think these are the first applications.

Mr. McMULLEN. Could the Minister give us any idea of the entire amount of rebate that possibly may have to be made, as the Canadian Pacific Railway is giving no amounts, and is not stating the number of bridges on which possibly they may ask a rebate.

Mr. HAGGART. I have no idea at all. I have tried to get the probable amount they may require, and they could not tell me themselves. They are expending, I think, in the neighbourhood of from \$2,000,000 to \$4,000,000 a year for the purpose of putting the road in a better state of repair. But I could not tell you the amount that will be required for steel bridges along the whole line, under this change in the Act.

Mr. CHARLTON. How long has the work of replacing the old temporary structures that were first erected, been in progress? For instance, such structures as those north

of Lake Superior that were built of round timber?

Mr. HAGGART. They have been continuously replacing them since the line was opened for traffic.

Mr. CHARLTON. Is it intended to have these applications for drawbacks applied to all temporary structures they have replaced since the line was first opened for traffic?

Mr. HAGGART. It is.

Mr. CHARLTON. So the list my hon. friend gave the House, upon which the road would make application, would be an incomplete one? That would be the first instalment of a larger amount?

Mr. HAGGART. Yes.

Mr. McMULLEN. This will not apply to the Soo branch, will it?

Mr. HAGGART. No. It is nothing but what they were entitled to under the statute, and under their contract with the Government.

Mr. McCARTHY. I would like to know if the Minister can give us any idea of what percentage this \$12,000 is of the total value of the work. I understand from the statute which the hon. gentleman just read to us that if the iron work of the bridges had been purchased outside the country, the railway company would have been entitled to receive from the Government the amount of duties that had been paid on their importation. But these have been made in the country, and have not been imported, and the manufacturer is entitled to the same amount, as I understand it, that the importer would have had. Now, about what is that? I think we ought to know about what proportion that is of the value of the work.

Mr. HAGGART. I cannot tell accurately what the customs duty is, but I think the old duty was a cent and a quarter a pound, before the passage of the present Act.

Mr. McCARTHY. I did not want the figures with any great accuracy, but I want to get some idea of the percentage, the ad valorem amount. Of course, it will depend upon that whether this is a trifling sum or a very large sum.

Mr. HAGGART. I cannot tell the percentage.

Mr. FOSTER. The old duty on iron bridges was a cent and a quarter a pound.

Mr. McCARTHY. About what ad valorem?

Mr. FOSTER. The rate per pound would depend upon the size.

Mr. McCARTHY. Can you give us some idea?

Mr. FOSTER. I suppose it would be 4 or 5 cents a pound.

Mr. CHARLTON. Can the Minister give us any information as to the value per pound of this steel work in the bridges? That would enable us to make a comparison between the value and the duty.

Mr. HAGGART. The price varies a little; I think it is 5 or 6 cents, and that would make the per cent about 30 to 32½.

Mr. McCARTHY. I think the report of the Canadian Pacific Railway Company last year states that the cost of balance of the bridges would be somewhere in the neighbourhood of \$750,000.

Mr. HAGGART. That will include the underwork.

Mr. McCARTHY. I think the report states that next year it will take about \$750,000 to complete the bridges.

Mr. FOSTER. I imagine 6 cents a pound would be more than the average price.

Mr. McMULLEN. In the account the Minister has given of the rebate on these three bridges, what system has been adopted? Do they just show so much reduction on each bridge, without giving any rule by which the amount is arrived at?

Mr. HAGGART. The way the amount will be determined is by the company sending their account in to the Council with an application for payment; this will be referred to the Treasury Board, who will find out what percentage they are entitled to.

Mr. McCARTHY. I understand there was some affidavit sent. Perhaps the hon. gentleman will read it, as it may convey information to the committee.

Mr. HAGGART. I have not the affidavit here.

Mr. McCARTHY. For my part, I am not willing, and I do not think this House is willing, to change the contract with the Canadian Pacific Railway Company. This is, no matter how it may be disguised, or how it may be introduced to us, simply an alteration of the contract in favour of the company. The contract says in certain terms that the company are entitled to this drawback, or it does not. I understand the opinion of the Department of Justice is that, under the terms of the contract, the company are not entitled to the benefit of this drawback, and certainly that is the view I would have formed as regards the contract by reading the statute. The company are asking, in effect, that they should receive from the Government of Canada a drawback of 30 odd per cent upon the value of the bridges which they shall build in substitution of bridges built when the road was first constructed. If we may take the amount stated in the report, and that is the only information we have, the total outlay will be something like three-quarters of a million dollars, and the amount of the

rebate will reach two hundred thousand dollars.

Mr. CHARLTON. It is more than that, because it is necessary to complete the work, and the company has been putting in bridges since 1891.

Mr. McCARTHY. The company did some work last year in removing bridges. I would like to know whether this sum is simply an instalment of the work required to be done. In the last report of the company the following statement is made :—

The very heavy expenditures for improvements are nearly at an end. The timber bridges remaining after the present year are mostly of such a character that their re-placement may be spread over a number of years. For the present year \$714,965 will be required for permanent bridge work and other improvement or permanent way.

Any one acquainted with the road is aware that there are enormous bridge structures upon it, and we can easily imagine that the amount of expenditure for bridges will be very large. I am not prepared to alter the contract in one line or one letter. Under the contract the company have been able to float their securities, construct the road and pay dividends, and, according to the contract, as I have said, they are entitled or they are not entitled to get the drawback proposed. I would not deprive the company of a single right under the contract, but I am not prepared, and, in fact, I do not understand why we should interpret the contract in a different sense from the meaning which its language bears.

Mr. MILLS (Bothwell). I think the change of structure from wood to stone and steel structures began in 1892. The company put in that year 500 stone or steel bridges and culverts; in 1893, the same number, and they expected to put an equal number in 1894. So there will be 1,500 wooden structures superseded by either steel or stone culverts when the work has been completed. In many cases the company have inserted long stone arches which are covered with earth, and take the place of trestle work which formerly existed, and, in some places, of course, the nature of the crossing is such that a steel bridge is required with stone buttresses. I believe, in British Columbia, there were a large number of grasshopper trestles, built, especially along the Thompson and Fraser Rivers, wooden structures which, at the time of the original contract with Mr. Onderdonk, were to be superseded either by stone or steel structures. I think all those have been removed, and, in most cases, stone walls have been built, and between the wall and the declivity, the space has been filled in with earth and stone, and a solid foundation made where trestle work existed before. So far as all those cases are concerned, no steel bridges are required; but over the ravines and torrents, steel struc-

Mr. McCARTHY.

tures are required and have been erected. It seems to me that the question we have to consider is, what was originally intended and contemplated in the contract as entered into between the company and the Government? If a particular class of structure erected by the company were intended to be permanent structures, then the company would stand exactly in the position of any other company in Canada; but if those were regarded from the first as temporary structures, and the understanding between the Government and the company was that they were to be superseded at a very early day by steel structures, then the provisions of the contract under which the company shall be entitled to import their iron and steel free of duty would apply, and would apply to them as much as if they have been put in at the first instance. The whole question is one as to the construction to be put upon the contract originally entered into between the Government and the company.

Sir JOHN THOMPSON. I think the hon. gentleman is right as to the time when the reconstruction commenced, the ordinary life of the wooden structures being seven years, namely, 1885. Therefore, I am under the impression that the amount stated applies to all structures so far erected. I do not agree, in the fullest sense, with what the hon. member for North Simcoe (Mr. McCarthy) said in regard to this being an additional privilege given to the company under their contract. There is no doubt the company possessed the right, originally, and I think it is fully established that the structures which were put up on the road were merely temporary structures, and that the engagement of the company with the Government was that for the sake of opening the road in 1885, those temporary structures should be inserted with the distinct understanding that permanent structures should be put in as soon as the ordinary life of the wooden structures was exhausted. While it is an extension of the contract, it is only an extension of time for a privilege already granted. The company had the right to import the iron for those structures originally free of duty, they had the right to have them manufactured in Canada with an abatement to a certain extent. The only difficulty which arose in interpreting the contract when my interpretation was asked, arose from the fact that the contract had been declared completed, by Order in Council, in 1885, and I did not feel myself able to construe that term "completed" as only meaning provisionally completed. I thought I had to interpret it as meaning that the road had been finished, although it had only been finished in the sense that those structures had been erected for the purpose of opening the road for public traffic. That is precisely the difficulty in the way, and it is only a technical one, or, at least, only a question of time. Therefore, we thought

it better to come to the House and obtain an interpretation as to the construction of the contract in this respect.

Mr. McCARTHY. I think the House should perfectly understand that this alteration in the contract will mean before we are done with it probably up in the millions. I think we had better realize and understand what we are doing. Of course that ought to make no difference if the railway company were entitled to the change—because change it is—in the contract which is sought to be made now at the instance of the hon. the Minister of Railways. But for my part I do not look upon it by any means as a technicality. I look upon it as a substantial change in their contract, and let me tell the committee why. This company were entitled to get certain grants of money and certain subventions in land only upon the completion of the road, as the road was completed from time to time and certified as being completed under the contract. Now, what they say is: although we applied to the Government and represented to the Government that the road had been completed, and the Government assumed that it was completed and gave us our money and land in pursuance of the contract, yet it never was completed in point of fact; these were mere temporary structures and the road is not yet completed and we are going on to complete it. Is that a position that the company can fairly take? They have obtained all the advantages under the contract, on the supposition and upon the statement, and upon the representation which I have no doubt, was made perfectly bona fide, that the road was completed. That they want to complete it in a more permanent way and change the original structure now to a more permanent structure cannot be said to be for the first time a completion of the road. It is a change from a temporary to a permanent structure, which might have been given but which was not given to them by the contract. It must have been foreseen. Every one must have known then just as well as they know now, that the first structures of the road would have to be made of wood and not of iron, and therefore when we provided in the contract that we should give a rebate upon such material as they brought into the country for the construction of the road, we distinctly limited it to that, and we ought not change it. I shall oppose this at every stage as a departure from the terms of the contract, and as wholly unwarranted and wholly unjustifiable in the public interest, as far as I can see.

Mr. TISDALE. I regret that I cannot see this matter in the same way as the member for North Simcoe (Mr. McCarthy). In my opinion it ought to be considered in a broader way than the strict technical construction which he wishes Parliament to apply to this matter. One of the conditions of the con-

tract, in spirit at all events, though perhaps not technically in the letter, was that the Canadian Pacific Railway should have the right to bring in its iron or steel free of duty for the purpose of the construction of this road. It was to the advantage of the country, fully as much as to the advantage of the railway company—that these temporary structures should be for the time being adopted, and frequently, where the temporary structures are of a nature that for a certain length of time they are safe for the business of the company and for the public to utilize, they are adopted at first. If they had not been adopted in the first instance in this case, the Western part of our country which was particularly affected must have awaited the benefits of the railway for a much longer time, had not this understanding been arrived at between the Government and the Canadian Pacific Railway. That it was a wise and a fair understanding goes without saying, because had it not been so arranged everybody must admit that probably the railway company would have at first put in permanent structures and delayed the running of the road much longer, to the disadvantage of the country and to the disadvantage temporarily of the company itself, though in the end it would be more advantageous to them. Surely the advantage of speedily getting facilities for the settlement and development of that country, and of establishing a great internal and external traffic by the completion of the road, ought to be looked upon in a fair and broad manner. As I understand there is no claim here for renewals or for repairs, and if that claim were made I think it would be going beyond the spirit of the contract. The speedy manner in which this road was constructed by the company was immensely beneficial to the country, but it entailed much extra expense, and as one of those having to take responsibility in the matter, I am quite prepared to justify our dealing with the spirit of the contract and not with the letter of it. If it is necessary, as it seems to be, in order to prevent any question arising afterwards, that Parliament should put this construction upon the contract and declare that this was within the spirit of it, I am prepared to justify it and believe that it ought to be adopted.

Mr. CHARLTON. I venture to say that there has not been a road built in America that was completed at first, in the sense of building stone culverts, stone arches where they were practicable, and steel bridges. This kind of work is done by almost all railway lines, gradually, as the resources of the road warrant and as the necessities of the road require. On the principal American lines such as the New York Central, the Lake Shore, and the Michigan Central, this kind of work is in progress yet, although these roads have been great lines of transit for scores of years. The

work of improving these lines is constantly in progress. The Lake Shore road, one of the principal lines in the United States, has received these stone culverts only a few years ago; and the Canada Southern, although it is a first-class road and completed for more than twenty years, has only just had put in its stone culverts. The point raised by my hon. friend from North Simcoe (Mr. McCarthy) is very pertinent. The Canadian Pacific Railway claimed to have been a completed road and upon that claim it received its money and land subsidies. It said: we complied with the contract made with the Government, the road is completed, we ask you to inspect the road, and the road was inspected by the agents of the Government and pronounced completed. Upon that inspection the road received subsidies in land and money, that it was only entitled to when it was completed. The road has been built for seven or eight years since these subsidies were received, and in the usual evolution in the operation of a railway line, this road is now going through the process that all other main lines in America have gone through, of perfecting its construction and completing its permanent works. It is substituting steel bridges for wooden ones, and putting in stone arches that will last for ever. They are all operations, not of original construction, but expenses which are chargeable from time to time to the earnings of roads, and not to capital account. I do not believe that the Canadian Pacific Railway Company, in coming to the Government and making this claim, are standing on good ground. It looks to me as if they first claimed the road to be completed for the sake of getting the subsidies, and now claim that it was not completed for the sake of getting a drawback. When the company claimed that the road was completed, and the Government paid them the subsidies for the completed road, that was all they were entitled to receive. I do not wish to adopt any position that will do the Canadian Pacific Railway any injustice; but I wish to point out that it is just going through the process that all American railways have gone through, that of perfecting and improving the line, putting in more permanent structures than were necessarily put in when it was first constructed. All railways have heretofore used first of all wooden bridges, which are kept as long as they serve their purpose; they are then replaced by steel bridges, which are kept until they in turn give place to something else. With these wooden bridges the road has been operated as a completed road for seven or eight years; now, in the course of time, the company are reconstructing the road, and putting in certain works in a better manner; and I do not think the company are entitled to come and ask for a rebate on the materials brought in to enable them to carry on these repairs, for that is what they are. The company put in these

Mr. CHARLTON.

wooden bridges for the purpose of using them; they did use them for seven or eight years; and now that they are worn out, they are putting in others. The Canadian Pacific Railway Company are not a mendicant company who find it necessary to ask this House to relieve them of their burdens. There has not been as great a railroad success on this continent as the Canadian Pacific Railway. It is a monument of the sagacity and enterprise and foresight of its promoters, and they have made fortunes out of it. They have been dealt with by this Government in a most liberal manner. They actually received from this Government, in money subventions, land grants, and portions of the road built by the Government, enough to build the main line. The Government actually built the main line for them, and on the basis of the credit so established, they proceeded to acquire the Canada Central, a line from Ottawa to Quebec, a line from Ottawa to Toronto, a line from Toronto to Owen Sound, and a line from Toronto to St. Thomas, and they constructed a line from Woodstock to Windsor, one through the State of Maine, and numerous branches in the west. They have built up the most enormous railway system on this planet to-day; and if the North-west settles up, all the promoters will be made immensely rich. And they owe all this to the liberality of this Government in giving them out of the public resources of this country, enough to build the road and establish their credit. For these reasons, I do not believe that we are called upon in the interest of the taxpayers of this country to make this concession to the Canadian Pacific Railway Company. I have not the least feeling against that company. It is a great corporation. Its manager is the Napoleon of railway managers on this continent and in the world. But for all that he is not entitled to more than he can justly claim; and it is not necessary to benefit this wealthy corporation at the expense of the overburdened taxpayer of this country. If this claim is allowed, another difficulty arises. The company were entitled to import their material free of duty. These bridges, as I understand, are being constructed in Canada. How much of the material has been imported? As my hon. friend from Wellington says, we are granting bonuses for the production of the very material which was probably used to a large extent in the construction of these bridges. It is a very difficult matter to get at; and, admitting, as I do not admit, that the Government are entitled to make these rebates, they need to be very cautious as to how it is done, and they want to be very particular as to whether the material is imported material or not.

Mr. SPROULE. So far as I remember the original contract, and the debate that took place upon it in this House, it was

contemplated that one set of iron or steel bridges should be allowed to be imported by the company free of duty. Whether that set of bridges has been put in or not, it seems to me in equity to make very little difference. It is true, wooden structures were used in many instances because they were available at the time, and they enabled the company to push on the work more rapidly, although the company no doubt contemplated putting in better structures after a while. But if my memory is not at fault, a calculation was made by some hon. gentleman on the other side of the House regarding the cost of the road to the country, and in that calculation a rebate on iron bridges was included. I am inclined to think that it was the hon. member for North Norfolk (Mr. Charlton)—and one of the items of that cost was the drawback on the material that went into the road.

Mr. CHARLTON. Your memory is quite at fault.

Mr. SPROULE. If it was not the hon. gentleman, it was some other hon. gentleman on that side of the House. I am not going to put an interpretation on the law: but under the original contract, this was one of the rights of the company, and if they have not availed themselves of it, I do not think it makes any difference whether they put in these bridges when they built the road or whether they do it now.

Mr. PATERSON (Brant). If I am not mistaken, I think there have been some steel bridges erected on the road since its original construction. If so, I would ask the Minister how they have been dealt with.

Mr. HAGGART. None of them have been dealt with yet.

Mr. McMULLEN. I am sure that no member of this House wants to take any technical advantage of the Canadian Pacific Railway Company as to what they are entitled to; at the same time, we do not want to give them more than they are entitled to. We ought to hold the balance fairly between the company and the taxpayers of this country. I am not a lawyer, and I am not able to state what is the proper interpretation of the law on this subject. But if the change that is proposed to be made by this statute is giving the Canadian Pacific Railway advantages that were not intended at the inception of the scheme, I would certainly oppose it. On the other hand, the First Minister has stated, on his word of honour and his reputation as Minister of Justice, that we are simply implementing the terms or understanding entered into at the time the Canadian Pacific Railway was constructed.

Mr. McCARTHY. The Minister of Justice did not say anything of the kind. If he did, that would alter the whole matter.

Sir JOHN THOMPSON. I did not go so far as to give my word of honour about it, because it is a matter of fact, of which I have no personal knowledge, since it all took place before I was here. But this much is clear: that the Canadian Pacific Railway were entitled, under their contract, to have free of duty the material for all iron and steel bridges that they imported for the original construction of the road. A parallel Act was passed, allowing a like rebate in favour of manufacturers, where the bridges were manufactured in the country. The only difficulty that has arisen is in construing the words "original construction." For the purpose of enabling the road to be opened in 1885, temporary structures were accepted by the Government, and on that the line was declared to be finished, the subsidy was paid, and the road opened. The difficulty I had in construing "original construction" to include the permanent structures intended to be put in, and the construction of which was delayed, was simply the circumstance that the road in the meantime had been declared to be finished. As regards the original contract and the statute allowing the rebate to manufacturers, there is no limit of time expressed. The contention of the company is that "original construction" includes permanent structures, which they always intended to put in at these points, but for which they were allowed to substitute wooden ones, in order that the road might be opened in 1885, as the Government desired.

Mr. McMULLEN. If it was in compliance with the request of the Government that the road was completed in 1885, and if, in order to carry out that request, the company had to change their intention in the matter of construction—

Mr. TISDALE. I might say in reply to some of the criticisms of the hon. member for North Norfolk (Mr. Charlton) that the terms "completion" and "original construction" are not synonymous by any means. The question has been raised in the courts of law. I have known a case, for instance, such as this. Municipalities gave bonuses to a road, the bonuses to be handed over when the road was completed. The same road had an agreement with one of the trunk lines, by which the trunk line was to take it over and operate it when completed. And yet I have seen the road get the bonuses from the municipalities when the rails were laid, and very little ballast. But it was completed so that the trains could run over it, and the courts held that the company were entitled to the bonuses. Yet the road was not so completed that the trunk line could take it over and operate it. So that the fact of the bonuses or subsidies being paid does not always establish that the construction of the road is finally completed. My own opinion is that the Canadian Pacific Railway, under the original Act, are entitled to receive what they claim,

but I think that the Government exercised a wise discretion, in view of the doubt, by coming to Parliament, putting the case frankly, and getting the sanction of Parliament. We know that it was because of the desire of the Government and Parliament to get that road completed in the quickest possible time that these temporary wooden structures were put in instead of these iron or steel structures, and we know that had the latter been built in the first instance, there could be no question as to the right of the company to the rebate. No great line is considered finally completed until it has iron or steel structures, and it seems to me it would be contrary to common sense to argue that it was not intended this road should be originally constructed in what is considered a substantial manner for a trunk line. In view of the fact that it was owing to the desire of the country and Parliament that the company completed the road with temporary structures and put it in operation in that way, I think it would be contrary to the dignity of this House and to justice to now take advantage of that concession by the company to the wish of the Government and the country, and say that because, in the first instance, they put up temporary structures, they are not now entitled to a rebate on their permanent iron and steel structures. Under the circumstances, there is a very strong case, and I think that the hon. gentleman opposite, if they look at it from this standpoint, will agree with me. I do not suppose they intend to treat it as a matter of party, but as a matter of fair dealing between the country and this great corporation. I do not desire to refer to the time when the hon. member for North Norfolk (Mr. Charlton) had less faith in the road, for I think it is a proper and a manly thing when a man finds that events show that he was wrong to declare his changed opinion, and I am glad to hear the words of commendation the hon. gentleman has expressed about this road and its success. I appeal to him as a business man—and he is a good business man—if it will not pay the country and the people of the country to assert the principle that where the credit and good faith of the country are pledged, and a doubt arises as to interpretation, the country will not take advantage of that doubt to the injury of the other party to the contract. I appeal to him whether it will not improve the reputation of the country, which both parties have helped to build up, to interpret these matters on higher ground, and, where there is a doubt, to declare that we will not take advantage of that doubt.

Mr. CHARLTON. I wish to say a word in reference to what the hon. gentleman has said about my beginning to have faith in the Canadian Pacific road, and his allusion to the fact that I had spoken in complimentary words of the management of that road. Mr. Speaker, I

Mr. TISDALE.

have always had faith in the Canadian Pacific road. I have criticised the action of the Government in giving so much money, so much more than was necessary, but I have never said a word calculated to injure the Canadian Pacific road; and as long ago as 1884 and 1885 I received a letter from the president of the company thanking me for the fair course I had taken, even though opposed to the Government's action, which course had been serviceable to the company in floating its securities. I have never said anything against the management, but I have spoken of it always in the highest terms. The road has been managed with great vigour and skill from the inception. It fell into the hands of men of unusual grasp and energy. The criticism I have made is against the Government for having given the company too much money, and made it a richer corporation than it ought to have been, at the expense of the country.

Sir HECTOR LANGEVIN. I was of the Government at the time the settlement took place between the Government and the company. We knew perfectly well that the road, as completed for the purposes of the subsidy had not all the iron bridges that were to be built. We required the railway to be used immediately instead of waiting for years, perhaps, before these bridges were built. It was perfectly well known to the Government that these wooden bridges were erected in order to allow the company the sooner to deliver the road to the public for use. But we did not intend by that to deprive the company or the public of the benefit of these permanent structures. I passed over a large portion of the road, and saw how these bridges were, but we thought that a fair interpretation of the contract required that we should accept the road, leaving it to the company to perfect the construction afterwards. If they had built these iron bridges at that time, they would have had the rebate, and because they built these wooden bridges at their own cost and are now replacing them with bridges of iron, how can we refuse them the rebate which they would have received had they built the bridges of iron in the first place? I think they are entitled to this rebate, and shall support the resolution.

Mr. SPROULE. I think that if you look closely at the Act, Mr. Speaker, you will see that what is meant by "original construction" so far as concerns the payment of the subsidy by the Government is not the same as the final completion of the road:

Upon the construction of any portion of the railway hereby contracted for, not less than 20 miles in length, and the completion thereof so as to admit of the running of regular trains thereon, together with such equipment thereof as shall be required for the traffic thereon, the Government shall pay and grant to the company the money and land subsidies applicable thereto, according to the

division and appropriation thereof as hereinbefore provided ; the company receiving in lieu of cash, terminable bonds of the Government.

And so on. That seems to be clearly intended to mean that they may receive the benefit of the subsidy given by the Government before the road was finally completed, and just as the hon. member who has taken his seat (Sir Hector Langevin) says: the wooden bridges were put in for the purpose of giving the public the use of the road at the earliest possible time, and in order to get the advantage of the subsidy that was granted by the Government. I think that the contention of the hon. member for South Norfolk (Mr. Tisdale) is quite consistent: that a road can hardly be considered finally completed when it is handed over, or when it has earned a subsidy given either by the Government or by a municipal corporation, and, in this sense, the Canadian Pacific Railway could not be looked upon as finally completed when it had earned its subsidy from the Government.

Mr. PATERSON (Brant). I understood the hon. Minister to state that no iron or steel bridges had been substituted for wooden ones. In that case the company are seeking to have the law defined in the manner he proposes prior to entering upon any work of that kind.

Mr. HAGGART. No ; they are asking for a drawback on iron and steel bridges, already substituted for wooden ones. I said that none had been paid for yet. I read the claim to the House, showing some of the bridges that had been completed.

Mr. EDGAR. Some years ago, when the temporary structures were put up by the Canadian Pacific Railway, I was certainly one of those who found a great deal of fault with the Government for declaring it a completed road, and considering these structures as finished works, I did so because I was afraid the Government were not going to have permanent substantial structure put in when they allowed the Canadian Pacific Railway to get their subsidies on the wooden structures as finished road. The fear I felt was that the country would not have these completed permanent structures put in. It appears that my anticipations were wrong. I still think the Government were very much to blame in taking the risk they did at the time. But it seems that the company have been able to put in these permanent bridges. I think it is not unreasonable to treat them as if they were put in as original structures.

Mr. MILLS (Bothwell). I think that those who were in the House when the contract was entered into with the Canadian Pacific Railway will remember that when the road was finished, the bridges were to be of a permanent character of stone or steel and iron, and the road, as to grades and general construction, was to be as good as the

Union Pacific. In 1885, when the first traffic took place over the road, it was then declared by the company—and I am sure most hon. gentlemen will recollect that it was first used in carrying troops—that these structures were not such as were to be in the road when it was finally completed, that they were of a temporary character. I suppose if the contract is interpreted in accordance with its spirit, the company, so far as these bridges are concerned, will be entitled to stand in no worse position than if they had not hastened the work at the instance of the Government, and put in temporary structures.

Mr. McCARTHY. If any member of the Government will say that this work was done by the railway company at the instance of the Government in any other way than the contract called for, I will certainly not be found opposing this resolution as I do. So far as my recollection of the history of the railway is concerned, no pretense was made by the Canadian Pacific Railway that they had not complied with their contract. They contended that they had complied with their contract, and, therefore, they asked that the Government should fulfil this portion of the contract, and the Government did so. Now, it never was contemplated by this contract—which the hon. gentleman will remember was not made by the House, but was made by the Government and sanctioned by the House by an Act of Parliament—it never was contemplated that the original structures should be of iron. Let us understand that. I will demonstrate it by the words of the contract. We all know that it would have been impossible to exact the construction of the railway up in the mountains in a permanent way, and within the time that was limited, and the contract was precise about it. The contract said :

The company shall lay out, construct and equip the said eastern section and the said central section of a uniform gauge of 4 feet 8½ inches, and in order to establish an approximate standard whereby the quality and the character of the railway and of the materials used in the construction thereof, and of the equipment thereof may be regulated, the Union Pacific railway of the United States as the same was first, constructed, is hereby selected and fixed as such standard.

Now, that was our bargain, and there was a great deal of quarrelling over that. It will be found by reference to the division that took place on the night the contract was adopted, that a resolution was proposed with regard to that very clause as being unsatisfactory and insufficient. The end was that the contract as entered into by the Government was adopted by the House and was ratified by this Act of Parliament. Now, will any person tell me that the Union Pacific Railway, as originally

constructed, had iron bridges or iron structures.

Mr. WELDON. What are the facts of the case?

Mr. McCARTHY. I think I can show to my hon. friend that the Union Pacific Railway was not constructed of iron: I think we all agree about that.

Mr. SPROULE. It is a venture without knowledge.

Mr. McCARTHY. I am not seeking to alter the contract, but my hon. friend who sits in the adjoining constituency, and who has different views on most subjects to myself, without knowledge, without knowing a single word as to what that construction was, is prepared to alter it in favour of the company and against the country.

Mr. SPROULE. I said most distinctly that if it was right that the company should get that rebate then they ought to get it, otherwise I did not favour it. I do not want to be misrepresented.

Mr. McCARTHY. Then the hon. gentleman should not vote for this resolution, because if they have a right to get it by law we do not require to alter the contract. The Minister of Justice tells us they have no right to get it by law.

Mr. SPROULE. I did not understand it that way.

Mr. McCARTHY. The Minister of Justice tells us that according to this contract they are not entitled to get the rebate and drawback, and this resolution was introduced to alter the contract and declare that the words mean something that they do not mean.

Sir JOHN THOMPSON. No, I say that there is a doubt.

Mr. McCARTHY. Then let us have the doubt cleared up, let the courts decide the question. I do not think there is any doubt about it. I am not here saying that this company should not get every cent they are entitled to, but I am not prepared to vote away a million dollars—for it will come to that—in favour of this company until I know why it is that we should grant that sum of public money. Now, I have read to you that the standard was to be that of the Union Pacific Railway, the same as it was at first constructed. Then what is the language of the contract:

And the Government shall also permit the admission free of duty of all steel rails.

Now, I will pause here for a moment. They alter the weight of the steel rails. This very report in front of me says that they have changed the weight of the steel rails, and made them heavier, and the next thing we shall be asked is to give a rebate on steel rails, because that was merely tem-

Mr. McCARTHY.

porary, and the report shows here that they have altered the weight of the steel rails and have put on heavier rails in many portions of the road.

And the Government shall also permit the admission free of duty of all steel rails, fish plates and other fastenings, spikes, bolts and nuts, wire, timber and all material for bridges —

In what?

—in the original construction of the railway and of a telegraphic line in connection therewith.

Now, is the original construction not complete?

Mr. AMYOT. That is not wooden railways; it applies to the original construction of iron bridges.

Mr. McCARTHY. I am reading the section. Now, what I submit is, first, we have the contract showing what the construction is to be; next, we have the statute declaring that in that construction, if they choose to use wood they can do it, so long as they bring it up to the standard of the Union Pacific. They did bring it up to that standard, the road has been completed, they got everything they were entitled to get. Now, they want us to interpret the contract to mean something which, according to the opinion of the Minister of Justice, the words of the contract do not mean. Well, this may have a far-reaching effect, and may bring some of us before the Committee on Privileges and Elections. My hon. friends will remember that it was one of the terms of this contract that until this construction was complete, no member of this House was authorized to invest in Canadian Pacific Railway stock. If it is not finished yet, why, all those who have got Canadian Pacific Railway stock are contractors under the Independence of Parliament Act, and are entitled to be expelled from the House. So I think we had better pause before we alter and change the terms of this contract and bring about consequences which would be disastrous to some of us, at all events, to my certain knowledge.

Mr. HAGGART. It is true that the Canadian Pacific Railway claim that they have a right to this under the law as at present. If the hon. gentleman who has just given us the law on the subject, would read the Act which defines what the original construction means, he will see it has no reference whatever to the contract, and whether the road comes up to the standard of the Union Pacific or not. It says:

The Governor in Council may from time to time make regulations for ascertaining the quantities and value of the fish plates and other fastenings, spikes, bolts, nuts and iron bridges manufactured in Canada and used for the Canadian Pacific Railway the original construction of the Canadian Pacific Railway as defined—

Not by the Act that he has read, but—

—by the Act 37 Victoria, chapter 14.

Perhaps I may be wrong, but I think there is very little doubt that they are entitled to the amount under the law as it is. There is no definition such as the hon. gentleman states in chapter 14 of 37 Victoria, as to what the standard of the road shall be. And I think that the facilities in the country for making bridges at the time the road was constructed were such that not a tithe of the bridges could have been completed, and it would have been impossible to move them to the places where they were intended to be used without the road first being constructed. Taking that Act in regard to drawbacks and giving it the interpretation of 37 Victoria, chapter 14, the company are within their right in making this claim; but as the Minister of Justice seemed to have doubt on the subject. I thought it better to bring this whole matter before the House, explain it, and ask the House to pass an Act for the purpose of removing the doubt.

Bill reported.

SENATE AND HOUSE OF COMMONS.

House resolved itself into committee on resolution respecting the deduction mentioned in section 26 of the Act respecting the Senate and House of Commons, chapter 11 of the Revised Statutes.

(In the Committee.)

Mr. McCARTHY. I would suggest to the First Minister the desirability of making this a similar resolution, permanent, instead of bringing down a proposition of this kind each session. The number of days allowed might depend on the length of the session. Last session, which was two months in length, I understand six days were allowed, and this session, 12 days are proposed to be allowed, and it has extended over four months. It would be better to make the provision a general one.

Sir JOHN THOMPSON. There are two or three amendments needed to this Act, and we propose to introduce a Bill on this subject next session.

Resolution reported.

DOMINION NOTES.

House resolved itself into committee to consider the following resolution:—

That it is expedient to amend the Act respecting Dominion Notes, chapter 31 of the Revised Statutes, by substituting the words 'twenty-five' for the word 'twenty' in the fourth line of section 3.

Mr. FOSTER. I wish to add the following words:—

The Minister of Finance and the Receiver General shall not issue Dominion notes beyond the sum of twenty million dollars without having gold for their redemption of an equal amount for the additional issue.

Mr. FOSTER. In asking the committee to pass this resolution, I desire to correct two or three misapprehensions which, whether they exist in the House or not, seem to exist in the country, if one may judge from the newspaper comments made upon this proposed resolution. It is sometimes asserted that the object of thus raising the limit by five million dollars is to force the circulation of small notes, or to provide for a greater circulation of small notes in the Dominion. There is no call for a greater circulation of small notes than is at present provided for, and it is not contemplated, for there is no necessity for it, that the issue of small notes, ones, twos, and fours shall be at all extended by this raise of the issue. In fact, we could scarcely do that. An impression exists in some places that the Government can force an issue in the country by printing notes and paying them out for public works. It has never been done in this country, I hope it never will be done, and it is not intended in this case. The impression also exists, and it has been voiced by some newspapers, that perhaps the Government is in necessitous circumstances, and they take this method of doing what would be equivalent to forcing a loan, as the term is used. There is no intention of forcing a loan. If there was even that intention, it could not be carried out. We can only put into circulation, and keep in circulation, according to our system, the amount necessary for the commercial requirements of the country. If more than that amount is issued, it is redeemable in gold and the notes come back to the banks, and so it is not retained in circulation. In short, the whole reason for the extension is this: by the Act, the banks have to hold a certain amount of their reserve, 40 per cent, in Dominion notes. These are the notes of large denomination, and the limit of twenty millions, up to which we can now issue, it is necessary to raise in order to meet the necessities of the banks of the country for those large notes. We are obliged to hold specie and guaranteed securities to the extent of 25 per cent of our issue, and 15 per cent of that has by the law to be in gold. The amount of specie that we do hold actually at the present time is over \$8,000,000, and the amount of guaranteed security is about two millions. That is we have a reserve of \$10,000,000 for about \$20,000,000 of issue, while the law only contemplates 25 per cent so far as the two kinds of security that I have spoken of are concerned. We have, therefore, an overplus in gold of some \$5,000,000 above what is necessary by the law, and in gold and guaranteed securities of over \$5,000,000. The gold that the banks hold varies from time to time.

Sometimes it is here and sometimes it is there. Large quantities of gold have come into the banks and the reserve, therefore, being larger, the forty per cent being necessary to be held for this, they ask from us large notes, and we must have these large notes in order to supply them with that which the law says they shall have to carry as portion of the reserve.

Mr. CHARLTON. What is the largest denomination of notes ?

Mr. FOSTER. One thousand dollars. That is the whole reason for asking this. I did not think it would be necessary to ask it, because if you will refer to the Act there is a clause in it which says that more than the amount fixed or authorized by the law may be issued provided the Minister of Finance, the Receiver General, hold dollar for dollar in gold. But, the decision from the Department of Justice holds, that that does not apply to the extreme limit of \$20,000,000, as to what Parliament has authorized, but to another section of the Act which allows the overplus between what has been heretofore authorized and the \$20,000,000 to be raised by the Governor in Council on the recommendation of the Treasury Board ; and that, therefore, it does not refer to the Parliamentary limit of \$20,000,000, and that we have no right to issue above the \$20,000,000, even though we hold gold to the amount of the issue of the notes and for their redemption. This simply makes the law hereafter permissible. That is, to allow us to raise above the \$20,000,000 provided we hold gold to an equal amount.

Sir RICHARD CARTWRIGHT. That is an amendment which I certainly would have suggested if the hon. gentleman had not brought it forward. I confess that I was disposed to entertain the same opinion as the Minister of Finance, that under section 6 he had full power to issue as much more as would be required, and although I listened attentively to the explanation that he gave as coming from the Justice Department I confess that I do not quite follow it, in view of the terms of section 6.

Mr. FOSTER. In the opinion of the Minister of Justice that applies to section 3.

Sir JOHN THOMPSON. Section 6 enables an additional issue with the approval of the Governor in Council, but the powers of the Governor in Council are limited, I think, by section 3, to \$20,000,000.

Sir RICHARD CARTWRIGHT. That is a question of legal explanation, and I will not put my opinion against the opinion of the Minister of Justice on a point like that. I merely say that any body reading the Act would have supposed that such a provision as the Minister of Finance now proposes to make, was fully authorized under section 6. However, the main point is : that it is to be clearly provided that for every single dollar over \$20,000,000, you keep gold for gold.

Mr. FOSTER.

Mr. FOSTER. That is it.

Sir RICHARD CARTWRIGHT. The only objection I see to it is, that as you have got \$13,000,000 of large notes, looking at the bank returns I hardly see that we require any additional issue. Their total reserve, I think can hardly exceed \$26,000,000.

Mr. FOSTER. We only know what these reserves may be by a return which is given at the end of the month, and if they come to us and say : We want large notes and here is gold for it, we have got to keep 40 per cent reserve, and between the time of one report and the next, we cannot say that they do not require it.

Sir RICHARD CARTWRIGHT. If, as a matter of fact it is quite true, as the hon. gentleman says, that 40 per cent of the bank reserves must be held, and it is a mere matter of calculation if the balance of the \$20,000,000 after deducting the notes in circulation are not sufficient, I do not see that there is any objection to the issue, with the provision that he has now inserted. Without that I certainly should have thought it unnecessarily risky.

Resolution reported.

WAYS AND MEANS—CONCURRENCE.

Resolution reported from Committee on Ways and Means (12th July) was read the second time and concurred in.

CANADIAN PACIFIC RAILWAY—LAND GRANTS.

Mr. DALY moved second reading of Bill (No. 159) respecting the land subsidy of the Canadian Pacific Railway Company. He said : The object of this Bill is to enable the Government to grant to the Canadian Pacific Railway Company, as part of its original main line grant, tracts of land along the railway, or within the 24-mile belt, in whole townships, that is, the odd and even-numbered sections together. The reason of that is that in that part of the main line from Medicine Hat to Crowfoot Crossing, for instance, the land is arid and requires irrigation ; and the terms of the original grant specify that the land that the company shall get shall be land fairly fit for settlement. There is no question as to this land being fairly fit for settlement if it were irrigated ; but as it is at present it is not fairly fit for settlement. The company have experimented at different stations along the line of railway in the tract I speak of within the last eight or nine years by having gardens made. About every third or fourth year there is a rainfall, and then they have a good crop ; but in the other years they have not. That demonstrates that it is impossible to do anything with this land except by irrigation, and this Bill will enable the company to irrigate the land. If they were to take the odd-numbered sections only and were to put in

irrigation works, they would benefit both their own and the Government land; and this Bill is to enable them to have the land en bloc, so that whatever they do in the way of irrigation will benefit their own land. There is an area approximately of about 4,952,652 acres. One-twentieth of that, or 247,632 acres, go to the Hudson's Bay Company, and school lands amount to 275,147 acres. The area of odd-numbered sections within the block, exclusive of school lands, amounts to 2,214,936 acres, out of which the Canadian Pacific Railway Company have already accepted 776,960 acres, and it is reasonable to suppose that if a scheme of irrigation were applied to this block, the company would be enabled to select out of it at least 1,000,000 acres more, and possibly a larger area.

Sir RICHARD CARTWRIGHT. Is the hon. gentleman's proposition simply this, that whereas at present we are in the habit of granting the Canadian Pacific Railway Company each alternate lot, he proposes to grant them each alternate township?

Mr. DALY. Not alternate townships—every township in this block.

Sir RICHARD CARTWRIGHT. Does he propose in that case to give the company an unbroken tract, say of fifty, sixty or a hundred miles long by a depth of six, or twelve, or eighteen, or twenty-four miles, as the case may be?

Mr. DALY. Yes.

Sir RICHARD CARTWRIGHT. Because that is a much more questionable proceeding. I thought at first that he was proposing to give alternate townships, for which there is something to be said; but the other is much more dubious. He proposes to grant blocks adjoining the railway for perhaps hundreds of miles.

Mr. DALY. It is only in the district between Medicine Hat and Crowfoot Crossing.

Sir RICHARD CARTWRIGHT. That is the only district?

Mr. DALY. That is the only district.

Mr. MILLS (Bothwell). As I understand, the object of the Bill is to enable the Government to agree with the Canadian Pacific Railway Company to grant a certain area lying in a district that is comparatively rainless, and where irrigation will be required in order to bring the lands into cultivation; and I understand that the Canadian Pacific Railway Company have assented to the proposition upon condition that they may receive all the lands that they will take in that way en bloc, and that they will not be put to the expense of irrigating lands which they will not be entitled to receive. Of course, there is a great deal to be said in favour of that proposition, because the Government get rid of lands which under the terms of the contract would not be regarded

as fairly fit for settlement. But I do not find in section 1 any statement as to the particular district where these lands are situated; and if this Bill were passed, there would be nothing to prevent the lands being granted en bloc in any part of the North-west Territories. Now, I fancy that the hon. Minister has come to an understanding with the company that there is a certain well-defined district within which these lands will be granted to the company, and there ought to be some indication by parallels of latitude and meridians of longitude where these lands are located, so that the power of the Minister to grant under the Bill would be confined to the area so defined. Then I find that by section 2:

The grants of lands so made shall include the statutory allowance for roads between sections in the areas so granted, but shall be subject to a reserve of one acre out of every one hundred acres for the establishment of public highways to be defined as hereinafter provided.

Now, I do not clearly understand what the hon. gentleman proposes by this section. If he were to make a grant, say of a hundred miles square, to the Canadian Pacific Railway, would they be at liberty, under it, to depart from the plan of survey which the Government have applied to other portions of the territory? Would they be at liberty to lay it out into townships more than six miles square, and adopt other than the rectangular system of survey? I would infer from this section that that could be done, and it seems to me that it would be a serious departure from the policy which has been hitherto pursued in the North-west Territories. According to the plan of survey that has hitherto prevailed, of making a road four rods in width around every square mile of territory, it would require, in addition to the six hundred and forty acres in the territory, sixteen acres to every square mile to be allowed for roads. That is, you would surround every section with a strip of land two rods in width and a mile in length, which would extend on the four sides of every section. I confess I do not quite understand what the hon. gentleman means by one acre out of every hundred acres for the establishment of a public highway—whether that is the only allowance that is made for highways along with the six hundred and forty acres, or whether that is in addition to the sixteen acres, under our plan of survey, that would accompany every section of a mile square. I think that in this respect the hon. gentleman's Bill requires to be made very clear, and the first section requires limitation to some particular area or district of the North-west Territories, and ought not to be drawn in the indefinite manner in which it now stands.

Mr. McMULLEN. I think the Act, in the direction the hon. gentleman has indicated, could be amended by adding a

fourth clause, to this effect: "This Act shall be only subject to that section of country between Medicine Hat and Crowfoot Crossing."

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

(In the Committee.)

Mr. DENISON. I would like to ask the number of acres allotted to the Canadian Pacific Railway for the balance of their subsidy.

Mr. DALY. Speaking from memory, I think there is a balance of about two million acres at present, which the company have yet to select to complete their main line grant.

Mr. CHARLTON. How far have they gone back of the main line?

Mr. DALY. The original grant was twenty-four miles on each side of the main line of the Canadian Pacific Railway from the Red River to Calgary. In addition to that, there is a block of six million acres odd of land set apart in the north-westerly portion of the province, which was taken by the Canadian Pacific Railway at the time of the \$50,000,000 loan. That is the time they handed back so many millions of acres to the Government, they selected this tract of land in a block, and that is the only land, so far, they have got without the main line, except another tract of land twelve miles wide on each side of the projected line of railway running from Saskatoon to Battleford. That makes up the total area, so far, of the land we have given them. In answer to the hon. member for Bothwell, I quite agree as to the necessity of limiting this. It was so intended, but by some means the draughtsman omitted what was originally in the Bill, defining the tract to which this should apply, between Medicine Hat on the east and Crowfoot Crossing on the west, within the twenty-four-mile belt. As to the road allowance, as the Bill states here: "The grant of land so made shall include the statutory allowance for roads between sections" in the areas so granted. That means they shall have sixty-six feet road allowance, including the sections of land. Section 3 provides:

The Minister of the Interior may cause such public highways as he thinks expedient to be surveyed and set off through any tract of land granted under this Act, provided the area taken for this purpose does not exceed the one-hundredth part of the aggregate area of such tract; and upon the approval by the Minister of any such survey, the area set off thereby shall become and be a public highway, and shall be open to the public for use as such.

That will give all the highway necessary,

Mr. McMULLEN.

but if we were to leave the road allowances open at present, according to the present survey, it would interfere with the system of irrigation. We provide there shall be sufficient highways and roadways for all purposes.

Mr. MILLS (Bothwell). The hon. gentleman does not do that by the provision of the Bill. Were he to make a grant to the company, the interest of the Crown would be granted away in the entire territory granted, that is, embracing not only the section, but the highways, subject to the power of creating highways to the extent he has mentioned. The one hundredths part would be very much less than what is now required, because if we take a strip of land two rods wide, half a chain in width, around a square mile, it embraces sixteen acres and sixteen square rods, and that is a good deal more than the one-hundredth part of six hundred and twenty acres. That would be six acres and one-fifth. It seems to me, that being so, the hon. gentleman requires to declare what the reservations are, extending the provisions of the Dominion Lands Act to the plan of survey and the propositions of this Bill, so that the company will receive only the lands which would be received by private parties in the case of lands set out for settlement. The Government may, of course, provide that until it is required such roads shall be opened by proclamation or some other form, the company shall not be required to open the roads on those lands. But it does seem to me that the company ought not to have the power to alter the plan of survey, or to interfere with the arrangement made by the Government, that that is an exercise of sovereignty which ought to remain here, conveying to the company precisely what you would convey to any private individual in case the lands were laid out for settlement.

Mr. DENISON. I was going on to say that this two million acres would be, roughly, one hundred townships. If these one hundred townships were selected in what are called the bad lands, that is where there is an insufficient supply of water, it would be right to hand the tract over to the company that would have to irrigate it. It would not be reasonable to allow those who hold their lands on speculation to come in and reap the benefit of the expenditure, which would be very large, made by the Canadian Pacific Railway in carrying into effect its irrigation projects. But if the hundred townships were selected anywhere else than in these lands where there is insufficient supply of water, it would be advisable to amend the Bill.

Mr. CHARLTON. Are we to understand from the Minister that this extensive tract of land, 48 miles in width—24 miles on each side of the line—he did not give us the length—

Mr. DALY. The length is 106 miles.

Mr. CHARLTON—are we to understand that this tract all requires irrigation, and that it is all susceptible of irrigation?

Mr. DALY. No; the company have already selected 776,000 acres out of that.

Mr. CHARLTON. Then the Governor in Council ask power to grant to the company the even as well as the odd-numbered sections for the whole of this tract, and the power to carry on this work, on the ground that this land all requires to be held by the company because of the necessity of irrigating the land. Now, I doubt very much whether one-quarter of the land is susceptible of irrigation, and if that is the case, we are granting to the company an advantage that they are not entitled to. It makes a great difference whether they are allowed to have every section and take a whole block of land. The intention of the Government when the charter was originally granted, and the land grant was provided for was that the rights of the settlers should be provided for by reserving for their occupation and use one-half the land within this belt. If the company can get the whole land, and can get it located in a special way, it is more valuable than would be the same area of land made up of even-numbered sections. Unless it can be shown that it is necessary to grant these lands for the purpose of securing irrigation, there is no reason to grant the lands. It may be better for the company, but we are here to look after the interests of the people.

Mr. SPROULE. It seems to me a mistake to change the survey.

Mr. McCARTHY. We have not come to that yet.

Mr. SPROULE. I think this section raises the question of the survey. It says:

Notwithstanding anything contained in the Dominion Lands Act, chapter 54 of the Revised Statutes, or any other Act.

And so on, which covers the question of the survey. If this land is thrown open for settlement, as it would be after a system of irrigation has been carried out, it would be very inconvenient for the settlers when the surveys were changed, and with the very limited allowance made for roadway which this Bill provides for. Besides, I understood it was the intention of the Government to pass a general law regulating irrigation schemes in the North-west Territory, so that their works could be extended over roadways as well as any other portion of the farm. That would be better than this proposal to make a grant of a solid block of land under these conditions.

Mr. McCARTHY. This section only permits the Government to give the even-numbered sections as well as the odd-numbered, and does not affect the question of survey. It provides also for giving the school lands, the Government having set apart lands of

equal extent and value elsewhere. I see no objection to the principle. It seems to me a reasonable thing to grant to the company land in bulk where they have to be at the expense of irrigation.

Mr. CHARLTON. Of course, where they have to irrigate.

Mr. McCARTHY. But I think the thing to be complained of is that they have the power over lands that may not be capable of irrigation.

Sir JOHN THOMPSON. That is defined.

Mr. McCARTHY. But includes lands that do not require irrigation.

Mr. MILLS (Bothwell). But I understand that these have been selected by the company.

Mr. McCARTHY. Not altogether, I understand.

Mr. DALY. These were selected by the company when it was ascertained that irrigation was necessary. I have confined the tract to the country where it is necessary that there should be irrigation. The idea is to give the company land en bloc, so that whatever irrigation work they undertake, they will be able to irrigate the tract as a whole. There are no settlers there and there never will be until irrigation takes place.

Mr. CHARLTON. Can any of it be made productive without irrigation?

Mr. DALY. Not every year. So far as experience goes, it yields a crop about every fourth year. When they have rain, it is all right; magnificent crops are raised on this land; but the results are uncertain.

Mr. MILLS (Bothwell). The hon. gentleman does not propose to provide that these lands shall be selected by the plan of survey in use in the Territories.

Mr. DALY. They will have to close up the road allowances, but by the reservation made under the Bill we will give all the necessary road space wanted by the people. We take out school lands and the Hudson's Bay lands if the Hudson Bay Company consent. This arrangement is only tentative. We do not know whether the company will carry it out or not.

Mr. MILLS (Bothwell). If the company held these lands for ranching, some arrangement might be made that parties could not come in claiming that they were on the lines of the road and not on the lands of the company, as long as the company maintain opposition against parties trespassing by going on what would be the road allowance as well as the land of the company. But suppose the company undertake to sell the lands and set them out for settlement, this would enable them to take a plan of survey altogether different from that existing in the North-west Territory elsewhere.

Mr. McCARTHY. We can deal with that on the next section. This is the first section which does not affect the question of survey.

Mr. CASEY. It is very inconvenient to have a Bill of the importance that this turns out to possess brought down at this time of the session and hurried from the second reading into committee without the information we ought to have on the subject. But, perhaps the hon. gentleman can give us some of the information, approximately at all events, as we go on. Has any estimate been prepared of the percentage of these lands requiring irrigation?

Mr. DALY. All of them.

Mr. McGREGOR. Three-quarters of them.

Mr. CASEY. The hon. Minister says all.

Mr. DALY. Yes, I think it all requires irrigation.

Mr. CASEY. Has any estimate been prepared by the engineers of the department?

Mr. DALY. No.

Mr. CASEY. It is mere guesswork.

Mr. DALY. Observation and experience shows it.

Mr. CASEY. As the land is not settled, I do not know how observation and experience can show it.

Mr. DALY. The hon. gentleman did not hear my opening remarks. I said the Canadian Pacific Railway had experimented with lots along their line of railway between Medicine Hat and Crowfoot, these last eight years.

Mr. CASEY. How many settlers are there at present in this district?

Mr. DALY. None.

Mr. CASEY. No land has been taken up by settlers at all?

Mr. DALY. No, with the exception, I think, of one of the Lester Kay farms. That is the only settlement.

Mr. CASEY. Is the whole of this country adapted to irrigation?

Mr. DALY. Yes, it is presumed so.

Mr. CASEY. This appears to me to be a very grave departure from the policy deliberately adopted by this House of reserving half of this land for the purpose of actual settlement by farmers. The trouble in these new countries, both in the States and here, has been the taking up of a large extent of land for ranching or grazing purposes, to the exclusion of farming. Now, in the case of ranche lands, I am aware that provision is made for withdrawing them from the ranchers when they are required for settlement; but if this land were given in blocks, as the Minister proposes, to the Canadian Pacific Rail-

way, the case would be very different. The railway would not be in the same position as the ranchers; the railway would be the actual owners of the land, and could prevent any settlers from coming in on any terms. I do not see for what other purpose this land could be used than for large ranches, if the terms of this Act is carried out. If the roads laid down in existing surveys are broken up and closed up, and no more ground is devoted to roads, than this Bill proposes, it would be impossible to lay this country out into farms for ordinary purposes, and it could only be used as a roaming ground for large herds and flocks. As the hon. member for Bothwell (Mr. Mills) has pointed out, the amount reserved is hardly more than a third of that which is now required for the ordinary roadways around the mile sections. One acre out of a hundred would not provide for any closer subdivision of the land than strips a mile wide and three miles long, and that is not a subdivision suitable for the purpose of farm occupation. Again, as the hon. member for Bothwell pointed out, there is no clause here as to the direction and distance apart of the different roads, to be preserved, so far as possible, even with the reduced amount of land devoted for that purpose. The Act says that the Minister of the Interior may cause such public highways as he sees fit to be laid out. According to this Bill he may run them in any direction to suit the convenience of large occupiers of land. That must be the intention of the Act, or it would not have been phrased as it is. It is evidently the intention to establish a ranching preserve in those lands which shall never be opened to occupation by farmers for actual settlement. I think it would introduce the evils of ranching in their very worst form, and shut up the country entirely against the class of settlement we desire to encourage, and would make the use of this land only possible to corporations having large capital, and only to such corporations to whom the Canadian Pacific Railway chose to lease it. Now, it is quite true that irrigation is only possible by a combination of capital, on a pretty large scale, with a combination of land. It is also true that much of this land is not fit for occupation by farmers until it is irrigated. If that be the case, the object of the Government should be to provide a scheme by which irrigation might be carried on, and yet leave the land open to future occupation or settlement of the kind we desire to attract to that country. If the Canadian Pacific Railway are willing to undertake the works of irrigation covering this area, the Government would do better, in my opinion, to pay their share of the cost of irrigating the even-numbered sections, and reserve them for future sale to actual settlers, than to lock up the whole country in the way it is here proposed to do. It stands to reason that the Canadian Pacific Railway would

Mr. MILLS (Bothwell).

not irrigate the even-numbered sections free of cost without benefit to themselves; but if that irrigation makes these lands useful to the company, it would make them useful to the Government, and make them fit for settlement. I think it would be a highly proper proposal that large blocks, at least, of this country should be set apart for experimental irrigation, the Government paying their share of the cost of irrigating Government lands, but reserving those Government lands for the uses to which Government lands are usually destined. There is another point in connection with this Bill that seems to be a departure from good policy. We shall by this means, no doubt, get rid of a good deal of land that we could not otherwise get rid of to the Canadian Pacific Railway, subject to the disadvantages I have referred to. It would accumulate this land, however, along the line of road. Now, I believe it is more for the interest of the North-west at large that the company should be induced to take up large areas at some considerable distance from the main line, such as the six million area to which the Minister referred in the North-western part of the Territories. It is only by such means that the railway will be induced to build side lines, colonization roads, leading into those lands. The predicament in which the Government and the railway find themselves with these bad lands on their hands, is only another proof of the unwisdom of the Government in authorizing the Canadian Pacific Railway to build by the present route. They should have been compelled to adopt the route laid down by the Government surveyors in the first place, and approved by Sir Charles Tupper as Minister of Railways after he came into office, through the fertile belts of lands along the Saskatchewan. There would have been no occasion for irrigation there, and no trouble in getting the lands disposed of satisfactorily. But now that the railway is located in this semi-desert country, the only hope for settling up that back country, as it is for the time being, a front country as it should have been, along the Saskatchewan, is to make it the object of the Canadian Pacific Railway to build branch lines tapping that country. This would be the best reached by giving them certain lands in that district and making it their interest to build a railway there for the purpose of making the land valuable. I have no doubt that the larger part of the land covered by this Bill could be disposed of to companies who would irrigate it, if the proposition I have submitted is carried out, of reserving the even sections of those lands and paying for their irrigation. The Minister should have informed the committee as to the method by which he proposes to irrigate that land, whether there are running streams sufficient, or whether artificial sources of irrigation as practiced in some parts of the United States must be adopted. I move in amendment that the

first clause be amended by omitting the words "in such areas as the Minister deems expedient," and inserting the following, "in areas of not more than four contiguous townships forming a block twelve miles square." Surely an area of 144 square miles would be sufficient in which to test the method of irrigation proposed to be introduced, and it would still leave large tracts in the hands of the Government.

Amendment negatived.

On section 2,

Mr. MCGREGOR. My experience of that part of the country is that it is not worth a cent without irrigation. The Minister is adopting the proper plan to utilize it. It constitutes a portion of the American desert, which crops out there, and the principal product is a large quantity of sand. There are no ranches, because grass does not grow there—the only vegetation is the cactus. The country from Moose Jaw to Medicine Hat produces crops every third or fourth year; at Moose Jaw there is a crop about every second year. At Medicine Hat there has been a settlement for seven or eight years. It is on the banks of the Saskatchewan River, and is a nice little place, and if grain would grow there regularly, there would be a good settlement. But I am free to agree with the Minister of the Interior that this land is valueless without irrigation, and this can be done only under the system proposed by the Minister. The district then would possess some value. There are many lakes, and there are ranges which the buffalo visited in early days, and the water could be utilized by running it towards the Saskatchewan. I feel satisfied from my knowledge of the country that the Minister is adopting the proper course by negotiating with the Canadian Pacific Railway, and asking the company to irrigate the land and make some use of it. Unless this is carried out in blocks, I do not see how it can be accomplished. There are no farms to be interfered with, because there are very few farms in that district. The early settlers have gone west, to the foothills of the Rocky Mountains, where they have ranches and where the land is a little more solid, for the desert runs out ninety miles on this side of Calgary. From my knowledge of the country, I repeat that the Minister has taken the proper step, and everything should be done to assist him to carry out this arrangement with the Canadian Pacific Railway, which no doubt will be followed by the best results possible. If the company incur a large expenditure for the purpose of irrigating and improving this land, which is now valueless, and the company are willing to accept it as part and parcel of the land deeded to them, this country will not be giving the company a very large amount.

Mr. CASEY. I have always understood from Professor Macoun and others that this land only required irrigation to become valuable. I still adhere to my opinion that a contract should be entered into with the company to irrigate all the land and afterwards keep their share for sale or settlement. It is well known that eight or nine miles is as far from market as a farmer in that district can stand.

Mr. McGREGOR. The only thing grown there is the cactus.

Mr. CASEY. That is so in certain places, of course.

On section 3,

Mr. MILLS (Bothwell). I do not object to a grant being made to the company, if it is necessary for the company to carry out the present plan; but what I object to is that it should be left entirely discretionary as to whether the company shall carry out the present plan of survey. The very moment settlers flow in there, it should be done upon the plan and survey already existing in other portions of the territories.

Mr. DALY. The whole matter of survey is still left with the Government under section 3.

Mr. MILLS (Bothwell). No; it provides for six acres only in every section. This is an entire departure from what has been done in the rest of the North-west Territories. I can well understand how the company, if it required the land for ranching purposes, might want to protect it against trespassers and control it; but the moment settlement begins, provision should be made that sale and settlement should proceed on the plan which exists in other portions of the territories. The rectangular system of survey is as applicable there as anywhere else east of the Rocky Mountains. The Government should not part with the control of the present system of survey and settlement.

Mr. CASEY. The Minister says he has reserved to himself the right to deal with this branch of the subject as he considers expedient. That is the wording of the Act. It does not define that they shall be made according to the present rectangular plan of survey, and it is evidently the intention to leave to the Minister to introduce another plan if he sees fit.

Mr. DALY. Yes.

Mr. MILLS (Bothwell). You substitute discretion for the law of the land.

Mr. CASEY. It may be necessary to grant lands in a solid block, but the rights of the public must be guarded and the established system of survey must be retained.

Mr. SPROULE. It is quite evident that if this land is ever put into small farms

Mr. McGREGOR.

that the one-one-hundredth part would be inadequate for highways. Dry tracts of land like this would not be likely to be used as ranches, and while it may be made into larger farms, even though that were done, I think the reservation for highways would not be enough. In addition to the objection of interfering with the present mode of survey, this would also be a strong obligation to passing the clause as it is.

Mr. CHARLTON. A road around each section would require about three times as much land as is provided for here.

Mr. DALY. The road allowance in the North-west Territories is 66 feet, and the object of closing up this road allowance is that the land may be had in the full block, in order that the irrigation works may be carried on. If, as I presume this land is divided into 80-acre farms, there will be a road provided for these people to have ingress and egress to their farms, and if it were not that we are providing a highway for the public it would not be necessary to make this provision. The Canadian Pacific Railway may retain the present road allowance for all we know, but we want to safeguard the public by providing that the Minister of the Interior shall have power to provide for highways sufficient to give the public a right to cross over the area of land that is sought to be irrigated.

Mr. MILLS (Bothwell). The Minister enables parties who may settle in the rear to make a highway across this property; but the public are parting with their right to make a particular plan of survey in a very large tract of country.

Mr. DALY. The whole thing is a departure, and we have got to meet the new idea contained in this Bill.

Mr. MILLS (Bothwell). I am not objecting to meet the wishes of the company to control the territory, if they were to hold it as ranching lands, which I do not suppose they can do. If their works of irrigation are successful, they will divide it into lots, and are you going to hand over to a private corporation the policy which you have heretofore thought necessary to retain under the national control? I would give the company every protection in carrying out their plan, but when the sale comes to be made, I would require the sale of the property upon the rectangular system, with roads around every section, as exists in other portions of the North-west Territories. That you do not do, and you part with your power to secure it.

Mr. SPROULE. The reservation for highways is not adequate at all.

Mr. CASEY. I think the retention of that rectangular system should be compulsory. My hon. friend from Grey (Mr. Sproule) thinks that this land would not be used for ranches, but I cannot see what else

it can be used for if the provisions of this Bill are carried out. Without adequate roads through the country you cannot divide it into farms and have farm settlements.

Mr. DALY. I move that the committee rise and report progress, and I will consider the objections.

Committee rose and reported progress.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to : and the House adjourned at 11 o'clock p.m.

HOUSE OF COMMONS.

MONDAY, 16th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

REPRESENTATION OF QUEBEC WEST.

Mr. SPEAKER. I have the honour to inform the House that my attention having been called by the hon. member for Quebec East, in his place in the House, to the fact of the demise of John Hearn, Esq., member for the electoral district of Quebec West ; I have, in accordance with section 8 of chapter 13 of the Revised Statutes of Canada, issued my warrant to the Clerk of the Crown in Chancery to make out a new writ of election for the said electoral district.

RAILWAY PASSENGER TICKETS.

Mr. HAGGART moved for leave to introduce Bill (No. 163) respecting the sale of railway passenger tickets. He said : The object of the Bill is to compel parties who hold return tickets to present them themselves at the station, and give a receipt to the effect that they are owners of the tickets. Supposing a party bought a return ticket from Montreal to Toronto and back, on going down to Montreal the ticket would be punched and the return half broken off. Any one presenting that at a station, and stating that it had not been used is entitled to the return of the money for that portion of it. They have been in the habit of travelling back to Toronto on this half ticket, and the conductor, instead of punching it, takes it up and delivers it to a third party, who pockets the rebate, even after using the ticket for the return journey. The Bill is for the purpose of trying to prevent frauds like that.

Mr. CHARLTON. This is throwing on the innocent ticket holder an unnecessary

amount of trouble because conductors do not perform their duties. If the conductor delivers back the ticket he has stolen it, and this Bill simply gives a great deal of trouble to the travelling public in order to prevent a railway conductor from stealing.

Mr. LAURIER. I cannot very well understand the explanation of the Minister, but it seems to me the Bill will subject the travelling public to a great deal of inconvenience. If the Bill passes I suppose it would be in order for the hon. gentleman to introduce the system of passports in this country.

Mr. MILLS (Bothwell). When the proposal was made to prevent the passenger transferring a railway ticket who had purchased it, I opposed that provision and I never saw any reason to change my opinion. If the ticket is paid for it cannot be a matter of importance to the railway company who rides upon it, because the company is put to no inconvenience or additional expense. It seems to me that all the restrictions we have imposed upon the travelling public in this respect are to their disadvantage without conferring any special benefit on the railway corporations.

Mr. HAGGART. There will be as little inconvenience as possible to the travelling public, because I intend to compel the railway companies to have blank forms at every station which can be filled in by the party claiming the rebate.

Mr. CHARLTON. If the passenger arrives when the train is about to start he may be delayed by complying with this formality.

Mr. EDGAR. It seems to me that this is not only paternal legislation, but a sort of grand-motherly legislation.

Motion agreed to, and Bill read the first time.

WRITS OF ELECTION.

Mr. SPEAKER. The hon. member for North Simcoe (Mr. McCarthy) put the following question to me on Saturday last :—

I should like to know whether it is not competent under the provisions of the statute for the House to directly issue a writ. I do not think the power of the House to control the issue of the writ is taken away because the statute directs that you, Mr. Speaker, may issue a writ in a certain event.

As I explained the other day, the statute declares what the duty of the Speaker is in certain cases, that is, in the case of a vacancy caused by the avoidance of an election under the provisions of the Controverted Elections Act, or a vacancy caused by the resignation or the death of a member, or the acceptance of an office by a member ; it imposes upon the Speaker the duty to issue his warrant in such cases. But it

also expressly reserves to the House the right to deal with the report of the judges upon an election petition where corrupt practices are reported to have extensively prevailed, and also with regard to unprovided cases. The House has undoubtedly the right, I think, to order the issue of a writ, but the power has been delegated to the Speaker in the cases to which I have referred.

BUSINESS OF THE HOUSE.

Mr. LAURIER. Before the Orders of the Day are called, I understood from the right hon. First Minister on Saturday that he would be prepared to-day to state what measures on the Order paper he does not propose to proceed with this session.

Sir JOHN THOMPSON. In addition to the railway resolutions which are on the paper, we have another list, which has been handed in to-day, and which will appear on the Notice paper to-morrow. There will also be a resolution on the subject of the bounty on steel and iron, which will probably be given notice of to-morrow.

Sir RICHARD CARTWRIGHT. You mean an amendment to the tariff?

Sir JOHN THOMPSON. Yes; it was the resolution foreshadowed by the Minister of Finance.

Mr. FOSTER. It was what was explained in bringing down the tariff—an extension of the duty on pig iron or puddled bar.

Sir JOHN THOMPSON. I do not expect that we shall have any other measures to bring before the House than those I have mentioned. As I mentioned to the House some time ago, we do not intend to ask that the Bill respecting insolvency be proceeded with; we hope simply to ask the House to discharge that order, and to provide for the printing of a large edition of the Bill for circulation, in order that the mercantile community may become familiar with the changes which have taken place in the Bill since its introduction in the Senate; and we think that the time which has been bestowed upon it by the Senate has been well spent, inasmuch as the progress made in the deliberations there will be so much towards the progress to be made with the measure next session. The same with regard to the Bill respecting the incorporation and regulation of joint stock companies, which is a measure requiring full consideration by those who are interested in commercial pursuits in connection with joint stock companies. We think that the other business on the paper we may expect to despatch. In making this statement in regard to having no other measures to introduce, I make it, of course, in the hope that full despatch will be given to the public business, in order that we may have prorogation as soon as possible. If that should be found impossible, and the

Mr. SPEAKER.

session should be further protracted, we shall certainly have other measures to bring down.

RELIEF OF JAMES ST. GEORGE DILLON.

House again resolved itself into committee on Bill (No. 148) for the relief of James St. George Dillon.

(In the Committee.)

Mr. DENISON. I think it is only proper that I should state to the House that it was found impossible to get Mr. Dillon for examination, so that the Bill is reported back to the House exactly as it came from the House, without any further information.

Bill reported, on division.

EXPENSES OF HON. SENATOR TASSE.

Mr. RINFRET asked, What is the total amount of the account presented to the Government by Hon. Senator Tassé, for all expenses incurred in connection with his mission as Government Commissioner at the Chicago Exposition? What is the amount paid by the Government? Is it the intention of the Government to pay to him, or to pay in respect of his mission as Government Commissioner, any money over and above the amount paid up to this date?

Mr. DALY. The total amount of the account presented by Hon. Senator Tassé for all expenses as Canadian Government Commissioner at Chicago was \$3,850. The amount paid to Senator Tassé was \$3,850. He has made no further claim.

DUNDAS AND WATERLOO ROAD.

Mr. BAIN (Wentworth) asked, Has any settlement been made by the Government with Dr. Walker as the purchaser of the Dundas and Waterloo road in 1884: 1. As to his claim for a refund of purchase money paid by him with interest thereon; 2. As to claims for damages preferred by him? If so, what amounts have been awarded and paid?

Mr. OUMET. On the 5th of January, 1893, the Exchequer Court of Canada rendered judgment in favour of Dr. Walker for the sum of \$9,750, without costs, in full satisfaction of his claim. That sum was paid to Walker's counsel, through Chrysler & Lewis, their agents, on the 20th of January, 1893.

ATLANTIC MAIL CONTRACTS.

Mr. BEAUSOLEIL asked, 1. What was the amount paid during the years 1891, 1892 and 1893, respectively, for carrying the mails between Canada and Great Britain? 2. To whom were the moneys paid, and in what proportion to each party? 3. Is it the intention of the Government to pay a

subsidy for carrying the mails to the proposed fast line, over and above the annual subsidy of \$750,000 for ten years, now under the consideration of this House? 4. Are the subsidies now paid to the other steamers carrying the mails between Canada and England to be discontinued after the establishment of the fast line? 5. Are the mails between Canada and England to be carried exclusively by the fast line; if not, are the present contracts or arrangements to be continued?

Sir ADOLPHE CARON. The amount paid for the year ending 30th June, 1891, was \$131,327.03; for the year ending 30th June, 1892, \$71,798.03; for the year ending 30th June, 1893, \$126,533.33. These sums were paid to Messrs. H. & A. Allan, of Montreal. It is not the intention of the Government to pay a subsidy for carrying the mails to the proposed fast line, over and above the annual subsidy of \$750,000 for ten years, which covers that now under consideration of the Government. The subsidies now paid to the other steamers carrying the mails between Canada and England will be discontinued after the establishment of the fast line. The mails between Canada and England cannot be conveyed exclusively by any line, because persons addressing correspondence, frequently mark it to go by a particular line, and their wishes in this matter are always respected; moreover, it is the universal practice of commercial houses to send originals by one line and duplicates by another.

SUBSIDIES TO RAILWAYS.

Sir JOHN THOMPSON moved that the House resolve itself into committee, tomorrow, on the following resolutions:—

1. That it is expedient to authorize the Governor in Council to grant the subsidies hereinafter mentioned to the railway companies, and towards the construction of the railways also hereinafter mentioned, that is to say:—

To the Bracebridge and Baysville Railway Company, for fifteen miles of their railway, from Bracebridge towards Baysville, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$48,000.

To the Brockville, Wesport and Sault Ste. Marie Railway Company, the balance remaining unpaid of the subsidy granted by the Act 52 Victoria, chapter 3, not exceeding \$3,200 per mile, and also the balance remaining unpaid of the subsidy granted by the Act 53 Victoria, chapter 2, which was re-granted by the Act 55-56 Victoria, chapter 5, not exceeding in the whole, \$86,800.

To the Tilsonburg, Lake Erie and Pacific Railway Company, for sixteen miles of their railway, from Port Burwell to Tilsonburg, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$51,200.

To the Brantford, Waterloo and Lake Erie Railway Company, for eighteen miles of their railway, from the town of Brantford to the village of Hagersville or the village of Waterford, or some intermediate point on the Canada Southern Railway, the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, not exceeding \$3,200 per mile, nor exceeding in the whole, \$4,790.

To the St. Catharines and Niagara Central Railway Company, for thirty-four miles of their railway, from the city of St. Catharines to the city of Hamilton, in lieu of the subsidy not to exceed \$108,000, granted by the Act 55-56 Victoria, chapter 5, a subsidy calculated on a basis of three and a half per cent on the amount of the said subsidy, to be paid in semi-annual instalments for such period, not exceeding twenty years, as the company may elect, representing a grant in cash of \$108,000.

Provided that, upon the completion of ten miles of the said railway, a semi-annual subsidy may be paid, proportionate to the value of the portion so completed, in comparison with that of the whole thirty-four miles: Provided also, that the company may deposit with the Minister of Finance and Receiver General, a sum not exceeding \$400,000, in consideration whereof, there shall be paid by the Government to the company, for such period, not exceeding twenty years, as the company may elect, a semi-annual annuity, calculated on a basis of three and a half per cent on the amount so deposited, or a guarantee of a like sum, as interest on the bonds of the company: Provided further, that the company, with the approval of the Governor in Council, may assign the said subsidy and annuity to trustees by way of security for principal or interest of any bonds or securities which may be issued by the company in respect of their undertaking: And the subsidy last above petitioned to the St. Catharines and Niagara Central Railway Company, shall be paid in instalments, the first semi-annual payments upon which shall be made at the end of the six months from the date of the chief engineer's certificate of the completion of the first ten miles of railway, and each subsequent payment at the end of six months thereafter, for the term of twenty years or less: And it is a condition of this subsidy that the sum not exceeding \$400,000 above mentioned shall be deposited with the Minister of Finance and Receiver General before 1st January, 1895.

To the Montreal and Ottawa Railway Company (formerly the Vaudreuil and Prescott Railway Company), for thirty miles of their railway, from Vaudreuil towards Hawkesbury, the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, and for thirty miles of their railway from the western end of the thirty miles subsidized by the said Act 50-51 Victoria, chapter 24, towards Ottawa, the balance remaining unpaid of the subsidy granted by the Act 53 Victoria, chapter 2, not exceeding \$3,200 per mile, nor exceeding in the whole, \$118,400.

Notwithstanding the expiration of the time limited by the Act 53 Victoria, chapter 2, and by the contract entered into with the Quebec Central Railway Company, and notwithstanding anything otherwise in the said Act contained, the Governor in Council may pay the subsidy granted by the

said Act to the said company at the present worth of the twenty annual payments mentioned in the said Act (interest computed at four per cent), for and upon the completion of its railway extending from a point between the Chaudière River and Tring Station to a point on the International Railway at or near Lake Megantic, and upon the inspection and acceptance of the same by the Chief Engineer of Railways and Canals, the sum in all of \$288,000.

To the Philipsburg Junction Railway and Quarry Company, for 6 $\frac{1}{4}$ miles of their railway, from Stanbridge Station to Philipsburg, in the county of Missisquoi, and branch to _____, the balance remaining unpaid of the subsidy granted by the Act 55-56 Victoria, chapter 5, not exceeding \$3,200 per mile, nor exceeding in the whole, \$2,912.

To the Joliette and St. Jean de Matha Railway Company, for eight miles of their railway, from St. Félix de Valois to St. Jean de Matha, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$25,600.

To the Lake Temiscamingue Colonization Railway Company, for fifty miles of their railway, from Mattawa to the crossing of the Kippewa River, also 15 per cent on the value of a wooden truss bridge over the Ottawa River near Mattawa, not to exceed \$15,000 in all, in lieu of the subsidies granted by the Act 55-56 Victoria, chapter 5, also the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, for their railway from Long Sault to Lake Kippewa, a subsidy not exceeding \$3,200 per mile of railway, and 15 per cent on the value of the bridges, also a sum of \$1,750 additional per mile on the fifty miles of their railway from Mattawa to the crossing of the Kippewa River, not exceeding in the whole, \$274,940.

For a railway from St. Placide to St. Andrews, eight miles, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$25,600.

For a railway from St. Eustache to St. Placide, in the county of Two Mountains, for eighteen miles of such railway, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$57,600.

For a railway from a point on the line of the Canadian Pacific Railway on Isle Jésus, in the county of Laval, towards St. Eustache, for twelve miles of such railway, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, to the Carillon and Grenville Railway Company, for twelve miles of their railway from St. Eustache to Sault au Recollet, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

For a railway from the parish of St. Rémi, in the county of Napierville, to St. Cyprien, in the said county, for twelve miles of such railway, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

To the Pontiac Pacific Junction Railway Company, for bridging the several channels of the
Sir JOHN THOMPSON.

Ottawa River at Culbute and west thereof, a subsidy of \$31,500, to be paid out monthly as the work progresses, upon the certificate of the Chief Engineer of Government Railways, in the proportion which the value of the work executed bears to the value of the whole work undertaken, and for three miles of their railway extending from a point three miles east of Pembroke to Pembroke, in the province of Ontario, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$9,600, in lieu of the subsidy granted by the Act 51 Victoria, chapter 3, provided that the entire work subsidized upon this railway shall be completed within four years from the passing of this Act, the subsidy granted by this Act not to exceed in the whole, \$41,100.

To the Pontiac Pacific Junction Railway, for seven and one-half miles of their railway from Hull to Aylmer, in lieu of the subsidy granted by the Act 53 Victoria, chapter 2, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$24,000.

To the Pontiac Pacific Junction Railway, for eighty-five miles of their railway, from Aylmer to Pembroke, the balance remaining unpaid of the subsidy granted by the Act 47 Victoria, chapter 8, less the subsidy granted from Hull to Aylmer, provided the Ottawa River is crossed at some point not east of Lapasse, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$73,172.

To the Harvey Branch Railway Company, for three miles of their railway, from the southern terminus of the Albert Railway to Harvey Bank, the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, not exceeding \$3,200 per mile, nor exceeding in the whole, \$4,046.

For a railway from a point on the Intercolonial Railway near Newcastle or via Douglstown, to a point on the River Miramichi, opposite the town of Chatham, in the province of New Brunswick, six miles, in lieu of the subsidy granted by the Act 49 Victoria, chapter 10, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$19,200.

For a railway from some point on the Joggins Railway, near the Hébert River, to Young's Mills, in the province of Nova Scotia, a distance of five miles, in lieu of the subsidy granted by the Act 52 Victoria, chapter 3, a subsidy not exceeding \$3,200 per mile, and not exceeding in the whole, \$16,000.

To the Woodstock and Centreville Railway Company, for a railway from Woodstock to the international boundary between the province of New Brunswick and the State of Maine, twenty-six miles, in lieu of the subsidies granted by the Acts 50-51 Victoria, chapter 24, and 53 Victoria, chapter 2, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$83,200.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively, the other subsidies may be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways

respectively; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

3. That the granting of such subsidies respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council determines.

4. That the said subsidies respectively shall be payable out of the Consolidated Fund of Canada, by instalments, on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed in comparison with that of the whole work undertaken, to be established by the report of the said Minister, or upon the completion of the work subsidized—except as to subsidies with respect to which it is hereinbefore otherwise provided.

Mr. LAURIER. I would call the attention of the right hon. gentleman to the fact that we have not had a particle of information in the way of correspondence which should accompany these resolutions. It will be impossible to discuss them until we have such correspondence laid on the Table.

Sir JOHN THOMPSON. I will mention that to the Minister when he comes in.

Motion agreed to.

THIRD READING.

Bill (No. 161) to amend the Act respecting ocean steamship subsidies.—(Mr. Foster.)

INDEMNITY TO MEMBERS.

Resolution reported from committee (July 14th) respecting the indemnity to senators and members of the House of Commons, was read the second time and concurred in.

Mr. FOSTER moved for leave to introduce Bill (No. 164) further to amend the Act respecting the Senate and House of Commons.

Motion agreed to, and Bill read the first time.

DOMINION NOTES.

Resolutions reported from committee (July 14th) respecting the Act respecting Dominion

notes, was read the second time and concurred in.

Mr. FOSTER moved for leave to introduce Bill (No. 165) to amend the Act respecting Dominion notes.

Motion agreed to, and Bill read the first time.

INSURANCE ACT.

Sir JOHN THOMPSON moved second reading of amendments reported from committee on Bill (No. 111) to amend the Insurance Act.

Mr. McCARTHY. Before these amendments are agreed to, I desire to call attention to the debate in the committee on the subject of the additional changes proposed by this amendment. In the committee, the discussion was very largely upon the interference with the vested rights, I venture to call them, of the Canada Life Insurance Company, which has, by its charter, the right to invest in bonds and debentures and other securities which are defined in that charter. It is proposed, by a general enactment, to curtail and limit this right of investment to certain classes of security, particularly specified, and which are not as wide as, and do not include, investments allowed in the Canada Life charter. I think we ought to be very careful, indeed, before we interfere with the rights of the company—a company which has been in existence so many years, as the Canada Life has been, a company which has been so successfully managed, and which, on the whole, I think, it can be said is a credit to the country. We are asked to introduce a kind of legislation for which there is no example in the mother country. The only control that is attempted over insurance companies there is in insisting upon their making a return to the Department of the Board of Trade of the investments they have, which the Board of Trade publish; and the public having the means of seeing this and knowing about these investments, are supposed to be able to take care of themselves. That is the law in England, and has been for years. Now, to my mind, Sir, that is quite sufficient to enable the people to guard themselves. We are proposing, however, to define what, and what only, the insurance companies may invest in, and I think it will be found, by looking over the character of these permitted investments, that an insurance company may make just as bad investments in these securities allowed as the Canada Life may do with the larger power allowed under the present law. So I desire to protest against any interference with the vested rights of that or any other company. It appears to me that it is a very dangerous thing to do. It is un-British. It could not be done in the United States.

because the constitution of that country prevents interference with vested rights. But in this country Parliament is omnipotent, and there are no restraints upon us except such restraints as, in the public interest, we put upon ourselves in a matter of this kind. I desire, however, to call attention to a statement of the hon. member for Westmoreland (Mr. Wood), which was sprung upon us in committee, and which there was no opportunity, or not sufficient opportunity, to reply to. I ventured then to say—though for that I was chided by some of my hon. friends—that the statement made by the hon. gentleman was an unfair statement. The Canada Life were not seeking any legislation; their affairs were not before the House particularly, yet the hon. gentleman, occupying a position of authority as chairman of the Banking and Commerce Committee, came here prepared to make, and did make, a statement with regard to the character of the investments made by the Canada Life Assurance Company, condemning some of these investments as unsatisfactory. Now, as I said at the time, that was an unfair statement. I did not mean to say, and I hope my hon. friend did not understand me to mean, that it was intentionally an unfair statement; but all the same, it was an unfair statement to make, and all the more so because it was in point of fact, misleading. I venture to say, and, therefore, calculated to do the company a very great deal of damage. Now, I will refer to the statement, because I desire to put the matter straight before this Bill passes the House. The statement of my hon. friend will be found at pages 6021 and 6022 of the unrevised edition of the 'Hansard':

But, whether there has been a change in the management or not, I find in the reports published of the insurance companies, that within the last five years there has been a very material change in the class of investments which this company are making. Now, in their report which appeared last, I find that the Canada Life have invested some \$450,000 in bonds of the Kingston, Napanee and Western Railway Company—6 per cent bonds. They enter these bonds in their list of securities at their par value as the market value. They have invested a further sum of \$400,000 in bonds of the Lake Erie and Essex and Detroit River Railway Company. They have invested a further sum of about \$400,000 in bonds of the St. Lawrence and Adirondack Railway Company. They have invested also in the Michigan Central Railway Company's bonds. They have invested a further sum of \$375,000 in shares of a commercial corporation, H. Walker & Son, for which they hold also \$400,000 of these same Lake Erie, Essex and Detroit River Railway Company's bonds. I have taken the last report of the Department of Railways and Canal to get what information I could glean from it in reference to the affairs of these railway companies.

Then the hon. gentleman went into a general

Mr. McCARTHY.

discussion of investments of that class, after which he proceeded:

The railways to which I have referred, the Bay of Quinté Railway and Navigation Company and the Kingston, Napanee and Western Railway, I understand, now amalgamated, and have a total bonded debt of \$60,500 and \$450,000. Their net earnings in 1893 were \$44,361. It is true that this will be sufficient to more than pay the interest on their bonded debt, but so far as I can learn, these bonds have really no market value, and if the company, under any circumstances, were obliged to realize on the securities at the present time, they would really be unable to sell them in the open market, and would be obliged to take up and manage the road, in order to realize the amount which they have advanced upon it. Then the Lake Erie, Essex and Detroit River Railway Company is in somewhat the same position. It is a road eighty-eight miles long. The company has a subscribed capital of a quarter of a million dollars and a paid up capital of only \$25,000. They have a bonded debt of \$900,000. The whole of these bonds, I find, are held by this Canada Life Insurance Company. During last year the net earnings of this road were \$36,393.49. This would be \$17,806.51 short of paying the interest on the bonds. I can hardly think that, under these circumstances, this would be a very safe or desirable class of investments. They must certainly be a class of securities which could not find sale under present circumstances in the open market. The St. Lawrence and Adirondack Railway is twenty miles in length. The company has a capital of \$350,000 and a bonded debt of \$1,400,000. Last year their working expenses were \$45,404 and their gross earnings \$31,922. This railway company came short by \$13,481 of paying their working expenses, so that there would be nothing from the earnings of the railway, at all events, to pay interest on the bonds.

Now, during the course of the discussion the hon. gentleman was asked whether for these loans the company had any other security, and he replied that of course he did not know. No doubt that was correct, but it does appear to me that it was unfair of the hon. gentleman to characterize these as bad investments, as dangerous investments, without knowing the facts in this respect. Now, Sir, I have a statement with reference to these investments with which I shall trouble the House in order that the matter may be put right. On the 6 per cent bonds of the Kingston, Napanee and Western Railway, \$500,000, and the Bay of Quinté Railway and Navigation Company, \$60,000—these roads being amalgamated—the Canada Life has loaned \$450,000. But they have loaned this sum, not merely upon the security of these bonds, but upon the guarantee, in addition, of the Rathbun Company, a well-known company which has a paid-up capital of \$1,500,000. So that the House will see that this was not an investment in bonds, as was incorrectly stated by the hon. gentleman, but it was a loan to the Rathbun Company—

which is reported to be worth two and a half million dollars above all liabilities—upon the collateral security of this \$560,000 worth of bonds. Now, Sir, what is the position of the bonds? These bonds have an interest charge upon them of \$33,600. The last year's earnings of the two companies taken together—the hon. gentleman gave us one, but not both—were \$41,361 and \$3,638, or almost \$48,000. So there is a balance of about \$15,000 over the interest charge, or, in other words, the companies are earning 9 per cent, although they have only to pay 6 per cent upon the bonds. So that for that particular investment the hon. gentleman will see that the \$450,000, which has the personal guarantee of the Rathbun Company, earns \$48,000, while the charge upon the bonds is \$33,600, and all that the company require in order to pay 6 per cent on the amount loaned is \$27,000. Then another investment to which the hon. gentleman drew attention was the loan of \$400,000 on the St. Lawrence and Adirondack Railway Company's bonds. But the hon. gentleman did not tell us that in addition to that \$400,000, there were bonds of the Michigan Central Railway Company for \$125,000, shares in the same company for \$60,000; New York Central and Hudson River Railway Company's shares \$60,000—altogether, as security in the nature of bonds and stocks, \$645,000. But this loan is guaranteed by Dr. Webb, of New York, to whom the loan is really made, who is a son-in-law of one of the Vanderbilts, who is president of the Wagner Palace Car Company, and a man in very high standing; so that there again the hon. gentleman will see that when he assumed there was an investment made—though I think if he had looked more carefully he would have seen that it was not an investment, but these were merely held as a matter of security—the transaction is not one that, when understood, any person would object to. Then I add the further statement with regard to the other loan, a loan of \$800,000 to Hiram Walker, Edward C. Walker, Franklin H. Walker and James H. Walker, jointly and severally bound, the firm of Walker & Sons. This loan is collaterally secured by the bonds of the Lake Erie and Detroit River Railway Company for \$900,000. They have power to issue \$20,000 a mile, but for the lenders' security this is restricted to about \$9,000 per mile. In addition there are 4,625 shares of the stock of the Hiram Walker & Sons Co. (Limited); altogether, therefore, the security amounts to \$1,316,000, in addition to the personal liability of Hiram Walker & Sons. I think the hon. gentleman will acknowledge that this is ample security for these investments also. Then when we look at this particular railway, we find it is not yet complete. It has been bonused by this Parliament, but the road is intended to connect with some other road—I cannot at the mo-

ment state the name. It is now under construction, and although it is not yet completed, the road has been earning \$36,000 a year over and above working expenses, which is not far from sufficient to pay the interest upon the advance.

Mr. DICKEY. Can the hon. gentleman give us the rates of interest of these various roads?

Mr. McCARTHY. All of them 6 per cent. Now, I think it is important and fair to the company that these statements should be made, and the argument I deduce from them is that I think it is very dangerous to interfere with the management of the company. We must realize this, that if this Bill is passed, and the company having these large sums to invest, is confined to the class of securities mentioned in the amendments, it can only be with considerable loss of earning power on their money, and I venture to say without any practical advantage, because no one will pretend to say that investments cannot be badly made in the classes of security which are included in the Act.

Mr. SPROULE. Can the hon. gentleman tell us about the market value of these bonds and securities?

Mr. McCARTHY. I will tell the hon. gentleman as to some of them. For instance, in the Kingston, Napanee and Western, the whole issue is held by the Canada Life, it has never been put upon the market, and nobody has ever tried to sell and nobody has ever sought to buy them. The St. Lawrence and Adirondack road, which is a road connecting with the Canada Atlantic and another of our roads, I forget the name at the moment—

Mr. SCRIVER. The St. Lawrence and Adirondack road starts from Valleyfield and connects at the boundary line with this road generally called Dr. Webb's road.

Mr. McCARTHY. It is a road running really in connection with the New York Central.

Mr. SCRIVER. It is virtually a part of that.

Mr. McCARTHY. I think it has been built only within the last year or two, but it is intended to divert travel to the Adirondack Mountains which has hitherto gone by the Delaware and Hudson, to the New York Central system. Now, these bonds have not been marketed and therefore it is impossible to do more than to say that they are bonds for so much, and that the road is earning so much. But the New York Central and Hudson River Railway shares are well known to be worth 100 cents on the dollar; they vary from 96 up to 108 and 109. In the same way with the Michigan Central securities, 5 per cent shares and 5 per cent

bonds, the bonds are over par and the stock is generally quoted about par. I think the bonds of the Lake Erie and Detroit River are in the same position; they have not been marketed. I do not know that Walker & Sons' stock in their company has been put upon the market either. I submit this statement upon the authority of the manager, who made careful inquiries before he advanced the loans, inquiries from the bankers of these different parties and others, and took every precaution before these investments were made. I think these facts show that the loans are reasonably secure; and also show the danger of interfering with business affairs and attempting to control them, as this amendment proposes to do.

Mr. WOOD (Westmoreland. I can take no exception to anything which the hon. gentleman from North Simcoe (Mr. McCarthy) has said this afternoon, with regard to the business of this company and the securities which they have for the loans which were referred to the other day, which was not available to me, and which is not available to any one who has no sources of information except what he can glean from the public records. The hon. gentleman has told us that one of the securities referred to is secured by the guarantee of the Rathbun Company, and another one is secured by the personal obligation of Dr. Webb, of the New York Central, and another one by the personal guarantee of Hiram Walker & Sons. Of course I presume the hon. gentleman is correct in making these statements; but as I said before, we have no means of knowing these facts except from the information given us by the companies themselves. I am glad to know the hon. gentleman gives me credit for not wishing to injure this very important insurance company in the remarks I made the other day; and I hope the effect of them will not be to injure the business of that company. The hon. gentleman has drawn an argument from the statements which he has made to-day, which is the only reason why I rise to make one or two remarks in reply. He says he thinks these facts are sufficient to convince the House that it is dangerous to interfere with the investments of these insurance companies. If that argument is a sound one, I presume it involves this, that Parliament should not restrict the investment of insurance companies in any respect, but that insurance companies should be left as free as are ordinary business corporations to invest their money in any way they choose. I can only repeat on that point what I said the other day, that I think life insurance companies stand in a different position from any other corporation in this regard, that the moneys which they hold do not constitute capital subscribed by the stockholders, but are moneys received from the policy-holders and which the companies hold for investment, as trustees for

Mr. McCARTHY.

the benefit of those who are to be benefited by those policies when they mature. For that reason, it appears to me wise that Parliament has in respect to this class of company interfered and restricted their investments to a class which appears not to be absolutely secure in every respect, but as a general rule to be regarded as a better class of securities than the class of investments to which the hon. gentleman has referred. I hardly think the hon. gentleman himself would advocate the policy of allowing life insurance companies to loan their money on the personal obligation of any private company, however good that security might appear to be. I have never heard that idea advanced before, and I am sure it is contrary to the policy of Parliament with respect to investments of insurance companies. I should like to say something with regard to the other remark which the hon. member made, that a change in the security might involve a large difference in the earning power. That may possibly be so. But if that is so, it is one of the strongest arguments in favour of restricting the companies with respect to their investments. As a rule the safety of the investment largely depends on the amount of interest paid. If the rate of interest is large, as a rule a larger risk is incurred; if it is low, the investment is of a safer kind; and the very argument that to restrict this company as regards investing in securities would reduce its earning power is the strongest argument that can be adduced in favour of placing such company under restriction. I should like to add this, that the experience of the last few years has shown the wisdom of the policy Parliament has adopted with respect to restricting the investments of life insurance companies. I can remember very well, and no doubt every hon. member can remember, when the public of Canada was very cautious as regards investing in Canadian insurance companies, when it was very difficult for a Canadian company to compete with the old standing English companies; and the reason was not because they did not allow them sufficiently low premiums or sufficiently large dividends and sufficient inducements of that kind, but simply from the fact that the public had doubts in regard to the security at the back of the policies of the Canadian companies. The effect of the legislation of the Parliament of Canada in restricting these investments to a special class of securities has been to increase the business of the Canadian companies—it has really been as much in the interest of the Canadian companies themselves as of the policy-holders, and I am glad to find that the Canadian companies are doing a large and I believe a prosperous business. I hope for this reason that the present policy will be adhered to, and it will be made to apply generally to this very large and important company referred to as well as to all other life insurance companies doing business in Canada.

Mr. EDGAR. I think after the explanation given by the hon. member for North Simcoe (Mr. McCarthy) to the unfortunate attack made by the hon. member for Westmoreland (Mr. Wood), the hon. gentleman, who may not have intended to attack the Canada Life particularly, appears not to have done any harm to the company. It shows, however, that the hon. gentleman was very unfortunate in taking up an illustration of that kind, without having information as to its correctness.

Mr. WOOD (Westmoreland). How could I obtain that information?

Mr. EDGAR. The hon. gentleman could have obtained that information. I would say that before the hon. gentleman made an attack on securities in the hands of a public company, he should ask that company in respect to the same. He could have obtained that information by asking the company for it. That course would have been a fair and reasonable one.

Mr. WOOD (Westmoreland). I think the hon. gentleman is unfair in saying that I made an attack on the company. I merely read from a public record a full statement made by the company itself.

Mr. EDGAR. A partial statement.

Mr. WOOD (Westmoreland). I read all the statement.

Mr. EDGAR. The hon. gentleman no doubt read all the information on the face of the document.

Sir JOHN THOMPSON. The hon. gentleman has spoken already.

Mr. EDGAR. It is perfectly evident that the information read by the hon. member for Simcoe (Mr. McCarthy) could have been had from the company. As to the general principle—

Sir JOHN THOMPSON. Spoken.

Mr. EDGAR—involved in the Bill with respect to going back on the charters of existing companies, I should like to say this, that the Government might as well bring in a Bill providing as to the nature of securities in which all land companies in Canada might invest, because it is perfectly well known that there are large loan companies doing business here to-day which have a right to lend money on many classes of securities which more recently chartered companies have not the right to loan upon. So the Government, no doubt, will find itself with the responsibility of revising all that legislation, as well as the legislation under consideration.

Mr. LANDERKIN. I am opposed to these amendments being agreed to. I believe this principle is detrimental to the interests of a very important company in this country. I am opposed to the amendment because I believe they strike at vested interests which

the Parliament of Canada have guaranteed to that company and the Government as regards those rights should protect such interests when guaranteed by this House.

Mr. SPROULE. If there is one principle more than another which this Parliament has a right to control it is in regard to investments in securities by life insurance companies. As time passes the securities change, and a class of securities which might have been good twenty years ago might be worthless to-day, and it would not be reasonable that because those securities had been good twenty years ago, a company should be able to invest money belonging to policy-holders in such securities, and it is the duty of Parliament to decide that the company should not invest in those securities. If so, we are adopting a principle which Parliament should not endorse, whether in the interests of the policy-holders or of the company. I do not believe that the contention of the hon. member for South Ontario (Mr. Edgar) as regards the comments of the hon. member for Westmoreland (Mr. Wood) is correct. Every hon. member does not possess the information submitted by the hon. member for North Simcoe (Mr. McCarthy), and when an hon. member brings to bear on any measure the best information available to him at the time he has fairly done his duty. In view of the fact that the value of the securities is changing, that insurance companies are breaking down, while at the same time the amount of money invested in their hands is increasing from year to year, Parliament cannot be too careful in enacting such legislation as will compel the companies to make the very best investments possible. Personally, my feeling is that railway securities are not good securities. The hon. member for Simcoe (Mr. McCarthy) has referred to the bonds of a railway, but he says they have no market value. How is any one to estimate their value if they have no market value? For all we know, they may be only worth 25 cents, or they may sell at par. How can we know what a private individual's security may be worth? Take, for instance, Dr. Webb, who is Vanderbilt's son-in-law. What do we know about his personal security? What do we know about the personal security of Hiram Walker or the Rathbun Company? We know nothing about their personal security whatever, beyond the status which they have in the commercial world to-day, or beyond the information contained in Dun, Wiman's or Bradstreet's agency, and, to the knowledge of many members in this House, that information is sometimes unreliable.

Mr. M'LOCK. Whilst not inclined to disapprove, in a general way, of the safeguarding of insurance funds, which I consider in the light of trust funds, yet I think it is but right that some consideration should be given to institutions carrying on business largely on the state of affairs existing up

to this moment. It has occurred to me that it is impossible to deal with existing companies in a safe way, and, at the same time, to provide for the operations of future companies. I do not happen to have any concern in the particular company referred to, nor, in fact, in any insurance company in Canada, so that I speak without any personal interest. I think we should have regard to existing interests. Would it not be possible to say that, so far as any existing company is concerned, this law should not apply to the extent of existing liens of policy-holders upon funds sought to be invested? If the present policy-holders are regarded as the first claimants upon securities, it is they whom we ought to consider, and if these policy-holders are not prejudiced, we need not be particular as regards the past. Take any existing company with so many outstanding policies, and there is a present surrender value for all existing policies. These policies are expiring every day. I would suggest that, as regards all new business, you should apply this new law, but, as regards funds on hand to deal with existing contracts, you are taking a very serious step when you are not permitting the insurance company to be able to invest these funds according to its anticipations, when it entered into such contracts. When a company issues an insurance contract, the rate that is charged is based upon the prospective gain from the money received from the insured, and that view of the situation, of course, was largely affected by the powers of the company as to investments. So that as to existing policies, I think that the law should not be made to apply to the extent of the surrender value of the existing liabilities to policy-holders. Take the company that has been alluded to. It has, I presume, a large portion of its assets invested in funds of the classes permitted by the Act, and it has, I suppose, other portions of its assets invested in classes of securities not within the spirit of the Act. These two investments, together, ought to be quite equal to the surrender value of all existing liabilities to policy-holders. If you deduct from the total amount of liability the value of the assets invested in the permitted securities, the balance alone represents the proportion of the securities that would be disturbed by this proposed legislation. As time goes on, and existing policy-holders are paid off, every day an existing policy is paid off, to that extent, the claim of that policy-holder upon the fund ceases, and, by degrees, the company would thus pass into adopting a new scheme of investment. Its existing rates on the basis of existing contracts would not be disturbed, nor would policy-holders have a grievance, because, whether they know the powers of the company or not, at all events, the statute has given notice of the securities in which their funds may be invested, and they would have no cause of complaint

Mr. MULLOCK.

against Parliament. I think a policy could be adopted by which the existing companies could gradually adapt themselves to this safer scheme, which would be harmless as regards existing funds, and which would not prejudice existing rights. In saying this, I agree with the spirit of the legislation laid down in this Bill. The funds of insurance companies are trust funds, and every safeguard should be cast around their proper husbanding, in order that the interests of widows and orphans and others *cestuis qui trustent* shall be safeguarded. Good management, is of course, of first importance, and good principles of management should be laid down by Parliament itself. I think the law could be made to come into force by degrees, and not at one fell swoop create disturbance in regard to existing contracts; in fact, altering existing contracts. To pass this measure now, is like telling the company: you have entered into large liabilities, you have entered into contracts involving the payment, in the future, of very large sums of money, on the expectation that you will be able in the management of your affairs to avail of your existing powers in order to make good those contracts. We are now going to alter the powers of your company so that we are practically making it impossible for you to make good the contracts you have entered into. Parliament is taking a very serious responsibility upon itself in passing this legislation in such a way. If, for example, a company has entered into contracts to pay many millions in the future, expecting to realize, say, 6 per cent on investments; and if Parliament renders it impossible for the company to earn 6 per cent on its investment of the funds collected from the policy-holders, Parliament will be to blame if that company should meet with disaster. I therefore think that the Bill should not be pressed to a third reading in its present shape, but that we might very fairly adopt a graduating principle which would not, in the slightest degree, give a complaint to an insured person in case of an existing company making default. This legislation being injected into the middle of a going concern, and altering its whole earning powers, I can conceive of insured persons having a well-grounded claim for compensation against Parliament if this legislation should result in destruction to the company, and prevent it from implementing its contracts. When you look at this measure, you will see, Mr. Speaker, that it is a disturbance of existing interests and a violation of vested rights. Whilst the object aimed at is, in the abstract, good, the method adopted is vicious in that one feature, and I think it ought to be subject to further consideration before Parliament gives its assent to the measure.

Amendments agreed to, and Bill read the third time and passed, on division.

C. P. R.—DRAWBACKS.

Resolution reported from committee (July 14th) respecting drawbacks on articles used in the construction of the Canadian Pacific Railway, was read the second time, and concurred in.

Mr. FOSTER moved for leave to introduce Bill (No. 166) to provide for drawbacks on certain articles used in the construction of the Canadian Pacific Railway.

Motion agreed to, and Bill read the first time.

DOMINION LANDS.

Bill (No. 160) respecting Dominion Lands, was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. CHARLTON. I wish to inquire of the Minister whether this contemplates the case of a settler who has squatted on lands before they are surveyed and which are found when surveyed to be not open to homestead entry—whether it is contemplated to oblige him to remove from that location, and take another?

Mr. DALY. No; on the contrary, this is to enable the Government to give him a homestead entry for that, and to substitute another quarter-section for the school land. It is to protect the squatter.

Sir RICHARD CARTWRIGHT. Does this apply only to school lands, or does it also apply to railway lands, for example?

Mr. DALY. It applies to all lands.

Sir RICHARD CARTWRIGHT. Why in that case do you appear to limit it to school lands? Would you not require to make it applicable to Hudson Bay lands and railway lands?

Mr. DALY. No. We control railway lands ourselves. It is only school lands which are fixed by statute.

Sir RICHARD CARTWRIGHT. I thought Hudson Bay lands were fixed in the same way.

Mr. DALY. They are, but we have had no difficulty in arranging with the Hudson Bay to take other lands, if necessary.

Mr. MILLS (Bothwell). No doubt the Government has been able to substitute other lands for Hudson Bay lands, as the Minister has said; but the statutes set apart certain sections for the Hudson Bay Company, and I am of opinion that that would have the effect of making a conveyance to the company by parliamentary title instead of by grant. It is true, we have always,

I believe, had a grant made by the Crown to the Hudson Bay Company of the particular sections set apart; but that, I think, has been a work of supererogation, as the title is already vested in the company. The United States Supreme Court has held in exactly similar circumstances that there is a Congressional conveyance, and here, I think, there is a parliamentary conveyance of the lands to the Hudson Bay Company. If that is so, the mere assent of the company to accept other lands would hardly be sufficient, although that has been the practice, because the title is already in the company by virtue of the very words of the statute.

Mr. McCARTHY. I think this does not apply either to Hudson Bay Company lands or to school lands; it only applies to lands open to settlement. If it did apply to Hudson Bay lands, it seems to me we ought not by Act of Parliament to override the provisions under which the Hudson Bay Company select their lands.

Mr. DALY. I was mistaken in saying that this applied to any other than school lands. It was the Bill as originally drafted which led me to that conclusion. As the Bill now stands, it applies only to school lands, and does not interfere with the Hudson Bay Company lands at all.

Mr. MILLS (Bothwell). My observation was directed to the statement of the hon. Minister in reply to the hon. member for South Oxford.

On section 3,

Mr. DALY. The object of taking that power is to cover the case in which lands are neither Dominion nor Ordinance, but which may be vested in the Crown by the right of Canada. Along the chain reserve of the Niagara River, the proprietors of land adjoining have made application to the department for the water lots, and those proprietors would be entitled, as a matter of right, to the water lots, were it not for the chain reserve. That reserve is in dispute between the Ontario and Dominion Governments, but in the event of its being decided that the Dominion Government is entitled to it, the right would accrue to the Dominion Government to sell and dispose of the water lots adjoining.

Sir RICHARD CARTWRIGHT. Is that in any way brought into collision with the rights that have been obtained or are applied for respecting the utilizing of the water power of the Niagara?

Mr. DALY. Not at all. It has nothing to do with the water power. The proprietors simply require the lots for boat-houses, &c. This is from the mouth of the Niagara River up to about Suspension Bridge and does not run as far as the Falls.

Mr. CHARLTON. Does it interfere with the right of way of any road, such as an electric road ?

Mr. DALY. No.

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

LAND GRANTS TO RAILWAYS.

House resolved itself into committee on resolutions (p. 5935) providing for the granting of subsidies in land to the railway companies therein mentioned.—(Mr. Daly.)

(In the Committee.)

Mr. DALY. The first item is the land grant to the Rocky Mountain Railway and Coal Company. This company was incorporated with power to construct a line of railway between certain points, but objections were taken to the route, and they got subsequent legislation which provides for the building of a line from the town of Olds on the Calgary and Edmonton Railway into the coal fields immediately west. The length of the railway was fixed at sixty miles, and this is to grant them 6,400 acres a mile for that sixty miles from Olds into these anthracite coal fields. The land we expect to get immediately on each side of the railway, after it leaves the Calgary and Edmonton land grant.

Sir RICHARD CARTWRIGHT. Who are this company, and what evidence is there of their capacity to build the road ?

Mr. DALY. The company is composed of a number of local men in Calgary. They have had these lands examined by competent engineers from England, and have interested English capital. They have shown to the Government that they are prepared to go and build this railway and develop these coal lands. In addition to the development of the mines, there is a large tract of agricultural country lying along the line of the railway, between Olds and the objective point at the mines, which this company will serve. The evidence adduced to the Government was the same as that furnished in similar cases, and it shows that these gentlemen would have no difficulty in getting the necessary capital to go on with the work.

Sir RICHARD CARTWRIGHT. I must say that, bearing in mind many of the developments that have occurred, from time to time, in the case of these railway charters, I think the Government would have done well to have adopted the suggestion many times made in this House, that before they make a formal subsidy involving about 400,000 acres, they would do well to insist on a reasonable deposit being put up. There is a very great danger of these charters being hawked about, when there is a subsidy attached to them, and being used for any

Mr. DALY.

purpose except the particular development of the section of the country concerned. The hon. gentleman has hardly given the House any particular justification for parting with this number of acres. We ought to know who these gentlemen are, what capitalists they have interested and what length of time must elapse before they commence building the road.

Mr. DALY. I will give the hon. gentleman the information. The gentlemen whose names are mentioned in the Act of incorporation, which was assented to on the 21st of July, 1891, and revived and amended this session, are : Peter McCarthy, John Ryan Costigan, of Calgary ; Walter Reginald Baker, of Winnipeg ; and Isaac K. Kerr, of Eau Claire, Wisconsin. This is the application made, dated 21st March, 1893 :

HON. T. MAYNE DALY,
Minister of the Interior,
Ottawa.

The application of the Rocky Mountain Railway and Coal Company respectfully sheweth :

The said company was incorporated by Act of Parliament, 54-55 Vict., Chap. 58, the Bill having been assented to on the 31st July, 1891, and to which Act we beg to refer.

The Act provides, as will appear by reference thereto, for the construction of a railway from a point on the C.P.R. at or near the Town of Anthracite, thence north, etc. It was objected that such a line of railway would be little if any benefit to the country other than in the development of the coal fields, and upon further consideration, the company has concluded to construct the proposed railway starting from a point on and connecting with the Calgary and Edmonton Railway in the vicinity of Olds Station, thence running in a westerly direction by the Red Deer River to the coal fields ; and, in the event of the present application being favourably considered, such amending legislation will be asked for as may be necessary to enable the company to deviate from the line laid down in the Act of Incorporation. The company has expended large sums of money in and about the prospecting and developing of the coal fields in question. The services of a competent engineer were obtained during the past summer, and by him a personal examination of the said coal fields was made. He recommends further systematic exploration by boring. This will necessitate considerable outlay in procuring a diamond drill and other necessary appliances and the company, before incurring this heavy expense, feel that they should be assured of such reasonable assistance from your Government as the importance and extent of the enterprise would seem to warrant. The proposed railway would facilitate colonization of a vast tract of agricultural land which at present is too far removed from railway communication for settlement, and the advantage to that entire country arising from a steady and inexhaustible supply of superior coal would be inestimable.

We therefore trust that your Government may feel warranted under the circumstances in assisting our company by way of a land grant of 10,000 acres per mile. The company would be willing to accept such reasonable proportion of the grant as your

Government might indicate in the vicinity of the coal fields, that is township 31, range 11, west of the fifth I.M., provided no reservation be made of coal or other minerals, the balance to be taken from Government vacant lands between the Bow River and the Saskatchewan, and if available and thought necessary west of the Calgary and Edmonton Railway.

We forward herewith sketch prepared by J. A. McArthur, D.L.S., showing location of coal field. The line of railway would be in the vicinity of fifty-five or sixty miles. Any former application of the company for assistance by subsidy or otherwise must, of course, be considered as withdrawn. The company therefore respectfully trust that your Government may be pleased to give this application their most favourable consideration.

(Sgd.) P. McCARTHY, *President*.

(Sgd.) THOMAS O'BRIEN, *Secretary*

Accompanying this is a copy of a resolution passed by the city council of Calgary :

CALGARY, ALBERTA, 20th March, 1894.

Moved by Alderman Jacques, seconded by Alderman A. L. Cameron and resolved :—

That in the opinion of this Council the building and operating of the proposed Rocky Mountain Railway, from the head waters of the Red Deer River to the city of Calgary, by the route which is now proposed by the company to adopt, would be of immense value to the section of country through which it is intended to pass as a colonization road, and that opening up of the Anthracite coal mines at the head of the railway would be of very great advantage to the settlers in a large district; therefore the council desires to impress upon the Dominion Government the propriety of a substantial grant to the said railway company.—
Carried.

WESLEY F. ORR,
Mayor.

Certified a true copy,

J. D. GEDDES,
City Clerk.

In addition to that, the application is accompanied with a report on the coal fields, made by Walter B. M. Davidson, F.G.S., Associate R.S.M., member of the American Institute of Mining Engineers, metallurgical and mining engineer. These are all the documents.

Sir RICHARD CARTWRIGHT. The hon. gentleman stated, if I did not misapprehend him, that certain English capitalists had been interested in this scheme and that the promoters had satisfied the Government that they had the means to carry on this scheme. I may remind the hon. gentleman, also, that he did not state what length of time was allowed for commencing, and what length of time for completing the road.

Mr. DALY. When I said the information as to the financial backing of the company had been given to the Government, I should have said it was given to myself. I was under the impression that it was in writing, but it may have been a verbal communica-

tion made to myself by the promoters of the railway. I do not see the correspondence on the file. But certainly representations were made to me that this Mr. Davidson, who has made this report on the coal fields, had interested English capitalists, friends of his, in the scheme. As to the length of time allowed, it is provided that the construction of the railway shall be commenced on or before the first day of July, 1897, and that the railway shall be completed, adequately equipped, and running to the satisfaction of the Government, on the first day of July, 1901.

Sir RICHARD CARTWRIGHT. Considering that this scheme was on foot three years ago, the proposition of the Government to give these parties three years to hawk about a railway subsidy of 400,000 acres, is exceedingly objectionable. I do not like at all to part with control over the comparatively small proportion of valuable lands available for settlement that we have still retained, unless there is the very clearest evidence and proof and good guarantees given that the public will be greatly served thereby. I must say, Sir, that I do not like at all the proposition as the hon. gentleman has explained and defined it. I am afraid we shall have a repetition in this case of our experience of past years, when certain parties, having no means whatever, will get hold of a railway charter with a subsidy attached either in land or money, and, instead of the country's interest being promoted, a more or less considerable sum of money will be taken out of the pockets of the people, and made over to certain wild-cat promoters.

Mr. MILLS (Bothwell). I think the House ought to consider the position of the Northwest with regard to railway accommodation. We have an immense stretch of railway in that country. We have an immense area of lands in the immediate vicinity of railways already constructed that are still unoccupied, and yet, with that fact before us, the Minister proposes that other railways shall be constructed, and for this purpose large subsidies of land shall be given. I confess I am utterly unable to see what the aim and object of such a policy can be. The road which the hon. gentleman proposes to construct will start at a point sixty or seventy miles north of Calgary, and will run westward towards the Rocky Mountains, though there are millions of acres along that line of railway extending to Edmonton that are not yet occupied. Why, then, should we undertake to subsidize a road to scatter the population away from the lands that are already open for settlement, and for which railway facilities are provided. If there was want of coal to be consumed, I can understand how the Government might be anxious to open up these coal fields, and attach certain conditions to the party who would come into possession; but there are

ample coal fields in the immediate vicinity of the roads already constructed, and that being so, it does seem to me of the first consequence for this country to direct its attention towards the occupation and settlement of the lands in the vicinity of the roads already built. When these lands are fairly taken up, then we may turn our attention to the construction of other railways; but until these lands are taken up, we are simply providing for tying up the public lands in the hands of the railway company. If the lands now opened for settlement and for which railway facilities are afforded, were occupied, there would be no necessity of a land grant in any one of those cases. In the case specially under consideration, the population would be ready to flow into that country, and railway capitalists would know that they were constructing a road that would be fairly remunerative, and a land grant would be unnecessary. I would say further that wherever the House, upon full investigation, comes to the conclusion that a railway is needed in order to open up the country and to furnish facilities to immigrants, then the Governor in Council and Parliament, instead of allowing the lands to pass without control into the hands of the railway corporations, ought to provide that the company shall only be entitled to the maximum sum from the sale of these lands; so that, in the first place, the company will have no interest in holding them for speculation, and in the next place, if the lands had acquired before a special value, the special value shall inure to the public benefit. If these parties were to get 6,400 acres of land, assuming the road to be a necessary work or undertaking, and the Government were to have power to assume control of the lands and to pay the company a sum not exceeding \$10,000 or \$12,000, then the public would have some control, and they would prevent the lands being held for mere purposes of speculation. But the whole scheme, as disclosed by the statement made by the Minister, shows that it is a mere speculative enterprise, and that the parties are proposing, not to undertake the construction of the road now, not to do anything in that respect now, but to have the privilege of beginning this work after this Parliament has gone out of existence and the people have been called upon to elect another Parliament. Why, Sir, let us leave to the Parliament that will succeed this one, the same privilege of judging of the public interest, the same freedom of determining what is proper in their own day, that we assume. We are not doing that, we are undertaking to decide now what shall be undertaken four or five years hence. I think this is an improper position; but apart from that altogether, I say that with an immense area of land open to settlement by roads already in existence in the North-west Territories, we ought not to give away the residue of the public land that remains to us for new railway enterprises where there

Mr. MILLS (Rothwell)

is no necessity for their being undertaken or constructed, nor will there be for several years to come.

Mr. McMULLEN. I think it is time we should call a halt in granting public lands in the North-west for railway schemes of this kind. When the Canadian Pacific Railway was built, a very large grant was made to that company, and when grants were made to the branch lines, and when a loan was being made to the Canadian Pacific Railway to enable it to complete that road and to complete some other undertakings in connection with it, it was said that by the year 1891 we would have 58,000,000 of money out of that country in return from the sale of lands. Now, up to the present time we have not got 8,000,000 of money, and the people of this country have been called upon, and are now called upon, to pay annually an enormous sum in the way of interest upon the moneys that have been paid to complete the construction of that road, and enable us to get, as was promised by Sir Charles Tupper, a very large return. He said that not only the money invested would be returned, but that the people would get a very large amount over and above the amount of money that they were asked to grant to complete that road. We have not got to-day four millions of money out of the sale of land in the North-west. And what are we doing to-day with the resources to which the people were pointed as the means by which they would relieve themselves from the burdens of the debt they undertook for the construction of that road? Why, Sir, year after year, and session after session, these resources are being frittered away in schemes got up for the purpose of enabling men there and throughout the Dominion to make money by getting a subsidy of 6,400 acres of land per mile for the construction of a road across the prairie. Suppose these lands should bring \$1.50 an acre, that is \$9,600 a mile, which sum should construct a road in that section of the country without any additional aid. I contend it is wrong and unjust to the people of Ontario who have built their own roads. Take the counties through which different lines have been constructed, and you will find that by county grants, and municipal grants, and in other ways, the people have procured railway accommodation by direct taxation, by the issue of debentures for twenty years. But in the North-west we are not only asked to bear all the burdens involved in the construction of the Canadian Pacific Railway, but we are asked now to contribute a most valuable portion of the lands left, for the purpose of supporting schemes for the construction of roads through sections of country that are not settled. I contend that the people should not be asked to grant subsidies for the construction of these roads; it is decidedly wrong to give away in this fashion the entire resources of that country and leave the people of the older

provinces to pay the debt, as well as to bear the responsibility we have undertaken to construct the lines already in existence. There is another point in connection with the Bill that I think is exceedingly objectionable, and that is, that they should have until the year 1897 to commence this road, and until 1910 to finish it; and if no other member of this House will do so, I shall move that this land be not granted unless the line is commenced within twelve months from the passage of this Bill, and that the promoters shall give a sufficient guarantee that they will complete it at least within three years. I say it is wrong to allow any company an opportunity of peddling around from pillar to post a charter carrying with it 6,400 acres of land and trying to make money out of it. We know what we did with regard to the North-west Central. We made a large grant of land for it, and the charter was peddled around and fought over from year to year, and the parties were supposed to make considerable money out of it. Now, if there is any money to be made out of those lands, the Dominion Treasury should get that money, and the profits should not be allowed to go into the pockets of railroad speculators.

To the Canadian Pacific Railway Company, Dominion lands to an extent not exceeding 6,400 acres per mile for a line of railway from a point in the vicinity of Souris, on the Souris Branch of the Canadian Pacific Railway, in a westerly direction to the Pipestone Valley, a distance of about 32 miles.

Mr. CHARLTON. I would ask the Minister whether this is an extension of the line to which the Government granted a subsidy of 6,400 acres on the sixty miles already completed?

Mr. DALY. Yes.

Mr. CHARLTON. Is there as good reason for granting this additional subsidy as there was for granting the other?

Mr. DALY. Yes. This line of railway runs from what is called Monteith Junction, on the Glenboro' extension of the Canadian Pacific Railway into the Pipestone country. The company built this extension of thirty-two miles through the Pipestone Valley on the faith that the Government would give a land grant of 6,400 acres per mile.

Mr. CHARLTON. So this section is already built? Then there was sufficient inducement to lead the company to build the road without a subsidy?

Mr. DALY. I do not think there was.

Mr. CHARLTON. We are following a very vicious system in regard to giving land grants to railways. The Canadian Pacific Railway Company is a great corporation, which is undoubtedly prepared to extend throughout the North-west branch lines as rapidly as business demands. The

Government, very shortly after the last election, and under very suspicious circumstances, granted the Canadian Pacific Railway a land subsidy of sixty miles of road already built. The company desired for their own purposes to reach certain coal fields. After this road had been constructed the company desired a land grant. The extension of the road westward was in the interests of the company, and it is perfectly absurd to see a great, wealthy corporation such as the Canadian Pacific Railway, possessing enormous resources, informing the Government that they will not build any new branch roads to develop additional business unless the Government give a sufficient land grant to build the road. The company are always ready to extend their line so soon as the growth of business warrants it. This country is throwing away land for the purpose of assisting in the construction of such branch lines. We have now three propositions before the House for land grants, amounting to about 700,000 acres. The first item is for a coal road. The second item is a grant to the Canadian Pacific Railway as a subsidy for the construction of a road that they would have built under any conditions. The land grants already given to railways by the Government aggregate 44,000,000 acres, and this proposition involves an additional grant of nearly three-quarters of a million acres. Will there be an end to this extravagance on the part of the Government of this valuable heritage of the people? In one case the Government give lands to a company to build a railway where they would build it under any circumstances; and in the other case, no less than three years are given to a company, in order to allow them to sell their charter to a genuine company at a large margin of profit. The whole system is vicious. The railway development is great enough; what we want in the North-west is not more railways, but more people, to furnish business to the road. We do not want more land grants to enable companies to build unnecessary roads, and if, as in the case of the Canadian Pacific Railway, there is business offered, railway companies will build branch roads. At all events, this country could well afford to wait until this condition has been brought about, for no further land grants are needed, and it is not desirable to give away land unnecessarily. We should realize that the people of the future will need these lands and will desire to buy them from the Government, not from corporations, holding them at high prices, and the Government should not want to use the resources of the people for the benefit of persons desirous of promoting the interests of selfish corporations and speculative concerns.

Sir RICHARD CARTWRIGHT. Where are the 200,000 acres to be given?

Mr. DALY. Out of the north-west portion of the North-west Territories. There is no other land available.

Mr. CHARLTON. It has all been given away.

Mr. DALY. In answer to the remarks of the hon. gentleman (Mr. Charlton), that the road would have been built in any event. I say no. The company constructed it on the faith and expectation of receiving 6,400 acres per mile. Two trains are run weekly on that branch, and of course the traffic does not pay all expenses. It was a mistake that this branch was not included when the proposal for a similar bonus was brought down.

Mr. CHARLTON. Then these thirty-two miles have already been built?

Mr. DALY. Certainly.

Mr. CHARLTON. Then this is in the same position as the other branch of sixty miles?

Mr. DALY. This should have been included at the same time—it was omitted.

Mr. MILLS (Bothwell). Has the hon. gentleman any correspondence between the department and the Canadian Pacific Railway Company in regard to this road, during an earlier period?

Mr. DALY. Yes. I have the following letter, dated April 15th, 1892:—

MONTREAL, 15th April, 1892.

The HON. EDWARD DEWDNEY,
Minister of the Interior,
Ottawa.

SIR,—By Order in Council, dated 7th February, 1891, subsequently confirmed by Parliament, a grant of land, 6,400 acres per mile, was made for an extension of this company, Souris branch to the coal fields near La Roche Percée, an estimated distance of 60 miles, the same in addition to the grant previously made for 100 miles of the said branch extending from Kemnay south and west 100 miles. This extension has been completed to Oxbow, a distance of 114½ miles from Kemnay, and the work on the remaining distance to the coal fields, 40 miles, well advanced and will be completed early in the coming summer. It is the intention of this company to make further extension of this line from the coal fields west and north-west to a junction with the main line at or near Regina or Moose Jaw, and surveys are now in progress. This proposed extension will develop and open up for settlement a district containing some of the best agricultural lands in Southern Assiniboia. It is also proposed to construct during the present year another extension of the Souris branch from a point near Souris westward to the Pipestone Valley, a distance of about 30 miles, which will also afford much needed railway accommodation to an important section of the country. The general benefits secured to settlers in Southern Manitoba and Eastern Assiniboia by the construction of this Souris branch system, and especially in the

Mr. CHARLTON.

opening up of the coal fields, assuring to those districts an unlimited supply of cheap fuel, are well known to the Government and the directors feel that they are justified in asking for a similar grant of land in aid of the further extensions above named. I therefore beg to ask that the usual grant of 6,400 acres per mile be made for the extension from the coal fields west and north-west, to a junction with the main line, an estimated distance of 150 miles, and for the proposed line from near Souris to the Pipestone Valley, about 30 miles, in all 180 miles.

(Sd.) C. DRINKWATER.

Secretary.

Mr. CHARLTON. The company were in such a hurry to build the road they would not wait for legislation giving them a land grant. This whole system of granting a drawback on bridges already built and giving land grants to railways belonging to the Canadian Pacific Railway reminds me of a story told of the proceedings of the Pennsylvania Legislature, when Tom Scott of the Pennsylvania Railway ruled it. An hon. member rose and said that he proposed the Legislature should adjourn if Tom Scott had no more business to transact. This House had better adjourn if Sir William Van Horne has no more business to be passed. It is evident the Canadian Pacific Railway have some pull on the Government in some way or other. I object to this system of giving grants to railways that are already built. The company could not wait long enough to have the necessary legislation put through this House to build a road, because it was necessary for the development of their business to proceed with it. The system of giving these land grants is reprehensible in the highest degree.

Mr. McMULLEN. By these grants we give away thirty-five townships. The Minister has told the House that there are no lands now available for settlement except those under the control of the railway companies and the Hudson Bay Company.

Mr. DALY. The hon. gentleman is mistaken in that. The Government controls all the even-numbered sections.

Mr. CHARLTON. Thank God for that.

Mr. DALY. Every railway opens up Government land and enhances its value.

Mr. McMULLEN. It appears to me that the Canadian Pacific Railway is doing as they like up in that North-west country. I do not wish to hamper the Canadian Pacific Railway in anything they are justly entitled to, but in view of the burdens placed upon the people in order to build the main line of the Canadian Pacific Railway, I do not think we should throw away the lands we have left. These side lines, in my opinion, should be built by provincial aid, or in some other way, according as the trade of the country warrants their being built. The Minister has intimated that over one of

these lines being constructed, there is a train running only twice a week.

Mr. DALY. That is what I understood.

Mr. McMULLEN. That shows that we are building these roads in advance of the necessities of the country.

Mr. DALY. The people are satisfied.

To the Brandon and South-western Railway Company, Dominion lands to the extent of 6,400 acres a mile for 17 miles.

Mr. DALY. This is a revote. This land grant was given three or four years ago to a line with the high sounding name of the Brandon and South-western Railway, which was projected to run from the Turtle Mountain coal fields to Brandon. The subsidy is given for the seventeen miles from the coal fields to the Deloraine branch of the Canadian Pacific Railway at Deloraine. They have expended considerable money, and have constructed a portion of their road. The grant lapsed, as no subsidies were asked for railways last session.

Resolutions agreed to.

LANDS IN THE TERRITORIES.

Mr. DALY moved second reading of Bill (No. 162) to consolidate and amend the Acts respecting lands in the Territories.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman intend to go on with this tidy little Bill of some 200 clauses?

Mr. DALY. The amendments are largely verbal, and it is merely a consolidation of the old Act. The changes have been made at the request of the judges and the legal authorities of the North-west Territories, and they are not very important. I have had the amendments marked in copies of the bill, so that hon. gentlemen can see what the changes are.

Mr. LAURIER. Is this one of the measures with which we were threatened a moment ago by the Prime Minister?

Mr. DALY. Oh, no.

Mr. LAURIER. I would hope at this period of the session, that the hon. gentleman would not go on with the Bill, which he says is merely a consolidation of the law now in existence, and in which the changes are merely verbal.

Sir JOHN THOMPSON. There are some provisions that are more than merely verbal amendments. I am in hopes that we will finish the Bill before 6 o'clock this afternoon, and we will not ask the committee to sit longer.

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

(In the Committee.)

On section 2,

Mr. MILLS (Bothwell). If the hon. Minister thinks it necessary to go on with this

Bill, we shall require some explanation as to how the law now stands and what changes he proposes to make. If the Bill were simply a consolidation of the law, it appears to me that we might go on with the law as it is until the House meets again. This is a very late period of the session at which to introduce a Bill of the tremendous proportions of this Bill, and to insist on going on with it. But if the House does undertake to legislate, of course it must consider the changes which the hon. gentleman proposes, because the responsibility is with it.

Mr. DALY. In order to facilitate the passage of the Bill, I furnished the hon. gentleman and other members of the committee with copies of the Bill, with the changes marked in red ink. I am perfectly willing to give an explanation of every change that is made.

On section 22,

Mr. DALY. The only change there is to provide no person shall be appointed deputy registrar, unless he is a barrister, solicitor or advocate of one of the provinces of Canada. The person who may be called upon to take the registrar's place should have, in this respect, the same qualifications of the registrar.

Mr. CHARLTON. Why should the registrar have legal qualifications?

Mr. DALY. He is dealing with registration under the Torrens system.

Mr. DAVIN. He could not possibly perform these duties unless he was a lawyer, and a good one.

Mr. LANDERKIN. What salaries are paid to these officers?

Mr. DALY. The registrar at Battleford, appointed by Mr. Mackenzie has \$2,000; the registrar at Regina is paid \$1,600, and the registrar at Calgary, \$1,600.

Mr. SPROULE. Can you get good lawyers at that figure?

Mr. DALY. These are all good men.

On section 25,

Mr. DALY. The new words in that section are to provide that the inspector of land titles shall furnish securities as well as the registrar. He is called upon to take the registrar's place in some cases.

Mr. MULOCK. What security do they give, and to what amount?

Mr. DALY. Guarantee bonds for \$1,000.

Mr. MULOCK. That is not very much.

Mr. DALY. It is sufficient, because they have to deposit their fees in the bank every day, and they have to give an account every month.

Mr. MULOCK. Are they responsible for mistakes?

Mr. DALY. The security they give is only against default.

Mr. MULOCK. What security is there for the faithful discharge of their duty?

Mr. DALY. They are supposed to have the necessary qualifications. They are responsible just as other officials are. The assurance fund provides against liability for mistakes by Registrars.

Mr. MULOCK. Suppose a registrar gave a title to a person to whom he should not give it—a perfectly clear case, say of fraud?

Mr. DALY. The security against that is that the officer knows that dismissal from office would follow. Such security as the hon. gentleman suggests is not expected in the other provinces or other countries in which the Torrens system has been adopted.

On section 31,

Mr. MULOCK. Are the registrars prohibited from carrying on business outside of their offices?

Mr. DALY. I think this covers all that.

Mr. MULOCK. Do you require them to devote their whole time to this business?

Mr. DALY. Certainly.

Mr. MULOCK. You have not so declared.

Mr. DALY. That is the old law. These offices are open from 10 to 4, and on Saturdays to 1 o'clock, and very often these officers work much longer hours than that.

Mr. MULOCK. It would not be so bad if you were not appointing deputies. These officers may relieve the registrars from their main duties and leave them free to engage in other business.

Mr. DALY. They are under inspectors.

On section 39,

Mr. CHARLTON. With regard to fees, I see that they are not specified here.

Mr. DALY. They are fixed by Order in Council.

Mr. CHARLTON. About what rate of fees is charged?

Mr. DALY. I have never had any practice under this Act, and could not say.

Sir JOHN THOMPSON. A little less than the fees in the provinces, excepting the contribution for the insurance.

On section 41.

Mr. CHARLTON. Subsection 2 is new?

Mr. DALY. What is new in it is underlined. As to the Hudson Bay Company, the provision is to exempt them from filing any patent. Hon. members will understand that by the terms of their Act the land is theirs, ipso facto. This is to do

Mr. DALY.

away with the necessity of making out a grant for them.

Mr. MULOCK. But can the purchaser apply for registration?

Mr. DALY. Yes.

Mr. MULOCK. Then the tax certificates should be dispensed with if it is the purchaser that applies, just as well as if it is the Hudson Bay Company.

Mr. DALY. This does not apply to the purchaser, it is the Hudson Bay Company themselves.

Committee rose, and it being Six o'clock, the Speaker left the Chair.

After Recess.

NORTH-WEST TERRITORIES ACT.

Sir JOHN THOMPSON moved third reading of Bill (No. 149) further to amend the Act respecting the North-west Territories.

Mr. McCARTHY. Mr. Speaker, I do not rise to object to anything the Bill contains, but, for the purpose of asking the House to add to the measure an amendment which, I think, on reflection and consideration, the House will believe to be in the public interest. In 1891 we conferred upon the Legislative Assembly of the North-west Territories almost complete power, power almost as full as that which the provincial bodies enjoy under the scheme of the British North America Act, by which a certain portion of legislative authority is vested in the provinces, while a certain portion of authority is retained by this Parliament. But we did not confer on them any additional authority to that they already enjoyed in the matter of education, and it is in regard to that subject I propose to draw the attention of the House this evening. It cannot too firmly be kept in mind that, according to the scheme of the distribution of legislative authority, the subject of education was declared to be a matter of local concern, and, therefore, properly belonging to the province; and my argument will be that, as we have conferred upon the Legislative Assembly of the North-west Territories nearly all the power and authority which have been conferred upon the provinces, this power or right to deal with the matter of education should not be withheld. Let me, for a moment, draw the attention of the House to the provisions of the North-west Territories Act of 1891. By that Act it was determined that the Legislative Assembly "shall, subject to the provisions of this Act, and of any other Act of the Parliament of Canada at any time in force in the Territories, have power to make ordinances for the government of the Territories in relation to the class of subject next hereunto mentioned, that is to say." I want to compare that Act, section by section with

the authority which the provinces possess under the British North America Act. In the first place, as no constitution, properly so-called, was given to the Territories, so, of course, there is no power possessed by them to amend the constitution. The first authority given to a province is to amend its own constitution, and in that regard the Legislature of a province has wider powers than is possessed by this Parliament, because this Parliament has not the power to amend its own constitution. The next power which is conferred by the British North America Act is "taxation within the province in order to raise a revenue for provincial purposes." Upon the Territories we conferred power of direct taxation within the Territories in order to raise a revenue for territorial or municipal or local purposes. So that the great sovereign power, the power of taxation, the power of raising money in that way was conferred upon the Legislative Assembly of the Territories. Then "the borrowing of money on the sole credit of the province" was withheld, because, as I have already had occasion to say with respect to amending the constitution, there being no province, the power to borrow money was very reasonably and very properly withheld. The next is, "the establishment and tenure of provincial offices and the appointment and payment of provincial officers." We gave to the Territories "the establishment and tenure of territorial offices, and the appointment and payment of territorial officers, out of the territorial revenue." Then, "the management and sale of the public lands belonging to the province, and of the timber and wood thereupon" are withheld, as in the province of Manitoba. We give, however, "the establishment, maintenance, and management of prisons in and for the province," and "municipal institutions in the territories," while we withhold the "establishment, maintenance, and management of hospitals." We give the power to raise a revenue by "shop, saloon, tavern, auctioneer, and other licenses." We confer power with respect to "local works and undertakings, other than such as are of the following classes,"—these are not quite the same as apply to a province, but are very nearly so. We confer power with respect to "solemnization of marriage in the provinces," and also in the Territories. We confer power "with respect to property and civil rights," and "with respect to the administration of justice, including the constitution, maintenance, and organization of provincial courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts; but not the power of appointing any judicial officers." We give authority for enforcing any law to punish "by fine, penalty or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated

in the section"; also, "generally matters of a merely local or private nature in the Territories." So it will be seen that, with very few exceptions, and some of those exceptions incident to the fact that autonomy has not yet been fully conferred on the Territories, the same power as the Territories would have if they were a province, has been substantially conferred upon the legislative body which has power to make ordinances in those Territories. With respect to education, we made no change. We left the law with respect to that subject as it has been since 1875, and that law is a most extraordinary one, unprecedented, so far as I know, and one which, I think, ought no longer to remain in force in the Territories. It is compulsory as to separate schools. It enacts that there shall be separate schools. Substantially, its provision is that whatever the majority may be in any locality, it may establish a school known as a public school, and the minority in that locality may establish a separate school. So that there may be in every locality where there are Protestants and Catholics the two school systems. The majority have the right to call theirs a public school, the minority have the right to establish what is called a separate school, and it becomes a separate school in that locality, although it may not be a separate school in any other locality. The exact provision of the clause reads:

But such ordinance shall always provide that the majority of ratepayers of any district, may establish such schools there as they think fit, and make the necessary assessment and collection of rates therefor; and also that the minority of the ratepayers therein, whether Protestants or Roman Catholics, may establish separate schools there.

That is a provision which has been the law with regard to the North-west Territories ever since 1875. Now, Sir, let me draw the attention of the House to the present position of the North-west Territories so far as population is concerned. The population of the Territories, according to the last census, is 66,799, of whom 13,008 are Roman Catholics, or not 20 per cent.

Mr. LaRIVIERE. How many Indians are included in the total population?

Mr. McCARTHY. I do not think the Indians are included in this 66,000.

Mr. LaRIVIERE. Well, I do.

Mr. McCARTHY. I may be wrong about that. In British Columbia there are 20,000 Catholics in round numbers, out of a population of 97,000, or over 20 per cent.

Mr. MARA. How many Indians?

Mr. McCARTHY. I cannot tell the hon. gentleman whether that includes the Indians or not, but he probably can tell me.

Mr. MARA. It does.

Mr. McCARTHY. The 97,000 includes the Indians, and I suppose there are Catholics among the Indians as well as Protestants.

Mr. DALY. The larger proportion are Roman Catholics.

Mr. McCARTHY. So that out of the 20,000 Catholics the larger proportion are Indians, according to the information the hon. gentleman gives me, and therefore my figures will be understood in that sense. Then in Manitoba there are 152,000 population, of whom 20,000 are Roman Catholics, or 13 per cent. In New Brunswick, out of a population of 321,000, there are 115,000 Roman Catholics, or 36 per cent. In Nova Scotia there are 122,000 Roman Catholics out of a population of 454,000, or 27 per cent of Roman Catholics. In Prince Edward Island the proportion of Roman Catholics seems still larger, there being 47,000 out of a population of 109,000. That is the proportion of Roman Catholics in these various provinces. But it must be remembered that in the province of British Columbia and Prince Edward Island and New Brunswick there is no separate school system. The absolute unlimited control of education is vested there in the Provincial Legislatures, and it is so vested because, according to the scheme of Confederation, that being a matter of local concern, was deemed to be one proper to be left to the local authorities. We know that in Ontario there was a separate school system at the time of Confederation, and that it was stipulated on the part of those representing the province of Quebec, as I understand it, that that system of separate schools—which in fact had been imposed upon the province of Ontario by a majority of the representatives from the sister province of Quebec, when they were united as Canada—that that system should be perpetuated, and as a correlative, it was enacted that the same system existing for the benefit of the Roman Catholics in Ontario should be established for the benefit of the Protestant minority in the province of Quebec. So far as these two provinces are concerned, a special arrangement was entered into as a part of the terms upon which Confederation was established; but with regard to New Brunswick and Nova Scotia they were left free to deal with the matter of education as to them seemed fit. When Prince Edward Island was afterwards admitted to the Union, the authority respecting education was left to the Local Legislature in Prince Edward Island, and when British Columbia was brought in, the authority to deal with education unfettered was left to that province, and when we conferred a constitution upon Manitoba we conferred it in the manner which is perfectly familiar now to the House, and which is expounded to be practically, that Manitoba was to have unlimited control in the matter of schools. Now, Sir, why under these circumstances should we fail to trust, or be afraid to trust, the people of the North-west Territories with

Mr. McCARTHY.

full and complete power in matters of education? In the case of almost every other power which it is possible to confer upon the Territories, we have thought them worthy of our confidence, and I want to know why it is that we think them unworthy of dealing with this matter of education? I am not here to argue one way or the other with reference to separate schools. My own view on the subject is perfectly well known. I would prefer that there should not be separate schools. I would prefer to see all the children of the land brought up without being divided into hostile camps on the matter of religion; but I am quite free to say that I would not interfere with any of the provinces, or with the laws or regulations of any province, that in their wisdom think proper to adopt separate schools. It is a matter with which this Parliament ought to have no concern. The question here is: why should we insist, because in 1875, when there was hardly any population in the Territories at all, and when we governed them from here almost absolutely, why should we now when we have thought proper to give them power and authority in matters of legislation? Why should we in this particular matter of schools withhold from them the full and complete power which I submit is theirs as of right? I do not propose to occupy the time of the House with anything more than a brief statement—because the subject is pretty well known to us all—a brief statement of the scope and object of my amendment. I have tried for many years past: in 1892, in 1893 and during this session, to have this change made. I did not try before, because I felt it was a matter so local in its nature that until invoked by the Territories to move in the matter, I did not take upon myself to bring the matter to the notice of this House. But in the year 1890, I think, the Assembly of the Territories, by a practically unanimous vote, petitioned this Parliament to do away with this clause with reference to education, and to give them unlimited power to deal with it, and since that time, from session to session, whenever the Bill has been brought up, petition after petition has been presented to this House. So far as I know, no petition has been presented against that power to deal with education being conferred. We have therefore the request of those who are locally interested that they should have this authority, and having that request from them, there should be some good reason for withholding it. During the two last sessions the Government introduced a Bill dealing with the North-west Territories, and in neither of these Bills did the Government propose to deal with the question of schools, and upon my moving in the matter at the close of the session, the Government thought proper to withdraw the Bill without permitting a discussion on the subject. This year the Government have again introduced their measure; and if I had known that they in-

tended to introduce it and pass it through the House I should not have troubled the House by the introduction of a Bill on the subject; because it seems to me that it is a matter that the Government ought to have dealt with, and if the Government did not think fit to deal with it, the proper time to move an amendment was the time I am now taking, when the Government measure for enlarging to some extent the power and authority of the Legislative Assembly is under the consideration of the House. Now, I want to draw the attention of my hon. friends to a very important provision. By this legislation we are really rivetting upon the people of the North-west the separate school system for all time. One of the provisions of the constitution with regard to separate schools—a provision which was observed with reference to New Brunswick and Nova Scotia, and, if my memory serves me rightly, also with reference to Prince Edward Island and British Columbia—was that conferring full power on the Provincial Legislatures with reference to education, with this proviso:

If and for each province the Legislature may exclusively make laws in relation to education subject and according to the following provisions.

This is not merely of application to the provinces of Ontario and Québec, but is of universal application, so far as it is embodied and may be embodied, and probably would be embodied, in any constitution given to any province. Subsection 1 provides:

Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the province at the Union.

Now, we insist by the clause of the Act of 1875, which has been included in the various consolidations of the legislative powers of the North-west Territories, which have been made from time to time, that they shall have separate schools; and if we continue insisting that that system shall prevail up to the time we create provinces in the North-west, then the application of this clause of the first subsection of section 93 of the British North America Act, to which I have referred, rivets for all time upon the new provinces the system of separate schools. Create a province there now, enact the usual clauses of the British North America Act, and the result will be that in the new province those who have enjoyed what is spoken of as a right or privilege with respect to denominational schools would be able to say: The constitution given to this province by the Dominion Parliament does not permit any interference with any right or privilege which we enjoyed prior to the time of the creation of this province. That, I think, is a most important consideration. It has been urged, and I have heard it argued: Why not allow this matter to remain until the new province is created? Why interfere with the matter so long as there are mere territories? It

will be quite time enough, when we are creating provinces in the North-west, to give them full power in school matters. Well, those who argue in that way will, I think, find it very difficult to contend that the population of the North-west are not as competent as any other population throughout the Dominion to legislate in regard to educational matters. But even if they were not, we ought to leave it to them to select the system of education which they prefer, so that they should not be conducted against their will by the clause of the Act to which I have referred. Nor is it altogether an unimportant matter in another sense. In a sparsely-settled population, such as you have in the North-west, could there be anything more suicidal and foolish than the division of the school population into two separate bodies? It is difficult enough, no doubt, to educate the children in the North-west, even with one school system. But for the people to divide their resources and to fritter away their means in the establishment and perpetuation of two systems, does appear to me to be the greatest possible folly, and probably more so there than in any other part of the Dominion. Now, what is the position of affairs there at the present time? And when I say the present time I refer to 1891, the last year for which I have been able to get a report on educational matters in the library—I do not suppose there has been any important change since then as to the number and the division of the schools. According to this report there were 210 Protestant public schools and 34 Roman Catholic public schools; and when I speak of the public school, it is the school of the majority. In the North-west, unlike the province of Ontario, there is not one set of public schools and another set of separate schools; but there may be a Protestant public school in one locality, and a Roman Catholic public school in the adjoining locality, and the school of the minority will be the separate school, whatever it may be. Now, I cannot find that there are in the North-west any separate schools of Protestants; however, my hon. friends who come from the Territories will be able to correct me on that point. The Protestants have not availed themselves of their privilege of establishing separate schools, and the result is that either their children have to go without schooling or have to attend the Roman Catholic schools in places where the Roman Catholics are in the majority. But there are eleven Roman Catholic separate schools; and I think the House will be astounded to learn the cost at which these schools are maintained. Now, at Lacombe, which I believe is the term used by the separate school party for Calgary, if I am correctly informed, the daily average attendance at the separate school is 94, and the cost per pupil, \$29.53. In the Protestant public school the average attendance is 159, and the cost per pupil, \$18.65. So that for the separate school the cost per pupil is \$10.88 more than for

the public school. No doubt that is owing to the fact that the public school is the larger ; but join these two schools together, and the cost of both would be materially reduced. And that is by no means the worst example of division. In Prince Albert the average attendance in the Protestant public school is 78, and the average cost per pupil, \$33.55 ; the separate school has an average attendance of 11, with a cost of \$48.58, or \$15.03 per pupil more in the separate school than in the public school. Well, these are the places that I am able to trace and compare the public school system with the separate school system, because the names are not identical, and I have not been able to trace the others and to make any comparison with them. But let me give the House the statement of one or two schools here, Catholic separate schools. At the school called St. Andrew's—I do not know where it is—the average attendance is nine and the average cost \$56.25 per pupil. At the school called St. Peter's the average attendance is seven and the cost per pupil \$58.96.

Mr. MILLS (Bothwell). Are those Indian schools ?

Mr. McCARTHY. I fancy not. They are put down as Roman Catholic separate schools. They are not Indian schools, no doubt.

Mr. FERGUSON. Have you any idea of the locality of these two schools ?

Mr. McCARTHY. I have not.

Mr. FERGUSON. They may be at very remote points.

Mr. McCARTHY. No, because there is a larger Protestant population there than Catholic population, or there would not be separate schools.

Mr. FERGUSON. Can you give us a comparison of the cost of the pupils in the Protestant public and Catholic public schools ?

Mr. McCARTHY. Yes ; but I first want to draw the attention of the House to the cost in Ontario of the schools. In Ontario the cost per pupil is \$8.40. I think it is only fair to tell the House that I understand that calculation has been made, not upon the average attendance, but upon the average number ; but working it out upon the average attendance, the cost would not be more than \$14 or \$15 per pupil.

Mr. MASSON. Is that the provincial cost alone ?

Mr. McCARTHY. Everything—the Legislative grant, the municipal school grants, and assessments, the clergy reserve fund, and everything. The cost is put down for 1892 at \$8.40 per pupil, but I understand that is based upon the total number of pupils and not upon the average attendance, whereas in this table, in the public schools here, it is based upon the average attendance. My

Mr. McCARTHY.

hon. friend (Mr. Ferguson) wanted to know what the cost of the public schools is compared with the cost of separate schools.

Mr. FERGUSON. Pardon me, I want the cost of the public Catholic schools and the cost of the public Protestant schools.

Mr. McCARTHY. The public schools of each denomination. At Moose Jaw the cost is \$11 per pupil ; at Qu'Appelle, \$16.76.

Mr. FERGUSON. Pardon me again. Can the hon. gentleman give it to us territorially divided.

Mr. McCARTHY. I have not worked that up.

Mr. FERGUSON. That does not amount to anything at all.

Mr. McCARTHY. My hon. friend will treat that as he pleases. I give it to him just as I find it here. It is \$11 or perhaps \$14, as the figures are not very clear. I find another school at Regina is \$33, then I find a school at \$21, and one at \$17, and running down the column I find one as low as \$6.64, and another as high as \$55, where the attendance is twelve. I think probably that is the highest in the list.

Mr. FERGUSON. Is that a Protestant school ?

Mr. McCARTHY. I am speaking of Protestant schools now.

Mr. FERGUSON. They are getting the most after all.

Mr. McCARTHY. I was speaking of the highest among the Protestant schools. My hon. friend is assuming the part of an advocate before he learns the facts.

Mr. FERGUSON. We will get the facts before you sum up.

Mr. McCARTHY. Yes. Take the other schools—public Catholic schools. The first one shows a cost of \$55.75 per pupil. The school at Saskatchewan costs \$46.76 per pupil. The school at St. Albert costs \$21.21 per pupil. That at St. Leon \$56 per pupil, and that at St. Laurent \$64.28. There is no doubt that the average cost of the Roman Catholic public schools was larger a good deal than that of the Protestants. No doubt about that, but I do not think that is a matter of comparison so much as the comparison between public schools and separate schools. Where we find both these in the one locality, we find the difference in cost, which I have given the House, and that difference is enormously in favour of the public school system, and we can easily conclude that if there were but one school system instead of two, the cost would be proportionately less. Now the total amount spent by this Parliament in school matters is over \$100,000, so that the question appeals to us from the economic point of view. \$101,696 is the total amount we have granted apparently for educational purposes in the

North-west, and the House can judge, from the statement I have given, whether the expenditure is a wise or foolish one. Of that expenditure, the amount spent on the Protestant schools is 73·20 per cent, and on the Catholic 26·28 per cent, both public and separate. Therefore my conclusion is that whatever way you look at it, this question—and I desire not to raise any irritation or excite any passions, but simply that the matter should be discussed on its merits—whatever way we look at it, I am unable to see or appreciate any argument or reason why we should not rid ourselves of this question from Dominion politics, and hand the dealing with education to where it properly belongs. I therefore beg to move an amendment, which will carry out that provision. I propose to make the amendment fit in with the Bill which we are now asked to read a third time. The first provision of that Bill is as follows :—

3. Sub-paragraph (*b*) of paragraph seven of subsection one of the section substituted by section six of chapter twenty-two of 1891, for section thirteen of The North-west Territories Act, is hereby repealed and the following substituted therefor :—Railway companies, (not including tramway and street railway companies) and steamboats, canal, transportation, telegraph and irrigation companies.

That is the additional power conferred upon the Territories by this section, one of the powers that we withheld from the Territories having been the incorporation of railway, steamboat, canal and transportation companies, and the effect of this amendment will be that the Territories will have power to incorporate tramways and street railway companies. Now, I propose to add :

That the said Bill be not now read the third time, but that it be recommitted to a Committee of the Whole House with instructions that they have power to amend the same by adding to the first section the words following : “and said subsection is further amended by inserting therein after the thirteenth paragraph thereof the words following :

14. In relation to education. But this amendment shall not take effect until after the next general election of members of the Legislative Assembly of the North-west Territories.

2. And by amending the second section thereof by inserting the words “fourteen and” after the word “section” in the first line thereof.

That will be to repeal the law with regard to education as it is now found in the Statute-book. I move this, seconded by Mr. Denison.

Mr. HUGHES. In rising to offer an amendment, I need not say, Sir, that I do so fully recognizing the position of the House as to this question. We have had this question before us for some years. The hon. gentleman who has just taken his seat (Mr. McCarthy) has on more than one occasion given notice of his intention to move amendments

to this North-west Territories Act. But, until the present time, the House has never been favoured with the opportunity of hearing the hon. gentleman's views or his arguments in support of them. The hon. gentleman has rightly stated that two years ago he gave notice of a motion to bring in a Bill abolishing the control of this House in relation to separate schools in the North-west Territories, to amend the Act in the manner he now proposes to do. You may remember, however, Mr. Speaker, during the whole session, those of us who were anxious to take part in the discussion of that question had to sit here awaiting the convenience of the hon. gentlemen, until finally we were very much surprised one evening to have the House called together to deal with the subject, the only warning that we were to have the question under discussion being the simple announcement, “call in the members.” It had been my intention on that occasion, had the opportunity been afforded, to move an amendment in the line I now propose. But, as I said, no opportunity was afforded me; the members were obliged to vote one way or the other on the question, and that without warning. We also remember, Sir, how last session we were called upon day after day to be in our places in the House in anticipation and expectation of the hon. gentleman from North Simcoe (Mr. McCarthy) bringing on his motion. But the matter was allowed to drift until the close of the session and nothing was done. Then, on that occasion, as on the present, the hon. gentleman showed but little interest in the affairs of the House, his attendance being evidently with the desire of getting in his motion in the closing hours of the session, when it could not be discussed, and when, as now, there would be a very small House to discuss the question. I need not comment further—it is not proper I should—than to say that is the seeming object in bringing in his motion at the time and in the manner he does. Ample opportunity has been afforded this session, as in former sessions, to have this matter brought up and discussed calmly and fully when the members would not be hurried, as at the present time, when a member occupying the time of the House even for a few minutes is subject to the odium in the minds of his comrades, who wish to bring the session to a close, of occupying time unnecessarily. But, that aside, the proposition of the hon. gentleman is to relegate to the Territories control in matters of education. Now, Sir, from the view-point on which I stand, that seems an objectionable proposal. So far as secular education is concerned, I go as far as the hon. gentleman does, possibly I go further than he does, in relegating that to the control of the Territories. But, in regard to theological education in the public schools, when the hon. gentleman proposes to hand that over to the Territorial Legislature, I certainly differ from him, and

I shall endeavour in as brief a manner as possible to give my views on these points. I shall outline briefly my reasons for differing from the hon. gentleman, reasons jotted down, as his arguments were given in the course of the address to which we have just listened. In the first place, if the hon. member's motion is passed, we recognize as he does, the right of these Territories to establish separate schools. That right I deny as being entirely subversive of the principles of responsible Government, and good Government in any form. He also leaves it an open question with the Territories and provinces arising therefrom to establish these schools. I shall endeavour, as I proceed, to show that this idea is fallacious. If the Territories, following out the views of the hon. gentleman, were given this control of education, and at the time of their establishment as provinces, by their own act, only one system of public schools was recognized, the obnoxious principle of separate schools might still find root in the North-west Territories as in the province of New Brunswick and in the province of Nova Scotia to-day. Both of these provinces have asserted the principle of public schools, and yet, Sir, you will find that virtually they have their separate schools, theological institutions, in the city of St. John, Moncton and other parts throughout the province. We find in the city of St. John that the Roman Catholic convents are leased to the public school board of that place—I know whereof I speak, and this is true not only of St. John, but of other places in the Maritime Provinces—and the Sisters and Brothers are hired, and are regularly on the staff of the public schools as teachers. Thus, though in name there are no separate schools, the principle of separate schools is established in the province of New Brunswick. And there is an agitation springing up now causing dissension among the people, an agitation which, I fear, will go a long way toward creating unrest throughout this country. More than that, Sir, the policy of the hon. gentleman, if adopted, would allow of the taxes collected from the people being used for theological purposes, and that, of course, I object to. The hon. gentleman recognizes that theological or sectarian teaching is part of national education, and that is a point in which I would differ from him. I hold that our object should be the total severance of theological teaching from our national system of education. I think no one will gainsay this point—that it is the duty of the state to recognize how the citizens of this country shall be trained. In declaring for a Dominion franchise—whatever the faults may be found in the details—we have declared our right to say that the citizen in Nova Scotia shall stand before the country on the same footing as the citizen in British Columbia or any other part of the Dominion. We have asserted that we have the right as a nation to lay down the rules that guide our citizenship. Now, no doubt, in the old

Mr. HUGHES.

days, the church controlled state affairs, and it remained part and parcel of the state machinery, and the only education one could find was the little smattering in the church. There were scarcely any schools except for the purpose of training people for the clerical profession and a few state functions, and education was very limited. The church in those days controlled the whole machinery of education, and the theological part of education was considered, as it is even down to our own day, to be by all odds the most important. But times are changed, and we now find that the people of the nation recognize that the children of the land should be educated, not only in matters of church form, but in various other interests of life. As time advanced, we find a little reading, writing and arithmetic taught in the schools, and there education ended. Now, however, we find that not only are children trained intellectually, but that attention is given to sanitary matters, and they are trained in the broad political principles of the nation, and taught the municipal, provincial and national institutions under which we live. We even go further and admit that it is necessary to train them morally or ethically, that they may be able to distinguish between right and wrong, and that each may know his duty towards his fellow men. This, in short, is the difference in the aim of the education of to-day, and the aim of the education of a number of years ago. But that the state should tax the people for the purpose of inculcating any theological creed or dogma, is something that I am satisfied is, if not of the past, will be of the past in a very few years, in this land. Now, in dealing with this matter of separate schools in Canada, we find ourselves confronted not only with the question of religion, but also with the question of race; and here I may be permitted to say a word on this latter point. Some of our French-Canadian fellow-citizens take it as a personal attack upon their rights when any opposition is offered to separate schools. Now, it is not long since I had the pleasure of reading a report, I think it was of the Roman Catholic Committee of the Council of Public Instruction of the province of Quebec, where the very best men in that province demanded that the theological control of the schools should be abolished, and that the teachers should be trained just as they are in other provinces of the Dominion; that the clerical control so long exercised over the schools there, should be, if not entirely abolished, at least largely abolished. However, I wish to touch briefly on this question of French nationality. It is a myth. Our French-Canadian fellow-citizens are of the same race and lineage as are those of British origin. France was originally settled by the Celtic race, so were the British Islands; in other words, we find one the Britannia major and the other

Britannia minor. Then we find France overrun by the Teutonic races; the Franks, the Goths, Burgundians and other peoples from the forests and plains of Germany. The same or kindred peoples we also find settling in Britain, the Angles, the Saxons and the Jutes, at exactly the same period, all kindred races exactly. Later on we find France settled largely by the Norsemen or Normans, as they are called in history, all along the valley of the Seine, along the shores of the Bay of Biscay, and even around the southern part of France. That large infusion of Scandinavians or Norsemen flowing into France, has made her largely what she is to-day. We find the identical people settling in Britain under the names of Danes, or Swedes and Scandinavians. Following on down there is an infusion of those Norman people into England, and then we find a return movement in the eleventh, twelfth, thirteenth and fourteenth centuries, during which there were settlements in France from Britain even up to the days of the Henrys. So that so far as race and blood are concerned, the two peoples are identical, and the cry of difference of race, when viewed in the light of history, must necessarily vanish. Now, language is another point on which great stress is laid. I stand here prepared to indorse any system that will, in any legitimate manner, encourage the study of the French language. A child who speaks and understands one language well, is educated, but a child who understands two languages well is better educated. It has been said that a child who understands three or four languages knows nothing at all; but, at the same time, I am free to say that it is an advantage to any one to be able to understand and speak two languages well. I would be the last man, the last member of this House, either by voice or vote, to seek to deprive my French-Canadian fellow-citizens of any right they enjoy in the province of Quebec or the Northwest Territories, of educating their children in their mother tongue. You can box the compass on religion every morning if you choose, but language cannot be changed short of a lifetime. Therefore, this question is one that we must necessarily leave to settle itself; and in the years to come I am satisfied that you will see a language neither all English nor all French, but a language strengthened by the best elements of the two tongues, and the people will be the better for it. Now, in discussing this question many considerations must necessarily be touched upon, and what I propose to say I shall say with all due regard to every man's faith and every man's creed. I have no desire to interfere in the slightest with any man's creed or theology; I would not tolerate any man interfering with mine; and, therefore, I would not in the slightest interfere with any man's theology. If, therefore, in reviewing these

matters, I should say anything that might be considered harsh, or that is not generally discussed on the floor of this House, I trust that those who differ from me will recognize that I am only dealing with historical facts, and not with a desire to hurt any one's feelings. Many of our fellow-citizens, the moment you talk of separate schools, raise their hands in holy horror and proclaim that their religion is attacked, that an attempt is made to abolish their church. Well, Sir, I maintain that a church, be it Protestant or Roman Catholic, or be it of any other denomination, that cannot stand without being bolstered up by the state, should vanish, and the sooner it vanishes the better for all concerned. Now, the contention that the French religion is synonymous with Romanism is also a myth. Let us review history, and you will find that up to the sixteenth century the people of France fought heroically against being subjected to the tyranny of the Romish Church. We find that as late as the sixteenth century the people of France held out heroically against being subjected to the control of the Church of Rome. Away back, before the end of the first century there were over a hundred creeds. Early in the fourth century we find the famous Council of Nice called, and even then, just as in the present day, we find theologians quarrelling; there has been a standing quarrel from that day to this, and so it will be until the end of the chapter. I will mention another very important fact, from which I date the rise of what you may call the assumption of temporal power on the part of the Roman Church. You may remember, Mr. Speaker, that early in the fourth century the capital of the Roman Empire was changed from the city of Rome to Constantinople. We find at about the same time that Constantine, the Emperor of Rome, adopted the Christian faith, and that the hangers-on of the Government and the great majority of the priests of the old heathen religion boxed the compass and turned with him. That has been the rule from the time of Constantine down to to-day. About that time we find the whole Roman empire divided into metropolitan divisions, and a metropolitan placed over each of those divisions. The capital was removed from Rome to Constantinople. We find almost the only authority existing in Rome to be the bishop of the church; from that time dated the power of the church in Rome and its assumption of power in the Western Empire. During succeeding years we find various attempts made by the priests of the Christian Church to fasten themselves on western Europe. Shortly after this time we find the church ready to support the party prepared to pay the highest price for its support—just as we do to-day. The price to be paid for the support of the church has not changed from that day down to the present. In the eighth century we find the church extend-

ing its power to France. We find the Pope of Rome, fearing there would be a unification of Italy under the Lombard princes, formed an alliance in order to secure his authority in Europe. In return for assistance given in favour of the Pope of Rome against the Lombard princes in northern Italy, Romagna and Ancona, the Pope gave two provinces to his ally, and thus began the temporal power of the Church of Rome. From that date, step by step, we find that church gradually becoming stronger—I will not enter into all the historical facts connected with it—and gradually becoming, age after age, more intolerant, until, in the eleventh century it absolutely refused to recognize the control of the Emperor. Up to that time, it is well known that every priest and bishop and even the Pope himself was elected by the people or appointed by the Emperor. They claim no divine right to rule, as they do at the present time. In the middle of the eighth century we find the temporal power of the church established, and it continued to be so down to 1870, until the unification of Italy, when Victor Emmanuel changed his capital from Florence to Rome, and from that date to this, the Church of Rome has gradually ceased to be a temporal power. Having entered into this historical review, we need not go further; I could go into details and show how, step by step, this power was assumed, and this divine right was assumed, but it is not necessary. We find ourselves in Canada suffering from the misgovernment and mismanagement of by-gone ages. I have no antipathy whatever to any of our Roman Catholic citizens or to the citizens of any church, but when it comes to our having our schools governed by that church—I will not go into the details, although I have all the figures here—and when it is apparent that extra cost is incurred, that bad management prevails and other objections arise, I object to this state of things, especially in a sparsely-settled country—but I need not go into these facts as they have already been stated by the last speaker, and are very well known. But there are very many objections that are very properly urged to any such system being perpetuated in this country. We find that separate schools were established as a compromise measure. In the provinces of Ontario and Quebec they are established, and I suppose they will remain until some time in future years when they will vanish of their own accord, when the people will have become so broad and liberal that a system of theological government will not be tolerated. But in the North-west, the matter is entirely different; in the Territories there is no need of compromise. I can easily see why, in the early days of the province of Quebec separate schools were established. We have two races in that province, English-speaking and French-speaking people, and I can easily

Mr. HUGHES.

see how the question might readily arise of establishing separate schools, based on the question of language; but I cannot see any reason why such schools should be based on theology, as subsequently was the case. As regards language, the two races were about evenly divided—language on the one hand and theology on the other. The English-speaking people, mostly Protestants, and the French-speaking mostly Roman Catholic, and it is very easy to see how the school question gradually developed into the form it subsequently assumed, when Roman Catholic and Protestant separate schools were established. I do not wish to be misunderstood—I do not desire to be understood as being in favour of Protestant separate schools or Protestant control of schools; but my theory is this, that there should be no theological control whatever in connection with schools. I shall endeavour to submit a few points to support my view. It is our duty to teach the youth of the land, intellectually. The question of theology cannot possibly arise in teaching reading, writing and arithmetic, or, in fact, teaching any of the subjects that form our school curriculum. History is the only subject on which any difference of opinion can possibly exist, and even in regard to that I am satisfied an arrangement could be arrived at which would be perfectly satisfactory to persons of all creeds and forms of theology. Therefore, no question can be raised by any theologian on subjects which we may call intellectual in our public schools. There can be no possible objection to teaching sanitary laws or physical laws relating to disease, and the development of the human frame in our schools. These are recognized to-day by all theologians as being proper, and certainly theology does not enter into those subjects; therefore, Protestants and Roman Catholics can attend such schools without straining their consciences. Moreover, it is well recognized that the principles of government should be thoroughly instilled in the minds of the youth, and theology cannot possibly enter into the principles of government; and I am satisfied that no one should, for a moment, object to the teaching of that subject. It is said, look at what the free school system in the United States has produced. I point to the United States as a country carrying out the free school system. The men who are causing the dissensions and troubles in the United States, are not men who were educated under the free school system of the United States, but they are the offscourings of theological institutions in the countries of Europe. I speak of every theology, not caring what it may be. There is an old saying which is this:

Of all ills with which mankind is cursed
Ecclesiastical tyranny is the worst.

If you can point me in history, anywhere, and find the beneficial results of any such teaching, then I am prepared to admit I am

in error. These strikes in the United States and these anarchist troubles that reveal themselves all over the country are the product of those who have been brought up in countries ruled by theological institutions.

Mr. LaRIVIERE. Mr. Speaker, I protest against such language.

Mr. AMYOT. The gentleman attacks Protestant theology as well as Catholic.

Mr. HUGHES. One as well as the other.

Mr. AMYOT. Go on.

Mr. HUGHES. There is no objection whatever that can be urged on the part of any theologian to the teaching of morality. Right is right, and wrong is wrong. Long before we found any of the precepts of theologians that are blessing or injuring the world, long before these theologies were introduced on the face of the earth, we found right, right, and wrong, wrong. Morality as taught in our schools cannot be objected to from a theological point of view. For the benefit of some of our Roman Catholic fellow-citizens who might object to the absence of the teaching of morality in the schools, I wish to read what a very eminent writer says on the subject of the teaching of morality, and when his name is mentioned it will prove acceptable to the great majority of the members of that faith. Mr. Lilly, one of the leading members of the Jesuit branch of the Roman Catholics in England, says :

The ethics of Christianity are not, as Mr. John Morley somewhere calls them, "a mere appendage to a set of theological mysteries." They are independent of those mysteries, and would subsist to all eternity, though Christianity and all other religions were swept into oblivion. The moral law is ascertained, not from announcements of prophets, apostles, evangelists, but from a natural and permanent revelation of the reason. "Natural reason," says Suarez, in his great treatise *De Legibus*, "indicates what is in itself good or bad for men ;" or, as elsewhere in the same work, he expresses it : "Natural reason indicates what is good or bad for a rational creature." The great fundamental truths of ethics are necessary, like the great fundamental truths of mathematics. They do not proceed from the arbitrary will of God. They are unchangeable, even by the fiat of the Omnipotent. The moral precepts of Christianity do not derive their validity from the Christian religion. They are not a corollary from its theological creed. It is mere matter of fact, patent to every one who will look into his Bible, that Jesus Christ and his apostles left no code of ethics. The Gospels and Epistles do not yield even the elements of such a code. Certain it is that when, in the expanding Christian society, the need arose for an ethical synthesis, resource was had to the inexhaustible fountains of wisdom opened by the Hellenic mind.

The clearness, the precision of psychological analysis, which distinguish the ethics of the Catholic schools, are due more to Aristotle and Plato, than to Hebrew prophets or Christian apostles.

I merely cite that to show that even among

eminent writers and theologians in the Roman Catholic church the question of morality is not necessarily connected with the teaching of theology, so that so far as the teaching of morals is concerned our schools could very well be spared the trouble. Now, Sir, it may be asked, why is it that the church is so anxious to control the teaching of theology in our schools? Of course it is a relic of the old days and they do not care to give it up. In fact none of these principles have been given up without a struggle. During the last 200 years, since the overthrow of theological control in relation to education, the world has made more progress than in all the previous years of its existence. That fact alone I would urge in opposition, to any control on the part of theologians in our schools ; any control other than as citizens of this country. We may well ask : have theologians any confidence in their own principles? If they have, why do they seek to take advantage of the public schools of the country in order to inculcate their principles. They have their various meetings every day during the week, and they have the Sunday schools in which to control the children, and yet we find they are not satisfied with that, but that they wish to control the public schools of the country in relation to the matters of their theology. They certainly should not fear intelligent public criticism, if their dogmas are right they should not be afraid to have them fearlessly criticised. There is one other reason why we should not have this system of separate schools, either Protestant or Roman Catholic, for I do not make any exception to either one or the other. There is the question of vested rights. The record shows that every year these separate schools in the North-west are increasing in numbers, and by the time we come to establish these Territories as provinces, we will find that these schools have taken such firm root that it will be all but impossible for this Government to eradicate them. I could point to the record of Ontario—but I shall not take up the time of the House to go into that aspect of the case—to show that separate schools instead of unifying and upbuilding the nation, divide it, and create a citizenship inside of a citizenship owing allegiance, not necessarily to the nation, but to a foreign power. I contend that separate schools are unnecessary, and especially where settlement is very sparse. Many of these schools in the North-west Territories have not more than seven or eight children attending them, and yet you will find that in some localities Protestant children—because there are no Protestant separate schools there, and I hope there never will be—are forced to walk many miles in order to attend the public schools, because the schools in their own sections are Roman Catholic ones. I am informed by many people who come from the North-west, and I am informed by Roman Catholics in the province of Quebec, that neither in the province of Quebec nor in the North-west do they demand

theological schools. The Roman Catholic people themselves do not ask them, and, therefore, I do not see why they should be forced upon them. This is a new country, and in a new country we should be very careful what groundwork we lay down, and we should examine very critically into the question of allowing these theologians of any denomination to control our schools, for the seed planted in early days is very hard to eradicate in later years. I maintain that separate schools are contrary to the principles of responsible government. Responsible government recognizes the individuality of each citizen and separate schools train the youth of the land, not to recognize that individuality which is necessary for true citizenship. Therefore, I maintain that children trained in separate schools are not likely to be as good or as loyal citizens, ready to sacrifice their whole independence for the country, as those trained in public schools. Another point. I am pleased to say that not only do we find several branches of the Christian church to-day denying the right of the state directly or indirectly to recognize any church, but we find many individuals in other religious bodies which do not take the same stand, stepping out and refusing to accept from the state any recognition of churches. I trust that it will not be long before all the churches, both Protestant and Roman Catholic, will take the same line, and agree to abolish separate schools, not only in the North-west, but in these provinces. Another point. In separate schools the control of the youth is abdicated to the theologians—there is no getting round that point—and in that way the children are brought up not to recognize the parental authority and the state authority as supreme, but to recognize the church as overshadowing both the state and the home, and as the great fountain of authority. The church to-day has a high recognition, owing to the respect we all show the clergy, from the position they occupy: and if their doctrines are as they should be, they should not ask for more. They have a certain amount of superstitious regard—I do not use the word improperly—tendered to them by people of all denominations, so that the utterances from the clergy go further, and are received with less criticism, than the utterances of ordinary citizens. Therefore, I maintain that they should not ask for any special privilege in relation to the schools of this country, on account of the position they already hold in the minds of the people. Separate schools, Sir, create a nation inside of a nation. Before separate schools existed in this country the youth of all creeds and doctrines were loyal to the core; but to-day we find, unfortunately, springing up in various localities a spirit which looks to the church before it looks to the state. In other words, we find the ultramontane spirit growing up in many parts of Canada to-day, and recognizing the Government of Canada, not as the paramount authority, but as secondary to other authori-

ties. Another point is this: If one creed has separate schools, then all must have them. The schools of the North-west are wrong, even on the basis of separate schools, for they are recognized simply as Protestant and Roman Catholic schools. But if one creed is entitled to separate schools, then all are: the Methodist, the Presbyterian, the Anglican, the Baptist and all other denominations have an equal right to demand them. Therefore, I maintain that the present basis for separate schools, if separate schools are to be recognized, is entirely wrong. I advance these arguments to show the absurdity of the whole principle of separate schools. Now, there is another aspect of this matter. If the older provinces seek to force the system of separate schools on the North-west Territories, I feel satisfied that the day is not far distant when those territories will be peopled with a race that will not tolerate separate schools. It does not require much of a prophet to foresee that in the near future the North-west Territories will have a much more predominant population than they have to-day, and it is well for us in the older provinces to consider, if we seek to impose separate schools on the people of those territories at the present time, whether they will not in the near future come down here and say: We will abolish your separate schools. In other words, they may retaliate in the coming years, as I have no doubt they will in any event. Another important point is this: Every session in Canada, so long as I remember, we have found one province arrayed against another and one theology against another, owing to this creed interference in state affairs, and, Sir, look at it as you will, get round it as you may, compromise as you will, and concede any point you deem it necessary to concede, the question of these theological differences is eternally cropping up in this country. I maintain that the true position is that every man should, as I trust every man does, worship God according to the dictates of his own conscience, and that there should be entire separation of church and state in all matters, and that can only be brought about by abolishing all separate schools. Another objection to separate schools is this: You may remember that the American revolutionary war was brought about because the people were taxed without representation. They were free men, and they refused to pay taxes without representation. The contrary principle, I maintain, should hold good, that no taxation should carry with it no representation. We find, however, that the separate schools in Ontario, and also in the North-west, are governed by the clergy, and the clergy in both Ontario and the North-west are exempt from taxation. Therefore, we find a set of men, we may almost say a sovereign body, governing without being taxed. That principle is wrong. We also find the other principle in this fact: that the Roman Catholic people of the country are taxed, while they have not their share of

Mr. HUGHES.

representation in the government of these schools. Another very important point is this: We find that these Roman Catholic schools are almost entirely under the control of church orders. That undoubtedly closes many avenues of life to young men and young women of the Roman Catholic faith. These people have not the same privileges in the way of rising in the world as their Protestant fellow-citizens. We find our Protestant young men and women engaging in the teaching profession and becoming ornaments of society; while in almost all these Roman Catholic schools the teaching is done largely by members of church orders, and this closes that important avenue to young men and young women of that faith. I could go further; but I will not take up the time of the House with any more arguments on this subject. I am well aware, Sir, that any man who stands up and differs in the slightest degree from those who favour separate schools, or attempts to put the brake on theological interference in the control of the community, will be called intolerant, and have the finger of scorn pointed at him. However, although I do not expect, I may inform the House, my amendment to carry just at present, I am satisfied that the day is not far distant when the question of the separation of State and Church will be one of the live issues of this Dominion. I am satisfied that the people will rise above all petty matters and advantages that are now flung around this, and will recognize no man's creed but look on him simply as a citizen of Canada. That is the only true basis here, I care not what a man's creed may be, but only what his politics are. I have set an example of this in my political career. So long as a man stands forth and takes a straight line in relation to public affairs, I shall support him, irrespective of what religious creed he may profess in his private life. But once I find a community governed by theological opinions, or questions of state made subservient to questions of theological concern, then I must respectfully beg to express my opposition to that state of affairs. We are all citizens of Canada and should stand forth as such, and place ourselves on record before the country as public men, and not as members of any religious organization. I therefore beg to move the following amendment:—

That all the words in the amendment be struck out and the following inserted instead thereof: "That the said Bill be not now read the third time, but: recognizing, that the fullest powers relating to education, consistent with the well-being of the Dominion of Canada as a whole should be conferred on the provincial and territorial Legislatures; and that those powers should involve the training of the youth:—

(1.) Intellectually, that each one may know how to read, write, cipher and be instructed in geography, history, language and literature.

(2.) Physically, that there may be sound bodies for sound minds.

(3.) Politically, that each one may understand the duties and rights of citizenship, and be familiar with the various educational, judicial, municipal, provincial and federal forms, powers and functions of government in Canada.

(4.) Ethically or morally, that each may know right from wrong, and understand man's duty towards his fellow man.

And further recognizing that from a national view-point it is wrong and contrary to the spirit of responsible government to confer upon a provincial or territorial Legislature, authority to establish or to enact to establish a system of separate or denominational schools wherein theology or creed may be taught.

That the Bill be referred back to the Committee of the Whole House with instructions to amend section 14, subsection 1, of the North-west Territories Act by omitting all the words in the subsection after the words "provided that" in line 3, and inserting the following: "No authority shall be vested in the Lieutenant-Governor in Council or the Legislative Assembly of the Territories to pass ordinances or to enact laws permitting or authorizing or recognizing the teaching or the practising of any creed, or theology, or sectarian forms in any educational institution receiving public support, and that separate or denominational schools supported in whole or in part by public taxation or receiving any support from national, provincial, territorial, municipal or local taxation may not be established."

In moving that amendment I do not for a moment profess that I will receive much support in this House. I would be very much surprised if I did. But whoever lives to stand on the floor of this House in the near future, will find that the sentiments embodied in that resolution, are the sentiments that will carry, not only on the floor of this House but in the Dominion of Canada.

House divided on amendment to amendment of Mr. Hughes:

YEAS:

Messieurs

Hughes,

McDonald (Assiniboia).—2.

NAYS:

Messieurs

Allan,
Amyot,
Bain (Soulanges),
Bain (Wentworth),
Baker,
Beausoleil,
Béchar, d,
Beith,
Belley,
Bergeron,
Bernier,
Blanchard,
Boston,
Boyd,
Boyle,
Brodeur,
Brown,
Bruneau,
Bryson,
Calvin,
Carignan,
Carling (Sir John),
Caron (Sir Adolphe),
Carroll,

Henderson,
Ingram,
Innes,
Ives,
Jeannotte,
Joncas,
Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Laurier,
Leclair,
Leduc,
Legris,
Lippé,
Lowell,
Macdonald (Huron),
McCarthy,
McDougald (Pictou),
McDougall (Cape Breton),
McLennan,
McMillan,
McMullen,
McNeill,

Cartwright (Sir Richard),	Madill,
Casey,	Mara.
Charlton,	Marshall,
Chesley,	Masson.
Choquette,	Metcalfe,
Christie,	Mignault.
Cleveland,	Mills (Bothwell),
Costigan,	Monet,
Craig,	Montague,
Curran,	Mulock,
Daly,	Ouimet,
Davin,	Patterson (Colchester),
Davis,	Patterson (Huron),
Dawson,	Pelletier.
Delisle,	Pope.
Denison,	Prior.
Desaulniers,	Proulx,
Devlin,	Rider.
Dickey,	Rinfret.
Dugas,	Robillard.
Dupont,	Rosamond.
Earle,	Ross (Dundas),
Edgar,	Ross (Ligar),
Fairbairn,	Rowand,
Featherston,	Sanborn,
Ferguson (Leeds & Gren.),	Semple,
Ferguson (Renfrew),	Simard.
Flint,	Smith (Ontario),
Foster,	Somerville.
Fréchette,	Sproule,
Frémont,	Stairs.
Geoffrion,	Sutherland,
Gillies,	Tarte,
Girouard (Jacques Cartier),	Taylor.
Girouard (Two Mountains),	Thompson (Sir John),
Godbout,	Tisdale.
Grandbois,	Tupper (Sir C. Hibbert),
Grant (Sir James),	Turcotte.
Guay,	Tyrwhitt,
Guillet,	Wilmot.
Haggart,	Wood (Brockville).—131.
Harwood.	

Amendment negatived.

And the question being put on the amendment.

Mr. AMYOT. I shall only detain the House for a very few moments. The hon. member for North Simcoe (Mr. McCarthy) asks that full liberty be given to the North-west Territories to legislate in the matter of the schools. I am glad he has put the question so clearly and distinctly. The hon. gentleman quoted section 93 of the Confederation Act, and I admit the interpretation he gave to it. He has admitted that that clause gives forever to the provinces, which will enter into the Dominion, the right to separate schools. But he says that since we have given to the North-west Territories nearly all the rights which we have given to the other provinces, we ought also to give it the control over education. That is, if I understand it rightly, the stand the hon. gentleman has taken. The reason, Mr. Speaker, is this—and I am surprised that it is not more generally understood by the adversaries of separate schools—that when we established Confederation we established the autonomy of the provinces, guaranteeing to the provinces exclusive right and control of all matters assigned to them. But, so far as education is concerned, we have extended the principle of autonomy further yet, we have extended it to the father of the family, and have virtually declared that each father of a family shall be the supreme master of his children, and may send them to the

Mr. HUGHES.

school that pleases him. To make certain that the Local Legislatures shall not use their majorities to infringe upon the privilege of the father of the family, we, the Parliament of Canada, have remained the trustees and guardians of his rights. We cannot interfere with the provinces in matters assigned to them, but in relation to education, the principle is extended further and it is for us to see that the rights of the father of the family are protected. Does the hon. member for North Simcoe (Mr. McCarthy) understand me?

Mr. McCARTHY. Yes.

Mr. AMYOT. In matters of education, for fear some ill-advised people, bigots or fanatics, moved by whatever motives, should try to deprive the father of the family of his sacred right to educate his children as he pleases, we have constituted the Parliament of Canada the protector of that right. So that upon us is thrown the moral obligation and duty of preventing the provinces from taking the money of the parents to teach their children in any other language or religion than that which the parents desire. I am glad the hon. member has admitted that this section applies to the whole of the Dominion not only as it was originally constituted but as it was intended to be constituted later on, and will even apply to Keewatin district when it is made a province. The preamble of the Act says:

And whereas it is expedient that provision be made for the eventual admission into the Union of other parts of British North America.

And if the hon. gentleman reads section 146 he will see that provision was made for the admission of Rupert's Land and the North-west Territories, which included the present province of Manitoba, and it was provided that this should be on such terms and conditions in each case as are in the addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this Act. I will add only one word. The hon. member for North Simcoe must remember that by this House and by the Senate of Canada it was promised most faithfully that the Parliament of Canada would be ready to provide that the legal rights of any corporation, company or individual within the same shall be respected and placed under the protection of courts of competent jurisdiction. One of these rights was the right of education and another was the right to speak French or English. The hon. gentleman knows that all the Acts concerning Manitoba and the North-west have referred to the British North America Act and to that address of both Houses. I remember that at that time some doubts were expressed as to the meaning of the phrase, but does the hon. gentleman not remember the interpretation that Lord Granville gives it in his letter to Sir John Young? I need not take the time of the House to read the letter I speak of. The hon. gentleman

knows that in that letter it was solemnly affirmed that the language and the separate schools would be protected. The hon. gentleman (Mr. McCarthy) is an honest man I am assured; he is a sincere man, and understanding that Confederation took place on that condition will he say now that it is fair that the majority, merely because they are a majority should refuse to be bound by the condition? Would we have induced these provinces to join the Confederation under false pretext? Let Canada not repeat here at Ottawa the miserable and contemptible tricks by which, in the province of Manitoba they have succeeded in abolishing for the present—for the present, but not for long—the separate schools and the French language. If Canada wants to be peaceful and prosperous let her give justice and due protection to every one. After all, of what does the hon. gentleman complain? He says the separate schools costs \$100,000 a year. How much does it cost him? It costs us as much as it costs him. Does he think we would be glad to send our money there to educate the children in a manner contrary to the wishes of the parents? Are not the French-Canadians loyal? We want the British Empire to be prosperous, grand, to dominate the world; we want Canada to remain joined with England. We have the right to say that our forefathers assisted in keeping this domain for the Queen, and to-day we pretend to be the most devoted subjects of Her Majesty. Sir George Etienne Cartier declared that the last gun fired in defence of British supremacy in Canada would be fired by a French-Canadian. We are loyal subjects of the Queen, and we have the right to remain loyal as French-Canadians and as Catholics. The hon. gentleman need not be afraid; he will not find any traitors amongst us; he will never find us working against the Queen, because the Pope teaches us to respect constituted authority and to be faithful to the Queen. But we have these treaties and guarantees that these institutions shall be preserved; we have the honour of the Dominion pledged. Can we not depend upon that? The hon. gentleman says he approaches this question in a cool way. I may set fire to my neighbour's house in a cool way, but that does not justify my act. I shall not go into details or take the time of the House, but I say that in matters of education autonomy has been granted to the father of the family, that the provinces have no right to interfere with him, and, if they do, the Parliament of Canada is bound under the treaty, in honour and, I might say in conscience, to interfere and protect him. Then let us not for a moment enact a law that will deny those vested and sacred rights.

Mr. LAURIER. This is a subject which, as we all know from past experience whenever it has been brought before the House, is liable to create a great deal of excite-

ment and even of bitterness. I am sure that the House must feel happy that the hon. member for Simcoe (Mr. McCarthy), in introducing this subject to our attention to-day, has done so in a speech certainly remarkable for its moderation and its temperate tone. For my part, while differing in toto from the hon. gentleman in the conclusions to which I arrive upon this question, I may say that I shall try and emulate the moderation with which he has approached it. The hon. gentleman, in his opening remarks, said that the legislation which is now on the Statute-book concerning the subject of education in the North-west Territories, is extraordinary and unprecedented. I admit at once that it is extraordinary, but I do not at all admit that it is unprecedented. It is certainly extraordinary, and I agree with him in his statement that the subject of education is one which, by its very nature, should pertain to the Local Legislatures. This was the case at the time Confederation was discussed in 1864, and it is equally the case in 1894; and we may ask ourselves why was this extraordinary legislation adopted in 1875. We may well ask ourselves, what is the reason which induced the Parliament of Canada, when dealing with the question in 1875, while granting local powers to the North-west Territory, to deprive the Legislature which was then created of a power which must be admitted is essentially of a local nature? Here comes the precedent. The legislation, as my hon. friend knows, was not unprecedented. The Legislature was deprived of its supremacy in matters of education in order to make that Legislature conform to the other provinces in respect to the powers relating to the subject of education; it was made to conform to the two largest provinces of the Dominion in respect to that matter. My hon. friend knows as well as I do that in that respect the Legislature of the North-west Territories was placed upon absolutely the same footing as the Legislature of Quebec and the Legislature of Ontario. Again, we may ask the question why the Legislatures of Upper and Lower Canada were deprived, at the time Confederation was discussed, of their control over the matter of education. The reason everybody knows. It is a matter of history that when in 1864 the idea of Confederation, which up to that time had been a misty and hazy one, at last took something like a practical and tangible shape, the old provinces of Upper and Lower Canada had been convulsed by an agitation over the question of separate schools. True it is, that the Protestant minority of Lower Canada had enjoyed for more than thirty years the privilege of having its own schools without any interference from the majority; and it was only in the year before that the long agitation had been settled in Upper Canada by granting to the minority of that province the same privileges which had been granted to the minority in Lower Canada more than

twenty years before. It is also a matter of history that of all the leaders of public opinion at that time, Mr. George Brown was among the most uncompromising opponents of separate schools. It is also a matter of history that if there was any man who, more than another, contributed to shape the events which made Confederation possible, that man was Mr. Brown; but it is also a matter of history that in his anxiety to make Confederation a success, and to anchor the new scheme in the affections of the people, Mr. Brown did not hesitate at that time to sink his own opinion on the question of separate schools, and consented to deprive the Local Legislature of his own province of supremacy over the question of separate schools. Let me here quote the language of Mr. Brown in regard to that question. The quotation may be a little lengthy, but I believe it is quite apposite to the subject we have in hand. After showing the advantages which Ontario was to obtain from having control over its own local affairs, Mr. Brown, in the Confederation Debates, spoke as follows:—

But, I may be told, that to this general principle of placing all local matters under local control, an exception has been made with regard to common schools.

Mr. Brown here quoted the clause about education in the resolutions of the Quebec Conference:

Education: saving the rights and privileges which the Protestant or Catholic majority in both Canadas may possess as to their denominational schools, at the time when the Union goes into operation.

Then, Mr. Brown goes on to say:

Now, I need hardly remind the House that I have always opposed and continue to oppose the system of sectarian education so far as the public chest is concerned. I have never had any hesitation on that point. I have never been able to see why all the people of the province, to whatever sect they may belong, should not send their children to the same common schools to receive the ordinary branches of instruction. I regard the parent and the pastor as the best religious instructors—and so long as the religious faith of the children is uninterfered with, and ample opportunity afforded to the clergy to give religious instruction to the children of their flocks, I cannot conceive any sound objection to mixed schools. But while in the Conference and elsewhere I have always maintained this view, and always given my vote against sectarian public schools, I am bound to admit, as I have always admitted, that the sectarian system, carried to the limited extent it has yet been in Upper Canada, and confined as it chiefly is to cities and towns, has not been a very great practical injury. The real cause of alarm was that the admission of the sectarian principle was there, and that at any moment it might be extended to such a degree as to split up our school system altogether. There are but a hundred separate schools in Upper Canada, out of some four thousand, and

Mr. LAURIER.

all Roman Catholic. But if the Roman Catholics are entitled to separate schools and to go on extending their operations, so are the members of the Church of England, the Presbyterians, the Methodists, and all other sects. No candid Roman Catholic will deny this for a moment; and there lay the great danger to our educational fabric, that the separate system might gradually extend itself until the whole country was studded with nurseries of sectarianism, most hurtful to the best interests of the province and entailing an enormous expense to sustain the hosts of teachers that so prodigal a system of public instruction must inevitably entail. Now, it is known to every honourable member of this House that an Act was passed in 1863, as a final settlement of this sectarian controversy. I was not in Quebec at the time, but if I had been here, I would have voted against that Bill, because it extended the facilities for establishing separate schools. It had, however, this good feature, that it was accepted by the Roman Catholic authorities, and carried through Parliament as a final compromise of the question in Upper Canada. When, therefore, it was proposed that a provision should be inserted in the Confederation scheme to bind that compact of 1863, and declare it a final settlement, so that we should not be compelled, as we have been since 1849, to stand constantly to our arms, awaiting fresh attacks upon our common school system, the proposition seemed to me one that was not rashly to be rejected.

I admit that, from my point of view, this is a blot on the scheme before the House, it is confessedly one of the concession from our side that had been made to secure this great measure of reform. But assuredly I for one have not the slightest hesitation in accepting it as a necessary condition of the scheme of union, and doubly acceptable must it be in the eyes of hon. gentlemen opposite, who were the authors of the Bill of 1863. But it was urged that though this arrangement might perhaps be fair as regards Upper Canada, it was not so as regards Lower Canada, for there were matters of which the British population have long complained and some amendments to the existing School Act were required to secure them equal justice. Well, when this point was raised gentlemen of all parties in Lower Canada at once expressed themselves prepared to treat it in a frank and conciliatory manner, with a view to removing any injustice that might be shown to exist; and on this understanding the educational clause was adopted by the Conference.

And here I am pleased to say that so far as the Protestant minority of Quebec are concerned, the pledges given at the Quebec Conference have been amply and fully redeemed since Confederation has been established. One of the first acts done by the Local Legislature in 1861 was to pass a law, which has proved satisfactory to the Protestant minority ever since. I call my hon. friend's attention to this. Mr. Brown was no more than is my hon. friend an advocate of a separate school system—Mr. Brown was just as thoroughly an opponent of that system. He said, just as does the hon. gentleman, it is a blot on our system. But for all that, strong as was the objection of Mr. Brown to

the separate school system, in order to secure peace and harmony, and in order to carry out this great scheme of Confederation, he consented to sink his own personal views on education, and I ask why not every patriot, with a view to secure the same result, adopt the same course as Mr. Brown did then? Such was the position in 1875, when the Territories were organized. The question then sprung up, and I well recollect what took place at that time. When Mr. Mackenzie introduced the Bill there were no provisions in it regarding the question of education. As soon as the Premier sat down, Mr. Blake, who was not a member of the Government at that time, but was a prominent supporter of the Administration, rose and made some remarks. Speaking of the general power of the Legislature, he went on to say:

It give the Council all the powers practically enjoyed by this Parliament and the Local Legislatures together; and it would be proper to restrict and define their powers in all matters connected with municipal government, and provision should be made at the earliest possible moment for municipal institutions, local taxation, and improvements. He regarded it as essential under the circumstances of the country, and in view of the deliberation during the last few days (referring to the New Brunswick school question) that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce in that Territory, the heart-burnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present, the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of the province of Ontario. The principle of local self-government and the settling of the question of public instruction, it seemed to him, ought to be the cardinal principles of the measure.

This proposition was introduced by Mr. Blake. How was it accepted by the House at that time?

Mr. McCARTHY. In what year was that?

Mr. LAURIER. In 1875, at the time that the Bill for the organization of the Territories was introduced. Mr. Mackenzie, who was in charge of the measure, rose immediately after Mr. Blake, and answered him in the following terms:—

As to the subject of public instruction, it did not in the first place attract his attention, but when he came to the subject of local taxation he was reminded of it. Not having had time before to insert a clause on the subject, he proposed to do so when the Bill was in committee. The clause provided that the Lieutenant Governor, by and with the consent of his Council or Assembly, as the case might be, should pass all necessary ordinances in respect of education, but it would be

especially provided that the majority of the ratepayers might establish such schools and impose such necessary assessments as they might think fit, and that the minority of the ratepayers, whether Protestant or Roman Catholic, might establish separate schools, and such ratepayers would be liable only to such educational assessment as they might impose upon themselves. This, he hoped, would meet the objection offered by the hon. member for South Bruce.

I may say that these observations were received without a word of dissent from any hon. member on either side of the House, and when the Bill was in committee, Mr. Mackenzie introduced the following amendment:—

Provided further that when and so soon as any electoral district shall be established as hereinafter provided the Lieut.-Governor, by and with the consent of the Council or Assembly as the case may be, shall have power to pass ordinances for raising within such district by direct taxation or by shop, saloon, tavern, or any other licenses, a revenue for local and municipal purposes for such district and for the collection and appropriation of the same.

When and so soon as any system of taxation shall be adopted in any district or portion of the North-west Territories, the Lieut.-Governor and Council or Assembly as the case may be, shall pass all necessary ordinances in respect of education, and it shall therein always be provided that a majority of ratepayers in any district may establish such schools therein as they may think fit and make the necessary assessment and rates therefor, and further that the minority of ratepayers therein, whether Protestant or Roman Catholic, may establish separate schools therein.

This provision was introduced at that time. Not a word of dissent was expressed. It became the law of the country, and is the law of the country to-day, and this is the provision which the hon. gentleman desires to remove from the Statute-book. I will not discuss with the hon. gentleman here or anywhere else at present, at all events, the subject of separate schools. There are different views as to those schools. This question does not, however, come up for discussion on the floor of this House to-day. I have noted all the objections brought forward to the separate school system in the North-west. It is alleged that it is very expensive, more expensive than the system of public schools. So be it—I will not discuss the matter with the hon. gentleman. Let me, however, observe this, that if the system of separate schools is more expensive than the system of public schools, the minority will suffer, and not the majority, in fact, it will be so much worse for the minority; but if the minority are willing to pay that price in order to have their own schools and their own system of education, why should this be a matter of offence, or a subject even of objection on the part of the majority? But I will not discuss the question with the hon. gentleman, and I will not discuss the objections he has raised. I ask: Is it advisable, let separate schools be objectionable,

they cannot be more objectionable to-day than they were in 1876, or in 1864, when Confederation took place—they are just the same now as they were then—is it advisable, in view of our present condition, in the hope we entertain of forming a nation on this continent, because after all that is the hope we entertain to-day—is it advisable, entertaining, as we do that hope, to go back to the old heart-burnings, which Mr. Brown declared to exist in 1864, and open up again the question to agitation which we had hoped was finally closed at that time? I know very well there are men, I will not say in this House, but in the province of Ontario, and perhaps elsewhere, who would be pleased to have the door opened to that agitation and have the whole system of separate schools discussed again, not as regards the Territories, but also as regards the provinces of Quebec and Ontario. Well, there may be two sides to this question. Looking at the press of Ontario we find this idea expressed: but the question was discussed before, and when it came to be discussed practically by practical men, it was found advisable to allow matters to remain as they are at the present time, and allow a minority to have separate schools where they desire them. My hon. friend has surely not forgotten the convention of the Equal Rights Association, which sat in Toronto in June, 1889. Among the other subjects that were discussed there was this very question of separate schools. Mr. J. L. Hughes moved the following resolution:—

Mr. EDGAR. He is a brother of the member for Victoria.

Mr. LAURIER. I did not know he was related. However, Mr. J. L. Hughes is well known in the city of Toronto, and he moved the following resolution:—

We record our approval of our national system of free education in this province, and we insist that every ratepayer should be deemed a supporter of the public school, unless he himself, of his own free will, signifies his desire to be ranked as a supporter of separate schools, and that the Act should be so amended as to be explicit on this point.

This resolution, moved by Mr. Hughes, was not satisfactory to a certain number of delegates there, and Mr. D. W. Clendenning, seconded by Mr. Holmes, moved an amendment to the resolution, as follows:—

That the system of separate schools was a standing menace to the civil and religious liberties of Canada.

Mr. A. F. Campbell then moved an amendment to the amendment:

That the separate schools system was not an institution which it was desirable to allow to grow up in the country.

I have just heard these very words from my hon. friend from North Simcoe (Mr. McCarthy), who has told us that separate

schools were a menace to the country. The subject came to be debated, and there was in that convention a gentleman whose name is a household word to the province of Ontario, I mean Professor Cavan, a man of sterling worth, a man of unspotted character and of great breadth of thought. Principal Cavan, speaking on the amendment and sub-amendment, used the following language:—

Principal Cavan said that he was entirely in sympathy with those who opposed separate schools. The separate schools, most unfortunately, were guaranteed by the Act of Confederation, when this question had been thoroughly taken into account. There was another thing. Their Protestant brethren in Lower Canada had also in some sense the system of separate schools, and they must take extreme care they did "not take ground that would be injurious to their brethren in the province of Quebec. The resolution before the chair was framed by gentlemen every one of whom was opposed to separate schools in Ontario, and he would never vote for it if it expressed by implication acquiescence in the separate schools, but they could not undertake at one stroke the entire reform of the Dominion. They had concentrated themselves upon one great and flagrant violation of the law of equality and they had better get that righted before attacking any bad feature in the constitution.

There was a representative from the province of Quebec also present at that meeting, Mr. Lee, of Sherbrooke, and he used the following language:—

Mr. Lee, Sherbrooke, said that the name proposed for this association was Equal Rights to all. In this agitation, what they asked for themselves, they must be willing to grant to others. He did not believe the separate schools system was a good one, but thought that if separate schools were taken from the Roman Catholics in Ontario, the majority in Quebec would demand that the Protestant schools be taken from the minority in that province. He did not think the convention could demand the abolition of separate schools in this province and ask that they be retained in Quebec.

Thereupon the question of separate schools was dropped by the convention. Now, Sir, I have no fear, for my part, that there should ever arise an agitation in the province of Quebec for the removal of the separate schools of the Protestant minority; but, certainly, it is only fair to ask that what is granted in Quebec to the minority should also be granted to the minority elsewhere. It is not unfair to ask that the one measure of justice which prevails in one province should also prevail in the other provinces and territories. And so long as we agree to have separate schools anywhere, I see no reason why we should not agree to have them everywhere as they exist at the present time. It may be that the system of separate schools is not acceptable to the hon. gentleman (Mr. McCarthy), but does he, or does anyone, expect that it is possible to form this nation if each one of us insists

Mr. LAURIER.

upon what he conceives to be the right, in any matter whatever? Is it possible to form a nation upon any other basis than the surrender of prejudice, of passion, of sentiment, or even of conviction, for the general good? The system which now prevails in this country may not be acceptable to the hon. gentleman (Mr. McCarthy), but I would call his attention to the words which were pronounced upon the floor of the British Parliament upon one occasion by that master of political thought, Edmund Burke, an authority which ought to be acceptable everywhere. Burke once spoke these words:

In most questions of state there is a middle. There is something else than the mere alternative of absolute destruction and undeformed existence. This is, in my opinion, a rule of profound sense, and ought never to depart from the mind of an honest reformer. I cannot conceive how any man can have brought himself to that pitch of presumption, to consider his country as nothing but *carte blanche* upon which he may scribble whatever he pleases. A man full of warm, speculative benevolence may wish his society otherwise constituted than he finds it; but a good patriot and a true politician always considers how he shall make the most of the existing materials of his country. A disposition to preserve and an ability to improve, taken together would be my standard of a statesman. Everything else is vulgar in the conception, perilous in the execution.

Now, Sir, these words seem to me to apply to our country more than ever they applied to the United Kingdom. We have here a mixed community. As has been well expressed by the member for Bellechasse (Mr. Amyot)—although I do not share his manner of expressing his views—we want to form a nation on this continent. I appeal to my hon. friend from North Simcoe (Mr. McCarthy). He is English, and I am French; he is Protestant and I am Catholic. I call upon him and I call upon all Canadians, French or Catholic, Protestant or English, to sink a little of their preferences, of their prejudices, of their passions, of their sentiments, upon the altar of our common country. I will not detain the House at any length at this period of the session, and I believe it would be injudicious on my part to protract the discussion, although the subject is a tempting one. Again, I repeat: it is not the question of separate schools that I am discussing at this moment, it is simply the question of carrying on our system of Confederation upon the basis which was adopted in 1864, and maintained in 1875.

Mr. DALY. I do not intend to detain the House at any length, but possibly it is right that I should take some part in this discussion, seeing that the matter before the House is an amendment moved by the hon. member for North Simcoe (Mr. McCarthy) to a Bill which I have charge of, and more particularly from the fact, that I am the member of the Government representing the people of the North-west Territories in this

House. I wish, Sir, to give the House a little history in connection with the government of the North-west Territories. Since these Territories were acquired by Canada, I find that the first Act for the temporary government of the North-west Territories and Rupert's Land, was passed in 1869. In that Act there is nothing as to schools. It would appear that a doubt arose after the passing of that Act as to whether or not its provisions were in the power of this Parliament, and subsequently in order to meet the objections which were raised, and to settle the question whether or not that Act of 1869 was within the power of this Parliament, legislation was obtained from the British Parliament, and the Act respecting the establishment of provinces in the Dominion of Canada was assented to by the Imperial Parliament on the 29th June, 1871. Section 1 of that Act says:

This Act may be cited for all purposes as the British North America Act of 1871.

Section 2 reads as follows:—

The Parliament of Canada may, from time to time, establish new provinces, in any of the territories, forming for the time being, part of the Dominion of Canada, but not included in any province thereof; and may, at the time of such establishment, make provision for the constitution and administration of any such province and for the passing of laws for the peace, order and good government of such province, and for its representation in the said parliament.

Now, Mr. Speaker, you will see from the provisions of that law, that this Parliament has been given power by the British North America Act of 1871 to, from time to time, establish new provinces in the Territories, and at the establishment of those provinces in the Territories make provision for the constitution and administration of such provinces. Up to the present moment, with the exception of the province of Manitoba, which was given its constitution by the Act known as the Manitoba Act of 1871, no provinces have been carved out of that vast territory. But no doubt the time will come—it may come very shortly—when the people of that country will come to this Parliament and say that the time has arrived when one or more provinces should be carved out of what is now known as the North-west Territories. Those Territories are now governed, as the House knows, under the laws passed by this Parliament from time to time, by a Territorial Legislature. Now, the British North America Act of 1871 confirms and makes valid the Act of 1869, which I have quoted. The next Act relating to the government of the Territories is an Act to make further provision for the government of the North-west Territories, chapter 16, 34 Victoria, 1871. There is nothing in that Act as to schools. Then, we come to chapter 5 of 36 Victoria, 1873, and there is nothing in that Act as to schools. The next is chapter 34 of 36 Victoria, 1873, an Act further to

amend the Act to make further provision for the government of the North-west Territories; and there is nothing in that Act as to schools. Then, the next Act is chapter 49 of 38 Victoria, 1875, upon the introduction of which by the Hon. Alexander Mackenzie, the debate arose from which the hon. leader of the Opposition has quoted. Now, I may say for the information of the House, that the Bill introduced by Mr. Mackenzie was entitled "An Act to consolidate and amend the laws respecting the North-west Territories." On that occasion, Mr. Blake preceded what the hon. gentleman has read with the following language:—

The task which the Ministry has set for itself was the most important it was possible to conceive. To found primary institutions under which we hope to see hundreds of thousands, and the more sanguine among us think millions of men and families settled and flourishing was one of the noblest undertakings that could be entered upon by any legislative body, and that it was no small indication of the power and true position of this Dominion, that Parliament should be engaged to-day in that important task. He agreed with the hon. member from Kingston that the task was one that required time, consideration and deliberation, and they must take care that no false steps were made in such a work. He did not agree with that right hon. gentleman that the Government ought to repeal his errors. The right hon. gentleman had tried the institutions for the North-west Territories which he now asked the House to frame, and for the same reason as he had given to-day—that it would be better for the Dominion Government to keep matters in their own hands and decide what was best for the future. He (Mr. Blake,) believed that it was essential to our obtaining a large immigration to the North-west that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle. It was interesting to the people to know that at the very earliest moment there was a sufficient aggregate of population within a reasonable distance, that aggregation would have a voice in the self-government of the territories, and he believed that the Dominion Government was wise, (although the measure might be brought down very late this session and it might be found impossible to give it due consideration) in determining in advance of settlement what the character of the institutions of the country should be in which we invite people to settle. He did not agree with the policy of asking people to settle in that western country, and tell them that a paternal government would look after them, and would give them such institutions as the Government thought suitable. We had better let the people know their fate politically and otherwise before they settle there. The task to be discharged now, or at some future time, was one of considerable importance. And amongst the difficulties was the determining of what the range of power the council would be in the first place, assuming that its character would be that of a mixed neminative and elective council, as he understood it would be, of the First Minister; the Council at a subsequent period assuming the position of a Legislative Assembly when the population was sufficient to en-

Mr. DALY.

title it to assume that position. He did not hear from the Honourable First Minister any distinct enunciation of the powers committed to the Council and afterwards to the Assembly. Looking over the Bill hastily, it seemed that the powers were amongst those of the British North America Act with respect to the peace, order and good government.

Then, in order to make my narrative complete, I would like to read the quotation from the same speech which has been read by the hon. leader of the Opposition:

He regarded it as essential under the circumstances of the country, and in view of the deliberation during the last few days that a general principle should be laid down in the Bill with respect to public instruction. He did believe that we ought not to introduce into that territory the heart-burnings and difficulties with which certain other portions of this Dominion and other countries had been afflicted. It seemed to him, having regard to the fact that, as far as we could expect at present the general character of that population would be somewhat analogous to the population of Ontario, that there should be some provision in the constitution by which they should have conferred upon them the same rights and privileges in regard to religious instruction as those possessed by the people of Ontario. The principles of local self-government and the settling of the question of public instruction it seemed to him ought to be the cardinal principles of the measures.

Then, the Hon. Alexander Mackenzie, replying, said:

As to the subject of public instruction, it did not in the first place attract his attention, but when he came to the subject of local taxation he was reminded of it. Not having had time before to insert a clause on the subject, he proposed to do so when the Bill was in committee. The clause provided that the Lieutenant-Governor, by and with the consent of his council or assembly, as the case might be, should pass all necessary ordinances in respect of education, but it would be specially provided that the majority of the ratepayers might establish such schools and impose such necessary assessment as they might think fit; and that the minority of the ratepayers, whether Protestant or Roman Catholic, might establish separate schools; and such ratepayers would be liable only to such educational assessments as they might impose upon themselves. This, he hoped, would meet the objection offered by the hon. member for South Bruce.

That took place on the 12th of March, 1875. The debate continued, and amongst others who spoke on the subject was the hon. member for Bothwell (Mr. Mills); but I see that no reference whatever was made by any of the other speakers to this question of the schools. On the 1st of April, 1875, we find that Mr. Mackenzie, when the Bill was in committee, with Mr. Moss in the Chair, introduced the resolution that was read by the hon. leader of the Opposition:

When and so soon as any system of taxation shall be adopted in any district or portion of the North-west Territories the Lieutenant-Governor

and Council or Assembly, as the case may be, shall pass all necessary ordinances in respect of education, and it shall therein be always provided that a majority of ratepayers in any district may establish such schools therein as they may think fit and make the necessary assessment and rates therefore, and further that the minority of ratepayers therein whether Protestants or Roman Catholics may establish separate schools therein.

There was no other important amendment made, and the House sat in committee till six o'clock. After recess the discussion continued, it appears from the record, upon other matters. The Bill was reported and received its third reading on the following day, namely, the 2nd of April, without discussion. Now, Sir, from the reading of the language used by Mr. Blake on that occasion and the reply made to him by the then leader of the Government, Mr. Mackenzie, and considering that there was no dissenting voice in the House at the time that this amendment was proposed by Mr. Blake and accepted by Mr. Mackenzie, and subsequently embodied by him in legislation, it is clear that it was made deliberately and designedly, because, as Mr. Blake said in his speech, "it was essential to our obtaining a large immigration to the North-west that we should tell the people beforehand what those rights were to be in the country in which we invited them to settle." Now, it might be well to read what the Hon. Alexander Mackenzie's views were on the subject of separate schools. In the debate which took place on the motion of the hon. member for Victoria in reference to the New Brunswick School Act on the 10th of March, 1875, Mr. Mackenzie said :

In this particular instance, I may say, I believe in the secular system—I believe in free schools, in the non-denominational system, and if I could persuade my fellow-countrymen in Ontario or Quebec, or any other province to adopt that principle, it is the one I would give preference to above all others; but I cannot shut my eyes to the fact, that in all the provinces there is a very considerable number of people—in the province of Quebec indeed, a very large majority, who believe that the dogmas of religion should be taught in the public schools—that it has an intimate relationship with the morality of the people—that it is essential to their welfare as a people, that the doctrines of their church should be taught, and religious principles according to their theory of religious principles be instilled into the minds of their children at school. For many years after I held a seat in the Parliament of Canada I waged a war against the principle of separate schools. I hoped to be able, young and inexperienced in politics as I then was, to establish a system to which all would ultimately yield their assent. Sir, it was impracticable in operation and impossible in political contingencies; and consequently when the Confederation Act was passed in 1867, or rather when the Quebec resolutions were adopted in 1864 and 1865, which embodied the principle should be the law of the land, the Confederation took place under the compact then entered upon.

I heartily assented to that proposition, and supported it by speech and vote in the Confederation debates. And, sir, the same ground which led me on that occasion to give loyal assistance to the Confederation project, embracing as it did the scheme of having separate schools for Catholics in Ontario, and Protestants in Quebec, caused me to feel bound to extend at all events my sympathy, if I could not my active assistance, to those in other provinces who believed they were labouring under the same disability and suffering from the same grievance that the Catholics of Ontario complained of for many years.

In that extract Mr. Mackenzie lays down the views that were held, not only by himself, but by Protestants in Ontario then, and by Protestants, not alone in the Legislative Assembly, but in the House of Commons, and which are, I am sure, held to-day by people who are Protestants as Mr. Mackenzie was. Now, the question before the House is as to whether or not we should, by legislation at this time, by the amendment to the Bill now before the House, take away from the minority, or from the people of the North-west, who went in there and settled on the understanding and with the expectation that they would enjoy the rights given them by Mr. Mackenzie in 1875, and I confess my opinion is that it would not be right or just, so long as the territorial condition exists in that territory, so long as this Parliament governs that country as it does to-day, so long should the law remain as it is. But when the time comes, as it must come shortly—because the provisions of the Act of 1871, gives us the authority—for this Parliament to give a constitution to any province, or to any two provinces carved out of those Territories, then, and not till then, will the time come for this House to deal with this question of education. Nor would it be right or just that we should repeal clause 14 of the Act, as it now stands, giving the powers that were given by Mr. Mackenzie. The hon. member for North Simcoe (Mr. McCarthy) tried to argue that by the legislation which was passed by this House in 1875 and by the continuation of that upon the statutes, we were riveting upon the people of the North-west Territories a separate school system for all time; and by way of strengthening his argument, the hon. gentleman quoted section 93 of the British North America Act. With deference to the hon. gentleman's opinion, I cannot see the application of section 93 in the way the hon. gentleman suggests. That section says :

Nothing in any such law shall prejudicially affect any right or privilege in respect to denominational schools which any class of persons may have by law in any province of the Union.

Now, we are not discussing law affecting any province of the Union at this time, but laws that were given by this Parliament by virtue of the Imperial Act of 1871, to the Territorial

Assembly; and so far as section 3 of section 93 is concerned, in my opinion, the same argument would prevail. What do we find is the condition of things now? We find that, under the authority of the North-west Territories Act, section 14, Ordinances have been passed by the territorial legislature in reference to education, and we find that on the 31st December, 1892, an Ordinance was passed by that legislature which made considerable changes in the matter of education there. Up to that time, under the Ordinance immediately preceding, namely, the Ordinance of 1888, education in that country was governed by a Board of Education, which was composed of men representing both the majority and the minority. Under the Ordinance, the inspection of the different schools was made by inspectors appointed by the different sections of the Board of Education. But in 1892, by the Ordinance passed then, we find that the system of inspection now is similar, so far as all the schools are concerned. The inspectors are appointed by the Council of Public Instruction, or the Lieutenant-Governor in Council, and they are appointed irrespective of their religion, to inspect all schools, whether separate or otherwise, in any portion of the district for which they are appointed. Objection was taken here, in a previous debate, to that Territorial Ordinance on the ground that by it separate schools were taken away from the minority. On the contrary, it is stated, and I think on good foundation, that, so far as separate schools are concerned, they continue to exist in that country to-day, to all intents and purposes, and it is only with regard to their inspection that any change has been made. And I think, in justice to the people who have gone into that country, under the Ordinance passed by virtue of section 14 of the Territories Act, and who established schools under that Ordinance, and subjected themselves to taxation for that purpose, believing that that law would prevail for all time to come, if would not be just or right for this Parliament now to take away, by one stroke of the pen, the rights of these people. But, when the time comes, as it may come soon, when the people of that country desire that one or more provinces shall be carved out of their territory, then it will be necessary for us to give a full constitution to such provinces, then, and not till then, will we be called on to deal with this question of education.

Mr. MILLS (Bothwell). It is not my intention to detain the House but for a brief period. I am not called upon, of course, to address myself to the subamendment of the hon. member for North Victoria (Mr. Hughes), because that has already been disposed of, and I think that the vote of this House has shown that it is not easy to embrace eighteen hundred years' history of the world in a motion, and get for that motion the support of a very large number of repre-

Mr. DALY.

sentative men. Now, I have a few observations to make with regard to the speech of the hon. member for North Simcoe (Mr. McCarthy). I do not agree with the hon. gentleman in the view he has put forward as to the importance of conferring upon the people of the North-west Territories all the powers of self-government that are possessed by the people of the provinces. Such a course would be altogether at variance with what has transpired under representative institutions, wherever the English race has spread, and wherever English institutions prevail. We know that new colonies are being established and governors appointed to them, the instructions which are given these governors embrace a very much more limited area of legislation than in the case of colonies where there is a larger population existing, where society has become more complex and where there is a greater variety of interests to be dealt with. In fact, Sir, the growth of society does not differ very much from the growth of the individual. No one undertakes to put a minor in the full possession of his property and allow him to dispose of it just as he pleases, and, in the same way, no one undertakes to confer upon a new society all the powers that belong to a sovereign body. In these matters experience shows the wisdom and necessity of proper regulation. We must remember that the Territories are being peopled, so that, in a five-years term those interested in the government of the Territories are often very much smaller in number at the beginning of the term than at the close. And those who in the future, at no distant day, will be interested in the Territories, are under the jurisdiction of this Legislature and have a voice in moulding the legislation here, so that the interests and wishes of those who are to become inhabitants of the Territories are better represented than they would be if the matter was put into the control of those who are the first occupants of the Territories. It is for that reason that the House wisely kept control of this very important question when government was bestowed upon that country. If you look at that country to-day you will find they have not responsible government. In fact I am told by a number of the members from the Territories that the majority of the people would be opposed to responsible government. They confess their immaturity; they confess that their circumstances are such that it will not always be the case that, with responsible government, their control of larger matters would not be as great as through this House, in which they are represented in proportion to their numbers. So, I think, there was no ground of complaint as put forward by the hon. member for North Simcoe, that this House had retained for itself control over the subject of education, when, in 1875, the principle of representation was, to a limited extent, introduced into that country. Then,

Sir, the hon. gentleman might look to the experience of our neighbours. Take the case of the territories of the United States that have not sufficient population to entitle them to become states of the union, you will find that what they possess is determined by Congress and Congress is authorized to make all needful rules for the government of the territories. And the assumption throughout the territories and elsewhere ever since the Union has been that Congress could be more safely entrusted with the superintending control of that government than could the first settlers in the territory. Then, Sir, you have the fact that the Territories are the common property of the Dominion. They are held in trust, if I may use the expression, on behalf of all the provinces; and, that being so, this House has undertaken, in so far as it possesses control, to use that control with a view to producing as little friction as possible either with the interests or with the prejudices of the people, no matter what those interests or prejudices may be. Now, Sir, when you look at the subject of education prior to the union, you will find not that any system was expressly imposed upon the province, not that the principle of separate schools was virtually established, but the rule was established that where separate schools were established and had been established before the Union, they should remain, and where they were not established, the province should retain control over the subject to introduce them or prevent their introduction, as seemed proper to the people. We have a practical illustration of this fact in the position of things in the Maritime Provinces and the provinces of Ontario and Quebec. So far as the Territories were concerned—I do not at all admit that the introduction of separate schools there stands upon the same footing as the introduction of separate schools in the province of Ontario, or of dissentient schools in the province of Quebec. In these provinces they are protected under the constitution; they cannot be interfered with by the Local Legislature. But in the North-west Territories, as the hon. Minister has said, it has been a matter not of right, not of guarantee to any particular class of the population, but a matter of policy. They were introduced with a view of preventing conflict in this House upon the subject of separate schools and for the reason that they were introduced there they should be maintained as long as these Territories are under the control of this Parliament. When this Parliament has discharged its duties and when the people of these Territories have received the population to entitle them to enter the union they must assume the responsibility of deciding for themselves under the British North America Act how far they shall maintain the principle of separate schools or maintain the non-denominational system. Any attempt on our

part whatever our inclinations of feelings may be to anticipate what ought to be done in that particular, by the province after its autonomy is established, instead of being a source of security to its institutions would be a source of the greatest danger. The hon. member for North Simcoe has referred to the fact that these separate schools in the North-west Territories are expensive, that it costs a very considerable sum to educate children in these schools. If the hon. member had looked at the returns of the schools of the whole North-west Territories, he would have found that there was very little difference in that respect between one class of schools and the other. I took the trouble of going into the accounts of the North-west Territories. I was anxious to get some information before the Public Accounts Committee on the subject, but have been unable to do so. Any one can see that the expenses have been very large, and I do not think it is because separate schools and public schools exist there, but it is that the people of that country had the means of education provided by grants from Parliament, and, therefore, they are not as economical as they would be if the money had been raised in the ordinary way through taxation of the people themselves. Now, the hon. member has said, and others hold that view, that it would be well if we could educate all our population in the same public schools. I at once accept that proposition, I say that, too, and I would be rejoiced if all our people could see alike and all accept the public schools as the only schools for the elementary education of our people. But, Sir, that is not the view taken by all the population. A very considerable number of our people wish to accompany secular with religious instruction. They believe that it is a matter of immense consequence, they hold strongly to that view, and they hold to that view so strongly that wherever they are able, they will establish parish schools instead of separate schools, if these are denied them; and they will educate their children in those schools and pay for their maintenance, besides contributing their portion of taxation to the maintenance of the public schools. Well, Sir, that is an expression of very strong feeling. Practical results show how strong that feeling is. Inquiry into the subject satisfies me, as I think it will satisfy any one who makes it, that if you take the centres of population in the United States, where a system of secular instruction prevails, and where there are no provisions for denominational schools to any extent as they exist with us in the province of Ontario, you will find that the percentage of children attending the parish schools in proportion to the number of that faith by whom those schools are supported, is greater than the percentage of children in the province of Ontario who are attend-

ing the separate schools, showing that you do not secure the object which you profess to have in view when you do away with separate schools and undertake to introduce the entire population into the public schools under a secular system. You do not accomplish that object; you do not accomplish another object. Under our separate school system in the province of Ontario we have the same examination, the same system of inspection, for the separate as for the public schools; and in that way we secure a fair standard for imparting that education which the community thinks the interests of the state, under a system of popular government, demand. Under the system of parish schools which must prevail where you have such institutions as those that are established in the United States, you have no such inspection, you have no such examinations. You cannot have; you cannot undertake to interfere with the affairs of the household and to say how well qualified the private teacher employed by the voluntary contributions of the parents, shall be to discharge the work in which he is engaged. So far as I have been able to examine those institutions, the great majority of the parish schools, say in the state of Michigan, where they exist, are altogether inferior in point of efficiency to the separate schools that are established in Ontario. Now, that being so, I think we ought, as public men, to look at practical results rather than at ideal notions of theoretical perfectibility, which we are not likely to attain, and which certainly has not been attained, but has proved a very great failure where an opposite system has been tried. But, however that may be, I think this is perfectly plain, that if we are not to make this House and this Parliament the arena of religious contention, if we are not to raise religion against religion and race against race in the national assembly of Canada, we must abstain from undertaking to make this a battle ground for a decision of the question as to whether in the Territories there shall be a system of wholly secular education or not. We leave that question, under the restrictions imposed by the Act of 1875, to the people of the Territories; and when they have obtained the maturity entitling them to representation as a province, then the Legislature of that province, subject to the provisions of section 93 of the British North America Act, subject to the restrictions which that Act imposes, must decide for themselves what system of education will be established there. I believe myself, if I were a voter, I would vote to establish the Ontario system in the Territories; but, not being a resident of the Territories, not expecting to be when they become a province, I must leave that question to them, because they are the parties who will be chiefly affected by the decision to which they come. Now, my hon. friend from

Mr. MILLS (Bothwell).

Bellechasse (Mr. Amyot) has spoken about the provisions of section 146 of the British North America Act, arguing, as I understand him, that the question has already been decided in that Territory, not by this Parliament, but by the terms of the British North America Act itself. I do not see that. By section 146 of the British North America Act it was open to us when we acquired that Territory, and when we acquired the Territory now constituting the province of Manitoba along with it—I say it was open to us to set out in our application for the acquisition of the territory, the terms and conditions upon which it was to be governed. The Act contemplated our doing so, the Act contemplated our stating with what population any portion of that territory should become a province. We did not do that, we acquired the territory without setting out any terms and conditions within the meaning that it was necessary to put upon these words in the Act. And while we may have power to govern it as colonies, as provinces of the Dominion, we had no power to constitute a province or to admit that province to the Union, we had no power to make a federal union with provinces that were already united. And so when Manitoba was admitted to the Union, that was so apparent, so obvious to every person who had carefully inquired into the matter, that Imperial legislation was necessary to consummate that object; and then amendments were sought to the British North America Act by the Act of 1871 for the purpose of enabling us to do in the future what we had not power to do at that time, what we had power to do if we had exercised the power when we obtained the admission of the territory, but not having done so, then our opportunity had passed altogether. Now, how is that territory to be governed when it is admitted to the Union? We cannot make terms and conditions that will alter the distribution of power, that is not the meaning of the terms and conditions. The terms and conditions mean the financial terms and conditions; but as to the distribution of power, that is determined by the Act, and the very words which provide that the Queen may by an Order in Council admit other territories, also provides that they shall be not inconsistent with the provisions of the Act. The distribution of power must be the same, the power to legislate on the subject of education must be the same in a province admitted from that territory that it is in a province already within the Union. If a province already within the Union had established separate schools, it has no power to take them away; but the Act does not contemplate applying that rule to a territory. When Ontario decided to adopt the school system it was established by her own act. The system of separate schools established in Quebec was established by her own act; it was done deliberately by the province,

and when a province decided to establish a system of separate schools that system could only be got rid of by the act of the province.

Mr. AMYOT. Does the hon. gentleman attach no importance to the promises given by Lord Granville and Sir John Young ?

Mr. MILLS (Bothwell). I attach no importance to any one's promises ; I attach importance to the constitution itself. What the constitution decides is to govern us. We have decided at different times that this is the best means of securing the settlement of the country and its contentment, and of avoiding the differences and conflicting opinions on the subject of religion in this Parliament, and I believe we decided rightly. I see no reason why we should change that policy ; I believe it is the proper policy to pursue ; but it is not a compact under the terms of the British North America Act, as the terms entered into with the provinces of Ontario and Quebec constitute a compact. It is a matter of policy, as a matter of policy we have supported it, and as a matter of policy it is attacked by the resolution which the hon. gentleman has presented to the House to-day. If it was a constitutional rule irrevocable by this House the motion of the hon. member for North Simcoe (Mr. McCarthy) would amount to nothing ; but everybody knows that if the motion of the hon. gentleman were adopted it would alter the policy we have pursued heretofore, which I believe we adopted in the public interest. When the people of the Territories or any portion of the Territories are sufficiently numerous to constitute a province, when, in fact, they attain their majority in regard to local matters, and when they propose to set up for themselves, this Parliament has no right to exercise control over them, no right to exercise any authority ; it can give good advice, but it has no right to give commands. But we are not dealing with the future. When the Territories have a sufficient population to entitle them to become a province, they must decide for themselves whether they will have separate schools or not. I have my view as to what will be the best decision for them to arrive at, but I must not impose on them my view as regards the present time as to how they should be governed after they have attained their majority. I think what we have before us is the Act of 1875. Shall we amend it in this particular—shall we go on as we are ? Mr. Speaker, I think we have difficulties enough without undertaking to create more, and I am perfectly sure this will be an additional one if we adopt the amendment of the hon. member for North Simcoe (Mr. McCarthy). I am satisfied we would govern this country with less success. We would have additional toad's heads in the witch's cauldron. I do not know what might come of it, but certainly something more serious than we have at the present time. I differ widely

with the Government on questions of public policy ; I differ with them on questions of tariff, on public expenditures, on schemes by which large sums of money are expended, on which I believe to be profitless enterprises, and I would like the people to have an opportunity of pronouncing their opinion upon these questions, and of dealing with them before we introduce other subjects, for my personal view is that an expression of public opinion upon them is very important. Talleyrand has said that this world comes before the next, and I agree with that opinion, and I prefer to settle those questions which affect our material well-being at this moment without interfering with other questions that might end in a cyclone.

Sir JOHN THOMPSON. I am sure those who have followed the debate must realize that there is very little left to say, and I shall act accordingly by curtailing my observations. I listened attentively, as no doubt we all did, to the remarks of the hon. member for North Simcoe (Mr. McCarthy) because this is one of the few occasions when we have had the opportunity to listen to the line of argument by which the hon. gentleman will endeavour to support his measure. I gathered from the observations of the hon. member that he assumed that the conferring of powers upon the Legislative Assembly of the North-west was entirely an arbitrary act, that we selected one or more powers, and added occasionally from time to time other powers, and the hon. gentleman therefore thought he felt justified in calling upon us to say what reasons should be given as to why this power, as to education, should not be added. I think, when we examine a little and reflect on the observations already made in the course of this debate, we shall see that it is for the hon. member for North Simcoe (Mr. McCarthy) to establish a reason why we should make the change, and that he is not in a position to ask us why this power ought not to be added. Any one who reads the powers which have been given to the provinces by the British North America Act and contrasts them with the powers which have been given by this Parliament to the Legislature of the North-west Territories will perceive at a glance the difference which exists in the treatment of the two cases, the different provinces as compared with the Territories. In the British North America Act the British Parliament was dealing with provinces having provincial autonomy before the Act of Union, and the distribution of powers was simply to be a redistribution, in view of the fact that this Parliament was to be created and the Federal system to be established. In dealing with the Territories we were legislating from time to time for a country which was to remain, until provinces should be established under the legislative control of this Parliament. And what share did we give to the Territorial Legislature in regard to the matter of legislation ? We

gave it a number of powers—a large number of the powers given by the British North America Act to the Provincial Legislatures. But mark the broad line of distinction which was drawn by this Parliament. Matters referring to the constitution of the Territories it was not to be in their power to change, for the reason that the constitution was to be in the hands of this Parliament to change from time to time. A province from the outset had the right of autonomous government. It had a responsible system of government. The Territories were not to have responsible government, they were not to have autonomy in that sense, but were to remain from day to day to be controlled by the Legislature here, and by Orders in Council issued by His Excellency and his advisers. Again, the provinces were to have the right to increase their debt from time to time. But, because of the very guardianship which we have over those Territories, the Legislature there were not allowed to incur any debt. One other important characteristic was to be considered in regard to the Territories while they were to remain in the Territorial condition, and that was in view of the peculiar circumstances of the Territories, the fact that we were inviting there all races, creeds and denominations, there was to be the widest toleration while the Territories existed. That was the corner-stone of the whole; the corner-stone which the hon. member for Simcoe (Mr. McCarthy) proposes to remove, on the ground that there can be no good reason given for its existence. As the hon. leader of the Opposition has said to-night: no men knew better than those who were engaged in framing the Act of 1875, the difficulties which sectarian disputes might create in that new country. No one realized better the fact, that in so far as the population was to be gathered into the Territories from the older provinces, it was to be gathered from different races, and from amongst men who had strong lines of difference as regards religious belief. While the population should be going in there, and while the Territories should remain under our control, at least, there was to be the broadest toleration for every belief, and for the races, as regards worship, and as regards language and as regards instruction in the schools. Is it anything new for us to be told to-day that toleration was expensive, and that therefore we should not determine as our predecessors in 1875 determined, that the settlers should be allowed in that country to educate their children according to their religious convictions? Education now is not more expensive than it was then. They understood perfectly that as regards the welfare of these people, and the development of these Territories, there would be nothing so expensive and burdensome to Government as the want of ample toleration everywhere, whether as regards religious worship, religious education, or the

Sir JOHN THOMPSON.

language which the people should speak and in which they should legislate. That was the whole Territorial scheme. It was not therefore, an accidental and haphazard manner in which certain powers were dealt out indiscriminately from time to time; but there was a deliberate scheme framed for legislation with regard to the Territories which should—while they were in the Territorial condition—keep them not only under the control of this Parliament, but keep them governed upon principles consistent with the policy of this Parliament, a policy which this Parliament conceived to be the best adapted for the peopling of the Territories. The hon. member for North Simcoe (Mr. McCarthy), after having challenged us to give the reasons why these powers should not be conferred, stated some reasons which would seem in his opinion to have justified a proposal to break up the system of the past. The first was: that while the population of the Territories only consisted of 66,000 persons, a little more than 13,000 of these profess the Roman Catholic belief, and his deduction from that is—if the fact admits of any deduction at all and if the hon. member will apply that fact to his proposal—that because only 13,000 persons have accepted the pledge and the good faith of this Parliament as to the maintenance of certain institutions there, namely, the right to educate their children according to their religious belief, it is a matter of no importance that we should break faith with these 13,000 people. It is just as much a matter of sound policy now as it was in 1875, that toleration should exist there, and that we should extend the broadest invitation to the people of different races and religions to come and settle there with a perfect sense of toleration; and it matters not how many people in the past have availed themselves of our invitation. The bad faith this Parliament would show in repealing a provision of that kind, while the Territorial system existed at least, would be just as great as if the population who availed themselves of our pledge and relied on that system to-day, were only thirteen, instead of 13,000. The hon. gentleman (Mr. McCarthy) in the next stage of his argument said that it was an expensive thing to keep up a system of toleration, that it was an expensive thing to maintain separate schools. I have suggested to the House that the statesmen who framed the Act of 1875 knew as much, from their experience of the older provinces, about the expense of separate schools as we do now. The hon. gentleman's argument, if anything, was this: that the Roman Catholic schools of the North-west Territories are more expensive than the public and Protestant schools. The hon. gentleman did not complete his argument because he did not complete his facts by showing us what the facts are as regards the schools taken as a whole. He went on further to say that in consequence of the

Catholic schools being attended by a smaller number of pupils, the average cost per head of the pupils was greater than in the Protestant schools. Where I thought the hon. member (Mr. McCarthy) did the greatest injustice to the question was, that he undertook to compare the cost, with the cost of education per pupil in the province of Ontario where conditions are as widely different as they possibly can be. Every one knows that sparseness of the settlement in the Territories, the high price which teachers have to be paid there, and other such conditions are peculiar to every community of the like kind. If the hon. gentleman had taken for example the statistics, not of the province of Ontario, but of the province of British Columbia, in parts where the like conditions exist, he would find that he had no word of reproach to utter as regards the cost of the separate schools in the North-west Territories. One of my hon. friends here has furnished me with the figures as regards the cost of education per pupil in the outlying districts of British Columbia, and just observe these results as compared with the results which the hon. member (Mr. McCarthy) read :

School.	Enrolment.	Average attendance.	Cost of each pupil	
			on enrolment.	average attendance.
			\$	cts.
Williams Lake...	12	7.30	68	50
Yale.....	33	18.33	21	71
Whonnock.....	34	12.07	17	92
Sumas.....	26	13.87	26	92
Spence's Bridge..	12	7.48	50	00
Shuswap.....	20	11.86	38	00
Sathlaw.....	11	6.07	43	63
Round Prairie...	27	11.47	28	14
Quesnelle.....	23	12.00	38	26
Port Kells.....	23	9.53	25	00
North Thompson.	21	10.35	35	41
Barkerville.....	22	10.06	64	54

That is a comparison with a province where education is economically managed, and managed regardless of the separate school lines which are complained of as having introduced a want of economy in the North-west Territories. But, as pointed out by the leader of the Opposition, within the lines of our constitution, which provides that separate schools may be established and must be provided for there, we know that the regulation of the schools, as regards expenses and as regards management, is under the control of the Territorial Legislature, to-day, and if the schools are expensive under the present system, they are no more expensive than the Territorial Legislature has thought fit to make them. Now, there was one argument

advanced by the hon. member for North Simcoe which has already been answered, but with respect to which I wish again to put the view we take ; because it would be a point of the greatest importance if the argument of the hon. gentleman were well founded. The hon. gentleman stated that one important reason why the system of separate schools in the Territories should be abolished, and abolished at once, was that by allowing it to remain we were riveting the system on the future provinces ; and the hon. gentleman relied on the provision of the British North America Act, which says : that nothing in the Act of any province—and he was referring to the provinces which might hereafter be established—should take away or prejudicially affect any right or privilege with respect to denominational schools which any class of persons have, by law, in the province at the time of the Union. The hon. gentleman's argument, of course, was that if this system were allowed to stand until provinces are created, we would, by force of the British North America Act, be unable to withdraw that system, and that it would be riveted on the provinces. As has been shown by the hon. member for Bothwell, the provisions of the British North America Act relate only to the provinces which were entering into the Union at that time, and to the provinces which were named in the last section of the Act as entitled to be admitted into the Union, and have no relation whatever to the provinces which are to be created out of the Territorial district of the country. That is clearly seen when we come to the British statute of 1871, which, for the first time, conferred the power on this Parliament to create provinces out of our territories, and, as the hon. Minister of the Interior has said, enables this Parliament to decide what the constitutions of those provinces shall be. We claim, therefore, that the constitutional system which was established with regard to schools and with regard to language in 1875 ought to be maintained for the same reasons as those which dictated its creation, and that this condition of affairs should last, at least, while the affairs of the Territories are under the control of this Parliament. What the constitution of the future provinces shall be, in view of the pledges which have been referred to, or in view of any other set of circumstances, will be for Parliament to decide when it decides to create those provinces. I hope, therefore, that the House will be careful to-day not to disturb the arrangement so wisely made in 1875, and which is as useful to the Territories now as it was then.

Mr. CRAIG. Mr. Speaker, I would ask the indulgence of the House for a few minutes while I state my views on this question. I am the more anxious to do this, as a few days ago I paired with a member of the Opposition, and so am not able to record my vote. I do not intend to try to

answer any of the arguments which have been offered, or to defend any of the positions which have been taken; I merely wish to state my own position on the question, and to give my reasons for holding that position. If I did vote to-night, I would support the amendment moved by the hon. member for North Simcoe (Mr. McCarthy). One of my reasons for doing so would be that the amendment proposes, as we have heard to-night, to leave this question entirely to the Legislature of the North-west Territories. Now, it has been taken for granted by a great many speakers that if this were done, separate schools in the Territories would be abolished. Of that I know nothing at all; but it does seem to me that if the members of that Legislature are competent to deal with the subjects which are committed to their care, they are equally competent to deal with the subject of education; and, for my part, I would vote to give them that authority. Now, why should this Parliament interfere in this matter at all? I think there is one very good reason, and that is that Parliament has interfered already. Parliament has imposed on those Territories, separate schools, and I think Parliament is the body to remove them. But it is said by some, and this is supposed to be a very strong argument: wait until a province is created. It has been replied to that by those who favour this amendment that if separate schools are allowed until that time, they will be forever fastened on that province by the constitution. That point I do not pretend to know anything about; but it did occur to me, in thinking on this question, that if separate schools were allowed by the constitution to remain in the Territories until that time, then the question of vested rights would be set up. I am satisfied of that in my own mind. Those who favoured separate schools, while they might have no legal right to set up that contention, would, no doubt, set it up, and I would not blame them for doing so. If I were in their position, I would do the same thing; and if the separate schools were allowed to remain until that time, their case would be a strong one. So that, apart from the question of law or the question of the constitution altogether, it appears to me that that is one strong argument why Parliament should act now. Then, it is said by some that, after all, everything that is wanted has, in effect, been accomplished by the Ordinances passed a year or two ago by the Legislature of the Territories. But I would point out that the right of that Legislature to do even that was questioned by those who are in favour of separate schools. A strong position was taken against the power of the North-west Legislature to enact those Ordinances, and the Government have been appealed to to veto them. And right here I want to say this: I give the Government great credit for the position they have taken on that question, and on the question of separ-

ate schools in Manitoba. I believe the Premier has done what he said he would do; he has stood by the constitution, and I admire him for doing it. There is no doubt that great pressure was brought to bear upon him to veto those Ordinances, and he has resisted that pressure, because on looking into the matter, he decided that the Legislature, in adopting them, was acting within its constitutional rights. So I give the Government credit for that; and, for myself, I may say that I have confidence that they will act in the same manner in the future. One reason why I would like the Government to act at present on this matter is that the longer they delay the more the difficulties increase. It is said by some—and I admit that there is a good deal of force in the argument—that the rights of minorities ought to be protected. But I ask myself, what are those rights? They are rights to what? And in asking that question I have to ask another, what does the state owe to the minority? To my mind, the answer is: a good, fair, secular education—that and nothing more. Would the minority lose that if this amendment were adopted? I answer no, if the public schools supported in part by the state were confined to their true object, in my mind, a secular education. I hold—I know I differ from some in this—that it is not the duty of the state to teach religion; that it is not the duty of the state to use the funds of the state to inculcate any particular tenets; and I apply that to all bodies. The duty of teaching religion, in my opinion, belongs, not to public schools, or to any schools supported in part by the state, but belongs to parents and churches. But, in any case, we know that the state would not prohibit separate schools. I merely mention this, because it is thought by some that in advocating the passage of this amendment, we say that there should be no separate schools. But the fact of the case is, not that the state would prohibit separate schools, but that the state would decline to aid them. As I said, I have no intention of taking up the time of the House at any length, but merely wish briefly to state my views. I want to say in conclusion that in advocating the passage of this amendment, I am not prompted by any hostility to the Roman Catholic religion or to Roman Catholics. All who know me and know my course in this House, know that, without my saying it; but as there is a feeling abroad in some parts of Ontario tending in that direction, I want to say publicly that I have no sympathy at all with any society which would ostracise a man because of his religion. That is my position. I am perfectly free from all bigotry. I do not ask whether this man or that is a Catholic or a Protestant, but whether he is a respectable fellow-citizen, and I advocate the passage of this amendment, not from any hostility to any sect or body of men, but because I believe it would be

for the good of the country. These are my views. I wish to take this question out of the domain of Dominion politics. I would like to see these matters of separate schools and religious matters banished for ever from our policy. I do not know that that time will ever come, but I shall do my part to bring it about; and I would be glad to see the time when our schools would be all public schools and our children not separated into two different sections, but growing up in public schools all over the country. I do not know whether it is possible to have that time come, but I hope it will, and will do what I can to bring it about.

Mr. LaRIVIERE. I will just begin with the last words from the last speaker. What rights have minorities? When this Parliament gave a constitution to Manitoba, the minority there, which was Protestant at the time, was protected in a broad and statesmanlike manner. At that time, the minority was comprised of Protestants for the majority was composed of Catholics. Again, when in 1875 these school provisions were introduced into the Canadian North-west Territories Act, the same state of things existed, and, therefore, this Parliament passed those provisions protecting the Protestant minority. But things have changed since. In Manitoba and the North-west Territories the minority has become the majority; and because this change has taken place, the minority has not any longer, as my hon. friend who has just spoken has said, any claims to protection. I was exceedingly pleased with the moderate speech made this evening by the hon. member for North Simcoe (Mr. McCarthy). On the first occasion he brought this question before the House, we all remember the very obnoxious preamble which headed his Bill; and in his speech the hon. gentleman then made was very obnoxious to those who did not entertain the same views. I have since then noticed with pleasure that he has moderated his antagonism, and on this occasion he has been more moderate still, and I join with the leader of the Opposition and the leader of the Government in complimenting him on the very moderate way in which he introduced his resolution. The hon. leader of the Opposition, in the course of his remarks, read a copy of a resolution of proceedings that took place before the Equal Rights Association in Toronto. I have before me a few extracts from the speech which the hon. member for North Simcoe made before the same association in the city of Ottawa about the time it was started, and with the permission of the House I will read a few quotations from it. The hon. gentleman then said:

We have a record for eight months which no political party could boast of in a decade of years and if there are men among us now who want to go back to their old political alliance, I say shame on them. They ought to be satisfied with what we have accomplished in so short a time. What have we ac-

complished? Go to Manitoba, and what do we see there? Why, that province of Manitoba is going to deal, not only with the dual language question and the iniquitous Act which would fasten it upon them but with the separate schools. Do you tell me that the Equal Rights Association had nothing to do with that? Of course the feeling was there, the grievance existed, peoples minds had only to be directed to it, and the moment attention was drawn to it, the province of Manitoba rose to a man and declared: we want no dual language and away with separate schools. * * * I am glad to notice the Protestant minority of Quebec had waked up, and at an early day I hope to have the pleasure of addressing them in Montreal on that question. They all had their hands full. In Ontario they would have to do with the question of French teaching in the schools; in Manitoba they had the dual language to deal with; and in the North-west they had the same question. As soon as the work had been accomplished, they would then be in the same position to master the same difficulties in the province of Quebec.

This shows the animus that exists in raising this question from session to session. But that is not all. These remarks and those speeches that are repeated over and over again have their echo; and if to-day the people in the North-west Territories, who are anxious to retain their own separate schools, insist on being protected by the constitution, it is just because they are often and often again threatened with persecution. I will only cite as an instance an article that was published in the Moosomin 'Courier,' a paper published in Moosomin, N.W.T. This is entitled: 'One people, one language.' Speaking of Roman Catholics it says:

Are they a superior kind of people from the Protestants that they hold themselves aloof by having separate schools. To private schools, no one can object, but we must emphatically protest against separate schools being maintained by the Government for any denomination other than Protestants. Our motto is "One people, one country, one religion."

When such articles are published in the public press, is it a wonder that a minority so small as this is represented to be by the hon. member for North Simcoe (Mr. McCarthy) should be alarmed and should look to this Parliament for protection, protection which we are in duty bound to give them? It has been contended that the British North America Act, the constitution under which we are governed, does not give us separate schools. It is true the constitution does not impose the system of separate schools, but it protects that system wherever it has existed prior to the entry of a province into Confederation or wherever it is afterwards created by the province. Therefore, I say that according to the spirit of the constitution such a system should exist, because the constitution protects it and, in fact, maintains it and renders it unassailable from the moment it has been established. It is true that there is a provision in the Constitutional Act whereby the

constitution of a province can be amended by that province, but I claim that that provision does not apply to section 93, which deals with education, because that section is outside of the series of sections which come under the title "Constitution of the Provinces." The only amendments that a province can make to its constitution would be with respect to such clauses as come under the title of "Constitution of the Provinces." I do not wish to detain this House at this late hour of the night. I had made up my mind to extend my remarks much further, but I am something like the traveller whose satchel was stolen by some other passenger—all the arguments and good ideas that I had have been stolen from me by those who have previously spoken, and, therefore, I am left with nothing fresh or new to be offered to the House.

Mr. DENISON. I had no intention of speaking on this question, and should not have done so but for some remarks of the last speaker (Mr. LaRivière), and I intend to occupy but a short time. The hon. gentleman spoke of the Roman Catholics being in the majority in Manitoba some years ago. It so happened that I spent about a year of my life in Manitoba in 1870, and my recollection of the matter at that time is that the two classes, the Protestants and the Roman Catholics were about equal in number. At any rate we must not forget that up to that time the country had been ruled by the Hudson Bay Company, that it had been ruled as a Crown colony and that there were no rights such as it has been intimated they possessed by the member who last spoke. There was no such thing officially as the French language. Of course many of the people spoke it among themselves, and there was no wish to interfere with them in doing so, but the language was not recognized officially at least. It is true that in the case of rules that it might be necessary the French should understand, they were often published in French, but further than that the Hudson Bay Company paid no attention whatever to anything of that sort. The only rights the French people obtained were obtained subsequent to that, and were obtained through the Reil rebellion, and what followed. The hon. the leader of the Opposition, in reading from some of the remarks of the Hon. George Brown, tried to make a point of Mr. Brown's abandoning his contentions with regard to separate schools because he was in favour of carrying Confederation. No doubt that was a very good reason why the Hon. George Brown should abandon these views, to lose sight of this question in the greater question of bringing about the Confederation of this great Dominion. But this is an entirely different question. The question is not one of making a great Dominion; the question is what shall we do with these provinces we are about forming in the North-west, shall we start them with all the paraphernalia we have in Ontario

Mr. LaRIVIERE.

and Quebec, or shall we start with a clean sheet and allow them to do as they please. As regards the language question, for my part—though it does not come in properly here, but what I shall say now may save me getting on my feet later—I should like to see the mover go even further than he has done, and, instead of leaving it to the people, declare that no other language shall be used except the English language. The reason is because we have there vast empty prairies, the population being sparse. If we allow the French language to be made an official language on account of 2 per cent of the population there is no earthly reason why we should not allow the same right to the German population who represent, I believe, more than 2 per cent. Then if so, the Scandinavians, who are nearly equal to the French in numbers, might fairly come to this House and ask us to give them the right to have the Swedish tongue spoken up there.

Mr. LaRIVIERE. What would you do with the English in Quebec?

Mr. DENISON. I am not referring to Quebec, because the French in Quebec have the right to speak their language by the constitution, and no one is talking of interfering with that. I am talking now about empty prairies, equal almost in size to Europe; and the question is, how are we going to start them out. Are we going to start them out as provinces speaking one language, or as provinces speaking perhaps half a dozen languages? I would like to say that I have received a telegram from Mr. W. F. Maclean, of East York, in which he asks me to state: "If present, I would vote with Mr. McCarthy. I am detained here."

Mr. McNEILL. I wish to say but very few words on this subject. I think the fact to some extent has been overlooked that we are dealing not only with the amendment of my hon. friend from North Simcoe (Mr. McCarthy) but also with the expressed wish of the Legislative Assembly of the North-west Territories. Those who are opposed to the amendment, I think, have carefully avoided any reference to that fact; but it is an important fact, and I think that those who are asking to-night that the representatives elected by the people of the North-west Territories should be allowed the privilege of managing their own affairs in reference to education, as well as in reference to other matters, should not at all events be accused of intolerance. I confess I was a good deal surprised and a good deal hurt to hear the right hon. gentleman who leads the Government, speaking of those who advocate the views that he advocates, as those who are in favour of tolerance, thereby implying that the people of the provinces of Nova Scotia, New Brunswick and British Columbia, who have not granted separate schools, have been intolerant, and that the

people of the province of Ontario who disapprove of separate schools on principle, and who are in favour of the resolution of my hon. friend from North Simcoe, are also by implication intolerant. Now, I confess I was surprised and pained to hear the right hon. gentleman speak in that way. I think that those who conscientiously believe that separate schools are not for the benefit of the people of the North-west Territories, and who think that the people of the North-west Territories ought to have the right to say whether they wish for separate schools or not, should at all events be considered as tolerant as those who desire that separate schools should exist there, and are unwilling to let the people of the Territories decide for themselves. For my part I cannot see that there is any more intolerance in the former than in the latter view. My hon. friend from Bothwell (Mr. Mills) has spoken of our desiring to make this Parliament a battle ground for sectarian differences, and he spoke of our desiring to settle the question here whether there were to be separate schools in the North-west Territories. Now, surely my hon. friend was unintentionally unfair when he said so, because I am sure he did not wilfully mean to be unfair. There is no proposal that separate schools should be forced upon the people of the North-west Territories. No one is saying by this resolution whether there should be separate schools in the North-west Territories or not. The proposal of my hon. friend from North Simcoe is that the people of the North-west Territories should have the right to decide that matter for themselves, and that the petition of the Legislative Assembly should be granted by this House.

Mr. AMYOT. And deprive the minority of their privilege ?

Mr. McNEILL. The hon. gentleman knows perfectly well that the right the people of the North-west Territories are asking for has been exercised, as the hon. member for Bothwell himself admits, by the province of Quebec, has been exercised by the province of Ontario, by the province of Nova Scotia, by the province of New Brunswick, and in point of fact by all the provinces in the Dominion, because the province of Manitoba, so far, at all events, as the courts have decided, exercises the same privilege legally. Now, I think under these circumstances it is a little hard that we should be described as an intolerant party, or intolerant individuals. Now, one word with regard to my hon. friend the leader of the Opposition, and if he will forgive me for what he may consider an impertinence, I will say that I exceedingly admired the speech that he delivered in the House to-night on this subject. But I wish to join issue with him on one point. He very eloquently told us what in his view was necessary to the building up of a nation ; he thought that in order to build up this nation we should have separate schools in the North-west Territories. His

argument went so far as to say that there should always be separate schools there. I see my hon. friend is inclined to dissent. If I am not correct, I will withdraw the statement.

Mr. LAURIER. Go on.

Mr. McNEILL. But I understood very distinctly that his argument was that there should always be separate schools in the North-west. Now, I cannot agree with my hon. friend in thinking that that is the way to build up a nation. In the first place, I cannot agree with him in thinking that the best way to build up a nation is to have our children separated from one another and divided into classes, one being a Roman Catholic and the other a Protestant class. I am quite satisfied that the friendships of childhood, the friendships acquired by children working together in the same school and playing together in the same play-grounds, would in the course of a very few generations do more to cause sectarian feeling in this country to disappear than any other one thing that could be mentioned. I believe that I could point to sections in our own country to-day where the system pursued of educating these children together has done a great deal already to do away with these bitter sectarian feelings which unfortunately in some parts of the country do exist to-day. I would say further to my hon. friend that not only do I not believe that the dividing of children into separate camps in this way is a good means of building up a nation, but I can not agree with him that the policy of depriving the people of the North-west Territories, or the people of any province in this country, of the right to manage their own educational affairs, is one which, if persevered in, would effectually build up a nation in Canada. I think it would be a policy to cause heart-burning, to cause dissension, and thus to cause very great evil in this country.

Mr. DAVIN. I shall not at this late hour discuss at any length a subject which now has been exhaustively discussed. I wish to state, however, what I consider to be the question before the House. I do not think we have before the House the question of the relative merits of separate or public schools ; the question is whether it shall be left to the Legislative Assembly of the North-west to deal with the school question, to deal with what remains of the question as respects the use of the French language in the North-west Territories, which I may say here, as I have said once or twice before, is no question at all in the North-west Territories to-day. Suppose the hon. member for Simcoe (Mr. McCarthy) succeeds in carrying his amendment, not one iota of result will be accomplished as regards the use or the disuse of the French language in the North-west Territories ; so we may pass that by as only a bubble question. However, that question has been raised

outside this House, and put before the minds of the people, exciting with apprehension the minds of one class of the subjects of the Queen in one province, and filling the minds of another class of the subjects of the Queen in another province, with enthusiastic feeling or enthusiastic passion, more properly speaking, and making them think that they are engaged in a magnificent crusade, breaking down an awful arrangement that menaces the peace, and prosperity, and the very dignity of Canada. Now, the practical question is, whether or not the Legislative Assembly of the North-west Territories shall have power to deal with the schools. I entirely repudiate the assumption of the hon. member for West Toronto (Mr. Denison), and the hon. gentleman who spoke at an earlier period, both of whom assumed that if the hon. gentleman's amendment were carried, the North-west Assembly would at once proceed to pass legislation doing away with separate schools. I exceedingly doubt whether the North-west Assembly would do anything of the kind, and, therefore, those hon. gentlemen who would vote for the motion of my hon. and learned friend to go into committee and pass these amendments, believing that thus they were doing away with separate schools, I say to them, and I know something of the temper of the North-west and of the temper of the North-west legislators, they may as well spare themselves the pains. It will be very gratifying to a large number of people in the North-west in case this House should decide not to accept the motion of the hon. member for Simcoe (Mr. McCarthy), to have such an authoritative declaration on the part of the Prime Minister, on the part of the Minister of Justice, a man who can speak on legal subjects with authority, to this effect that even if five, six or ten years hence the Territories should remain in their present state, yet when they come here, they will have the fullest freedom as to whether separate schools shall or shall not exist. Not only has the Prime Minister made that statement, but the hon. member for Bothwell (Mr. Mills), who can also speak on a subject like this with authority, has also made a similar statement to-night, and if on a future occasion this question is brought up, if to-morrow, or years hence we come to this Parliament assembled for the purpose of securing the admission of the Territories in the character of a province, it will not be possible, but that the dicta of those hon. and learned gentlemen shall have great weight.

Sir JOHN THOMPSON. I think the hon. gentleman misunderstood me. I merely said that this Parliament would have complete control of the subject.

Mr. DAVIN. I apparently misunderstood the Premier. I understood the right hon. gentleman, as I have stated to the House. We have to consider this question, whether or not the Legislative Assembly of the Ter-

Mr. DAVIN.

ritories shall deal with this subject. I made a point of calling on an eminent ecclesiastic, whose recent death I deplore, to talk with him on this very subject; and I stated to him then, what I state here, that I believe that to give the Legislative Assembly of the Territories power to deal with this question would be far safer for the existence of the separate schools than to deprive it of that power. His Grace said to me that if, as regards the schools of Manitoba, they had thrown themselves on the Local Government and the Local Legislature, they would have been better off. I will give the House my reason. I do not think there exists in the Territories any such feeling against separate schools as there is against being deprived of the power to which they believe they are entitled in accordance with the spirit of the British North America Act. It is not merely this Parliament depriving them of this power, but when they are impressed with the idea that they are deprived of that power, not because the wisdom of Parliament suggests it, and that it is well they should be deprived of it, but because of an influence and force used by other branches of our federation, this irritates the Territories, just as it would irritate any province if menaced with the sentiments of another province. With respect to the argument of the hon. gentleman for St. Boniface (Mr. LaRivière), I may mention that Mr. Mercier used the same argument some years ago. He said: Beware as to what you do in the North-west, because we are deeply interested in that part of the Dominion—take care least we do not squeeze you Protestants in the province of Quebec.

Mr. LaRIVIERE. I did not use that as an argument at all. I only made that, as a remark when the hon. gentleman opposite was speaking when he stated what should be done in the provinces. I asked what he would do in Quebec, applying his own argument.

Mr. DAVIN. If the hon. gentleman did not use the argument, Mr. Mercier used it.

Mr. AMYOT. No.

Mr. DAVIN. If this argument was never used, what was the meaning of the phrase "look at the minority in the province of Quebec?" The position as regards the minority in Quebec was brought about in accordance with legislation in which they themselves were concerned, and by which they have certain rights and are protected. The minority also in Ontario have certain rights in accordance with legislation in which they had something to say. But what has that to do with the question we have to consider in regard to the North-west Territories, namely: the time has now come to ask whether, looking at the number of our population and their intelligence, this provincial right to say what is desirable as to the character of our school system, should not be placed in the hands of the

Legislature. There have been many questions raised here to-night which I would like to answer, if this were the time and the place, questions raised by the hon. gentleman in moving the amendment to the motion of the hon. member for Simcoe (Mr. McCarthy), questions of vital importance, and I am bound to say that it would be very interesting and might be even instructive to hon. gentlemen if we were to discuss some of those questions. That motion, if I may refer to it in passing, proposes to force on the Territories a denominational system, although the hon. gentleman spoke against that, and deprive them of every right which they claim on this question. The Territories do not want to be told that they must have a certain description of education, one that does not teach them anything about God but simply questions of duty between man and man. If there was time I should like to ask, where do you get the idea of duty if you banish the idea of religion? I do not think we could get the idea of a morality worthy the name unless it is founded on religion. But we must not go into these large questions. It would be interesting also to go into the whole educational question as regards purely secular education on which so much store is laid, and also with regard to the value of the education given in separate schools. I do not know what kind of education is given in the separate schools of the Catholics, or in the separate schools of the Protestants, for I have not had an opportunity of investigating it. But if a real religious education is given by either of them, side by side with a good secular education, I would infinitely prefer it for myself, or for any relative in whom I was concerned, to a mere secular education. I cannot, with any little knowledge I have of the curriculum, understand how any of the great questions that a man of any education has to grapple with, can be met without facing at every step the propositions of religion. You cannot climb the starry spiral of science without on every stair being confronted with the great postulates of religion. You cannot have a thorough education, in my opinion, without its having been also a religious education. But it may be said to me: holding the opinions that you do as to schools where no religion is taught, abhorring, as every man listens to me knows I abhor, these prejudices of race and religion, which so far as I have been able to judge from observation, excite people in proportion to their want of all depth in religion, and to their want of all knowledge of the race that they so spontaneously dislike or hate—if I abhor all that, why is it that I am ready to give over to the Legislative Assembly the power of dealing with the educational question? I will tell you, Sir: We live in an age of a wide suffrage; we live in a democratic community; we live in a time when the people rule; we live in a time when the majority is sacred, and when vox populi is

actually vox dei. I do not say I would have preferred to have lived in another age, but finding myself in such a time I must live up to it. I live in a country and at a time where these things prevail, and I represent a constituency to whose opinions I am bound to pay some attention. I know nothing whatever about the teachings in the separate schools. Looking at the men I have seen coming from Protestant separate schools, and looking at the men I have seen come from Catholic separate schools, I find a commensurate and correlative prejudice in the minds of each. I find, as I have found, a Protestant taught to believe, for instance, that anybody holding Catholic tenets was predestined to eternal ruin, and I have found as strong prejudices in the minds of Catholics. I know nothing whatever about the schools, but the chief thing is that I stand, as Mr. Lowell makes one of his characters say: "I stand upon the constitution."

Mr. MILLS (Bothwell). Suppose both should be right?

Mr. DAVIN. Well, now, my hon. friend must not give me riddles at five minutes past one in the morning. The question is simply this: whether or not we should give the Territories the power of dealing with this matter of schools. There is no question about language here at all. The added power would be welcome to the North-west. I shall, therefore, vote for the motion, but in voting for it I wish it to be distinctly understood that I am voting merely to place in the hands of the Assembly the power to deal with this question. I am not voting for or against separate schools, and as I explained to the House, I am not what you would call very strongly in favour of a public school education. Let me correct my hon. friend from North Simcoe (Mr. McCarthy) in one thing. In his speech he talked the whole time about the Protestant public schools. Sir, we have no Protestant public schools in the North-west Territories.

Mr. McCARTHY. Allow me to explain what I meant by that. I find that the Act says: the majority may establish a school, and I find that that majority may be either Protestant or Catholic, and consequently I used it in this sense: that if the majority were Protestants, and did establish a public school, it was a Protestant public school, just in that sense, as distinguished on the other hand from the majority who happened to be Roman Catholics and who establish a public school which would be a Roman Catholic public school.

Mr. DAVIN. There are two reasons why it is desirable to correct my hon. and learned friend. The first reason is that under the Act of Parliament and under the Ordinance founded on that Act of Parliament the phrase is incorrect, and the next reason is that the phrase is misleading. It gives the idea that at a public school, Protestant tenets that would be objectionable to Catholics were

taught, and that a Catholic could not attend the schools without menace to his faith, whereas in Regina, Moose Jaw, Medicine Hat and Moosomin, there are no separate schools. Yet at all these places Catholics attend the public school, and I have never heard a Catholic in my constituency or anywhere else in the North-west Territories object to anything that took place in the public schools, complain that their faith was interfered with or that anything objectionable either in book or otherwise was heard. I merely rose to state what I consider to be the question on which we were voting. We are not voting on this education question at all; we are voting on the powers of the Territorial Assembly as to whether we shall enlarge these powers or not. That is the sole question, and voting on that question I shall vote in favour of enlarging the powers of the Assembly.

Mr. McMULLEN. I do not wish to give a silent vote upon this question. The Bill introduced by the hon. member for North Simcoe (Mr. McCarthy) in 1890 had two clauses linked together, one being with regard to the abolition of the dual language in the North-west Territories, and the other with reference to separate schools. On that occasion I supported the Bill, with the intention when we got into committee of supporting the clause with regard to the dual language simply and solely on the ground of economy. It was not because I have any feeling whatever against the French population of the Dominion, or not because I wish to deprive them of any rights; but because I was led to understand that the French population in the North-west Territories understood English as well as French, and that to continue the printing of the ordinance in French as well as English was in my opinion imposing an unnecessary expense on the country. With regard to the question of granting to the North-west Territories the power of dealing with education, I am strongly inclined to respect the stand taken by the Hon. Alex. Mackenzie when the Bill was passed granting the privileges the Roman Catholic minority now enjoy, and I am also in favour of the views expressed by the Hon. Edward Blake on that occasion. For my part, I am not an advocate of separate schools. At the same time, I do not wish by force of law to take from any Catholic minority the right to have separate schools if they desire to exercise that right. I would like very well that they should agree with us to have our children all educated together in the same school; and for that purpose I would quite willingly eliminate anything in the curriculum of our schools at all offensive to them. I would not agree to make the schools absolutely secular schools. I would rather have a continuation of the separate schools as they now exist in Ontario than to have an entirely secular system of education. I be-

Mr. DAVIN.

lieve that in the present age we are altogether drifting too much into secularism, and are not devoting that attention, even in our common school education, to the doctrines of Christianity which we ought to devote. The hon. member for North Simcoe says that we have in the North-west Territories a population of about 66,000. If that Territory contained a population sufficient to have full provincial rights granted to them, I would be quite willing to grant them power to deal with education as well as the power to charter railways, to borrow money, and to levy taxes. If any hon. member in this House thinks that with their present limited population, it would be well to confer that power upon them, I am willing to debate that question with him. In my humble opinion it would be premature. We have been spending large sums of money to try to bring immigrants to that country. Would we not be glad to see the surplus population of the province of Quebec, French and Catholic as it is, go to the North-west rather than to the United States? We would rather see the congested population of Ireland, where there is a very large Catholic population, come to settle in our country, than go to the United States. Our object is to fill up that Territory with population, and as soon as there is the necessary population to be formed into a province, I am quite willing that they should have full power to deal with education and every other question. To those who are strongly opposed to separate schools, and are in favour of granting the Territory the power of dealing with the whole question now, I would say, supposing that the population of the North-west were different from what it is at present—suppose there were 45,000 Catholics and only 15,000 Protestants—would they then as enthusiastically and determinedly advocate granting to the Territory the right to legislate on school questions? I do not think they would. I think they would say that it is better to wait until the country fills up; the population may partake of a different character from what it has at present, and might reverse the very Act that they might now pass. I think that this Parliament, with the experience it has had since Confederation on these questions, is in as good a condition, and perhaps better, to deal with this question than the North-west Assembly. I think we understand the question perfectly, we have made the history of this country on this question, and I think the intelligence of the whole Dominion assembled in this House is quite as capable of dealing with this question in its present position as the North-west Assembly. The hon. member for North Simcoe advanced another argument which, if it were based upon an unquestionable fact, would make me feel disposed to support his resolution; that is, that in voting to continue the present condition of things, we are riveting upon the North-west

irrevocably, either on our part or their part, separate schools. But, in opposition to the opinion expressed by the hon. member for North Simcoe, we have the opinion of my respected leader, the opinion of the hon. member for Bothwell, and the opinion of the hon. leader of the Government, all of whom challenge and deny the hon. gentleman's contention. They say there is nothing in the constitution to prevent the Local Legislatures controlling the whole matter when the Territories come to be formed into provinces. Perhaps I hold views on education different from those of a good many. I am not in favour of such an absolutely secular system such as that established in Manitoba; I believe it is wrong to abolish from our schools every vestige of religious education. I find from the statement given to us by the hon. member for North Simcoe that there are in the North-west two hundred and ten Protestant public schools and only thirty-four Catholic public schools. Well, surely the people of the Territories can tolerate that number of Catholic schools until they find what the Territory is going to develop into. The hon. gentleman points out that some of those schools cost more per capita than the Protestant schools. That is not the fault of the law; it is the fault of the system of administration. If the Government were to administer the system so as to grant a per capita allowance, we would not have that condition of things. We are contributing large tracts of land for the construction of railroads for that country, and are doing everything in our power to develop it; and it is to be hoped that the influx of population will be so rapid that it will before many years be entitled to full provincial powers; and when that time comes, if I hold a seat in this House, I will undoubtedly vote to give them all the powers provided for in section 93 of the constitution. My hon. friend said something with regard to the request of the North-west Assembly. There is no doubt that that Assembly have asked to be allowed to deal with the question of schools; every Assembly likes power, and we know there has been considerable trouble up there in the last year or two on this question. But what is the system at present existing in the North-west? It is exactly the system we have in Ontario. Our Ontario readers are the readers that have been established there by the North-west Council as the books that are to be used. If a teacher from Ontario goes to the North-west holding a second or first-class certificate, that certificate is admitted as a certificate of qualification to teach, and if he does not hold such a certificate, he has to procure one. We have virtually the same system. We have two inspectors, a Catholic and a Protestant. The Catholic inspector does not only inspect Catholic schools, but all the schools in his district, and the Protestant does the same. We have not a Cath-

olic inspector paid simply for inspecting 34 Catholic schools, and a Protestant paid for inspecting 210 Protestant schools. They divide the work between them, and inspect them all on one common system. In that regard, the practice is just about the same as in the province of Ontario. I contend that it is the duty of this House to legislate in the direction of peace and harmony, in order to develop rapidly this entire Dominion. That can best be done, peaceably and quietly, by granting all rights and privileges, within reasonable bound, to any class that comes into our country and settles in any portion of it. If we are going to extremes in any direction, we are going seriously to retard the peaceful and successful development of the Dominion. I should rejoice to see thousands of Catholics from any part of the British dominions come in and take up locations in our Territories and develop them, and should be glad to give them the enjoyment of the privileges enjoyed by the Catholic minority in the province of Ontario. You can never drive people out of a conscientious right by legislation. You may gain them over by kindly treatment into a different groove, but you cannot force them by coercion. I do not know of any part of the British dominions in which such a policy has been successful. They tried to coerce Ireland by legislation for eighty years, and the policy has been declared by the best English statesmen to have resulted in utter failure. We do not want to coerce people by legislation. We want to treat them kindly and generously. We want to respect their conscientious feelings and religious beliefs. Whatever you may be able to do by kind and generous treatment, you will never, by means of coercive legislation succeed in accomplishing your object.

Mr. SPROULE. I wish to say a few words in explanation of the vote I intend to give. We have now seven provinces in the union, five of which have the undisputed right to control their own education and to every successive province that has been brought into Confederation since 1867, we have given that right. It was disputed in the province of New Brunswick, but the courts ultimately upheld the right of the province to control its own education. It was disputed in Manitoba, but the courts also, in the case of that province, upheld that provincial right. In the North-west Territories, when the Act of 1875 was passed, there was no Legislative Assembly there having power to regulate or control education, and therefore it was quite in order for this Parliament to pass legislation governing that territory. But since then we have given the no Legislative Assembly there having power Legislature. We have given them certain powers within their own control, and amongst those they are dealing with, the subject of education. Whether they are so dealing legally or not, that right has not been refused them, and, in view of the

fact that it seems to be an undisputed right of the provinces to deal with the subject of education, and in view of the fact that there is now a legislature there, it does not seem to me out of harmony with provincial rights to cede to that Legislature the power of dealing with this question. It is dealing with it to-day, and it must be dealing with it either in accord with its legal rights or the reverse. If illegally, it ought to be stopped; but if under the sanction of the law, we ought to extend to that Legislature the full rights we have given the other provinces. Some hon. gentlemen speak of this as taking away the rights of the minority. I do not think that assertion is warranted. All we have a right to assume, if we give the power into the hands of the Legislature, is that it will protect the minority in any rights they possess to-day. We all know, as far as I can judge, that the regulations which the Board of Education there has made for controlling education, are of a very liberal character. Therefore, we have the right to assume that there is no disposition on the part of the North-west Assembly to do injustice to the minority. In voting as I intend to to-night, it is not because I apprehend there is any danger of our refusing provincial rights to the provinces after they are fully organized, whether the present leader of the Government be in power or the leader of the Opposition, because I think both recognize what would be the rights of the province then. But I must confess that I agree with the assumption advanced that if we allow usages to grow up for a length of time, in proportion to their duration, they will be difficult to remove. They were given, by the Act of 1875, the right to establish separate schools there. It might happen, afterwards, when we establish a province there, and give the Legislature the full autonomy of a Provincial Legislature, that we could not do away with the order of things then existing. There was one part of the speech of the hon. member for North Simcoe (Mr. McCarthy) with which I disagree, and I am glad to say that, on speaking to him privately, he expressed an opinion that he intended to convey a different impression. I understood him to say that because by the Act of 1875 we gave the right to the North-west Territories to have separate schools, if we allowed that to go on, when we came to establish the province, we would find it riveted upon the Provincial Government by usage, so that it would be difficult, in fact, illegal, to make a change. That was the impression his remarks left on my mind. However, I am glad to notice that the hon. gentleman states that was not the impression he intended to convey. What he meant to state was not that there would not be a legal right vested in this Parliament to give the full power of controlling education to the Provincial Government, when that Government was established there. That would go a long way towards satisfying the minds of

Mr. SPROULE

many hon. gentlemen with reference to allowing the present condition of things to remain as they are, and, for my part, I would feel that there was no injustice done to the Territories or Council, provided things did remain as they are. But as the question is forced on us now, and as the amendment is in harmony with the principle I have always held of the undisputed rights of the provinces, with the exceptions of Ontario and Quebec, which were governed by legislation introduced and passed before Confederation, and as it is the undisputed right of every province outside of those two, and of every other province that may come into the confederacy, to deal with its own education, I believe they should have that right. Knowing that the Legislature out there is discharging many of the functions of a Provincial Legislature, I think we should give them this right, and put them on a par with the other provinces.

Mr. MACDONALD (Huron). In order to give an opportunity to an hon. member who has already spoken upon this question, but who desires to answer some of the objections which were brought against his arguments, I move the adjournment of the House.

Mr. McCARTHY. Mr. Speaker, at this late hour I am not going to trespass upon the indulgence of the House by any lengthened argument. But I would like to put myself right upon a subject that seems to be misunderstood as to the legal question involved, and to answer some arguments put forward upon the general proposition. Now, my hon. friends around me understood me to say—and perhaps I used language that would convey that impression—that, as a matter of positive law, when we created provinces in the North-west, we should be obliged to restrict the power of the new provinces in respect of education by the clause to which I referred as limiting the clause 93 of the British North America Act. Now, Sir, I did not, and I do not desire to convey that impression, and it is only right that I should explain, because it may have an effect possibly upon some hon. members, and I wish to make myself perfectly plain. What I was thinking of was not the dry question of law to which my hon. friend from Bothwell (Mr. Mills) has devoted some attention, and upon which the right hon. First Minister has also given his views. That is, that according to the system that we find embodied in the British North America Act, the provinces, the admission for which was provided for in the Act were to come in subject to these general clauses in the Act, and amongst them was this clause No. 1. So when British Columbia was admitted to the Confederacy and when Prince Edward was admitted, the terms embodied in the Order in Council—which, the Act provides under section 146, were to be equivalent to an Act of Parlia-

ment—were that all the provisions of the Act not solely applicable to one province. In other words, the general provisions of the Act were to be applicable to the new provinces brought in. At the moment I had not in my mind that this provision applied to provinces created out of the Territories. It may be that the view of the hon. gentleman from Bothwell is right in that respect, and that the clause 2 of the Act of 1871 does not give to this Parliament the power, in creating provinces, to confer any constitutional rights, other and different from those mentioned in the British North America Act. That may possibly be the correct view. I am free to say that I had not that in my mind when I addressed the House. I did not consider it, and I am not prepared to say that it is or is not the proper one. Section 2 says:

The Parliament of Canada, may, from time to time, establish new provinces in any territories forming for the time being part of the Dominion of Canada, but not included in any province thereof, and may, at the time of such establishment, make provision for the constitution and administration of any such provinces.

I understand the hon. member for Bothwell to limit the meaning of this to such questions as whether they are to have one or two chambers and matters of that kind, and not as to the scheme of the division of legislative authority and power.

Mr. MILLS (Bothwell). It refers to the constitution as it covers the first article of section 192 of the Act.

Mr. McCARTHY. I was not thinking of that. These words are very general, "and for the passing of laws for the peace, order and good government of such provinces," and it seems to me they enable this Parliament to enact in the constitution of any province such laws as this Parliament may see fit. I think it is open to that construction, but I have not considered it, and I do not want to express an opinion one way or the other. My argument was, and is now—if we hand this matter over to the control of the Territories there will be no harm done. If the people in the North-west adopt a scheme of separate schools and afterwards apply for admission into Confederation there will be no great harm done to say: Very well; nothing in any law we can give you shall prejudicially affect any right or privilege with reference to denominational schools. But, if we do not give them power to choose, if we deny them the right to select for themselves, then, when the day comes, as it must before long, when some part of the Territories will ask for admission and be entitled by their population and position to have this clause enacted, then, this Parliament would be bound to repeal the law, otherwise we should be, as I say, riveting the system of separate schools upon them. This point I think a most important one.

The right hon. Prime Minister, when challenged by the hon. member from West Assiniboia (Mr. Davin), repelled the assumption that they would not be so bound. He said of course it would be open to Parliament, but the First Minister, as I understood, in his answer to the hon. member for West Assiniboia—perhaps I was wrong, but I should like to be corrected if I was wrong—rather insisted upon the view I am putting, which is that if separate schools are continued until the North-west Territories are given provincial autonomy, they will have the right of insisting upon that being continued when provincial autonomy is conferred upon them.

Sir JOHN THOMPSON. I did not say that.

Mr. McCARTHY. Then I fail to understand the views which the First Minister holds. He seems to be on both sides of the question.

Sir JOHN THOMPSON. Not at all. If I spoke ambiguously before, I was not at all conscious of it; but I cannot be said to be ambiguous after the explanation I made to the hon. member for Assiniboia. I appealed to the House to continue the present system while the Territorial system continued, and I declared that in my opinion the whole subject would be open and free to Parliament as to what constitution we would give to the provinces when the provinces were created.

Mr. McCARTHY. I am very glad the right hon. gentleman has explained it in that way, and perhaps I was wrong in my understanding of his remarks. Of course it is an important declaration from the First Minister. Now, the House will have to use its own judgment on this question. What I say is this: that if this question of separate schools is to remain in its present position until we grant provincial autonomy to any portion of the North-west, it will be practically impossible, unless there is an enormous change in public opinion, to deny them what every other province that has joined the Confederation has been entitled to, what Manitoba was entitled to, and what I submit under the circumstances every province would be entitled to. Now, let me draw attention to the constitution conferred upon Manitoba in that regard. I have not got it under my hand, but it will be found on consulting it that when we conferred autonomy upon the province of Manitoba we did it by reference to the British North America Act. What we declared was, that where not otherwise provided for in the Act, all the provisions of the British North America Act should apply to the province of Manitoba, and I think the very same words were contained in the resolutions which were passed at the time British Columbia and the province of Prince Edward Island came into the Union. So that we have got that precedent before us; that was the promise upon

which we admitted Manitoba, and looking at the character of the legislation, I do not think there can be any doubt that the same rule must apply when we come to admit the provinces to be created out of the North-west Territories. So much for that point. I might say more, but it would be unreasonable at this late hour to occupy the time of the House by any attempt to criticise this long and very important debate. I desire to say this, however, which I think ought to be said: that I am not the one who is breaking faith in moving the passage of this amendment. Because in 1875, in the condition things were at that time, this separate school enactment was passed, on what principle can it be said that in 1894 the repeal of that clause will be a breach of faith? Surely that is not a fair way to put it. This Parliament has power and authority to revise, and did year after year alter and change the powers and the authorities that were granted to the North-west, and the change in any one of these enactments cannot by any fair-minded man be characterized as a breach of faith. Can any great harm be done to any class of people who have gone in there and who are permitted to deal with this subject in their own Local Legislature? I am not seeking to deprive any person of separate schools; I am not going into that argument. I have my own views about them, and though I would agree with the hon. member for North Wellington (Mr. McMullen) in saying that I would sooner see a separate school system than a secular system, I see no necessity at all for a secular school system displacing a separate school system. I am free to say that, but it does appear to me to be an abuse of language to say that we should not give this power to the people of the North-west, who have enormous powers from us already, who are not abusing those powers, who are quite as intelligent, I think, as the ordinary constituents that we represent here, and to give them power to decide and dispose of this question amongst themselves, can hardly be treated as a breach of faith. Why, the hon. member for West Assiniboia, with the knowledge he has of the people of the North-west, with the knowledge he has of the autonomy of the Legislative Council, tells us that he doubts very much whether the separate school system will be abolished. But is there any reason why, in a matter of that kind, they should not have the power? Are they not quite as competent to deal with their schools as British Columbia was at the time of the Union, as British Columbia is to-day; as Prince Edward Island was, as Prince Edward Island is, and so with the other provinces? When you talk about heart-burnings, and when you talk about peace, do not forget, none of us can forget, or ought to forget, that we have no trouble in respect of those provinces which have complete power over their schools. The trouble that is constantly occurring does not come from those four provinces, but it does come from the

Mr. McCARTHY.

province that we are attempting to control and coerce by our legislation here. Nor can we forget that the difficulties that are arising in my own province arise because the people feel there that the separate school system was imposed upon them against their will, and there is continual ferment, and continual agitation, and continual unrest with regard to that subject cropping up at almost every election and on every occasion. Sir, it is because I desire the peace and welfare of the Dominion, because I believe that will be best promoted by giving this power to the proper authorities, by adjourning to the proper quorum the matter belonging to it, that I have moved the amendment I have had the honour to place in your hands.

Mr. MACDONALD (Huron). I ask leave to withdraw my motion to adjourn the House.

Motion withdrawn.

House divided on amendment of Mr. McCarthy:

YEAS:

Messieurs

Allan,	McMillan,
Bain (Wentworth),	McNeill,
Beith,	Madill,
Boston,	Marshall,
Carscallen,	Mulock,
Charlton,	Rowand,
Davin,	Smith (Ontario),
Denison,	Somerville,
Innes,	Sproule,
Macdonald (Huron),	Tyrwhitt.—21.
McCarthy,	

NAYS:

Messieurs

Amyot,	Harwood,
Bain (Soulanges),	Henderson,
Baker,	Hughes,
Beausoleil,	Ives,
Béchar,	Jeannotte,
Belley,	Joncas,
Bennett,	Kaulbach,
Bergeron,	Kenny,
Bernier,	Lachapelle,
Blanchard,	Landerkin,
Boyd,	Langevin (Sir Hector),
Boyle,	LaRivière
Brodeur,	Laurier,
Brown,	Lavergne,
Bruneau,	Leclair,
Bryson,	Leduc,
Calvin,	Legris,
Carignan,	Lippé,
Carling (Sir John),	Lowell
Caron (Sir Adolphe),	McDonald (Assiniboia),
Carroll,	McDougald (Pictou),
Cartwright (Sir Richard),	McDougall (Cape Breton),
Casey,	McLennan,
Chesley,	McMullen,
Choquette,	Masson,
Christie,	Metcalfe,
Cleveland,	Mignault,
Cochrane,	Mills (Bothwell),
Costigan,	Monet,
Curran,	Montague,
Daly,	Ouimet,
Davis,	Patterson (Colchester),
Delisle,	Patterson (Huron),
Desaulniers,	Pelletier,
Devlin,	Pope,
Dickey,	Prior,
Dugas,	Proulx,
Dupont,	Rider,
Dyer,	Rinfret,
Earle,	Robillard,

Edgar,	Rosamond,
Fairbairn,	Ross (Dundas),
Ferguson (Leeds & Gren.),	Ross (Lisgar),
Ferguson (Renfrew),	Saunborn,
Flint,	Simard,
Fréchette,	Stairs,
Frémont,	Tarte,
Geoffrion,	Taylor,
Gillies,	Temple,
Girouard (Jacques Cartier),	Thompson (Sir John),
Girouard (Two Mountains),	Tisdale,
Godbout,	Tupper (Sir C. Hibbert),
Grandbois,	Turcotte,
Grant (Sir James),	White (Shelburne),
Guay,	Wilmot,
Guillet,	Wood (Brockville),
Haggart,	Wood (Westmoreland).—114.

PAIRS :

For.

Against.

Messieurs

McKay,	Fauvel,
Hutchins,	Lavergne,
Ingram,	Foster,
White (Cardwell),	Préfontaine,
Roome,	McGregor,
Craig,	Featherston,
Wilson,	Mara,
Carpenter,	Vaillancourt,
Sutherland,	Bourassa.

Amendment negatived.

Mr. TAYLOR. The hon. members for Cardwell, East Elgin and West Durham have not voted.

Mr. WHITE (Cardwell). I am paired with the hon. member for Chambly (Mr. Préfontaine).

Some hon. MEMBERS. How would you have voted ?

Mr. WHITE (Cardwell). I would have voted as I voted on this question on a previous occasion.

Mr. INGRAM. I am paired with the hon. member for King's, N.B. (Mr. Foster).

Mr. CRAIG. I am also paired.

Mr. GUAY. The hon. member for South Essex has not voted.

Mr. MCGREGOR. I am paired with the hon. member for West Middlesex. If I had voted, I would have voted against the amendment.

On the main motion,

Mr. McCARTHY. The other matter I desire to bring to the attention of the House is in regard to the dual language.

Some hon. MEMBERS. Dispense.

Mr. McCARTHY. There can be no dispensing with this matter. Hon. gentlemen will have to vote.

Mr. SPEAKER. The hon. gentleman has already spoken to the third reading of the Bill, and, therefore, he cannot move an amendment.

Mr. McCARTHY. Is that the ruling ?

Mr. SPEAKER. Yes.

Bill reported, and read the third time and passed.

FIRST READING.

Bill (No. 167) further to amend the Post Office Act—(from the Senate)—(Sir Adolphe Caron).

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to ; and House adjourned at 2.05 a.m.

HOUSE OF COMMONS.

TUESDAY, 17th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

BUSINESS OF THE HOUSE.

Sir JOHN THOMPSON. In stating yesterday what measures it was intended not to proceed with, I forgot to mention our intention with regard to the Franchise Bill. It is proposed to drop all parts of that Bill except those parts which are necessary to make provision for the revision of the lists in constituencies as changed by the Redistribution Act. It is intended also, in view of the delays that have taken place, to make provision for further delays in the times for carrying on the revision this year.

SECOND READINGS.

Bill (No. 164) further to amend the Act respecting the Senate and House of Commons.—(Mr. Foster.)

Bill (No. 165) to amend the Act respecting Dominion Notes.—(Mr. Foster.)

LAND SUBSIDIES TO RAILWAYS.

Resolutions reported from committee (July 16th) respecting the granting of subsidies in land to certain railway companies therein mentioned were read the second time, and concurred in.

Mr. DALY moved for leave to introduce Bill (No. 168) to authorize the granting of subsidies of land to certain railway companies.

Motion agreed to, and Bill read the first time.

INLAND REVENUE ACT.

Bill (No. 158) further to amend the Inland Revenue Act was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. WOOD (Brockville). The only thing that is new in this are the words beginning at the fifteenth line, which enable the collector to participate in fines and forfeitures for illicit stills and for distillations outside of the distilleries. Heretofore he did not participate in any of these fines.

Bill reported, and read the third time and passed.

CUSTOMS ACTS AMENDMENTS.

Mr. FOSTER moved second reading of Bill (No. 135) to consolidate and amend the Acts respecting the duties of customs. He said: I just wish to take the stage without discussion so as to have the Bill ready for discussion in going into committee at the next sitting.

Sir RICHARD CARTWRIGHT. If preferred the discussion may be taken on motion that the Speaker leave the Chair.

Motion agreed to, and Bill read the second time.

SUPPLY—SUSPENSION OF COL. POWELL.

Mr. TISDALE. Mr. Speaker, at this late stage of the session, were it not for the importance of the matter I wish to bring to the attention of the House, I would not venture to trespass upon the time of hon. members. The matter to which I refer is the suspension of the Adjutant General by the Major General commanding. I feel that the circumstances surrounding this act are such that it is my duty, in my place in the House, to call the attention of the Minister and the House to it again. By way of introduction to the few remarks I shall trouble the House with, I wish to draw attention first to the distinction between the regular force and the active force. The first is a force trained for and making a business of active service, the second is a force made up of men who volunteer for a time from their civil duties, either in Great Britain or here, for the purpose of preparing themselves to defend the country. In the same connection I wish to draw attention to the difference between the volunteer force in Great Britain and that in Canada. In Great Britain the country is thickly settled, the population is large and there is great wealth; the occupations of the officers and men are settled and they seldom change their residences. Here we have a very large country and a sparse population, and the occupations of the people alter from time to time and changes of residence are frequent. I think that the promoters of the Militia Act, under which the whole control of our militia is authorized, wisely took into consideration our circumstances. Properly to discuss this matter of the dismissal I shall read to the House such

Mr. DALY.

portions of the Militia Act as relate to this question of suspension. Taking the Statute of Canada of 1853, chap. 11, the Militia Act, I find the first section reads as follows:—

COMMAND IN CHIEF.

Section 1.—As provided by the fifteenth section of "The British North America Act, 1867," the command in chief of the Land and Naval Militia, and of all Naval and Military Forces, of and in Canada, is vested in the Queen, and shall be exercised and administered by Her Majesty personally or by the Governor as her representative.

Section 2.—There shall be a Minister of Militia and Defence who shall be charged with and be responsible for the administration of militia affairs, including all matters involving expenditure, and of the fortifications, gunboats, ordnance, ammunition, arms, armouries, stores, munitions and habiliments of war belonging to Canada;

(b.) The Minister of Militia and Defence shall have the initiative in all militia affairs involving expenditure of money;

(c.) The Governor in Council shall, from time to time, make such orders as may be necessary respecting the duties to be performed by the Minister of Militia and Defence.

Section 3.—The Governor may appoint a Deputy of the Minister of Militia and Defence, and such other officers as may be necessary for carrying on the business of the department; and the duties of such officers shall be prescribed, and their salaries fixed by the Governor in Council.

The 28th section provides:

There shall be appointed an officer who holds the rank of Colonel or superior rank thereto in Her Majesty's regular army, who shall be charged, under the orders of Her Majesty, with the military command and discipline of the militia, and who, while holding such appointment, shall have the rank of Major General in the Militia, and shall be paid at the rate of four thousand dollars per annum in full of all pay and allowances.

The 29th section is as follows:—

There shall be an Adjutant General of militia at headquarters who shall have the rank of Colonel in the militia, and shall be paid at the rate of two thousand six hundred dollars per annum.

(2.) There may be a Quartermaster General at headquarters who shall have the rank of Colonel in the militia, and shall be paid at the rate of two thousand six hundred dollars per annum.

(3.) The Governor in Council shall, from time to time, make such orders as may be necessary respecting the duties to be performed by the officer commanding the militia, by the Adjutant General, by the Quartermaster General, and by officers of the militia generally.

Then section 64 is rather long. I shall not read it in detail, but shall explain it and hand it in.

Mr. MULOCK. No.

Mr. TISDALE. It provides for the control of the militia when on actual service. Now, I read further from the Civil Service Act, Revised Statutes of Canada, chapter 17:

50. The head of a department, and in his absence, the deputy head of such department may,—

(a.) Suspend from the performance of his duty or from the receipt of his salary any officer or employee guilty of misconduct or negligence in the performance of his duties.

(b.) Remove such suspension; but no person shall receive any salary or pay for the time during which he was under suspension.

The clauses of the Militia Act that I have read are the only clauses of that Act that relate to that subject, and it will be noticed that nowhere does it provide that the officer commanding, or any of the officers under him, shall have the right of suspension, whereas the Civil Service Act expressly gives that right to the heads of departments. I have, therefore, come to the conclusion—and it is because I came to that conclusion that I feel it imperative that this matter should be brought up here—that the Major General had no authority to suspend the Adjutant General of this Dominion. The clause that I read says:

The Governor General may from time to time make such orders as may be necessary respecting the duties to be performed by the Commandant of Militia, by the Adjutant General, by the Quartermaster General, and by the officers of the militia generally.

These words show, to my mind, conclusively such to be the case, and if there was any doubt, the fact that in the civil service the heads of departments are expressly authorized to make such suspensions, would relieve the matter of any doubt whatever. Now, the fact remains that the Major General did suspend the Adjutant General of the Dominion. It is true the Adjutant General accepted the suspension. In my opinion, he needed not to have done so unless he pleased, but still he showed therein the character of a soldier, and submitted to this humiliation rather than raise any question. I have noticed in the newspapers that the fact that the Minister of Militia ordered the Major General to reinstate the Adjutant General shows that the Minister of Militia recognized his authority to order the suspension. I do not so understand the meaning of the act of the Minister of Militia. I take that to mean that the Minister of Militia, considering, under the circumstances that the Major General ought not to have subjected the Adjutant General to this humiliation, very properly ordered the officer who had committed the wrong, to right it by restoring the suspended officer to his rank. I think, in that, he did wisely, because it was a rebuke to the one and it was a reparation to the other. Now, let us consider the circumstances attending this suspension. I think I have showed conclusively from the law I have read, that the Major General had no authority to do what he did. I venture to say that in the history of Great Britain or of any of the colonies, the act is entirely unparalleled.

The circumstances were these: A general order had been issued, notifying certain active corps that they would shortly be called upon and to hold themselves in readiness, for annual drill. Subsequently, the Minister stated from his place in the House that that order was to be rescinded, and there would be no annual drill. To carry that out, the Major General wrote out a general order in his own handwriting, as the routine of his office goes, and sent it to the Adjutant General to fill in certain formal requisites, sign it, and have it issued. The Adjutant General did his part, and this was on Friday, the day before the official 'Gazette' would issue in which this general order would be published, and if it was not published on Saturday the whole of this active force would remain for another week in suspense as to when they were to turn out. The Major General did not, for some reason—I believe it was indisposition—go to his office, and the Adjutant General kept the order to submit to him, after he had filled in the details, until the last hour of the Friday when he could get it in the official 'Gazette.' Finding the Major General did not come to his office, he sent it in the usual way to the official 'Gazette.' But what was the omission? The initials of the Minister were not on the order. Now, that is the whole reason, as I understood from the Minister's explanation in the House, for the suspension of the Adjutant General. It seems to me that if anybody had a right to find fault it was the Minister, the superior of the officer who suspended the Adjutant General. Now, let us consider for one moment who it was that the Major General suspended. It was the Adjutant General of this Dominion, the officer next in rank to himself. And who is Colonel Powell? Why, he is a man who, forty-seven years ago, I will venture to say almost before General Herbert was born, was serving in the militia of this country. Thirty-two years ago he was appointed to the high position of Deputy Adjutant General, and subsequently to that of Adjutant General; and for thirty-two years he served in that position with credit to himself, with credit to the country, and with great benefit to the active force of Canada. Not only that, but he may be said to-day to be the father of the active force. I remember well the occasion of the formation of our active militia. Until Colonel Powell because Deputy Adjutant General, thirty-two years ago, we had no active militia. The active militia came into existence on account of the dispute between the British and American Governments during the war of secession. We formed isolated volunteer companies, without arms and without any means of drill. At that time there were not ten drill books in the whole Dominion of Canada; there were no rifles but those abandoned rifles that were used in the Crimea. Under these circumstances, Colonel Powell largely had the credit of laying the foundation of our active force, and

of producing a force that as early as 1864, and two years afterwards, was able to be sent, on very short notice, to the front. Provisional companies were formed into provisional battalions, because we had no battalions in those days, and these were sent to the frontier to guard it and to prevent international difficulties. From that time to the present, in the time of the Red River expedition, at the time of the Fenian raid, and at the time of our late North-west difficulty, Colonel Powell was one of the most active, best informed, and faithful officers in performing all his duties up to the time of this suspension. Up to this time, no officer of the militia corps, and no man in Canada, has had one reason to find any fault with Colonel Powell, and until this suspension, no general officer, or any other officer dared publicly, at all events, to say anything that would cast any reflection upon Colonel Powell. I say, therefore, that, under these circumstances, even if the Major General had been technically empowered, it would have been an outrage, and I use the word advisedly, to subject to such humiliation an officer of the standing and well-known character and ability of Colonel Powell. Now, I will say one or two words further, because, having brought the matter up, I propose to criticise in a proper way another matter connected with the administration of General Herbert to which, I think, public attention should be drawn. I know there is some misunderstanding as to the position of the Major General commanding the militia in this country. Many think he commands as an Imperial officer. Now, it is true, as stated in the statute I have read, that he must be an Imperial officer, of at least the rank of Colonel, but it is equally true that he derives all his authority as Major General from the Militia Act; therefore, he holds his authority under our Government, and our Government are responsible for his action, through the Minister of Militia, accordingly as I read the law. I say, therefore, that he is just as subject to criticism as any other Canadian officer; and I say that his unauthorized, uncalled-for, and unjust suspension of Colonel Powell, shows that there is a justification for us in criticising him at this time, and I propose to criticise him a little further. I want to say that it seems to me that the first requirement in an officer who wishes to make a success of our militia force, is to make himself acquainted with its surroundings, and with the nature of the force that he is to command. We have had several general officers commanding the militia force before General Herbert came here; and I want to say that while our active militia officers and men are not skilled, and have not had an opportunity to become skilled, nor can they afford to take from their ordinary occupations the time that will make them very skilful, yet they are willing to learn and to obey, and during the

Mr. TISDALE.

whole thirty-two years since the force came into existence, there never has been as much friction as in the two or three years that Major General Herbert has been here. I have read the Major General's reports. I desire at this point to state that I was a volunteer for fifteen years, and I make this statement to show that I know whereof I speak as regards the officers and members of the force. The men are willing and enthusiastic, but the time at their disposal is not the time at the disposal of regular officers and men, it is taken from the busy lives of those who in this country have about all they can do to follow their occupations and take care of themselves and those entrusted to their care. This gentleman seems to forget that fact, that it is not business but duty which our officers and men discharge, that it is not a profitable pursuit but that each man commits a sacrifice; and reading the Major General's reports as to inspections, hearing as I have heard mutterings among the whole force, I have come to the conclusion that he does not properly appreciate the force or does not properly understand the men so as to be able to keep the force on the lines of proficiency. His criticisms are always harsh, his exactions are severe, his demands for minutae in the force are exacting. I desire to say further that a man who properly understands the force and wishes to make a success of his command would always meet the officers and men in a spirit of conciliation, of instruction and of encouragement, and of one of appreciation throughout. It seems to me he forgets too much the distinction that exists between the volunteer force and the regulars. I believe that any officer who fails to appreciate the distinction that exists between these two forces will never be successful. Any commanding officer of the active force, especially in this country, where our people are so busy that militia service is a serious sacrifice of time on their part, at a loss in every case, and when the feeling of duty is the only inducement to enter the service and unless, who is not satisfied with the men possessing such knowledge of arms as to enable them to use them, and such a knowledge of drill as is involved in maintaining simple formations to face the enemy, he will be a failure. He must rely on the intelligence of the rank and file as compared with the intelligence of the trained regulars, instead of trying to make the militia too much after the machine pattern, which is very properly seen in the case of the regulars. I entirely disagree with one proposition which the Major General is endeavouring to carry out, and I am glad to observe that the Minister of Militia has not backed up the Major General in his view, and that is enlarging certain battalions and disbanding others. We must be satisfied with distributing our forces, and therefore the more battalions we have the better, and in this way we

will have in certain places entrepots of arms and at all events nuclei for a force properly drilled, sufficient in times of peace to prevent riot and disturbance and in times of war, if they should come, to form rallying points, for we know there will always be plenty of men to take up arms in defence of the country. I am justified in making these statements by the experience of the past. From 1812, when our forefathers had crude arms and no advantages of drill, when they were few in number and scattered, they rallied shoulder to shoulder with the British regulars and were sufficient for the time to drive from our shores the invaders who attempted to conquer the country. During 1837, during the Fenian raid, the Red River expedition, and the recent rebellion in the North-west, our people turned out rapidly and always proved sufficient to meet the occasion and to justify the reliance placed on them. I wish to say, in conclusion, that unless a commanding officer becomes acquainted with the circumstances of the people of the country, makes proper allowances for their circumstances, for the difficulties surrounding our volunteer force, he will never succeed in his command; he will make a failure of his command, and a failure of the force, and he will in the end destroy it. As regards any officer governed by any other principle, the sooner he severs his connection with the force the better for his reputation and for the force of the country.

Mr. HUGHES. In offering a few remarks in support of the stand taken by the hon. member for South Norfolk (Mr. Tisdale), I may be permitted to recite a few facts in connection with the conduct of the Major General commanding the Militia force of Canada. When I first heard of the suspension of the Deputy Adjutant General, I went to the member for South Norfolk, knowing that Col. Powell had been in the service of Canada years before General Herbert had ever seen a uniform, that he was a man who had done more than any other officer in the Dominion to organize the force and preserve the military spirit in this country, and I asked the hon. member for South Norfolk (Mr. Tisdale) to take the matter up. That was a week ago. However, the opportunity has not arisen to bring this question forward until the present time. The relative positions of the Major General and the Adjutant General have been very clearly pointed out by the last speaker. The Adjutant General is not a civil servant in any sense. It is true, he is under the superannuation regulations, but that is by special arrangement; he is not in any sense a civil servant, but is purely a military officer. The Major General commanding the militia is also a soldier on loan, as the Canadian regulations put it, he being loaned by the Imperial authorities, and he must be an officer of certain rank. Under the Army Act, with which General Herbert should certainly be fami-

liar, or under our own Canadian regulations and orders, there is no authority, direct or indirect, giving the Major General power to suspend the Adjutant General, even though the Adjutant General had been guilty of an offence coming within the law. He has no such authority whatever. If the Adjutant General committed a fault, the General should have placed him under arrest in the usual manner, but to treat him as a civil officer is entirely incorrect under the regulations and orders of the Canadian militia or under the Army Act or under the Queen's Regulations. I took exception when the Minister of Militia read to this House the letter he had sent to General Herbert instructing him to reinstate the Adjutant General. I was pleased to know that the Adjutant General was reinstated and that what we may call a pleasant settlement was made, and that the Minister of Militia took the stand he did; it was a nice gentlemanly way of rebuking the Major General, and it was also very gratifying to the Adjutant General to be reinstated by the authority which had suspended him. But I notice this, that it was an indirect recognition, which I did not wish to see made by the Minister of Militia, of the authority of the Major General to suspend that officer. However, I trust the Minister of Militia, following his own line still further, will refuse to recognize the suspension as a suspension either of pay or dignity on the part of the Adjutant General, and that matters will go on as they have in the past—especially the pay—and that he will not suffer any loss of money for the time he was suspended. I do not wish to find fault with General Herbert in all his doings. I recognize in him an officer who would undoubtedly be a good man in the field. His field ideas are good, and his management of forces in the camp and in the field is excellent. I am satisfied that although we have had many fine officers commanding the militia of Canada that few, if any, have been equal to him in his ideas of field movements. But so far as concerns his management of men, I must say that he is a total failure. We have in this one instance an example of his lack of knowledge and judgment. Suppose it were necessary to suspend the Adjutant General for an offence, what would be the proper course for him to pursue? He certainly should have consulted the Minister of Militia, his superior officer, who was in the city. He certainly should have consulted some of the authorities in connection with the Government of this country whom the law allows him to consult, before he took such a grave step as to place an officer of Colonel Powell's standing and experience under arrest. He did not do one or the other, but simply suspended that fine old officer without a moment's notice. As the matter is, I believe, fairly well settled in connection with the case of the Adjutant General, and as the member for Norfolk (Mr. Tisdale) has said all that is necessary

on the subject, I shall now proceed to take a few examples from the past to show that the Major General has not a correct conception of the proper mode in which to handle the Canadian militia. Some time ago Major Manley of the Royal Grenadiers of the city of Toronto was entitled to receive promotion under the Regulations and Orders passed by this Parliament. Major Manley, a gentleman with whom I have had the closest intimacy for a number of years, is mathematical lecturer in one of the Collegiate Institutes. He is a silver medalist of Toronto University, and had been a distinguished member of the Queen's Own Rifles, and when the Royal Grenadiers were reorganized he was selected by Colonel Grassett, the commanding officer of that corps, as his adjutant, a position which he held with honour for many years. When the North-west trouble broke out in 1885, Capt. Manley marched to the North-west as adjutant of his corps, but one of the officers falling sick, he took a company and fought bravely at Batoche, where he was wounded. In the opinion of the officer commanding that regiment, and his associates, Capt. Manley was for years perfectly eligible for promotion, but it suddenly transpired that Major Manley was not considered fit to be promoted to the majority by the Major General. The regulations, I am free to say, provide that as far as practicable, consistent with a due regard to the public service and military regulations, all promotions in a corps shall be by seniority. We will accept, then, the position that there might possibly be some objection to Capt. Manley's promotion to the majority of the corps. We will allow that the Major General had a right to obtain some private or confidential report of Capt. Manley's fitness, but let us see how that should have been met. We find that the following law is recognized, both in our regulations and orders for the Canadian militia, and in the Queen's regulations for the British army, with which General Herbert ought to be familiar :

Whenever an officer is disadvantageously reported on, or when his answers to any of the questions contained in the confidential report, are not thoroughly satisfactory, the particulars of the report are to be read verbatim to him by the officer making it, in presence, when possible, of the inspecting officer and the second senior officer of the corps.

To show that Major Manley had no fear whatever of any confidential report or any private information, after having vainly written to the Militia Department to find out the causes of his non-promotion, he came at his own personal expense to Ottawa, and face to face with the General demanded to know the causes that were urged against his promotion. You would naturally suppose that the first principles of British fair-play would have enabled that officer to know who had been giving that evidence against him, or the charges made against

Mr. HUGHES.

him, but up to this day Major Manley has been denied the first tittle of evidence that has been given against his right to promotion in the corps. I am not here to take the part of Major Manley or of Major General Herbert, but I am here to see that justice is given to the officers of the Canadian militia, who have spent their money and given years of their time in the service of the volunteer force of their country. I maintain that it will never be tolerated by the Canadian people that an officer shall be passed over as this officer was without his being furnished the reasons therefor. I will now show that Major General Herbert is inconsistent. Suppose that there were complaints against Capt. Manley's promotion in the Royal Grenadiers, one would naturally suppose that following up the same line of reasoning, when objections were urged to the promotion of other officers, General Herbert would pay attention to these objections. But, Sir, what do we find? The command of the 63rd Halifax Battalion fell vacant, and almost the entire regiment rebelled against the promotion of the next senior officer to the command of the corps. I am not here to justify the officers and men of that corps in their course, for had I been Minister of Militia at the time I would have followed the same rule as was followed in that matter. But I certainly would have followed a different course in relation to Major Manley's case. In one case, General Herbert paid attention to whatever objections were urged against Major Manley, but in the other case he paid no attention to the objections raised against Major Egan being promoted to the command of the 63rd Halifax Battalion. Recently in the Royal Grenadiers, Capt. Harston was entitled to promotion to a majority. Capt. Harston was another distinguished officer of the Canadian militia, a man who had given much of his time to the invention of a rifle that I am told has met with the approval of many of the best military experts in Europe. He had served with distinction in the North-west rebellion, and had fought well and nobly for the maintenance of law and order in the Dominion. He was Brigade Major to General Middleton during the campaign, a position which ought at least commend him for subsequent promotion in his regiment. He was entitled to promotion, and yet for reasons unknown to Capt. Harston, reasons which have been refused to him, although he again and again demanded them, he was refused promotion in the Royal Grenadiers, and his junior, a non-combatant officer, was promoted over his head. Capt. Harston and Capt. Manley had to accept the only alternative open to them, and leave the force. Here are two distinguished officers of the Canadian militia, after giving their best years and much of their money to the service of their country, turned out of the force by private—I shall not say intriguing, or spiteful reports whispered into the ear of the Major General. At

all events these gentleman have not been promoted, and have not been able to see the charges against them. There is where I take serious objection to the conduct of the Major General in the premises. We have another instance, in connection with that same Royal Grenadiers Regiment of Toronto. Another distinguished officer of that corps was Captain Mason. He had served in the North-west rebellion, and was wounded at Batoche, as Captain Manley was. He was a good officer, though no better officer than Captain Manley; but, being anxious to obtain the command of the regiment, supposing that Col. Dawson, the senior officer, had held the command long enough, he retired from the regiment; and the published reason, and I believe the correct reason, for his retirement was that Col. Dawson would not make way for him to succeed to the command. Now, what do we find? Captain Manley is refused promotion, and the majority is kept open for a long time. Then we find that, in defiance of the wishes of the officers of that regiment, Captain Mason is taken back to the regiment and given the position of major in order that he may succeed to the colonelcy. When we find this kind of work going on in the country without any explanation being given to those who have been unjustly treated, and without any opportunity being afforded them to meet charges which had been made against them in secret, those of us who have given many years of service to the volunteer force of this country feel impelled to say that this kind of business should stop. I have spent twenty-seven years in the volunteer service of this country, and I do not propose, as a citizen of Canada, or as a volunteer, to have my rights or privileges impaired by any intrigue or by any private report that may be sent to the Militia Department by any man. What we want is that the facts shall be made public, and that no secret attacks shall be made upon men who have given themselves to the service of their country. There is another instance. A year or so ago General Herbert visited the Prince of Wales Regiment in the city of Montreal, one of the finest old corps in the Dominion of Canada. Whether his stomach was in pretty bad order on that occasion or not I do not know; but he warned that corps that if they did not get a better set of field officers, he would disband the regiment. In order to carry out the dictates of the Major General, Col. Butler, with the other officers of the regiment, induced one of the best officers of the Garrison Artillery, Captain Finlayson, to be transferred to the Prince of Wales Rifles, in order that he might proceed to the majority. Every officer in the regiment of inferior rank to the position to which they wished to promote Captain Finlayson, waived his right to the promotion in order that Captain Finlayson might have the position; and yet the dictator at Ottawa, in

defiance of the wishes of the officers of that regiment, refused to allow Captain Finlayson to accept the position of major of the corps; he said that Captain Finlayson would have to serve first as captain in the corps. This gentleman, who has seen service out on the sands of Egypt, has seen no greater service and has no more capacity for service than some of our boys in Canada; and if the comparison were made, I doubt whether many of these officers who were rebuffed by him, would not prove his superiors in every respect. We find the Major General, in the Royal Grenadiers, promoting Captain Hay over his senior officers, while refusing to allow Captain Finlayson to be major in the Prince of Wales Rifles on the ground that he had not served in the regiment as captain, though the officers in the regiment wished his appointment. I am not finding fault with Captain Hay; he is a good officer; I am simply pointing out the inconsistency of the action of the Major General in these cases. Whether he has been acting on improper private reports or not, I am not prepared to say; but I do mean to say that in every case the facts should be made public; and when Captain Manley, Captain Finlayson or Captain Harston, demand an inquiry, they should be given one, and should be met with the facts fairly and squarely, so that they might submit their defence. Another case was this: A non-combatant officer, a quartermaster in the Royal Grenadiers, was promoted major over Captain Harston, one of the best officers in the Dominion; although Captain Harston was entitled to the position, according to the regulations and orders, and also according to his services as a volunteer and a distinguished rifleman. This officer, on being promoted, of course, left his previous position vacant, and we find, not that the younger combatant officers of the regiment were offered the position, but that an outsider was brought in and appointed to the vacancy, a person who had been in the service some years previously, but who, for certain reasons which I will not state here—they were, I am told, not of a very creditable nature, from a military point of view—had retired from his regiment. Now, Sir, if this kind of dictatorship is to go on, the sooner the people of this country let the Major General and those in control of the department know that they will not submit to it, the better for all concerned. There is another matter to which I will take the liberty of referring. When Major General Herbert visited the city of Montreal, he took occasion to censure the Prince of Wales Regiment very severely. In fact, the rough, bitter and harsh side of his tongue has been given to the volunteers on almost every occasion on which he had the opportunity. As the hon. member for South Norfolk has properly pointed out, he fails to recognize the sacrifices which our Canadian militia are making in the

service of their country. But, Sir, we find that on a recent occasion, on meeting the 65th Regiment of Montreal—and I am not saying one word against the 65th Regiment—he went out of his way to commend that regiment in a very marked manner. I stand here, Sir, as perhaps the only man connected with the militia force in Ontario, who, in 1885, when the 65th was assailed, upheld the honour and bravery of that regiment; and I have as a relic of that time a letter from Colonel Dugas thanking me for the kind words I then uttered. If Major General Herbert had desired to find parallels for the bravery of the 65th Regiment, he need not have gone outside of that corps itself; for its boys marched to the North-west in 1885 as willingly and quickly as any other volunteers in this country. They performed one of the most magnificent marches, from Calgary to Edmonton, recorded in the records of any regular or volunteer force; and in the only action in which they had any fighting to do, in the battle of Frenchman's Butte, where they faced a savage foe, they behaved themselves most admirably. I say that Major General Herbert need not have looked outside of their own corps to find parallels for their bravery. He could have pointed to the time of the Fenian raids, when the French regiments turned out and did their duty as well as any other regiments of Canadian militia. He could have pointed to 1837, when the rebellion in Lower Canada was quelled by our French fellow-countrymen. He could have gone back to the battle of Chateauguay, when, side by side with the Highlanders of Glengarry, De Salaberry led his men to victory, and gained one of the grandest victories that it is the glory of history to record. Therefore, I maintain that the reference in his address in Montreal to the Papal Zouaves, against whom I have nothing to say, was in very bad taste. I would have objected just as strongly had he, in criticising the Royal Grenadiers of Toronto, commended them as the descendants of the glorious and valiant sons of the Prince of Orange. There is another little matter of which I would like the Minister of Militia to take note. I understand that, contrary to the regulations requiring annual drill of the militia force, the 65th Regiment has been ordered into barracks at St. Johns, Quebec. Instead of performing their drill, as the country corps have to do, in camp, this regiment has been ordered into the barracks of the military school at St. Johns. All I have to say is this, that the rural corps of this country are not treated fairly, and are not going to stand it. We do not object to any favours or privileges granted to city corps, we do not admit it is perfectly proper they should be drilled every year, what we do object to is that the policy instituted in the old days, when our good friends of the Opposition managed the military affairs of this

Mr. HUGHES.

country, is being carried out—the policy of gradually disbanding the rural corps and establishing a small standing army. That policy will not suit this country. I intended saying something on the militia estimates in connection with our volunteer force, and may as well do so now. What I maintain is that the permanent corps is not properly managed. Every year, when this enormous sum of \$500,000 is being voted, we are plausibly told that the permanent corps was established for the purpose of furnishing training schools for the militia. They are in this country either as a standing army, or a police force or for military schools. As a police force, they are not wanted, for we have lots of policemen, and in any event one-half of the number would easily do. As a standing army, the spirit of the nation will not perpetuate it. We do not want to saddle ourselves with a large standing army, such as the countries of Europe have to support. One-half the number would be ample as a standing army. As a military school force, their number is twice too great, and the expense could be easily reduced more than one-half. Let us look at the question from the point of a military school, the only one on which it can possibly commend itself to the people. We find that during the last year for which the report is issued, there were only two officers in the whole broad Dominion who took long-course certificates and eight non-commissioned officers and privates; and I may say that when you find non-commissioned officers or privates going in for any class of certificates, you may set it down, nine times out of ten, that it is in order to have an easy time during the winter and not necessarily for any military advantage that may accrue to them or the force afterwards. I find that fifty-nine officers took short-course certificates in the year, and one hundred and seventeen took special course certificates, which may be obtained in seven days. The special course certificate, I do not deem worthy of consideration at all, from a view-point of cost, because an officer trained at home simply goes down, spends a few days in barracks, and gets a certificate. Now, we find the cost, taking all the classes, long and short course and special course, officers, non-commissioned officers and privates, sums up \$507,850 for three hundred and seven certificates, or \$1,380 for each certificate, which is rather dear to pay for the whistle. But when you come to drop out the special course certificates, we find it costs \$1,968 for each certificate. When we come to consider only the officers, leaving out the non-commissioned officers and privates, we find the total cost per officer amounts to \$3,022. When you come to take the long and short course certificates only, we find they cost some \$8,000 each per year. That is something entirely out of the way. But I may be asked what is my proposal.

My proposal is this : let our young men have an opportunity of attending these military schools as in former days. Let them go there as cadets, irrespective of rank, for if a captain does not know his drill, he should not, because he struts around with a sword, be treated differently from a private. Both should be on the same footing. If that were done and if this system of billeting all those who attend these schools and providing for them in barracks, were done away with, you would find that we could easily, at one-half the cost, have four or five times as many trained officers as we now have. I can easily remember the time when in almost every volunteer corps, not only the officers, but the sergeants and the corporals, and frequently two or three privates in the ranks, held military school certificates, entitling them to command a company. I can well remember the time when British officers who were coming through, and had occasion to inspect these corps, pronounced, according to reports, not one, but half a dozen regiments as capable of passing muster at any inspection. You will find in the reports of 1869 up to 1872 and onward when we had any number of military cadets holding commissions in our force, that British officers have pronounced these regiments superior in drill and rifle practice and equal in every other respect to any regiment in the British service. We could not have that repeated to-day, and the reason is we have attempted to build up a system of training officers which has proved altogether unsatisfactory, and the real aim of which is to fasten on this country a standing army and gradually abolish the militia. If one-half of the rank and file of these schools were dismissed or allowed to retire—they change every year, anyway—there would be a saving to this country of \$300,000. Let me not be misunderstood, I would not necessarily dispense with the services of one single officer now connected with these schools. Every officer would still be retained, but in place of being there simply as a military officer, I would retain him as an instructor of the officers and men who would go to these schools to perfect themselves in military knowledge. If this change were carried out we could train ten times the number of officers for commissions in our militia corps that we do now, and, allowing for all expenses we could put from \$250,000 to \$300,000 into the treasury of this country. And I maintain, Sir, that thirty or forty thousand volunteers annually well drilled would be infinitely superior to a couple hundred of permanent corps, men having no interest in the country almost except to draw their regular daily pay. Now, Sir, there is just one other question and I have done. I have listened patiently during this session to the nonsense—I will not call it by any harsher term—spoken on the trade question and other questions by members of the Opposition, and I have never complained. I have

shown an exemplary spirit of patience. And when I do inflict myself upon the House it matters very little to me how some members on the back benches of the Opposition receive me. I purpose following what I consider to be the right course in this matter, and I shall take my own time in dealing with these questions.

Mr. LIVINGSTON. How many votes did you get last night ?

Mr. HUGHES. I hope to have you with me the next time. I have recently read in the militia reports of the dismissal—I shall not say retirement—of Col. Lazier, of the 15th Battalion of Light Infantry in Belleville. When this announcement appeared it caused no great surprise. We have already had the Major Manley incident, the Harston incident, the Mason incident and the Finlayson incident, and the Elliot incident and others. We had heard the General's speech to the 65th, and we had heard of his intention to disband a number of these old regiments or amalgamate them. The country would hardly have been surprised at anything. Even if we had waked up some morning to find that the Minister of Militia had been placed under arrest by the Major General, I do not know that it would have surprised us very much. However, Col. Lazier of the 15th Battalion was dismissed. The papers in connection with this case have been placed in my hands, and, as they are very long, I shall not read them all, but shall go over them briefly in order that we may get a summary of the quarrel. It is known that Col. Lazier has long taken an active interest in militia affairs. He may have his faults : I should like to see the man, especially the military man, who has not. But he worked his way up from the humblest position in the battalion until, for a number of years he commanded it, and commanded it well. I understand that there are few city corps, and certainly no rural corps, better fitted out in all respects than the 15th Battalion. I understand, Sir, that in all the details of a regular army taking the field, Col. Lazier through his enterprise and energy, and through the enthusiasm with which he has inspired the people of Belleville, has secured the fitting up of this corps. In the spring of 1893, he was asked to fix a date for the annual inspection of his battalion. He fixed the 23rd June, as it had been usual for the inspection to take place early in the season. He was informed from the district office that it would not be convenient to have the inspection at that time. Being perfectly willing to accommodate the militia authorities, he then postponed the inspection until the 6th October following. You may remember, Sir,—if you do not others of us do—that about that time the people of Belleville gave a reception to the Prime Minister and a number of his colleagues in the city of Belleville. For some considerable time before the date of that reception, the drill shed was placed at the disposal of the Citizens' Committee by

Col. Lazier and his officers. Not thinking for a moment that a request to have his inspection postponed would be denied, Col. Lazier took it upon himself to give the drill shed to the Citizens' Committee for this reception and banquet to the Premier and his colleagues, and asked for a postponement of the inspection. And I may say here, Sir, that there were precedents for asking the postponement of inspection. Now, I shall briefly run over the correspondence, because that will explain the situation better than anything else. On the 28th September, 1893, Col. Lazier wrote to Col. Cotton, the Deputy Adjutant General of the district, as follows:—

SIR,—I have the honour to request that the date fixed (6th October next) for the inspection of the battalion under my command may be postponed till the 27th October, as I find it will not be possible to get the regiment in anything like creditable shape for inspection before that time.

I have the honour to be, &c.

The Deputy Adjutant General replied as follows:—

In reference to G. O. 25 of the 14th April, 1893. This regiment has had notice of inspection since date of above G. O. The application is forwarded for consideration.

W. H. COTTON, Lt.-Col.,
D. A. G. 3.

KINGSTON, 30th Sept., 1893.

Then comes in the Major General, who point-blank refuses to allow the postponement to the 27th. Lieut.-Col. Lazier followed the matter up with this letter to the Deputy Adjutant General:

I wrote you hurriedly this morning on receipt of your telegram, to catch the morning mail.

The matter of inspection stands in this way:

The drill had just fairly started in after the summer holidays when application was made for the use of the drill shed and premises for the demonstration in honour of the Premier, his colleagues and our member, Mr. Corby.

Never imagining for a moment that an application to postpone the inspection under the circumstances would be refused, I discontinued drill for a fortnight to allow of certain repairs and improvements to be made to the drill hall and for the demonstration. We have just fairly started the drill again and require fully three weeks further time to put the men in anything like efficient condition, which, I presume, is what is aimed at—desired. It would be most injurious to the battalion to insist upon the inspection now, and unfair to the company officers and the men, as I have given them all along to understand that the inspection was sure to be postponed.

I am the only one to blame in the matter if there is blame attachable to any one.

We have a larger number of recruits this year than usual, from the better class of the young men of the city. If we have not time to put them in condition to make a respectable showing it will throw a damper on their present ardour to become efficient.

Mr. HUGHES.

Our outfit is not complete, a number of things required to complete such as helmets, leggings, &c., will not be here before the last of next week at the earliest, and some of my officers are at the World's Fair on leave.

The regimental rifle matches are fixed to commence on the 6th at 9 a.m., and all publication of them made, markers engaged and all arrangements made. I trust it may be seen that the circumstances are such as would warrant a postponement.

I shall be obliged by a reply by telegram.

However, Sir, as Col. Lazier put it, that appeal was in vain. The request was refused and the inspection had to take place. The refusal came in the following note from the Deputy Adjutant General:—

I fail to see why in face of a direct order published in General Orders you should not have completed arrangements for inspection. I cannot take upon myself to accept any of the reasons advanced for a postponement and I regret to have to say that the excuses put forward show a want of proper administration of regimental affairs.

W. H. COTTON, Lt.-Col.,
D. A. G. 3.

BRIGADE OFFICE,

KINGSTON, 4th October, 1893.

I trust that the Minister of Militia will note the tone of these letters all through. This is signed by the Deputy Adjutant General of the district. Now, I may be permitted to read an extract from Col. Lazier's statement:

And I may say just here that as a commanding officer of a volunteer regiment for more years than the Deputy Adjutant General has been connected with military matters at all, that he is not fit, either by training or habit, to be Deputy Adjutant General of any district. He may know something of artillery drill but he knows nothing of infantry and has no sympathy or feeling in common with the volunteer force, never having been an officer in it. He was hardly a success as an artillery officer either, as he ran "A" Battery nearly into the ground.

He has acquired a very offensive habit of speaking to every one he approaches (apparently) on military matters, which may do for regulars who are bound to grin and bear it, but officers of the volunteer force who have to expend their time and money in keeping up the organization will not put up with it. It is not to be wondered at that he could not keep man or officer under him.

The inspection took place on 6th October, as the colonel says, and the drill continued until 23rd October. The pay-rolls were taken up, and instead of being returned next day were kept nearly three weeks, and a number of men who had put in their drill were struck off for pay. Then Col. Lazier wrote the following protest on 23rd October, 1893:—

SIR,—The paymaster has just handed me the pay-rolls taken by you on the day of inspection and returned to him by express to-day. I see you have struck off the pay of the assistant surgeon, the hospital sergeant, the surgeon's horse, and only

allow two sergeants per company. I have to strongly protest against any such reduction in the establishment without having received any intimation of the intention to make any change.

I beg to draw the attention of the Minister of Militia to this fact: that other corps than the 15th, when they marched into camp, found some of their men struck off the pay-list, and a number of officers who expected to be paid under the old rule found their pay reduced. I would take the opportunity of further informing the Minister that men who performed their drills regularly more than a year ago, in the 3rd Military District, a district which was far short of drilling up to the quota, have not yet been paid their annual drill money, and the officers of these battalions and companies had to put their hands in their own pockets and pay the men for drilling in the service of the country. The attention of the Militia Department has, on more than one occasion, been drawn to this fact, as has also the attention of the Major General, but nothing has yet been done to set the matter right. Returning to the letter:

The assistant surgeon is a gazetted officer and always in attendance when required. The hospital sergeant has been most attentive to his duties and has been in the regiment since 1866. The surgeon was mounted on inspection, and always turns out mounted when on parade. Three sergeants per company have always been allowed and performed their drill this year as such. I do not see any equity or justice in reducing the pay of men who have performed their drill under the belief and expectation that they would receive pay as heretofore. I enclose you returns showing number of officers and men trained during the year and whom I claim are entitled to pay. The annual drill has been completed. My quartermaster is at Cobourg attending the assizes. As soon as he returns I will have the rifles sent to Kingston for repairs. I am too busy now with my official duties to give the necessary attention to it.

To which Col. Lazier received the following reply:—

You know or ought to know, that the reduction of establishment is by order of Parliament and you in common with other commanding officers were notified through General Orders. I must direct you to withdraw, in writing, your letter of the 25th October instant.

W. H. COTTON, Lt.-Col.,
D.A.G. 3.

KINGSTON, 30th October, 1893.

Now, the general order to which Col. Lazier refers was dated 7th April, 1893, and stated in effect that the establishment for the year had been fixed, and would be communicated to those interested. He received no notification whatever until the following:—

You have not replied to my memorandum of 30th October directing withdrawal of your letter of the 25th October. I must ask you to do so at once. Explanation of the delay is required.

Now, Col. Lazier was under no obligation to withdraw that, and he did not do it. On the 13th April, then, a week after his return home from Battle Creek, Michigan, where he had gone to be treated for an illness, he sent in his resignation. The memo. was as follows:—

After some twenty-eight years' service in the volunteer force I regret that I should be compelled in defence of my own self-respect to retire from the service now after many years' struggling to obtain proper accommodation and equipment for the battalion under my command. The refusal under the circumstances to postpone the date of inspection last year and the consequent annoyance and inconvenience it occasioned first induced me to give any thought to the question of retirement. But the principal and immediate cause of my determination to quit the force is that I decline to remain in the service under the present Deputy Adjutant General of this district. I characterize the whole tone of his correspondence and his verbal intercourse with me and with nearly, if not all, my officers with whom he has come in contact as offensive; so much so far as I am personally concerned that nothing would induce me to remain and be subject to his petty impertinences. When I left home in March, I went to Toronto to consult a specialist about my health, intending to remain there if he advised it. His opinion was that I should go to some Sanitarium, and recommended the one at Battle Creek.

Then he wrote from Battle Creek, asking for leave of absence, and received the following notice:—

The application for leave of absence from Lt.-Col. Lazier, commander of the 15th Battalion, is recommended only on the plea of ill-health.

This was signed by the officer commanding the district. Some three weeks after the resignation of Col. Lazier, he received a communication from the Deputy Adjutant General, requiring him to give an explanation of his leaving the country, although he had previously given the reason in his letter from Battle Creek. He then wrote on 30th April, 1894:

I have the honour to enclose you herewith my letter of the 24th March last, asking for four weeks leave of absence, and your memo. to Adjutant General and his approval. I found it to-day in an envelope with other papers. In reply to your memo. of the 27th inst., that the General Officer Commanding had directed you to call on me for an explanation of my reasons for neglecting to comply with paragraph 118 by leaving Canada for the United States without previous leave, I beg to say that (if you have any such instructions) I have no further reasons to give than what is contained in my letter of the 24th March last from Battle Creek. I have yet to learn that under such circumstances it was incumbent on me to obtain leave from any one before going to Battle Creek as I did, or that a volunteer officer is obliged to obtain any leave before going to the United States temporarily on his civil business.

Now, to cut the matter short, the next notice that he received was that he had been

placed on the list of dismissed officers of the militia force of Canada. I do not defend the language of Col. Lazier in all particulars, but this correspondence certainly shows that there is creeping into the force in Canada a dogmatic spirit, an autocratic spirit, which is seeking to enforce the petty discipline of the regular service in connection with the rural militia, which is something that we shall not tolerate. I would simply draw the attention of the Minister of Militia to the case of Col. Lazier, as well as to the other cases that I have mentioned, the case of Capt. Manley, the case of Capt. Harston, and the case of Quartermaster Elliott, of the Grenadiers, and to that of other officers, some of whom have been too fairly treated, and others unfairly treated, as a result of the Major General's conduct as commanding officer of the militia of Canada. I would also respectfully draw his attention to the fact that by placing the rural corps on the list of those not to be drilled for this year, he is doing a great injury to the volunteer force of this country. It would have been much better to omit the drill of the permanent corps, fully two-thirds of whom have nothing at stake in this country, who are not controlled by the same spirit as are the volunteers in upbuilding the force, and in no sense can be compared to the ordinary volunteer force, except in mere routine drill. His proper course would be to drill the volunteers annually, and he could still effect a large saving in money. So far as the reinstatement of the Adjutant General is concerned, I am pleased to know that the matter has received the prompt attention of the Minister of Militia, and I understand he has given an assurance that the Adjutant General will not be considered as having been suspended, or placed under arrest at all. In regard to the other matters, I know they are questions requiring inquiry and considerable research, possibly further consideration, although I trust not demanding a court of inquiry, and I am satisfied they are not going to be allowed to be dropped but will be probed to the bottom, until the officers are allowed to meet the charges made against them, and not be prevented from gaining promotion.

Mr. DENISON. Col. Powell is an old personal friend of mine, and I have the highest respect for him. The hon. member for South Norfolk (Mr. Tisdale) made a statement which I am satisfied Col. Powell would not wish to pass without correction, when he stated that the colonel had served for a number of years in the militia before he obtained the position of Deputy Adjutant-General.

Mr. TISDALE. I said Col. Powell was in the old militia, before the Militia Act was passed.

Mr. DENISON. I accept the correction, because I am sure Col. Powell would not

Mr. HUGHES.

wish it to go forth that he was an old officer of the militia before being appointed Adjutant General, if such was not the fact. We have had a long speech from the hon. member for North Victoria (Mr. Hughes), in which he made a number of charges against the General, more especially in connection with the department. I, for one, would like to say that we must not forget that the General is a stranger here and it may be popular perhaps to attack him, and he has not a proper opportunity to defend himself. The General is acknowledged in the old country to be an officer of excellent parts. He served through two campaigns, and I am sure ever since he has been in Canada he has endeavoured to do his duty to the best of his ability. He has, I know, improved wonderfully the status of the permanent corps here, and I am also satisfied that he has done a great deal to improve the position of the militia. Every good soldier knows that criticism is in order, and if the Major General is a little sharp in his criticism and even if such criticism is not wholly deserved, it should be accepted by soldiers, and they should not grumble unnecessarily. As to the remarks about Major Manley and Capt. Harston made by the last speaker, I think those are questions which had better be left to the department than taken up and discussed in this House.

Mr. HUGHES. We have had them before the department for the last two years.

Mr. DENISON. I am satisfied that in the case of those two officers the colonel commanding the battalion must have recommended the promotion of those officers, and if so, the blame should attach more to the colonel of the regiment than to the officer commanding the militia. Naturally the officer commanding the militia must be guided by the officers commanding the battalion. He knows that if the officer commanding the battalion recommend certain promotions, for instance, from a paymaster to a major, while the Major General commanding might have a right to object, he would of course not do so without very strong reasons existing.

Mr. HUGHES. But the officers overridden have a right to learn the objections raised against them.

Mr. DENISON. They can appeal to the Major General commanding and to the Minister of Militia for information.

Mr. HUGHES. No.

Mr. DENISON. They have a right to do so, and no doubt they will get all the particulars of the charges.

Mr. HUGHES. They have done so—I repeat my statement. Those officers have taken all these precautions, but their applications have been refused.

Mr. DENISON. However that may be, I am not going to take up the time of the

House in discussing this matter; but I merely wish to put in a word for the Major General, who is doing his duty here, and is rendering good service to the militia service of Canada.

Mr. MULOCK. I rise merely to supplement briefly some of the references made by the hon. member for North Victoria (Mr. Hughes) with respect to the case of Lieut.-Col. Lazier. I congratulate the hon. member for South Norfolk (Mr. Tisdale) upon his remarks with respect to the service of the volunteers as compared to that of a regular soldier, and with his description I concur. I am sorry I cannot altogether approve of the spirit in which the criticisms of the Major General has been directed by some of the militia officers, who as members of this House are within their rights in criticising, however severely, any person engaged in the public service. However, I have no reason to commend or support the officer commanding. I presume he is a soldier who will be able to take care of himself, and if not, he well knows how to take the punishment to which a soldier is sometimes entitled. I rise, however, rather to supplement the case made on behalf of Lieut.-Col. Lazier. I having mentioned to the Minister of Militia that on the first opportunity, namely, on going into Supply to-day I would allude to this case. I am glad on behalf of the officer commanding to know that however unfit he may be to deal with his fellow-men, he at least is entirely efficient in the field. We have that certificate from the hon. member from North Victoria (Mr. Hughes), and a high authority he is in matters military, for I remember that during the last few months I read of a bloody engagement said to have taken place in the town of Lindsay, and this incident in Canadian history will ever redound to the credit of those connected with the militia force when it is remembered that an officer, single-handed, escaped from Mrs. Maloney and left with her nothing but the shreds of a coat tail, and I believe the explanation was that this officer was anxious to make the best time possible to the 'Warder' office, so that a rival newspaper might not obtain a "scoop." We will accept that testimony as to the efficiency of the commanding officer, and no doubt the people will rest in their beds securely knowing that however unfit the commanding officer may be to control his fellow-men, he will secure peace, order and good government within the confines of Canada. The hon. member for North Victoria (Mr. Hughes) terminated the reading of a document with which he favoured the House at the place where, I think, so far as this House is concerned, he should have begun it. It is not fair to try any person on the floor of this House by an ex parte statement. I have had placed in my hands a statement of the rights or wrongs of the case of Lieut.-Col. Lazier. But one story is good until an-

other is told, and while I have implicit confidence in the accuracy of the statement I have received, I recognize British fair-play, and I am not going to assume that any one is absolutely guilty unless he has had an opportunity of proving his innocence, and most of all do I deplore an occurrence such as that of an officer taking advantage of his position in this House to make an unfair attack on an absentee. In saying this I wish it to be distinctly understood that the officer commanding must be held responsible, and every one else in authority in the Canadian militia must be held responsible in a proper way for the fair and proper discharge of their duties. I take this general ground as a member of this House: that whatever wrong may be done, whatever grievance may arise in respect to the administration of the affairs of the militia, the person for us to hold responsible on the floor of Parliament is the Minister of Militia. He is the person towards whom in the first place our criticisms should be directed, and I am sure he will be the last one to seek to evade his ministerial responsibility. Officers may dismiss, and officers may suspend, but ultimately the responsibility rests upon the Government of the day who are supremely accountable, and they in the last instance must bear the full responsibility for all that has taken place. I say, therefore, that the correspondence read by the hon. member for Victoria (Mr. Hughes), considering where it was read, fell short at the point where it should have been begun, for I am told that after Col. Lazier was dismissed he addressed a letter to the Minister of Militia and received a reply; copies of both letters I will read by and by. I am assuming that the Minister of Militia, as the head of the militia of Canada, is the one responsible to the people of Canada for what has taken place, and in that case I think I can say without fear of contradiction, that Lieut.-Col. Lazier's record in connection with the militia of Canada, has been an eminently patriotic one. I have not the honour of his personal acquaintance. My whole communication with him has been to receive a narrative of the facts in connection with the case—whether correct or incorrect it will be for others to say—and it is a statement which I presume has been handed to other members of the House. If I am correctly advised, Col. Lazier identified himself with the militia of Canada nearly thirty years ago, and gave both time and money to the promotion of the welfare of the service, and more particularly, the 15th Battalion, Argyle Light Infantry. That his connection with the service has not been discreditable is proved by the fact that on all occasions when the country stood in need of her volunteers, the 15th Argyle Light Infantry were always at the post of honour, and when not allowed as a battalion to take part, it contributed its quota as fully as circumstances admitted for the purpose of re-

storing peace and order in the land. Not only so, but I am told that from the officers of that battalion have graduated some excellent men, who fill prominent positions in connection with the permanent corps of Canada. I am told that for twenty years Lieut.-Col. Lazier was in command of his battalion and that during that period, in season and out of season, he was ever active in promoting the welfare of the battalion, sparing neither his time nor his money, which perhaps he could ill afford, in the discharge of this high and patriotic public duty. I am told, Sir, that with this record, having done what no one will say was wrong, having placed at the disposal of a political party the use of the drill shed; the plans for inspection were disarranged, and friction sprung up, the result being that Col. Lazier tendered his resignation. Having taken this course, the first intimation that he had as to how his tendered resignation was received, came to him by a notice in the official 'Gazette' of Canada dismissing him from the service, and humiliating him in the eyes of the volunteers and in the eyes of the whole people of Canada. I trust that the Minister of Militia will have a satisfactory explanation of this to offer to the House, and I ask him to tell the House and the country: is it the case that an officer of this standing—I do not care what the standing of the officer may be, because if this be the treatment meted out to one, we have a right to assume that the like kind of treatment will be meted out to others—I ask the Minister to tell us: is it the practice of his department, when an officer under such circumstances as these, or under any circumstances, tenders his resignation, that the first intimation he receives, is the official notice that he is dismissed and practically disgraced from the service? If that is to be the rule then there is an end to the volunteer system. No one will wear Her Majesty's uniform in Canada, and be exposed to the risk of degradation in the eyes of his fellow-men at the arbitrary will of—whom it may be, I know not. By such a proceeding you discourage our militia force, and you make it unsafe for any man who values the approbation of his fellow-men to risk his reputation by being a volunteer. I direct the attention of the Minister especially to that point, and I want to know from him: why it was that the commanding officer of Her Majesty's 15th regiment of Canadian volunteers was dismissed without a word of explanation. I had no idea that a man in British territory was entitled to a trial whether he was in a civil or military position, that he was entitled to know who were his accusers and what the accusations were, and that he should have the privilege of being heard in self-defence. That is the common law wherever the British flag flies, and how is it then that this British principle was suspended in the case of Col. Lazier, and that

Mr. MULOCK.

up to this moment he has not been informed of the reasons for his dismissal. Now, Sir, this portion of the correspondence should have been submitted to the House. Col. Lazier states, that on the 6th of June, 1894, he directed the following letter to the Minister of Militia:—

BELLEVILLE, 6th June, 1894.

To the Honourable
The Minister of Militia.

SIR,—I learn with feelings of the deepest indignation of the indignity that has been offered me by the action of the Militia Department in dismissing me from the service without the formality of any sort of a trial or hearing. At no time has any notice been given me of any charge or complaint against me; and I am yet entirely unaware of the reasons for this extreme action. Truly, it is a new species of British justice and fair-play that any man (no matter how great a criminal he may be) shall be condemned without a hearing, or executed without a trial. I have worn Her Majesty's uniform too long, and with no discredit to it, or to the force, to submit tamely to this gross outrage. I have been for nearly thirty years in the service, and nearly twenty years in command of the battalion, and have spent thousands of dollars and no end of time, beside all the great worry and annoyance in keeping up a creditable organization, and I would naturally think that on retiring, to receive the thanks of the department for my services to the force; but instead, I am kicked out without knowing the reason why, and being perfectly sure that there is no good cause for such treatment.

I appeal to you, Sir, as the head of this important branch of Her Majesty's service, to set this grievous wrong right without the necessity of appealing elsewhere for justice.

The following is the reply:—

OTTAWA, 8th June, 1894.

SIR,—I am directed by the Honourable the Minister of Militia and Defence to acknowledge the receipt of your letter of the 6th instant, with reference to your retirement from the command of the 15th Battalion, and asking the Minister to see that justice is done you, and to say that the case is now receiving his consideration.

I am, Sir, your obedient servant,

E. F. JARVIS,
Private Secretary.

Lieut.-Col. S. S. LAZIER,
Belleville, Ont.

I am told that since that answer was sent, numerous applications have been made to the Minister of Militia on behalf of Col. Lazier for particulars of the charges on which he was dismissed; that these applications have been made not only to the Department of Militia, but directly to the Minister of Militia himself; and that up to the date of the letter to me, the 13th of July, no recognition of that reasonable and fair request has been made. Now, is there to be a system by which reports can be made against officers, and acted upon to the prejudice of officers, and those officers,

as in this case, dismissed without being tried and without knowing the cause of their dismissal? Surely the Minister will be the first to settle public opinion on that question by declaring that no such practice shall be permitted to disgrace any department he presides over. I feel that there must have been a mistake; I feel sure that the Minister's sense of justice will revolt against this unfair treatment; and until he has a full opportunity of vindicating his action, I abstain from making any personal attack upon him; for I do not wish anything I have said at this moment to be so regarded. I wish what I have said rather to be regarded as an emphatic appeal to him to make known the circumstances that have led to these sad and unfortunate results. Less than this, I feel could not be my duty; and I now await an explanation from the Minister before resorting to any procedure that parliamentary practice may admit of.

Mr. SCRIVER. Mr. Speaker, though, unlike most of the hon. gentlemen who have up to this time taken part in this debate, I hold no position in the militia higher than that of a high private, yet, as the representative of a border county in which two efficient battalions of volunteers have existed for many years, and as the relative of young men who hold commissions in these volunteers, and, if I may be permitted to say so, as a relative of a man who laid down his young life at Batoche in the engagement which took place there, I feel a natural interest in the prosperity of the force. With regard to the incident which has led to this debate, I propose to say very little. All the facts connected with it have been so clearly set forth by the hon. member for South Norfolk (Mr. Tisdale) that I think it must be evident to every man who has listened to his statement that the action of Major General Herbert towards the Adjutant General has been harsh, unjust and unwarranted. I think the hon. gentleman has made that clear by the relations which, under the law, subsisted between those two men. I cannot help saying that I have felt for a good while—because I have given some attention to these matters—that Major General Herbert, with his admitted qualifications in some respects for the position, lacks in other respects those qualifications necessary to make him an efficient and successful head of the volunteers of this Dominion. And just here I might be permitted to express the opinion that the results which have attended the policy which has been followed in this country for many years past, of importing from abroad a military officer to fill this position, has not been so successful as to warrant a continuance of it. My own opinion is that in the ranks of our own volunteers we have officers who are competent from a military point of view to fill the position efficiently and successfully, while in their better understanding of the volunteers and

of what is demanded at the hands of the head of the force, they are better fitted for the position than men imported from abroad. I may say that I have watched with interest and close attention the career of Major General Herbert since he has come to this country, and while I am free to admit that he has shown energy, efficiency and capability, he has certainly not shown sound judgment in his intercourse with the volunteers, not only in the incidents which have been referred to to-day, but in other cases which have come under my own observation. I will not detain the House by going into details with regard to these; but I have been compelled to feel that the Major General lacks some of those qualifications necessary for the high position he fills. I think the conclusion come to this year with reference to the rural battalions—a conclusion for which I suppose we may fairly hold the Major General responsible—is unfortunate, especially in the border counties, where, if anywhere, it is important that we should have efficient battalions. The condition of these battalions for some years past has been waning, and there has been nothing in the treatment they have received from the predecessors of the present Major General, or from the Major General himself, to encourage the men who have been making sacrifices in the past to endeavour to keep up the efficiency of these battalions, to pursue that course in the future. I say I regret very much that it has been determined this year not to call out those battalions. I believe it will be a serious blow to their efficiency; and it is mainly to express that opinion that I have risen to say a few words on this occasion.

Mr. PATTERSON (Huron). Mr. Speaker, I think the discussion in which we have been engaged, and which originated with the hon. member for South Norfolk (Mr. Tisdale), is to a certain extent premature. Col. Powell was suspended by the Major General. Upon his reinstatement, I gave instructions that he should be furnished with copies of the charges upon which his suspension was based. Those charges have been furnished Colonel Powell, but I have not yet received his answer, and not having received Colonel Powell's written statement in reply, the question is one into which I cannot go to-day. As to my having recognized the power of the Major General to suspend Colonel Powell, because I courteously requested him to retrace his action in that respect, I deny that in any sense that is a recognition of the Major General's power to suspend. At the same time, I may say that that is a question in dispute, and that in England an officer similarly situated would have the power to suspend and place under arrest, and that power of placing under arrest, if exercised, would have been a much greater humiliation to Colonel Powell than what took place. I do not think it is necessary for the efficiency of the force that I should

come to any decision as to whether the power of suspension exists in Canada on the part of the Major General commanding our militia. When I said that Colonel Walker Powell would not suffer any pecuniary loss by his temporary suspension, I did not intend it to be understood that I have come to the decision that the Major General has not the power to suspend. That depends on whether certain military laws apply to Canada or not, and that question I will submit to those in whose opinion I would have confidence. Colonel Powell has been requested to furnish a reply to the charges, and I expect shortly to have a written report from him, which, if the House is not sitting, I will submit to the Governor General in Council, to decide what further action may be deemed necessary in relation to that incident. Major General Herbert, as has been well said by the hon. member for West Toronto (Mr. Denison), is not here to defend himself, and as the hon. member for North York (Mr. Mulock) has also truly said, after all I am responsible for his actions, and I am willing to assume the responsibility when I endorse them, after full consideration of what has been done. But we must remember that Major General Herbert is, as has been said—though I do not wish to call any man a stranger who wears the Queen's uniform—not intimately acquainted with the affairs of Canada as we are, and has to learn something of the characteristics of the people; but this I must say of him: that he is governed by a sense of duty, that he is a thorough soldier, and that whatever may be said against him, his sole aim in Canada, I honestly believe, is to promote the efficiency of our militia. Whatever else may be said, the career of Major General Herbert as a soldier, has been a distinguished one. He is a man who desires to do his duty, and my intercourse with him has inspired me with respect for his fixity of purpose and thorough efficiency in his profession. As regards some of the charges brought by my hon. friend from North Victoria (Mr. Hughes), they refer to cases that took place before I took charge of the department. I will take up the cases as he has stated them. The case of Major Manley is one in which I took a considerable degree of interest, and had it been in my power, I think I would have prevented that officer being superseded. I regret that that action was taken, and I repudiate all responsibility for it. However, Major Manley has now retired, and I do not think he is anxious to have his name brought up in connection with this matter. In the case of Captain Harston, it is reported to me that his supersession was due to a reduction in the establishment, under General Orders of the 19th August, 1892, but not satisfied with that information, I have officially conveyed, through the Deputy Minister of Militia, to the Major General, a letter from Captain Harston, demanding the reasons for his suspension, and I have asked that a full explanation be given. Captain

Mr. PATTERSON (Huron).

Harston will be furnished with a copy of whatever communication I may receive, and that also will be a subject for the approval or condemnation of this House, on a future occasion. Captain Hay was promoted upon the recommendation of the colonel commanding the battalion. As a general rule, I believe that promotions should go by seniority, but there may be cases where it would be very undesirable to rigidly enforce that rule. I think the gallant colonels who have addressed the House today, and even my bellicose friend from North York (Mr. Mulock) will admit that there may be occasions when it would not be for the efficiency of a battalion to carry out rigidly the rule of seniority. The appointment of Colonel Mason was made in the regular course of seniority, and was in accord with the recommendation of the officer previously in command of the battalion.

Mr. HUGHES. I made no objection to the promotion of Major Mason to the command of the battalion, but to his being brought back to that regiment in an informal way and made a major over the old officers.

Mr. PATTERSON (Huron). I am not aware of any irregularity in bringing back Major Mason from the retired list. I understand that he had formerly been an officer in the regiment, had accompanied it to the North-west, had distinguished himself there for his bravery and efficiency, had been wounded in an engagement, and, by the unanimous desire of the regiment, came back again. All these events, and his appointment as major, occurred under my predecessor, and I am not as familiar with the facts as I would wish to be for the information of my hon. friend and this House. As regards Captain Finlayson, and this also occurred under my predecessor, my information is that he was brought back from the retired list in consequence of an application made to the Minister of Militia by the officer commanding the Prince of Wales' Regiment. As regards the promotion of Colonel Egan, that also took place under the administration of the Hon. Mr. Bowell. He was a well-qualified officer, and was promoted to the command of the 63rd Battalion in the regular course of promotion by seniority. As regards some of the statements made by my hon. friend from North Victoria respecting the amalgamation of certain battalions in Montreal, I really do not see why that should come up here. Nothing has been done in that regard. I may say that if the volunteer officers misled Major General Herbert as to their views and wishes, and then changed their minds, they could not expect the General to change his. The officers in command of the two battalions in Montreal consented to the amalgamation, and Major General Herbert recommended that amalgamation to me, but I refused to carry it out, because, after full consideration, I did not think it in the interest of the force

or of the battalions in question. I did not wish to see a historic battalion like the Prince of Wales' wiped out, and its name forgotten, by an amalgamation with another corps. But the officers commanding these regiments should not go behind Major General Herbert's back. They should not, having given consent to the proposition, seek, by underhand means, to retreat from the course they had assumed, and which they led General Herbert to suppose was the proper course. That is not soldierly conduct on the part of these gentlemen. As to the case of Colonel Lazier, the facts are these: When the general orders were read to me some time ago, among the cases was the dismissal of Colonel Lazier. I then asked for an explanation, and as the hon. gentleman has brought the case up and given it publicity, I have no hesitation in giving a summary of the facts. All the facts will be furnished to Colonel Lazier, and we will see how he can answer them and what the officer commanding the district will say in reply. I may say that I am personally unknown to Colonel Lazier, and that this is not a case in which Major General Herbert and Colonel Lazier have come into antagonism. Major General Herbert has only met Colonel Lazier once, and that in an unofficial manner. Colonel Lazier's dismissal was carried out in consequence of the complete disorganization of the battalion under his command, which had arisen from his neglect of his duties. A year ago, during the session of 1893, at the request of some of the officers of the battalion, I wiped out a large amount of arrears which existed owing to the deficiencies in equipment, and in other respects, and started that battalion on a new career. And, notwithstanding that, it is reported to me that large deficiencies exist in the clothing, arms and accoutrements, though the regimental stores were completed ten months ago. The regulations and orders for the militia have not been carried into effect. No books or records of regimental funds, or Government stores have been kept. The caretaker of the regimental armoury has not been paid, though an allowance for the care of arms has been drawn. When called upon by the Deputy Adjutant General to account for his conduct in this regard, Colonel Lazier acted in an insubordinate manner and refused to reply to official communications from the Deputy Adjutant General. On the reporting of these facts by the Deputy Adjutant General, Colonel Lazier was reported for dismissal by the Major General commanding. I have this to say to the militia officers of Canada; if they want the militia force to be kept up they must be submissive to discipline. The mere fact of a man being twenty or thirty years in the service does not justify him in bearing himself towards his superior officer in an insubordinate manner. Colonel Lazier ought to have been all the more submissive to discipline from the fact that he

was an old and experienced officer. I have had the privilege of seeing old and much more distinguished officers than Colonel Lazier, men who have served in the regular army, and have observed them in their intercourse with General Herbert. I have seen how they have borne reprimand, and the respectful way in which they bear themselves though they may think they are not in the wrong. Instead of writing to the Deputy Adjutant General, as he did, and using such expressions as "petty impertinence," if Colonel Lazier had taken the trouble to communicate with the Major General, an investigation would have taken place, and the fullest justice would have been done him. He should have set an example to the young officers of his regiment of subordination to discipline. If that is not done, we cannot maintain a militia force. I trust that Colonel Lazier's case will do good instead of, as the hon. member for North York (Mr. Mulock) has suggested, doing harm to the militia force. The members of the militia force are under service. The privates are sworn in for a period of years, and the officers are there under obligation to carry out their duty under the Militia Act and the rules and the regulations of the service. They have got to live up to their obligations or retire from the service, for we are not going to have a mob and pretend that we have a militia. The work of the militia is not a camping-out like a Knights of Pythias excursion, and we want the distinction to be understood. No one can be more leniently disposed than I am, no one has less wish to hurt the feelings of any man than I have. It was no pleasure to me to see a gentleman whom I had never met dismissed from the service, but the information furnished me was such that I did not believe I was justified in reversing the decision of the Major General in the case. Colonel Lazier will be furnished with all the charges against him by the Deputy Adjutant General—

Mr. MULOCK. You are going to try him now that you have dismissed him.

Mr. PATTERSON (Huron). I do not know what course we may take, but we will take the course that will be most favourable to Colonel Lazier, consistent with the rules of the service. He will not be handicapped.

Mr. MULOCK. Suppose it should be found that all these charges that have been made to the Minister upon which this officer has been dismissed are untrue, what would the action of the department be? The officer, in his communication says there is no reason for his dismissal, that there is no foundation for the charges made against him. Surely he should have had a trial before he was dismissed. What is the practice of the service?

Mr. PATTERSON (Huron). Such a case has never come before me, and I cannot say what the practice is. But if it should be

satisfactorily established that this gentleman had been unfairly treated, I should set him right, as I did in the case of Colonel Powell. I do not think a man can fly in the face of all authority, and then, because he is a person of some local importance, claim immunity from the consequences of his act. I do not think it would be possible to maintain any efficiency in our militia if that principle were adopted.

Mr. MULOCK. You take the ex parte statement as final.

Mr. PATTERSON (Huron). I do not think you expect a civilian at the head of the department to override the action of the Deputy Adjutant General and the Major General commanding in that case, particularly as a prima facie case of insubordination on the part of the officer was shown. My hon. friend from Huntingdon (Mr. Scriver) has referred to the rural militia in connection with the annual drill not going on this year. I thought that, in view of the fact that we were expending a very large amount of money to furnish the militia with the new rifle, the House had approved of the annual drill being done away with for one year. I have not heard of any fault found with this action, directly or indirectly. I wish my hon. friend to understand, and, in all justice to the Major General commanding, I must say that the Major General takes a warm interest in the rural battalions, and has frequently laid before me plans for the promotion of the efficiency of that branch of the service. I am sure that everything he can do to promote the welfare of the rural corps will be done. He has proposed to me a scheme, which we are thinking of carrying out, of drilling the permanent force all in camp at Levis, and giving the non-commissioned officers of the rural corps an opportunity to drill with them, which would be far more useful than a mere ten days' drill in camp. A great deal has been said on the subject of the militia force, and a wide field has been traversed, especially by my hon. friend from North Victoria. I can only say that I cannot agree with him as to the permanent force. I think they are productive of a great deal of good, and I think it is a mistake to say that they are such a great cost to the country. I am confident that if the officers and non-commissioned officers will avail themselves of the opportunities offered them, they will get a good training, in the schools of the permanent force, and the first step towards it has been taken by the regulations adopted a short time ago by which there are no promotions of provisional officers. Until recently, a man might be raised to the rank of Lieutenant-Colonel, and be still a provisional officer, and never have obtained a certificate. But that has been abolished, and now no man can rise above the lowest rank of officers until he has passed his examination and obtained his certificate.

Mr. PATTERSON (Huron).

qualifying him for promotion. I think that will have a good effect and will induce our officers to attend those schools of instruction which have been established for the benefit of the Canadian militia.

Sir RICHARD CARTWRIGHT. Before this subject is disposed of, I want to say a word or two. I am not disposed to quarrel with the doctrine laid down by my hon. friend the Minister of Militia that if you are to have a militia force in this country, they must be subject to strict discipline, and must be made to understand that they must render proper obedience to the constituted authorities. There he is quite right, and I will add this, that of the two faults, I am inclined to think that it is better that the officer in command of the militia should err rather, perhaps, on the side of severity, than on the side of indiscriminate laudation, and that Major General Herbert, or whoever else happens to be in command of our force, is here for the purpose, so far as in him lies, of making that force efficient, and in doing that he may be very likely to tread on a good many people's corns. Nor should we be too severe in censuring his proceedings until we have very full information as to the rights and wrongs of any particular case. But the Minister of Militia made a statement just now with respect to Lieut.-Col. Lazier as to which we might be better informed. I do not know that gentleman any more than himself, but he has been subjected to, perhaps, the gravest penalty that can be inflicted upon an officer of his standing in the militia force, he has been publicly and ignominiously dismissed from the service. Of course, the charges the Minister of Militia has made are very grave indeed. He has stated that this officer, if I followed him correctly, had refused to acknowledge any communication made to him by the Deputy Adjutant General of his district; and, I think, he also stated that there were considerable deficiencies in the regimental accounts, and the books were not properly kept.

Mr. MULOCK. I do not think the Minister said that.

Mr. PATTERSON (Huron). I have no personal knowledge whatever of the matter, but I will read again the charges.

Sir RICHARD CARTWRIGHT. However, if I am generally correct, that is not necessary.

Mr. PATTERSON (Huron). Yes; you are correct.

Sir RICHARD CARTWRIGHT. Now, the point to which I want specially to draw the attention of the Minister, is this: As I said, this officer has been subjected to the most severe penalty, which it is in the power of the Government to inflict. I am no more than my hon. friend acquainted with the precise methods in which these penalties are inflicted in the regular service, but I should

have thought that before that step was taken, some sort of court or inquiry would have been held, or some proceedings taken, and Col. Lazier given an opportunity, or at any rate warned that if he did not avail himself of the opportunity to clear himself, dismissal would follow. I did not understand that anything of that kind had taken place in this particular instance.

Mr. MULLOCK. He had no notice sent him, and was not informed of the charges.

Sir RICHARD CARTWRIGHT. However that may be, I should think that the Department of Militia, or the officer in command, should have been able to say that these things were officially communicated to Col. Lazier, and that reasonable opportunity was given him to reply, and that he was informed of the consequence of his disobedience before the final step had been taken, although the position of our militia officers and that of those in the regular service, are not exactly analogous. I think no officer would be dismissed from Her Majesty's service or from the English volunteer force, without some such step having been taken. As I understand, the Minister of Militia in this case has acted entirely on the report made to him, and no communication directly from Col. Lazier has reached him. That is a point on which I should like to be advised. That is my understanding of the explanation of the hon. gentleman, that so far as he was concerned no statement whatever from Col. Lazier had been laid before him, but that he was informed that this officer had not responded to the communication made to him by the Deputy Adjutant General. Is that the case?

Mr. PATTERSON (Huron). That is correct.

Mr. MULLOCK. The Minister of Militia read the charges from a paper. Might I ask who the author of those charges is? Who is the writer of the paper that the Minister read from?

Mr. PATTERSON (Huron). That was a summary of the reports of the Deputy Adjutant General of the district, Col. Cotton.

Mr. O'BRIEN. With regard to the case of Col. Lazier, I think we ought to have some information as to what is the proper course to pursue in a case of that kind, because it seems to me that however objectionable, however worthy of condemnation, the conduct of Col. Lazier may have been, a final penalty should not have been inflicted without some sort of inquiry. I cannot understand the case to have been one of such extreme urgency, or to be attended with any such peculiar features, as to render it necessary to act without an inquiry. But I rise chiefly to say a word with regard to the Major General. While I think his action with reference to Col. Powell was, perhaps, utterly without justification, yet I desire to say, as an officer

of the force who has had a pretty long experience in the force, that we have never had an officer at the head of it who has worked so hard and so zealously, and with so much intelligence, and with such a thorough appreciation of the conditions of the force, and of all the circumstances attending it, as the officer who at present commands it. It is all very well to say that a man must know all about this country, and all about this force, and that if he does anything which is contrary to our preconceived notions, he is necessarily in the wrong. I think that our force, and those officers in it who have its interests most at heart, will be only too glad to court criticism, and to ask a man who knows something about a force in a much larger sphere than ours, in what way his knowledge can be utilized to remove the evils which we know exist, and I am sorry to say that in our force, after all that can be said in its favour, there is a great deal that requires correction. I, for one, am only too glad to have the officer at the head of the force direct his ability and his knowledge to the correction of those evils. I say without any fear of contradiction, at any rate from those who have had any personal knowledge of the General, and of his manner of dealing with the force, that we have had no officer who has shown the same industry, and the same thorough knowledge of the duties that he had to perform, as General Herbert. And I will also say that his criticisms, and the changes that he has effected, have not been those which would naturally occur to a mere soldier, but they are also directed to affairs of administration. The result of the changes has been not only to promote discipline and to promote efficiency from a military point of view, but also to promote economy, something which hon. members of this House will regard as of great importance. I know that General Herbert has directed his attention to this point, and has endeavoured to prevent, even in the most minute details, anything like waste or useless expenditure of public money.

EXPENDITURE OF THE DOMINION.

Mr. CHARLTON. As this question with regard to the dismissal of Adjutant General Powell is finished, I wish to place, after a few remarks, a resolution in your hands with regard to a matter that will be of interest to the general public of Canada at the present moment, a matter that should be of interest to that public at any time. We have been discussing during this session at various times the increase in the public expenditure, and we have considered the condition of business affairs in Canada at large. The Government, at the opening of the session, declared their intention to relieve the country of a large number of the public burdens. They brought in the tariff, intended to lessen those burdens, to ameliorate the condition of the people, and the changes in the phases of that tariff from that time

are well known to us all, and it is a question whether we have seen the last of those changes up to the present moment. We have since then had submitted for our consideration measures which will involve large additional expenditures, and the country in the face of the fact that we must face a declining revenue and a deficit this year, and probably next year, takes deep interest in questions of public expenditure, and the tax-paying people of the country, at least, will feel averse to this increase of burdens, unless such increase is absolutely necessary. I wish to point out to-night, before placing a motion in your hands, Mr. Speaker, that the increase in the expenditure of Canada, in the customs taxation of this Dominion, has been abnormally large, large beyond justification, and that this increased expenditure and the reckless management of our finances has placed Canada in the position where it is, in the highest degree, difficult to attempt to assume new burdens, and where it is still more difficult to attempt to remove from the shoulders of the people burdens that now rest on them. For these reasons, I propose to briefly review the financial history of Canada, in its broad and salient features, since Confederation was perfected in 1867. I propose to divide that portion of the history of Canada into three periods. The division is a natural one. The first period is from 1867, with a Conservative Government in power, to 1873, when a Reform Government took charge of the affairs of the country; the second period is during the time when a Reform Government managed the public affairs, namely, from 1873 to 1878; and the third period is from 1878, when the Liberal Government was defeated, and hon. gentlemen opposite occupied the Treasury benches, down to the close of the financial year 1893. This review, I may say at the outset, and by way of preface, will show, what is incontrovertible, that the management of public affairs during the first period under Conservative rule has been extravagant, the increase of expenditure large, and evidence of want of care and thrift in the management of financial affairs abundant, while, if the second period is compared with either the first or the third period, it shows results in a high degree favourable to the Government of that day, and commendable as regards that Government.

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

After Recess.

Mr. CHARLTON. Mr. Speaker, when you left the Chair at six o'clock I was about to make a comparison, first of taxation by customs; second, of expenditure in detail for the three periods already referred to, namely: the period from 1867 to 1873; the period from 1873 to 1878, and the period from 1878 to 1893. And, first, with regard

Mr. CHARLTON.

to the taxation from customs. The amounts received from customs taxation in 1868 was \$8,578,380. In 1873, the amount was \$12,954,164, an increase in the period of five years of \$4,357,784, or an average annual increase for that period of \$871,556. For the second period, from 1873 to 1878, the customs taxation for the first year, 1873, was \$12,954,164, and for the end of the second period in the year, 1878, \$12,782,824, or a decrease in the customs taxation during that period of five years of \$171,340; an annual average decrease of \$34,268 for the second period, against an annual average increase of \$871,556 for the first period. Then, for the third period, commencing 1878, the customs taxation for the year 1878 was \$12,782,824, and for the last year, 1893, \$20,954,003, or an increase during that period in customs taxation of \$8,171,179, or an annual average increase of \$611,412. Thus it will be seen that from the first period, from 1868 to 1873, under Conservative Government, the increase of customs taxation averaged \$871,556 a year, and for the second period, under Liberal administration, from 1873 to 1878, the decrease in customs taxation averaged \$34,268 a year; and for the third period under Conservative administration, from 1878 to 1893, the customs taxation increase averaged \$611,412 a year. These figures are suggestive, Mr. Speaker. They show that the burden of taxation under this head diminished under the Mackenzie Administration, and they show that the burden of taxation under this head increased rapidly under Conservative administrations, both those preceding and those succeeding the Mackenzie Administration.

Next, with regard to the expenditure. The expenditure chargeable to Consolidated Fund was, 1868, the end of the first year after Confederation, \$13,486,092; for the year 1873, the year in which Mr. Mackenzie took office, and for the expenditures of that year he was not responsible, it amounted to \$23,316,316, or an increase of expenditure during this first period, from 1868 to 1873, of \$9,830,224, an average annual increase in the expenditure of \$1,966,044. Now, Mr. Speaker, when we contrast this with the expenditure under the Mackenzie Administration you will notice a marked check in the tendency to increased expenditure in this second period as compared with the first. Commencing with 1873, the first year of Mr. Mackenzie's term of office, the expenditure, as I have stated, was \$23,316,316, and for the year 1878, the last year of his administration, the expenditure was \$23,503,158, an increase of \$186,000 in the period of five years, or an average annual increase of \$37,368, as compared with an average annual increase of \$1,966,044 for the previous period of five years. It may be said, and it may be urged very justly too, that a comparison taking the year 1873 and the year 1878, is not a strictly accurate one, because Mr. Mackenzie was

not in office during the whole of the year 1873, and his term of office extended beyond the close of the fiscal year 1878. If this view of the case is considered of importance, naturally the calculation as to the actual increase in the expenditure during Mr. Mackenzie's administration would vary these figures but slightly, and would still leave a contrast highly favourable to the Mackenzie Administration. Mr. Mackenzie came into office on the 8th November, 1873, and he left office on the 10th October, 1878. He occupied office seven months and twenty-two days of the financial year ending on the 30th June, 1874, and he was responsible for the whole of the financial year of 1878. He left office, and his successors occupied office during eight months and twenty-one days of the fiscal year ending June 30th, 1879. Now, the Supply Bill of the Mackenzie Administration for the year ending 30th June, 1879, only three months and ten days of which they occupied the Treasury benches, was \$23,669,000, and when we consider that when Mr. Mackenzie came into office in 1873 he had made the actual expenditure for that year \$23,316,000, although the Supply Bill was \$23,685,000—reducing the expenditure as compared with the Supply Bill \$368,000—and that in no case during his term of office did his expenditure exceed his Supply Bill, I think I am warranted in saying that the Supply Bill, amounting to \$23,669,000 for the fiscal year ending 30th June, 1879, would have been found sufficient by the Mackenzie Government had they remained in power. If that is correct, the actual increase of expenditure during the Mackenzie Administration would have been \$352,684, or slightly in excess of the amount as shown in the comparison between the years 1873 and 1878.

Now, when we take the controllable expenditure under the Mackenzie Administration, we find that the controllable expenditure in the year 1873-74 was \$8,324,176. The controllable expenditure in 1877-78 was \$6,542,510, so that the Mackenzie Government during that five years secured a decrease in the controllable expenditure of \$1,781,566, or an annual average decrease in the controllable expenditure of \$356,313. This is a record that no Administration of the affairs of Canada can show except the Administration of the Hon. Mr. Mackenzie. Now, I propose to ask the House to look for one moment at the conditions under which this reduction in the controllable expenditure was secured by the Mackenzie Administration. This reduction was secured in the face of the fact that while the interest on the public debt in 1872 was \$5,209,205, in 1877-78 it was \$7,048,883, or an increase during that period of \$1,839,678. Now, the charge is often made that the Mackenzie Government largely increased the debt, and that the increase of the debt, measured by this increase in the interest, was a proof of recklessness on the part of that

Government in its administration of the fiscal affairs of the country. On the contrary, Mr. Speaker, the Mackenzie Government, in adding to the public debt of Canada, were simply compelled to carry out the obligations entered into by their predecessors, and were responsible for expenditures upon capital account to the extent only of a little over \$100,000, the sum spent on the St. Peter's Canal. With that slight exception, all the large increase of debt during the time of the Mackenzie administration was caused by the expenditure on the Intercolonial Railway, which was not half completed when Mr. Mackenzie came into office; by the expenditure on the enlargement of our canal system, which was in progress and largely unfinished when he came into office; and by the expenditures on the Canadian Pacific Railway. These and other public contracts for which Mr. Mackenzie was not responsible, but for the carrying out of which he was responsible as the administrator of public affairs, account for the entire increase of the debt during his administration, except for the paltry sum of \$100,000 to \$200,000. Still, in the face of all this, so great was the economy with which he managed public affairs that he actually reduced the controllable expenditure during his term of office by the sum of \$1,781,566.

Now, we will take the expenditure for the third period, from 1878 to 1893. The expenditure in 1877-78 was \$23,503,158, the last year for which Mr. Mackenzie was responsible. In 1892-93 the expenditure was \$36,814,152, an increase of \$13,310,894, or an average annual increase of \$889,393. These figures do not need to be enlarged upon; they tell their own story; in the taxation by customs an enormous increase in the first period, an actual decrease in the second, and an enormous increase in the third; expenditure on Consolidated Account—a very great increase in the first period, a trifling increase in the second period, and an increase of over \$13,000,000 in the third period. These figures, I say, do not need to be enlarged upon, and they illustrate most eloquently the truth of the assertion I make, that Mr. Mackenzie's Administration was an economical, prudent, honest administration, and that the other administrations, the one preceding and the one succeeding the Mackenzie Administration, were the reverse. Now, Mr. Speaker, as I said before you left the Chair at six o'clock, the question of the management of the finances of Canada and the policy of the Government with regard to the expenditure of money which the people of this country have to contribute in taxation, are matters of great interest to the people. The people pay the taxes; they foot the bills. The money may be squandered; the Government may vote millions for this purpose or that; they may expend large sums of money to advance their own political interests, or to en-

rich their favourites; they may indulge in foolish investments. All these things they may do; all these things they do; all these bills must be footed by the people at last. Every dollar of expenditure, whether the money is carefully expended or lavishly expended, or fooled away, the hardy taxpayer has to pay; and the taxpayer is beginning to realize that he has a direct interest in this matter, and he is beginning to scrutinize with greater closeness than heretofore what the character of the Government is.

The tax-payer in making up his mind, if he is an intelligent investigator as to the financial character of the Government and as to its financial policy, would very naturally make comparisons with the fiscal affairs of other countries. Now, in making these comparisons as a taxpayer myself, I have often been struck with the great disparity that exists and has existed between the expenditures of this small country, with its 5,000,000 inhabitants, and the expenditures of the larger country to the south of us; and I have compared, and will compare to-night, the expenditure of Canada with the expenditure of the United States during different periods in the history of that country, to show how striking the disparity is between the expenditures of that country and our own. I would first take that period in the history of the United States when its population corresponded almost exactly with ours at the present time—the year 1800, when the United States had a population of 5,308,000, probably 300,000 in excess of ours at this moment. The expenditure of the United States in that year was \$10,813,000, or a trifle more than one-fourth of the present expenditure of Canada. In 1820 the United States had a population of 9,600,000, nearly double the present population of Canada, and an expenditure of \$18,285,535; or, with double our population they got along with one-half the amount of our expenditure. In 1840 the population of the United States was 17,059,000, and the expenditure \$24,314,000; or, with three and a half times our population, they got along with two-thirds the amount of our present expenditure. It was not until the decade ending with the year 1850 that the expenditure of the United States crossed the line of our present expenditure and exceeded it. In 1850 the population of the United States was 23,191,870 and the expenditure \$40,948,383; or, with a trifle less than five times our population, they got along with 12 per cent more than our expenditure. Now, these are very striking comparisons. They illustrate perhaps why that country has progressed so rapidly. They illustrate the fact that that country has hitherto been a country with a light burden of taxation and a light burden of expenditure; and if we, in our infancy, with 5,000,000 people, are spending four times as much money as the United States expended under similar circumstances, we may justly say that the

Mr. CHARLTON.

comparison is most unfavourable to ourselves, and that it illustrates and proves the assertion that our management of our finances has been reckless and imprudent. Now, I would also point out the condition of things that exists in that country to-day compared with the condition of things that exists in Canada. I propose to take the total expenditure of the United States, and deduct from that the abnormal items which it will be necessary to deduct in order to make a comparison between their case and ours. I would deduct from that expenditure the charge for pension, the charge for military schools and the charge for naval expenditure, and I will deduct from our own expenditure the corresponding items, and will then see how the balance corresponds. In 1893 the total expenditure of the United States was as follows:—

UNITED STATES.	
Total expenditure	\$459,374,887
Pensions.....	\$159,357,557
Military.....	49,641,773
Naval.....	30,136,084
	239,135,414

Balance..... \$220,239,473

Now, our own expenditure last year was \$36,814,052. Out of this we paid:

Pensions.....	\$90,309
Military expenditure	1,419,745
Ocean and river service.....	193,349
Mounted Police	615,479
Total	\$2,318,882

or, after deducting these items from our expenditure, to make it correspond with that of the United States, after deducting their expenditure on pensions and the military and navy, we find an expenditure in this country of \$34,495,230, against an expenditure of \$220,239,473 by the United States. Or, considering that they have thirteen times our population, that shows an expenditure of \$2 per head in this country, against \$1 per head in the United States, with its enormous interests and its expansion up to this time. That, I contend, is a comparison in the highest degree unfavourable to Canada. It shows that, eliminating from the expenditure of this country, the items corresponding with pensions and military and naval charges in the United States, the expenditure in Canada is \$2 per head, against \$1 per head in the United States. What are the reasons for this disparity? I may allude to three or four of them. We have a habit of building post offices and other public buildings in little towns like La Prairie—little places of 2,000 or 3,000 inhabitants, whereas, in the United States there are no public buildings erected except in large cities, where they are absolutely necessary. Then the United States has not the same number of interior ports of entry, of which we have a great number. In this country little villages, scattered along rail-

ways, are made interior ports of entry, without the slightest justification, and only to reward political favourites by furnishing them with places of collectors, tide-waiters, &c. with sub-collectors, &c. Then the United States has fewer civil servants than we. We load up our service with three or four times as many clerks as we require, at the same rate as our own, would have 3,809. Yet they have only 440, or a trifle more than we, although they have 67,000,000 inhabitants, in all probability, as compared with 5,000,000 in Canada. Further, in the United States there is no superannuation law, whereas, we have one which costs us \$200,000 or \$300,000 a year of our revenue. Having gone over these general grounds, I propose briefly, in conclusion, to make a few comparisons in the growth of expenditure in certain of the public departments, the expenditure in which may be termed controllable expenditure. Let me take, first, the administration of justice. The population of this country increased probably between 1878 and 1893 less than 20 per cent, probably about 19 per cent, but 20 per cent is an outside figure. I shall show the increase in dollars and the increase in percentages in each of the expenditures I intend to cite, and I wish it to be borne in mind, in each case, that I compare them with an increase in population in round numbers of 20 per cent, during the period with which we are dealing. The cost of

ADMINISTRATION OF JUSTICE

is as follows:—

1878.....	\$564,920
1893.....	736,457

Increase, \$171,537. Percentage of increase 30 per cent, against an increase of 20 per cent in the population, which we will find to be very moderate indeed. The expenditure on

ARTS, AGRICULTURE AND STATISTICS.

1878.....	\$ 92,365
1893.....	258,635

Increase, \$166,270; percentage, 180, or nine times faster than the increase in population.

FISHERIES.

1878.....	\$ 93,262
1893.....	482,381

Increase, \$389,119; percentage of increase, 417, or about 21 times that of the increase in population.

QUARANTINE.

1878.....	\$ 26,340
1893.....	101,954

Increase, \$76,610; percentage, 287, or fourteen times greater than the increase in population.

INDIANS.

1878.....	\$ 421,503
1893.....	956,552

Increase, \$535,049; percentage of increase, 126, or six times greater than the percentage

of increase in the population. And I suppose that this large increase can be partly accounted for by the fact that it costs us \$46 out of every \$100 we spend upon the Indians to pay the officials who spend the money, indicating the same degree of prudence, care, economy and thrift, as is substantially shown in almost every department of our public service.

LEGISLATION.

1878.....	\$618,035
1893.....	867,231

Increase, \$249,196; percentage of increase, 40 per cent, or double the increase in population, which is very moderate, under the circumstances.

MILITIA AND DEFENCE.

1878.....	\$ 618,136
1893.....	1,419,745

Increase, \$801,609; percentage of increase, 129, or six times that of the increase in population.

PUBLIC WORKS.

1878.....	\$ 997,469
1893.....	1,927,832

Increase, \$930,363; percentage of increase, 93, or five times faster than that of the population.

SUPERANNUATION.

1878.....	\$100,588
1893.....	263,710

Increase, \$157,122; percentage of increase, 147, or seven times faster than the increase in population.

EXCISE.

1878.....	\$215,024
1893.....	387,673

Increase, \$172,649; percentage of increase, 80 per cent, or four times faster than the percentage of increase in our population.

NORTH-WEST TERRITORIES GOVERNMENT.

1878.....	\$ 18,199
1893.....	276,446

Increase, \$258,247; percentage of increase, 1420 per cent, or seventy-one times faster than the increase in population.

MAIL SUBSIDIES AND STEAMSHIP SUBVENTIONS.

1878.....	\$257,534
1893.....	413,938

Increase, \$156,404; percentage of increase, 60; or three times greater than the increase of population.

CIVIL GOVERNMENT.

1878.....	\$ 823,369
1893.....	1,367,570

Increase, \$544,201, percentage of increase, 66; or somewhat more than three times greater than the increase of population.

ADULTERATION OF FOOD.

1878.....	\$ 5,964
1893.....	24,249

Increase, \$18,285; percentage of increase, 306; or fifteen times greater than the increase of population.

MISCELLANEOUS EXPENDITURE.

1878.....	\$ 62,968
1893.....	284,478

Increase, \$221,510; percentage of increase, 359, or 17½ times greater than the increase of population.

MOUNTED POLICE.

1878.....	\$334,748
1893.....	615,479

Increase, \$280,731; percentage of increase, 83, or four times more than the increase of population. Now, these perhaps are dry figures, Mr. Speaker, but they must have some little poetry for the people who have to pay the bill. Under these various items, the total expenditure was as follows:—

1878.....	\$ 5,256,424
1893.....	10,384,272

Increase, \$5,127,846; percentage of increase, 97, or five times more than the increase of population. Gentlemen opposite have increased the expenditure to the extent of five millions of dollars under these heads, and they have increased that expenditure practically five times faster than they ought to have done, and five times faster than they would have done had they administered the affairs of this country with economy, prudence, and care, that characterized the administration of our affairs under Alexander Mackenzie and his colleagues. Now, Sir, the purpose evidently is not to retrace our steps, not to correct the course we have been pursuing but to keep right on. We had that purpose made manifest in the policy announced by the Government this session, in its proposition to establish a fast Atlantic service, and for this purpose, to add \$750,000 a year to the burdens of the people, with the prospect of increase for making more efficient the Pacific service and the possibility of a large increase, because the amount may be found to be inadequate. I do not propose to detain the House longer than is absolutely necessary. I wish to place in as bald and as colourless a manner as possible before the House and the country the facts that I have been dealing with. While I say that I believe it is necessary in the interests of the country that they shall call a halt, I fear they will not do so. I beg to move:

That all the words after the word "That" be left out, and the following inserted instead thereof:—"the amount of taxation by Customs duties in Canada was \$12,782,824 in 1878, and was \$20,954,003 in 1893: an increase of \$8,171,179.

That the expenditure of Canada on account of Consolidated Fund was \$23,503,158 in 1878, and was \$36,814,052 in 1893; an increase of \$13,310,894.

That the expenditure on account of Administration of Justice, Arts, Agriculture and Statistics, Fisheries, Quarantine, Indians, Legislation, Militia

Mr. CHARLTON.

and Defence, Public Works, Superannuation, Excise, North-west Territories Government, Mail Subsidies and Steamship Subventions, Civil Government, Adulteration of Food, Miscellaneous and Mounted Police, amounted to \$5,256,424 in 1878, and to \$10,384,272 in 1893, an increase of \$5,127,846, or 97 per cent.

That while the increase of the population of Canada from July 1st, 1878, to July 1st, 1893, did not exceed 20 per cent; the increase of Customs taxation for the same period was 63 per cent, and the increase of expenditure for the same period was 56 per cent.

That this House expresses regret that the increase of Customs taxation and of expenditure should have been permitted to reach a ratio three times greater than the increase of population since 1878; that the controllable expenditure should have been permitted to reach a still higher ratio of increase, and that no inconsiderable portion of the annual expenditure has been absorbed by grants made for party or political purposes, and not in the public interest; and that this House expresses the opinion that the enormous annual expenditure places a burden upon Canada so serious in amount that strict honesty and rigid economy in the future management of the finances of the Dominion should be practiced, with a view to lessening the public burdens.

Mr. FOSTER. If the hon. gentleman moved this motion with any idea that he would inveigle me into a long discussion upon the financial condition of the country at this period of the session and of the year, I fear he is doomed to disappointment. There was a time when the hon. gentleman had a cooler season and a more convenient opportunity. When we make the Budget address and go into an exposition of the financial position of the country, is the time when an argument with reference to these points my hon. friend has brought up, would be particularly opportune. But the hon. gentleman and his colleagues, whenever the Budget is introduced, forget the real object of a Budget speech, and the real line of criticism of a Budget speech, and they immediately switch themselves off on to a long, heated and unprofitable discussion upon some one of the numerous commercial fads which from year to year they have alternately fathered and alternately buried. I can scarcely concede to the hon. gentleman, in view of the occasion he has chosen, that he means anything serious by projecting such an amendment as this upon the House. He says he is only actuated by a desire to place all the facts before the House and the country; but my private opinion publicly expressed is that I have scarcely ever listened to what purported to be a statement of the full facts in which there were so many fallacies, and a mere continuous one-sided presentation of figures that could be gleaned from the Public Accounts. The only object, it seems to me, the hon. gentleman had was to play to the galleries, and to place an ex parte statement before the country in the expiring hours of the session. I have sufficient faith

in the clear-headedness and thoughtfulness of the people, to allow his statement to go out and be dissected by the electorate, without accompanying it with any lengthy exposition. He discredited the sincerity of his desire to make a cool and unimpassioned criticism, by his assumption that everything the Liberal-Conservative Government did in its first period of Government and in its second period of government was bad, and that everything the Liberal Government undertook to carry out was good. It also throws suspicion upon the sincerity of an advocate when he starts out to view two sides of a question with a predisposition to believe all that is against him is wrong, and all that he espouses is right. I will only touch upon one or two of the fallacies in his general argument, and there was none greater—and it will serve as a specimen of all—than his attempt to compare the expenditure of the United States in the year 1800, with a population somewhat greater than we have to-day, with the expenditure in the Dominion of Canada in 1893, with its population of some 5,000,000, and he tried to create the impression that because a people living in 1893, numbering 5,000,000, in the conditions which surround the business of nation building and nation maintenance, spent more than a people living in the year 1800, with the conditions and the circumstances surrounding civilization and the business of nation building at that time, it was an argument entirely to the disadvantage of the country making the larger expenditure in 1893. I do not think it is necessary to do more than mention those circumstances to show the utter fallacy of the argument. Why, look at the United States of America in 1800, with its limited extent of territory, with its 6,000,000 or 7,000,000 of people, and look at Canada, in 1893, with a territory 3,000 or 4,000 miles wide, with a broad strip of country along that whole width, and every mile of that country to be fed and cared for by the various services which a Government undertakes. Why, there is a presentment of the case which shows the utter fallacy of his position. How many railroads were built and run in 1800 by the Government of the United States? How much of a protective service, how much of an ocean and river service, how much of all these varied expenditures which grow and develop as civilization grows and develops, were undertaken by the United States in 1800? How many are due and cared for now? A comparison, to be fair, must cover two periods of time in about similar circumstances, with about a similar extent of territory, and with a similar sparseness of population. Now, I have shown the unfairness of the hon. gentleman's argument, and yet he would feign put that before the electorate, expecting them to be impressed by it. He evidently thinks them as superficial as himself, and I pity them if they do not think a little more deeply and a little more widely than he does. He

seeks to put an argument like that before the electorate with which to curse his opponents and help himself and his party. Now, there is another point that he takes. He says—it is implied in his whole argument—that if your expenditure increases in greater proportion than your population, you are in a dangerous position. Well, there are a great many countries and a great many people in a dangerous position, if that rule is to be their condemnation. You will find many a family whose expenditure very often increases the least when the number of the family is increasing the most, and their expenditure often becomes greater when the increase in the family has entirely stopped. An increase of expenditure, growing out of the wants and needs of the family, becomes greater because of the circumstances and necessities which surround older persons with larger wants. It is exactly so with the business man, it is exactly so with the country, and it is the merest fallacy to pretend that a country is necessarily in a dangerous position when its expenditure is increasing faster than its population. Now he went over a number of expenditures in different departments, and showed that the increase was great, and that the expenditure at the present time was much larger than it was in Mr. Mackenzie's time. Granted that it was; that is no argument, one way or the other. The only fair way of pointing an argument would be to take the amount of money which was expended upon any service in 1873 and take the results that were accomplished by that money in 1873, then take the money that was expended upon that service in 1893, with the results that were accomplished with it in 1893, and then you will have the elements for a fair comparison, and in no other way can you get the elements of a fair comparison. The value of the work done in proportion to the amount of money expended on it is the test, and not simply the fact that in one year the expenditure upon a certain service was two or three times greater than it was twenty or thirty years before. The hon. gentleman condemned himself by the departments he took up, because he took up departments after department in which there was formerly a small or no expenditure as the departmental work was not born in his time, or it had not grown and extended. Take the Department of Marine and Fisheries. The expenditure in 1893 was much greater than in 1873 or 1874. Certainly; but how much more area is covered to-day than then, and how much greater work is done to-day than then. You have first to prove that the extension of the work and the lines on which it was extended were foolish and hurtful, or, at all events, useless, and that, therefore, the expenditure of money was useless. But has this been proved to be the case, that the better patrol of the coasts, the improved lighting facilities, the increased protection of the fisheries, the

hatcheries, and the artificial methods which civilized countries now always bring to the aid of nature in the reproduction of fish, that all these extensions are of no use? If you do not prove this, you fail to establish your argument entirely, because you cannot have these services unless you pay for them, and the hon. gentleman has only exposed the poverty of the service in Mr. Mackenzie's time, and the richness of the service in 1893, unless he establishes these other points, when he declares that we expend more money than they did. Take the Agricultural Department. A few paltry thousands were spent in 1873-1874. What did they do? They simply paid some officials. But to-day, as regards agricultural interests the influence of the department is spread over the whole country. It has its experimental stations in every province, it is doing the work of disseminating the results of its experiments amongst thousands of our farmers. All this is an extension, and the fruits of the work are seen in the more intelligent interest manifested by the farmers in agricultural work, in the more intelligent methods they are pursuing, in the great expansion of dairy work that is taking place in this country, which is our boast, and which is one of our highest hopes for the future. The hon. gentleman referred to the Indians, and he said that because in Mr. Mackenzie's day the Indians cost so much, and a larger sum has been expended since, therefore there had been extravagance. How many Indians are taken care of now as compared with then; what is their condition now as compared with then? Hon. members must take all these matters into account. Take quarantine. The hon. gentleman, in his haste to put facts before the House, took one year's expenditure on quarantine during Mr. Mackenzie's time, a year when there was no cholera, and no signs of cholera, and he compared it with the year during the present Administration when the cholera scare was upon us, and when very large expenditures were being made. That is the way the hon. gentleman took when he essayed to make what he termed a cool and impartial statement of the finances of the country. I might go through the whole of his remarks in a similar fashion. I will take, however, only one or two more. From 1873 to 1878, the sinking fund averaged about \$600,000; to-day it averages nearly \$2,000,000. The hon. gentleman in his cool and impartial criticisms of the financial condition of the country forgot to mention in connection with that expenditure that the Conservative Government lays up about \$2,000,000 a year against the debt, while the Mackenzie Government laid up only between \$400,000 and \$600,000 a year. The hon. gentleman said that taxation went down. Yes, it did—the Customs taxation. Why? Because trade sank almost to a vanishing point, and if you obtain the revenue mostly through the customs-

Mr. FOSTER.

house, and the amount diminishes by nearly half, the Customs taxation must go down; but the burden of taxation is just as heavy on the people who live in that impoverished state. But the cold facts of history are these, and the electorate can read them; and when the electors consider the administration of public affairs during Mr. Mackenzie's time, and look at the Public Accounts, they will find that an increase in debt occurred to the extent of \$40,000,000 during the five years of the Mackenzie regime, and that during the last five years we have been in power there has been an increase of less than \$7,000,000. They will find that while we have increased the debt actually \$5,000,000, as was explained two years ago, a large proportion of the increase of that year was due merely to book-keeping, setting aside what was considered an asset before, but what was really a valueless asset, as regards certain bonds; and if you bring the expenditure down to the last four years of the Administration, it will appear there was an annual advance of \$1,000,000 in the debt, as compared with \$8,000,000 a year during Mr. Mackenzie's time. These are cold facts, and the electorate will need large explanations to get rid of them and accept the argument of the hon. gentleman. I could continue my remarks on the same line, but I do not propose to follow this matter up with a long argument; if the hon. gentleman wants to go into the financial condition of the country, absolutely or relatively, let him take occasion to do so at a period of the session when the House is fresh, and bring on a debate, and we on this side of the House will accommodate him with all the discussion he wants. That is the time this subject should be dealt with. But if the hon. gentleman's arguments were worth a fig, the effect of this condition of things would be shown in the history of the country, and in no department more conspicuously than in our public credit; and yet the credit of the country to-day is sound and safe, and 3 per cents, which were sold but a few years ago at 92 and a fraction, and we thought we had a most excellent loan, were sold within the last five months at 97½, coming close up to par. It is impossible that a course of conduct described by the hon. gentleman and characterized by recklessness, would not weaken the credit of the country. I ask whether it has weakened the credit of this country? My answer is that it has not. The hon. gentleman has to go back to Mr. Mackenzie's time, when the watch-dog of the late Government was alive and well, with one hand on his sword and the other trying to do a little public work now and then—his sword for the purpose of keeping off hungry supporters, in order that the increase of the public debt should be only \$40,000,000, and not \$80,000,000. Mr. Mackenzie was there, and yet the public debt was increased

by \$40,000,000. Mr. Mackenzie has gone, and I warn my hon. friends that if ever they get into power again, with no man like Mr. Mackenzie at the head of affairs, trowel in one hand and sword in the other—a flashing sword—when they get a much more pliable man there in the shape of the leader of the Opposition, a man more kind-hearted, who will find it hard to say no, they will find that during a period of five years they will not be satisfied with \$40,000,000 addition to the debt, but it will run up much further. The probability of this may be found in the contemporary history of the Liberal party, and that history can be read in every province which has had a Liberal Government during the last five years. You may go from Nova Scotia to Manitoba, and you will find in all those provinces where Liberal Governments prevail, rapidly increasing debt, rapidly increasing expenditures, revenues which are stationary and are derived mostly from the Dominion Government. Read Nova Scotia under Mr. Fielding, read New Brunswick under Mr. Blair; read Prince Edward Island under Mr. Peters; read Manitoba under Mr. Greenway, and read—I know you don't want to read it—but just read a little of the history of Quebec under Mr. Mercier, and you will have the characteristics of contemporary Liberalism; and contemporary Liberalism believes in reckless expenditure, increase of debt, and total disregard to anything but the political side of it, and expenditure to keep them in power and to bring the elections out in their favour. I put to this House, and I put to the country this one fact: that if ever there is a Liberal Government in the near future it will be a Government of Mr. Fielding and Mr. Peters, and Mr. Blair and Mr. Greenway, and the contemporary Liberalism of the country aided and abetted by that radical in Liberalism, Mr. Mercier of Quebec. Put all these gentlemen together to fill the Treasury-benches, and then woe to the country, she may put on sackcloth and ashes.

Sir RICHARD CARTWRIGHT. The hon. Finance Minister of late has developed a most amazing fondness for scripture metaphor.

Mr. FOSTER. It is my early training.

Sir RICHARD CARTWRIGHT. Whether he does so on the principle attributed to a certain personage, whom we may not name in this House, and who is said to be very fond of quoting scripture or not, I will not pretend to decide. But, Sir, it comes with rather ill-grace from that hon. gentleman to talk of the stationary revenues of Liberal Governments when we have to-night the subject before us, not of a stationary revenue—I wish it was—but a decrease of \$2,000,000 or thereabouts on the revenue for the year terminating on the 30th June, 1894. It comes ill from that gentleman to talk of the increase of the public debt, when in the teeth of this

certain deficit of last year, and in the teeth of an almost certain deficit for the present year, the hon. gentleman and his colleagues are bringing down a proposal to incur railway indebtedness to the tune of four or five million dollars, for objects scarcely one in a dozen of which will contribute in the slightest degree to the general prosperity of the people of Canada, but which are in point of fact bribes to this or that constituency, or to this or that particular individual or corporation, whose favour it is desirable to secure. If I were to compute the land subsidies which we have been granting, the sum would be very considerably more than that. I have not had the advantage of listening to the whole of the hon. gentleman's remarks, but I can guess tolerably well his line on one or two matters which I heard him take up. The hon. gentleman made a point of the fact that my hon. friend (Mr. Charlton) had been comparing the expenditures of the American people when they numbered six or seven millions, with our expenditure when we numbered three or four millions. I will not go back to the beginning of this century. I will go back to a period well within the recollection of living men. If the hon. gentleman wants to know where we stand, and how we compare with the expenditure in the United States let him go back to the year of grace 1845, when the United States were a people of over 20,000,000, when the United States had a navy and an army to maintain, when the United States had a diplomatic service and a number of other expenses with which we have nothing to do, and he will find then that in the federal union beside us 20,000,000 of people administered the whole of their affairs, with an expenditure of \$22,000,000, as against an expenditure of \$37,000,000 for four and three-quarters of millions in Canada to-day. Sir, I make the hon. gentleman a present of the entire of our subsidies, and how does the matter stand? Why, Sir, the matter would stand, that the federal affairs of 22,000,000 of Americans forty-five years ago, cost one-third less than the federal expenses of less than 5,000,000 Canadians do to-day. One of the worst faults of which the hon. gentleman and his party has been guilty is this: that a villainous system of legalized plunder of which they are the authors, has contributed to debauch the public mind to such an extent that all regard for honest economy and prudence has disappeared. One of the greatest evils, one of those things which are most prejudicial to the future welfare of this country, is that so soon as you so far delude the public mind as to induce the people to suppose under any conditions that taxation per se is anything but an evil; that moment you remove one of the best safeguards for economical administration. And when you go a degree further, and when you make it as those men have done: the interest of a large and important class of the community to push forward extravagance, to become the nursing

mothers of corruption in every shape and way, then, Sir, you do indeed sow the seed and prepare the ground for just such a harvest of extravagance as my hon. friend beside me (Mr. Charlton) has been calling the attention of the House to. I say that the expenditure of \$37,000,000 for a population of less than five millions of people under the circumstances we are in, would be a most extravagant and unwarranted expenditure if the whole of that money were raised according to the most approved system without taking one single farthing out of the pockets of the people beyond that \$37,000,000. But when you come to recollect that over and above costing the people of Canada an annual expenditure of \$37,000,000 and a taxation of \$30,000,000 a year, that the hon. gentleman and his friends, besides, have conspired with the parties I have referred to, to exact another \$30,000,000 a year out of the people of Canada and distribute it among a few hundred favoured individuals who have the privilege of taxing the people at large in consideration of contributing to the funds by which these men are enabled to retain power; then, Sir, you see in its full proportions the enormous character of the expenditure to which we are committed, and the enormous folly of which the people of Canada are guilty, when they were induced by promises—not one of which have been fulfilled, promises which remain on our records, promises which are now known to every man in Canada to have been falsities—to engage in the most absurd system for a people circumstanced as we are that ever I believe was invented on the face of the earth. Now, Sir, the hon. the Finance Minister says: It is a fallacy to state that it is a misfortune if expenditures increase out of proportion to our population. Well, Sir, I do not wonder that a native of New Brunswick, where the population has increased sixty-three souls in ten years does entertain that idea. As this is to a great extent a Maritime Government, and as to my sincere regret the other Maritime Provinces are in a like position, we can understand that the controlling minds in the Government cannot afford the doctrine to spread: that it is a misfortune to Canada that expenditure should increase out of proportion to population. The hon. gentleman talked of the amount accomplished in 1893 by the expenditure he has incurred, and no doubt when he was talking of that he had in mind such transactions as the expenditure of half a million dollars on the Tay Canal, with a revenue of \$186 a year, and a further annual charge of two or three thousand dollars to keep that precious work in repair. Probably when he talks of the amount accomplished by the expenditure in 1893 he had in his mind the expenditure we had recently investigated on the Curran bridge structure, as it is called—begging the Solicitor General's pardon—where we successfully accomplished an expenditure of about \$450,000 for a work which

Sir RICHARD CARTWRIGHT.

it is sworn should not have cost \$200,000. Sir, the hon. gentleman says there are expenditures which are foolish and useless. Sir, I agree with the hon. gentleman, and it would be hard to find better illustrations of foolish and useless expenditures than those which were accomplished under the circumstances to which I have alluded. I think the hon. gentleman alluded to the Department of Immigration and Agriculture. Well, Sir, it is interesting to look at the records of that department, and see what they accomplished, according to their own statements. According to their own evidence they brought 886,000 people to settle in Canada within the ten years from 1881 to 1891, at a cost of about \$3,000,000 to the people of Canada, and, we have the evidence of the census to show that when we came to count noses, of the 886,000 scarce 150,000 remained in Canada. That, if the hon. gentleman likes, is an expenditure which is foolish and useless. He boasts that the dairy interest has developed. The hon. gentleman has developed the dairy interest by the process of taxing the farmers on every tool they use in that most valuable branch of agriculture. He claims that an intelligent interest has been created in politics by reason of the experiments pursued by the Department of Agriculture. Well, Sir, I agree with the hon. gentleman for once. An intelligent interest in politics has been created, particularly among the bulk of the farmers of Ontario, known otherwise as the Patrons of Industry; and if the hon. gentleman will take their platform, if he will read their platform, if he will discuss their platform, he will see that these intelligent farmers who have been taught by hon. gentlemen opposite to take such an intelligent interest in politics dissent totally and at every point from every doctrine which the hon. gentleman and his friends have been expounding for the last fifteen years. The hon. gentleman is also proud of their management of the Indians. Well, Sir, I think those who look at the sums we spend for Indians, and who look at the amounts that go into the pockets and the mouths of certain white hangers-on of this Government, will see that from a certain point of view there is a great deal to be said for the expenditures on Indian account. Where the hon. gentlemen would have stowed away a great many of those interesting individuals who appear every three or four years for the purpose of assisting the hon. gentleman and his colleagues, I do not know, unless they had the North-west and the Indian Department to keep those people in clover and at a sufficient distance, I suppose, from awkward investigations till the time came round when their services would be wanted again. The hon. gentleman was good enough to say that in Mr. Mackenzie's time the taxation had diminished until it was almost at a vanishing point, by reason of the loss of receipts from customs. Well, Sir, under

circumstances to which I have alluded before, under a world-wide depression which Mr. Mackenzie had nothing to do with and could not control, the customs receipts ran down from \$15,361,000 to \$12,795,000, being a reduction of a little more than \$2,500,000 in the space of four years; and in order that the House may see how just was the hon. gentlemen's criticism, I may remind them that unless I am greatly mistaken, in one year, that is to say, between 1893 and 1894, the hon. gentleman has succeeded in effecting a reduction in the customs receipts of about \$1,900,000. I think he will find that that was seeing the Mackenzie Government and going one better. I do not see that in any year during the term of office of the Mackenzie Government, the losses amounted to any more than that sum; and certainly in the four years' term they amounted to very little more than the hon. gentleman has achieved in the last year. What he may succeed in achieving in the present one he knows best; but I would warn him for his own sake that while I have not the slightest objection to his denouncing deficits in any shape or form, he will find that it is a very awkward game to play at before he is another twelve months older. The hon. gentleman talked of the increase of debt during the time of the Mackenzie Government. Well, Sir, the hon. gentleman was not here, and I presume he knows nothing of the circumstances under which that debt was incurred; but if he will take the trouble to examine his own predecessor's budget statement of 1873, and the amount of indebtedness which Sir Leonard Tilley agreed to impose on the people of this country before he left office, he will find that of that \$40,000,000 of debt, not one million was fairly attributable to the Government of Mr. Mackenzie. Mr. Mackenzie inherited from his predecessors certain obligations against which he had protested in the strongest possible terms when his remonstrances might have been of service, but which, for the credit of the country, he was forced to carry out when he took office. If all the obligations to which the Government preceding Mr. Mackenzie's had pledged the country before leaving office had been carried out on the basis of their estimates, there would have been deficits of \$4,000,000 a year, for which they had made no sort of provision whatever. It lies ill with the successors of such a Government to reproach the men who were obliged to face the engagements that Government had left behind them unfulfilled, with the fact that in carrying out those engagements a debt of \$40,000,000 was been incurred. The hon. gentleman is fond of cold facts. Well, Sir, it is a cold fact that at the present time, under the management of himself and his colleagues, the average growth of the population of the Dominion of Canada, a new country, with an almost boundless expanse of new territory, has fallen below the

average growth of population in the most densely peopled countries of the old world. That is a very cold fact, and a very disgraceful fact. It is owing to the policy of these gentlemen that at the present time one in every three of all the able-bodied male Canadians between the ages of twenty-one and fifty years is found in the United States. It is also owing to their policy that in the Maritime Provinces, to which the hon. gentleman particularly belongs, there is scarcely one county out of ten which has even maintained its ordinary natural increase, not to speak of immigration. But the hon. gentleman takes great credit to himself that the credit of the country is high, or that the rate of interest at which we can obtain money is lower now than it was sixteen or seventeen years ago. Sir, the hon. gentleman very greatly indeed underrates the intelligence of the farmers, and of the people of this country generally if he supposes that they are not perfectly aware that there has been an enormous fall in the rate of interest all over the world in that time—that the rate of interest in England has fallen nearly 20 per cent, and in the world at large probably 40 per cent, and that we have barely obtained our share of that fall. But, Sir, I do not rise so much for the purpose of reviewing all these matters as for the purpose of protesting against that most foolish doctrine, which seems to have got possession of the hon. gentleman and his colleagues, that because the credit of this country is good, because we are still able to borrow money on reasonable terms, therefore, in spite of all that we know and see, it is wise and prudent for us to go on increasing liabilities without making any provision for them—to go on heaping up debt without paying any regard at all to the enormous burdens their policy has placed upon the people of this country; and he knows, whether it be principally to owing to causes which they cannot control or not, that we are at this moment confronted with the fact that while we possess in the North-west a country which, if wisely governed and wisely administered, ought, long ere this, to have been the home of many hundreds of thousands, if not of millions of prosperous people, yet, most unfortunately, the hon. gentleman's policy has conducted us to an almost standstill in that country; that we are making no growth in it; that all the enormous expenditure we have incurred for the purpose of development has, up to this time, been thrown away. I would hope against hope that by and by we will succeed in reaping some return for the enormous sacrifices which Canada has been called on to make; but I believe no adequate return will ever be made to the people of Canada for the enormous amount that they have sunk in the North-west, and the enormous yearly charge they are compelled to bear, and the enormous sacrifices of other kinds they have made, until

such time as the hon. gentleman opposite or the people of Canada—for it is hopeless to expect anything of hon. gentlemen in that direction—have made up their minds to adopt a rational system of taxation, and ensured that from this time forth the resources of the people of Canada will be honestly used for the benefit of the people collectively, and not for the benefit of a few score hundreds of favoured individuals.

Mr. INGRAM. I should like to ask this simple question. Out of the \$38,000,000 that this Government expend, can my hon. friend (Sir Richard Cartwright) show where he can reduce by a single dollar that expenditure.

House divided on amendment of Mr. Charlton :

YEAS :

Messieurs

Allan,	Landerkin,
Bain (Wentworth),	Laurier,
Beausoleil,	Ledue,
Bécharde,	Legris,
Beith,	Livingston,
Boston,	Lowell,
Brown,	Macdonald (Huron),
Campbell,	McMillan,
Carroll,	McMullen,
Cartwright (Sir Richard),	Mignault,
Casey,	Mills (Bothwell),
Charlton,	Monet,
Choquette,	Mulock,
Christie,	Proulx,
Dawson,	Rider,
Deslisle,	Rinfret,
Edwards,	Sanborn,
Geoffrion,	Seriver,
Guay,	Semple,
Harwood,	Sutherland,
Innes,	Tarte.—42.

NAYS :

Messieurs

Bain (Soulauges),	Kenny,
Baker,	Lachapelle,
Belley,	Langevin (Sir Hector),
Bennett,	LaRivière,
Bergeron,	Leclair,
Bergin,	Lippé,
Blanchard,	McDonald (Assiniboia),
Boyd,	McDougald (Pictou),
Boyle,	McLennan,
Bryson,	McNeill,
Carignan,	Madill,
Carling (Sir John),	Mara,
Caron (Sir Adolphe),	Marshall,
Carscallen,	Masson,
Chesley,	Metcalfe,
Coatsworth,	Mills (Annapolis),
Costigan,	Montague,
Curran,	Quimet,
Daly,	Patterson (Colchester),
Davin,	Patterson (Huron),
Davis,	Pelletier,
Denison,	Pope,
Dugas,	Prior,
Dupont,	Robillard,
Dyer,	Rosamond,
Fairbairn,	Ross (Dundas),
Ferguson (Leeds & Gren.),	Ross (Lisgar),
Foster,	Smith (Ontario),
Fréchette,	Sproule,
Gillies,	Stairs,
Girouard (Jacques Cartier),	Stevenson,
Girouard (Two Mountains),	Taylor,
Grandbois,	Temple,
Grant (Sir James),	Thompson (Sir John),
Guillet,	Tupper (Sir C. Hibbert),
Haggart,	Turcotte,
Henderson,	Tyrwhitt,
Hughes,	White (Cardwell),

Sir RICHARD CARTWRIGHT.

Hutchins,
Ingram,
Ives,
Jeannotte,
Joncas,
Kaulbach,

White (Shelburne),
Wilmot,
Wilson,
Wood (Brockville),
Wood (Westmoreland).—87.

PAIRS :

*Ministerial.**Opposition.*

Messieurs

Barnard,
Tisdale,
Earle,
Putnam,
Macdonald (King's),
McLean (P.E.I.),
Cameron,
Haslam,
Macdonell,
Corbould,
Craig,
Northrup,
Ryckman,
Moncreiff,
McKay,
Hazen,
McAlister,
Dickey,
Pridham,
Roome,
Carpenter,
Amyot,
Cochrane,
Reid,
Burnham,
Cargill,
Corby,
Hodgins,
Maclean (York),
Miller,
Cleveland,
Smith (Sir Donald),
Macdowall,

Davies,
Edgar,
Rowand,
Forbes,
Welsh,
Yeo,
Perry,
Fraser,
Gibson,
Gillmor,
Featherston,
Langelier,
Martin,
Lister,
Fauvel,
Frémont,
Colter,
Flint,
Grieve,
McGregor,
Vaillancourt,
Godbout,
Bernier,
Borden,
Paterson (Brant),
Brodeur,
Préfontaine,
Somerville,
Bourassa,
Bowman,
Lavergne,
Devlin,
Bowers.

Amendment negatived.

Mr. TAYLOR. The hon. member for Bellechasse (Mr. Amyot) did not vote.

Mr. AMYOT. I paired with the hon. member for Beauce (Mr. Godbout), otherwise I would have voted for the good government of the country.

Mr. TAYLOR. The hon. member for Restigouche did not vote.

Mr. McALISTER. I paired with the hon. member for Carleton (Mr. Colter). Otherwise I would have voted against the amendment.

THE JUDICIARY OF QUEBEC.

Mr. GIROUARD. Before you leave the Chair, Sir, I would call the attention of the leader of the House to a promise he made last Thursday, when the hon. member for L'Islet (Mr. Tarte) brought his charges against certain judges.

Sir JOHN THOMPSON. I did promise the House the other evening, in consequence of the way in which the statement respecting the charges against some of our judges was made, that I would consider the subject carefully and read the observations which the hon. member for L'Islet made before he submitted to the House his written accusation, and that I would then make a statement, at an early date, as to what the Government proposed to do in the mat-

ter. Immediately afterwards I received a telegram from Mr. Justice Bossé, in which he says: "I trust you will have a full investigation into Mr. Tarte's charges and put an end to slander on the administration of justice." I also received a communication from Mr. Justice Davidson, on account of his name having been mentioned on a previous occasion, in such a way as to bring it before the House in the same connection. Mr. Justice Davidson says that he begs to inclose for my perusal documents which will refute, on the highest authority—the authority of Mr. Justice Jetté—the statements which were made concerning him. I do not know that I need to read the correspondence between Judges Jetté and Davidson, but I will read to the House the concluding letter from Judge Jetté, which is dated 13th July, 1894. It is addressed to Judge Davidson:

I see by the newspapers that Mr. Tarte, although pressed even by his political friends, has not yet decided to withdraw the charges he has made against the judges. As to what seems to be stated against you, allow me to say, that I cannot understand that any importance can be given to so ridiculous a statement. The charge seems to be, although vague and indefinite, that your signature to the Interim Report of the Royal Commission was affixed under dubious circumstances. What these circumstances may be is not stated. Now, if those who believe that there can be anything in that statement, would only reflect for the moment, they could remember that it is distinctly stated in my printed report, that this Interim Report had been fully decided, many days in advance between you and Judge Baby, that it was submitted to me by both of you, and discussed as much as I could, in the state of weakness I was in at that time, and that I finally decided not to concur in it, and wrote you giving my reasons for so doing.

Any unprejudiced mind will easily find evidence in those facts that when you came to my house the day before presenting that Interim Report it was entirely drafted and completed and it could not have been changed afterwards. The following sentence in the closing remarks of my report, leaves no doubt as to that fact and it is worth citing here:—

"Moreover, after having seen the draft they had prepared, I found that it was impossible for me to concur in it."

How can it be pretended after that there was any mystery in your signing this Interim Report, fully decided in advance to which my concurrence only was refused? I am fully convinced that the Minister of Justice, who has respect for the judiciary, will not consent to degrade it by granting an enquete on such ridiculous and baseless charges as those insinuated against you. In order that you may be informed of the position I have lately taken in this matter, I enclose a copy of a letter I sent to—

Naming an hon. member of this House.

—on the 4th of July instant.

The House will remember that there were three classes of charges made by the hon. member for L'Islet. The first were charges connected with the administra-

tion of justice, and were made in a way, as I claim, so exceedingly vague that they ought not to form, according to my impression at that moment, ground for inquiry by this House. I beg to say that that view is fully confirmed by reconsideration of what the hon. member for L'Islet (Mr. Tarte) said to the House, and by examination of the authorities dealing with this subject, and my view with regard to these accusations is that they ought not to form the ground of any inquiry by this House, that the accusations made are unworthy of consideration by this House, having regard to its own dignity and its relations to the administration of justice. But I have addressed to the hon. member for L'Islet a letter, because, it seems to me that while the charges made were not, in their present form, such as the House ought to entertain, the duty would devolve upon me of ascertaining whether there could be any foundation for them. I have ventured to inquire of the hon. member for L'Islet in these terms:

SIR,—Referring to the charges against certain judges in the province of Quebec which you laid before the House of Commons on the 12th instant, on the motion that the House should resolve into committee of Ways and Means, I have to ask whether you can and will furnish me with particulars of your accusations. I do not refer to the charges relating to travelling expenses or to the complaint as to one of the judges not residing at the place of residence designated for him, but I refer to all the charges other than these, made by you.

My reason for addressing you this letter is that I shall feel obliged to state to the House, if I should be called on for any opinion, that what you have laid before the House, in connection with this subject, does not warrant the House in proceeding on your accusations, notwithstanding the desire of the judges concerned that an investigation should take place.

At the same time, if the accusations are made specific by you, in response to this letter according to the usual requirements in cases of impeachment, and according to what appears to be the established practice in such cases, I propose to transmit your accusations to the accused judges and to lay before the House the charges, together with the answers from the judges, for such action as may appear to be required.

Mr. GIROUARD (Jacques Cartier). What is the date of that letter?

Sir JOHN THOMPSON. It is dated the 14th July. I have received, likewise, a letter from Mr. Beauchemin, the gentleman who was referred to as one of the firm of Beauchemin & Malette, by the hon. member for L'Islet the other evening, and as having made charges some years ago against Mr. Justice Tellier, and who was referred to as having received no satisfaction from me in response to the communication he had addressed to me. This is a letter of some considerable length, and I do not intend to detain the House with it. It is sent in by Mr. Beauchemin, who is a Queen's Counsel, and who states that the hon. member for L'Islet has

not the slightest authority for having used his name in this connection.

Mr. TARTE. Hear, hear.

Sir JOHN THOMPSON. Perhaps it is proper that I should read it rather than give my own construction of it. It is written in French, and I will render it in English, if hon. members will bear with my translation. I will submit the original :

ST. HYACINTHE, 13th July, 1894.

Sir JOHN THOMPSON,
Prime Minister and Minister of Justice,
Ottawa.

SIR,—We read in "La Minerve" of this morning that the member for L'Islet brought before the House yesterday afternoon certain charges against some of the judges, amongst them the Hon. Judge Tellier of the district of St. Hyacinthe. Among these statements on the subject of Judge Tellier we read this phrase, so little conclusive, "some years ago some accusations were presented by Messrs. Beauchemin & Mallette" altogether vague as is the phrase it has evidently not escaped without a hostile motive as much against us as against the judge. Now we protest against the use that Mr. Tarte, without our authority, makes thus of our name on the subject of accusations against Judge Tellier. We have never authorized Mr. Tarte to bring forward any accusations against this gentleman. Some years ago some misunderstandings arose between the judge and us, but the public had nothing to do with them. Since then these things have been settled amicably, and since testimony has been given with respect to our charge, since it has appeared well to have made use of us in connection with the judge for this district, it may be appear equally good, without doubt, to hear the answer. Now then we declare that we have taken an active part for the Conservative party in all the elections that have taken place since the judge ascended the Bench at St. Hyacinthe. The honour has been done us of counting us among the chief Conservatives of this district. We have taken part in the deliberations of all the committees that have chosen the candidates, and never, absolutely never, directly or indirectly, has Judge Tellier "sought and asked candidates in opposition to the party he combatted before accepting the position of judge." There has never been a question in our deliberations as to what aid Judge Tellier might give us in the elections, and we are convinced that any temptation offered to him in this sense would have been most severely repressed. We affirm that he has extended his delicacy so far in this regard that he has totally abstained from making even the slightest allusion to politics, under these circumstances so ardently agitated.

It is a matter, within our knowledge generally conceded in this district, that the most impressive respect is felt for Judge Tellier's impartiality, his integrity and the soundness of his judgment and his legal learning. It is a proverb in the courts that pleaders who have been unsuccessful have twenty-four hours to curse the judge. Often they exceed this short period, and Mr. Tarte is indeed availing himself of this privilege. If on our side anything has been made use of for the purpose of confirming the accusations which have been made, we regret it assuredly, because we believe the pu-

Sir JOHN THOMPSON.

blic has nothing to gain by it, but, on the contrary, it appears that there is much to be lost by such statements being made.

A statement has been made by Mr. Justice Ouimet, which I have not by me at the moment, but denying the accusations which were made with respect to him, and stating that he is ready to submit to any inquiry regarding them that the House or the Minister of Justice may make. I observed that the charges were of more than one kind. I have given my view with regard to the vague charges of injustice, partiality, &c., which have been made; but there were other charges which relate to the drawing of public money in pursuance of the right which judges have in the province of Quebec to certain travelling allowances. As to that, I have to say that these charges certainly do not demand the action of this House. The accusations were made for the first time, to my knowledge, on Thursday evening last. These sums of money are drawn from the banks in different parts of the country, by the judges, but the audit of their accounts rests with my department, and probably with the Auditor General, also, but certainly with my department. It is, therefore, the duty of the officers of my department, when a statement is made that a judge has drawn travelling allowances unduly, to ascertain what the distance is that the judge has travelled, what length of time he has been absent from his home on duty, and what the amount of the allowance ought to have been, as compared with the amount drawn; and I have directed that an investigation shall be made most carefully into the facts upon which the accusation of overcharging for travelling allowances, was made. I have ascertained exactly the sums which were drawn by the judges whose names were mentioned in that connection, and it remains only for me to ascertain the dates at which they held their courts in the several places where they are alleged to have been performing their duties as judges outside the districts in which they live. But I think a grave injustice was done. I am sure involuntarily, by the hon. the leader of the Opposition in respect to Judge Tellier and Judge Ouimet. I have not had time personally to examine the particulars with regard to Judge Ouimet, but I think a good deal I have to say will apply to him also. The hon. leader of the Opposition, I think, unconsciously, did a grave injustice to those judges in saying that in view of the number of days for which they drew pay as being absent from their district there was cause to demand an explanation, because it was physically impossible that the number of days for which they drew money should have been consumed in the discharge of judicial duties outside of their places of residence. I do not allude to this matter for the purpose of renewing the controversy, but in order to make an explanation that I

am sure the hon. leader of the Opposition will be glad to hear, because I think it will be a correction of what was in his own mind when he rose to discuss the question the other night. The allowance which I have mentioned for judges in such cases, is not really a travelling allowance, although it is called so, but it is a living allowance for the judges who are absent from their district discharging judicial duties in another place. But what appeared to strike the mind of the leader of the Opposition as demanding inquiry above all else, was this: that when you take out Sundays from the year, and holidays on which no courts would be held, and the vacation, there were not so many working days left as the learned judge had drawn \$6 a day for. But what I wish to call the attention of the hon. gentleman and the House to, is this: that a judge is certainly entitled to draw the allowance for Sundays and holidays, if he should be absent from his district on those days if, for example, the judge of the district of St. Hyacinthe, or the judge living in Sorel, should be called to Montreal to discharge judicial duties on a Thursday, and he should be obliged to remain there over Sunday, and into the next week, he would be clearly entitled by law to draw his living allowance for the Sunday, just as well as for the Thursday, Friday and Saturday, and the same if holidays intervened, and there is a further explanation as regards the vacation, that while the vacation lasts probably sixty days out of the year, those sixty days are for some one or more of the judges working days in the city of Montreal, and one or other of those judges whose names have been mentioned have actually been sitting in Montreal doing Chambers work during vacation; and I am informed that the Chambers work is carried on in the city of Montreal, sometimes by judges from their own districts, all through vacation, when not only Chambers work, but summary cases are disposed of by them. There is a further provision which my hon. friend will remember, that with regard to certain duties on which the judge is absent, he shall be allowed not less than three days' pay, notwithstanding that less time than three days may have been consumed. The words which I refer to are these:

To each of the judges of the said Court of Queen's Bench, for attending any other court, for each day he is absent from his place of residence, \$6. To each of the judges of the Superior Court, attending, as such, any court held at any place other than that at which he is directed to reside, for each day he is absent from his said place of residence, \$6.

Then, the provision which I referred to about the three days' pay is at the close of a proviso, reading thus:

Provided that any judge of the Superior Court, required to attend, as such, the Court of Queen's Bench, appeal side or criminal side, elsewhere than at his said place of residence, during the whole of the term, shall receive the same allowance as a

judge of the Court of Queen's Bench performing the like duty; but this provision shall not apply to a judge of the Superior Court attending the Court of Queen's Bench, appeal side or criminal side, for a part only of a term, or for the purpose of disposing of cases already heard; and in the two cases last mentioned, the allowance shall be \$6 for each day's absence from his place of residence—except that three days' absence at least shall always be allowed for.

So that if one remembers that judicial duties have to be performed to some extent in vacation, and the allowance is perfectly within the right of the judge to draw for the days he is absent from home, even though those days are Sundays and holidays, one will see that the conclusion can by no means be reached that in consequence of the number of days charged there must necessarily have been some very grave reason for inquiry. In the case of Mr. Justice Tellier, I have to add this, from the examination I have been able to make of the vouchers, that the sum which he is alleged to have drawn, somewhat over \$1,600, for one year, covers, not an allowance for twelve months, merely, but for thirteen months. However, these are circumstances which can be inquired into, and are being inquired into, without the intervention of the House, and I am sure that it would not be the disposition of the House, on a bald charge having been made, to undertake an inquiry into the matter without giving me an opportunity, first, to examine the accounts thoroughly, and to lay the result of my examination before the House; because, if I am not greatly disappointed, I shall be able to satisfy the House, from an examination of the dockets at the various places at which the judge sat, that the sums they have charged for are fair and correct. I can ascertain exactly the places at which the judges sat on the various days for which they have drawn allowances. There is the further charge, in the case of Judge Ouimet, that he has not lived within his district in accordance with the terms of his appointment and his commission. I have to say the same of that as I said with regard to the accounts. While I do not deny that it is matter for investigation, I submit that it is not matter for investigation by this House, until, at least, the charge has been submitted to the judge himself, and his answer obtained, and the facts investigated which are alleged to have taken place with regard to that circumstance. But, as regards those charges which allege impropriety in the discharge of official duties, unfitness for the position, and all that, I have simply to reaffirm what I said to the House, that, in my humble opinion, they are not such as the House ought to entertain; but if the hon. member for L'Islet (Mr. Tarte) thinks proper to commit to me his accusations in proper form with proper allegations, I will see that they are transmitted to the judges concerned, and will be in a position to lay before the House the answers which the judges make, and for such action of the

House as seems called for under the circumstances, if the House should desire to have the results of the investigation. I read a telegraphic communication from Mr. Justice Bossé; I should have read a letter which Judge Tellier addressed to me on the subject after he had heard what had transpired in this House. Mr. Justice Tellier's communication is dated St. Hyacinthe, 13th July, 1894, and the learned judge says:

SIR,—I have the honour to protest my innocence and I ask a full and complete investigation into the subject matter of the accusation which has been made against me in the House of Commons. I do not see how I shall be able to continue to exercise efficiently the sacred administration of justice if I do not possess the principal quality required of a magistrate, integrity. It is necessary, therefore, that the truth or the falsity of the accusation should be established by an enquete. I therefore demand immediately that Mr. Tarte specify and define the facts which have been made the basis of his action in order that I may be able to answer his accusation, and I have confidence that he will respond to my request and that your spirit of justice will induce you to afford me an enquete, which I pray you will instantly institute in this regard. I have the honour to draw your attention to the fact that the Auditor has not included that portion of the expenses incurred up to June 30th, 1893. Instead of \$1,626 inserted as being drawn for the twelve months, the amount should have been entered at \$1,470.

I have also received a communication, altogether without any intimation being sent by me or any communication made on my part, dated St. Hyacinthe, 14th July, 1894. It is addressed to me, and is as follows:—

We, the undersigned, considering that the magistracy of the country is one of the bulwarks of society, and that it is due to the magistrates that the most profound respect should be rendered them in order to maintain their supremacy and prestige, beg to say that the judges of the province of Quebec have been renowned for their integrity and their learning; we have seen certain accusations brought up in Parliament on 12th July inst., respecting Judge Tellier, judge of the Superior Court of St. Hyacinthe, whose name has been mentioned in the House; the judge has always merited the confidence and respect of the suitors in his district, he being considered a judge of integrity, industry, learning and courtesy to the full satisfaction of those to whom he has to render justice. He has frequently been called to Montreal to sit as a judge, and it is but just to remark that his thorough knowledge of law and his impartiality have elevated him in the esteem and consideration of the judges, his colleagues, and members of the Bar. Knowing his reputation and character, we are happy to render this testimony in regard to his merits, and we consider it to be our duty, under the circumstances, to submit this testimony for your high consideration.

This communication is signed by the bishop of St. Hyacinthe, by the coadjutor bishop, by a number of clergymen of high rank, and by citizens of high station. I thought it to be my duty to read this paper

Sir JOHN THOMPSON.

to the House, although it has not any immediate connection with the charges, because it is signed, as I have said, by a number of eminent gentlemen including many connected with banking, commerce and various classes of business and by men of the highest reputation in that community.

Mr. MILLS (Bothwell). It is hardly evidence in connection with this inquiry.

Sir JOHN THOMPSON. It is quite as good evidence as anything that has been said.

Mr. TARTE. The right hon. gentleman has read to the House a letter which he wrote to me, and which was dated 14th July. I think in all fairness he should have read at the same time the answer I sent.

Sir JOHN THOMPSON. I have not received it, but I shall be very glad if the hon. gentleman will read it.

Mr. TARTE. It was mailed at 2 o'clock to-day. This is the letter. It is dated Ottawa, 17th July, and is addressed to Hon. Sir John Thompson, Minister of Justice, Ottawa:

OTTAWA, 17 juillet 1894.

Au Très honorable

Sir JOHN THOMPSON,
Ministre de la Justice,
Ottawa.

MONSIEUR,—J'ai reçu hier, à deux heures, votre lettre datée: "Cabinet du ministre de la Justice, Ottawa, 14 juillet 1894," vous dites:

"Referring to the charges against certain judges of the province of Quebec, which you laid before the House of Commons, on the 12th instant, on the motion that the House should resolve itself into Committee on Ways and Means, I have to ask whether you can and will furnish me with particulars of your accusations? I do not refer to the charges relating to travelling expenses or to the complaint as to one of the judges not residing at the place of residence designated for him, but I refer to all other charges, other than these.

Je regrette la décision à laquelle vous en êtes venu, et je vous en laisse toute la responsabilité. Je vous ai donné, dans le discours prononcé par moi en Chambre, le 12 courant, des renseignements et des faits spécifiques plus que suffisants pour qu'il soit, dans mon opinion, de votre devoir de recommander au parlement une enquête sur la conduite des juges que j'ai nommés.

Je me crois donc tenu de refuser respectueusement à cette phase des procédures, d'autres renseignements que ceux que j'ai mis devant le parlement.

Mais je suis prêt, si une enquête est accordée, à fournir au sujet de mes accusations, tous les détails et renseignements qui sont d'usage en pareil cas.

I will translate in English:

SIR,—I received yesterday at 2 o'clock your letter dated, Office of the Minister of Justice, Ottawa, 14th July, 1894. You say:

"Referring to the charges against certain judges of the province of Quebec, which you laid before the House of Commons, on the 12th instant, on the

motion that the House should resolve itself into Committee on Ways and Means, I have to ask whether you can and will furnish me with particulars of your accusations? I do not refer to the charges relating to travelling expenses or to the complaint as to one of the judges not residing at the place of residence designated for him, but I refer to all other charges other than these.

“My reason for addressing you this letter, is that I feel obliged to state to the House if I should be called on, for my opinion, that what you have laid before the House, in connection with the subject, does not warrant the House in proceeding on your accusations, notwithstanding the desire of the judges concerned that an investigation should take place.

“I regret the decision to which you have come and I leave with you the whole responsibility of it. I have given in the speech made by me in the House on the 12th inst., information and specific facts, more than sufficient to make it, in my humble opinion, your duty to recommend to Parliament an inquiry on the conduct of the judges whom I have named. I then feel bound to respectfully decline at this stage of the proceedings to give you other information than that I have put before Parliament, but I am ready, if an inquiry is granted, to furnish you in connection with my accusation all details and information that can be exacted in such a case.”

That is, Sir, the answer that I have addressed to the right hon. gentleman. This is the answer by which I mean to stand before this House. I claim that I gave in my speech more information than has been given in nearly all the cases upon which an inquiry has been recommended by Ministers of Justice. But the right hon. gentleman has thought proper to advise Parliament that in his opinion it would be unworthy of us to hold such an inquiry, and that we would fail in our duties as a House if we made up our minds to make such an inquiry. As I said in the letter that I have just read: let him take the responsibility of the position he has assumed. He occupies a very high position. He is responsible to the whole Dominion for the advice that he has given to this House of Commons. The right hon. gentleman began by refuting the accusations, or rather explaining the accusations, that I have made before the House, by alluding to two judges that I had not thought proper to bring before Parliament. I must immediately state, Sir, that what Mr. Justice Jetté says in his letter is perfectly true, when he asserts that strong political and personal pressure has been brought upon me to prevent me to ask for an inquiry concerning Mr. Justice Davidson's conduct. I am very much surprised indeed, knowing the hon. and learned magistrate as I do, to hear the strong and violent language that he has thought proper to use towards me. I know the hon. gentleman, and if the hon. Minister of Public Works, who says “Hear, hear,”—

Mr. OUIMET. I have not said “hear, hear.”

Mr. TARTE. At any rate, if the hon. gentleman who says “hear, hear” would

kindly join me to ask for an inquiry, he would be more than surprised. I did not fish in the moon the information I got concerning Mr. Justice Davidson. I have not alluded in my speech of the 12th instant to Mr. Justice Davidson. Still, the correspondence which has been read before us to-day cannot be left, I suppose, without any answer from me at some future date. I am sorry that this correspondence has been brought before the House; sorry in one sense, because it might lead us to some larger inquiry than the one that we have contemplated. Still, the moment that the hon. and learned Mr. Justice Jetté has thought proper to speak in the violent language that he has assumed to-day—well, I have only to state to him: that as soon as I am in a position to do it—I do not surely mean to make any accusation against him—but as soon as I am in a position, as soon as Parliament meets again, we might be obliged to refer to it again. The Minister of Justice, I hope, will be the first man to help me to get an inquiry into that celebrated and famous commission in which Mr. Justice Jetté has taken part. I think Mr. Justice Jetté has laboured under some kind of a misapprehension. He has been threatened by the Conservative press on many occasions to be dragged before public opinion concerning the Mercier commission—if I may call it that way—the Baie de Chaleur Commission. The Conservative press has covered him with very violent abuse, and, Sir, it seems to me that he has taken revenge upon me to-day from the insulting language to which he has been subjected. At any rate, I do not intend to allude very much longer to Mr. Justice Jetté and Mr. Justice Davidson. The second document that the right hon. gentleman has quoted is a letter from Mr. Beauchemin, a lawyer from St. Hyacinthe, in which the learned lawyer states that he never authorized me to use a certain document, the existence of which he does not deny. He says the truth when he asserts that he never authorized me to use that document; but, Sir, that document does not belong any more to him. That document has been put into the hands of a member of this Parliament, so that Mr. Justice Tellier should be impeached. I make this statement, and I am prepared to prove it as soon as an inquiry is granted to me. Mr. Beauchemin and Mr. Mallette have put in the hands of a member of this Parliament, who has it in his possession, the very document that Mr. Beauchemin speaks about, to induce that hon. gentleman to impeach Mr. Justice Tellier. Now, I suppose that it is not necessary for me to dwell upon that document. Justice has been made with it, as justice would be made of a great many of the statements that the right hon. gentleman has been furnished with to-day. I am quite sure that the hon. gentleman is in perfect good

faith. I have no doubt about that. But he has been deceived. What can he expect—I want to know from him, for instance—from Mr. Justice Ouimet? Will the right hon. gentleman deny that he has ordered Mr. Justice Ouimet to reside in Sorel? He did order him to reside in Sorel. What was the answer of the judge, signed by himself? That I have put before you. The answer of the judge, a man high in position, a man who ought to give good example, and not an example of false statements, the answer has been: I have rented a house in Sorel and I reside in Sorel. The right hon. gentleman knows that Mr. Justice Ouimet did not say the truth at that time. Every one living within the twenty-five miles from Montreal or Sorel knows that Mr. Justice Ouimet has never lived in Sorel, and that he has willingly and wilfully deceived the right hon. gentleman. The right hon. gentleman may say: that he will not bring before this Chamber the conduct of judges who deceive public opinion and the highest authority. I claim that I am doing my duty in calling attention to their conduct. The Prime Minister has thought fit to read a letter from the Rev. Bishop of St. Hyacinthe and his assistant. I respect very much the right rev. gentleman, but I never learned before that he was bound to preside over the administration of justice, or to give certificates to the judges. He is an able man in his calling; he is a very religious man, but I never suspected before that he is a man very much learned in the law. I want to know if the right hon. gentleman has been justified in reading this letter before Parliament? The moral conduct of Mr. Justice Tellier, as to which the Right Rev. Bishop may have given a certificate, has not been assailed; I have not assailed his moral conduct.

Sir JOHN THOMPSON. Certainly, you charged him with larceny.

Mr. TARTE. Does the right hon. gentleman mean to say that in such a charge as the one I made, it is the bishop of the diocese who should judge? I want to know from him if he holds that doctrine to-day?

Sir JOHN THOMPSON. No; I intend to make the investigation for myself; but the bishop has the right that every citizen has to testify to the character of an honest man, and to express his opinion of the character of a man whom he thinks a dishonest man.

Mr. TARTE. I do not deny the right of the bishop to sign certificates; but I doubt very much if the right hon. gentleman has taken the proper way of bringing that letter before Parliament. At any rate, that is his own business, not mine. Mr. Beauchemin, in the letter which he has written to the Prime Minister, has stated that to his knowledge—and I fully admit that he is one of the leaders of the Conservative party—Mr. Justice Tellier has never looked for candidates.

Mr. TARTE.

Well, Sir, it is just as well for me, while his name is on my lips, to address myself to his case immediately. The right hon. gentleman says that I have not given particulars enough to warrant him to advise the House to grant an inquiry. Well, I cannot claim that I have gone very deep—as deep as the right hon. gentleman may have gone himself—into the cases which have been brought before Parliament in regard to judges; but still I have made some inquiries, and I hold that in the case of every judge to whom I have alluded I have given more information and more particulars than have been given in a great many cases. In Mr. Justice Tellier's case, what did I do? I stated from my seat, and I state again, that I believe I am in a position to prove that Mr. Justice Tellier has been on the Bench a partisan. I think I am in a position to prove—I am sure I am in a position to prove—that Mr. Justice Tellier has been looking for candidates. That may be a slight offence in the eyes of some hon. gentlemen opposite; but if we stand here by the doctrine that judges having to administer justice can be at the same time politicians, I want to know where we are going. I am prepared to prove these facts; will the right hon. gentleman say that these are not particulars? What does he want more? He wants the dates, I suppose. I am not such a fool as to give beforehand the dates, so that my witnesses may be suppressed on a future occasion. Let the right hon. gentleman grant me an inquiry, and I am prepared to give him the dates immediately. I am not bound to give him the dates now. I am only bound to state the facts, and I have stated the facts from my seat in this Chamber.

Sir JOHN THOMPSON. I do not want the names of the hon. gentleman's witnesses at all; but let him comply with what I have challenged him to do in my letter, and he shall have the inquiry to his heart's content.

Mr. TARTE. Let me understand what the right hon. gentleman wants, and I will answer.

Sir JOHN THOMPSON. I will repeat it. I said that I did not expect the hon. gentleman to furnish me with the names of his witnesses, and therefore he need not be under any apprehension that those witnesses would be interfered with before the enquete. But if he will give me the particulars which I ask for in my letter, I shall be glad, after submitting the charges to the judges and obtaining their answer, to carry on the enquete if the circumstances justify an inquiry at all.

Mr. TARTE. I claim that according to the precedents, the statements I have made in the House are particulars sufficient to make it a duty on the part of the right hon. gentleman to grant an inquiry. Further particulars than those I am not bound to give—

it would not be prudent for me to give. But, Sir, is it not a particular, is it not a definite basis of accusation, to say that a judge has been looking for candidates? If it were proved before the right hon. gentleman and the House that Mr. Justice Bossé—

An hon. MEMBER. Tellier.

Mr. TARTE. It is about the same thing. If it were proved that Mr. Justice Tellier is so actively engaged in politics that at times he is looking for candidates, is that not a particular that would justify the hon. gentleman in granting an inquiry? I have alluded to a great many other facts, which I am not going to recite to-day. But, Sir, let us come to Mr. Justice Bossé. Mr. Justice Bossé has contented himself with sending a telegram in which he says that he hopes that the right hon. gentleman will put an end to the slander on the administration of Justice. I never thought that by bringing before this Chamber the name of the learned and honourable Mr. Justice Bossé, I was bringing into disrepute the whole administration of justice. He is only one man—one man of some ability, but only one man; nothing more. I know him very well. My hon. friend, the leader of the Opposition, the other day pronounced a eulogy upon him, in which I have no objection to concur to-day, in which my hon. friend stated that when he was at the Bar Mr. Justice Bossé argued his cases in a very fair way, and that on some occasions on the Bench he gives good judgments. I do not deny that at all. What I stated before this Chamber the other day, and what I repeat to-day, is this, that Mr. Justice Bossé is a violent partisan, and I am in a position to bring before a committee of inquiry dozens and dozens of most respectable citizens to bear out what I say. In his case also I have given particulars. The right hon. gentleman should have explained to us what he means by particulars. I stated that in four consecutive terms of the criminal court Mr. Justice Bossé has proved to be a partisan. I pointed out the decisions he has given; I indicated the procedures he has adopted to arrive at his political ends; I even indicated the dates. Yet the right hon. gentleman is quite prepared to say that I gave no particulars. Sir, my speech is not a speech such as the right hon. gentleman can deliver, surely not. I do not claim to be a man of his ability. But my speech is there; my speech is true, every word I uttered in it—not eloquently, but knowing that I was speaking the truth. Every word is true. I will not take one iota from it. The right hon. gentleman may say that it would not be worthy of a parliamentary inquiry. Sir, I do not stand to-day before you with any uncertainty in my mind as to the conduct I am going to follow in this matter. The right hon. gentleman has a strong majority behind him. He is all-powerful in this House, but if I have stated the truth, and I have told the truth, the right

hon. gentleman will not resist very long the pressure of public opinion. The right hon. gentleman has been unwisely advised. I think that if he had followed his own inclination to justice, his own notions of justice, he would have granted me the inquiry. I do not intend to detain the House at any greater length, but still I shall say what I intend to say, in spite of the great displeasure some of my hon. friends opposite evince. I am very sorry to have to displease them on such an occasion, especially when there should be only one opinion in Parliament. This surely is not a question of party. If my charges are not true—if the hon. gentleman, taking my speech as it is, grants an inquiry, and my charges are not proved true, surely I will suffer one of the greatest humiliations a member of this House can suffer. But if they be proved true, justice will have gained a great deal. I have looked into precedents, but I will only refer the House to the case of Mr. Baron Smith in 1834. Mr. Baron Smith was accused before Parliament by Mr. O'Connell of being a violent and a partisan judge. He was accused of some other things also; but if you look at the debate which took place then, you will find, Sir, that, by a majority of sixty-nine, the House of Commons granted the inquiry, in spite of the fact that there were no other particulars given. Mr. O'Connell stated from his seat: that Mr. Baron Smith was a violent partisan, that he had sat during two nights, that he had made political speeches from the Bench—

An hon. MEMBER. Did he have any fight in any barber shop?

Mr. TARTE. I do not know what the hon. gentleman wants to say. I would be very much obliged to him if he would kindly explain what he means.

Mr. LaRIVIERE. You spoke of a violent judge.

Mr. TARTE. I am not using my language, but Mr. O'Connell's, whose language I believe to be just as good as that of my hon. friend. Mr. O'Connell accused Baron Smith of being a violent judge, of being old, of having sat during two nights. Well, if Mr. Justice Bossé, on the Bench, resorted to the violent means to which he did resort, just to defeat the ends of justice, that surely is a cause for inquiry. He did more than that. I pointed to the right hon. gentleman an instance of his procedure which he can verify to-morrow. If he will apply to the office of the Attorney General at Quebec, he will find there, I suppose, a copy of the nolle prosequi with which the hon. member for Bellechasse (Mr. Amyot) was then provided. And I say it again, I am prepared to prove every word I say. I will be contradicted all along the line, I know; but when it comes to an inquiry under oath, you will see that I will not be as much contradicted, and you will see also

if some witnesses do not seem inclined to tell the truth, whether they may not be compelled to do so. I am sorry to have to keep the House so long, but I felt it my duty, after the language the right hon. gentleman used, to reassert my position. I may be wrong, some men more able than I have been wrong, but I have the sincere and strong conviction that I am right, and that in my native province the administration of justice is not to-day what it should be. If the lawyers who practice at the Bar were not afraid, as they are, of the Bench, they would indorse, nearly all of them, what I say. After my speech of the other day, one of my colleagues said: I know you are quite right, but we cannot speak.

Mr. AMYOT. Who?

Mr. TARTE. The hon. gentleman is always asking for names. I believe he is one of those who complained more bitterly, but he will not say it, of course. I appeal to my colleagues here. They know that I say the truth. The right hon. gentleman has taken upon himself to refuse an inquiry. I beg him to-day again to make an inquiry, not only into the cases I have pointed out, but into the general administration of justice in the province of Quebec, and he will there find abuses he has no idea of. He will find evidence of things he has no idea of. I do not speak of crimes, but of political and tyrannical interference and neglect of duty.

Mr. AMYOT. As to the references which the hon. gentleman has made concerning what I have already said, they are, from beginning to end, not only to-day, but on the two occasions he spoke previously, entirely the reverse of the truth.

Mr. TARTE. Surely I have the right to make a personal explanation. I am prepared to resign my seat, if within twenty-four hours I do not prove that the hon. gentleman went himself to the department—

Mr. SPEAKER. That is not a personal explanation. The hon. gentleman is out of order.

Mr. DAVIN. I wish to say a word with regard to the exhibition we have just witnessed. I have some experience in this Parliament, and I have had the opportunity of observing another Parliament during many years, and this is one of the most disgraceful exhibitions I have ever witnessed. What have we heard? This gentleman comes forward and accuses a number of judges vaguely, and he says if the Government will grant an inquiry, he is in possession of facts and particulars which can be laid before that inquiry and which he will call witnesses to prove. But although this is the highest court in the realm, forsooth, he can occupy the time of this great consult of the nation with these vague charges,

Mr. TARTE.

but we are not considered worthy of being put in possession of one fact that would justify the hon. gentleman in making the statements he did. He goes further, he makes a wholesale charge against the entire judiciary of the province of Quebec. It is the same sort of charge that any disreputable man in any part of Canada could rise up and make against any Bench of judges. He says that if an inquiry is made, without giving any reason for that inquiry, the gravest misconduct will be discovered. I repeat that the exhibition was a disgraceful one and unworthy of the dignity of this House; and if such exhibitions be repeated, a course must be taken to express the opinion of this House in regard to them and to maintain its dignity.

Mr. TARTE. Take whatever course you like. Take any course you like.

Mr. DAVIN. The hon. gentleman, towards the conclusion of his remarks, for perhaps fifteen minutes, indulged in repetitions and suggestions; but he made one very peculiar statement, he said, "I may be wrong." Sir, is the man who rises in this House in a position to escape the censure of this House if he calls on the Minister of Justice to institute an inquiry into the conduct of a number of judges who evidently stand high in the estimation of the citizens of Canada in their own province, if, after making these explanations and refusing to give the Prime Minister and the Minister of Justice any particulars he says: "I may be wrong." How can he say "I may be wrong" if he is in possession of the facts to justify him in taking the course he has taken, and if he is not in possession of the facts to justify him in taking the course he has taken, he is guilty of a high crime and a very great misdemeanour against this Parliament and against the efficiency and dignity of the judiciary of his province.

Mr. McCARTHY. I had intended to make a few observations somewhat in the same strain as those of the hon. gentleman who has just taken his seat. But I do not desire to use language so strong. I will not characterize these proceedings as being disgraceful, but I will characterize them as being painful in the extreme. It seems to me that this whole matter has been out of order from beginning to end. On motion to go into Committee of Supply, an hon. gentleman has risen in his place in the House, and, without venturing to make charges, has laid upon the Table certain accusations challenging the leader of the House to adopt them and make investigation into the judiciary against whom the accusations are made. This is not the method which should be pursued in such cases. Charges should be made against judges by petition of those who are injured by the misconduct of the judge—and that was the doctrine laid down in the Bothwell case both by the leader of the Government of that day, Sir John Mac-

donald, and the hon. leader of the Opposition (Mr. Blake), or by a member in his place taking the responsibility of making a charge, not merely handing it across the House and asking another hon. gentleman to assume that responsibility. And I think, if it were in order, some proceedings ought to be adopted or some means ought to be taken by which scenes of this kind should be prevented in the future. It must tend to lower the dignity of the Bench, if charges can be made by hon. members in vague terms and without those who make them taking the responsibility of pushing them to a conclusion. I quite agree with what the First Minister has said, that these charges were altogether too vague to base an inquiry upon. A judge, Sir, like any other man, when accused has the right not merely to know that he is charged, for instance, with partiality or partisanship, but he has the right to know with reasonable certainty—not with technical formality but with reasonable certainty—when and where the alleged offence is said to have been committed. It did appear to me that the hon. gentleman who brought forward the charges knew that they could not be investigated and so put them forward to shield himself in view of former statements that he had made. I desire to say, Sir, as a member of the Bar of the province from which I come, that we ought to prevent in some way this scene being repeated and this proceeding being taken as a precedent for the future. Why, Sir, what is the case? An hon. gentleman, when the House is moved into Committee of Supply brings forward certain charges. If he has charges to make against the judges of his province the opportunity will be afforded him—the Minister leading the House will be bound to afford him that opportunity—to present his accusations. These charges are made in going into Supply and in such a form that a conclusion cannot be reached upon them in a proper way.

Sir JOHN THOMPSON. I wish to say a word as to the authority cited by the hon. member for L'Islet. The hon. gentleman relied upon the case of Baron Smith, who was accused in the House of having committed himself by making violent and partisan speeches, and upon that the House of Commons granted a committee. But, on the motion of the leader of the House, a day or two afterwards—I think the very next day—the House rescinded this resolution.

Mr. LAURIER. I do not care, at this period of the session to enter into any controversy with the right hon. gentleman as to the conclusion he has arrived at with regard to the accusation brought forward by my hon. friend from L'Islet. This is a subject which it is altogether too late to discuss as fully as it might be discussed. This, however, I think may be said, that it is the undoubted privilege, not only the privilege but the right, of any member of this House to accuse any man in this coun-

try, let him be high or low, against whom he has charges to bring. We may differ as to procedure, there may be a point of controversy as to that, but as to the right of the hon. gentleman to accuse judges or anybody else, I do not believe any member of this House will deny the soundness of the view I now express. As to the point of procedure, that is a different thing. I said in addressing the House the other day that the charges might have been more specific than they were, but, at all events, there is this in the statement of the hon. member for L'Islet, he charges a judge of this land with the crime, for a crime it is, of being a partisan upon the Bench; he charges a judge with actually interfering in politics. Nothing, Sir, can be more criminal in a judge than for him who is supposed to have ceased to be in the arena of politics to come into partisan fights. I hope the accusations are unfounded, but there is enough to justify an inquiry. I agree with the hon. member for North Simcoe (Mr. McCarthy) that the charges ought to be reasonably specific, and in the case I have just referred to, the charge is reasonably specific. The judge would have the right to demand particulars and that is the procedure in such cases.

Some hon. MEMBERS. No; no.

Mr. LAURIER. I would refer to the case of Mr. Justice Loranger in the year 1877. I do not know that my hon. friend from North Simcoe was on the committee. At all events the matter was referred to a committee, and the very first thing Mr. Loranger did was to obtain particulars from those who had petitioned against him. But, as I said before, the session is too far advanced to discuss this question as it should be discussed. I want only to refer in a word or two to the statement about travelling expenses to which the hon. gentleman drew my attention. He stated that he was bound to have an inquiry into the subject. I think this is very properly a subject for departmental inquiry. He stated that his duty would be to ascertain the distance travelled by the judge, the number of days he was absent from his home, &c. But there is a question of principle involved which seems to have escaped the hon. gentleman's attention. I desire to call his attention to this, that, whether it was right or wrong, the accusation is that he charged travelling expenses, or, as he put it, living expenses, while he was administering the law in the courts of the district in which he resides. I think that is a case which ought to be looked into.

Sir JOHN THOMPSON. That is one of the points to be inquired into.

Mr. OUMET. Let me tell the hon. leader of the Opposition that a judge cannot charge a living allowance when he sits at the place indicated to him as his residence, but he has a right to charge for living allowance

when he travels to hold a court in any other place, even in his own district.

Mr. LAURIER. Then I commend this species of morality of his colleague to the Minister of Justice. Here is a judge who is bound by law to reside in the district of Richelieu; he disobeys that law and resides in the district of Montreal, and he charges \$6 a day for living expenses for every day that he sits in Montreal, and the hon. gentleman says that is all right. Well, if that be the kind of morality which is to prevail in the courts of Quebec, Parliament need not be surprised if the hon. member for L'Islet brings charges against the judges. Now, with regard to the judge of St. Hyacinthe, I have no more to say. The judge says that instead of drawing \$1,600, he only drew \$1,400 in the twelve months, that is to say he would have sat outside of his district 230 days in the year. When the judge of the district of St. Hyacinthe has to hold criminal court at least twice a year in his own district, and to hold a Superior Court every month in the year, at least one week, when in addition he has to hold court in the county of Rouville and in the county of Bagot, both in his own district, at least three or four times in the year, I cannot understand how he can be away from his district 230 days in the year.

Sir JOHN THOMPSON. When he goes to Rouville and the other places in his district he is entitled to be paid an allowance of \$6 a day, because they are not his place of residence.

Mr. OUMET. Let me say that Mr. Justice Ouimet is not a near relative of mine, but he is a judge in our province, whose honour must be as dear to us as if his name was Smith. Mr. Justice Ouimet, by his commission, has to reside in Sorel, and his contention is that personally he does reside in Sorel. He has rented permanent lodgings in Sorel for himself, but it appears that his family, for reasons which it is not necessary for me to mention here, chooses to reside in Montreal. But to all intents and purposes Justice Ouimet has his residence in Sorel, in lodgings, for which he holds an annual lease, and when he is called out from Sorel to sit in Montreal, it appears—and he contends that he has consulted all his colleagues—that he is entitled to living allowance as being away from his own residence. If he were to charge his living allowance when he sits in Sorel, I grant that he would be in the wrong.

Mr. LAURIER. Not at all, because he resides in Sorel, according to the hon. gentleman's own statement.

Mr. OUMET. I say that if he charged his living allowance for the days he sits in Sorel, his personal and official residence, he would not be justified by law. Now, it is a very singular thing that a man should reside with his wife in order to be qualified to

Mr. OUMET.

administer justice. Has there been any charge made against Justice Ouimet that on account of his family residing in Montreal he was absent from Sorel when required to perform his judicial functions? That is what we have to look to. Justice Ouimet contends that his permanent personal residence is in Sorel; he lives there for the administration of justice, although his family resides in Montreal. But as long as it is not alleged that by reason of his family residing in Montreal he does not properly administer justice in the district of Richelieu, he is not open to the present charge. I make this explanation in answer to the charge of the hon. member for L'Islet, who said that Justice Ouimet had lied when he stated, in his communication to the Department of Justice, that he had executed a lease for lodgings in Sorel, and that Sorel was his place of residence.

Mr. GIROUARD (Jacques Cartier). I wish to remind the leader of the Opposition of the terms of the statute upon which this extra allowance of \$6 a day is granted. The statute does not contemplate the actual residence of the judge, but the residence indicated in his commission. Mr. Justice Ouimet is directed to reside in Sorel, and the moment he leaves Sorel he is entitled to the allowance mentioned in the statute.

To a judge of a Superior Court attending any court held at any other place other than that at which he is directed to reside.

Mr. LAURIER. Where does he reside—in Sorel or Montreal? The Minister of Public Works says he resides in Sorel.

Mr. GIROUARD (Jacques Cartier). The Minister of Public Works has expressed his own views, and I am expressing mine, and I say that it is not the actual residence of the judge that the law contemplates, but the residence indicated in the commission. The commission of Justice Ouimet says that he must reside in Sorel; therefore, the moment he leaves the district of Sorel, he is entitled to the allowance mentioned in the statute.

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

To transfer J. J. Campbell from the outside to the inside service, notwithstanding anything in the Civil Service Act \$1,400

Sir RICHARD CARTWRIGHT. What is the reason for transferring this gentleman in despite of the Civil Service Act?

Mr. DALY. Mr. Campbell has been employed for eight or ten years in the Regina office, where he has acquired full knowledge of the policy that has been adopted by the Government in conducting the different agencies and other matters pertaining to the Indian reserves. Owing to the removal of

the Indian commissioner here, and no successor being appointed to him, it is necessary that Mr. Campbell should be in Ottawa, because a great deal of the business that was done at Regina is being carried on here. This caused a reduction on the Regina staff, and does not increase the staff here. This officer fills the vacancy of a second-class clerk.

Interior—B. L. York, increase of salary from 1st July, 1893..... \$225

Mr. DALY. Mr. York is assistant private secretary in my office. Last year Mr. McGirr, who had been private secretary to my predecessor in the management of Indian Affairs, was appointed to the position of a second-class clerk, and accordingly the allowance of \$600 paid to him was saved. But the work done by my secretary in the Department of the Interior, Mr. Chisholm, was so great that he could not undertake the duties of private secretary of the Superintendent General of Indian Affairs in addition to the work of Interior and the Geological Survey imposed upon him. Mr. York is a typewriter and shorthand writer, and has rendered willing and efficient services.

Marine and Fisheries—W. B. Dawson, salary as assistant engineer..... \$2,000

Sir RICHARD CARTWRIGHT. What is the necessity for this appointment?

Sir CHARLES HIBBERT TUPPER. There was an amount of \$2,400 due to this department on the civil list owing to the death of the chief clerk. Instead of filling that office it was deemed better to appoint Mr. Dawson, who is an able engineer, and who is now in charge of surveys. Instead of filling the vacancy caused by the death of Mr. Gordon, who received a salary of \$2,400, this gentleman has been appointed at \$2,000.

Justice—Messrs. A. Power, Q.C., and Mr. G. L. B. Fraser, each \$200 additional notwithstanding anything in the Civil Service Act. \$400

Sir RICHARD CARTWRIGHT. It appears to me that we are knocking the Civil Service Act into a cocked hat. All through the Supplementary Estimates there appears the remark: "Notwithstanding anything in the Civil Service Act." That is a bad example for any department to establish, and while now and again a special case may be made out, we should not utterly disregard the Civil Service Act. Not in one case, but in a score of cases this remark appears. I recommend the Minister of Justice, if he considers it necessary, to amend the Civil Service Act rather than adopt this mode of obtaining extra payments.

Sir JOHN THOMPSON. These two are the only cases in my department in which I ask that extra allowances be made. They cover the cases of the two chief clerks.

Although any provision in the Civil Service Act with respect to salaries is quite applicable to gentlemen in their position, these cases may well be treated as exceptional on this occasion. The gentlemen are both barristers of high standing and exceptional qualifications. Mr. Power was for a long time chief clerk, and reached his maximum. He has peculiar duties to perform. These are specially connected with the examination of all criminal cases that come before the department. These include about 1,000 applications yearly for clemency and change of sentence, and he has special charge of the work of making the precis, and examining into the facts in connection with every capital case, a work he has discharged with great ability and with very great care. He also has charge of all the correspondence, reports and matters connected with treaties, such as extradition treaties.

Sir RICHARD CARTWRIGHT. What is his present salary?

Sir JOHN THOMPSON. The maximum salary of a chief clerk, \$2,400. For a professional man of his standing and services this is not too much. Mr. Fraser has been chief clerk during a somewhat shorter time, namely, seven years. I had the pleasure of recommending him for promotion to that class. His services during the last three years have largely consisted of assisting me in preparing legislation, especially the difficult work connected with the criminal code.

Mr. CHOQUETTE. In my opinion, Mr. Power should have a salary of \$3,000, for he deserves it.

Sir JOHN THOMPSON. I think so.

Militia and Defence—Messrs. Bliss and Campbell, difference on salaries..... \$200

Mr. HUGHES. What is the difference in salary between Mr. Bliss and Mr. Campbell?

Mr. PATTERSON (Huron). These officers have been exchanged. Mr. Bliss came into the Militia Department from the Privy Council office. His salary is higher by \$200 than is the salary of Mr. Campbell, who exchanged, but there is really no increase in the salary all round.

To make the salary of J. B. Jackson, Registrar of Copyrights, &c., \$2,100..... \$175

Mr. CASEY. What is this increase?

Mr. FOSTER. Mr. Jackson, some four or five years ago, was eligible for a promotion. He claimed his promotion, but he had to pass a promotional examination. His work is technical, and he was led away with the idea that nobody knew enough to examine him for this promotion, and he rather objected to the promotional examination and thought that, in a technical case it would not be necessary. The thing ran on for two or three years, and then he submitted

to the inevitable, and passed the examination. He thereby lost that much of salary, and it is proposed to make it good to him.

Mr. MILLS (Bothwell). Mr. Chairman, before you go any further. In looking over these estimates, I see there is no provision for anything in the Department of the Minister of Finance, or for anything in the Department of Audit, which belongs to the hon. gentleman's department.

Mr. FOSTER. In a way.

Mr. MILLS (Bothwell). In a way, yes. I notice in reading over the correspondence attached to the Auditor General's Report, that he alludes to the fact that certain promotions have been recommended to the Minister, or to the Government through the Minister, and there is no appropriation in the Estimates for any one in that department, so that I suppose, in that respect, the Minister did not concur in the recommendations of the Auditor General. Is that the case?

Mr. FOSTER. That is the inevitable conclusion if the Auditor General has, as he has taken occasion to state in a public report, made certain recommendations for promotion. If the hon. gentleman will study the Estimates that have been brought down, he will see that the cases of promotion are very few compared with the number of departments, and he will find that in the majority of the departments there have not been promotions. There has been none in my own department because I thought the staff is sufficient to do the work, and it does not require simply promotion, to make a man do just as effective work. Where men have not come to the maximum, or where it is not considered that it is necessary to make promotion, and thus increase the number of high class clerks in a department, the Government uses its discretion.

Mr. MILLS (Bothwell). I notice further that in this respect, taking a number of years together, that the branch of the public service under the Auditor General ranks below that of any of the other departments of the Government, and that the promotions in that department have been less than they have been anywhere else. The Department of the Auditor General is a department which specially concerns the expenditure of Parliament. It is a branch of the public service that is placed under the control of Parliament, and it is only in a limited degree, under the control of the Administration. It seems to me that even to that limited degree, it would be better if it were entirely independent. If I remember rightly, the provisions of the Act, all the recommendations of that department go to Council from the Minister of Finance.

Mr. FOSTER. Through the Minister of Finance.

Mr. FOSTER.

Mr. MILLS (Bothwell). And that all the recommendations for promotion are from the Auditor General himself.

Mr. FOSTER. All promotions are done by him.

Mr. MILLS (Bothwell). That is based simply upon the obvious principle that, being at the head of that department, responsible for the duties of the persons under him, he is the most competent person to decide when and where promotions should take place, and who are the parties that are entitled to promotion. Of course, the Auditor General is never likely to stand high in the favour of the Government, because it is with regard to the action of the Government, and the expenditures of the Government, that he is obliged to exercise his authority. It is not the conduct of the Opposition, but it is the conduct of the men upon the Treasury benches that he is obliged so far as financial questions are concerned, to supervise. That being so, there is always a possibility of friction between an Auditor General and Ministers of the Crown, no matter to what party the Ministers belong, and no matter to what party the Auditor General himself may have been attached before his appointment. So I think it is the special duty of this House on every occasion to see that the audit office does not become inefficient, that the staff are thoroughly competent each to discharge his respective duties, and that that department is under the absolute control of the Auditor General himself. In fact, it seems to me that interference with or disregard of his recommendations by the Administration is incompatible with the highest efficiency of his office. If he has not an efficient staff it would be most unreasonable for the House to hold him to the highest degree of responsibility; and if promotion is refused to those under him whom he may think entitled to promotion, his authority and control over his department is weakened to a very serious extent; and so far as that is done, just so far will the public service suffer. Now, when you look at the immense amount of work that has to be done by that department in the year, the accounts that have to be investigated, and the care that has to be taken, it seems to me that the work done is indeed a very fair amount of work for the cost actually incurred; and when a report is made containing such representations as are contained in the Auditor General's Report, I do not think the House ought on an occasion like this to pass them over without giving them some attention. Now, when you look at page 4 of that report, you will see what the Auditor General himself thinks is necessary to maintain the efficiency of the staff. At an earlier period of the session I looked into this report with some care, and into the facts connected with this department as compared with the other departments of

government, and I found that promotion would require to take place in this department before it would be brought up to the level of the charges incurred and the character of the officials found in the other branches of the public service. If there is one department more than another, with the single exception of the Department of Justice, requiring competent men for the discharge of the duties connected with it, it is the audit office. That being so, one would expect that the salaries of the officials in that department would, on the whole, rank considerably higher than in the other departments of government; but I think it will be found that that is not the case. In looking over the Estimates for the year, it seems to me extraordinary, when the Auditor General has made recommendations to the hon. gentleman, that he should have set aside the judgment of the Auditor General with regard to his own department, and refused promotion to any of those whom the Auditor General may have recommended for promotion. Of course, Ministers may make recommendations which their colleagues do not concur in. I suppose every hon. Minister at times finds that what he has sought to accomplish in the interest of parties in his department he has failed to secure; but when this extends to a very considerable period of time in the audit office, and when that office is under the special supervision of an officer appointed by Parliament with the view of protecting the public interest in the public expenditures, preventing irregularities, and securing the proper application of the moneys voted for various public purposes, it seems to me that a recommendation made by him ought to be fully considered by this House, and that what he consider necessary to maintain the efficiency of the office ought to receive the special attention of this committee.

Mr. FOSTER. With regard to the criticisms that have been made, I wish to make two or three general statements. In the first place, since I have been Minister of Finance, through which Minister the Auditor General makes his recommendations for appointments, I may say I think with perfect safety, that there has been no interference with his wishes as regard the quality and the character of the persons who are admitted as clerks to his department. I have never sought, and I never will seek, to have any one placed in the Auditor General's department without his complete willingness to take the person; and I have never recommended any one except after having consulted with him, and except in every case on the condition that the person shall pass a period of probation, and if he approves himself for the work to the Auditor General's satisfaction, he may be appointed, and if not, he is not appointed. In some cases I have said to the Auditor General:

"If you have any person you would like to put in there, make your recommendation, and I will take it to Council for you." So much for the first appointments. Now, I think it will be found that in all the departments there is no one where more have been appointed above the minimum of the third-class clerk according to the Civil Service Act, arising from the fact, as the Auditor General says, and rightly I think, that he requires for his work men of good training, and especially men of a mathematical turn of mind; and he is partial to men who have had that training in the universities. It is impossible in many cases to get these men at the rate of \$400 a year; and it has again and again happened that men of this character have been appointed in the Auditor General's department for whom Parliament has voted a greater salary than would be authorized by the Civil Service Act. With reference to the management of his office, after the appointments have been made, that is entirely in his own hands. He makes his own promotions, not only without reference to the Minister to whom he makes his recommendations for appointments, but without reference to Council. His promotions are entirely within his own power. In the consideration of promotions, there must, of course, always be salaries granted, and the voting of moneys is not the function of any department; they must be granted on the recommendation of the Minister and the Council and voted here. It is only with reference to certain promotions which he states that he has wished to make that the Council has been unable so far in all cases to meet his wishes. If you will take the past year, you will find that we are very careful about the creation of new clerkships in the departments, and have made very few in these years. I do not think there is anything to be complained of in that respect in the Auditor General's office. The Auditor General will not state that he has not a sufficient staff to do his work. Whenever he says to me that he has not sufficient, I always co-operate with him in getting the required help, whether temporary or permanent. I believe he ought to have all the help necessary to do his work, but it may happen that not on every occasion can the Government see its way clear to make promotions in that department, when refused in others. My hon. friend, I hope, will not carry away the conviction that there is any friction between the Government and the Auditor General. The Auditor General does his duty and does it well; and, although he may not see eye to eye with the Minister of a department, he has to guide himself according to his own view of the law. I do not think it can be said that there is any friction between the Auditor General's department and the different departments of the Government, other than the differences that will occur as to the payment of accounts, the meaning of an appropriation, and the

like, which are bound to occur, in some circumstances, but which do not often occur.

Sir RICHARD CARTWRIGHT. I observe that though there are first-class clerks in the Auditor General's office, who, by the by, are very much below the average of chief clerk, there is but one first-class clerk in the office. I should be inclined to think, considering the character of the work which devolves on those officers, that you would want rather more than four men of that type in order to carry on the work thoroughly and efficiently. I see there are three second-class clerks who appear to have attained the maximum of their grade, which is \$1,400. Compare that with some of the other departments, for instance, the Department of Agriculture. It would appear to me that the number of first-class clerks in the Auditor General's office is very disproportionate compared with the number in the Department of Agriculture, where there are five chief clerks, having an average, I see, much the same as the three chief clerks in the Auditor General's office, but there are eight first-class clerks in the Agriculture Department as against one in that office. It seems obvious that the Auditor General's office is not one in which it would be desirable to starve the men. It is extremely important that they should understand that there will be a fair promotion in that office as in any other. I would not desire to see a disproportionate number of first-class clerks in that office, but it looks to me, when you find but one, and when you find eight in the Department of Agriculture, that that is not much encouragement to those officers who may reasonably expect to be promoted. I am glad to hear the Minister say that he is disposed to leave the appointments pretty much in the Auditor General's hands. I should not be at all disposed to complain of his selecting the officers, because that is his right, but it is very well he should consult the feelings of the Auditor General, who is responsible for the work done. But I do think that the promotion appears pretty slow for a number of years in that office. It has been in existence sixteen years, and it was necessary to start it, as well as I can recollect, with three chief clerks.

Mr. FOSTER. No; we made the promotions two years ago of two chief clerks.

Sir RICHARD CARTWRIGHT. I think besides the assistant commissioner there was a chief clerk.

Mr. FOSTER. We promoted two chief clerks there a few days ago.

Sir RICHARD CARTWRIGHT. That may be. Still, I think in 1878 we started with a commissioner and a chief clerk besides. Still, I am rather inclined to think that three chief clerks and one first-class clerk, looking at the character of the work required to be done there, does not testify to any very rapid promotion.

Mr. FOSTER.

Mr. FOSTER. If the hon. gentleman will turn to the civil service list, he will find, different from what I suppose, that the three chief clerks who are there were all promoted in 1890.

Sir RICHARD CARTWRIGHT. I am speaking of the way in which the office was originally constituted.

Mr. FOSTER. I think it then had a commissioner and an assistant commissioner.

Sir RICHARD CARTWRIGHT. And a chief clerk.

Mr. FOSTER. That may have been, but if it had a chief clerk, he must have died, because we have three chief clerks there now, and they all were promoted in 1890. With reference to promotions the rule we have laid down is that a man shall earn his way to the maximum before he becomes entitled to promotion.

Mr. MILLS (Bothwell). But you have many promotions of men recently appointed, over those who have been in the service for years.

Mr. FOSTER. And that you do not believe is right?

Mr. MILLS (Bothwell). I am sure it is not in many cases.

Mr. FOSTER. I agree with the hon. gentleman that in the main we ought to promote according to seniority. The promotions which were recommended by the Auditor General were not promotions of men who had reached the maximum, but who were five years below the maximum; and if they had been promoted, they would have been promoted over the heads of persons who had reached the maximum. I do not say, as an absolute rule, that such course of action should always be taken, but the rule is that before we promote clerks, they should have reached the maximum of their former class by natural accretion. It may be, however, that in exceptional cases a very clever man should be promoted before he has reached the maximum, because he may be a man whom you require in a higher position.

Mr. CASEY. The hon. gentleman speaks of clerks earning their way to the maximum by natural accretion. There is no earning in getting to the maximum in that way. A man may be doing exactly the same kind of work all the time, and his salary still keeps going, and he goes up, as a matter of routine, to the higher salary without any change of duties. In the Auditor General's office that kind of thing could not go on. A man there should be fit for work of an exceptional and particular kind, and the best judge of whether he had discharged that work properly and is entitled to promotion, is the Auditor General himself. We know that in other departments, as a rule, promotion either goes on in an automatic way or

is hastened by the use of political pressure. In the Auditor General's Department it appears that this political pressure has not been as active as elsewhere; and it should not be. Men should be promoted there strictly on efficiency, and, therefore, on the report of their immediate superior, the Auditor General himself. I think it may be taken for granted that the promotions have been slow in that office, and, I think, the hon. Minister should consider whether the stream of promotion should not be started to flow. The office is one where there is much more to do than one would imagine from the mere name of it, for it has to do with the expenses of all the departments. It is a department the House should take great interest in, because the Auditor is our officer rather than a member of the Civil Service. His department should offer such inducements as will enable him to attract first-class men, it may be that the gentleman at the head of that office has not been as ardent in matters of promotion, and in pressing these matters upon the Finance Minister as some political heads of departments would be. It is well to have the Minister's attention called to it, and I think no one in the House will object to an increase of liberality in the direction suggested by my hon. friend from Bothwell (Mr. Mills).

Additional County Court judge,
Ontario \$2,000

Sir RICHARD CARTWRIGHT. For which judicial district is this appointment?

Sir JOHN THOMPSON. For Nipissing district, which has just been created by the Provincial Legislature.

Additional County Court judge,
Manitoba \$2,000

Mr. DALY. This is for the southern division of the eastern judicial district of Manitoba, along the American boundary, taking in the counties of Dufferin, Derby and Louise, one of the most thickly settled portions of Manitoba.

Revising correspondence, &c., upon the subject of provincial and reserved Acts, to be paid irrespective of anything in the Civil Service Act..... \$800

Sir JOHN THOMPSON. This is to republish the first volume of the reports of legislation. It is quite out of print, and a very general desire has been expressed that it should be reprinted and continued.

Mr. CASEY. I suppose that "irrespective of anything in the Civil Service Act" means that some civil servants are to be paid for working over hours?

Sir JOHN THOMPSON. One gentleman, a first-class clerk in my department is usually engaged upon this work.

Mr. CASEY. I regret to see that a great many of such votes appear in the Estimates.

This provision was made part of the Civil Service Act with a view to its being observed, and I think it is inadvisable that it should be disregarded unless it is absolutely inevitable. In these cases the Government should be able to say that nobody who is qualified for the work could be secured except in the civil service.

Estate of the late Judge Scott.
Salary and pension, 12th March
to 10th April, 1894.....\$168 24

Sir JOHN THOMPSON. Judge Scott resigned and received superannuation allowance, but for two months preceding the appointment of his successor he attended the duties of county judge, so I propose to give his estate two months' salary, except superannuation allowance.

Widow of James Stewart. Dominion Police Force, gratuity....\$100 65

Sir JOHN THOMPSON. No gratuities or pensions are allowed to the police, and we very seldom have to consider the subject; but this was a case of a policeman dying while in the full vigour of life and leaving a wife and child helpless. I thought I would ask Parliament for assistance.

Penitentiaries—Kingston: increase in accountant's salary, notwithstanding anything to the contrary in the Penitentiaries' Act..... \$100

Sir JOHN THOMPSON. Mr. Creighton was the late warden's son, and he was warden's clerk of the penitentiary for the last ten years. When a vacancy occurred in the office of accountant, he was appointed accountant. Under the Penitentiaries Act he is to begin at \$600, increasing to \$1,000. But, in consideration of his long service, I wanted to ask Parliament to start him in his duties at a slight increase.

Kingston Penitentiary—To purchase manila fibre..... \$33,000

Sir RICHARD CARTWRIGHT. Who has charge of this binder twine industry?

Sir JOHN THOMPSON. A man named O'Connor.

Sir RICHARD CARTWRIGHT. Has he had experience in the business before?

Sir JOHN THOMPSON. Yes, he was employed in Brantford.

Sewage tank (outside labour). \$200

Sir JOHN THOMPSON. That is for the sewage works which are being constructed on the shore of the lake in order to prevent water of the city of Kingston from being contaminated.

Sir RICHARD CARTWRIGHT. Before we dispose of this item finally, I would like to ask in what method does the Minister of Justice propose to procure this manila fibre? Has it been advertised for?

Sir JOHN THOMPSON. No, we have correspondence all the time with the principal houses for the sale of manila in London.

Mr. BAIN (Wentworth). I think the Minister promised me some information with respect to where the machinery was procured. Has he been able to secure that information?

Sir JOHN THOMPSON. The mill itself was purchased from John Goode Cordage and Machinery Company, of New York. Machinery of that kind is not made in Canada. The engine was purchased in New York at the same time with the machinery. It could have been procured in Canada, but not in time to set the machinery going when the mill was put up.

Manitoba Penitentiary—To pay John Mustard the difference between \$800 and \$1,000, notwithstanding anything to the contrary in the Penitentiary Act \$200

Sir JOHN THOMPSON. He was steward and we have made him accountant on the death of the late accountant. We have abolished the office of assistant accountant, and made B. F. Power steward and store-keeper.

Dorchester Penitentiary—To provide for increase of salary to surgeon R. Mitchell, M.D. \$200

Sir JOHN THOMPSON. He is a very old officer and very efficient, and devotes his whole time to the work. Since I assumed charge, he has had to give up his practice, a fairly remunerative one.

House of Commons—To pay for six leather trunks for new members at \$25 each \$150

Mr. SPROULE. It seems to me that we had perpetrated on us a business transaction that was neither creditable to the House nor profitable to us, when we got these leather trunks. For my part, I thought we were done getting leather trunks, and I think it is about time we stopped the practice. I believe that if, in addition to that, we were to cut off the supply of stationery, pen-knives, &c., we would not suffer any loss. There is a great deal more noise made about them in the country than they are all worth. They are of very little value, and in my estimation we could buy more of what we actually need for four or five dollars, than we get in this way. As to the leather trunks, I think they ought to be done away with entirely.

Mr. SPEAKER. With regard to this item of leather trunks, I am simply obeying the order of the House taken upon a report of the Printing Committee in 1892, which recommended that a leather trunk be given to each member elected during this Parliament. Of course, the item of \$150 is conjectural to a large extent. We do not know whether six new members will be elected during this Parliament or not, but the vote is asked

Sir RICHARD CARTWRIGHT.

in order that the money may be on hand if required; if not required, it will not be used.

Mr. CASEY. Although the trunk which I obtained has only travelled between my residence and this city, I have already been called to pay several dollars for its repair. This does not speak highly for the quality of the trunk.

Mr. SPEAKER. I am inclined to think that all the trunks supplied during the present Parliament have been well worth the money paid for them. I took occasion to obtain samples from different manufacturers, and we selected a trunk at \$25 which seemed to be the best value, and, so far as my judgment goes, the trunk is well worth the amount paid for it.

Mr. SPROULE. If reference is made to the leather trunks supplied to members, I desire to say that a similar trunk supplied to the Senators is worth twice as much as that furnished to members of the House of Commons. I understand the trunks for both the Senate and members of the Commons cost the same figure, viz., \$25 each. The House of Commons trunk would be dear at \$12.50.

Sir RICHARD CARTWRIGHT. This is a serious constitutional question. I think the hon. member should be appointed a committee to investigate why the members of the House of Commons should be treated so much worse than senators.

Militia, clothing and necessaries. \$20,000

Mr. PATTERSON (Huron). It is found that an additional sum is required this year for the purpose of great coats for the infantry, artillery and mounted artillery. A considerable reduction was made under this head last year, but it is found that this clothing will be required during the present year.

Mr. CASEY. The economies in the Estimates of the Government one year seem to be compensated by over-expenditures in the following year. An item of \$145,900 in the Supplementary Estimates for militia appears to be very large, when it is not proposed to put the militia into camp. Such an amount should have been included in the original Estimates.

Mr. PATTERSON (Huron). The House will remember that no less than \$240,000 were deducted from the Main Estimates after they were brought down. There was an item of \$159,000 struck out when the Estimates were passing through the committee, and subsequently an amount was eliminated of \$82,500.

Mr. CASEY. Were not these deductions on account of the militia not going into camp?

Mr. PATTERSON (Huron). Yes; and other economies. The hon. gentleman is in

error in supposing that the amount is greater this year than previous years. It is the same amount as last year, and is less than the previous year.

Mr. CASEY. For what purpose is \$25,000 required for military works and buildings ?

Mr. PATTERSON (Huron). In the Main Estimates, \$91,000 is voted. Of that amount \$35,000 was required for militia property, &c., only leaving \$56,000 for construction and repairs. The architect, on behalf of the department, has furnished me with a detailed statement for an amount required of \$12,500 additional.

Mr. CAMPBELL. Who have the contracts for the clothing ?

Mr. PATTERSON (Huron). Shorey of Montreal and the W. E. Sanford Manufacturing Company have some.

Sir RICHARD CARTWRIGHT. Can the Minister give us any information as to the Tete du Pont Barracks ? How do they propose to dispose of the property ?

Mr. PATTERSON (Huron). I would be glad to see a provision made for a new barracks across the river, as the Tete du Pont Barracks are in a very unsanitary condition. I think it is a property that would sell to good advantage, and I would like to see it sold for a high figure. I believe that at an early day we will have to prepare for new barracks.

Mr. CASEY. You are spending a considerable sum of money in repairing those barracks.

Mr. PATTERSON (Huron). We must keep it in repair while it is occupied.

Sir RICHARD CARTWRIGHT. I am bound to say that the barracks need repair. I notice that the Minister has taken possession of certain camping grounds on the other side of the harbour ? Is it there that he proposes to erect the new barracks or has the site been decided upon ?

Mr. PATTERSON (Huron.) The site has not been decided upon, but I thought the slope of ground at the rear of the college on the way to the fort would be desirable.

Sir RICHARD CARTWRIGHT. I suppose you could not utilize the fort.

Mr. PATTERSON (Huron). I examined it with the architect, but I am afraid we cannot utilize it, because like other buildings put up by the Imperial Government, they are not suitable to our climate, and it would be cheaper to erect new buildings than to adapt these to modern uses.

Sir RICHARD CARTWRIGHT. The hon. gentleman has, of course, plenty of ground there. He proposes to erect the new barracks on the slope of the hill.

Mr. PATTERSON (Huron). That is what I would like to do, if the Minister of Finance could see his way to give me a little money and Parliament approved.

Inspection of stores..... \$1,200

Sir RICHARD CARTWRIGHT. Is this a new officer ?

Mr. PATTERSON (Huron). I think it is in the interest of the service that we should have an inspector of stores who would travel around and visit the various stores at least in the older provinces. I found on my own inspection that a great deal of condemned and useless stores kept accumulating no matter how often we had sales, and I have had to have sales twice within the last ten months. The amount derived from the sales in my time, has been about \$1.858, and sales are pending now at London, Montreal, Halifax, Kingston, Quebec, and Winnipeg.

Mr. CASEY. Is it not the duty of the brigade-majors and Deputy Adjutant-Generals to inspect the stores ?

Mr. PATTERSON (Huron). The duty was performed by the brigade-majors when we had any of them left.

Mr. CASEY. When I used to be in the force there was an inspecting officer to look after the stores, and I fancy there is such an officer still. If the inspection has not been efficient the remedy is to see that the officers do their duty rather than to appoint a new officer.

Mr. PATTERSON (Huron). I refer to stores kept at district headquarters and also at Ottawa. The clothing is now inspected by experts temporarily employed, and I think it would be economy and a check upon these experts to have such an officer.

Sir RICHARD CARTWRIGHT. Is this officer appointed ?

Mr. PATTERSON (Huron). No.

Salary of Brigade Major Roy..... \$1,200

Mr. PATTERSON (Huron). This is the only brigade-major retained, and we retained him at Montreal because a great many of the regiments in that district are French-speaking, and the D.A.G. only speaks English. I found that his name by some accident was left out of the Estimates, and that it was contemplated to assign him to some other command that entailed an increase in the service which I do not propose to carry out at present.

Mr. SCRIVER. I desire to ask the Minister of Militia, if Brigade-Major Roy has not been appointed in place of Brigade-Major Mattice, whose services were dispensed with. I may say that soon after the last camp at La Prairie, I heard a good deal said among the officers connected with the volunteer force with regard to the treatment which

Brigade-Major Mattice had received at the hands of the Department. The treatment accorded him was considered to be rather harsh. He had been in the service a good time longer than Brigade-Major Roy, but his services were dispensed with and Brigade-Major Roy appointed in his place, although Col. Mattice had been a longer time in the service.

Mr. PATTERSON (Huron). My hon. friend is mistaken. Brigade-Major Roy and Brigade-Major Mattice were both in the public service, and I am surprised to hear that Brigade-Major Mattice considers himself aggrieved.

Mr. SCRIVER. I did not say that Colonel Mattice said so. I said that officers connected with the volunteer force had expressed the opinion to me, that Colonel Mattice had been harshly treated.

Mr. PATTERSON (Huron). I am confident that Colonel Mattice will not say so. Brigade-Major Roy was in the service and he is retained at the same salary. There is no change in his position.

Mr. HUGHES. I wish to avail of this opportunity to say that I should be sorry that a wrong impression should go abroad regarding the proper idea of discipline in the force. I wish to correct an erroneous impression created this afternoon by the statement that it is the duty of officers commanding the forces to be harsh in discipline. I was sorry to hear some military men in the House re-echo that sentiment. If you turn to section 127 of the Regulations and Orders for the Militia of Canada you will find that it says :

A commanding officer should impress upon the men under his command, by every means in his power, the propriety of civility and courtesy in their intercourse with all ranks and classes of society. * * *

In the Queen's Regulations it says as regards the treatment of soldiers :

Officers of all ranks will practice towards their subordinates such methods of command and treatment as will not only insure respect for authority, but also foster the feeling of self-respect and personal honour essential to a high standard of military efficiency.

In no sense should the officers act in the spirit of anything like the martinet or the drill-sergeant. I was very sorry to hear the sentiment to which I refer applauded in the House to-day, and I should be sorry that the sentiment would go abroad that it was the duty of any officer in the service, high or low, to be a martinet.

The CHAIRMAN (Mr. Denison). It might be equally bad for a member of this House to take advantage of his position.

Mr. HUGHES. I maintain that it is not equally bad. Obedience implies the duty on the part of the officer giving the command as well as on the part of the individual.

Mr. SCRIVER.

Modern firearms..... \$58,600

Mr. CASEY. Is this for new rifles ?

Mr. PATTERSON (Huron). Yes ; a portion of the money for the new rifles. When the Main Estimates were passed, I explained that I would have to ask for this.

Sir RICHARD CARTWRIGHT. How many stand of arms have you ?

Mr. PATTERSON (Huron). We have only bought 1,000 stand of arms, and we have entered into a contract with the Imperial Government for 8,000 more. The arrangement is to pay \$45,000 for two years in succession, and \$35,000 in the third year.

Sir RICHARD CARTWRIGHT. What do you pay for each weapon ?

Mr. PATTERSON (Huron). I cannot give my hon. friend the exact figure. It is between \$14 and \$15 for the Martini-Metford.

Mr. CASEY. Does the hon. Minister know the price of the Lee-Metford ?

Mr. PATTERSON (Huron). I do not.

Mr. CASEY. I suppose it was on account of the difference in price that the Martini-Metford was chosen in preference ?

Mr. PATTERSON (Huron). No ; the Lee-Metford is more complicated.

Mr. CASEY. It has been adopted by the British service, and is to be employed by them in all sorts of rough service. There are arguments both for and against the magazine rifle. It has the effect of making one man equal to all others ; on the other hand, it is a temptation, no doubt, to the user to waste ammunition. I do not know how far the Minister has considered the difference between the two.

Mr. PATTERSON (Huron). I have not. It was supposed by the military authorities that the Martini-Metford was amply sufficient for the requirements of our Canadian militia, being less expensive and complicated than the Lee-Metford.

Mr. CASEY. I am astonished to hear that the Minister has not considered the matter as a question of policy. What is the proposed method of distributing these rifles ?

Mr. PATTERSON (Huron). That has not been considered yet, as we have only about 500 in the country at present.

Mr. CASEY. I do not see the use of such a small consignment. There is not any more than enough to arm two or three battalions. If that is to be done, which are the battalions to receive them ?

Mr. PATTERSON (Huron). I hope to be able to tell the hon. gentleman before the House rises. I expect the 8,000 to arrive immediately, and the Imperial Government are willing to wait for their pay.

Gratuity to Thomas Rainsford for permanent injuries received in service. \$1,000

Sir RICHARD CARTWRIGHT. What are the circumstances of this ?

Mr. PATTERSON (Huron). Thomas Rainsford was a soldier in the regiment stationed at St. John, and he met with an accident which broke his shoulder blade. He suffered a fracture of the coracoid process of the scapula. He went into hospital, but after being there some time he was very anxious to get out and was allowed to go back to his duties. He carried his rifle and undertook to go on guard, but broke down again, and it was found that the bone had never united, and he is now a cripple for life.

Quebec—Pointing walls. \$10,000

Mr. AMYOT. I would recommend to the hon. Minister the advisability of taking down parts of the walls and doing away with St. Louis Gate and Kent Gate, which are of no earthly use.

Mr. PATTERSON (Huron). I agree with my hon. friend, and desired to carry out the suggestion, but the military authorities objected. This amount is required to keep the walls in good condition.

Monuments, battlefields of Canada \$4,000

Mr. PATTERSON (Huron). This is to erect monuments at Chateauguay, Lundy's Lane and Chrysler's Farm. I do not think I can accomplish the three of them out of that amount.

Mr. LOWELL. In view of the fact that a definite promise was made by the former Minister to put up a monument at Lundy's Lane, and in view of the fact also that the Lundy's Lane Historical Society first brought this matter to the attention of the Government, I think that we should have a monument erected there a little better than probably some of the others. The battle of Lundy's Lane was the final victory in that campaign which preserved to us this province of Ontario, and the scene is visited by thousands every year. There is no other battle field in Ontario or in any part of Canada that attracts so many visitors, and I would like to ask the Minister if I can safely promise to the Lundy's Lane Historical Society that this monument will be put up there very soon. The anniversary of that battle will be on the 25th of this month, and the people would be very much gratified if, at the celebration then to take place I could give them an assurance of this promise.

Sir RICHARD CARTWRIGHT. My hon. friend from Welland (Mr. Lowell) was calling attention to the Lundy's Lane monument. I thought the Government had appropriated a sum of money for that work ?

Mr. PATTERSON (Huron). It has. I was there last year, and came to an under-

standing about the site, which I think will be satisfactory to the people there.

Mr. MILLS (Bothwell). What the hon. gentleman asked was whether he could assure the Historical Society that the hon. gentleman would commence the erection of the monument very soon.

Mr. PATTERSON (Huron). Yes.

Printing and distributing reports of the Experimental Farms, etc. \$2,000

Mr. SPROULE. In the last year or two there appears to be reluctance on the part of the House to print a sufficient number of these reports. It appears to me that it is not the highest kind of wisdom to incur the expenses of keeping up farms, carrying on experiments, securing valuable information, and then refusing to provide money enough to print a sufficient number of the reports to give that information to the people. I have here an account of the number of farmers, gardeners, stock-raisers and dairymen in the Dominion, showing a total of 775,207. We asked that 75,000 of these reports be printed, but that, I believe, was refused. This year the Committee on Agriculture and Colonization recommended that the Dairy Commissioner's Report and the Experimental Farm's Report be curtailed and incorporated in one volume. This would be a saving of expense, because, when the reports are printed separately there is duplication of information to a certain extent. If 100,000 copies were sent out, that would be one for every seventh farmer in the Dominion. If the information is valuable—and every farmer will admit that it is—it is impossible to do justice to the farmers except by wide distribution of these reports. I think it most important that these reports should be printed and distributed, not only this year but every year, because every year there is new information making the report of that year as valuable as those preceding it. There is also the report of the Committee on Agriculture and Colonization. Those conversant with that report, I think, will admit that it contains the crystallized information of the experimental farms. The different members of the staff who come before the committee devote a great deal of pains to preparing their evidence. This makes the report most valuable. Only a few copies have been printed, except last year. The committee recommended 10,000. That is a very small number. But our Finance Minister is so struck on economy that we cannot induce him to give enough money for this purpose. I desire to say a word with regard to deputations that waited upon the Minister of Agriculture. One represented the Cattle Breeders' Association, and they asked \$1,000 to assist them in the publishing their reports and carrying on their work, which is very valuable to the farmers. I do not see any item for this purpose in the Supplementary Estimates, and this I regret very much, because the gentlemen who waited on the

Minister of Agriculture, I believe, went away with the impression that the amount they asked would be provided. This association publish the annual report of thorough-bred stock. I would like to ask the Minister who represents the Minister of Agriculture whether representations were made to the Department of Agriculture at Washington with a view to getting them to allow the Cattle Breeders' Association, in sending thorough-bred cattle to the United States to register them in the Canadian book instead of in the books of the Stock Breeders' Association in the United States?

Mr. DALY. I am not in a position to answer the hon. gentleman's question, but, no doubt, if he will call at the department in the morning he will get the information he asks for.

Mr. SPROULE. I understand that an apiary department has been established at the Experimental Farm. Honey is one of the extensive and profitable products of the farm to-day. The gentlemen representing that interest who waited upon the Minister of Agriculture asked that money be provided to carry on experiments in this branch in connection with the farm. But I do not find any sum for this purpose mentioned in these estimates. I am sorry that that is the case, for this is an important department, and we have given those carrying on this business no assistance up to the present time.

Exhibition in the North-west Territories	\$25,000
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Mr. DALY. This contribution to the North-west exhibition is given in consequence of a request made by the Lieutenant-Governor of the Territories and the Executive of the Assembly, in view of the fact that it is intended to hold an exhibition at Regina in August, 1895. The buildings have to be erected by the town of Regina, the Territorial Assembly is to give a vote and the Canadian Pacific Railway is to carry passengers at reduced rates. The Lieutenant-Governor and his council put it in this way: The people in the North-west live at long distances apart, and they have not any opportunity of coming together as they will at an agricultural exhibition, to discuss their various methods of farming and to exchange ideas as to what is being done in farming in various portions of the Territories. With the idea of bringing that about, and seeing the progress the North-west has made in the last few years in agriculture, in horse, cattle and sheep-raising, it was thought best to give assistance towards holding this exhibition. The date taken for opening the exhibition will be ten years from the time of the driving of the last spike in the Canadian Pacific Railway.

Mr. CASEY. As I understand, this is an extraordinary grant for this year, and not meant to be a permanent grant?

Mr. SPROULE.

Mr. DALY. Certainly not.

Mr. BAIN (Wentworth). Before we leave this item, I would like to get some more information from the Minister respecting two items that were referred to by the standing Committee on Agriculture and Colonization. The first item refers to the relation that our stock-breeders have to the Americans on the other side. Our stockmen are placed in the position of having to incur the additional expense of American registration, or else they are debarred from the advantages of having their thoroughbred stock pass American customs ports free for breeding purposes when sold to go to the United States. The other item is with respect to the printing the reports of the farm. There seemed to be a feeling that there was an indisposition on the part of the Government to accede to the request either of the Printing Committee or of the Committee on Agriculture and Colonization with respect to printing the reports of the farm. I think myself that there could be considerable economy exercised in consolidating the farm and dairy reports and reducing their size. I think there is a good deal of material in them that is a repetition, and has not a direct bearing on the work of the farm. But I do say this, and I think I echo the sentiments of the committee after a prolonged discussion, that a large part of the utility of the expenditure in connection with that farm, will be lost to the farming community of this Dominion if better facilities are not given for furnishing that information to the farmers of the country at large. I am not disposed to advocate a very large edition, but I think that when we look at the breadth of the area that is to be covered, and the interests involved, and the amount the farm is costing us from year to year, it would be unwise economy on the part of the Government to cut off a somewhat free circulation of the report of the Experimental Farm. I think if a little pressure was put upon the officials at the farm, they could make a report that would be more portable, more easily consulted, and more useful to the farmers at large.

Committee rose and reported resolutions.

BIRTH OF AN HEIR APPARENT.

Mr. SPEAKER. I have the honour to inform the House that I have received from the Senate the following Message:—

To the Queen's Most Excellent Majesty:

Most Gracious Sovereign:

We, Your Majesty's dutiful and loyal subjects, the Senate of Canada, in Parliament assembled, most humbly beg to tender Your Majesty our cordial congratulations upon the birth of a son to His Royal Highness the Duke, and Her Royal Highness the Duchess of York; and we beg leave most respectfully to assure Your Majesty of the

great joy and satisfaction we derive from this auspicious event.

JOHN J. ROSS,
Speaker of the Senate.

THE SENATE CHAMBER,
16th July, 1894.

Sir JOHN THOMPSON moved that the said Message and Address be taken into consideration to-morrow.

Sir RICHARD CARTWRIGHT. We will have much pleasure in supporting that motion.

Motion agreed to.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 1.15 a.m. (Wednesday).

HOUSE OF COMMONS.

WEDNESDAY, 18th July, 1894.

The SPEAKER took the Chair at Three o'clock.

PRAYERS.

MORNING SITTINGS.

Sir JOHN THOMPSON. In view of the near approach of the termination of the session, I beg to move:

That for the remainder of the session the House shall meet every day at 11 o'clock a.m., including Saturday, and there shall be two distinct sittings each day, the first from 11 o'clock a.m. to 6 o'clock p.m., and the second from 8 o'clock p.m. until the hour of adjournment; and during the first sitting Mr. Speaker shall leave the Chair at 1 o'clock p.m., and resume it at 3 o'clock.

Motion agreed to.

RAILWAY SUBSIDIES.

Mr. DALY moved that, to-morrow, the House resolve itself into committee on the following resolutions:—

1. That the Governor in Council may grant to the Saskatchewan and Western Railway Company, Dominion lands to an extent not exceeding 6,400 acres per mile, for a line of railway from Minnedosa to Rapid City, a distance of about fifteen miles.

2. That the said grant may be made in aid of the said railway upon the condition fixed by the Order in Council which may be passed in respect thereof, and that except as to such conditions the said grant shall be a free grant, subject only to the payment by the said company of the cost of surveying the land and incidental expenses, at the rate of ten cents per acre cash, on the issue of the patents therefor.

Motion agreed to.

Mr. HAGGART moved that, to-morrow, the House resolve itself into committee on the following resolutions:—

That it is expedient to authorize the Governor in Council to grant the subsidies hereinafter mentioned to the railway companies, and towards the construction of the railways also hereinafter mentioned, that is to say:—

For a railway from Newport or Windsor or Truro or to a point between Truro and Stewiacke, and from a point on said railway to a point at or near Eastville, for 90 miles of such railway, a subsidy not exceeding \$3,200 per mile, in lieu of the subsidies granted by the Act 55-56 Victoria, chapter 5, and also for a railway bridge over the Shubenacadie River on the line of the said railway, a subsidy of 15 per cent on the value of the structure, not exceeding in the whole \$300,000.

To the Nipissing and James Bay Railway Company, for 25 miles of their railway, from at or near North Bay station on the Canadian Pacific Railway, towards James Bay, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile; also for 43 miles of their railway from North Bay towards Lake Tamagamang, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$217,000.

To the Lotbinière and Megantic Railway Company, for 15 miles of their railway, in addition to the 15 miles already subsidized and built, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$48,000.

To the Drummond County Railway Company, for 30 miles of their railway, from St. Leonard northerly towards a junction with the Intercolonial Railway at Chaudière Junction, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

For a railway from Lime Ridge, in the county of Wolfe, in the province of Quebec, northerly through the county of Wolfe and into the county of Megantic a distance not exceeding 50 miles from Lime Ridge, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$160,000.

To the Strathroy and Western Counties Railway Company, for 25 miles of their railway, from St. Thomas through the Counties of Elgin and Middlesex, towards Forest station of the Grand Trunk Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$80,000.

To the Parry Sound Colonization Railway Company, for 20 miles of their railway, from Parry Sound, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

To the Manitoulin and North Shore Railway Company, for 10 miles of their railway, from Little Current to Nelson on the Algoma Branch of the Canadian Pacific Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$32,000.

To the United Counties Railway Company, for 32 miles of their railway, from Iberville to Sorel, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$102,400.

To the Joliette and St. Jean de Matha Railway Company, for 12 miles of their railway from St. Jean de Matha to Ste. Emilie de l'Énergie, a sub-

sidy not exceeding \$3,200 per mile, nor exceeding in the whole \$38,400.

To the Great Northern Railway Company, for 22 miles of their railway, from the westerly end of the 30 miles subsidized to the Maskinongé and Nipissing Railway Company by the Act 56 Victoria, chapter 2, to a point between Joliette and Félix de Valois, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$70,400.

To the Quebec and Lake St. John Railway Company, for 2 miles of the Chicoutimi branch of their railway from the east end of the 15 miles already subsidized and built eastward to the 52 miles to reach the deep water at Chicoutimi, a subsidy not exceeding \$3,200 per mile, also for 12 miles from the 50 miles on the Chicoutimi, branch to Ha Ha Bay, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$44,800.

To the Pontiac and Ottawa Railway Company, for 23 miles of their railway, from the point of divergence from the Pontiac Railway to Ferguson's Point, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$73,600.

To the Ottawa and Gatineau Valley Railway Company, for 20 miles of their railway, from the eastern end of the 62 miles already subsidized towards Désert, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

To the Canada Eastern Railway Company, for 6 miles of their railway, from the town of Chatham to Black Brook, a subsidy not exceeding \$3,200 per mile, also 4 miles of their railway for a branch to the Village of Nelson, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$32,000.

For a railway from Cross Creek station, on the Canada Eastern Railway, to Stanley Village, in the county of York, province of New Brunswick, 6 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$19,200.

To the Restigouche and Victoria Railway Company, for 20 miles of their railway, from the western end of the 15 miles subsidized by the Act 55-56 Victoria, chapter 5, towards Grand Falls, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

To the Central Railway Company of New Brunswick, for 15 miles of their railway, from Chipman Station to the Newcastle coal fields, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$48,000.

To the Tobique Valley Railway Company, for 15 miles of their railway, from the present terminus at Plaister Rock easterly, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$48,000.

Towards the restoration or renewal of the railway bridge on the South-eastern Railway over the Yamaska River at Yamaska, a subsidy equal to one-third of the actual cost of the renewal of the bridge, but the grant not to exceed in the whole \$50,000.

To the Boston and Nova Scotia Coal and Railway Company, for 10½ miles of their railway, from the north end of the section already subsidized to Broadcove, a subsidy not exceeding \$3,200 per mile, also for 25 miles of their railway from a point on the Cape Breton Railway, at or near Orangedale, towards Broadcove, a subsidy not exceeding \$3,200 per mile, in lieu of the subsidy granted by the Act

Mr. HAGGART.

55-56 Victoria, chapter 5, nor exceeding in the whole \$113,600.

For a railway from Port Hawkesbury towards Cheticamp, 25 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$80,000.

To the Manitoba North-western Railway Company, for 100 miles of the extension of their main line from its present western terminus towards Prince Albert, a subsidy not exceeding \$3,200 per mile, the company relinquishing 3,200 acres of the land grant per mile and upon condition if the whole road is operated as a continuous line of railway under one management, nor exceeding in the whole \$320,000.

For a line of railway from the junction of the Elk and Kootenay River to Coal Creek, a distance of 34 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$108,800.

For a railway from Abbotsford station on the Moosomin Branch of the Canadian Pacific Railway, to the town of Chilliwack, 21 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$67,200.

To the Nicola Valley Railway Company, for 28 miles of their railway, from the western end of the section of their road subsidized by the Act 55-56 Victoria, chapter 5, towards Nicola Lake, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$89,600.

To the Nakusp and Slocan Railway Company, for 38 miles of their railway, from the town of Nakusp to a point at or near the Forks at the Carpenter Creek, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$121,600.

To the Pontiac and Kingston Railway Company, for 22 miles of a railway, from Portage du Fort to Upper Thorne Centre, via Shawville, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$70,400.

To the New Glasgow Iron, Coal and Railway Company, for 5 miles of their railway, from Sunybrae to Kerrowgare, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$16,000.

To the South Shore Railway Company, for 35 miles of their railway, from Yarmouth towards Shelburne, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$112,000.

To the Cape Breton Railway Extension Company; for 30 miles of their railway, from Port Hawkesbury to St. Peter's, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

For a railway from a point of the Intercolonial Railway, between Norton and Sussex stations towards Havelock, 20 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

For a railway from St. John's to Barneville, a distance of 10 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$32,000.

For a line of railway from Cap de la Madeleine, to connect with the Piles Branch of the Canadian Pacific Railway, 3 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$9,600.

To the Canada Eastern Railway Company, for an extension of one mile from the eastern end of their railway, a subsidy not exceeding \$3,200.

To the Great Northern Railway Company, for 30 miles of their railway, from a point on the Canadian Pacific Railway, at or near Maskinongé or Louiseville towards the parish of St. Michel des Saints on the river Mattawa, in the province of Quebec, in lieu of the subsidy granted to the Maskinongé and Nipissing Railway Company by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

To the Lindsay, Bobcaygeon and Pontypool Railway Company, for 16 miles of their railway, from Bobcaygeon to the Midland Railway, and for another 16 miles from the end of the said 16 miles to Pontypool, in lieu of the subsidies granted by the Acts 53 Victoria, chapter 2, and 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$102,400.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively, the other subsidies may be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

3. That the granting of such subsidies respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council determines.

4. That the said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each section of the railway of not less than 10 miles, proportionate to the value of the portion so completed in comparison with that of the whole work undertaken, to be established by the report of the said Minister, or upon the completion of the work subsidized—except as to subsidies with respect to which it is hereinbefore otherwise provided.

COMMISSION ON THE LIQUOR TRAFFIC.

Mr. BERNIER asked, Is it the intention of the Government to suspend the translation of the report of the commission on the liquor traffic? If so, what is the reason?

Mr. FOSTER. The translation of the report of the Commission on the Liquor Traf-

fic has been suspended. The parliamentary vote which was applicable to the work ran out, and consequently operations ceased.

Mr. LAURIER. I hope that in future when the hon. gentleman is without money he will not have recourse to Governor General's warrants.

Mr. FOSTER. Never do that unless it is necessary.

INQUIRIES FOR RETURNS.

Mr. LANDERKIN. Some two months ago the House passed an order on a motion made by me for a return of the amount of goods imported from the United States for the service of the Government. I would like to know when that return will be brought down.

Sir JOHN THOMPSON. I will ascertain during the day. The Controller of Inland Revenue has charge of the matter in the meantime.

Mr. LANDERKIN. There was also, Mr. Speaker, another return which I asked for showing the number of returns that had been ordered by the House and had not been brought down. When may we expect that return?

Mr. COSTIGAN. I can give the hon. gentleman the information of the returns not brought down at the time his return was moved for. Since then three or four of these returns have been laid on the Table. The following is the list of all those not presented at the time the hon. gentleman moved for his return:—

Information *re* distilled and fermented liquors imported into Canada or manufactured therein.

Information *re* distilleries and malsters' establishments in Canada in 1891.

Papers in relation to the reduction or abolition of the duties on Canadian tobacco or in relation to any possible changes in the Inland Revenue laws in that behalf.

Papers relating to certain matters connected with the post office of St. Francis de Sales, county of Laval, since 1891.

Papers relating to the dismissal of E. Loiselle, postmaster of Ste. Angèle de Monnoir.

Documents relating to the purchase or to the leasing of a property for the purposes of the post office of St. Roch de Québec.

Correspondence *re* certain packets of printed papers franked by a member of the United States Congress and sent to the Dead Letter Office.

Correspondence touching seizure by the Russian cruiser *Zabiaka* of the Canadian schooner *Willie McGowan* in the North Pacific Ocean in June, 1892.

Copies of all contracts for the construction of the steamers *Curlew*, *Constance* and *Petrel*, and statement of expenses for equipment, repairs, &c.

Correspondence respecting claim of a certain band of Indians to the ownership of McCormick's Island and the Point Pelee.

Correspondence *re* tenders received since 1st June, 1890, for the purchase of timber limits on Indian Reserves.

Tenders for the construction of sections 1 and 2 of the Soulanges Canal and other documents in connection therewith.

Correspondence *re* steam ferry established across the Strait of Canso, between Port Mulgrave and Hawkesbury, also between Port Mulgrave and Hastings.

Papers relating to the Hard Pan cases; also the findings of the Judge of Exchequer Court respecting said claims.

Documents respecting the location of the railway called "The Great Northern Railway."

Tenders received and contracts awarded for sections 12 and 13 of the Soulanges Canal, together with all correspondence in connection therewith.

Papers relating to the removal of the flag station from Mill River, on the Prince Edward Island Railway, to Howlan Road.

Information from the several departments show that these returns were all in course of preparation. One or two of them are so voluminous that it is not expected that they will be ready in time to be laid on the Table this session.

Mr. McMULLEN. What has been done with regard to the balance due the Crown by the Exchange Bank?

Mr. FOSTER. The matter is in the Department of Justice to which I sent it for an opinion on the legal points involved, some two or three weeks ago.

Sir RICHARD CARTWRIGHT. It is about three months ago since that statement was made in answer to a question I put.

SENATE AND HOUSE OF COMMONS.

House resolved itself into committee on Bill (No. 164) further to amend the Act respecting the Senate and the House of Commons.

(In the Committee.)

Mr. McMULLEN. It would be preferable to make a general provision in this line instead of bringing up a short Bill like this every year. If the present sessional allowance is insufficient, the Government should bring in a general mem.

Mr. COSTIGAN.

Mr. FOSTER. My hon. friend has been caught napping. It is not usual to have the same matter discussed and the same premise made twice. The other evening the hon. member for North Simcoe (Mr. McCarthy) made the same suggestion, to which the First Minister assented.

Bill reported.

DOMINION NOTES.

House resolved itself into committee on Bill (No. 165) respecting Dominion notes.

(In the Committee.)

Mr. MARA. I am glad to know that the Minister of Finance does not intend taking advantage of the power this Bill gives him of increasing the issue of small notes, but I wish to state here that my constituents are opposed to the principle of the Government issuing small notes. They feel, particularly those in the mining districts, that the small notes usurp the place of silver, and that, instead of placing restrictions upon the free circulation of silver, the Government should use every legitimate means of encouraging the silver mining industry. For years past, I am informed the Government have had coined from \$150,000 to \$200,000 of silver, but this is inadequate to meet the demands of our growing trade. Go where you will, you will find a scarcity of small change. In the western provinces, a large portion of the silver in circulation is American, and in the eastern provinces—I refer to Ontario and Quebec—whether you are travelling in a Pullman or on steamers, or are making small purchases, you are constantly annoyed by the inconvenience and difficulty of either making or getting small change. In connection with this subject, my constituents wish me to bring before the attention of the Government the question whether the time is not approaching when Canada should establish a mint and have her own gold coinage. In this respect, I think we might follow with advantage the example of the Australian colonies. In Australia two branch mints have been established—in Sydney, New South Wales, one in 1853; and one in Melbourne in 1869. It might not be out of place to make a few comparisons between our Dominion and the Australian colonies; and I propose to do so, taking the colony of New South Wales, which is the largest of the Australian group. I find that, according to the last census, New South Wales had a population of 1,132,234, whilst we in Canada at the same time had a population of 4,833,239. The revenue for the last year of New South Wales was £10,501,104, and that of Canada, \$38,168,608. And we must bear in mind that this comparison is not a fair one, as regards Canada, because New South Wales owns all the railways, tramways, and telegraph lines,

the receipts from which different sources appear in the general revenue, and constitute nearly one-half of the £10,501,104 that I have mentioned. Take railways, we find that while New South Wales has a mileage of 2,325 miles, we have 17,000 miles of railway. As regards shipping, the vessels entering New South Wales last year numbered 2,960, with a tonnage of 2,084,549 tons. In Canada, the vessels entering last year numbered 31,643, with a tonnage of 9,058,102 tons. But when we come to consider the mineral products, New South Wales is far ahead of Canada. I find that from 1851 to 1892, a period of forty-two years, the total yield of gold in New South Wales was £38,633,488. But we must not forget that British Columbia alone, from 1858 to 1893, produced over \$54,000,000 in gold, the whole of which large sum was shipped to San Francisco to be coined there. Now, if we had a mint in British Columbia, a considerable portion of that large amount would have been retained in the province, instead of going to swell the wealth of the city of San Francisco and the state of California. Our mineral productions last year were \$19,500,000, and of this, over \$4,000,000 comprised gold, silver, copper and nickel. Now, Canada is a country rich in minerals. We have gold in Nova Scotia, nickel in Sudbury, silver and copper on Lake Superior, and we have all the metals, both precious and base, in British Columbia. I maintain that no better advertisement could be given to the world that Canada is a mineral country than the establishment of a mint for the coinage of our precious metals. The Minister of Finance, I have no doubt, will state that we have, at present, the advantage of the Imperial mint, and that it will cost less to have our coins minted there than to establish a mint here. Well, we have a good item to commence with in what we paid last year for coining silver. Last year, silver and copper coins were coined in the Imperial mint to the amount of \$215,000, on which we paid a commission of 3 per cent. amounting to \$6,450. The gold produced in the Dominion during the year amounted to a million dollars, and I may say that the whole of that million dollars would have gone to a Canadian mint, swelling up the receipts materially. In Sydney and Melbourne it is expected that the mints will be self-sustaining, and they are now nearly so. Last year the revenue of the mint at Sydney was £12,084, and the running expenses, £13,622, only a slight difference. But a mint in Canada need not be on so large a scale, and the running expenses would not be so great. I quite admit that we need not expect a mint to pay in Canada at first, but there would be an indirect benefit that, I think, would fully compensate the outlay. For instance, the country does not receive any direct benefit from the Geological Survey, but we do get an in-

direct benefit from the information furnished to us by the Geological surveyors concerning the structure and formation of various portions of the Dominion. The prospector, the miner, and the capitalist, in turn, step in and proceed to develop the mineral sections. Then we spend large sums of money on the agricultural farms, and a considerable sum every year for lectures on dairy farming. None of these expenditures pay directly, but they all pay indirectly; and so I maintain it would be with a mint, if run economically. I have given here a few plain practical reasons which I think should induce the Government to take this matter into their serious consideration; and I may state that there are sentimental reasons why Canada should have her own mint. Canada occupies a peculiarly favourable position for doing a large portion of the world's commerce, and if our soil is to be the highway between Great Britain, on the one hand, and Australia, China, and Japan, on the other, then I think we might look forward to the day when we will have our own gold coinage, and when the beaver and the maple leaf will be stamped on one side of our gold coins.

Mr. FOSTER. The hon. gentleman who has just spoken has raised an interesting point, particularly so, I suppose, to the constituency from which he comes, and to the gold-producing sections of our country generally. On national and patriotic grounds, and on sentimental grounds, I would entirely agree with him that, other things being equal, it would be a good thing if Canada could have a mint of her own, and coin from her own minerals the money she uses for circulation. But there are certain points to be considered, and the first is with reference to the cost. Without doubt, the most economical way for us is to proceed as we are doing now, buy our bullion in London, and have it minted for us there, and simply pay the freight of it over to this country. The small amount of silver and bronze that we would mint would be very little as compared with what a mint should do, and the cost of a mint for these purposes would, of course, make the financial transaction against us, so far as our present coinage is concerned. My hon. friend expects that the silver coinage would be largely increased, and that it would take the place of small notes. He says that there is a lack of small change for general use, and he makes a further plea that the silver should take the place of the small note circulation which is now held by the Government. Well, my hon. friend will see that if we do that we have got totally to change the character of our silver currency. The currency we have at present is nothing more than a token currency, and if we undertake to substitute a real currency for the former, we must have a currency, I think, which will be worth, in the metal that is in it, the value that is stamped

upon it. If we do that, and force it into circulation, there would be the added expense of the coinage, and there would be the loss of the withdrawal from circulation of the small notes, upon which, of course, the Government gets a large profit, paying simply the cost of printing the notes, which is a bagatelle.

Mr. McCARTHY. What about the variation in value ?

Mr. FOSTER. It is no more difficult a question here than in other countries that have a silver currency. Then, with reference to gold. Our country is different in its habits and customs from Australia. Our people do not carry gold in their pockets, and use it as a circulatory medium. For that purpose, gold is inconvenient and unhandy, and if a person gets gold here his first concern is to deposit it in a bank and get bills for it, if he wants bills for ready circulation. The amount of gold, therefore, that is coined to be placed into circulation in this country, is comparatively small. It is used as a reserve against Dominion notes, and as a reserve for the banks, and if a large amount of gold coinage were ever to take place in this country, it would only take place, I think, by some measure of the Government which would substitute, or force a substitution of the circulation of gold for a circulation of bills. Taking these things into consideration, the small amount of silver currency that we have, the system of Dominion circulation of bills, which is a profitable one to us, with the change that would have to take place in the silver currency, raising it from a nominal currency to a real currency, with the small circulation of gold that we have, and, according to the habits of our people, we probably would have, unless there was a law which would rather tend to force the circulation of gold—all these are difficulties that I see in the way of establishing a mint at the present time. But, until Canada grows and population increases, and our esteem for the yellow metal as a circulatory medium, increases, I think we will have to content ourselves for some time, at least, with the present economical system of coinage. But I hope to see the time when we shall have gold and silver coinage of our own in Canada, and that time will more rapidly come as we gather a larger population and our trade increases. At present I do not think the probabilities are in favour of making the change that would be required to establish such system.

Mr. CHARLTON. I do not understand the hon. member for Yale (Mr. Mara) to suggest that the Government should decide the ratio between gold and silver; or that he suggested that an unlimited quantity of silver be placed in circulation. What the hon. gentleman did say was that there is an insufficient quantity of silver to meet local requirements. We should have more silver in circulation to serve the purpose of small

Mr. FOSTER.

change. This is a silver-producing country; there are rich silver mines in British Columbia and on the north shore of Lake Superior, and our interests as a country are identical with the interests of other large silver-producing countries; our interests, in fact, are the same as those of the United States. The Government might at least show its goodwill by furnishing an amount of silver coin adequate to the wants of the country. Any one acquainted with business centres on the frontier is aware that about seven-tenths of the silver in circulation is American silver. This coinage should be excluded, and we should use our own silver currency. We would lose no money by adopting this measure. The price of silver bullion is very much less than the nominal value of silver coin, the difference is many times greater than the cost of coinage. I have often thought that while the Government can make no arrangement to settle the ratio between gold and silver, and can do very little to assist in the adjustment of the metallic contest between commercial nations, it can at least furnish an adequate supply of silver coinage to the country, so that our people would not have to fall back on American silver coinage to meet their commercial wants.

Mr. FOSTER. I do not think the hon. gentleman has put the matter quite correctly. The Government does aid, and its whole interests are on the line of supplying all the silver currency which the banks and the country will take. Why should it not, because it gets a large profit on all put out, and it is in the interests of the country that the amount of silver currency should be as large as it is possible compatible with safety. Care is taken that whenever a demand is made for silver currency that is supplied, and we keep a sufficient amount on hand to supply every demand made. But it is very difficult, if not quite impossible to keep silver coinage of the United States out of the margin of this country. American people travel here, visit Canadian hotels and Canadian stores to purchase articles, and pay for them in the currency of their own country, and the hotel-keepers do not care to offend their customers and the store-keepers do not wish to lose sales, and they accept the American currency in payment and take their chance of subsequently getting rid of the money. A large amount of it is subsequently collected by the banks and sent to the United States, and in many places the banks take a slight discount in order to discourage the use of United States money. But in view of the intercourse between the two countries and the feelings at work, it is pretty difficult to keep American silver from finding its way all along the borders of the United States, and it does so to quite a considerable extent.

Mr. SCRIVER. Living on the border as I do, and knowing the facts, I cannot agree with the hon. member for North Norfolk when he says that seven-tenths of the silver

coinage on the Canadian border is American silver. I know it to be a fact that on the American side of the border a good deal of Canadian silver is in circulation, and no practical inconvenience is experienced so far as I know for lack of a sufficient supply of Canadian silver.

Mr. SPROULE. The difficulty spoken of by the hon. member for Yale (Mr. Mara), of finding change at all times when payments are to be made might be overcome by amending the Banking Act, and by issuing and placing in circulation a larger number of small Dominion notes.

Mr. MARA. That is what we do not want.

Mr. SPROULE. I understand that Dominion notes are bought up by the banks, which put into circulation their own bills of larger denominations. I understand they are compelled in issuing their own bills to put in circulation a certain proportion of Dominion notes of small denominations. But if the law was amended to compel the banks to pay out a larger amount of Dominion notes of ones and twos, great convenience would be caused to the business community thereby.

Mr. FOSTER. We doubled the amount the last time the Banking Act was revised.

Mr. SPROULE. It did not improve matters very much, as there still exists the same difficulty in regard to small change.

Mr. FOSTER. It all depends on whether customers ask for small change or not.

Mr. SPROULE. I hold they should pay it out without persons asking for it.

Mr. MARA. I desire to offer a few remarks in reply to the Minister of Finance. I do not advocate any sweeping change in our money-tax system, but what I maintain is this, that the circulation of silver can be increased without involving any danger and with a large profit to the Government. At present the banks do not handle silver to the extent they might do, for the reason that they are called upon to pay insurance and cost of transportation either from Toronto or Montreal to the different agencies. But as the Government makes a large profit on Dominion coin, over \$67,000 last year, it would be a good business transaction for them to increase the circulation of silver by sending it free of cost of transportation from the Receiver General to the different banks of the Dominion. In that way I am satisfied the circulation could be doubled without any special danger, and instead of \$67,000 as last year the amount could be over \$135,000.

Mr. McCARTHY. This seems to be an attempt to get in the thin wedge of the silver currency. I trust this demon is not going to be introduced into our politics in addition to the other troubles we already have. I should have liked the Finance Min-

ister to have spoken in a more decided tone against the probability of establishing or introducing, or enforcing the circulation of more silver than is in circulation in Canada to-day.

Mr. FOSTER. We will have to remit the dual money question until we have settled the dual language question.

Bill reported.

LAND SUBSIDY TO CANADIAN PACIFIC RAILWAY.

House again resolved itself into committee on Bill (No. 159) respecting the land subsidy to the Canadian Pacific Railway.

(In the Committee.)

Mr. DALY. When in committee the other day on this Bill, we briefly considered clause 2, and I have remodelled the clause so as to meet the objection raised by the hon. member for Bothwell (Mr. Mills). The second clause will now read as follows:—

The grants of land so made may include the statutory allowance for roads between sections in the area so granted, but in such case shall be subject to the reserve of one acre out of every 50 acres for the establishment of public highways.

We strike out the word "shall" in the first line and substitute "may," and also substitute 50 acres for 100 acres. I propose that the third clause shall read as follows in the place of what is in the Bill:—

When the grants of land so made include the statutory allowance for roads between sections, the Minister of the Interior shall cause such public highways as he considers expedient to be surveyed and set off through any tract of land granted under this Act. Provided the area taken for this purpose does not exceed one-fiftieth part of the aggregate area, and upon the approval by the Minister of any survey, the area set off thereby shall become and be a public highway and shall be subject to the management, direction and control of the Lieutenant-Governor of the Territories for the public use of the Territories. The legal title of the land comprised in such highways shall be vested in the Crown and the company or its assignees shall not be entitled to compensation therefor.

I think this will meet all the objections which were raised by the hon. member for Bothwell (Mr. Mills).

Mr. MILLS (Bothwell). I do not think the amendments express the idea I had in my mind, but the responsibility is with the Minister, and I am not going to object further.

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

SECOND READING.

Bill (No. 168) to authorize the granting of subsidies in land to certain railway companies.—(Mr. Daly)

SUBSIDIES TO RAILWAYS.

Mr. HAGGART moved that the House receive itself into committee on resolutions (page 6049) respecting the granting of the subsidies therein mentioned to the railway companies, and towards the construction of the railways also therein mentioned.

Motion agreed to, and House resolved itself into committee.

(In the Committee.)

To the Bracebridge and Baysville Railway Company, for 15 miles of their railway from Bracebridge towards Baysville, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$48,000.

Mr. McMULLEN. What position is this grant in ?

Mr. HAGGART. The railway is to extend from Bracebridge, on the northern division of the Grand Trunk Railway, 122 miles north of Toronto, easterly towards Baysville, a distance of fifteen miles, in the district of Muskoka. This line has not yet been commenced, owing to the difficulty of making financial arrangements.

Mr. MILLS (Bothwell). The hon. gentleman now has brought down a statement of the subsidies that have been granted to various railways. As it is declared to be expedient that these grants should be made, perhaps he would be able to tell us upon what that expediency is based. He might also tell us generally how many miles of railway are to be constructed in the province of Ontario under these subsidies, how many in the province of Nova Scotia, in the province of New Brunswick, in the province of Quebec, in the province of Manitoba, in the province of British Columbia and in the North-west Territories. I see, in looking over the lists, that all have been considered, and I suppose it is upon the assumption that it is expedient, for some reason or other, to make the appropriations to railways in all these various provinces and outlying territories. The hon. gentleman will be able to tell how many miles of railway are to be aided in each province, and the amount of subsidy that is to be given.

Mr. HAGGART. The new subsidies are now under consideration, and in my report of 1894 you will find all information with reference to the old ones. The amount of assistance given by the Dominion and also by the different provinces to every railway throughout the country will be found stated in the last two pages of my report of last year.

Mr. LAURIER. Is there any difference between the subsidy granted by the Act 55-56 Victoria, chapter 5, and the appropriation now asked for ?

Mr. MILLS (Bothwell).

Mr. HAGGART. No.

To the Tilsonburg, Lake Erie and Pacific Railway Company, for 16 miles of their railway, from Port Burwell to Tilsonburg, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$51,200.

Mr. McMULLEN. Is this road finished ?

Mr. HAGGART. No ; there are 45 miles of it built, from Brockville to Westport.

Mr. McMULLEN. How much is under construction this year ?

Mr. HAGGART. There is no portion under construction now.

To the Brantford, Waterloo and Lake Erie Railway Company, for 18 miles of their railway, from the town of Brantford to the village of Hagarville or the village of Waterford, or some intermediate point on the Canada Southern Railway, the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, not exceeding \$3,200 per mile, nor exceeding in the whole \$4,790.

Mr. LAURIER. In what condition is this road now ?

Mr. HAGGART. The construction of this railway has not yet been commenced, owing to a long series of negotiations with the Grand Trunk Railway Company with regard to the necessity of receiving grants from the various municipalities, all of which have now been made. From negotiations with the Bank of Montreal, the company are competent of their ability to construct the line.

Mr. McMULLEN. Could the hon. gentleman state the amount of the paid-up stock ?

Mr. HAGGART. I could not.

Mr. McMULLEN. Before we make grants to companies of this kind, I think we should know what their financial standing is, what their subscribed capital is, and how much of the stock has been paid up. We are giving backbone to useless institutions by reviving these grants, and giving them another opportunity of placing their charters on the market or selling them. I think it is an exceedingly imprudent course to adopt. Under the Ontario system, bonuses are not granted to any railway unless it is able to show a financial basis of \$3,500 a mile ; and now no grants are made except for colonization roads. It is time we adopted a similar system here.

Mr. McCARTHY. It seems to me that we should not without some explanation grant a bonus on the simple ground that it has been already granted. The very fact that the grant has been unproductive, that nothing has come of it, establishes a case against a renewal of the grant, and before making it we ought to know how it is that the company to whom the grant

was made has failed to take advantage of it.

Mr. MILLS (Bothwell). I think it would be well for the Minister to state, supposing this road were constructed, what business there is for a railway in this locality. This line is from Tilsonburg to Port Burwell on the lake shore. Is it proposed to establish a line of steamers in connection with it, running to Cleveland or Buffalo or Montreal, or any other point?

Mr. INGRAM. I may be allowed to explain. The hon. gentleman is entirely mistaken in saying that the railway is to connect with a line of steamers. All the company ask is simply an extension of the time for the construction of the railway from Tilsonburg to Port Burwell.

Mr. HAGGART. This is a renewal of a vote made a couple of years ago. It was thought very necessary at that time, and according to information I have, there is a probability of the road being built. It is greatly in the interests of the municipalities through which it is to run, and the company have nearly completed arrangements and expect to build the road.

Mr. INGRAM. There is just one township that has not granted a bonus yet, and that is the reason the road has not been built.

To the Brockville, Westport and Sault Ste. Marie Railway Company, the balance remaining unpaid of the subsidy granted by the Act 52 Victoria, chapter 3, not exceeding \$3,200 per mile, and also the balance remaining unpaid of the subsidy granted by the Act 53 Victoria, chapter 2, which was re-granted by the Act 55-56 Victoria, chapter 5, not exceeding in the whole \$86,800.

Mr. McMULLEN. I want to know if a preliminary survey of this line has been made, where it will start from and where it will run to, the probable cost of the construction, and the financial basis of the company to carry out the undertaking.

Mr. HAGGART. The line is built. This is to pay the balance due under the subsidy of last year.

Mr. McMULLEN. To complete it?

Mr. HAGGART. Yes. The line extends from the city of Brantford to the junction of the Canada Southern Railway at the village of Waterford, a distance of eighteen miles. This line was constructed in 1890, from West Brantford to Waterford, sixteen and three-quarter miles, on which the subsidy was paid, less \$790 retained for unfinished work. Owing to the cost of a large bridge over the Grand River, the company were unable to complete the line for the mile and a quarter to the centre of the city of Brantford. The whole of the eighteen miles are now completed.

To the St. Catharines and Niagara Central Railway Company, for 34 miles of their railway, from the city of St. Catharines to the city of Hamilton, in lieu of the subsidy not to exceed \$108,000, granted by the Act 55-56 Victoria, chapter 5, a subsidy calculated on a basis of three and a half per cent on the amount of the said subsidy, to be paid in semi-annual instalments for such period, not exceeding twenty years, as the company may elect, representing a grant in cash of \$108,000.

Mr. HAGGART. I wish to change this resolution so as to make it read:

To the St. Catharines and Niagara Central Railway Company, for 34 miles of their railway, from the city of St. Catharines to the city of Hamilton, in view of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not to exceed \$3,000 per mile, nor on the whole \$108,000.

Strike out the whole of the rest.

Mr. CHARLTON. What justification does the hon. gentleman find for the purpose of promoting the building of a line of railway parallel to the Grand Trunk Railway division from Hamilton to Niagara Falls? I want to know if the amount of business through that section is so great that one railway line is not sufficient to accommodate it? One of the greatest outrages perpetrated by this Government has been the promoting of the construction of parallel lines of railway. The old Great Western Railway has a line from Woodstock to Windsor, and the construction of a competing line was promoted by this Government, and the consequence is that neither the Great Western Railway nor the new line gives an adequate return. Here is a continuation of the same vicious system in the granting of a subsidy to parallel the old Great Western line from Hamilton to Niagara Falls. The result will be that these roads will ultimately become consolidated, and then it will be necessary to charge the public rates sufficiently high to give a return for two lines of railway, which would not be necessary if we had not subsidized the parallel line. The Government are embarking in a course which is most unbusiness-like, and in the highest degree unjust to those who have invested in the road already constructed. The motive of the Government is one of a most mercenary character. It is simply to bribe ridings en bloc and thus promote its own political interests. The course of the Government, in paying no attention to vested rights, the rights of private corporators, who have invested their money, is simply outrageous, and I protest against it in the name of decency and justice.

Mr. McMULLEN. What has been done on this line?

Mr. HAGGART. The whole distance is forty-six miles, extending from Niagara Falls, through St. Catharines, to Hamilton. Twelve miles are built.

Mr. McMULLEN. If this line were in a new section where railway accommodation

is really wanted, there would be a good argument in favour of granting a subsidy; but to duplicate a line now existing, and which is virtually not paying the original holders of the bonds anything like a decent return for their investment, is a gross piece of outrage and extravagance. The object of the hon. gentleman is simply, regardless of the public interest, by frittering away our money on schemes of this kind, to bribe constituencies wholesale, and benefit, at the same time, some political hack interested financially in the undertaking. What grounds are given for asking us, in the dying hours of the session, to grant this subsidy? Is any one prepared to say that the freights charged by the other line are exorbitant, that the passenger rates are outrageous, and that the service is inadequate. No such statement is made. This is simply a pure piece of political extravagance, concocted in order to buy a constituency in that particular section. The hon. gentleman ought to be ashamed to bring such a scheme before the House, if he has any shame left in him. No one can talk too strongly on matters of this kind. The resources, the credit, the responsibility of this country are played with in order to fly kites and bolster up unnecessary and imprudent schemes, thus adding to the burdens of the people and heaping up our debt from year to year. But just so long as hon. gentlemen opposite can hope, by any scheme of this kind, to keep themselves secure on the Treasury benches, they are willing to sacrifice the resources and credit of the country. The new bonuses brought down have no other object in view, and I earnestly hope the people will rise in their might and spew them out of their mouths.

Mr. BOYLE. If the hon. gentlemen who have just spoken on the other side had been paid solicitors to the Grand Trunk, they could not have done their work more energetically and zealously, though possibly it might have been done more prudently. These hon. gentlemen imputed political motives to the Minister of Railways and the Government, but when it is remembered that the constituencies through which this line will run are held by Liberals, it will be seen what little credit can be attached to that charge. The history of the Grand Trunk Railway has been one of monopoly. The city of St. Catharines is a large and important commercial centre, and at a very great expense to itself it attempted to establish a competing line with the Grand Trunk Railway. Thus the Grand Welland Railway was established, and heretofore by means of that line and lines of navigation, some competition was offered to the Great Western. But no sooner had the Grand Trunk secured possession of the Great Western than it sought to secure the other small lines, including the Welland line, and the city of St. Catharines and all the adjacent towns became dependent on the

Mr. McMULLEN.

mercy of the Grand Trunk. Men with large business interests in St. Catharines undertook, at their own expense, for the sole purpose of benefiting the city, to establish a rival line, and originated the St. Catharines and Niagara Central Railway Company. These gentlemen have invested a very large amount of their own money in that line, and have completed twelve miles of it, which are paying running expenses. They have many difficulties to contend with, and the people of that district feel that this line is entitled to a Government subsidy. I have not the slightest interest, politically, or personally, in it. It does not affect the constituency I represent; but, knowing the circumstances, I felt the injustice of the remarks made by hon. gentlemen opposite.

Mr. McMULLEN. If the arguments used by the hon. gentleman are sound arguments in favour of the construction of this line, could not the same kind of arguments be presented in favour of running a line alongside the Great Western from Hamilton to Toronto? If this argument is good then we should seek to duplicate every line in Canada. The hon. gentleman says that the Grand Trunk Railway has a monopoly there, but are there not many other sections where the Grand Trunk Railway has a monopoly? If that argument is a good one then every member in whose county there is a place with only a single line of railway should ask the Government's assistance to build another line. The hon. gentleman's argument is no argument at all.

Mr. CHARLTON. The same could be said in favour of duplicating of the Canadian Pacific Railway main line.

Mr. McMULLEN. Yes—duplicating the whole road.

Mr. McCARTHY. It is well that we should know what we are doing in this matter. It seems that in 1888 we passed an Act granting a subsidy to this road. In 1889 a contract was signed for the construction of the road between St. Catharines and Hamilton. I suppose we may assume now from what we have heard that that contract was not carried out and no portion of the line built. In 1890 a further subsidy was authorized for the building of this road for a distance of fourteen miles. Again, in 1892 another subsidy, an annual subsidy for twenty years based on 3½ per cent of the amount, and not to exceed \$108,000, was granted for the thirty-four miles in question. Now, we see it has been put in every possible shape and form, and notwithstanding this the company have not been able to float the scheme and build the road. Why? Just for the reason pointed out by the hon. member for North Wellington (Mr. McMullen)—there is not enough traffic to support the Grand Trunk Railway between Hamilton and St. Catharines, which, so far as I have heard, performs its duty as a carrier on no more unreason-

able terms than elsewhere, and to the satisfaction of the public. I think it is monstrous that we should come to subsidizing rival lines, because not only are we injuring the existing lines but we are heaping up a burden upon the people. In the long run, the people will have to support both lines, for arrangements will be made by which the people will have to pay traffic rates to keep both lines open. And in the meantime we destroy the credit of the existing lines. The Grand Trunk Railway to-day is not earning enough money to pay interest on its first preference bonds. Those bonds are quoted at something like 44 or 45, and doubts are entertained whether the interest upon them can be met. If we keep subsidizing rival lines it must have an injurious effect upon the credit of the company. Go to England and you will find everywhere holders of Grand Trunk stocks and securities, and they all think they have been swindled by the course pursued in this country with reference to the railway.

Mr. MILLS (Bothwell). The hon. gentleman, I suppose, has proposed this scheme on the grounds stated by the hon. member for Monck (Mr. Boyle). The hon. member has informed the House that the Grand Trunk Company are now in possession of the Great Western line, and has established a monopoly and is charging unreasonable rates.

Mr. BOYLE. I said nothing about the rates, for I do not know about them.

Mr. MILLS (Bothwell). If the rates are not unreasonable where is the point in the hon. gentleman's argument? If the rates are reasonable does the hon. gentleman think it a proper use of the public money to appropriate this sum to build a parallel line? If that section of the Grand Trunk, the Great Western division, is not remunerative to those who invested their money in it, will two lines over the same territory be remunerative, seeing that they will divide between them the traffic that is now possessed by one? The only ground so far stated for this appropriation is that it is necessary to protect the interests of the people in that locality against the oppression practiced upon them by the existing line of railway. Now, the hon. member does not venture to say that the people are oppressed; he does not venture to say that the charges made by the existing line are unduly high. Yet he defends the appropriation of \$108,000 to assist in the construction of a rival line. There is no acre of property in that section of country that will be worth a dollar more in consequence of this construction. There is no town or village, or city that will have its traffic increased in consequence of the construction of this road. You are running between two points that are already connected by rail and you are proposing to damage the value of the stock held by parties in the road that already exists. How long can this country have

railway schemes floated in the money markets of the world if the information goes abroad that investors have no security against new enterprises being undertaken through the instrumentality of the Government, and with aid from the public treasury? If that system is practiced no one can have the slightest confidence in the investment of money in railway enterprises in Canada. If this country succeeds in providing railway accommodation by means of a small amount of aid—and it should be only a small amount—for the construction of a line where no railway facilities exist, it would accomplish all that it ought to undertake. But the hon. gentleman is lavishly appropriating money from the public treasury for expenditure upon railways in sections of country where the railway accommodation is already adequate. It would be infinitely better if the hon. gentleman would come down to the House and say that the charges for freight and passengers on the present line are too high, and that the public ought to be protected against these exorbitant charges by the regulation of rates through the interference of the Government. There would be far more justification for that than for this proposition. If the hon. Minister thinks that the Grand Trunk between these two points is charging more for the carriage of freight and passengers than it ought, let him say so and propose a regulation of the tariff of charges. He will not propose state interference directly, and yet he proposes it in a far more objectionable form. He proposes to take a large sum of money out of the public treasury to build a rival line. We have in many cases rival lines built in this country, and what is the effect? Why, an understanding is come to, the earnings are pooled or some arrangement made by which the charges are kept just as they were before there were two lines instead of one. What guarantee have we that this will not happen in this case? If the object is to prevent the monopoly the hon. gentleman has spoken of—and that is the only defence so far made for this proposal—why has he not some provision in this appropriation that the rates shall be fixed, that this shall be granted only upon condition that the rights of the people shall be protected by the regulation of the rates so as to prevent the continuance of these high charges. As my hon. friend from North Simcoe (Mr. McCarthy) has said, you will have an understanding reached between those two companies and the traffic which is now carried over one will have to bear the charges for the maintenance of both. I do not think there is any justification for this appropriation any more than for some of the others that are proposed.

Sir RICHARD CARTWRIGHT. I wish to inquire of the Minister if a map has been placed in his hands showing the route of this railway from St. Catharines to the city of Hamilton?

Mr. HAGGART. Yes.

Sir RICHARD CARTWRIGHT. Will he be good enough to state to the House what is the average distance between the existing line now worked and owned by the Grand Trunk Railway, and the line that is proposed?

Mr. HAGGART. I cannot tell.

Sir RICHARD CARTWRIGHT. Does it exceed two miles?

Mr. HAGGART. There was a plan submitted to the department a few years ago, giving the details of all the bridges over the different rivers flowing into that part of Lake Ontario. I do not see the member for Lincoln (Mr. Gibson) here, or the member for Welland (Mr. Lowell), whose counties are particularly interested in it; but I would like to draw the attention of the House to the fact that this line was thought to be of so much importance to those two counties and to the city of St. Catharines, that they subscribed nearly \$250,000 for the completion of the road. I have been through that section of the country, and I think the people are well pleased with the service they receive from the little line of railway from Niagara Falls to St. Catharines. You must remember that it goes a little past St. Catharines, and that the Government entered into a contract with those individuals to build the whole line from St. Catharines to Hamilton. This subject was all threshed out four or five years ago. There were two subsidies given to this particular road, and this is simply a revote of those two subsidies. The House must remember that an expenditure of \$250,000 has already been made on twelve miles of the road, and many gentlemen in this House must be aware that several private individuals have put money into it, one gentleman in particular having embarked nearly his whole fortune in it. Will not this House, then, renew the subsidy under which they entered into a contract with this company for the purpose of building this road, and grant a revote, and give them time to carry out an undertaking to which this House has pledged itself on three different occasions by giving subsidies to a line between these two places?

Sir RICHARD CARTWRIGHT. That simply means that the parties have failed to comply with the conditions on which the vote was made, and the subject is therefore properly open for discussion. There may be some grounds for it, but they have certainly not been stated to us yet. But the Minister, I submit, has failed to make out a reasonable case other than the fact that half a dozen years ago this thing was put through, and that the parties have failed to comply with the conditions on which we made the grant. Now, he did not answer the question which I put. My impression is—he can contradict me if I am wrong—

Sir RICHARD CARTWRIGHT.

that the average distance of this proposed line will scarcely exceed, if indeed it equals, two miles from the existing railway route; and I must say that it is a very grave thing indeed for the money of the people of this country to be taken to construct a railway under such conditions.

Mr. BOYLE. If hon. gentlemen opposite think there is any political object in this grant, they are barking up the wrong tree. If the hon. member for Lincoln (Mr. Gibson) were here—the hon. member for Welland (Mr. Lowell) was here a moment ago, but he has gone out—they would be able to throw light on that feature of the case. As I said before, I am only acting in what I consider to be the public interest, in advocating a renewal of this subsidy. The conditions under which it was granted were somewhat exceptional. The hon. member for Bothwell (Mr. Mills) has referred to the financial condition of the Grand Trunk Railway to-day, and has pointed out, what is undoubtedly the fact, that the Grand Trunk Railway is not making money. But if all the branches and all the lines of the Grand Trunk Railway were as well patronized and as liberally supported as that branch is, it would make money. The line is particularly favourably situated, and the earnings must be very large and exceed running expenses sufficiently to pay a fair dividend on the capital invested between these two points. So much do the localities interested, and so much do the farmers of the townships adjacent, consider that they will be benefited by that line, that they deliberately voted large bonuses for this road at its inception. The fact that it has not been built, of course explains why they have not been called upon for the money. But in consequence of what this Parliament has already done, and the encouragement this line has already received, certain undertakings have been gone into, and it is not fair to take advantage of the limitation of time in order to embarrass this company, which are doing their best at present to float the scheme in the financial markets of the world.

Mr. McMULLEN. It is clear that they have had two or three opportunities of floating that scheme already, and in each case the time has elapsed, and they have been unable to put the scheme into such a condition that there were any prospects of the road being built. Now, as regards the townships through which this road runs, we have nothing to do with them. We have simply to discuss the construction of this line from the point of view of the general interest of the country; and I say that no man in this House can produce any evidence whatever that will justify this committee in virtually throwing away \$110,000 in the construction of a duplicate line. You have two lines, you may virtually say, from Hamilton now. One runs to Black Rock,

and the other runs to Niagara Falls. That portion of country back of Hamilton is virtually gridironed with railways. That portion of the old line that runs up the side of the mountain, still continues to run to Black Rock, and you have the Great Western in addition. There is no reason why this grant should be renewed unless it is for the purpose of helping out of financial embarrassment some particular friend of the Government who is involved in this undertaking. That appears to be the only reason the Minister of Railways can give for this revote. I would like to know if any petitions have been presented this year to the House in favour of a grant to this road. I have not heard of one. I do not know that the city council of Hamilton petitioned in favour of the grant. Has the Board of Trade of Hamilton petitioned for a grant towards the construction of this road? I have not heard of a single petition from any quarter being presented. If there was a grant asked for duplicating a road through a section of country like that between Chicago and New York, or Buffalo, there would be some sense in duplicating an existing line; but here we have a road leading virtually from Niagara Falls, past the city of St. Catharines, to the city of Hamilton. Now, this scheme was set on foot, in the first place, by Mr. Rykert, who was once a member of this House, and owing to the powerful influence that he exercised with the late Premier, he got him to consent to grant a bonus towards the construction of this road. It was done to keep that gentleman in his place, to strengthen him in his constituency. Now, we have contributed towards the construction of the first twelve miles of this road. I think about \$40,000, and in doing so we have been erecting a monument to the memory of Charles Rykert, and I think that is all this country can afford to do.

To the Montreal and Ottawa Railway Company (formerly the Vaudreuil and Prescott Railway Company), for 30 miles of their railway, from Vaudreuil towards Hawkesbury, the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, for 30 miles of their railway from the western end of the 30 miles subsidized by the said Act 50-51 Victoria, chapter 24, towards Ottawa, the balance remaining unpaid of the subsidy granted by the Act 53 Victoria, chapter 2, not exceeding \$3,200 per mile, nor exceeding in the whole \$118,400.

Mr. MILLS (Bothwell). What is the explanation of this proposed vote?

Mr. HAGGART. The line is to extend from Vaudreuil station in the direction of Ottawa, a distance of about eighty-five miles. A distance of about twenty-five miles have been completed to Point Fortune, on the line between Quebec and Ontario. It is intended to prosecute with vigour a portion of the line next year.

Notwithstanding the expiration of the time limited by the Act 53 Victoria, chapter 2, and by

the contract entered into with the Quebec Central Railway Company, and notwithstanding anything otherwise in the said Act contained, the Governor in Council may pay the subsidy granted by the said Act to the said company, at the present worth of the twenty annual payments mentioned in the said Act (interest computed at four per cent) for and upon the completion of its railway extending from a point between the Chaudière River and Tring Station to a point on the International Railway at or near Lake Megantic, and upon the inspection and acceptance of the same by the Chief Engineer of Railways and Canals, the sum in all of \$288,000.

Sir RICHARD CARTWRIGHT. What is the meaning of the repetition of the word "notwithstanding." We can understand the phrase "notwithstanding the expiration of the time limits," but there is also a phrase "notwithstanding anything in said Act contained." What is the distance claimed between the point on the Chaudière River and Tring station to the point intended to be reached on the International at or near Lake Megantic?

Mr. HAGGART. The total distance is fifty-nine miles.

Sir RICHARD CARTWRIGHT. I think the original grant to this road was \$3,200 per mile. Having granted \$3,200 per mile, this would be equivalent, over a distance of sixty miles, to about \$192,000. Now the Ministers propose to grant another \$100,000, without giving any explanation to the House. This would be equivalent to nearly \$5,000 per mile, and the Ministers bring down this proposition without giving any explanation of what they are doing.

Mr. HAGGART. The original plan was to build a line ninety miles in length, and the grant to that line is transferred to a road 59½ miles long. This increased grant is made on account of the exceptional nature of the construction. It is virtually the same grant for a shorter road.

Sir RICHARD CARTWRIGHT. It is virtually an increase from \$3,200 to 4,800 per mile. This increase is equivalent to 50 per cent, without a word of explanation being offered. This trifle was proposed to be given without the slightest explanation being made.

Mr. MILLS (Bothwell). Is there any company organized to construct the road?

Mr. HAGGART. It is all under construction and nearly completed.

Sir RICHARD CARTWRIGHT. How much?

Mr. McCARTHY. It is stated in the Railway Department's report that a contract was let on June 3rd, 1892, and the work is to be completed by 1st July, 1894.

Mr. HAGGART. I believe all the road is under construction, and it is very heavy work. The Auditor General refused to pay

the subsidy without this proposed change being made.

Mr. MILLS (Bothwell). Is the sixty-mile road located between the same points as the ninety-mile road ?

Mr. HAGGART. The objective points are entirely different. The new road is over a very much heavier country, and will join the Canadian Pacific Railway.

Mr. MILLS (Bothwell). Then the road now under construction is not for the convenience of the local community, but for the convenience of traffic beyond ?

Mr. LAURIER. Is not the International Railway the same as the Canadian Pacific Railway ?

Mr. HAGGART. They are the same.

Mr. LAURIER. What is intended to be the point of junction ?

Mr. HAGGART. Moose Head Lake ; now it is going to be the station of Lake Megantic. It was intended to convey the traffic of the Quebec Central and make connection with Quebec, and with the main line of the Canadian Pacific Railway at Moose Head Lake, which is in the state of Maine. The option was given them to make the same connection at Lake Megantic village.

Mr. LAURIER. The hon. gentleman is quite familiar with the locality. What point does this road start from on the Quebec Central ?

Mr. POPE. Near Tring, on this side of Beauce.

Mr. LAURIER. The hon. gentleman stated a moment ago that this road was actually under construction. I think it has been constructed as far as St. Francois.

Mr. POPE. Excuse me, you are not on the right route. The line we are now dealing with starts on the opposite side of the river, and it strikes the Quebec Central before the Quebec Central crosses the Chaudiere River.

Mr. MILLS (Bothwell). How does the settlement of the country along this road compare with that along the road originally contemplated ?

Mr. POPE. I do not think there is much difference. The first portion of both lines as they will leave Beauce up towards St. Joseph, would be through an old section of the country, and it strikes the Quebec settlement in the Tring district. The further end of either line in the state of Maine would be through the woods.

Mr. LAURIER. How much of this sixty miles has been constructed ?

Mr. POPE. It is all under construction, I believe.

To the Philipsburg Junction Railway and Quarry Company, for $6\frac{7}{10}$ miles of their railway,

Mr. HAGGART.

from Stanbridge Station to Philipsburg, in the county of Missisquoi, and branch to Missisquoi Bay, the balance remaining unpaid of the subsidy granted by the Act 55-56 Victoria, chapter 5, not exceeding \$3,200 per mile, nor exceeding in the whole \$2,919.

Mr. HAGGART. This is a revote of an unexpended subsidy granted.

Mr. MILLS (Bothwell). The whole line appears to be less than seven miles.

Mr. BAKER. This vote is for six miles and seven one-hundredths of a mile. The subsidy has been earned, but owing to a technical objection it could not be paid.

Mr. LAURIER. What is the technical objection ?

Mr. BAKER. The subsidy was granted from Stanbridge station to the Philipsburg Quarry, and this six miles and seven one-hundredths part of a mile is for the extension beyond the quarry.

Mr. MILLS (Bothwell). Some company have a quarry there, and they have asked the Dominion of Canada to build a branch less than a mile in length to the quarry, and they come here for aid.

Mr. BAKER. Not at all. The subsidy was granted for less than seven miles from Stanbridge station to the quarry. The plans were submitted, and they included the continuation of the railway from the quarry to the wharf. The whole road has been built, but the subsidy voted and earned could not be paid, because by the terms of the statute, it was from Stanbridge station to the quarry. It is simply to correct a technical objection.

Mr. MILLS (Bothwell). The hon. gentleman might be able to tell us who owns the quarry.

Mr. BAKER. I do not know. I have not the slightest idea.

Sir RICHARD CARTWRIGHT. My hon. friend from Bothwell (Mr. Mills) forgets that these works are for the general advantage of Canada.

To the Joliette and St. Jean de Matha Railway Company, for 8 miles of their railway, from St. Félix de Valois to St. Jean de Matha, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$25,600.

Mr. LAURIER. Has anything been done on that road ?

Mr. HAGGART. No ; it is not commenced, but, as usual, the company is very sanguine of making arrangements to commence it immediately.

Sir RICHARD CARTWRIGHT. This name seems very familiar to me, and it seems to me that these parties have been hawking the charter around for about a dozen years.

To the Lake Temiscamingue Colonization Railway Company, for 50 miles of their railway, from Mattawa to the crossing of the Kippewa River, also 15 per cent on the value of a wooden truss bridge over the Ottawa River near Mattawa, not to exceed \$15,000 in all, in lieu of the subsidies granted by the Act 55-56 Victoria, chapter 5, also the balance remaining unpaid of the subsidy granted by the Act 50-51 Victoria, chapter 24, for their railway from Long Sault to Lake Kippewa, a subsidy not exceeding \$3,200 per mile of railway and 15 per cent on the value of the bridges, also a sum of \$1,750 additional per mile on the 50 miles of their railway from Mattawa to the crossing of the Kippewa River, not exceeding in the whole \$274,940.

Mr. LAURIER. How many miles of that railway have they in operation?

Mr. HAGGART. They will have the whole length of the road, fifty miles, built this year.

Mr. MILLS (Bothwell). Does that take them all the way to the shore of Lake Temiscamingue?

Mr. HAGGART. It brings them from the foot of Lake Temiscamingue up to the Kippewa Lake. I wish to change that resolution to make it read as follows:—

To the Lake Temiscamingue Colonization Railway Company, for their railway from Mattawa to the Kippewa Lake, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$160,000; also 15 per cent on the value of a wooden truss bridge over the Ottawa River near Mattawa, not to exceed \$15,000 in all, in lieu of the subsidies granted by the Act 55-56 Vic., chap. 5; also the balance remaining unpaid of the subsidy granted by the Act 50-51 Vic., for their railway from Long Sault to Lake Kippewa, a subsidy not exceeding \$3,200 per mile of railway and 15 per cent on the value of the bridges, also a sum of \$1,750 additional per mile of their said railway from Mattawa to the foot of Kippewa Lake.

Mr. BRYSON. This road is now being built from Mattawa to the mountain, and will be in operation in a very few days. The question asked by the hon. gentleman opposite was touching Temiscamingue Lake. The road forks at the foot of the Temiscamingue Lake and runs due north-east about eight miles, and touches the most easterly corner of Lake Kippewa, at the head of Gordon River. That road was subsidized some years ago, and built by the Lake Temiscamingue Forwarding Company. That line has been passed over to the present company. The distance now to be completed is about fifteen or eighteen miles, which it is contemplated will be in running order about the 1st December, 1894.

Mr. McCARTHY. Now under the control of the Canadian Pacific Railway?

Mr. BRYSON. Yes.

Mr. CHARLTON. Is this branch from the Long Sault part of the same line?

Mr. BRYSON. Part of the same line.

Mr. McMULLEN. How long has this road been in operation, and what are the returns of its earnings? Has it shown any financial basis at all?

Mr. HAGGART. There is none of it in operation. This was a narrow gauge line that merely passed the rapids of the lake. It was taken over by the Canadian Pacific Railway Company, who built a bridge across the Ottawa River at the Mattawa, a very fine structure, and made a road equal to the Canadian Pacific Railway up to the Kippewa Lake. I think it is expected to be in operation during the coming fall.

For a railway from St. Placide to St. Andrews, 8 miles, in lieu of a subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$25,600.

Mr. McMULLEN. Is this a line of eight miles only?

Mr. HAGGART. That is all. I think it is a road to make a connection from the road that runs from Montreal along the Ottawa River, which is at present in possession of the Canadian Pacific Railway, to a little town on the banks of the Ottawa River, called St. Andrews. The hon. member for Argenteuil can perhaps explain where the road is.

Mr. CHRISTIE. It is from the village of St. Andrews to a point on the Ottawa River, to connect with the line running to Lachute.

Mr. MILLS (Bothwell). Is this a parallel line with some other?

Mr. CHRISTIE. No.

To the Pontiac Pacific Junction Railway, for 7½ miles of their railway, from Hull to Aylmer, in lieu of the subsidy granted by the Act 53 Victoria, chapter 2, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$24,000.

Mr. HAGGART. I would like to change the wording of that to make it read:

To the Pontiac Pacific Junction Railway, for the construction or acquisition of 7½ miles of a railway from Hull to Aylmer.

This is to enable the company, instead of building a parallel line from Hull to Aylmer, to use the money that has been voted for the purpose of acquiring the line that is at present built.

Mr. DEVLIN. I would like to ask the hon. Minister if this road which it is proposed to purchase, has not already received subsidies from the Government?

Mr. HAGGART. Yes. The road I believe was built, not by subsidies from this Government, but by subsidies from the Quebec Government, and afterwards transferred to the Canadian Pacific Railway Company. The hon. gentleman must understand the

necessity of the Pontiac Pacific Junction Railway Company acquiring or obtaining an entrance into the city of Hull, either by the acquisition of this line or by the building of a parallel line.

Mr. McMULLEN. This subsidy is not given to help to construct a road, but to enable this company to buy out another road which is already constructed.

Mr. HAGGART. It is given in both ways, either to construct a road or to buy out the existing road. I think it is better to assist the company in acquiring the existing road.

Mr. McMULLEN. Why not apply the same rule to the St. Catharines line running to Hamilton? There is a parallel line there now, and why not make the bonus applicable to the acquiring of the line already built? This is a new method of dealing with these roads. After a road is built and in running order, you subsidize another company to buy it.

Mr. HAGGART. If the hon. gentleman opposes that, I will strike out the words "construction or acquisition," and leave it as it originally was.

Mr. BRYSON. I understood the hon. gentlemen opposite to say that this portion of the road from Hull to Aylmer had been subsidized by the Federal Government. That is not the case, so far as I know. That road was built by the Local Government and sold to the Canadian Pacific Railway, and both the Quebec subsidy and the Federal subsidy were voted to the Pontiac and Pacific Junction Railway for eighty-five miles of their line, including the section from Hull to Aylmer. It is now contemplated to allow the company, instead of building a line from Hull to Aylmer, to buy over that portion of the Canadian Pacific Railway.

Mr. LAURIER. The position is this: this line between Quebec and Aylmer was subsidized by the Quebec Government, and we pay a subsidy to the Quebec province. Part of this money has been applied to this road. Now it is contemplated to build a parallel line, but the hon. Minister says that instead of giving money to build a parallel line, we will give the money to provide for the purchase of a road which has already been built by the aid of Canadian money. It is so obvious that there is no necessity for this road, since the Minister says, instead of duplicating the existing line, we will apply the money for the purchase of a road already built. So that this same portion of railway will be twice assisted.

Mr. BRYSON. I understand that the road from Hull to Montreal was subsidized by this Government, but that portion of the road west of Hull received no subsidy.

Mr. MILLS (Bothwell). It received a subsidy from the Quebec Government. The

Mr. HAGGART.

hon. Minister is confounding the construction of a road with aiding a company, which is a wholly different thing. The road is built. What the public aimed at requiring by appropriation is already accomplished. It is not a matter of any consequence to this Government or House who the proprietors of that line may be. It may be a matter of interest to the particular company, but let them purchase it. The public have the road, anyhow.

Mr. HAGGART. I am willing to strike out the word "acquisition" altogether, and leave the resolution in its former position. This is simply a revote to enable the Pontiac and Pacific Junction Railway to get access to Hull or Ottawa, and the principle has already been recognized by the House.

Mr. SPEAKER. I hope the Minister of Railways will not strike out the provision for the acquisition of that road. The hon. leader of the Opposition has forgotten that although the province of Quebec constructed the road from Quebec to Aylmer they sold it to the Canadian Pacific Railway, and presumably obtained full value for the amount they expended.

Mr. LAURIER. You cannot presume that.

Mr. SPEAKER. At all events, that is the presumption that must arise from the fact. As I understand it, this Parliament paid back to the Quebec Government an amount that would represent a certain sum on the road from Ottawa to Montreal or Quebec—not from Aylmer to Montreal or Quebec. At all events, the amount paid to the province of Quebec did not cover that portion of the road between Hull and Aylmer. Under the sale by the Quebec Government to the Canadian Pacific Railway, the right was reserved to the Pontiac and Pacific Junction Railway to acquire this line between Hull and Aylmer. Inasmuch as this House has adopted the principle that the Pontiac and Pacific Railway Company are to have a subsidy from Hull to Pembroke, it makes very little difference as to whether the amount is paid to that company for a road they have the power to purchase, and which is already in existence, or whether it is paid to them for the construction of another road.

Mr. CHARLTON. The position of matters is briefly this: the people on the line of the Pontiac Railway have granted very large subsidies for the purpose of getting a railway outlet to Ottawa. The county is heavily burdened with debt, and the road terminates at Aylmer. I understand that the rates on passengers and freight are as heavy from Aylmer to Hull as they are from the northern terminus of the Pontiac Pacific Junction road to Aylmer. If there can be a condition of things anywhere in Canada where it is proper to grant a subsidy for the purpose of paralleling a line in existence, that condition exists here. The

Pontiac road requires an outlet at Hull, and here is a little section, seven miles long, from Aylmer to Hull, in the hands of a rival company, which acts the part of the dog in the manger in regard to that section, so that the Pontiac line must either acquire that short section or build another one.

Mr. DEVLIN. I do not think the object is so much to get to Hull as to Ottawa. Just now the people of the Pontiac road are at the mercy of the Canadian Pacific Railway. But even if they acquire this branch from Aylmer to Hull, they will still be at the mercy of that company, because it owns the bridge from Hull to Ottawa, and they will continue to be at its mercy until a bridge is constructed at Nepean Point. If the Government were anxious to assist the Pontiac Pacific Junction Railway Company they would enable that company to reach Ottawa, by voting a subsidy towards the construction of the Nepean bridge. The hon. gentleman who has just taken his seat says that his reason for defending this subsidy is that he is anxious to place the Pontiac Pacific Junction Railway in such a position that it will not be at the mercy of the Canadian Pacific Railway. I wish to point out to him that even when they reach Hull City they cannot come into Ottawa, which is the point they desire to reach, without passing along a portion of the Canadian Pacific Railway track and crossing the Canadian Pacific Railway bridge. I am just as anxious as any man in this House or outside of this House to see the Pontiac Pacific Junction Railway to a prosperous condition, and to see it receiving the aid which the Government of this country is in the habit of giving other railways. But I do not think we should allow our judgment to be carried away altogether in this matter. It has been said that this road has done a great deal for the country, but it would be well before we go on with these subsidies to remember that a portion of this road, which ought to have been constructed a year ago, has not yet been constructed. It should not be forgotten—as I believe the fact to be—that the company is not in a position to construct the balance of the road. It should be seen to that those who have claims against that road, and they are a large number, should be protected to a certain extent as well as the company which the Government are trying to protect by granting this large subsidy. If my information is correct, the employees of this company have not been paid a dollar of their wages for five months. I do not believe that one-half the debts of the road have been paid. Still, we are voting money which I believe will not be used for years, because the company has no intention of acquiring this branch or constructing a parallel line from Aylmer to Hull, or even building the portion for which they are receiving the subsidy. A good deal of care should be exercised by the committee in the consideration of the sub-

sidies to be given. Now, coming back to the original question, which is that of the subsidy to the Pontiac Pacific Junction Railway for the purchase of this road to Hull. Suppose that in a few years hence, the Pontiac Company should feel disposed to sell this road, and a new company should be formed to buy it, will the Government propose a subsidy for the purchase of it? If that is the policy to be pursued, every mile of this road can be made to cost the country thousands of dollars. I am not in favour of this proposition that the Pontiac Pacific Junction Railway Company should get a subsidy to purchase the branch of the Canadian Pacific Railway from Aylmer to Hull. I do not think that the people most interested are anxious that this road from Aylmer to Hull should pass from the hands of the present company into the hands of the company to which it is proposed that it shall be transferred.

To the Pontiac Pacific Junction Railway, for 85 miles of their railway, from Aylmer to Pembroke, the balance remaining unpaid of the subsidy granted by the Act 47 Victoria, chapter 8, less the subsidy granted from Hull to Aylmer, provided the Ottawa River is crossed at some point not east of Lapasse, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$73,172.

Mr. MILLS (Bothwell). How much of this is built?

Mr. BRYSON. The road is under construction as far as the seventy-first mile. Up to the sixty-first mile has been in operation since 1887. Ten miles are being constructed this year, and will be completed, I understand, in August, carrying the line to Black River. This will leave twelve miles to complete the line to Pembroke. On the ten miles now under construction the rails have been laid, but the road has not been ballasted. They commenced work on it last September, and it is expected that this portion will be completed ready for operation in August, or early in September next.

For a railway from a point on the Intercolonial Railway near Newcastle or *via* Douglstown, to a point on the River Miramichi, opposite the town of Chatham, in the province of New Brunswick, 6 miles, in lieu of the subsidy granted by the Act 49 Victoria, chapter 10, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$19,200.

Mr. McMULLEN. How much of this road is built?

Mr. HAGGART. It is not commenced yet.

Mr. McMULLEN. Is this the same road as originally located when the first subsidy was granted?

Mr. HAGGART. Yes, exactly the same line; this is a revote.

Mr. McMULLEN. How long is it since the first subsidy was granted?

Mr. HAGGART. About nine years ago, I think.

For a railway from some point on the Joggins Railway, near the Hébert River, to Young's Mills, in the province of Nova Scotia, a distance of 5 miles, in lieu of the subsidy granted by the Act 52 Victoria, chapter 3, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$16,000.

Mr. McMULLEN. What condition is this road in ?

Mr. HAGGART. Nothing has been done yet ; no portion of the road has been constructed.

Mr. McMULLEN. How long is it since this was granted ?

Mr. HAGGART. It was granted in 1890.

Mr. McMULLEN. Was that a renewal of a previous grant ?

Mr. HAGGART. I think it was.

Mr. McMULLEN. In these resolutions we are simply renewing grants, most of them made as long ago as 1883. These grants have been in existence for about ten years. We are granting now \$635,508 towards schemes that were first introduced, I think, during the time of Sir Charles Tupper, when, by a prostituted construction of the Confederation Act, he and those associated with him took over the entire railway system of this country, by declaring that not only interprovincial roads, but all other roads connected with the principal lines, were railways for the general advantage of Canada. He then set on foot this system of wholesale corruption by the granting of bonuses for the construction of these roads.

Mr. HAGGART. As the whole of this road is in the county of Carleton, represented by your friend Mr. Colter, perhaps you will apply to him the charge of wholesale corruption.

Mr. McMULLEN. I do not care where these roads are. They were brought into existence under the regime of a man who is known as a political high priest of corruption in this country. Year after year we are called upon to renew grants for the benefit of schemes that have not a vestige of financial basis. There is nothing whatever to warrant the House in believing that these roads will ever be built. But we are keeping them dangling before the eyes of the constituencies and we are giving to some particular individual favourable to the Government, a charter with a tail in the shape of a bonus attached to it, to hawk around and see if he cannot dispose of it for some consideration. I see that the mantle of the hon. gentleman who is now discharging the position of High Commissioner in London, has fallen upon the shoulders of the Minister of Railways, and he is going on with the same system by giv-

Mr. McMULLEN.

ing notice that he is going to ask us to consent to a whole lot more of new grants to bogus schemes that are concocted for the purpose of affecting constituencies through which the proposed roads are to run. He thinks evidently that it may be necessary to exercise some influence in the province of Quebec in the approaching elections, and in order to be in position to do that, he is granting a large amount of money there. When are we going to see the end of this system ? No doubt the hon. gentleman will require all these influences in the next election, but I do hope that the people of this country will see through the scheme. It is a most corrupting and debauching system, and I hope that when the hon. gentlemen opposite are hurled from power, it will not be adopted by any other Government. I care not whether they are Grits, or Patrons, or P. P. A.'s. I hope that such a change will take place, and that we will get rid of this abominable system of trying to corrupt the whole country by bogus railway schemes.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively, the other subsidies may be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively ; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make ; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

Mr. MILLS (Bothwell). It seems to me that this is an objectionable clause. It does not go quite so far as the provision that was proposed in 1889, and which the Government consented to have struck out, after discussion. It certainly gives to the Government a very wide power, and one that it does not seem to be in the public interest that the Government should possess. One would think that where there is no railway companies in existence, the Government, before anything was done, ought to submit to Parliament, as it is public moneys that are being dealt with, the name of the company that they would prefer to receive parliamentary sanction ; or that before such an order would go into operation, where there are more than one company applying for a charter, the Order in Council ought to be laid on the Table of Parliament be-

fore it goes into operation, subject to Parliamentary interference or disallowance. The Minister will see that there is no pressing necessity where there does not exist already a company; and I have not learned from the hon. Minister that there is more than one company incorporated to construct these lines of railway. I understand also that there are appropriations made here for certain lines of road which no company has yet been incorporated to construct, and it does seem to me that before any action is taken in this connection, there ought to be parliamentary action. It does not hasten the matter at all to proceed irregularly, and I do not think it is advantageous to the public nor to the Government that there should be extraordinary powers given, as if there was some great public necessity for immediate procedure.

Sir JOHN THOMPSON. There is no power being taken to create a company.

Mr. MILLS (Bothwell). No, but there is this provision for a grant:

That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose, shall, if granted by the Governor in Council, be granted to such companies respectively, the other subsidies may be granted to such companies as shall be approved by the Governor in Council.

Now, there is no company in existence, and if a company comes here for incorporation with a view of obtaining a subsidy, it would not require governmental approval.

Sir JOHN THOMPSON. No, but the hon. gentleman will see that these words are connected with what follows,

—shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railway.

Mr. MILLS (Bothwell). Where the company is not yet in existence, would it not be well that we should say: "established to the satisfaction of Parliament"? That is, that when a company comes here for incorporation, its abilities to undertake the work should be shown to the satisfaction of Parliament.

Sir JOHN THOMPSON. The hon. gentleman will see that even as regards companies which have already been incorporated here, an investigation is to be made by the department as to their ability to go on with the work. The provision, I think, merely means that when that company has not been named, but that the line of railway has been named, the same steps shall be taken. But the mere fact of the existence of the company is not inquired into, and would not be; of course, that must be assumed. The existence of a company is a condition which cannot be dispensed with before the contract is made. We have to contract with individuals, an existing

company, which must satisfy the Governor in Council, as those companies who are named are presumed to have done, as to their ability to execute the work.

Resolutions reported.

SUPPLY—SWEATING SYSTEM AT TORONTO.

Sir JOHN THOMPSON moved that the House again resolved itself into Committee of Supply.

Mr. EDGAR. I will not apologize for addressing this House for a short time on a subject which affects the system under which a large portion of the wages is paid to a very poor class of the people in this country. That is what is known as the sweating system as it exists in the city of Toronto. The condition of the thermometer makes appropriate a few observations on a subject of this kind.

Sir JOHN THOMPSON. That is a good reason for now calling it Six o'clock.

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

After Recess.

RELIEF OF JAMES ST. GEORGE DILLON.

Mr. TAYLOR moved third reading of Bill (No. 148) for the relief of James St. George Dillon.

Mr. WHITE (Cardwell). It is not denied that desertion or separation without cause is a discretionary bar, nor that a petitioner should come before Parliament with clean hands. But this is the first time the question has been raised, and it was the action of members of the Senate Committee that prevented the petitioner answering certain questions submitted.

Mr. JEANNOTTE (Translation.) Mr. Speaker, I do not intend to speak at any great length on the Bill before the House. I cannot, however, dispense with offering a few remarks on the subject. When we have to deal with a Bill of that description concerning two Protestants, we Catholics generally protest by a silent vote, but, upon such an occasion as this, when we have to deal with a Bill affecting two Catholics of the province of Quebec, I think it is my duty to explain the vote I am going to give. This is the first time, if I am not mistaken, that a Bill is introduced relating to the severance of the marriage tie between two Catholics of the province of Quebec; and should we allow a precedent of the kind to be established without entering our protest against it, we would run the risk later on to see such cases multiply. I am informed that another couple

are awaiting the result of this debate to appeal to this House for relief. I know that a similar petition has been made; but as it was not introduced into the House in conformity with the rules, it has been withdrawn. I am at a loss to understand why, in this case, the House did not strictly follow the rules laid down. The regular notices have not been given; they have even been dispensed with. The House, for some reason or another, excused and dispensed the petitioner with complying with the regular notice. Should the Bill be adopted, what result will follow in the province of Quebec? I am aware that the Federal Parliament reserved to itself the power to legislate upon certain matters, as bankruptcy and other matters which operate throughout the Dominion. It is a matter of genuine surprise to me that, in connection with the school question, for instance, appeals should have been made to the right of the majority to establish free or common schools, on the ground that the majority wished to have them so established; and, seeing that it was the majority, it had the constitutional right to impose the law upon the minority. In the present case a new construction is going to be put on that principle, which, at first sight, is apparently sound. Throughout the whole province of Quebec—I say the whole province, as nine-tenths of the population are Catholics—every Catholic is oppressed to divorce. And yet the Protestant majority of this House want to impose the law upon us in the matter. They want to force upon us common schools in the Northwest Territories, just as they have been forced upon the minority in Prince Edward Island and in New Brunswick. The minority have been deprived of their rights, but they have had to bow down to the will of the majority. Now they want to compel us to accept the divorce law. Who may tell what the future keeps in store for us? But in this case, the practice that has prevailed so far is to obtain no longer; instead of the majority ruling, it is now the minority that is going to hold sway; the Federal Parliament has the power to pass a Bill granting divorces to Protestants and Catholics alike, without any exception; and Parliament intends to make use of that right. I am not aware that this is British fair play; but were this Bill to pass, granting the divorce applied for by Dillon, what would be the result? This would be an encroachment upon the local power by the Federal authority. We have our civil law governing all matters relating to real and personal estate, successions, &c. These are the very rights the Federal Parliament is now going to infringe upon. Were this Bill to pass, it would amount to a repeal of Article 118 of our Civil Code, which reads as follows:

A second marriage cannot be contracted before the dissolution of the first.

Mr. JEANNOTTE.

And Article 185:

Marriage can only be dissolved by the natural death of one of the parties; while both live, it is indissoluble.

That is the civil law of Quebec. In the other provinces those matters are governed by the English common law, which applies only to them. Further, in the province of Quebec we do not interfere with the other provinces; we do not try to impose the law upon them, but we let them do just as they please. Protestants do not believe that the marriage tie is indissoluble; we believe that the tie can only be severed by death. We have also in our Civil Code certain rules laid down in unmistakable terms relating to filiation and succession to an estate. There are also in our code rules governing property, movable or immovable. Were Parliament vested with the right of passing such a law—a right which I deny them—a law practically repealing the Quebec Civil Code, the whole order of succession or transmission of property would be thereby modified. Children the issue of a marriage annulled by this Parliament would then be entitled to have the succession directly opened and the partition affected. But is the Federal Parliament vested with such powers? Can Parliament pronounce upon the validity of the marriage tie and grant the divorced parties the right to marry again? Has Parliament the right to declare that children the issue of a second marriage shall inherit in equal portions with the children sprung from the first marriage? Has the central power the power of altering the order of succession as laid down by our code? I do not believe so, because there is no provision in the Federal Act of 1867 to that effect. The constitution of 1867, it is true, gives the Federal authority power to make laws affecting all the provinces on matters of general interest, including divorce. But as far as the right of succession to real and personal property is concerned, there is nothing in the constitution giving Parliament power to interfere with and change the rules laid down by the Quebec Civil Code relating to succession and the transmission of property between private individuals, either by private sale, or by transfer, or by legacy. And should the Federal power grant the prayer of the suppliant and pass this Bill, it is my humble opinion—I do not wish to pose as an authority on the matter—that they would be going beyond their power, for they have no right to alter the order of succession, not even a single syllable of our Civil Code. If the parties to that divorce marry again, shall the children sprung from that marriage be entitled to their share of the succession with the issue of the first marriage? I think so.

Mr. CHOQUETTE. (Translation.) Although I am opposed to the Bill, I must call the hon. gentleman's attention to the fact

that there is nothing in the Bill affecting the right of succession or any of the civil rights of children.

Mr. JEANNOTTE. (Translation.) The evidence does not clearly show that the petitioner is entitled to the divorce he asks for. When the House referred this Bill to the Private Bills Committee, it did so in order to enable the committee to examine the petitioner. What did the committee do? Nothing. It is a well known fact that when, at the inquiry held by the Senate, the committee of that Chamber would not allow a certain question to be put by a member, because they were afraid of the answer the petitioner might give. According to the law that governs the matter in England, if the petitioner is proved to have been guilty of misconduct conducing to the adultery complained of, his conduct acts as a bar to divorce, and the court is not bound to pronounce a decree dissolving the marriage. They declined to allow a question to be put to the petitioner about his connivance as a bar to divorce because they were afraid he might criminate himself. Therefore the Senate Committee, in refusing to allow a question to be put to the petitioner bearing on his moral conduct and his behaviour towards his wife, have done wrong, I think. The Private Bills Committee of this House, to which the Bill was referred a second time in order that the witness might be examined, did not examine him. This was a very important point, as, according to English precedents in the matter, the petitioner should be enabled to prove that he is not guilty of any misconduct conducing to the adultery complained of. In my opinion, the petitioner is not entitled to the divorce he applies for. He abandoned his wife, and she was left to shift for herself during six years. In his own declaration he says: "I left my wife six years ago without any cause. I had no reason to complain of her hitherto; she was an honest woman." And it was just after having abandoned his wife without cause, that he comes and applies for a divorce. A married man who abandons his wife without any reason is a heartless fellow. As this man failed in his duty the first, and has not justified himself as he should have done, I am of opinion that his application should be rejected.

Sir HECTOR LANGEVIN. Mr. Speaker,—

Some hon. MEMBERS. Question.

Sir HECTOR LANGEVIN. Hon. gentlemen must remember that I never speak against time, and therefore if I say a few words now, it must be because I think it is necessary.

Some hon. MEMBERS. Proceed.

Sir HECTOR LANGEVIN. I must say, Mr. Speaker, that this Bill has not been

treated in this House as it is the custom and the habit according to the rules of the House. When the Bill came before the House first, it was referred to the Committee on Standing Orders, after it had been read the first time, and the next day or so the promoter of the Bill made a motion which I confess I did not hear—he said something in a very low tone—and it was recalled from the Standing Orders Committee and placed on the Orders of the Day. Therefore, the Bill was not treated in the ordinary way, according to the rules of the House. You remember, Mr. Speaker, that the Bill was then referred to the Committee on Private Bills, and the committee reported without taking any new evidence. The Bill was then referred back by a majority of the House, to the Private Bills Committee for further consideration and for further inquiries, and the committee again reported the Bill purely and simply without taking further evidence. I understand that the reason why the committee did not put the petitioner under oath was that the petitioner had left the country, and therefore he could not be called upon to give the evidence before the committee which he had refused to give to the Senate committee on the advice of his lawyer, I believe. The member for Cardwell (Mr. White) just now read a paper to this effect: "It is not denied that desertion or separation without cause is a bar in order that the petitioner should come before Parliament with clean hands. It was always understood that the petitioner should be able to show that he had not committed the offence that he reproached to his wife, and that, therefore, he had clean hands." Under these circumstances, I think the Bill is before the House is a very irregular way, and I believe that the petitioner should come here and give his evidence. I move, seconded by Mr. Belley, that the Bill be not now read the third time, but that it be read a third time this day six months.

Mr. DENISON. As chairman of the committee it is only proper that I should say a few words in reply to the hon. member for Three Rivers (Sir Hector Langevin) in explanation of his remarks. The usual practice of the committee is that when these Bills come from the Senate, we take no further evidence. I think I have been on this committee ever since I have been a member of the House, and only on one occasion did we think it proper that we should call witnesses to get explanations on the different points in the case. The hon. member (Sir Hector Langevin) seems to be under the impression that an unusual course has been pursued in regard to this Bill, but I may say that it has received the same treatment as other Bills, and the reason further evidence was not taken was that it was impossible to get Mr. Dillon here as he is in England.

Mr. EDGAR. In the absence of the hon. member for Oxford (Mr. Sutherland) who

has charge of the Bill. I would like to correct another error which I think the hon. member for Three Rivers (Sir Hector Langevin) has fallen into. The hon. member seemed to think that the House had acted with exceptional favour to this Bill by referring it to the Standing Orders Committee first, and then recalling that order; whereas, as a matter of fact, it was a mistake to send it to the Committee on Standing Orders at all, because long before that the committee had reported on the petition in favour of the Bill. It was a mistake to refer it to that committee at all, and the result was that it was delayed several days before being replaced on the Order paper.

House divided on amendment of Sir Hector Langevin:

YEAS:

Messieurs

Bain (Soulanges),	Kaulbach,
Belley,	Langevin (Sir Hector),
Bernier,	LaRivière,
Carignan,	Laurier,
Caron (Sir Adolphe),	Leduc,
Costigan,	Masson,
Denison,	Ouimet,
Dupont,	Pelletier,
Grandbois,	Rinfret,
Henderson,	Thompson,
Jeannotte,	Tupper (Sir C. Hibbert).—22.

NAYS:

Messieurs

Allan,	Macdonald (Huron),
Bain (Wentworth),	Maclean (York),
Beith,	McCarthy,
Bennett,	McLennan,
Boston,	McMillan,
Bowman,	McMullen,
Boyd,	Madill,
Boyle,	Mara,
Campbell,	Metcalfe,
Carscallen,	Miller,
Cartwright (Sir Richard),	Mills (Annapolis),
Casey,	Mills (Bothwell),
Charlton,	Montague,
Coatsworth,	Mulock,
Cochrane,	O'Brien,
Daly,	Patterson (Colchester),
Davin,	Patterson (Huron),
Davis,	Prior,
Dawson,	Rider,
Dyer,	Rosamond,
Earle,	Ross (Lisgar),
Edgar,	Sanborn,
Fairbairn,	Scriven,
Flint,	Semple,
Grant (Sir James),	Smith (Ontario),
Grieve,	Stairs,
Haggart,	Stevenson,
Hughes,	Taylor,
Hutchins,	Tyrwhitt,
Ingram,	White (Cardwell),
Innes,	Wilmot,
Landerkin,	Wilson,
Livingston,	Wood (Brackville).—67.
Lowell,	

PAIRS:

For

Against

Messieurs:

Ferguson (Leeds),	Proulx,
Lister,	Carroll,
Martin,	Curran,
Colter,	Delisle,
Davies,	Devlin,
Fraser,	Bruneau,
Welsh,	Mignault,
Sutherland,	Girouard (Two Mountains),
Gillmor,	Guay,

Mr. EDGAR.

Rowand,
Somerville,
Bowers,
Hazen,
Edwards,
Marshall,
Paterson (Brant),
Sproule,
Reid,
Borden,
Gibson,
Pope,
Forbes,

Beausoleil,
Tarte,
Harwood,
Frémont,
Lachapelle,
Bourassa,
Vaillancourt,
Bécharé,
Lavergne,
Lippé,
Dugas,
Fréchette,
Simard,

Mr. TAYLOR. The hon. member for Montreal Centre has not voted.

Mr. CURRAN. I am paired with the hon. member for Lincoln (Mr. Gibson). I would vote against divorces.

Mr. LANDERKIN. The hon. member for Lévis, the hon. member for Richelieu, the hon. member for Montmagny, and the hon. member for Iberville have not voted.

Mr. CHOQUETTE. I am paired with the hon. member for Missisquoi (Mr. Baker). I would have voted for the amendment.

Mr. GUAY. I am paired with the hon. member for Charlotte (Mr. Gillmor).

Mr. BRUNEAU. I paired with the hon. member for Guysborough (Mr. Fraser). Otherwise I would have voted in favour of the amendment.

Mr. BECHARD. I paired with the hon. member for East Grey (Mr. Sproule). I would have voted for the amendment.

Mr. MIGNAULT. I paired with the hon. member for Queen's, P.E.I. I would have voted for the amendment.

Amendment negatived, and Bill read the third time and passed, on division.

SUPPLY—THE SWEATING SYSTEM AT TORONTO.

Mr. EDGAR. When the House adjourned at six o'clock, I had risen to make a few remarks on the system known as the sweating system in the city of Toronto. I do so for several reasons. One is because some remarks which I made briefly on the subject once before must have been misreported or misrepresented to a firm in Toronto, Messrs. Lailey & Co., who feel somewhat aggrieved by them. What I said about that firm was not that they engaged in that system themselves, but that sub-contractors whom they employ did so. I do not think that Messrs. Lailey & Co. are at all more to blame than a great many other firms in the same business in Toronto; perhaps they are not so much to blame; and I certainly would not voluntarily have mentioned their name in particular, only that it was drawn from me by a question put across the House by the hon. Minister of Marine and Fisheries; and I wish distinctly to say that I do not think their position is at all different in this respect from that of nearly all the wholesale

clothiers in the city of Toronto, whose sub-contractors I contend very largely employ the system of sweating. There is another reason why I bring the matter up to-day; that is, because I have been requested to do so by a number of prominent members of the Trades and Labour Council in Toronto, who take a very warm interest in it. Another reason why I wish to speak somewhat more definitely on the subject is because the Minister of Public Works has said in this House, I am sure inadvertently:

The sweating system, which I am happy to say has not yet been introduced into Canada.

Now, I regret to say that it has been, as I shall show the hon. gentleman to-night. Then, too, if by giving publicity to it in the House of Commons, the outrageous system can be stopped and prevented from extending in Canada. I think I shall have done a great deal by calling attention to it to-night. This system may be defined as a system of distributing piecework among men, women and children, in shops or at their own homes, at starvation prices, which starvation prices are maintained by playing off one of these poor creatures against another. I have taken some trouble recently in Toronto to inquire into this matter. I have read carefully a number of articles upon it which were published in the beginning of this year in the Toronto 'Evening Star.' I have seen the author of these articles and discussed the whole question with him, and I have found him an exceedingly reliable, trustworthy and intelligent man. He occupies at present, and has occupied prominent official positions in connection with the labour interest in Toronto. I have also inquired about him from a number of other people who know him as a journalist and a labour officer, and they have the highest possible regard for his reliability and truthfulness.

An hon. MEMBER. Name.

Mr. EDGAR. His name, if you wish to know it, is Mr. Banton. Now, I would like to make a few quotations from his articles, to show how the system is managed, what wages are paid, and the long hours of those who do the work. In the issue of the 1st of December, 1893, I find the following description of a visit which the writer made:—

The first of the shops run by a Jew that I visited was in the "Noble Ward." As I entered the door; my olfactory nerves were assailed by powerful smells, coming from workroom and living room combined, the hot, gaseous smell from the presses in the shop, and a strong smell of cooking from the domestic quarters. In this place, no attention whatever seemed to be given to laws of cleanliness. I visited other places in the ward to which the same remarks could not apply. The boss told a pitiful tale of low prices, and very, very hard work. The latter was very evident, for the three or four women and two men were working as slaves—colored ones—never had worked. In busy times, he told me, he employed twelve and fifteen hands. He showed me several coats of different kinds.

This is what he says about wages:

The wages vary from 30 to 35 cents. Coats that several years ago were made for 85 cents, he now makes for 55 cents. Heavy overcoats from 85 to \$1.25.

Then, describing another visit to another place, he says:

The second of the Jews I visited, in my tour of the sweating shops, was a gentlemanly sort of man, whose place, it must be said, was very clean and well lighted. He declared that he was a recent arrival in the country, and professed to be sorry that he ever came here. He showed me some work he had taken out, which was evidently of a very fine grade, and in which he said he was putting the very best work, but that he did not know what price he was to get for it. There is no doubt he will be able to get plenty, as the big dealers are always on the look out for men who will take the work for any price they can get. I then went further west, and after some difficulty, discovered a place of which I was in search. And what a place it was. The ceiling very low and black with age, a miserable light and poor ventilation. This boss was also a Jew. There were seven men and seven women in the place. Their appearance was certainly in keeping with the place, looking, as they did, more sad and dejected than any I had yet seen. The boss claimed to be a victim of circumstances, and deplored the low wages of his employees, which he said, was from \$1.50 to \$3.00 per week.

Then I will show you what he says, in another visit he made, about the hours of the workers:

By this time the young woman had come downstairs. She told me that she made men's trousers. This branch of business is the worst paid of all.

"Of course," she said, "it is very hard work and the prices are so low, but I should not care so much if the work were more regular. It is hard to get it to do at all now at any price. Sometimes though it is better, and I have plenty to do then." "How many hours do you work," I asked, "when you have it to do?" "Oh, in busy times I would begin work about half-past five in the morning and work on till 8 or 9 o'clock at night."

That is fourteen or fifteen hours per day.

"How much can you make in a week when you work the long hours you mention?" "I can't possibly make more than \$4 a week, mostly not quite so much."

Then he visited another woman who took in this kind of work. He asked:

"Do you ever work on a Sunday?" She replied, "Not at the sewing, but Sunday is generally my hardest day in the week, as although my own girl helps me very much in the housework, I still have a lot to do that she cannot do. I do not like to do it, but when I have plenty of the other work to do, I am obliged to leave house work or washing for Sunday."

Then as to the way the prices are forced down, under this system, I will read another extract:

That this firm systematically forces down the prices, I had ample evidence. The system appears to be that a sample of a certain line of goods is got up, with a little extra work introduced in some particular, and given to some specially needy applicant for work, who not only puts in the extra work but is induced to accept a few cents less, on a promise of having a larger order of the same work, if turned out satisfactory. This sample is then shown to others, who are told that it has been made for a certain sum less than the price usually paid, and that if they will make the same goods equal to the sample for the same price, they can have the work. Otherwise they must leave it for others who will. Several instances were given. Said my informant: "We cannot compete with the Jew clothiers who have come into the city the last year or two. For the very same goods I used to get \$2.25 from Mr. —, now I make them for \$1.25. Another class of goods for which I got \$2.75 and \$3, the same man is only getting \$1.75."

The writer adds :

So far I have but heard of one house that does a large wholesale trade, which does hold itself responsible for wages being paid to employees. In all other cases, the contractor, whether of the honourable kind or whether it is the "sweater" pure and simple, is paid by the wholesaler, and whether the employees, under the contractors, get their wages or not is no concern of theirs.

Then, Sir, here is another extract which shows that the colony of sweat-workers is increasing in Toronto. This is on January 6th, 1894 :

My guide and I arrived at a low decrepit-looking shop at the lower end of Jarvis Street. Going inside, we found a small colony of Jews, apparently just arrived, as everything appeared to be in disorder. It is a small, dimly-lighted, dirty-looking shanty. Several men were at work at sewing machines, and several others were apparently getting ready for operations, fixing up rickety-looking work tables out of some old boards. The boss explained that a certain great retail house had given him some sample work of coats and had promised him lots of this work at the price. The price he was to get, he said, was 17 cents per coat. I have good reason for believing that what he really gets is not more than 15 cents. For this same class of article the price hitherto paid was 30 cents, and the work has been given out to women to make at that price. He further informed me that it was his intention to employ a lot of hands. He admitted that he would not make much money out of that price, as the girls would want \$1.50 and \$2 for one whole week.

Then, in another branch of the trade, the shirting, which, I may say, is a very highly protected industry under this tariff, we find these results of the investigation :

That three years ago all these well known flannel shirt lines were paid for at \$3 per dozen, but the same class of shirts, with the same amount of work, is now paid for at \$1 per dozen. For the ordinary shirts, the price now paid is at the rate of 60 cents per dozen—five cents apiece.

Then, a woman whom he interviewed, said :

Mr. EDGAR.

"I sometimes employ four or five girls, but they are better off than I am, for as a rule, they will only work certain hours."

"How many hours do you work?"

"Oh we," indicating her partner in the business who cannot do very much, "work all hours. I have never been off work at night before 10 or 11 o'clock at night, for goodness knows when."

"How much can you earn in a week?"

"Well, the two of us together can never make more than seven dollars a week work as long as we will. It is as the minister says, who sometimes comes to see us. He said the other day, 'May God have mercy on you, for man shows very little.'"

Now, Mr. Speaker, we all know that the city of Toronto is a model production of the National Policy, it is the model N.P. city of the Dominion. And, Sir, the article of clothing, cotton and woollen clothing is among the very highest protected articles in the tariff. Cotton clothing has from 22½ to 25 per cent protection; woollen clothing, 30 per cent and upwards; ready-made clothing, 32½ per cent, and shirts as high as 50 per cent. Now, Sir, there are the results. I will not say they are caused by high protection, but they are what we find existing to-day after the National Policy has had a trial for so many years. We know, Mr. Speaker, that it has produced combines and monopolies and that it has been the cause of over-production. We see in the papers this week that the cotton mills have shut down and thrown four or five hundred employees out on the street. We see in the papers of to-day a rumour that the Cornwall cotton mills will shut down. We know that the cordage combine shut down its works in a number of places in this country. You know, Mr. Speaker, that what was promised by the National Policy was steady work for the wage-earner, higher wages for the wage-earner, shorter hours, of course. And on the other hand you see the miserable picture that I have given you of what exists in Toronto to a large extent in one particular class of business. Does the tariff afford protection for these poor wage-earners.

Mr. MACLEAN (York). Would free trade give them any protection?

Mr. EDGAR. I will talk about that. We never said that free trade would give them protection. The system of protection protects everybody but the consumer and the wage-earner. The manufacturer is protected but not the wage-earner, and the wage-earners are beginning to find it out. Does the hon. gentleman think he is going to answer me by asking if free trade protects them? I say no, it does not protect them. But I say that the National Policy levies the taxation upon the consumer, while by its protection to monopolies and the over-production of which it is the cause and by the increased cost of living for the poor people, it has discriminated enormously against them. But, more than that, what has been the great undoubted effect of the

National Policy? It has gathered the population from the rural districts, the townships and the villages and has swept them into the great cities, and left them there. And there they are to-day overcrowded and suffering the evils of over-production, fighting and elbowing for an opportunity to earn a pittance. In this sense the National Policy is responsible for the condition of these people. If the population had not been swept into the cities by this promise of steady work at higher wages we should not have seen such results among the people of Canada to-day. Canada is the last country in the world where we should see such things as this. Our broad and rich lands should be able to support a large population without crowding them into the cities, without artificial manufactures which are not suited to the country, in which over-production is rife on account of the high protection. The policy and the only policy that can prevent that sort of thing is the freedom which will promote the welfare of the masses of the country and not the welfare only of a few manufacturers in Toronto and a few other cities.

Mr. COATSWORTH. When my hon. friend began I was a little at a loss to know why he brought up this subject at this stage of the session when we are on the eve of prorogation. And I was none the less surprised when he started out with the statement that he desired to make an explanation in regard to a firm whose name he had mentioned, I think, on both the occasions when he formerly spoke on this question, and my surprise was not decreased to any extent when, instead of withdrawing what this firm regarded as an insult to them, he extended it to all the wholesale clothiers in Toronto. I am sure my hon. friend could not have started his speech for the purpose of offering a gratuitous insult to many of the respectable citizens of Toronto, the city from which he derives his living and to which he owes his allegiance as a citizen, although he does not represent any riding in it. It was to some extent an explanation when he stated that he had been written to by the Trades and Labour Council asking him to bring forward the question. But I think the latter portion of his speech showed what was the true reason for bringing it forward, and I think it is very much to be regretted that the hon. gentleman developed what ought to have been an earnest speech in relation to our working-people into a means of making political capital out of them. There is no doubt that the instances the hon. gentleman has related—and I have no reason to doubt that he has fairly looked into them—are very much to be regretted. I think that wherever the system of sweating is carried on, it ought to be discountenanced and prevented. I think, at the same time, that any hon. gentleman who takes up this question for the purpose of

making political capital out of these poor hard-working and half-starved people ought to be ashamed of himself. Now, Sir, he attributes the sweating system, as I understand his speech, or endeavours to attribute it, to the National Policy. But he himself says, in the first place, that this sweating is carried on by foreign Jews, who come here from the slums of other cities where they have carried on this business, and who plant themselves in Toronto and endeavour to carry on their business there. Yet in the same breath he tells us that this is the result of the National Policy sweeping the people into the cities so that they have to seek to make their living by this means. I think the hon. gentleman has exaggerated the evil. I have lived in Toronto all my life and I know that city pretty well. But in the first place I would call the attention of the House to the fact that it is only in one line of business that there is any suggestion of sweating, and that is in the making of clothes. Now, the hon. gentleman rather led the House to understand that he had intentionally confined his remarks to one line of business, and I do not think he was fair in making that statement. If the hon. gentleman had not brought this matter before the House for the purpose of making political capital, he would have been led by a feeling of loyalty to the city where he makes his living, and to which he owes his allegiance, to state that there was sweating only in one line of manufacture and that is in the making of clothing. I am very glad to say, although the hon. gentleman did not say it, that that prevails to a very small extent. Now, I have had instances of it come under my notice in the paper the hon. gentleman has referred to, and he has been very careful to conceal from this House the extent to which the system prevails; because those of us who live in Toronto know very well that such a system as that could not be carried on for any length of time before there would be such an outcry against it as would lead to its being done away with. The hon. gentleman himself, in referring to the instances that are mentioned in the newspaper, only mentioned at most five places where the reporter had called and found this kind of work going on. Now, it was not claimed, even by the newspaper that reported it, that this system existed to any great extent. No doubt in a city like Toronto, evils of this kind are liable to creep in, and I suppose it must be admitted that this evil has crept in to a certain extent in this line of business, and in this line alone. I very much regret it myself, and I think every person who is interested in the city, will regret it. But, Sir, if the hon. gentleman was so desirous for the well-being of the people of Toronto, and of the people of this Dominion, as he professes to be, I think he would realize that that evil has come about, to a certain extent—I will not say to what extent, it may be to a very great ex-

tent—from the demand for cheap goods which has been brought about by the large promises that have been made to our people by the free traders in this country.

Some hon. MEMBERS. Oh, oh!

Mr. COATSWORTH. Hon. gentlemen on the other side may laugh, but they have been protesting on the hustings all over the province of Ontario that you are paying too much for your clothes, you are paying too much for everything you have to buy, and this very feeling has produced among the people a certain amount of discontent and dissatisfaction, and that has led to what might be termed sweating-shop prices. If this kind of feeling is to be inculcated among the people by the political preachers belonging to the Liberal party that they ought to get goods for half the prices they are paying for them now, then so long as such views are urged, so long will there be a demand that these sweating-shop prices shall prevail.

Mr. MILLS (Bothwell). How is it that it is confined to clothing?

Mr. COATSWORTH. Because, as my hon. friend suggested himself, the evil possibly is just beginning. It has not existed for any length of time in the city of Toronto. It may be that if the hon. gentleman continues to insist that the people of Toronto and other places ought to get suits of clothes for \$2.50 instead of \$5 as they pay now, the people will begin to think they are paying too much, even under the sweating-shop system, and will insist on having them made for \$2.50.

Mr. MULOCK. Does the hon. gentleman think that the Liberal party should settle the price of clothing?

Mr. COATSWORTH. The Liberal party are endeavouring to do so now. It has been their endeavour through all the elections, it has been their cry upon the hustings, that we are paying too much for everything. Now, Sir, I challenge any hon. gentleman in this House to deny that under the National Policy, which has been supported by the people of this country for so many years, the prices of all the necessaries of life, without the introduction of any sweating-shop system, have gone down from 30 to 40 per cent. I say it is not reasonable to ask for more than that, in that length of time. When you tell the people that, although the necessaries of life have decreased in price 30 to 40 per cent—as hon. gentlemen know, although some of them are laughing about it—if you tell them that they ought to have decreased 75 per cent, that is the very kind of talking that has the effect of introducing the sweating-shop system. It is the demand for cheap goods, which are already cheaper than can possibly be made with fair wages to the working people. I think if my hon. friend is sincere in his desire to benefit the working people, he ought to

Mr. COATSWORTH.

have brought this matter to the attention of the Local Legislature.

Mr. EDGAR. We have nothing to do with the tariff.

Mr. COATSWORTH. The tariff has nothing to do with the sweating-shop?

Mr. McMULLEN. Nor the National Policy.

Mr. COATSWORTH. No, nor the National Policy, it has nothing to do with the sweating-shop. But the Local Government has undertaken, and properly, as we believe, to deal with questions relating to our working people. They have passed the Factory Act, they have passed an Act for compensation to workmen, they have appointed an inspector of factories, and if he had been doing his duty he ought to have been going around among these people to see that they were not bound down in slavery, as the hon. gentleman says they are. Therefore, I think it was the duty of the hon. gentleman to have reported these facts to the Local Government, and to have seen, in his zeal for the working people, that the Local Government took such action as would compel the closing up of the sweating-shops in Toronto. Now, this question involves a very much larger one, it involves the relations between labour and capital, a question that I do not propose more than to suggest to-night. I sincerely hope that in this country we will be enabled to arrive at such a solution of the problems between labour and capital as will have the effect of preventing such disastrous strikes as have taken place upon the other side of the border. I think it is our duty as legislators to turn our attention to this subject, and I sincerely hope that some scheme of arbitration, or some other method, can be adopted whereby the difference between labour and capital, including just such differences as my hon. friend has referred to, may be satisfactorily adjusted, so that we may have no strikes in Canada such as have taken place in the United States.

IMPORTATION OF ALLEGED IMMORAL BOOKS.

Mr. McCARTHY. I do not propose to follow up the question which has been brought to our notice by the hon. member for West Ontario, but as this is probably the last opportunity that may be afforded, I desire to direct the attention of the House to a grievance, and to ask from the Government that some prompt remedy should be applied. On the 4th May last an importation of books, brought in by Mr. Norman Murray of the city of Montreal, was seized by the customs authorities on the ground that they were of an indecent and immoral character, and that, therefore, under the Customs Act, they were liable to be seized, detained and confiscated. Mr. Murray objected to it; he contended that the books so imported by him were not liable to seizure or forfeiture; and, at all events, he asked that the question

should be dealt with according to the law. Well, the law was very plain. If the customs authorities think a work is an indecent work, they have certainly the right to seize it. According to the provisions with reference to seizures, the customs officer at the port where the seizure is made, reports to the commissioner, and the commissioner makes a report upon the subject to the Minister. Now, in this case Mr. Murray got a notification from the Commissioner of Customs that twenty-four books had been seized as being of an indecent and immoral character, and that if he had any evidence to present to the contrary, he could present it within thirty days. Now, Mr. Murray had no evidence to present. As I said, the commissioner is to report upon the case within thirty days to the Minister, then the Minister is to determine whether the customs laws have been violated, and if he thinks they have been, he may, in his judgment, say that the importation should be confiscated. In regard to this case I asked a question the other day, and the reply given by the Controller from his place was that the commissioner had made no report, and further that the matter had not come up for decision. If the Minister has decided, then the importer has a right to claim that his decision is erroneous and insist on a reference of the question to the court. But in this matter more than two months have elapsed; this importation has been placed under seizure; no attempt has been made under the law to see whether the seizure has been properly made or not, and that is the reason why I troubled the House with this matter to-night. When Mr. Murray communicated with me on the subject, I stated that it was not a question for parliamentary inquiry or investigation; the law was perfectly plain, and all he had to do was to insist that the commissioner should report and the Controller should act on his report. According, on 12th June, he wrote a letter to the Controller, asking what action would be taken. He received no reply. When I asked the Controller if that letter had been received he said, no such letter had been found. Mr. Murray took the trouble to register the letter, and I have here the certificate of registration. He has done all he could in the matter. The certificate of registration is dated 1st June. The letter was addressed to the Controller of Customs. This is a free country. No man can be convicted except according to the forms of law, and while I am not going to offer any opinion as to whether the book was moral or immoral, innocent, or otherwise, I say the officials charged with certain duties have failed to perform them, and under these circumstances the attention of the House must be called to the fact. The book I may mention purports to contain extracts from a work by St. Alphonse Li-gouri, which I have taken the trouble to ascertain is a well recognized authority, belonging to the Roman Catholic Church. I

am told by Mr. Murray that this work in the original, in Latin, is imported and used in all the seminaries of the Roman Catholic colleges.

Mr. LAURIER. Is that the work imported?

Mr. McCARTHY. No, the work imported is in Latin, with an English translation. I do not profess to be able to determine whether the work is worthy of condemnation or not, but it does not appear on the face of it to be a work that should be confiscated, and at all events it is a question which the court should determine. Since that time another seizure of Mr. Murray's works has been made, a book called, "Maria Monk," which he says has been published in Toronto without question, but when imported by him into Montreal the copies have been seized. I think these matters, although small in themselves, are of sufficient importance to receive the attention of the House.

Sir JOHN THOMPSON. The Controller of Customs is not here, but he sent to me, before he left, the papers connected with the matter, in consequence of an intimation made to him by the hon. member for North Simcoe (Mr. McCarthy) intimating that he would bring up the subject on motion to go into Committee of Supply.

Mr. MULOCK. Where is the Controller?

Sir JOHN THOMPSON. He is not here.

Mr. LAURIER. Where is he?

Sir JOHN THOMPSON. I must reply to the hon. gentleman with great respect that he may find out. The Controller was under the impression that the complaint to be met in the House was with respect to the accuracy of the answer he gave to a question asked by the hon. member for North Simcoe (Mr. McCarthy). The matter was brought up in the House by a question put by that hon. gentleman on 9th July, when he asked whether a seizure had taken place, to which inquiry the Controller answered, yes. The hon. gentleman then asked whether the commissioner had made any report, and the Controller answered, no. Then a question was asked whether a letter had been received from Mr. Murray dated 12th June last, and the Controller replied, that so far no such communication could be found in the department. The fact is that at that time the communication had probably reached the department, but had not come to the knowledge of the Controller himself. I have the letter of his secretary, which I will read if there is any object in explaining the matter.

Mr. McCARTHY. No.

Sir JOHN THOMPSON. It appears that the letter which was dated 12th or 13th June was mislaid in consequence of pressure of business, but I have it here at hand.

The seizure was made. It is not necessary that I should say anything about the nature of the publication itself. It purports to be a translation of one of the works of St. Alphonse Ligouri, but it contains illustrations of an objectionable kind. As to the accuracy of the quotations and the question of the tendency of the book as published in a moral sense, it is not necessary that I should say anything; but the seizure was made on the grounds stated by the hon. gentleman. A report has since been made by the Commissioner of Customs—in fact it was made on 9th of July, and proper steps will be taken in order to give Mr. Murray the benefit of the legal provisions which entitle him to a further consideration of the matter with a view to redress.

Mr. LAURIER. The right hon. gentleman will not find it surprising if his reply to the inquiry made by me respecting the absence of the Controller evokes a reply. If I understood the hon. gentleman's answer perfectly, it is not a novel one; it is as old as the world itself, for I understand that he says: he is not his brother's keeper. The hon. gentleman knows as well as anybody, or he ought to know it, that it has been stated in the press that the Controller is on his way to Ireland to take part in an Orange demonstration. As to that, I do not know, and it appears the Minister does not know himself, but I would have expected that he should know.

Sir JOHN THOMPSON. If the hon. gentleman carries out his own parallel he would have suspected me of having killed the Controller of Customs.

CIVIL SERVANTS SALARIES.

Mr. MULOCK. I wish to inquire from the Government the cause of the delay in paying the Civil Servants. I have received information from Toronto that certain employees in the Post Office Department, letter-carriers and others, have not received their salaries, which are now overdue for some time. This default on the part of the Government has operated in a specially hard way on some who have not been, perhaps, thrifty or forehanded, and the result is that they have not been able to pay their taxes so as to gain the rebate for payment on the 10th July, and consequently they have been practically fined for default. It does seem to me a most undignified position that the Dominion of Canada should be in default for payment of the ordinary wages of their employees. We know that when the 1st of July arrives, supplies run out, but that is no reason why the Government should not have done as they did in former years, and take, say, a one-sixth part of the Estimates so as to pay the letter-carriers and others. I presume the servants of other departments are in the same position as those of the Post Office Department, if the cause is that the Government are waiting for the Supply Bill to pass, but it seems to me to be a great

Sir JOHN THOMPSON.

laxity in the administration of business that every person in the employment of the Government throughout Canada has an overdue claim for wages. That state of affairs indicates a most unbusiness-like method on the part of the Government, and a disregard for the wants of those who are toiling for wages. If it were to happen in the case of private citizens, it would result—

Mr. BAKER. In a strike.

Mr. MULOCK. Yes, or at all events, in a very strong protest. It could not happen in the case of any well regulated business unless the concern was going into insolvency, and surely the Government will not pretend that they are in that position. I hope the Minister will explain how this default has taken place.

Sir ADOLPHE CARON. I fully agree with the hon. gentleman in deploring the fact that the salaries have not been paid, but it is, I believe, the first time in the history of the country that the Auditor General has refused to pay these salaries until the Supply Bill was sanctioned. Even when the session was late on former occasions it was found possible to pay the salaries of the civil servants.

Mr. MULOCK. It occurred in 1885 as well.

Sir ADOLPHE CARON. I am sorry to say that on account of the strong views held by the Auditor General now, it is impossible to pay the civil servants. The session, I hope, is not going to last very much longer, and after the sanctioning of the Supply Bill the civil servants will be paid their salaries.

LACHINE CANAL—WELLINGTON STREET BRIDGE.

Sir RICHARD CARTWRIGHT. I propose, Sir, to place a motion in your hands, before we go into Supply, but before I allude to that, I take occasion to say that in my opinion it is a practice which is not recognized by the constitution or by Parliamentary law, that subordinate Ministers, paid servants and officials of this Dominion, should be absent from their place in Parliament without the knowledge and sanction of the Prime Minister of the day. It is very clear from what has occurred that the business of the Controller's department failed to be properly attended to while he was canvassing the country, electioneering against Sir Oliver Mowat, and is not being properly attended to while he is engaged in his, perhaps, more important mission of organizing an invasion of Ulster or preparing to supply volunteers for the invasion of Ulster in conjunction with the grand lodge of that province. However, Sir, if the Prime Minister thinks he has no authority over such an important personage as the Grand Master of Canada, on him rests the responsibility of allowing the business of that department to be imperfectly and im-

properly conducted. The point to which I wish to call the attention of the House has not reference to the department of the Controller of Customs, but the department of my hon. friend the Minister of Railways and Canals, whom I am glad to see in his place. We are about to be asked to place large sums of money in the hands of the Government, and it is as well that before we comply with that request we should devote a little time to seeing how they have used the sums which a few months ago we placed at their disposal. It is not my intention on the present occasion to occupy any very great length of time in analysing the very voluminous evidence which has been placed in our hands by the Committee on Public Accounts; nor is it very necessary. The one point, of which I may congratulate the House in this sorry business is, that there are certain broad facts which are established beyond dispute, and it is to them and to them only that I am going to invite your attention. Now, Sir, we have before us the report of a commission issued in connection with this very subject under the authority of the Government. We have also the report of the evidence taken before the Public Accounts Committee, and if that is not enough, and if any hon. gentleman wants to probe this matter still further, I believe they can have access in the records of the Exchequer Court to a most remarkable series of detailed evidence, showing in great minuteness how, and in what manner, what I must call the robbery of this country has been effected in this matter. Now, Sir, I want to call the attention of the House briefly to the facts, which I say are disclosed beyond the possibility of dispute, through these several witnesses. First of all, Sir, it is clear—it is admitted by all parties—that the cost of the works recently erected on the Lachine Canal have been huge and excessive beyond all precedent. Next, that this huge cost is due, to a very great extent, to very gross frauds; next, that those frauds could not have been committed had the department been efficiently and properly conducted, and lastly, although of that the evidence is, perhaps, not quite so clear—that over the whole there hangs a very strong savour of corruption, as, indeed, has been the case with most of the excessive expenditures for other purposes. Now, Sir, I want the House to consider where all these things occurred. These expenditures, this extravagance, this fraud, did not occur in the case of contracts carried on at a great distance from the seat of Government, or under circumstances which might have rendered it difficult for the Government of the day to ascertain the facts in proper time. They occurred in the chief city of Canada; they occurred in broad daylight, in a city which is within three hours' distance by railroad from Ottawa; they occurred in a place with which, I believe, the Government could communi-

cate by telephone if so disposed; they occurred in constructing a work, the necessity of which had been known to the department for years; they occurred in a place which must have been familiar to a great number of the officials there, and apparently all this went on until the money was largely expended, the department all the while remaining in happy ignorance of the transactions which were thus occurring under their very noses. It was only when the newspapers of the country took alarm at the fact that thousands of men were being employed to do the work which might have been done by one-tenth of their number, that any action whatever appears to have been taken upon it. Well, Sir, the result of this kind of management was what might have been expected. All kinds of extravagances seem to have taken place. Three men, or I might more correctly say ten men, seem to have been paid for doing one man's work, if, indeed, the men who received the pay were there at all. Large quantities of material were openly stolen, and, worst of all, a very considerable number of stuffed pay-lists appear to have been created, and these persons appear to have received pay for many days that they were not present on the work. Many men appear to have received pay who never attended at the work at all. In one way or another a huge expenditure, estimated at anywhere from \$200,000 to \$250,000, was incurred for which no value whatever appears to have been received by the country. Now, as I have said, I am not going to analyse this huge volume of evidence to-night; but I will take a witness to whom hon. gentlemen opposite cannot object, because it is the language of the commission appointed by themselves to investigate certain matters which have arisen in connection with the Lachine Canal. I propose to call the attention of the House to a very few extracts from this report, which will show, I think, beyond question, how excessively inefficient was the supervision exercised by the department over this work, which was carried on in our chief city within three hours rail communication from Ottawa. The first statement I will quote is this:

The temporary buildings and other false works, platforms, roads, &c., were built on an extravagant scale, and it does not appear that provision was made for the greater portion of the temporary work in the bill of timber and lumber furnished those tendering for the supply.

And here comes a very pretty evidence of the care and supervision which were exercised over these works:

By calculations made from the evidence and plans, we estimate there could have been used of all kinds of timber and lumber about 2,594,800 ft. b.m. The total quantity charged to the bridges is about 3,613,600 ft. b.m., which leaves a shortage of some 1,018,800 ft. b.m.

Very tolerable picking and stealing ; on an estimated consumption of 2,500,000 feet of lumber, about 1,000,000 feet appears to have disappeared. What the exact value of that was I am not exactly prepared to say ; but, speaking generally, and looking at the prices charged, I suppose about \$15,000 was there stolen :

We cannot ascertain where this latter quantity of timber and lumber was used ; it is probable some of it never reached the works.

Then, Sir, the commissioners proceed to say and I call the attention of every business man, not merely in this House, but in this community, to this—on the subject of stone cutting :

The estimated cost of the stone cutting solely in cutters' hours for the bridges and lock No. 1, taking the ordinary rate paid for piecework, face measurement, would be about \$6,000 ; the amounts rendered for wages in cutters' hours amount to \$39,896.04.

Work that should have cost \$6,000 is valued to us at \$39,896.

Of this sum the contractor for labour would have paid his men, at the rate established by evidence, about \$30,060, if—

Mark the exception, Mr. Speaker—

—if the pay-lists are correct.

On that point I shall have a little more to say in a few moments. Then they go on :

Upon the Wellington bridge, by the hours charged for stone cutting at the rate of wages paid by the contractor, the cost of stone cut is \$12,516 ; the amount charged to the Government including contractor's profit, is \$16,715. The cost by piece work would be some \$3,000.

The Grand Trunk and Lock No. 1. being mixed in time-keeping, are taken together, and the cost, at the rate of wages paid by the contractor, is \$17,548. The amount charged the Government, including contractor's profit, is \$23,180. The cost by piece-work would be some \$3,000.

Again, on a comparison of the cost of works on the Wellington and Grand Trunk bridges, they say :

The evidence, as stated previously, showed that the work on the Wellington bridge was done extravagantly and that there are some doubts as to the correctness of the pay-lists ; notwithstanding this, the cost of laying masonry per cubic yard in mason's wages, was \$1.22 on the Wellington bridge, and on the Grand Trunk \$7.00.

What was extravagant at \$1.22 in the case of the Wellington bridge came to \$7 in the case of the Grand Trunk bridge. Then, they go on :

The night work of masons on the Wellington bridge terminated on the 1st of April ; on the Grand Trunk it is charged until the 19th of April, while evidence shows that the masons worked at night at the commencement only of the laying of masonry on the Grand Trunk.

Sir RICHARD CARTWRIGHT.

Upon the Wellington bridge, the cost of cartage, per cubic yard, was approximately 78 cents, while on the Grand Trunk Railway it was \$1.80, or nearly two and a half times that on the Wellington. *

* * If we calculate in a like manner the cost of labour per cubic yard for work done, skilled labour on the Wellington bridge amounts to 57 cents per cubic yard ; on the Grand Trunk, \$1.69 ; ordinary labour on the Wellington bridge, \$1.20 ; Grand Trunk, \$2.80.

Here, Sir, is a suggestive statement. The commissioners say :

Grand Trunk bridge substructure should have cost \$56,000. The pay-list for labour alone, without taking into account materials and supplies, plant and false works, amount to \$139,622.

And this on a work, the whole of which should have cost \$56,000, everything included.

The excessive cost of the works is to a great degree attributable to the cost of the Grand Trunk bridge, even when compared with the cost of the Wellington bridge. On the latter the evidence showed that there were more men than necessary, there was a great amount of loafing and idling, an excessive cost of cartage ; stone being carted from Terrebonne, a distance of about 20 miles, with a railway siding running into the quarry and available to carry the stone at a much less rate ; carters, idling, sent with an unnecessary number of men to load and carry lumber ; an unnecessary number of foremen, and general extravagance in the conduct of the works.

Here is another most suggestive item :

The amount charged in the pay-lists for the cutting of the stone for lock No. 1 is \$19,238.25 and the amount cut was 284½ cubic yards. This would make the cost of the stone cutting more than \$67 per cubic yard.

I am not aware what the proper cost would be. That, very likely, the hon Minister, having probably by this time become an expert in bridge-building, will be able to tell us. But, to my mind, \$67 per cubic yard does appear a very high figure to be paid even by a paternal Government, which, the Minister of Finance told us the other day, had to feed and clothe and provide for a great number of applicants. Then the commissioners go on, by way of conclusion, to say :

Taking items of work which have cost large sums, one of these—masonry : There were responsible contractors at the date when the rough stone was contracted for, who would have supplied the dressed stone on time and without delaying the work, at less rates than the Government could have done it by day's labour, even if there had been no labour contract, which increased the cost, considering the manner in which the stone cutting and time-keeping was done. Masons are not occupied during the winter and could have been easily obtained at a set rate by the Government without a contract.

During the season when this work was executed there is very little cartage to be done in the city

of Montreal, a number of master carters, as well as others had no employment for their horses and carts, and would have been only too willing to accept a fixed rate rather than have their horses idle. This was exemplified by evidence of carters who worked on Sundays and nights at day rates.

Although, be it remembered, the Government did not get the benefit of that :

An excessive quantity of material and supplies were purchased. The plant was unnecessarily expensive and extensive. The temporary works, or false works, were too costly, even considering the method adopted in construction which appears more expensive than might have been other methods of execution. The temporary buildings, &c., were on a scale for works ten times the magnitude of this.

Carters and men were hidden so that the number unoccupied would not be too conspicuous. Forty or fifty men, doing nothing in a lumber yard, their time taken by a time-keeper in the yard, sent with carts for lumber which should have been loaded and hauled by the contractor. An unnecessary night force seemed to have been employed, to obtain the increased profit over day work. There was a wholesale classification of skilled labour whereby the most common and cheapest class of labor was charged as skilled.

Now, I might very well rest the case, perhaps, entirely upon these extracts, but I will just call attention to one or two details which were brought before the committee, and which will be found in some of the exhibits submitted to us by Mr. Doheny and others, and which will give the House a very brilliant illustration of the mode in which these charges were made, and these expenditures incurred. From the 20th to the 30th of March, according to one of these pay-lists, forty-six men were employed, neither more nor less, each day. Now, while the pay-lists showed forty-six men each day, the time-keeper's private time-book shows as follows :—

20th March	11½ men.
21st do	11½ do
23rd do	22½ do
23rd do	26 do
24th do	25 do
25th do	25 do

And yet on each of these days the pay-list showed forty-six. These gentlemen had a great knack of remaining steadily at work. It appears. I might multiply that, but I think that that illustration will show well enough how these gentlemen contrived to swell the expenditure in the manner the commissioners' report indicates. Now, we had another little piece of evidence brought before us, from a person whose word will hardly be disputed, I think, by hon. gentlemen opposite, or anybody else. I refer to a gentleman who has conducted very important works on behalf of the Grand Trunk, Mr. Hannaford, one of their chief engineers. Here is what Mr. Hannaford, being sworn, said :

Mr. Scriver, I will tell you what I will do. I will have the bridge ready for navigation, on the 1st May, and let the Grand Trunk jump on me, and they will jump on me quickly enough if it is not ready for the railway. I would have taken the contract for \$70,000 ; that is to say \$35,000 for the superstructure and \$35,000 for the substructure.

And this substructure, be it remembered, cost us, I believe, \$136,000 for wages, without counting the plant and material.

I would have taken the contract for \$70,000, and would have pocketed \$10,000 for the company.

He was asked afterwards :

Q. You consider there would be a profit of \$10,000 for the Grand Trunk after that. That would leave the actual cost \$60,000 ?—A. Yes, it would not have cost more than \$60,000.

I refer hon. gentlemen to Mr. Hannaford's evidence in detail, if they wish to examine the matter. Here is evidence to show that what we had to pay \$136,000 for in wages, not counting material, not counting plant, not counting a variety of other charges, a very competent authority believes could have been done for \$35,000. There was no dispute about the cost of the superstructure. It was simply the cost of the substructure which was at issue. There we see, clearly and distinctly, what results were achieved by the department in this work, which was carried on almost under their very eyes and supervision. I do not intend to say that the evidence furnished by Mr. St. Louis, who was also examined before the Public Accounts Committee, is entitled to quite as much respect as that of Mr. Hannaford, or of the commission generally, but it may be interesting to the House to say with respect to the causes which led to these trifling irregularities. Briefly, Mr. St. Louis's plea was that, having to supply election funds, having been a steady subscriber to the party for twenty-five years, having been heavily drawn upon for the purpose of recent elections, he had to make things square. Practically, his plea was that, having been robbed, he had to rob. Sir, Mr. St. Louis's evidence is very much like that of the renowned Jay Gould, who, being once cross-examined by an American committee as to how many subscriptions he had made to the fund of the political parties in various states said, that they might as well ask him how many trains ran from day to day on the Erie road as to ask him how many subscriptions he had been obliged to make for political purposes. It is an interesting detail that, for reasons best known to himself, Mr. St. Louis burned his books and thus prevented his feeble memory from being refreshed as to the ways and the times he had contributed to the public weal. Now, here is a straightforward, plain statement from the hon. gentleman's own reports of the way in which great public works have been managed under their special supervisions,

and it only remains for me, to give some idea of the peculiar modus operandi of these same contractors of labour, and to call your attention to one or two statements which were made in the evidence given before the Public Accounts Committee as to the profits reaped by the contractor under this mode of farming out labour. The question was asked: "What was the profit?"—that is the profit to the contractor, and the answer was: "A foreman that was getting \$3 on week days would get on Sunday, \$4.50, and St. Louis would get from the Government \$8," so that the man would get \$4.50 and St. Louis would get \$12, leaving the reasonable profit of \$7.50 on a charge which ought to have been something like \$4.50. And on another occasion he was asked—this had reference more especially to night work—

Q. You would get how much?—A. We would pay stonecutters \$3.50.

Q. And how much would you get?—A. \$9.20.

A pretty reasonable profit, Mr. Speaker, and a pretty good illustration of the wisdom of the department in employing contractors to get labour with which Montreal was swarming at the time, and with which it was known to be swarming, because these works were all constructed during the dead time of winter when, as everybody knows, carters and masons, and all such workers find it exceedingly difficult, in a city like Montreal, to obtain any adequate employment. Now, Sir, what are the excuses that were put forward, more or less, on behalf of the department? Briefly they were these—that at the time this work was going on there had been a change of deputy-head, also that the work was hurried, although it was known for a long time such a work must be put through within a certain fixed period, and, lastly, that the department did not know what was going on, but when they did they issued a commission to investigate how the steed had been stolen. Now, Sir, I beg to point out that this was a work the necessity for which was perfectly well known years ago. There was no reason on earth that I can see—no reason was given to us at any rate—why, with the knowledge that these bridges required repair, with the knowledge that these things had to be done before a certain period, preparations could not be made in ample time for the work. So far as I am acquainted with this kind of work, I should say there would have been very little difficulty, or ought to have been very little difficulty in having the bulk of the masonry that was required prepared a considerable time before the canal required to be unwatered, and I am advised that such could have been done. And remember, Sir, that all these things seem to have occurred in a space within the compass of a few hundred yards. They occurred in connection with the work for which an ample staff was maintained and paid for by this country, and which, apparently, had mighty little to do during these months except to supervise

and attend to the proper execution of these works. Now, Sir, these facts being shown, these facts being established by the reports of hon. gentlemen's own commission, these facts being corroborated by the evidence taken before a committee of this House, these facts being strongly corroborated by the evidence of engineers like Mr. Hannaford, I would like to ask the House what they think private employers would do to agents of theirs who had conducted a work of this kind in such a manner? Are we to say that nobody is to blame, are we to say that at least \$200,000 of the public money is to be thrown away and that it is an ample justification for this waste to say that the department—a department with a staff costing us some \$50,000 or \$60,000 a year, not to mention the Minister at the head of it—are free from blame if they issue a commission and dismiss one or two underlings? Sir, what will this House choose to do? Will this House choose to vote that they have full confidence in the efficiency and ability with which the department is conducted by its able and eminent chief, with its competent and experienced staff under this wise and paternal Government, or will they, as I rather think they ought to do, agree with me and in saying:

That all the words after the word "That" be struck out and the following inserted instead thereof:—"it appears from the Report dated 19th January, 1894, made by the Commissioners who investigated certain matters connected with the construction by the Government of the Wellington Street and Grand Trunk Bridges on the Lachine Canal in the city of Montreal; and from the evidence taken before the Public Accounts Committee during this Session:

1. That the said bridges were constructed chiefly during the first four months of the year 1893, by the Department of Railways and Canals, the superstructures being contracted for and completed by the Dominion Bridge Company within the estimates of the Department therefor.

2. The Department decided to have the work on the substructures done by day labour under contract for its supply and a contract for such labour was entered into by the department with a contractor who carried out the work as laid out by the department and under its superintendence and direction.

3. The original estimate of cost of the substructures was \$122,000, and the Commissioners estimate that any reliable contractor could have executed the same amount of work at the same season and in the same time for \$160,000, whereas the accounts presented to the department for such work amount to \$430,325, whereof \$394,000 has been paid.

4. The supply of timber and lumber certified to by the officers in charge of the works for the department is over a million feet board measure more than could have been used in the said works as in their construction.

5. The cost of stone-cutting on the Wellington Bridge by piecework would have been some \$3,000, whereas the amount charged to the Government therefor, including contractor's profits, is \$16,715,

Sir RICHARD CARTWRIGHT.

and the cost of stone-cutting on the Grand Trunk Bridge was still more excessive.

6. The prices paid by the department to the contractor for labour were greatly beyond current prices, in some instances being as high as \$12 for work for which the contractor only paid \$4.50 and \$9.20 for other work for which the contractor only paid \$3.75.

7. That in many other respects the construction of said bridges was conducted in a wasteful and improper manner.

8. That in the opinion of this House the Department of Railways and Canals is deserving of the severest censure for inefficiency, neglect of duty, extravagance and gross mismanagement in connection with the said works.

Mr. HAGGART. Even at this late hour of the evening, and of the session, I may be pardoned if I take some time in explaining the full details of the construction of what is now the celebrated Curran bridge. In 1891, as you are aware, there was an agitation in Montreal in favour of more extended facilities for crossing the Lachine Canal, where the old Wellington bridge was situated, and in 1892 an estimate was prepared by the Government and a sum was voted by Parliament for the purpose of constructing that bridge. This involved not only the construction of that bridge, but the renewal of the Grand Trunk Railway bridge, with a span the full width of the canal. In the session of 1892, \$170,000 was voted by Parliament for that purpose, which embraced both structures, as was shown both in the evidence taken by the commission, and in the evidence before the Public Accounts Committee. The bridges were to be built for an eighteen-foot navigation. On the 16th October, 1892, a written estimate of the cost of the reconstruction of these bridges for an eighteen-foot navigation, was prepared by the department. That included a new pivot pier, and the construction of the land piers on which the bridge was intended to be built. Under that estimate, the retaining walls were to be retained, they were merely to be rebuilt, or retopped. These were originally built for a fourteen-foot navigation, and the walls were to be torn down and replaced. The cost of this work was estimated by the engineer at \$170,000, and when he furnished me the estimate, he suggested that the superstructure should be erected by contract, that the material should be secured by tender, and that the work on the substructure should be done by days' labour. The chief engineer communicated his approval of this course on the 19th October, 1892, and, on the 22nd of the same month, an Order in Council was passed adopting the recommendation of the chief engineer. At the same time there was under consideration the deepening of the lower section of the canal from St. Gabriel's lock to where it met the St. Lawrence River. It was decided then to build a lock at the entrance of the Lachine Canal which would have a sufficient depth on the mitre sill to

give a twenty-two foot navigation. That depth was to be excavated up to St. Gabriel's lock. I inquired of Mr. Trudeau, the chief engineer, to furnish me with an estimate of what that would cost, but he declined, saying that he was unable to do so without consulting with Mr. Parent, who was the superintending engineer of the Lachine Canal. Mr. Parent was sent for from Montreal, and between the two of them they made up an estimate of the extra cost of building that bridge for a twenty-foot navigation, which would necessitate a depth of twenty-two feet in the canal. They furnished an estimate of what it would cost to build that bridge above the previous estimate of \$170,000. The two engineers reported to me that the extra cost required for doing this particular kind of work would be \$40,000 in excess of the estimate which they had furnished me before. They estimated that the construction of the bridges would require an expenditure of \$210,000. In January, Mr. Parent asked if the bridges were to be built for a twenty-two foot navigation, and the chief engineer of the department instructed him that they were to be built for a twenty-two foot navigation, which necessitated a depth of water in the canal of twenty-four feet. Those who are acquainted with canals know that the actual depth of water required in the canal itself is a couple of feet in excess of the navigation. Mr. Schrieber instructed him to build piers for a twenty-two foot navigation, which would entail an additional cost of \$13,000, making a total of \$223,000. Upon this extra cost being communicated to me by the chief engineer, I at once authorized the work to be undertaken on that basis. Superintending-Engineer Parent to have full charge. In reference to a twenty-two foot navigation, I may state here that a mistake of the chief engineer of the department, in the instructions which he gave to Mr. Parent, entailed the extra cost of a depth of two feet more than was required in the canal. That responsibility my Deputy or Chief Engineer of Canals fully accepts, and they say it was a mistake to have that extra cost entailed, which resulted in an increased expenditure of at least \$13,000. That brought up the estimate to \$223,000. As I have already stated, Mr. Parent was instructed to take full charge of the work, and Mr. Kennedy, Superintendent of the Lachine Canal, to have direct charge on the grounds under him. Mr. Desbarats was given the position of assistant engineer, to lay out the work, prepare plans, &c. On 28th November, 1892, Mr. Parent instructed Mr. Kennedy as to his duties. When arranging to carry on the work, Mr. Parent, in consultation with the Chief Engineer, arranged to procure the labour by tender—that is the allegation of Mr. Parent. There were no written instructions to that effect given, and afterwards, when his attention was called to the fact that he had no written instruc-

tions for labour, he said that verbal instructions must have been given him by Mr. Trudeau. The fact is, I know of no such instructions by Mr. Trudeau to Mr. Parent, and he is not able to produce any evidence that instructions to that effect were given him. Early in December, tenders were invited by Mr. Kennedy for timber, stone, labour, and those were in due course forwarded to the department by Mr. Parent and submitted to me by Chief Engineer Schreiber. In all cases the lowest tender was accepted. The tender for lumber, for which a specific bill was prepared was of the value of only about \$14,000, and Mr. Henderson's tender, being the lowest, was accepted; but subsequently a complaint was laid with the Chief Engineer, and he, considering that the bill of particulars did not give an opportunity for a fair competition, invited other tenders. A letter was written by Mr. Parent, remonstrating with him, and giving instructions that in future the dimensions of the timber must be given, in order that tenders might be prepared to give fair and free competition for the work to be done. Months before this, instructions had been given by me to my Deputy that all materials furnished the canals were to be furnished under open competition and tender, and these instructions were supplemented by further instructions given by Mr. Schreiber to the superintendent of each canal. On December 5, 1892, Mr. Trudeau retired from the public service, and his office was assumed by Chief Engineer Schreiber on that day. Mr. Schreiber was instructed to visit all the canals and make himself familiar with them and their requirements. On December 23, 1892, he addressed instructions to Mr. Parent for his guidance, which set forth that as regards the Lachine, Chambly, Beauharnois and St. Ours canals that he had full charge of the staff and was held responsible for the economical conduct of the work and the efficiency of the operation, further, that all orders in regard to works would be given through him, and that he would be held responsible for their efficient management and conduct, and he was further instructed to be careful to report on all these points frequently to the department as to the manner in which the work was being carried on. We are told that shortly afterwards tenders were sent to the department for different materials required for the work under construction, and also for the labour. The Chief Engineer submitted them to me. That was the first knowledge I had that labour was asked for by tender. I demurred taking action, and I refused to sign the papers at the time, and instructed the Chief Engineer to send Mr. Parent from Montreal to Ottawa in order to give me all information possible, and to state the reason why this labour should be given out by tender. Mr. Parent duly arrived at Ottawa, I think on 12th January, and urged me to let the

Mr. HAGGART.

labour by tender. I ask hon. gentlemen who have been present at the Public Accounts Committee to remember that, according to the evidence, the tenders were not for day labour, that the proposition of Mr. Parent to myself was as respects furnishing skilled labour, such as mechanics required for stonecutting, for mason work and labour of a similar character, and that at the same time Mr. Parent stated to me that he was prepared for all the day's labour that was required for the construction of the work, and that he could use the ordinary hands employed on the canal. He urged me strongly to adopt this system. He gave, as to the Chief Engineer, as a reason why this system should be adopted, that it was better to contract with persons who were in the habit of employing labour in Montreal, and that if this was done there would be less liability to strike. The prices asked for the labour seemed to be fair, and on the recommendation of Mr. Parent and Mr. Schreiber I awarded the contract for skilled labour, accepting in each case the lowest tender. At the same time I warned Mr. Parent and Mr. Schreiber that all the labour required for carrying out that work should be obtained on requisition either through Mr. Parent or Mr. Kennedy to the parties employing the labour, and Mr. Parent was instructed instantly to discharge any man who was not efficient and did not do his work. He was also to be careful that the time of the labourers was kept by the Government time-keepers. He was to have a staff appointed purposely to keep their time, and he was to be very careful as to the time those men were employed. Further, the pay rolls were to be made up in his office, and they were to be certified by himself, Mr. Kennedy and the head Government time-keeper, and he said he would see this was strictly observed. Mr. Schreiber, on hearing this, and after having a conversation with Mr. Parent on the subject, urged on me the necessity of letting contracts for labour. I accepted the contract, and Mr. Parent was instructed to accept Mr. St. Louis's tender, his offer being the lowest. It has since transpired, but it was not then known, that Mr. Kennedy first received tenders for this labour, and that Mr. Parent, considering the opportunity given for competition insufficient, invited further tenders. There were four tenders in all, namely, W. G. Turner & Co., E. St. Louis, J. B. Rose, J. E. Trotter, and the tender sent in by Mr. St. Louis was the lowest. Stonecutters and other kinds of labour were employed. As I have before stated, Mr. Desbarats was assistant engineer, and looked after the plans and took out the quantities. There was a long negotiation with the Grand Trunk Railway Company with reference to building what is known as the Grand Trunk Railway bridge. The hon. gentleman (Sir Richard Cartwright) read from the evidence

of Mr. Hannaford that he calculated the cost of that bridge would be \$70,000. A promise was made by the Grand Trunk Railway Company, and, until the last moment, we were expecting the company would build a bridge, but neither the company nor Mr. Hannaford ever made a tender to the Government that they would build it for \$70,000. The only offer we ever got from the Grand Trunk Railway Company was that they would undertake the construction of the bridge, employ the men themselves, and receive 15 per cent on the amount of expenditure for their superintendence. At the last moment, when we were expecting them to erect a bridge, they refused to enter into the contract as the time was too short. There being a large staff of engineers in the Montreal office, who, during the winter season had very little or nothing to do, the chief engineer considered the employment of Mr. Desbarats as superintendent of the work unnecessary, and he recommended that the Montreal staff was ample to look after it. Mr. Papineau, who had charge of building the drain from Lachine down to the River St. Pierre, had no work to do at the time in that portion of the Lachine Canal, and he was at the head office and was given the superintendence of the work. The hon. gentleman (Sir Richard Cartwright) says that on the 1st of March, 1893, the Government had plenty of time, and that they ought to have had all the material ready. The Government fully expected that they had all the material ready, because, on the 1st of March, 1893, Mr. Parent reported by letter that all the stone for the pivot pier of the street bridge was delivered, except a few coping stones. He reported over two-thirds of the stone ready, and with the excavation above water commenced, and with 75 per cent of the stone for the railway bridge delivered, he said his only anxiety was about the superstructure. Therefore, nearly all the material necessary for the construction of the work was prepared and ready before the water was let out of the canal. At this stage of the proceedings I may state that Mr. Parent reported to the department that all the time necessary for the building of the bridge, after unwatering of the canal, was in the neighbourhood of forty days, and the canal was unwatered on the 8th of March. He was instructed to make arrangements with the different parties in Montreal interested in the mills along the canal, as to the most convenient time for letting out the water. I understand that the mill owners along the canal employed about five thousand hands, and the stoppage of the work for a longer time than was necessary was a matter of great concern to them, and to the whole community. The work had to be done in the quickest possible manner. By arrangement with these manufacturers, and with others interested, the canal was to be unwatered on the 1st of March, and the water again let into the canal on the 1st of

May. On the 8th of March, the vigorous prosecution of the work was proceeded with and six Government time-keepers were appointed to look after it, namely, Coughlin, chief time-keeper, and the time-keepers under him were Glenny, Baillaigé, Davin, Dolan, and Warburton; Doheny being time checker. That was an ample staff to look after and check the time of all the men necessary for the work. On the evening of the 9th of March, an article appeared in the Montreal 'Star,' which was communicated to me, I think the next morning, in which it was stated that there were 1,300 men employed upon the work. I forget now whether it was I who drew the attention of the Deputy Minister to this article, or whether the Deputy Minister came in and showed me the article. I did not know how it could be possible that 1,300 men could be employed on the work, and I drew the attention of the Deputy Minister to it, and he immediately telephoned instructions down to Mr. Parent that if such were the case a large number should be immediately dismissed. At the same time, the Deputy Minister communicated with Mr. Parent, I think by writing, drawing his attention to this statement, and stating that if the number reported were actually employed, it was too great, and he also warned Mr. Parent to conduct the work with due regard to economy. On the same day, Mr. Douglas, who had visited the work in connection with the superstructure reported the number of men on the work was very great, and that the work was being done in an expensive manner, and that the bills would be large. Mr. Parent was immediately ordered to report, but, instead of doing so, he came to Ottawa, and, on the 12th of March, explained that the 'Star's' statement of the number of men upon the work was greatly exaggerated but still he gave the Department to understand that there was a very large force employed, and he was instructed to dismiss a great number of them, and he did so. I find that about that time the number of men was reduced by about 450, and the teams were reduced by about 110. Mr. Parent was further requested to report weekly upon the state of the work, but this he failed to do for the reason he has given in his evidence before the Public Accounts Committee. His reasons were that it was impossible for him to get the information to report upon, either from Mr. Kennedy or the time-keepers. About the 13th of the month a dispute arose as to the wages which would have to be paid to Mr. St. Louis. This is the first time that I was aware that Mr. St. Louis was furnishing the ordinary day labourers for the work upon the canal. A Mr. Emard, from Montreal, came up with the same complaint about the charges which were being allowed to the men for the purpose of carrying on the work. He claimed that all the ordinary labourers were entitled to \$1.89½ per day, as they were under what he called his contract price, and that they

were skilled labourers. I understood until this time that the ordinary labourers who were engaged on the work were employed by the Government foreman, and that Mr. St. Louis supplied no labour except the skilled artisans. He claimed that eleven of these parties were entitled to \$1.89½ a day, and I objected to it, and stated that I would not allow anything of the kind. I objected to it, saying that that price was in excess of what I thought labour could be obtained for at Montreal. I knew at the time that the job on which they were employed was a very nasty job. The men were working a good deal in water, and the wages necessary to be paid would be perhaps a little in excess of what were paid for ordinary labour. I knew nothing about the circumstances whatever. The only knowledge I had was that the price required for the men's labour was in excess of what I thought it ought to be. I instructed Mr. Schreiber to inquire what would be a fair price per day for a man labouring on that work. He consulted with Mr. Parent. I had no knowledge either from Mr. Kennedy or from any one else employed on the work that men could be got for 25 cents or 50 cents a day less than they were paid. All that came to me as the head of the department was that 15 cents an hour was a fair price for a man's labour. The hon. gentleman states in his amendment that for work for which Mr. St. Louis was paying the men \$4.50 a day he received \$12, and that for workmen whom he was employing at \$3.70 a day he was getting \$9; but the hon. gentleman forgot to state that the department took no such interpretation of the contract as Mr. St. Louis put upon it. His interpretation of the contract was that men employed on Sunday and at night were employed in overtime. My interpretation, which was confirmed by the Minister of Justice, was that when a man was employed for ten hours a day, and worked a couple of hours extra, the two extra hours were overtime—that if men worked by shifts, they were not entitled to overtime, and I refused to pay it. The Government held that they were not entitled, under the contract, to pay the prices demanded by Mr. St. Louis, and they did not pay them. I never heard, until the evidence was given in the Public Accounts Committee the other day, that there were a number of men transferred from Mr. Kennedy's roll to Mr. St. Louis's pay-roll, and I may as well here show how impossible it was for me to find out the frauds which I knew were being committed there. I knew that the timber charged for was in excess of what was required for the purpose of building that bridge; I knew that the labour charged for could not possibly be employed in its construction, and I knew that the demands made upon the department were in excess of what was honestly used in the construction of the work. I tried every possible means to get at the bottom of the frauds, and to

Mr. HAGGART.

that end I had the detective force employed on the Intercolonial Railway sent up and put on the Montreal works; but I found it impossible to discover where the frauds were committed. I had great difficulty in obtaining the evidence of the time-keeper, Mr. Doheny, for the purpose of defending the Government against an action brought by Mr. St. Louis in the Exchequer Court for a sum of money, amounting, I think, to \$67,000 or \$68,000. I had great difficulty in getting evidence sufficient to prove that there had been frauds on the work. I obtained information that the Government had been defrauded in the pay-rolls—that numbers of men who had no existence were put upon the pay-rolls; that fifty or sixty men, or perhaps double the number actually at work, were returned on the pay-rolls by Mr. St. Louis, when, in fact, Mr. Doheny stated the number actually employed was far less than the number he returned, and it was only in the Public Accounts Committee the other day that I was able to get from Mr. Frigon evidence that the return made by the contractor to the Government for the horses and carts employed on the work was far in excess of the quantity and time actually employed on the work. I think it is possible that this evidence may be corroborated, because the time-keeper gives in detail the names of 100 or 120 men whose time he kept upon the work. If thirty or forty men had five or six days added to their time, it is possible to obtain information now whether the statement of Mr. Frigon was correct or not. I merely state this in passing to show the difficulty the department had in obtaining information in regard to frauds which were evident in the accounts and the pay-rolls themselves. On the 6th of April the chief engineer visited the works, and was shown over both bridges by Superintendent Kennedy, who explained matters generally, and the chief engineer instructed him to collect all the time-keepers in the office, as he wished to examine their books. This he did, there being, the chief engineer thinks, four time-keepers present, of which P. Coughlin was chief, and explained the various time-books, which were certainly well kept; but they complained that they had to provide their own time-books, and the chief engineer informed Superintendent Kennedy that he must at once see that the time-keepers were paid for the books, and they must be the property of the Government and become records of the canal office. The number of men visible upon the works, though large, did not appear to be so very excessive; but Mr. Schreiber gave Mr. Parent instructions for a further reduction of the force. I myself visited the works on the 19th of April, as soon as I could go. I looked at the work, and outside of the men who were employed in putting up the steel bridges, which was being done by contract, there appeared to be very few men on the work. There were twenty or thirty men employed in breaking

stones, and I immediately instructed the engineer to have them dismissed, as I did not see any necessity for them. The limited number of men employed on the work might be accounted for by the backing up of the water on the canal, in consequence of ice in the St. Lawrence River, which would make it difficult for many men to be employed. The chief engineer, about the 12th of April, sent Mr. Douglas down to Montreal to investigate, and on the 14th of April he reported as far as he was able to ascertain the amount of the pay-rolls, etc, for March and the first week in April to be about \$177,000, and that there would probably be a further expenditure of \$100,000 by the 1st of May. And he reported, of course, that he had impressed upon all the parties the necessity for curtailing the expenditure. On the 18th of April, a part of the pay-roll only for March was received by the department. The chief engineer always told me, when I questioned him, as I was very anxious about the work; you will be correctly informed when you get in the pay-rolls and the accounts for the different months. I urged upon him continually the necessity for getting the information at once. I knew that he telephoned and wrote to Mr. Parent, urging upon him, again and again, the necessity of sending up the pay-rolls in order that the department would be fully informed as to what the work would cost. He found it impossible to get these; and as I said before, in the Public Accounts Committee, you will see how carefully the facts were kept back. It was only late in April that the March pay-rolls were received, a lot of the wages earned in March were slipped over into April, and the April pay-roll was only returned in May after the work was completed. On the 18th of April, a part of the pay-rolls for March were received by the department, and on the 24th of April the department received the balance of the pay-rolls for March. Upon receipt of these, the chief engineer, on the 24th of April, instructed Mr. R. C. Douglas to look thoroughly into everything in connection with these works and to take nothing for granted. On the 19th of April, I went down myself, and on the 25th of April, the chief engineer reported the condition of affairs to me, setting forth that, so far as Mr. Douglas had been able to investigate, he believed the cost would reach not less a sum than \$360,000, but that Mr. Douglas would continue his investigation. Mr. Douglas continued his investigation, and reported that he believed the cost of the bridges would exceed the amount he had already named; and on the 10th of May, the chief engineer conveyed this information to me, suggesting that some person or persons be appointed to thoroughly investigate all matters in connection with the expenditure. Upon this, a commission was appointed to inquire into the expenditure. That committee reported, as the hon. gentleman who moved the resolution has

stated, and a portion of whose report he read. They reported that the department had placed confidence in their chief officers on the grounds, whose duty it was to watch over things and keep down expenditure, and report from time to time the progress and condition of the work. It turned out, however, that they entirely disregarded orders, and purchased timber and other materials in large quantities by private purchase and without authority, far in excess of the requirements of the work. The chief Government time-keepers, the superintendent, and the superintendent engineer, certified to the pay-rolls, and other Government officers joined in certificates of the correctness of accounts, the amounts of which they afterwards swore they knew nothing about. The whole business seems to have been one of fraud and collusion. I do not know whether it is collusion or not, because I hardly think the superintending engineer, Mr. Parent, was guilty of collusion. I think it was through ignorance and incapacity that he was deceived. But the Government time-keepers, I have not the slightest doubt, connived with the contractors for the purpose of defrauding the Government. Let me show how little idea I could have had of the heavy amount of liabilities incurred during the time the work has been carried on, before the 1st of May or before it was completed. I will state the amount of payments made for labour and material each month during the progress of the work:

August, 1892.....	\$ 48.85
September, 1892.....	29.10
October, 1892.....	60.50
November, 1892.....	117.11
December, 1892.....	3,597.19
January, 1893.....	10,118.34
February, 1893.....	23,716.56

At that time Mr. Parent reported that nearly all the stone was cut for the bridges and that 75 per cent of the material for the construction of the Grand Trunk Railway bridge was on the ground:

March, 1893.....	\$29,826.26
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And I have shown the particular time when the March roll came in:

April, 1893.....	\$102,870.40
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which did not appear until well on in May. For the whole time the work was being constructed, up to the 1st of May, when the work had to be completed, in order to be ready for the opening of navigation, the whole expenditure upon this particular work, as furnished to the department and which we were called upon to pay, was \$3,957 in December; \$10,118 in January; \$23,716 in February; \$29,826 in March; and \$102,870 in April. In May the accounts came in to the alarming sum of \$155,383, and in June the amount of \$51,076. So that you will see that the department had no means of informing themselves by the accounts that came in, whether the expenditure was in excess of the estimated cost or not, until

the work was completed. Then, as regards the pay-rolls, which are embraced in the expenditure I have already given, in November, the amount paid under the contract was nil. In December also there was nothing. In February the amount was \$11,879.26, and in March, \$100,806.55. As I have observed already, up to the 28th of April, the contractors for labour had only been paid the sum of \$13,541, and up to the 18th of April that was the amount of the contractors pay-roll received from the local officers by the department. You will therefore readily see, Mr. Speaker, how little opportunity I had of knowing, until the work was completed, the extent to which the contractors' pay rolls had been run up. The chief Government time-keeper swore before the commission that he kept the time on the Grand Trunk bridge, as well as on the Wellington, so that the deception with regard to the pay-rolls appears to have been kept up all through the time during which the work was in progress. When the Chief Engineer called the time-keepers together on the 6th of April, neither Superintendent Kennedy nor the time-keepers gave any intimation that they were not keeping time on the Grand Trunk bridge. I had no information, nor had the department, either by letter or other communication from Mr. Parent, that the work was costing anything in excess of the estimate which he furnished himself. On April 19th, I said to him: why, Mr. Parent, when you say that you are having difficulties which you did not contemplate when you made the estimates of the work and furnished it to me, was it not your duty to have kept the department informed, week by week, of the progress and the amount of money expended, and especially if the estimate was exceeded. But no such information was furnished. Remember also that during the time that work was being completed, as far as regards myself, as the head of the department, Parliament was in session until the 1st of April, and I had not the opportunity to visit the work. But as soon as I had the opportunity, on the 19th of April, I went down to see the work. So far as the department is concerned, there was nothing in the information as to the material furnished on the works, to lead the department to believe that the amount to be expended in the construction of the work would reach such an alarming sum—for I say that this amount of \$394,000 is an alarming sum, and I have no hesitation in saying that a large portion of that is money fraudulently obtained by parties employed in the construction of the work. Assuming Mr. Parent's evidence to be correct when he estimates that the removal of the ice caused an additional expenditure of \$30,000, it is to be remembered that he estimated \$223,000 as the cost of the work, so that, under the circumstances, \$253,000 was the amount for which he thought the work could be con-

Mr. HAGGART.

structed. And I believe now that \$253,000 ought to have finished that work. But let me say as to the evidence which was then before the Exchequer Court the other day, the Government had not been in possession of Mr. Desbarats's evidence and had not had time to look over it. I have forgotten the name of the witness—a Frenchman—who gave evidence as to the disappearance of material. But I can hardly believe that five hundred pieces of timber ten or twelve inches thick and varying from twenty-five to thirty feet thick could disappear in a night or two. Mr. Frigon's evidence shows that the time-rolls were padded and that names representing men who never had an existence were upon that roll, while the time of many who had only worked a few days was greatly extended. That evidence was only given to the Public Accounts Committee a few days ago. The evidence is hardly printed yet. I intended to bring the whole matter under the consideration of my colleagues when they have time to consider it, so that we may see what is to be done for the purpose of punishing those who have been guilty of the frauds which I have not the slightest doubt were perpetrated upon the Government.

Mr. TARTE. The hon. Minister has frankly admitted that the Dominion exchequer has been defrauded of a very large amount of money. His admission was not necessary; all those of us who have followed the case before the Public Accounts Committee have, day by day, ascertained that, as the hon. Minister has said, the public treasury has been defrauded. But, Sir, if we agree upon that point, I am very much afraid we shall hardly be able to agree as to the parties upon whom the responsibility of these frauds must rest. The hon. Minister has given us a history of the case, and he added that the Government had no means of knowing at the time that frauds were being committed. Well, it seems to me that the course of the Department of Railways and Canals was the very course to allow thieves, if there were thieves, to commit their crimes. The hon. Minister has said that Mr. Parent was put in full charge of the works. At the same time he says that he believes that Mr. Parent is not criminally guilty, but is guilty of incapacity. The hon. Minister is not quite right in stating that Mr. Parent was put in full charge of the works. He was put in charge so far as two or three letters could put him in charge, but what are the facts of the case? If you look at the evidence we have before us, page 251, of the volume of the evidence taken in Montreal, you will find that Mr. Kennedy was appointed overseer, that is, he was given—over Parent's head—full charge of the work. Mr. Kennedy had behind him very strong influence, it appears. The

influential men who were friendly to him came to Ottawa and had interviews with the Department of Railways and Canals, the result being that Mr. Kennedy was given full charge of the works. Here, for instance, is what Mr. Ogilvie says after having had an interview with Solicitor General Curran and Mr. Trudeau in the city of Ottawa :

When we went into the passage, we met Mr. Kennedy and he said, "I do not want to undertake the work as a contractor," or something of that kind. Mr. Ogilvie said to him, "that is all right now ; you take charge of the work and put it through and have our water back in the canal on the first of May, and you will make a name for yourself. Mr. Kennedy left us and went to Mr. Trudeau's office.

That conversation took place after Solicitor General Curran and Mr. Ogilvie had had an interview with Mr. Trudeau. What took place after that ? Mr. Parent wrote to Mr. Kennedy a few days afterwards informing him that he had been appointed overseer and telling him that he had full charge of the works. I quite agree with the Minister that a great responsibility rests with Mr. Parent, but to say that he had full charge of the works is not fair to Mr. Parent and is not true, according to the evidence, as the hon. Minister knows. Kennedy felt that he was above all influence, and if it was necessary to prove it here, I should only have to read the letter he wrote to Mr. Parent himself, in which he stated that if any one dared to make any report except through him or ask any information from the foremen except through him, he would dismiss immediately the men who would give such information. Mr. Parent himself went to get information from the foreman. Coughlin, one of them, has stated before us that he refused point-blank to give information to Mr. Parent himself because he had received positive orders from Mr. Kennedy. Now, the hon. Minister says, and he dwelt very much upon that point, that the Government had no possible means of knowing what was going on. Mr. Trudeau had appointed Mr. Desbarats, as resident engineer on the works. He had appointed him at a salary of \$150 a month. Mr. Desbarats had prepared the plans ; he was well acquainted with the works. He went to Montreal in the month of October, and I may say that he organized the works. I desire to call your attention, Mr. Speaker, to the dates I am going to give. On the 4th of February, Mr. Kennedy writes to Mr. Parent a letter about Mr. Desbarats's interference. Mr. Desbarats's crime was to go to the foreman and men and to ask for information. On the 6th of February, two days after, the Chief Engineer of the Department of Railways and Canals, writes to Mr. Parent the following letter :—

The subject of your pay rolls in connection with the Wellington-street bridge has been under consideration, and it appears that the hon. Minister has given no authority for Mr. Desbarats' salary being increased from \$105 to \$150 per month, and to return the pay roll for correction, and I am further to ask who employed an office boy and by what authority it was done. The work of looking after the Wellington-street bridge should be done from your office without extra cost.

I say again, that this letter was written on 6th February, that is to say, two days after Mr. Kennedy's complaint. It is not proved, I must admit, that this letter was communicated to the Minister, but there is something that cannot be explained. How is it that Mr. Desbarats was practically dismissed two days after he had been complained of by Mr. Kennedy, whose influence at the time, was dominant on the works ? Mr. Parent, who knew that Mr. Desbarats was a very valuable man, wrote immediately to Mr. Schreiber on the following day, as follows :—

If in your opinion the work of looking after the execution of the plans of the two Wellington-street bridges should be done from this office without extra cost, then it would mean that you consider Mr. Desbarats's services are not required and to my great regret, although I consider his services most valuable under existing circumstances, I shall have to dispense with them.

Well, if the department had only read this letter with a reasonable amount of care, would they have dismissed Mr. Desbarats in face of the protest of the chief engineer in Montreal ? Were Mr. Schreiber and the Minister wise when, in face of the strong protest of their engineer, they dismissed the man who had prepared the plans, who had begun the work, and who, it has been proved since, had been a most efficient officer ? The department seemed very anxious that Mr. Desbarats should not be retained much longer on the works. On the 13th February, the following letter was written by Mr. Schreiber :—

I have your letter of 7th inst., with reference to the staff pay list in connection with the Wellington-street bridge for January, and covering a copy of a letter signed by the late chief engineer of canals, placing Mr. Desbarats in charge of the construction of the new Wellington-street bridge at a salary of \$150 during the execution of the work. The department does not take the same view of this matter as you do, and I quite agree that one engineer can readily attend to the giving of the lines and levels at the bridges in Montreal, and look after the Lachine drain matters, and one only can be kept, that is Mr. Papineau.

Well, Sir, without consulting the chief engineer in Montreal, Mr. Schreiber appointed Mr. Papineau instead of Mr. Desbarats. A few days afterwards, on the 27th February, Mr. Schreiber again writes to Mr. Parent :

I presume you have carried out my instructions of dispensing with Mr. Desbarats's services at the close of this month.

Here were four letters in a few days to dispense with Mr. Desbarats's services. The department may not be criminally guilty, but, on this occasion, they are certainly amenable to the charge of being more than imprudent. They had a man there who had been placed in charge of the works by Mr. Trudeau, a man who had been there for three months, who had done his duty, and they dismissed him without giving any reasons.

Mr. HAGGART. What date was he dismissed?

Mr. TARTE. He was really dismissed on the 6th February

Mr. HAGGART. Just a month before the work commenced.

Mr. TARTE. I can prove to the Minister that the work was then going on. He says that the work only began in the month of March. He has said inaccurately that Mr. Desbarats went on the works in Montreal only in the month of April; but if you turn to page 4 of form F 1½, you will find that on the 17th February, Mr. Douglas, one of his most important officials was in Montreal, and was sending in reports. I think the Minister has mentioned Parent's name when it should have been Douglas' name. I have the evidence before me.

Mr. HAGGART. You are mistaken in the date.

Mr. TARTE. Let the hon. Minister turn to the evidence of Mr. Schrieber at page 4, form "F":

By Mr. Tarte:

Q. What date?—A. The 17th, 18th and 19th February. On the 18th of February there is a memorandum from R. C. Douglas, who was down there looking after the substructure.

Mr. HAGGART. I think that must be a mistake for March.

Mr. TARTE. I hope my hon. friend won't ask us to believe that there was another clerical error. On the 17th, 18th and 19th February, work was going on there.

Mr. HAGGART. There was stonemasonry going on.

Mr. TARTE. In the month of February, Mr. Douglas, one of the officials of the department, was on the works and he made three different reports about their progress, and when the Minister gives Mr. Parent as having made reports at that date, he is simply giving the name of the wrong man; it was Mr. Douglas who made the reports. Well, when the Minister says that he had no means of knowing what was going on, he is mistaken, and the House cannot believe him. He has made the mistake unwillingly, no doubt, but it is nevertheless a mistake. He

Mr. TARTE.

had one of his most important officers on the work making reports to him. How is it that Mr. Douglas, at that time, did not call the Minister's attention to what was going on? Mr. Desbarats's dismissal was the real cause of the loss that has taken place. That dismissal took place because Mr. Kennedy felt he was all-powerful, and that he could dismiss any one. Mr. Parent was afraid of him. If Mr. Parent had been a man of energy, after Mr. Kennedy's letter to which I have alluded, in which he threatened any man who would report to Mr. Parent with dismissal, Mr. Parent should have dismissed Mr. Kennedy immediately. But Mr. Parent knew by what influence Mr. Kennedy had been appointed, that he was backed by the influential men of Montreal, that Solicitor General Curran had caused him to be appointed Superintendent of the Lachine Canal and overseer of the works, and Mr. Parent was afraid of being dismissed as Mr. Desbarats was dismissed. Mr. Parent has been guilty of weakness, without doubt; but the Government have been guilty of imprudence. The Department of Railways and Canals had before it the protests of the chief engineer, they did not keep any account of them, but they dismissed the man who could have prevented this trouble. Why should they have dismissed him? No information on that point has been given. It is in evidence that the department kept himself thoroughly informed as to the progress of the works by communicating by telephone with the officials in Montreal. There is no record, however, of the telephone messages by which the Minister was kept informed. The Government had one of their most important officials on the work, from the date of its inception in February, and still they state they could not keep themselves informed. The Minister has admitted that very high rates of wages have been paid. He says the Government are disputing the charges as being enormous. The Minister of Railways has followed the inquiry no doubt with care, but he has failed to note some important points. If he will turn to Mr. Villeneuve's evidence at page 25 he will read as follows:—

Q. Do you know what price you paid for the men?—A. Well, the foremen on the Grand Trunk bridge were paid on the average about 30 cents an hour.

Q. By whom?—A. By Mr. St. Louis. That was for day time. The price from the Government that Mr. St. Louis charged was \$4. That is \$1 a day profit. At night time I believe there were a few hours added to the time and St. Louis got \$6 for them.

Q. What did he pay?—A. He paid \$3. I believe there were five hours added to their time for night work.

Q. What was the profit for foreman?—A. That will be \$1.50 at night, but that is on every day.

Q. What was the profit on Sunday?—A. On Sundays we gave time and a half at the same rate as we paid them on week days.

Q. What was the profit?—A. A foreman that was getting \$3 on week days would get on Sunday \$4.50 and St. Louis would get from the Government \$8.

Q. At night?—A. The man would get \$4.50 and St. Louis would get \$12.

Q. According to his tender?—A. Yes.

On the next page 26, the following reply was made to Mr. Lister:—

Q. Have these accounts been paid?—A. Most of those accounts have been paid.

This is perfectly true.

Mr. HAGGART. At that rate?

Mr. TARTE. Yes. There is no dispute in regard to anything but overtime. Again, the Department of Railways and Canals is directly responsible for the scandalous rates that the department paid as wages to the men. The tenders were placed before the department. It is said that Mr. Parent recommended the tender accepted. I fully agree that Mr. Parent made the recommendation. I think it was a mistake. Mr. Parent was sent for by the department, and came to Ottawa; he saw the Minister and the chief engineer and discussed the matter with them, and the scale of prices was agreed upon between them. It has been proved before the Public Accounts Committee that when Mr. St. Louis entered into his contract with the Railways and Canals Department, Mr. Kennedy had actually engaged 800 men who were working at \$1.25 per day. It is stated that the department did not know this. The department knew it well, could not reasonably ignore that fact. Mr. St. Louis got the contract on 18th January. The first correspondence is dated 10th January. I repeat that the Minister saw Mr. Parent, that Mr. Parent was sent to come to Ottawa, that the question was fully discussed here, that the rates were before the department, that the department agreed to those rates. On Sundays there were at times 1,000 men working day and night. It has been proved that 70 or 80 carters often worked at night at the excessive rates quoted. We know, then, to a very large extent where the money is gone. No doubt Mr. St. Louis's profits out of the work must have reached nearly \$150,000. These were made, for a great part at least, on account of the imprudence of the department and the ill-advised contract made with Mr. St. Louis. There was some difficulty at the commencement of the contract in regard to the term "skilled labour." Mr. St. Louis came to Ottawa with Mr. Emard and saw the Minister, and the Minister agreed that the men who were going to work with pick and shovel should receive \$1.50 per day. It has been proved that Mr. St. Louis paid those men \$1.10 and \$1.15 per day. The Government surely could ascertain the price of labour in Montreal at that time. But as a matter of fact the Department of Railways and Canals closed their eyes, I will not say in an intentional

way, but in a most condemnable way. I wish to again call the attention of the House to the fact that Mr. Douglas was on the work in February and remained there for a time. He went down again in the month of April when the work was in full blast, and he remained on the Grand Trunk bridge. The hon. Minister stated that he never knew, and that nobody could tell, that there were no time-keepers for the Government on that bridge. I want to know from him, how is it that his own engineer, Mr. Douglas being there all the time, could not know that the Government had no time-keeper? Is there any possible explanation of that? It cannot be denied that Mr. Douglas was there during the months of April and May—and in March also, I think—for several weeks. He made reports to his chief, and during all that time the Government had no time-keepers on the railway bridge, and the Minister says he did not know anything about it. What has been the cause of that, and what explanation can the Government give? I must confess that even though I should exercise all my ingenuity, I myself, cannot find any. The hon. gentleman has alluded to the correspondence and negotiations which passed between the Grand Trunk Railway Company and the Department of Railways and Canals. As the Minister very truly says, that Grand Trunk bridge has cost us an alarming amount of money, but nevertheless the Department of Railways and Canals had before them a most positive offer from the Grand Trunk Railway Company to build that bridge for \$70,000. Here is what Mr. Hannaford says in answer to Mr. Gibson:

Q. But at that time you were quite willing, in October or November, had you been allowed to proceed with the work?—A. Quite so.

That is for \$70,000. Mr. Hannaford has stated under oath—

Mr. HAGGART. What page is that, I never heard that before.

Mr. TARTE. My hon. friend can read it as I do.

Mr. HAGGART. Do I understand the hon. gentleman to lead this House to believe that Mr. Hannaford offered to do it for \$70,000?

Mr. TARTE. Sir, I will read the evidence and leave the House to draw its own conclusions.

Mr. HAGGART. Read it then.

Mr. TARTE. Here is what Mr. Hannaford says:

Q. Can you remember about the time that those communications passed between the Grand Trunk Railway Company and the Government engineer?—A. They commenced in October, 1892.

Q. Was the Grand Trunk asked to make any offer as to the construction of the bridge—

The answer of that question is very long, but I will go straight to the point to which

I have referred. At page 4 of the evidence we find the following :—

By Mr. Lister :

Q. In October, I understand the first correspondence commenced?—A. Yes.

Q. The Grand Trunk Railway Company at that time would have undertaken the construction of the substructure and the superstructure for \$70,000?—A. At that time we would have.

That is very clear evidence.

Q. Then it drifted along into January?—A. Yes.

Q. But at that time, you were quite willing, in October and November had you been allowed to proceed with the work?—A. Quite so.

This is Mr. Hannaford's evidence.

Mr. HAGGART. The hon. gentleman stated that he could read from the evidence that Mr. Hannaford offered to do it for \$70,000?

Mr. TARTE. And I answered the hon. Minister in reading the evidence.

Mr. HAGGART. Where is there a word in the evidence that would corroborate your statement?

Mr. TARTE. I have just read what I think confirmed my statement.

Mr. HAGGART. I do not think the hon. gentleman did.

Mr. LAURIER. Order.

Mr. TARTE. This is a very important question and I am prepared to be interrupted. The Grand Trunk Railway Company would have undertaken the construction of the substructure and superstructure for \$70,000?

Mr. HAGGART. Where do you find that they ever offered to do it?

Mr. TARTE. If the hon. gentleman does not admit that, I will have to read the whole evidence.

Mr. HAGGART. Read it and show me a single sentence which goes to show that he made that offer.

Mr. TARTE. The hon. Minister is bound to get out of this trouble by using every means he can.

Mr. HAGGART. No, no.

Mr. TARTE. Will he lead the House to believe that when communications, written and verbal, had taken place for weeks and weeks between the Grand Trunk Railway Company and the Department of Railways and Canals, and when the Grand Trunk Railway Company were ready to go on with the work, does he mean to ask us to believe that he did not understand the Grand Trunk Company were ready to build the bridge?

Mr. HAGGART. The hon. gentleman asked me a question, and let me answer it.

Mr. TARTE.

The hon. gentleman stated that the Grand Trunk Railway Company made an offer to the department to do it for \$70,000.

Mr. TARTE. Yes, and I will prove it.

Mr. HAGGART. He has not produced a single tittle of evidence to that effect as yet, nor can he do so.

Mr. TARTE. I believe I can. I am very sorry that I am obliged to read more than I expected to, but I see that the hon. Minister has not followed the case with all the attention that he should have given to it. I will read more.

Mr. HAGGART. All right.

Mr. TARTE. All right, I will read more. The first answer from Mr. Hannaford was—

Mr. HAGGART. Let me read the answer and the hon. gentleman will see.

Mr. TARTE. I can read for myself.

Mr. HAGGART. I want to read what Mr. Hannaford says—that he could not do it for \$70,000.

Mr. TARTE. To the first important question put to him, here is what Mr. Hannaford says :

Q. Was the Grand Trunk asked to make any offer as to the construction of the bridge?—I may perhaps be allowed to explain, so as to save time. In October, 1892, the late Mr. Trudeau acting on the part of the Government, wrote the Grand Trunk Railway Company, informing them that it was the intention of the Government to build a different class of railway bridge across the Lachine Canal, Wellington-street, Montreal, to what then existed, the idea being to remove the two piers and to allow the centre pivot to remain, and to span the whole of the canal by two spans, by a bridge turning on its pivot in the centre. Mr. Trudeau asked the Grand Trunk if they would like to build the superstructure of the bridge, that is, the steel or iron portion of the bridge, and if so, to give them an estimate of the cost. This was in October, 1892, and the Grand Trunk replied, the latter part of the month, that the estimate they placed on the construction of the superstructure of the bridge was \$35,000. That was the cost of the superstructure. In 1892, in the latter part of November, Mr. Trudeau again wrote the Grand Trunk Railway Company acknowledging the receipt of the first letter, and saying that perhaps the Grand Trunk would like to make an offer for building the substructure of the bridge as well as the superstructure. This letter, for some unforeseen reason, never got to my office. It was addressed to Mr. Sergeant, general manager of the road. He refers these things across to the officers that are concerned. It did not get to my office till the latter part of December. I made an estimate of the cost, and Mr. Sergeant wrote the department on the 28th December, 1892, saying that the railway company placed the cost of the substructure of the bridge at \$35,000, a similar sum to the amount for the superstructure. Therefore, the two amounts together would be \$70,000 for building the railroad bridge complete, but he suggested that

as it was then so late in the season, the fact, being, gentlemen, that the quarries were all closed, our derricks were dismantled, everything was in a state of repose for winter, it was then 28th of December. He suggested that we should, if we undertook it, do it for the government by day's work, so to speak; that we were to show our expenditure, the pay-rolls, the name of every man, and also the cost of all the materials we used, and that in addition to that, a reasonable sum was to be put on for the cost of superintending, the use of plant, steam derricks, and tools of that kind. There was a series of messages passed, and finally Mr. Schreiber came to Montreal in January, 1893. His wish, I think, was that the Grand Trunk should take the bridge contract for \$70,000. We said: "No, the season is so far advanced that we hesitate to do it, but we will do it for you and we will charge you what it costs."

That was in the month of January, but my hon. friend cannot lose sight of the fact that in October or November the Grand Trunk Company had declared themselves ready to build the bridge:

There was never any doubt about the possibility of its being ready to be opened by the first of May. There was never any doubt in my mind, as the engineer of the company, as to that, but to have it finished, sand-papered, in common parlance, by the 1st of May, 1893. So matters stood, and on the 8th of February, 1893, the Grand Trunk received a notice from the Government that the work had been put in hand, and that is our last communication from them.

These are the facts; but I will read further on:

By Mr. Lister:

Q. In October, I understand, the first correspondence commenced?—A. Yes. The Grand Trunk Railway Company at that time would have undertaken the construction of the substructure and the superstructure for \$70,000?—A. At that time we would have.

In the face of such evidence, in the face of the fact that the Grand Trunk Railway Company had declared that for \$70,000 they would have built the bridge, where is the reasonable excuse for the Government asking this country to pay \$250,000 for the same work?

Mr. HAGGART. We have not got that offer yet. I am waiting on it.

Mr. TARTE. I suppose my hon. friend means this:

Q. Did the chief engineer, Mr. Schreiber, want you to take the contract at \$70,000 in January?—A. Yes. He offered it to us.

Mr. HAGGART. No, I am waiting for the offer of Mr. Hannaford to the department to build the bridge for \$70,000.

Mr. TARTE. There is this question, by Mr. Lister:

Q. He offered it to you in January, but for the reason that your plant was dismantled you refused

to take the contract?—A. Well, we talked it over with him. I will speak candidly to you, gentlemen; I thought my estimate of \$35,000 was a very high one for the superstructure, and I thought it would be better and fairer as between the Grand Trunk Railway Company and the Government to have it done by days' work, and for this reason that the Government, as I understood it, had a quantity of stone on the ground that could have been used in the bridge.

As a matter of fact, Mr. Hannaford, representing a large company thought he had made an estimate that was too high; and, as my hon. friend knows, he stated that for that sum of \$70,000 he would have built a stronger bridge and have realized for his company \$10,000 profit. This is Mr. Hannaford's evidence. We are not here to play on words; we are not here to make quibbles. The real facts of the case are these. In October or November, and even in January, the Grand Trunk Railway Company declared themselves ready to build the bridge; but the Government did not again communicate with them after the month of January. After having been for weeks in communication with them, and after having ascertained in an unmistakable way that the Grand Trunk Railway Company estimated the cost of the bridge at \$70,000, the Government began the execution of the work in the way we all know now.

Mr. HAGGART. I do not think the hon. gentleman wishes to be unfair. If he will just read Mr. Hannaford's answer to a question on page 7, he will find that he said:

Q. What particular portion do you think—might I trouble you to read it—it seems to me they merely give an opinion as to its costing that amount, but state only a readiness to do it for whatever it will cost, keeping an account?—A. Quite so.

Q. Not an offer to do it for \$70,000?—A. No.

Sir RICHARD CARTWRIGHT. And again, Mr. Gibson's question:

Q. But at the time you were quite willing, in October or November, had you been allowed to proceed with the work?—A. Quite so.

Q. But you were not willing to do it after it was delayed till February?—A. No.

The point in dispute is really this: the Grand Trunk would have done the work if you had given them the contract in proper time; they would not do it if you delayed it.

Mr. HAGGART. What I stated was that we had not an offer from the Grand Trunk Railway Company to do the work for \$70,000. I have never seen a tittle of evidence to prove that we had.

Mr. TARTE. What is the reason the Grand Trunk Railway Company did not get the contract?

By Mr. Lister:

Q. But \$70,000 would have covered substructure and superstructure and everything else?—A. Yes,

sir, and the only difference between us and the Government was this: I did feel and feel to-day that the estimate of \$70,000 was too high. I wanted to clear myself of it; I put in the estimate the day before Christmas.

The hon. Minister cannot deny that the Grand Trunk Railway Company went so far as to send in their own estimate of the cost of the work. Was that not a formal offer to build that work?

When I made the estimate, I said to our people there is going to be a margin of ten thousand dollars.

Why, again, did the Grand Trunk Railway not get the contract? The reason is given:

Q. By your people, you mean Mr. Sergeant?—
Yes. Then Mr. Schreiber came down and he was quite satisfied with everything, as he always is. There is no difficulty in dealing with Mr. Schreiber, because he is always very practical. Now, this is what Mr. Schreiber telegraphed from Ottawa, on 4th January: "Construction of your bridge over canal near Wellington-street, Montreal, must be proceeded with at once; and completed without fail at the opening of navigation. Inquiries instituted since I saw you convince me that it can be accomplished. Tenders for superstructure should be received within ten days. Will you undertake it or shall we proceed? You having kindly stated to me the other day that you were ready to facilitate the matter in every way gives me confidence. Please reply by wire."

Now, this is what Mr. Schreiber says about that:

The only difference between the Grand Trunk and the Government was in these words—"and completed," I did not like to sign for my company, "and completed," because when a thing is completed, it is completed. The bridge is not completed to-day.

As a matter of fact, the Government then quibbled as they have quibbled to-day. I do not intend to occupy the time of the House any longer. The Government acted unwisely in dismissing Mr. Desbarats. They had every means in their possession of being informed, throughout the execution of the work, of what was being done, because they had their engineer, Mr. Douglas, there nearly all the time. They had appointed Mr. Edward Kennedy overseer, in full charge of the work, through political influences. It is in evidence that Mr. Parent wanted to unwater the canal long before March, but political influences interfered, and he was overruled on that occasion, as he was during the whole progress of the work. Now, we have to pay for the music. The Government have disputed Mr. St. Louis's account of \$63,000. They have not disputed the account on the scheduled prices, but only as regards overtime. I hope the Department of Railways and Canals will succeed in their suit, as we have wasted and lost money enough on the work. The hon. Minister stated that as soon as the session is over, he will call the attention of the Min-

Mr. TARTE.

ister of Justice and his other colleagues to the frauds that have been perpetrated, with the view of having criminal proceedings instituted and civil proceedings also for the recovery of the amounts alleged to have been stolen. I hope that on this occasion the Government will go a little quicker than they did in the case of some other lawsuits which we all know of. On former occasions the Government took proceedings, and those proceedings are still before the courts. Criminal proceedings were taken and the accused put in jail, but they were very soon liberated. They had, I suppose, political secrets or other means of obtaining their liberty. The Government is responsible for the conduct they intend to follow. But it seems to me that they are the most guilty parties themselves. Their neglect, their indifference, their political interference, was the cause of that work being conducted in the most scandalous way possible. They had every means of obtaining information. Montreal is but a few hours railway ride from Ottawa. The hon. Minister went on to the work, his deputy visited them many times, a gentleman from the Department of Railways and Canals was in attendance for several weeks, but the whole of them, after all their researches, were unable to find that on a work, which is costing us \$250,000, the Government had not even time-keepers to check the time. More than that, it has been proved that the Department of Railways had no plans prepared for the work. Under such circumstances, how could it be expected that the work could be done in a reasonable way? I am sorry to have detained the House so long, but I think I have shown conclusively that the Department of Railways and Canals is guilty of neglect, and deserves the censure of the House.

Mr. BENNETT. The hon. gentleman who has just resumed his seat has so long dwelt in the atmosphere of romance and conjecture that it would seem almost impossible for him to depart from it. For that reason, I presume he has not kept to the evidence, but has rather gone in for conjecture and wild assertion. To-night there has been, by the Minister of Railways, a frank and fair admission that wrong-doing was committed in this connection, and the hon. Minister has assured the House—and I am prepared to accept his statement—that a thorough inquiry will be made into all the facts. That being the case, it would seem that little is to be gained by a discussion this evening, but I will, for a few moments, direct myself to some of the hon. gentleman's remarks. At the outset, there would seem to be on his part a cause of great complaint that one Kennedy had been given full charge or control of the work. This was not at all the case. On the contrary, according to instructions issued on the 23rd December, 1892, in a letter from Mr. Schreiber to Mr. Parent, the latter was placed in full control of the whole work, and from the out-

set until his dismissal later on he, and not Mr. Kennedy, had full charge. The hon. gentleman also saw fit to dwell at considerable length on the dismissal of Mr. Desbarats. It is quite plain that Mr. Desbarats's dismissal was not brought about by any influence outside the discretion of the Minister, or apart from a desire for economy, because on the 5th February, long before the work had commenced to any extent, the superintending engineer was written to and told that the services of Mr. Desbarats could be dispensed with, and that Mr. Papineau would be named in his place. So that it is quite clear, so far as the department is concerned, that Mr. Desbarats's dismissal was not brought about by any other motive except a desire for economy. Had he been dismissed for political motives, it is not likely his services would have been retained as they have been, for he has continued ever since in the employ of the Government, and was simply transferred from one post to another. Coming down to the other matters of inquiry, I notice that Mr. Douglas was on the works on the 17th, 18th and 19th, but a reference to the evidence will show that he reported what he actually saw, because at that time the canal had not been unwatered. The unwatering did not take place until the 18th of March, and on that occasion, the 17th of February, Mr. Douglas reported exactly what he found, that there was a large quantity of material on the ground and that the work was in a fair way to be commenced promptly when the canal should be unwatered. But there was no evidence to give notice that an unduly large number of men were being employed, or anything of wrong-doing, or of a fraudulent nature perpetrated. Now, the hon. gentleman dwells at considerable length upon the interview with Mr. Emard, representing the contractor, and the hon. Minister. The facts shown by the evidence are that on the 13th of March, Mr. St. Louis and his solicitor, Mr. Emard, come to this city to interview the Minister in reference to the work. A dispute had arisen as to the wages to be paid, whether \$1.87 a day was to be paid for labourers or not. The Minister at once remonstrated, and said that that was not a fair amount to be paid to labouring men, and, as a consequence, on an overture being made by Mr. St. Louis, Mr. Schreiber, the Chief Engineer, wired Mr. Parent at Montreal as follows:—

Is \$1.50 a day a fair rate for common labourers in Montreal, such as shovellers and pickers? If not, how much less? Please reply to-night.

Mr. Parent replied the same evening:

Considering the risk of contractor for strikes and average for wages all through, I would not consider \$1.50 too high for choice men, as these he supplied are supposed to be.

So the House will see that as to making anything out of the increase of the wages

or allowing the contractor for common labourers \$1.50, there is no ground for hon. gentlemen to go upon. So far as the evidence concerning the tender—or rather the offer, for no tender ever was put in—on the part of Mr. Hannaford, representing the Grand Trunk Railway, to build a bridge in their own interest, I have a few words to say. Now, the hon. gentleman has read the evidence at no inconsiderable length, but it is quite plain from all that the hon. gentleman has read, that the Grand Trunk never made a formal offer that they would accept the contract and undertake the work to build a bridge at \$70,000. And, on the other hand, a reference to the evidence of Mr. Schreiber will show that time and again overtures were made to the Grand Trunk asking them if they would go on with the work. The final answer is shown in the telegram dated 16th January, 1893, from Mr. Seargant:

We prefer that you proceed with our canal bridge works. We will render all assistance required and heartily co-operate in every way possible and at once.

Now, that disposes of all the points the hon. gentleman has attempted to make, or has made, and, so far as the rest of the matter is concerned, it is simply in this position: In a department of the magnitude and importance of that of the Railways and Canals of this Dominion, it cannot be expected or hoped that the Minister will have personal surveillance over every item. He must of necessity repose some confidence in those under his control. What are the facts? This gentleman, Mr. Parent, was, for many years, a highly respected and trusted engineer in the department. The fact that he was trusted is apparent from the concerns he had in hand. The different canals in the province of Quebec were under his personal supervision. If he saw fit to abuse the trust reposed in him by the Minister, the Minister is not to blame for that. The Minister would be to blame, if, after notice came to him, of wrong-doing on the part of this gentleman, if he had not done what he did and summarily dismissed this official. When \$100,000 was paid on account of the work, the Minister, knowing that the original contract would amount to \$240,000, knowing that the superstructure would cost \$60,000, and having intimations that there would be a large further bill for wages, at once caused an investigation to be made. Hon. gentlemen opposite need not flatter themselves that they were the means of setting on foot this inquiry. It was not at their suggestion at all that the inquiry was undertaken, but on the motion of the Minister himself. Statements have been made of a wild nature, and the hon. member for West Lambton (Mr. Lister), who is not in his seat, saw fit rather to endeavour to outdo the others, and, in an interview published in the Montreal 'Star,' he has

made statements of a very grievous nature. Among other things he says that the Opposition last session had in their possession all the facts and would have brought the matter forward, but that they were prevented from doing so by reason of the fact of the Government not daring to place a vote in the estimates for the work. That statement is outside the facts altogether, because Parliament was closed at the time this large bill came in, so that the evidence was not before the department to show that this large amount was then due or owing. Let us treat the matter as it is. That a great wrong has been done no one will deny. That that great wrong should be rectified no one will deny. The hon. Minister of Railways and Canals has given us the assurance that he will bring the matter before his colleagues, and he tells us, and I believe his assurance, that the subject will be given the consideration it deserves. A great wrong has been done, and the ends of justice will not be satisfied until these men have been brought, as they should be brought, into a criminal court. I trust that the Government will prosecute these offenders to the bitter end, but as to voting censure to-night upon the Minister of Railways and Canals on the evidence before the House, as to censuring the officials now in the service on the evidence before the House, that would be going too far. I am prepared to accept the assurance of the Minister that the subject will be fully considered and dealt with, and I trust the Government will "Hew to the line no matter where the chips may fall."

Mr. McMULLEN. I had intended to address the House at some length on this subject, but the hon. member for L'Islet (Mr. Tarte) has so fully dealt with the whole case in reply to the Minister of Railways and Canals that there is nothing left for me to say except a few words of reply to what has been said by the hon. gentleman who has just spoken (Mr. Bennett). The hon. member admits that gross frauds have been perpetrated upon the country, and he now states that it is the intention of the Government to take action for the purpose of bringing to justice those who have been guilty of the fraud. Immediately after the close of the work the Government appointed a commission to investigate and to report upon the frauds that had been perpetrated. That report was placed in the hands of the Government six months ago, showing clearly that gross frauds had been perpetrated, that looseness existed in connection with the way skilled and ordinary labour was contracted for. But notwithstanding that that report has been in their hands six months, the Government have never made a single move to bring to justice those who have been by that report shown to be guilty of fraud. Another thing to show the looseness with

Mr. BENNETT.

which the Government handled this whole matter, the contract entered into for labour is on the face of it a loose contract, the interpretation of which has been in dispute before the Exchequer Court. The Government have paid for all the time, they do not dispute the time, they only dispute the overtime. They do not dispute their own contract, they admit that they agreed to pay the very exorbitant prices that have been charged, and the only point in dispute is the price charged for overtime. Now, the Minister has admitted that there has been \$394,000 actually paid out for the construction of these two bridges, when a close and careful estimate of his own engineer gave the cost as only \$223,000. In addition to the \$394,000, there is also a claim of something over \$60,000 before the Exchequer Court, a decision on which has not yet been given. The manner in which the labour was contracted for shows that the Department of Railways was guilty of carelessness and recklessness. I do not say that the entire blame lies at the door of the Minister personally, but he is at the head of the department, and is supposed to be responsible for every transaction that takes place in the department. The Government must have been aware of their contract with St. Louis for the erection of the Wellington-street bridge, and they not only contracted with him in a loose and careless way for that bridge, but no tenders were asked for to supply work for the Grand Trunk bridge. They let Mr. St. Louis a contract for the labour on the Grand Trunk bridge just as they did for the labour on the Wellington-street bridge. They did not try to contract, they did not advertise for any new tender for labour to be supplied, but they took from him the labour for the Grand Trunk bridge the same as they had taken it for the Wellington-street bridge, and on the same prices. The contract for the Grand Trunk bridge was let on 23rd February, and it was let at the same price, on the same terms, with the same looseness, and the same opportunity for charging for double time, as in connection with the Wellington-street bridge. The whole thing from beginning to end shows a looseness and a carelessness that is exceedingly to be deplored. It is sad to think that over \$200,000 of the money of this Dominion has been virtually thrown away through the inefficiency of the department. But we have the assurance of the Minister, as a source of relief to the people, that he is going to prosecute these individuals. Well, six months ago the Government received the report of their own commission which declared, as the hon. member for South Oxford has read, that gross frauds have been perpetrated, and yet up to the present time none of these men have been placed under arrest, no movement has yet been made in the direction of reaching these men. They are still going around in the enjoyment of their liberty, notwithstanding that he admits

to-night that they have been guilty of gross fraud. It is unnecessary to follow up this case, the Minister himself admits the whole charge, and there is nothing for us to answer. The hon. gentleman that he put up to answer the member for L'Islet (Mr. Tarte) admits the whole case, he frankly confesses that gross frauds have taken place. Now, I want to say a word with regard to the Grand Trunk. The hon. Minister tried to evade the point that has been made by the member for L'Islet with regard to the offer of the Grand Trunk Company to construct the Grand Trunk bridge. Mr. Hannaford, in his evidence, clearly stated that the Grand Trunk were willing to undertake the construction of that bridge. The hon. Minister said : We have no letter, no document in our office to show that the Grand Trunk agreed to construct the bridge for \$70,000. They sent their own engineer to Montreal, he went to the office of the Grand Trunk and interviewed Mr. Hannaford, and in the course of that interview, Mr. Hannaford stated to Mr. Schreiber that the Grand Trunk were willing to undertake the construction of that bridge for \$70,000; and yet the Government attempts to shield themselves behind the statement that they have no written offer. Mr. Speaker, it is seriously to be deplored that the affairs of this country should be conducted in the loose and reckless manner that they have been handled in connection with the construction of this bridge. We cannot tell what has been the cause of it, we do not know how the leakage has been permitted, we cannot ferret out where the money has gone. Mr. St. Louis, in his evidence, stated that he had been asked for subscriptions and that he had contributed money to election funds; and he swore before the committee that one of the reasons why he had destroyed his books was that he did not want the subscriptions he had entered in his book to see the light of day. Between the Government and Mr. St. Louis and those who were in collusion with him, the country has suffered this great loss, and the only satisfaction we are given is that the Government are going to punish those men after the House rises. Well, if the punishment is no more severe than that which has been visited on those who have been caught red-handed in actions of this kind whereby the country has lost immense sums of money, it will be but poor satisfaction to the people. Possibly some fellow will be caught and sentenced to jail for three months, and will be liberated at the end of the first month.

Mr. MASSON. After the full presentation of this case made by the mover of this motion, and the frank statement of facts given by the Minister of Railways and Canals, there is but little need of any more discussion. I was a little surprised when the hon. member for L'Islet strove by long reference to the evidence to take issue with the statement of the Minister that there had been no offer from the Grand Trunk Railway to build

the Grand Trunk bridge for \$70,000, as declared by the hon. gentleman who moved this motion. The statement of the Minister of Railways was so frank and so fair that I really expected that every member of the House would accept it, at least in its main features. However, the hon. member for L'Islet did take issue with the Minister on that point. Now, I will not trouble the House with reading from the evidence, because I think that hon. gentleman read enough of the evidence to refute his own position. I think he read enough evidence to show that at no time, at no place, and in no manner, did the Grand Trunk, or Mr. Hannaford speaking for that company, ever offer or suggest that they would undertake to build the bridge for \$70,000.

Mr. TARTE. Let me refer the hon. gentleman to page A of the evidence, and read what is at the top of the page.

Mr. MASSON. I have the page before me. I prefer making my statement in the manner I propose. The hon. gentleman read sufficient from the evidence to show that at no time was an offer made, that what Mr. Hannaford said was that in his opinion at one time the Grand Trunk could have undertaken the work; his expressions were "that the Grand Trunk could have done so," "the Grand Trunk should have done so," "the Grand Trunk in proper time would have done so." There is no emphatic statement that the offer was made or even suggested that they would carry it out. But further, in a long answer, which the hon. gentleman took the trouble to read, when the question was put if they would take the work for \$70,000, they suggested that that should be done by day work, charging a fair sum for supervision, etc. Therefore, it was clearly shown that, so far as Mr. Hannaford's statement was concerned, it was simply an expression of his own opinion, and it is no uncommon occurrence to find engineers and contractors, after a work has been completed, stating how cheaply it could be done and the large profits that could have been obtained out of it. Mr. Hannaford is not the first engineer who has stated that if he had the superintendency of certain works he could have made large profits. The animus of Mr. Hannaford is clearly shown in his evidence. The hon. gentleman read part of the evidence, which showed why the Grand Trunk could not undertake the work, because Mr. Schreiber insisted on a contract at so much for "the bridge completed." He said he would not talk about completing the bridge :

Not as Mr. Schreiber would call completed, because he is just and upright, and keeps people as old Silas Wegg says—"with their noses to the grindstone." He keeps them flat. Mr. Schreiber would have said : "you did not finish that bridge, sir."

Mr. TARTE. Read the balance.

Mr. MASSON. He would not accept Mr. Schreiber's definition of the word "completed."

Mr. TARTE. Read the balance.

Mr. MASSON. I will read what I please. Every hon. member has the book before him, and any hon. gentleman can stop me if I read incorrectly.

Mr. TARTE. I beg your pardon.

Mr. MASSON. This evidence clearly shows why Mr. Hannaford would not make an offer—he did not wish to be bound by any terms, and he did not wish Mr. Schreiber to be a judge as to when the work was completed. We have this, therefore, clearly proved by Mr. Hannaford's own evidence. And if anything further were required, we have the question and answer which have been twice read in this House: "Would you have taken the work for \$70,000?—No, Sir." There is as emphatic a statement as it is possible to make; it clearly establishes that no offer was made. I was surprised that the hon. member for L'Islet (Mr. Tarte) should have taken issue with the Minister on that point, and I was still more surprised that the hon. member for North Wellington (Mr. McMullen) should have closed his remarks by endeavouring to raise the same issue. The statement submitted to the House leaves no dispute in issue as to material facts that the bridges cost more than they should have done, that certain parties combined—how many it is not proved—that three or four or more combined for the purpose of defrauding the public, and that payments were made on an extravagant scale. These facts being admitted, it is not unreasonable that hon. members should differ as regards the deduction to be drawn from them, and as to the quarter to which they desire to attach the blame. I have been much surprised that hon. gentlemen opposite should have endeavoured to lay the whole burden on the Minister of Railways and Canals and on his department. But what evidence has been produced in any way reflecting blame on either the Minister or his department? The hon. member for North Wellington (Mr. McMullen) has said that this report was made six months ago. The fact that the report was made six months ago clearly shows that no time was lost in conducting the investigation, for it must be remembered that it was about the middle of March before the actual work of constructing the bridge was commenced, and that up to that time all arrangements as regards materials were very small, and it was not until about 1st of May that any return was sent in showing a large expenditure on labour. The amount of \$13,000 covered several month's labour, and from that account it was not apparent to the Minister that great frauds had been perpetrated and the lists were being stuffed. There was nothing until a large account for labour was received, which

Mr. MASSON.

was sufficient to raise his suspicion that anything appeared wrong. When the first large account for labour was sent in, Parliament was in session. The Minister in charge of a large department was fully occupied with his duties, especially during a busy session. Moreover, it was during the closing hours of the session when the House was rushing business through at a great rate, and members were desirous of returning to their homes, that suspicion was aroused in the department. How can it be said that the Minister was responsible for not foreseeing that frauds would be perpetrated, when it appears that these men, who were acting together, arranged to hold back their returns, with a view to having the work completed before the department would be apprised of the fact that the estimated cost was being doubled? But it is said that the report was out six months ago, and nothing has been done. What does the report show? Does it show the parties who were guilty of these frauds, or the manner in which they were perpetrated? The commissioners come to the conclusion, from the large expenditure, that there must have been large extravagance, and they suggest that the lists must have been stuffed, that is, they say: "if all the parties did attend." But there is no evidence presented on which we would be warranted in stating positively that fraud had been perpetrated and improper lists prepared. Nor is there any evidence as regards the removal of the 1,000,000 odd feet of lumber. It was only in the Exchequer Court the discovery was made as regards frauds on the time-lists. It was only at the investigation before a committee of this House that the full extent of these things was disclosed. Would it have been well for the Minister to have rushed in, and have information laid against the parties upon whom suspicion lay, and have them arrested before the evidence was discovered. Was it not more prudent to wait until, in the development of the case, the evidence was forthcoming. But during the interval the Minister did not allow the matter to remain in abeyance. St. Louis's claim was refused and he brought it into court, and the suit has already been partially heard of St. Louis vs. the Queen. Besides that the Minister has instituted proceedings against St. Louis to recover portions of the money wrongfully received. These things must always be borne in mind when we consider the action the Government has taken. I think great credit is due to the Minister for the prompt manner in which he instituted the inquiries appointing a commission, and having their report so far as it went; and for the prompt measures he took, as the hon. member for L'Islet (Mr. Tarte) says, in suspending the engineer in charge within two days afterwards? I do not wish to follow any hon. gentleman in saying on whom the blame lies, between these four or five parties in Montreal. The Minister has promised that

the law shall be enforced against them, and they shall be prosecuted, and that being the case it would be improper to comment upon their evidence. They have all given evidence and one has blamed the other. If you read each one's story by itself they are all honourable men. Mr. Kennedy, on whom the hon. member for L'Islet (Mr. Tarte) lays the great blame as the man who assumed the whole control, is according to his own account the greatest sinner against in the lot. He says that he was an abused man, abused by the Government, abused by his associates, and abused by those above and below him. I would not for a moment consider it proper to criticise the evidence as to which of those witnesses we should believe. It is sufficient for the present moment that the evidence falls far short of showing that the blame is really attachable to the Minister of Railways and Canals or to any of the officers in the department. The points in my mind are reduced to these: It is admitted on all sides that the bridge has cost more than it should, it is admitted upon all sides that the parties in immediate charge, by the stuffing of the time-lists, by the fraudulent spiriting away of large quantities of lumber, by misrepresentations and deceit, have in some way perpetrated a fraud upon the Government, and it is also clearly shown that as soon as the large expenditure was shown and suspicion aroused, the chief engineer ordered inquiries, which inquiries not being satisfactory a commission was issued, detectives put on the works for the purpose of finding out who were the guilty parties, resulting in the discovery of nearly all the facts that the hon. gentleman (Sir Richard Cartwright) relied on, although as I said before, it failed to show who were the perpetrators of the fraud or in what manner they were committed. It was not incumbent upon the Minister to press criminal prosecutions then, and the point raised by the member for North Wellington (Mr. McMullen): that because the report of the commission was in the hands of the Government for six months, and they had made no arrests, they had been guilty of a dereliction of duty in not pressing the matter more vigorously, falls to the ground. I think, considering all these points, that the Government have not been guilty either of delay or malfeasance in the matter.

Sir JAMES GRANT. At this late hour of the evening, and inasmuch as nearly all the facts about this bridge—which is almost entitled to be called "The Bridge of Sighs"—have been placed before the House, I shall not detain the House by any lengthened observations. It is evident from the discussion already presented to the House this afternoon, that an effort is being made to impress the country with the idea that the Conservative party has been endeavouring to do an injustice to the revenues of the country, and to themselves, which is not

absolutely the case. If we inquire into the construction of this bridge from its very inception, we shall see that there were great difficulties to contend with. The bridge had to be built and built in a hurry in order not to interfere with the progress of trade and commerce, or otherwise the country might be subject to very great expense. We know perfectly well that the Government did the best they could under the circumstances. We have heard the whole statement of the case as presented to the House by the hon. the Minister of Railways, and certainly I must say, that in boiling the question down, he has given us the common-sense view of it. What is that view? It shows nothing more nor less than a betrayal of confidence. These were men who were officers in the Government, whom the Government had trusted for years past, never supposing for a moment that they would do anything but what is right and proper? With the work of the session progressing day after day, and trusting this matter entirely to his officers, the Minister of Railways was just as much astounded when he ascertained the facts as any member of the Opposition could be to-night in presenting that voluminous evidence taken before the committee. We know very well that when that report is presented to the country the majority of the people will not be able to sift it to the bottom, or to obtain the real facts. I have no desire, Mr. Speaker, to detain the House at this late stage of the session, but I have given the matter full and thorough consideration, and after that consideration, I have formulated a few facts, that with your permission, Sir, I will read to the House, and then present my remarks upon them. In consequence of the large increase in the traffic, over the Wellington bridge, which is on the main thoroughfare, Wellington-street, between Montreal and Point St. Charles, it was decided to enlarge the bridge, and for that, and other purposes an appropriation of \$175,000 was made, during the session of 1891-92. At the same time it was decided to increase the width of the navigable channels, on each side of the centre, or pivot pin, by removing the old rest piers, and making the new bridge long enough to cover the whole width of the canal (which is 200 feet at right angles). To carry out the widening of the channel, it was necessary also to lengthen the Grand Trunk Railway bridge, which crosses the canal about 200 feet east of the Wellington bridge. There was a probability that the depth of the water in the canal would be increased, it was therefore thought advisable to place the foundations of the new structures at a depth suitable for 22 feet navigation. The original estimate upon which the appropriation was based, was made for a navigation of 14 feet. The new depth of 22 feet caused a considerable increase in the quantity of work required to be done, and increased the difficulties. The time al-

lowed for the completion of the works was also shortened to the period between the 1st of March, and the 1st of May, 1893, though the preparation of plant and material was commenced in December and January, 1892-93. The Grand Trunk Railway Company proposed to build the new railway bridge, the cost to be afterwards refunded by the Government, but on the 16th of January they withdrew from this arrangement, alleging that the time allowed was too short for the completion of the work. The Government was, therefore, required to carry out the work on both bridges. The superstructure for each bridge was let by contract to the Dominion Bridge Company, and that portion of the work was performed by them. Mr. E. H. Parent was superintending engineer of the Lachine and other canals, and he was intrusted with the carrying out of the works. Mr. E. Kennedy was superintendent of the Lachine Canal, and he was directed to superintend the works, under Mr. Parent. Mr. Parent advised the department that the work of substructures should be done by day's labour, and he subsequently recommended that the supply of labour should be furnished by contract. Tenders for labour were called for and the contract was awarded to Mr. E. St. Louis. Tenders were also called for plant and for the materials necessary, except cement, and contracts were made for the same. The original estimate for the two bridges was \$170,000. An estimate for the increased depth of navigation, 22 feet, instead of 14 feet, was made as follows:—

Original estimate	\$ 170,000
Less for coffer-dam, dispensed with.	15,000
	155,000
Add for the increased depth.....	40,000
	195,000
Estimated cost of superstructures.....	73 000
do do substructures.....	122,000
The total amount of accounts rendered for the construction of the bridges, including labour, material, &c., is.....	490,725
Less contract price of superstructures....	60,400
	430,325
Cost of substructures	430,325
Deduct what work should have cost.	200,000
	230,325
Deduct plant and material on hand, engineering and travelling expenses.....	34,629
	195,696

This large excess of cost over an estimate made, taking all the circumstances, of season, hurried work, and other difficulties, into consideration, can only be accounted for by the want of proper supervision of the labour contract, and those for the supply of materials. Mr. Kennedy exercised no control over the works of the Grand Trunk bridge, and only a partial control over the Well-

Sir JAMES GRANT.

ton. Mr. St. Louis controlled the Grand Trunk bridge works, and the stonecutters on the Wellington. The time of the men was taken by Mr. St. Louis's time-keepers, and the pay-lists were compiled in his office. Though the substructure of the Wellington bridge contains three times as much as that of the Grand Trunk, yet the labour account is about equal for both. The quantity of timber charged for is very largely in excess of the quantity necessary for the works. Mr. Kennedy did not keep Mr. Parent informed of the number of men employed, and Mr. Parent failed to keep the department at Ottawa informed, as he was instructed to do. They did not work in harmony with one another. The largest expenditure was made in the short interval of time between the 1st of March and the 21st of April, and the pay-lists for this expenditure were not received by the department until some time after the expenditure was made. An appropriation of \$37,800 was made during the session of 1891-92 for the taking down and rebuilding of old lock No. 1. A contract was made with Mr. St. Louis to furnish the necessary stone, and he was also given the contract for supplying the labour necessary for the stone-cutting. The work of stone-cutting was commenced on the 27th February, 1893, and the work was ordered to cease on the 14th of March following. These instructions of the Chief Engineer were not carried out, but Mr. Parent and Mr. Kennedy permitted the stone-cutting to continue up to the 25th of April. The quantity cut was 284 cubic yards of lock stone, the amount charged for the same is \$19,238, or nearly \$68 per cubic yard, instead of about \$10, which is a high price for that class of work. The stone-cutting for the Grand Trunk bridge was done in the same sheds as that for lock No. 1, and although separate pay-lists are put in for each, yet the amount properly chargeable to each cannot be ascertained. The pay-lists for the stone-cutting were not received at the department until after the work had been done. Now, Mr. Speaker, I have given you this summary, because I think it well that the people of the country should have as succinct a statement as possible of the facts of this case. The hon. Minister of Railways and Canals has given to the House to-night an elaborate statement. He has gone over every point in connection with the matter: he has shown positively that he had no intention to conceal one single fact, and that the Government had not the slightest intention to hide a fraud. Their desire has been to expose this matter. They have given all the facts to the country and kept nothing back; and I hope that in the future those who have charge of the public works of the country will not write letters from the head of the department, but will go themselves and see that our public works are carried out systematically, and that when men are

found to be at fault, will be discharged. I regret exceedingly that this circumstance should have taken place to bring discredit to our country, when no wrong was intended on the part of the Government; and I fully approve of the statement made by the Minister of Railways and Canals to-night of his intention to look after these men, to prosecute them if necessary and bring them to justice, and to show that the Government of this country has every intention to do what is right and proper under the circumstances.

House divided on amendment of Sir Richard Cartwright:

YEAS:

Messieurs

Allan,	Guay,
Bain (Wentworth),	Harwood,
Beausoleil,	Innes,
Beith,	Laurier,
Bernier,	Leduc,
Boston,	Livingston,
Bowman,	Lowell,
Bruneau,	McMillan,
Campbell,	McMullen,
Carroll,	Mignault,
Cartwright (Sir Richard),	Mills (Bothwell),
Casey,	O'Brien,
Choquette,	Rider,
Christie,	Rinfret,
Dawson,	Sanborn,
Delisle,	Scriver,
Devlin,	Semple,
Girouard (Two Mountains),	Tarte.—36.

NAYS:

Messieurs

Bain (Soulanges),	Langevin (Sir Hector),
Baker,	LaRivière,
Belley,	Leclair,
Bennett,	Lippé,
Bergeron,	Macleon (York),
Bergin,	McDougald (Pictou),
Blanchard,	McDougall (Cape Breton),
Boyd,	McLennan,
Boyle,	Madill,
Bryson,	Mara,
Carignan,	Marshall,
Carling (Sir John),	Masson,
Caron (Sir Adolphe),	Metcalfe,
Carscallen,	Miller,
Coatsworth,	Mills (Annapolis),
Cochrane,	Montague,
Costigan,	Patterson (Huron),
Curran,	Pope,
Daly,	Rosamond,
Davis,	Ross (Dundas),
Denison,	Ross (Lisgar),
Dugas,	Smith (Ontario),
Dupont,	Sproule,
Dyer,	Stairs,
Fairbairn,	Stevenson,
Ferguson (Renfrew),	Taylor,
Fréchette,	Temple,
Gillies,	Thompson (Sir John),
Grandbois,	Tupper (Sir C. Hibbert),
Grant (Sir James),	Turcotte,
Haggart,	Tyrwhitt,
Henderson,	White (Cardwell),
Hughes,	White (Shelburne),
Hutchins,	Wilmot,
Joncas,	Wilson,
Kaulbach,	Wood (Brockville),
Kenny,	Wood (Westmoreland).—74.

PAIRS:

Ministerial.

Opposition.

Messieurs

Barnard,	Davies,
Tisdale,	Edgar,

Earle,	Rowand,
Putnam,	Forbes,
McDonald (King's),	Welsh,
McLean (P.E.I.),	Yeo,
Cameron,	Perry,
Haslam,	Fraser,
Macdonell (Algoma),	Gibson,
Corbould,	Gillmor,
Craig,	Featherston,
Northrup,	Langelier,
Ryckman,	Martin,
Monerief,	Lister,
McKay,	Fauvel,
Hazen,	Frémont,
McAlister,	Colter,
Dickey,	Flint,
Pridham,	Grieve,
Roome,	McGregor,
Carpenter,	Vaillancourt,
Amyot,	Godbout,
Cleveland,	Lavergne,
Prior,	Landerkin,
Foster,	Charlton,
Reid,	Borden,
Burnham,	Patterson (Brant),
Cargill,	Brodeur,
Corby,	Préfontaine,
Hodgins,	Somerville,
Girouard (Jacques Cartier),	Béchar,
Ferguson (Leeds),	Bowers,
Ives,	Monet,
Smith (Sir Donald),	Bourassa,
Lachapelle,	Edwards,
Taylor,	Sutherland,
Ouimet,	McDonald (Huron).

Amendment negatived.

Mr. GUAY. The hon. member for Essex and the hon. member for Iberville did not vote.

Mr. MCGREGOR. I paired with the hon. member for West Middlesex (Mr. Roome); otherwise I would have voted for the amendment.

Mr. BECHARD. I paired with the hon. member for Jacques Cartier (Mr. Girouard).

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Construction, Cape Breton, Oxford and New Glasgow section. \$57,500

Mr. HAGGART. This is for the purpose of paying the balance of the Hard-pan claims. The amount that was awarded Mr. Isbester, on the finding of the court, was \$145,472, and the amount paid is \$142,264.69, leaving unpaid, \$3,208. Sims & Slater, finding of the court, \$31,613. McNeil, McDonald & Co., finding of the court, \$11,261.88; paid, \$6,518.31; unpaid balance, \$4,843.57. John McKean & Co., \$4,000, finding of the court; unpaid, \$90. McGregor, Kennedy & Graham, finding of the court, \$2,400; unpaid, \$60. Daniel McGregor, \$1,200; unpaid, \$30. S. C. Graham, \$1,000; unpaid, \$60; Daniel McGregor, \$1,200; unpaid, \$30. McLymont & Grant, finding of the court, \$6,000. W. J. Sims, \$416.23. Sims & Slater, \$5,650.60. Legal expenses, \$3,000. McDonald & O'Brien, \$940. Stewart & Jones, \$860. McManus, Grey & Co., \$700. Total, \$57,441.60.

Sir RICHARD CARTWRIGHT. I thought those had all been paid for.

Mr. HAGGART. This is the balance.

Mr. MILLS (Bothwell). How much have they received in excess of the contract ?

Mr. HAGGART. In each case there is the finding of the court. We are giving them the actual cost, which was proven in the court, of taking out the hard-pan, and deducting from that any profit they made in any other portion of the work.

Mr. MILLS (Bothwell). What sums have been paid in excess of what they would have obtained, had they been held strictly to the contract ?

Mr. HAGGART. I have not got the particulars in each case, but only the findings of the court, and the deductions made.

Mr. McMULLEN. What will this branch cost us when completed, and what is its length ?

Mr. HAGGART. You will find the total cost in my report of 1894. The length of the road is 72½ miles, and the total cost, \$1,833,114.94, to which will have to be added the amount voted this year, about \$2,400 or \$2,500.

Mr. CASEY. The Minister has frequently used the phrase "this is the amount due by the finding of the court." We cannot allow him to say that, since the court found there was nothing due, and non-suited the applicants. This is what was found by Judge Burbidge, sitting as commissioner.

Committee rose and reported resolutions.

Mr. TAYLOR. I want to make a statement. I voted on the last motion, forgetting that I was paired with the leading whip of the Opposition. I jumped up without thinking, and would like to have my name struck off the vote.

Mr. LAURIER. That relieves you of a bad vote.

Mr. SPEAKER. The hon. gentleman's name cannot be struck off the list.

Mr. TAYLOR. I did not think of it until I stood up ; and I am paired with the chief whip of the Opposition.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. LAURIER. I would call the attention of the right hon. gentleman to the fact that the Committee on Public Accounts is called for this morning at 11 o'clock. I suppose that that meeting will be cancelled as the House is to meet at 11 o'clock.

Sir JOHN THOMPSON. I suppose so.

Motion agreed to, and House adjourned at 1.30 a.m. (Thursday).

Mr. HAGGART.

HOUSE OF COMMONS.

THURSDAY, 19th July, 1894.

Morning Sitting.

The SPEAKER took the Chair at Eleven o'clock.

PRAYERS.

CONSOLIDATED FUND.

Sir RICHARD CARTWRIGHT asked, What was the amount of receipts and expenditures charged to Consolidated Fund from 1st July, 1894, to 10th July, 1894, together with the sums so charged in similar period of 1893 ?

Mr. FOSTER. In 1893 the receipts were \$511,800.38 ; expenditure, \$1,982,584.98 ; 1894, receipts, \$411,981.92 ; expenditure, \$1,466,722.69.

ROMAN CATHOLIC SCHOOLS IN MANITOBA AND NORTH-WEST TERRITORIES.

Mr. BEAUSOLEIL asked, Has the Government taken into consideration the petition of His Eminence, the Cardinal-Archbishop of Quebec, the Roman Catholic Archbishops, bishops and prelates of the Dominion of Canada, presented to His Excellency the Governor General in Council, the Honourable the Senate and the House of Commons ; praying for the intervention of the Federal Government on behalf of the Roman Catholic schools in the province of Manitoba and the North-west Territories ; and if so, has it been decided to give effect to the said petition and grant the prayer thereof, that is to say :—1. To disallow the Manitoba Act, 57 Vic., ch. 28 (1894), intituled : "An Act to amend the Public School Act" ; 2. To issue such directions and adopt such measures as His Excellency the Governor General in Council shall deem best calculated to afford relief under the grievances suffered by the Roman Catholics of the province of Manitoba, in consequence of the school laws passed in their province in 1890 ; 3. To communicate with the Lieutenant-Governor of the North-west Territories, to the end that the Ordinances may be so modified, as to remove the grievances complained of by the Catholics of the North-west, and which are the result of Ordinance No. 23 sanctioned at Regina on the 31st December, 1892 ?

Sir JOHN THOMPSON. The Government have taken into consideration the petition referred to in the hon. gentleman's question. I am not in a position to announce to the House the decision of the Government, because the advice of the Ministers has not yet been tendered His Excellency. As to the third branch of the question, communication has been made to the Lieutenant-Gov-

error of the North-west Territories on that subject. Communication has also been made to the Lieutenant-Governor of the Territories of the petition referred to.

Mr. LAURIER. Perhaps the hon. gentleman would say, though I am not strictly in order in asking the question, whether there has been any further communication with the bishops in connection with this subject.

Sir JOHN THOMPSON. No. Of course the action of the Government will be communicated to the petitioners.

RAILWAY SUBSIDIES.

Mr. HAGGART moved that the House resolve itself into committee, at the next sitting, to consider the following resolution:—

1. That it is expedient to authorize the Governor in Council to grant the subsidies hereinafter mentioned to the railway companies, and towards the construction of the railways also hereinafter mentioned, that is to say:—

To the Montfort Colonization Railway Company, for 12 miles of their railway from the end of the 21 miles already subsidized westward to a point on the Rouge River, in the county of Argenteuil, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

For a railway from a point on the Caraquez Railway, at or near Pokemouche siding, towards Tracadie village, 12 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

2. That the subsidies hereinbefore mentioned as to be granted to companies named for that purpose shall, if granted by the Governor in Council, be granted to such companies respectively, the other subsidies may be granted to such companies as shall be approved by the Governor in Council as having established to his satisfaction their ability to construct and complete the said railways respectively; all the lines for the construction of which subsidies are granted, unless they are already commenced, shall be commenced within two years from the first day of August next, and completed within a reasonable time, not to exceed four years, to be fixed by Order in Council, and shall also be constructed according to descriptions and specifications and upon conditions to be approved by the Governor in Council, on the report of the Minister of Railways and Canals, and specified in an agreement to be made in each case by the company with the Government, which agreement the Government is hereby empowered to make; the location also of every such line of railway shall be subject to the approval of the Governor in Council.

3. That the granting of such subsidies respectively shall be subject to such conditions for securing such running powers or traffic arrangements and other rights as will afford all reasonable facilities and equal mileage rates to all railways connecting with those so subsidized, as the Governor in Council determines.

4. That the said subsidies respectively shall be payable out of the Consolidated Revenue Fund of Canada, by instalments, on the completion of each section of the railway of not less than ten miles, proportionate to the value of the portion so completed in comparison with that of the whole work

undertaken, to be established by the report of the said Minister, or upon the completion of the work subsidized.

Motion agreed to.

INQUIRY FOR RETURN.

Mr. McMULLEN. I would like to ask if the return I moved for three months ago of the expenditure on public buildings in Manitoba and the North-west since the last return was brought down—which I think was in 1890 or 1891—will be laid before the House. The Order of the House was granted three months ago and the return covers only three years. I cannot understand why it has not been brought down. It seems to me there must be a nigger in the wood pile or it would have been brought down.

Mr. OUMET. I explained the other day to the hon. gentleman that through some mistake in the punctuation of the motion, my officers thought that the hon. gentleman wished a return of all the buildings and building repairs since the North-west Territories were made part of the Confederation. It was only when the hon. gentleman told me the other day that he only wished to cover the last three years that I instructed my officers as to that effect. I was told that the report would be ready in a few days. I will inquire about the matter.

Mr. MILLS (Bothwell). The defect in punctuation led to the want of punctuality.

THIRD READINGS.

Bill (No. 164) further to amend the Act respecting the Senate and the House of Commons.

Bill (No. 165) respecting Dominion Notes.

LAND SUBSIDIES TO RAILWAYS.

Resolutions reported from Committee (July 18th) respecting subsidies in money to railway companies, and towards the construction of certain railways, were read the second time, and agreed to.

House resolved itself into committee on Bill (No. 168) to authorize the granting of subsidies in land to certain railway companies.

(In the Committee.)

Mr. MILLS (Bothwell). I must say that I object altogether to the appropriation of lands towards the construction of railways in the direction of the Rocky Mountains. It is altogether premature to propose to construct railways there. In my opinion, if the land along the road from Calgary to Edmonton were settled, no appropriation would be necessary towards the construction of those roads.

Sir RICHARD CARTWRIGHT. Also, it appears to me that it is very undesirable that this subsidy should be left at the disposal of these people for, it may be, half a dozen years. So far as I understand, this road need not be commenced for three years, and need not be completed for half a dozen. Now, the land subsidy, at any rate, ought to be limited in time, I think, to one year for the commencement, and three years for the completion.

Bill reported.

SUPPLY—CONCURRENCE.

House proceeded to consider resolutions (July 17th and 18th) reported from Committee of Supply.

Senate—Heirs of Senator Flint...	\$411
do Senator Glasier.	132
Balance of their sessional indemnities.	

Mr. FOSTER. Application has been made for the lapsed part of the indemnity due to the late Senator Chaffers, but as the estimates had already been brought down, and as it is not proposed to bring any others, we propose to include the amount in next year's Estimates.

Items concurred in.

CRIMINAL CODE.

House proceeded to consider amendment made by the Senate to Bill (No. 126) further to amend the Criminal Code, 1892.

Mr. LAURIER. What is the nature of the amendment?

Sir JOHN THOMPSON. The Senate has not adopted the amendment for the reduction of the number of the grand jurors.

Mr. EDGAR. At this stage of the session, I suppose we must bow to the will of the Lords.

Amendment concurred in.

CANADIAN PACIFIC RAILWAY— DRAWBACKS.

Mr. HAGGART moved second reading of Bill (No. 166) to amend the Act to provide for the allowance of drawback on certain articles manufactured in Canada for use in the construction of the Canadian Pacific Railway.

Mr. MULOCK. I desire to draw the attention of the House to some of the sections in the statute, and some of the provisions that are to be found on record touching this matter, because I think this proposed legislation, if given effect to, is liable in the end to be a most expensive arrangement to the people of Canada. How does this question arise? It arises under what is said to be the proper construction of a certain clause in the Canadian Pacific Railway Act, which entitles that company to a drawback on

Mr. MILLS (Bothwell).

materials used for the original construction of the work, and a difficulty is said to present itself to the Government as to whether the words "original construction" are wide enough to include materials now sought to be imported, or which may have been imported and put into the road in lieu of other materials used when the road was originally constructed. That involves, of course, a reference to the contract, and one can hardly find, I think, plainer language as to what it comprises than is set forth in the contract itself. The question is, what is the meaning of the words "original construction." If the words themselves do not afford a clear construction, is there anything in the circumstances attending the building of the road, or the time when it was built, or in the standard of construction, to throw light on the meaning of those words? If the word "original" had been left out one might perhaps have had some doubts. If it had stated that a drawback was to be allowed on materials in the construction of the road, then the provision might not have been so clearly limited as to the time when the road was actually being constructed for the first time. But when you have added to it the word "original," and it is said that this drawback is only to be allowed on the material put into it originally, it is clear that Parliament meant the word "original" to have some significance and force. It meant as clearly as one can understand anything, that the word "original" should have its original meaning and should refer to a period of time identical with the time when the road was under construction. But if we have any doubt upon that point, let us turn to section 3 of the contract itself, and see what was the character of the road in contemplation, both by the railway company and the Government in the subject of this contract. Section 3 of 44 Victoria says:

The company shall lay out, construct and equip the said eastern section and the said central section of a uniform gauge of 4 feet 8½ inches, and in order to establish an approximate standard whereby the quality and the character of the railway and of the material used in the construction thereof, and of the equipment thereof may be regulated; the Union Pacific Railway of the United States, as the same was when first constructed, is hereby selected and fixed as such standard.

We there have a standard given to us, and surely it cannot be argued that the country was entering into a contract to give a bonus for a road of a higher standard than the standard adopted by the contract. The contract required the road to be of a certain character, which, of course, includes grades and material, together with equipment. We are not considering what fancy road might have been built, but Parliament was entering into an obligation with regard to the character of the road, the subject of the contract, and the road which was the subject of the contract was a road the standard of which

was the Union Pacific when first constructed. Section 10 of the contract echoes section 4 of the Act confirming the contract, and again includes the words "original construction," showing that the point of time is material in this connection. It really resolves itself into this question of fact: was the road constructed originally of the standard adopted. On that point I will refer the House to Sessional Papers 34—B, which contains reports, correspondence and Orders in Council bearing upon the matter. On the 28th May, 1886, Mr. Schreiber, chief engineer of railways, inspected the railway and made a report. Speaking of the eastern section, he says:

With the exception of finishing work up to the value of \$25,000 scattered over this section, the road is completed and has been built fully up to and in some respects in a superior manner with that required by the standard of quality demanded by the contract.

Therefore, as to the eastern section, the chief engineer declares that it has been completed according to standard, and if completed according to standard, how comes it that to-day we are told that it has not been completed according to standard. You will remember, Mr. Speaker, that the completion according to standard was to be the condition on which the railway was entitled to receive pay in land and money, and it satisfied the Government that it had been completed according to standard, and received from the Treasury \$25,000,000, and from the public domain, 25,000,000 acres of land. Mr. Schreiber further reports:

As to the Lake Superior section, this section is completed and in excellent running order. The bridges are of wood, of good design, well and strongly put together with the exception of the bridges crossing the two arms of the Winnipeg River near Rat Portage which are fine steel bridges resting upon solid masonry piers and abutments. Many of the culverts are of masonry of excellent quality, others are of timber.

I do not draw the inference from those words that Mr. Schreiber regarded the bridges on that section as of a temporary character. In fact, every one of these bridges was equal to the standard, and as regards the iron bridges, in excess of the standard. Mr. Schreiber reports as regards the central section:

The bridging and culverts are all of wood substantially and well built. There are two very high trestle bridges; one long trestle at the second crossing on the Columbia River and others of a smaller size. The only truss bridges of any considerable size are those over the two crossing the Columbia River and over the Eagle River. In addition to these there are quite a number of spans of the smaller sizes. The culverts with two exceptions are beams.

Then he says:

The work remaining to be done excepting the building of the nine miles of permanent line to take the place of the temporary line built alongside of

it under Mount Stephen is estimated to cost about \$285,000. This is composed of station buildings, the erection of the permanent trusses over some of the rivers, ballasting and scattered work in finishing up. When this and the nine miles of permanent line are completed, the road in all respects will be fully equal to the standard required by the company's contract, and it is believed that a permanent train service with British Columbia will be established within a short time.

There we have it, Mr. Speaker, that as regards the central section, with the exception of certain items enumerated and which are not the subject of this Bill, we have it stated that with those few exceptions the central section of the road has been completed in all respects equal to the standard required by the company's contract. So that according to Mr. Schreiber's construction of the contract, the bridges then erected represented the bridges involved in the original construction. As to the western section, he goes on to say:

The bridging is generally of wood, the exception being the bridge over the Fraser River, which is of steel resting upon massive stone piers and abutments. There are a number of wooden truss bridges, ranging from 40 to 200 feet span, the most important being Pitt and Harrison Rivers. The trestle work is of considerable quantity, it is well put together and the trestles are good strong structures.

He identifies these structures as structures of the quality required by the contract, and on the 15th of July, 1886, he telegraphed to Mr. Bradley, Secretary of the Department of Railways and Canals, as follows:

Canadian Pacific Railway completed except permanent line under Mount Stephen alongside the temporary line.

That refers to the nine miles. So that we have him telegraphing that the line was completed, having examined the bridging and other works. Further on, he makes a report on the 12th October, 1886, to the Department, in which he says:

During last month (September) I made a tour of inspection over the entire line. The eastern section (Callander to Port Arthur) and the central section (Red River to Kamloops) are completed, fully up to and in some respects above the standard required by the contract, excepting the nine miles of line passing under Mount Stephen, which is yet untouched.

Now, I press that upon the attention of the Minister of Justice, because I must assume that he has overlooked the report of the chief engineer and the Order in Council of that date. Is it to be argued that we have to allow a drawback for a work, the character of which is in excess of the standard required by the contract, even if we waived the matter of time? On the 6th of July, 1886, the railway company applied to the Government for payment of the sum of \$460,000 odd, the balance of their subsidy, which they would only be entitled to upon

the theory that they had completed their contract. Before the Government would pay over this balance of the \$25,000,000 it was deemed advisable by the Minister of Railways to make a report to Council and to have passed an Order in Council recognizing the completion of the work according to standard; and he makes a report to Council upon the strength of the report of his engineer. On page 125 of Sessional Paper 34 of 1887, appears a letter from Mr. Schreiber, dated "Office of the Engineer in Chief, Ottawa, 20th —, 1886." The month is not stated; the omission appears to be a typographical omission; but I judge from the context that the letter was written in the month of October, because the next document is dated the 23rd October, 1886, though as to that I may be in error. In this letter the chief engineer says:

I have no hesitation in pronouncing the road superior, both in quality and character of construction and equipment to that of the Union Pacific Railway in 1873, but that it is in some degree inferior in respect of the three-mile grade upon the nine miles of road passing Mount Stephen. I consider the sections of railway built by the company have been constructed and equipped, both as to the quality and the character of the railway, and of the materials used in the construction thereof, of an approximate standard of the Union Pacific Railway of the United States as the same was when first constructed in 1873.

So that we have Mr. Schreiber telling us, whatever may have been the little shortage referred to in previous letters, that on the date named, October 20th, 1886, "I have no hesitation in pronouncing the road superior both in quality and character of construction and equipment, to that of the Union Pacific Railway, the standard." If that is the true construction and meaning of the contract, all we contracted to do was to allow a drawback on such materials as should be imported into Canada for the building of a road of the standard of the Union Pacific when first constructed in 1873. Mr. Pope, the Minister of Railways, in his report to Council on the 23rd of October, 1886, says:

That the Canadian Pacific Railway has been constructed and equipped of a quality and character equivalent upon the whole to the approximate standard agreed upon between the Government and the company—that is to say, the Union Pacific Railway of the United States, as accepted by the Government of that country, the railway being in many respects of superior quality and character to the said approximate standard, and only in some degree inferior in respect of the gradients of a portion of the line in the province of British Columbia of nine miles in length passing Mount Stephen.

He, therefore, goes on to recommend, on the theory that the contract has been completed:

That the Government accept the said railway as equivalent in its quality and character, in the materials used in its construction and its equipment, to the approximate standard agreed upon

Mr. MULOCK.

between the Government and the company, namely, the Union Pacific Railway of the United States as the same was when accepted by the Government of that country.

Then he goes on to recommend that, in consideration of the Canadian Pacific Railway Company having fulfilled their contract, the Government hand over the portions of the railway they were to complete, and the \$5,000,000 of land grant bonds held as security, and so on. This report went before Council, and on the 2nd of November, 1886, Council dealt with the whole matter. By Order in Council of that date the Government found as follows:—

That the Government accept the said railway as equivalent to its quality and character in the materials used in its construction and its equipment to the approximate standard agreed upon between the Government and the company, namely, the Union Pacific Railway of the United States as the same was when accepted by the Government of that country.

Another section:

That in consideration of the completion of the construction and equipment of the railway under the construction contract, the Government pay over to the company the balance of the subsidy remaining in its hands.

There we have the Government pronouncing the contract completed according to their version of the contract; upon the faith of that Order in Council, the country pays over the money, and the company accepts the money; and now, after a period of seven years, we are asked to declare that the construction of the road on which they received the money was not a construction such as the contract contemplated, for the purpose of enabling the Canadian Pacific Railway Company to receive more money. When it was necessary that the company should receive money, the Government found that it had performed its contract and it handed over the money. And now, when it sought to give the road money, it is necessary to declare that the contract has not been lived up to, and the Government ask the House to say that there are sufficient doubts on the subject to entitle us to conclude the contract was not carried out, and therefore there is some more money to be paid the Canadian Pacific Railway. If the Canadian Pacific Railway is entitled to this money, as a matter of law, let them have it. There is a provision in the Act by which if any question arises as to whether the railway has been built according to contract or not, that question is referable to arbitrators; and apart from that provision, we have the courts of law to determine any claim of that kind. I would be the last one to interfere with the legal rights of the company. I do not wish to add to or take from its rights under this contract, but I maintain that to go outside of the courts and decide to pay this money,

without any reference to arbitration or to the courts, is simply making a voluntary gift to the company. As a representative of the people who have to bear these burdens, I am tired of seeing these grants to the Canadian Pacific Railway in excess of their rights. Only in 1891, just after the general elections, we were asked to do what we are called on to do now. In 1884, a statute was passed authorizing the Government to make a grant of land to the Canadian Pacific Railway for the extension of the Manitoba and South-western Railway, on a westerly and south-westerly direction; but that there might not be any question as to the total amount of land to which the company would be entitled, the statute provided that, no matter what the length of the railway might be between its terminus and White Water Lake, the grant should not exceed so many thousand acres. What happened? On the eve of the elections of 1891, the Canadian Pacific Railway came to Ottawa and procured the passage of an Order in Council, which saw the day of light subsequently.

Sir RICHARD CARTWRIGHT. It was the Government who did the wooing and not the Canadian Pacific Railway.

Mr. MULOCK. My hon. friend from South Oxford says that the wooing came from the Government.

Sir JOHN THOMPSON. Do not credit anything of the kind.

Mr. MULOCK. From whatever direction the wooing came, it suffices to know that the company constructed the road and received its grant under the statute. But, no doubt, trouble arose between the Canadian Pacific Railway and the Government. There is always some sort of trouble arising between them to disturb the peace and order of the family compact between the two bodies, which peace and order can only be restored by an increase of subsidy from the head of the family.

Sir JOHN THOMPSON. I believe there has been an attempt made on the other side to alienate the affections of the Canadian Pacific Railway.

Mr. MULOCK. If there has been, the Government have taken good care to see that it is unsuccessful. But let me refer for a moment to a parallel in history, which is now repeating itself. We are now on the eve of another general election, and are asked to repeat what happened on the eve of the general of 1891. The Government and the company then came together, and the result was the passing of an Order in Council, which was not made public until after the new Parliament met. That Order in Council recommended, in view of some hazy understanding said to have been in the minds of some unknown persons seven years before, that public lands to the extent

of, I think, some 320,000 acres should be given to the Canadian Pacific Railway, because the number of miles this line covered exceeded the number allowed them as a subsidy. Bear in mind that this line had been constructed and in operation for a period of seven years without any claim, so far as the public knows, having been made on the Government, and yet Parliament was compelled, in the session of 1891, by a vote of the majority, to make good an ante-election pledge and grant this land to the Canadian Pacific Railway, which was just as clear a present, based on no legal right, as if we had deliberately declared it was a bonus given without any consideration. On the testimony of a deputy minister that, according to his recollection, there was an understanding that the company should get so many more acres of the public domain, that grant was given them. I used to be under the impression that understandings could not possibly involve the Treasury, unless ratified by the people's representatives. I was under the impression that only the people, through Parliament, had the right to control the alienation of their property; but we appear to have entered upon a new regime now, when understandings can be crystallized into obligations by Orders in Council, and Parliament called upon, by its masters, to legalize these Orders in Council, in order to maintain the good relations between the Government and its favourites. We are now on the eve of new elections, and we find history repeating itself. We find the Government asking Parliament to alter the terms of the contract and declare its meaning, when there are courts in every part of the land to do the work of construction in the contract. On what principle does the Government ask us to remove a doubt? Why do they not openly say that this is proposed in order to make a continuing present to the Canadian Pacific Railway for all time to come? This proposition is presented as an apparent drawback in favour of the merchants, whereas in reality it is a gift to the Canadian Pacific Railway, because the manufacturers who supply these materials to the Canadian Pacific Railway will, no doubt, be paid more or less according to whether they get the drawback or not, so that it is an indirect payment to the Canadian Pacific Railway; and although to-day we are told that this proposition will involve only a few thousand dollars, yet, if we alter the contract in this respect, we alter it in respect of every item of bridge building that can be contended to have been of temporary character over the three thousand miles of railway, and open the door to enormous claims for drawbacks, which will probably amount to one-third of the whole cost. We know that the Canadian Pacific Railway are spending \$700,000 or \$800,000 yearly in taking out old worn-out bridges and replacing them by others of a different

character, and this precedent will be used, for all time to come, as a leverage to enable the Canadian Pacific Railway to get a drawback on every one of these, and thus avoid payment of its fair share of its liabilities. Being of that opinion, I deem it my duty to invite the attention of the House to the question, and ask them to halt before changing this law for the benefit of the Canadian Pacific Railway. There is a widespread feeling in Canada to-day, and members of Parliament ought to take cognizance of it, that in this Parliament the people's representatives do not always represent the right. There is a feeling that we have not courage enough or have not discernment enough to hold the scales of justice evenly when weighing the rights and claims of the public as against those of powerful petitioners for relief. There may be much colour given to that view if Parliament voluntarily steps in and delivers judgment in favour of a suitor when there is a tribunal created for the very purpose of dealing with questions of this kind between the Government and a subject. No case whatever is presented why Parliament should intervene and decide against the interests of the country. I would not interfere for one instant with the carrying out of the contract in its entirety, but within the four corners of the statute are declared the rights of the company, and those rights having been thus declared, we have no right, under cover of removing a doubt, in a cowardly way to present a bonus to the railway company which, God knows, is as well able to pay its debts as the tax-payers of this country individually are. For these reasons, Mr. Speaker, I beg to move in amendment :

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

Sir JOHN THOMPSON. I should like to address the House for a few minutes on the argument which the hon. gentleman has presented with respect to the rights of the Canadian Pacific Railway under this contract and under statute relating to these drawbacks, for the two are entirely distinct. I beg to assure the House, in the first place, that no ground whatever exists for the hon. gentleman's suspicion that this is another bonus to the Canadian Pacific Railway. It is not to redeem any pledge whatever that has been given in the past, because we have made no promise with regard to it. We have done nothing more than to state to the Canadian Pacific Railway Company that we would submit the case to Parliament. Nor does it depend upon any promise of support in the future; and I think that the House will observe that the hon. gentleman's suspicion in that regard, and especially as regards past transactions, in which he said there was improper intimacy between the company and the Government, are due to his feelings as a rejected suitor.

Mr. MULOCK.

Mr. LAURIER. They may be true all the same.

Sir JOHN THOMPSON. May be; but I am afraid that is the cause of the hon. gentleman's comments. The hon. gentleman has presented an argument which is well deserving of consideration. That argument has two branches. The first branch is based on the words "original construction," and upon the fact that the road was to be constructed and subsidy payment made upon it, according to a certain standard. Now, I am not going to contend that this is a perfectly clear matter in which the company is entitled to the decision of this Parliament. If it were perfectly clear this Bill would not be before the House. In considering it we have not overlooked either the reports of the engineer stating that the road had been finished according to the standard, and that the company were entitled to the subsidy payment. On the contrary, it is these reports and that Order in Council which created the doubts that exist as to the words "original construction." Now, the doubt is based upon this possible argument that the words "original construction" mean, as the hon. gentleman says, the construction down to the point of time when the railway is opened for traffic. The contention of the company, on the other hand, is, that the words "original construction" are put there to exclude any contention that the company would have the right to receive a drawback upon renewal of bridges, that it is entitled to make what kind of a road it pleases, provided it is at least up to the standard of the Union Pacific, but that it is not and should not be entitled to claim any drawback or allowance in regard to renewals and repairs. Now, there being a doubt, in view of the declaration that the road had been constructed, we come here and ask Parliament to resolve that doubt in favour of the company under the circumstances which I will mention in dealing with the second branch of the hon. gentleman's argument. Now, the second branch of the hon. gentleman's argument is this, that there was a distinct agreement, a contract, with the Canadian Pacific Railway Company that a subsidy is to be paid to them when they built the road up to a certain standard, and they were to receive this drawback only with respect to bridges which would be required to bring the road up to that standard, namely, the standard of the Union Pacific. If the hon. gentleman can show me that that is the contract, that that is a fair construction of the contract, this Bill will not pass another stage. But the fact is that there was a deliberate contract with the company that they should be paid subsidies when they built a road of a certain standard, but that standard was not fixed in any way by word or implication as qualifying the contract that they should have the right to a drawback on iron or steel bridges put into their road in

"original construction." The contract simply was that we should pay them a subsidy. They had a right to build a road up to any standard in excess of that of the Union Pacific that they pleased, and they had a perfect and undoubted right, in my humble opinion, to get a drawback upon bridges of iron or steel to make their road superior to the Union Pacific. When you look at the words of the Act about the allowance of the drawback, you find that the standard is not in it at all, but, on the contrary, it provides that the Governor in Council may from time to time make regulations for ascertaining the qualities and value of these articles manufactured in Canada and used for the Canadian Pacific Railway, as defined by the Act 37 Victoria, chapter 14. That is the Act of 1874, not the contract Act, which provided for the construction of the Canadian Pacific Railway by the company.

Mr. CHARLTON. What is the provision of that Act?

Sir JOHN THOMPSON. The Act of 1874 describes no standard whatever. It provides for the construction of the Canadian Pacific Railway, the intention at that time being to construct it as a Government work.

Mr. MULOCK. But that does not designate the character of the work. It only refers to the length of the road, the termini, &c.

Sir JOHN THOMPSON. But the hon. gentleman is contending that the Act under which the drawbacks are to be given refers us to the standard and the contract. It does nothing of the kind, but it carefully passes that all by, and says: Go back to the Act of 1874 under which it is provided that the Canadian Pacific Railway shall be constructed, but gives no definition or limitation of the quality of the road or of the class or number of bridges that shall be put in it. But from the fact that it leaves the road to be constructed of any degree of efficiency the company may please, and says the road as built under the Act of 1874, no matter how much better than the standard of the Union Pacific, shall be entitled to drawbacks—

Mr. MULOCK. Is not that a question of law?

Sir JOHN THOMPSON. I never heard any contention with regard to that. I do not think there is any question—

Mr. MULOCK. Why do you not leave it—

Sir JOHN THOMPSON. There is nothing to leave. This Act says that it is on the railway as constructed under the Act of 1874 that the drawback is to be paid. The hon. gentleman has to depart entirely from the words of the law in order to get in some construction that there should be a standard. There were two Acts of Parlia-

ment with regard to this railway, one provided a standard and the other did not, and this Act distinctly says that in ascertaining what drawbacks they were entitled to, you shall go to the Act which describes no standard for the construction of the Canadian Pacific Railway.

Mr. MULOCK. That is a question of law.

Sir JOHN THOMPSON. No question of law was ever raised. I never supposed there would have been a doubt, and it would have been impossible for us to base any measure upon a doubt of that kind, as none whatever existed in the minds of those who have had to deal with the matter hitherto. Therefore, if it were not a question of mere time as to whether the construction is to be considered past or not, I would have had no doubt whatever as to the right of the company to receive a drawback under these circumstances. Parliament passed this Act which the hon. gentleman refers to, apart from the contract of the company. A departure has not been made from the contract of the company by this Bill at all. The Act with respect to drawbacks on articles such as bridges manufactured in Canada, is not in the contract at all, it is in a separate statute of this Parliament, and the application has been made to us by the manufacturers. Of course, no one will pretend that the company does not get any benefit from the drawback, that is inevitable. First of all, the contract enables the company to get this drawback on imports; then in the interest of the industries of Canada, it was provided that a like drawback should be allowed to the manufacturers of iron bridges and certain other materials, provided those were articles manufactured in Canada, and we say, adopting the contention of the company as regards the original construction, that it is to include all that class of bridges which they had a right to put in under the terms of their contract, although they were not required to put them in for subsidy purposes, but those they had a right under their contract to put in and receive a drawback for, as forming part of the original structure, but not, of course, as to repair or renewal of structures of that kind.

Mr. CHARLTON. I hope the Minister of Justice is satisfied with the argument he has presented to the House; certainly he has not satisfied me, and I do not believe it is an argument calculated to satisfy the people of this country. The talk about the Act of 1874, and the company being permitted to construct a line of a higher standard than that agreed upon in the contract, is entirely aside from the question. This Government made a contract with the Canadian Pacific Railway Company, that contract established a standard, and up to that standard the Canadian Pacific Railway Company was to construct the road. That standard was the Union Pacific road, as completed in 1873, and

accepted by the United States Government. It was a definite standard; it was a definite arrangement; a contract explicit in its character. There was no ambiguity about the matter at all. When the road was completed and the promoters and constructors of that road applied to the Government of Canada for their subsidies, the only question to decide was: Is that road built equal to the standard of the Union Pacific Railway of 1873? The road was built, the company made application for their subsidy, the chief engineer of railways of this country was sent over the line of that road, he traversed that road from end to end for the express purpose of ascertaining whether it was built according to the standard agreed upon. He made his report; he reported that the road came up to the requirements of the standard with the exception of the grades around Mount Stephen, a distance of some nine miles. After that report was received, the Government of Canada acted upon the report, and acted upon the application of the Canadian Pacific Railway for its subsidy. In the Order in Council, passed on the 23rd October, 1876, it was declared that:

The Government accepted the said railway as equivalent in its quality and character, in the materials used in its construction and its equipment, to the approximate standard agreed upon between the Government and the company.

"Agreed upon between the Government and the company"—not some indefinite standard, going back to the Statutes of 1874, which permitted the company to build a road of almost any standard it pleased, leaving the matter in abeyance as to whether they might apply at some future time for the construction of a road of a higher standard than that which existed, but referring to the standard agreed upon, a definite agreement made between the Government and the company, namely, "the Union Pacific of the United States, as the same was when accepted by the Government of that country." Now, Sir, when that agreement was made, when that standard was established, there was no thought on the part of the railway company, there was no thought or purpose on the part of the Government, that that road should be required to put in steel bridges or iron bridges upon its line. At the time that road was built, it was not customary to put in iron or steel bridges. When the Union Pacific was built in 1873, I venture to say that there was not a steel bridge or an iron bridge upon any line or road from Omaha to Ogden; I venture to say that there was not a steel or iron bridge upon that road ten years afterwards. The Canadian Pacific Railway was built upon the same standard, it was built with wooden bridges, with the exception of the steel bridge at Rat Portage, a steel bridge over the Nepigon River, and one over the Fraser, and some other per-

Mr. CHARLTON.

manent structures. It was a better road than the Union Pacific, with the exception of the grades around Mount Stephen. It came up to the standard; it fulfilled its contract; the Government accepted it as up to the standard, and paid it its subsidy. Now, in the usual course of construction and railway operations, the wooden bridges put upon this line, as the wooden bridges put upon all main lines at that time, wore out; they had served their purpose; they had lasted seven years, the average life of a wooden bridge, and the Canadian Pacific Railway, having built the road according to the standard agreed upon, having received its subsidies for the completion of this road, the subsidies having been granted by the Government upon the express declaration by Order in Council, that the conditions of the agreement had been fulfilled, and that the road had fulfilled all the requirements that were entered into with the Government—I say, after the road had been constructed in that way, application was made for the subsidies, payments were made, the road was accepted, the whole thing closed up. The bridges have been used for seven years; they begin to wear out, just as wooden bridges do upon all railway lines, and this company, as all well-managed railway companies do, begins the work of completing, improving and perfecting its line, begins the work of substituting permanent structures for the wooden structures that have served their purpose, and have worn out, and determines to put in, as all well-managed railway lines do, steel and iron structures. They now come to this Government, seven years after this transaction is closed, seven years after their road had been accepted, seven years after they have fulfilled the terms of their agreement, seven years after they received their subsidy from the Government, with this trumped-up claim that they are entitled to a drawback on those bridges they are putting in now, as if they were a part of the original construction. The claim is a preposterous one. I do not wonder that my hon. friend should refer to some rather suspicious transactions in the past, the transaction when they were granted a subsidy on sixty miles of railway already completed, the transaction when they were granted a large increase on their mail subsidies, just prior to the election of 1891. Why, we do not know—these things look suspicious. We know that the Government need election funds. We see this transaction sprung upon us just upon the eve of an election. It is in the highest degree suspicious. I pronounce this transaction anything but an honourable, straightforward transaction, in which the Government are watching the interest of the people and are guarding the interest of the taxpayers of this country. Sir, this House ought not to consent for one moment to grant the demand of this Bill. It is a preposterous and an outrageous demand made upon the taxpayers of this country.

Mr. O'BRIEN. It seems to me, according to the argument of the Minister of Justice, the Canadian Pacific Railway would be justified in asking for a rebate upon the renewal of iron and steel bridges, as well as on wooden bridges.

Sir JOHN THOMPSON. No. The words, "original construction," the company contend, were put in for that purpose.

Mr. O'BRIEN. Why should not the term, "original construction," apply as well to iron as to wooden bridges, when they were put in at the same time and under the same contract? Whatever doubt there might be as to the provisions of this Bill it has been entirely removed by the extracts read, which show that the Government accepted the work as completed and did not regard it as a temporary work. It appears singular that not until several years have elapsed has a claim of this kind been put forward. There is, moreover, no provision in the Bill guarding the rights of the country on any legal questions that may arise, and if this Bill should pass, there will be many such questions arise. The people of the country will not accept the explanation of the First Minister, they will, on the other hand, accept the argument that the Government regarded the road as completed, and the contract as having been carried out, and that this Bill involves a request for a rebate which was not intended to be given at the time the contract was entered into between the Government and the company. Under these circumstances I feel justified in voting for the amendment of the hon. member for North York (Mr. Mulock), for I consider this claim is one which this House should not admit.

Mr. McMULLEN. I have listened to the speech delivered by the hon. member for North York (Mr. Mulock) and also the reply of the First Minister. I am sure there is the most kindly feeling in this House towards the Canadian Pacific Railway. We all feel very proud of it, as we have a right to feel, and we are willing to deal with it honourably, along the lines of the agreement between the company and the Dominion. But the Bill now before the House is not based upon an intelligent construction of the Act relating to this company as involving rights to which the Canadian Pacific Railway is entitled. The claim presented to the House cannot hold water. I repeat that I am willing to deal fairly with the company, but if no better arguments are presented to the House than have been submitted, including the statement of the First Minister, I claim that, looking at the statutes relating to the road, a case has not been established, and I must vote for the amendment.

Mr. TARTE. I am sorry I cannot agree with the amendment made by the hon. member for North York (Mr. Mulock). The Canadian Pacific Railway is one of the great-

est instruments of our national prosperity—and I might say the same in regard to the Grand Trunk Railway. As a matter of fact we should be proud of the success of our railway companies in competition with the American roads. Under such circumstances we should deal with them in a liberal manner, and we should so deal with them as regards any questions of doubt, and for that reason I am obliged to vote against the amendment.

Mr. MILLS (Bothwell). This matter is one of considerable consequence, and it is because I do not agree with the hon. member for North York (Mr. Mulock) that I desire to place my views before the House. I agree with my hon. friend who has just resumed his seat (Mr. Tarte) that we should deal fairly with the Canadian Pacific Railway, and however hard the bargain may have been, we should carry it out in good faith. When the question was under discussion in Parliament at the time the arrangements was proposed it was stated by the First Minister, Sir John Macdonald, that the road when entirely completed would contain steel or iron bridges throughout its entire length, and while that might not be the case in the first instance the road when completed would be superior to any other transcontinental road. I admit that I was among those members who regarded that statement with a good deal of incredulity; nevertheless the company are constructing the bridges and completing the road as one of a high class. Supposing the words "original construction" are to be strictly construed, and construed as in a contract between one party and another, which I do not think is the proper rule of construction in this case, because I consider this contract should be construed as one which is between one sovereign authority and another, and as a contract between the East India Company and the Crown was formerly construed—supposing this contract was being construed according to the arrangement that steel or iron bridges would be built throughout its whole length, no member of this House would say that the Canadian Pacific Railway were not entitled to the drawback. If, as a matter of convenience to the public and to the company, temporary structures were permitted—and I would regard wooden structures as of that character, after the statement made by the Prime Minister of that day—until steel or iron bridges could be built at a later period, I do not think this House would object, because the country does not in any respect stand in a different position to what it would have occupied if iron bridges had been constructed in the first instance. In fact the company are not gaining one dollar by the transaction.

An hon. MEMBER. Would that be done with respect to the Grand Trunk Railway?

Mr. MILLS (Bothwell). There is no compact between the country and the Grand

Trunk Railway as there is between the Dominion and the Canadian Pacific Railway. Yet, I am prepared to say that so far as our railways are concerned, the taxation of material used for construction purposes has always been a mistake, for it means the imposition of taxes on the people at large; when the cost of construction is increased there are increased rates of transportation. You are taking the money out of the people indirectly, which in the other case you would take directly. But I am not now discussing the general policy, what it is best to do. I admit as a rule and as regards general policy that the cheaper the railway companies obtain their supplies the better for the public at large. But I am specially discussing the original understanding between the Government on the one hand and the Canadian Pacific Railway corporation on the other, and whether you make that a general rule or not it seems to me that as regards the position of the Canadian Pacific Railway in this particular instance, Parliament, if it refused to adopt this Bill, would be adopting an unfair construction, so to speak, taking advantage of a mere technicality, if they were to deal with the railway company as if the contract did not oblige us to allow them to construct the road in this particular way. Looking at the debate that took place, and on what was said in that debate, as well as looking at the terms of the contract and the statutes relating to the subject, my interpretation of the contract is that where you once put in an iron or steel bridge you have no right whatever to put in a second; but that every wooden bridge, in face of the promise given on behalf of the country by the Government, must be regarded as a temporary structure.

Mr. MULOCK. Does the hon. gentleman, who is always an advocate of the people's rights, recognize the right of the Government to bind Parliament without the sanction of Parliament?

Mr. MILLS (Bothwell). I am speaking, Mr. Speaker, as to how I understand the contract, between the Government and Parliament on the one side, and the company on the other, is to be construed. I think, Sir, that we are doing many things for the company that are not in the public interest, and that we are not called upon to do. We have voted in aid of tributary lines running through the lands of the company, aiding by other lands in the construction of these roads. We have done that this week, and yet I remember distinctly that an assurance was given that all these branches would be constructed by the company without further aid because they would have an interest in opening their own lands. I am prepared to oppose what we have a right to oppose, and what is not part of the compact as I understand it, but I am not prepared to alter what I regard as the original intention of both the Parliament on the one side, and the company on the other.

Mr. MILLS (Bothwell).

Mr. MULOCK. Where do you find that intention?

Mr. MILLS (Bothwell). I find it in the statutes and in the discussion that took place at the time the compact between the company and the Government was entered into.

House divided on amendment of Mr. Mulock:

YEAS:

Messieurs

Allan,
Bain (Wentworth),
Beith,
Boston,
Campbell,
Casey,
Charlton,
Lowell,

McDonald (Huron),
McMillan,
McMullen,
Mulock,
O'Brien,
Scriver,
Semple.—15.

NAYS:

Messieurs

Bain (Soulanges),
Baker,
Beausoleil,
Belley,
Bennett,
Bergeron,
Bergin,
Bernier,
Blanchard,
Bowman,
Boyle,
Bryson,
Carignan,
Carling (Sir John),
Caron (Sir Adolphe),
Carroll,
Carscallen,
Cartwright (Sir Richard),
Chesley,
Choquette,
Christie,
Coatsworth,
Cochrane,
Costigan,
Curran,
Daly,
Davin,
Davis,
Dawson,
Delisle,
Denison,
Dugas,
Durent,
Dyer,
Fairbairn,
Ferguson (Renfrew),
Foster,
Fréchette,
Gillies,
Girouard (Two Mountains),
Grandbois,
Grant (Sir James),
Guay,
Guillet,
Haggart,
Harwood,
Hughes,
Ingram,
Jeannotte,
Joncas,

Kenny,
Lachapelle,
Langevin (Sir Hector),
LaRivière,
Laurier,
Leclair,
Leduc,
Lippé,
Livingston,
Maclean (York),
McDougald (Picou),
McDougall (Cape Breton),
McGregor,
McLennan,
Madill,
Mara,
Marshall,
Masson,
Metcalfe,
Mignault,
Miller,
Mills (Annapolis),
Mills (Bothwell),
Montague,
Ouimet,
Patterson (Colchester),
Patterson (Huron),
Pelletier,
Rinfret,
Robillard,
Roome,
Rosamond,
Ross (Dundas),
Ross (Lisgar),
Sanborn,
Smith (Ontario),
Sproule,
Stevenson,
Tarte,
Temple,
Thompson (Sir John),
Tupper (Sir C. Hibbert),
Turcotte,
Tyrwhitt,
White (Cardwell),
White (Shelburne),
Wilnot,
Wilson,
Wood (Brockville),
Wood (Westmoreland).—100.

PAIRS:

Ministerial.

Opposition.

Messieurs

Putnam,
Craig,
Macdonald (King's),
McLean (P.E.I.),
Cameron,

Forbes,
Featherston,
Welsh,
Yeo,
Perry,

Haslam,
Macdonell (Algoma),
Corbould,
Northrup,
Ryckman,
Stevenson,
Moncrieff,
McAlister,
Ives,
Pope,
McKay,
Hazen,
Dickey,
Pridham,
Roome,
Tisdale,
Carpenter,
Prior,
Earle,
Taylor,

Fraser,
Gibson,
Gillmor,
Langelier,
Martin,
Sriver,
Lister,
Colter,
Monet,
Rider,
Fauvel,
Frémont,
Flint,
Grieve,
McGregor,
Charlton,
Vaillancourt,
Landerkin,
Rowand,
Sutherland.

Amendment negatived.

Mr. GUAY. The hon. members for Iberville (Mr. Béchard), for Yarmouth (Mr. Flint), and for North Norfolk (Mr. Charlton), have not voted.

Mr. BECHARD. I am paired with the hon. member for Jacques Cartier (Mr. Girouard). I would have voted against the amendment.

Mr. FLINT. I am paired with the hon. member for Cumberland (Mr. Dickey). I would have voted for the amendment.

Mr. CHARLTON. I am paired with the hon. member for South Norfolk (Mr. Tisdale). I would have voted for the amendment.

Main motion agreed to, and Bill read the second time.

At One o'clock the Speaker left the Chair.

After Recess.

LAND SUBSIDIES TO RAILWAYS.

House resolved itself into committee to consider resolution (p. 6253) respecting the granting of lands to the Saskatchewan and Western Railway Company.

(In the Committee.)

Sir RICHARD CARTWRIGHT. What position is that railroad in?

Mr. DALY. The road is built and in operation, and satisfies the wants of a large section of people. The bonus is given in consideration of twenty-five or thirty petitions from the resident ratepayers in the different municipalities along the route of the railway. The road is operated by the Manitoba and North-western Railway Company as their branch running from Minnedosa southerly to Rapid City, and gives the people in the Rapid City district, which is an old settlement, an outlet.

Mr. McMULLEN. Was there any previous agreement that this road should receive a bonus?

Mr. DALY. Yes, a couple of years ago. The Manitoba and North-western people

made application to the Government at that time for this land grant, which is the same as has been given for the rest of their railway; and this portion was built on the faith of their expectation that a land grant would be given.

Mr. McMULLEN. This appears to be a most singular proceeding. It seems as if we were here simply to register the work of the Government in granting bonuses of this kind. If this railway company wished to get aid for the construction of the road, why did they not apply in the ordinary way prior to its construction? Instead of that, they go on and build the line, and then ask for a land grant for a line that is actually built and running. I cannot understand on what principle the Minister asks for this. It appears to me to be a very absurd proceeding.

Sir RICHARD CARTWRIGHT. What correspondence passed with the Government with reference to the understanding or agreement with the company?

Mr. DALY. There are a number of petitions from the various municipalities requesting the Government, as follows:—

That the people living in the municipality of Blanchard Oak River, Miniota, Archie and Ellice, are practically cut off from ready communication with a railroad, both from the Manitoba and North-western Railway to the north of them by the Little Sackatchewan River, Oak River, Arrow River, Bird Tail Creek and the Snake Creek, and from the Canadian Pacific Railway to the south of them by the Assiniboine River.

That these municipalities are thickly settled, and comprise one of the best grain-producing portions of Manitoba, in which the people find great difficulty in crossing the above-mentioned streams to reach a market.

That were the Sackatchewan and Western Railway now running from Minnedosa, a point on the Manitoba and North-western Railway to Rapid City, extended through these municipalities, it would afford the relief needed.

That were a land grant given to the Saskatchewan and Western Railway, that company would be afforded means to carry on construction through the above-mentioned municipalities.

That the Saskatchewan and Western Railway Company are not able without the land grant to avail themselves of the provisions of the Railway Aid Act of Manitoba.

Your petitioners therefore humbly pray that the Saskatchewan and Western Railway Company be given a land grant in aid of the construction of the road through the above-mentioned municipalities.

Sir RICHARD CARTWRIGHT. Where is this land to be given?

Mr. DALY. Among the resolutions brought down by the Minister of Railways is one giving aid to the Manitoba and North-western Railway to the extent of \$3,200 per mile in cash, for which the company relinquish 3,200 acres per mile of their

land grant; and the grant will be taken from their relinquished land, and I presume will be along their main line?

Sir RICHARD CARTWRIGHT. Has the hon. gentleman not fixed where the land will be taken from?

Mr. DALY. I have not fixed it, because we shall have to get the land where it can be got.

Mr. MILLS (Bothwell). What are the terms of the Order in Council mentioned here?

Mr. DALY. The usual terms that follow all these railway resolutions. The usual Orders in Council provide that the land shall be fairly fit for settlement. In this case, as in the case of all other grants given this session, the Orders in Council will not contain that condition.

Mr. MILLS (Bothwell). Is this grant taken from lands opened to settlement by the construction of the road?

Mr. DALY. Yes.

Mr. MILLS (Bothwell). Because it seems to me a very improper proceeding to grant large tracts of land to aid in the construction of a road, when the lands granted are not in any way to be benefited by that construction. To grant lands five hundred miles away from a road to assist in its construction is most preposterous, because those lands will require railway facilities and there will be nothing to fall back upon.

Mr. DALY. These lands will come out of their present grant.

Resolution reported.

POST OFFICE ACT.

Sir ADOLPHE CARON moved second reading of Bill (No. 167) further to amend the Post Office Act. He said: The object of section 1 is to extend to the articles therein mentioned the rate paid of 1 cent per pound under section 2 of chapter 20, 52 Victoria. This extends the rate to almanacs in sheets, chromos, lithographs, prints or engravings issued by any such newspaper specially and not as part of its regular issue, also to the same articles issued from a known office or published in a regular series of intervals of not more than one month. The practice was to allow this, but there was no authority for doing so, and I thought I would change the law so as to authorize the practice which has been followed for some time. In the next section the following words are added to the 11th line of section 2 of the present law: "and all the printed circulars, inviting subscriptions, and the printed envelopes addressed to such publishers." It is well known that most of the newspapers and large dailies send out printed envelopes to their customers in which to inclose their sub-

Mr. DALY.

scriptions. That was contrary to the law as it stood. But it has been the practice during the last eight or ten years to allow that, and I am changing the law to make it legal.

Motion agreed to, Bill read the second time, considered in committee, reported, and read the third time, and passed.

RAILWAY SUBSIDIES.

Mr. HAGGART moved that the House resolve itself into committee to consider resolutions (p. 6254) respecting subsidies in money to railway companies, and towards the construction of certain railways.

Mr. LAURIER. Several times in the past we have had to complain of the manner in which these resolutions for railway subsidies were introduced in this House. In fact, every time they have been introduced, they have been introduced as they are to-day, within thirty-six hours of prorogation, and this year the proceeding is worse than ever, because formerly, as a rule, we have had the correspondence upon which these resolutions are based placed in our hands at least twenty-four hours before the day set for the discussion, but this year we have not had a word of correspondence until 12 o'clock to-day, when the Minister placed upon the Table a batch of letters which it has been utterly impossible for any one to go through before this discussion came up. I enter my protest against such proceedings. The session has lasted four months, and the Government have had more time than was necessary to prepare these resolutions. How is it possible that this House can discuss these resolutions intelligently, covering as they do about sixty different railway schemes and involving an amount aggregating over three millions of dollars? It is quite impossible under such circumstances that any man in this House can give intelligent attention to this question.

Mr. MILLS (Bothwell). I think it would be far more satisfactory to the House, and certainly should be no disadvantage to the Government if the hon. gentleman would indicate which of these resolutions are matters of urgency requiring the attention of Parliament in consequence of railway construction being undertaken, and confine the attention of the House this session to the consideration of these particular items. There are some thirty or forty projects here, many of which have no existence except as projects. In many cases no line is surveyed and in some instances scarcely anybody lives along the projected line. It can hardly be supposed that all these are matters of urgency requiring to be taken up during the present session of Parliament. We are here in the fifth month of the session—the fifth month began this week—and we now have for the first time brought under our attention a number of railway projects,

the merits of which we have no opportunity to consider. If the hon. Minister, at an early period of the session had submitted to us what reasons he had for favouring these projects, upon what grounds he thought the projects meritorious and requiring an appropriation in the public interest, we would have had an opportunity to judge of the soundness of his decision. Under present circumstances we have no chance to perform the duties which the public impose upon us. We are here for the purpose of exercising our individual judgment for the public good, and, in the discharge of public duties as public trustees, as persons who are exercising authority as trustees, honestly and with due regard to the public interest. Surely, the hon. gentleman knows that nineteen-twentieths of these projects are not likely to interest anybody for a long time to come. If he were to indicate those that he thought likely to be undertaken at an early day, we could devote our attention to the consideration of these, and would be able to see how the hon. gentleman has come to the conclusions he has in reference to their merits, allowing others to stand over until another session of Parliament.

Mr. TARTE. Mr. Speaker, on the 26th of April, I moved for the correspondence on the Manitoba and North-west Territories school question. Two months have passed, and still not a single sheet of paper has been brought down on that very important question.

Mr. SPEAKER. The hon. gentleman can hardly bring up that question on this order.

Sir JOHN THOMPSON. Perhaps I may be allowed to answer the hon. gentleman now, as it will save repeating the question. The hon. gentleman's information is not accurate. All the papers were brought down about two weeks ago.

Mr. TARTE. No.

Sir JOHN THOMPSON. I myself brought down two returns about two weeks ago, and they have gone to the Queen's Printer.

Mr. TARTE. I went upstairs to inquire about the matter, and I was told that not one single report had been brought down in answer to my motion of the 26th April. I think the hon. gentleman will see that he is mistaken.

Mr. HAGGART. Nearly every one of the resolutions which the House will be asked to consider giving assistance to any road is in favour of a road that has already been in existence, some portions of it built, and it is for the extension of these roads that the assistance is asked. Nearly all the roads have been under consideration by the House in previous sessions, and the House has had their favourable qualities explained. Nearly every one is a necessity, for only those that were absolutely necessary

were included in these resolutions as worthy of assistance. With reference to the lateness in bringing down the correspondence, it is only two days since I got the resolutions through Council. It was impossible for the department to make copies faster than we did, though I gave instructions at once.

Mr. LAURIER. I will withdraw one-half of my charge, and blame the hon. gentleman for having brought his resolutions down so late.

Sir RICHARD CARTWRIGHT. This abuse is one of long standing, and, therefore, all the worse. We ought, in all conscience, at the time of the Budget, or about that time, to get a description of what our obligations are, and what further obligations it is proposed the country should incur. Here we have had a long discussion as to the railways of the country, as to the extent of our resources, and our obligations and, all told, there are about four millions of dollars of obligations of which we had no hint at the time the discussions were going on. More than that, every human being knows that this practice of putting these railway resolutions off until the end of the session is carried on for the express purposes of stifling and preventing inquiry. It is owing largely to that, that very objectionable grants in the past have been put through, from time to time. We have no opportunity of getting printed what meagre information is given us, so that the majority of the members can avail themselves of it. One or two may possibly look through the returns which are brought down, but the great body of members in the House know nothing of them, and vote on all these things in the most perfect ignorance of what they are doing.

Mr. MULOCK. I concur in the remarks that have fallen from my hon. friends, and I think they could have put the case with even greater force. We are called upon not only to consider the propositions involved in these resolutions, but we ought by rights to consider the whole situation with a view to determining whether this is the wisest mode in which to grant aid in promotion of railway enterprises. It is quite impossible for the House to receive information from outside quarters where resolutions are submitted to the House at this moment. This is an age when public opinion and public advice is communicable and communicated to the people's representatives in various ways, more particularly through the press. If we have so many millions of dollars of the public money at the disposal of the country from year to year for the promotion of railway enterprises, it not only involves a consideration of the specific propositions submitted to the House, but a review of the whole situation, to see whether there are not other localities and other enterprises of a similar character more deserving of aid than those which we are now asked to aid. Now, how

can this House get information and advice from outside sources when the outside world does not know what we are purporting to do with the public money? Who knows, outside the committee of the House now assembled, what we are going to do with these millions of the public money? One-half the House has gone home. A week ago the Government gave notice that practically the work of the session was over; to-day we have scarcely more than one-half the House sitting, and not one of us has had an opportunity of communicating with the outside world before we are asked to vote away public money. It is on the line, Mr. Speaker, of the whole financial administration of this Government. They are practically engaged in wrecking the finances of Canada to-day. A Government that has shown less regard for the finances of Canada, has never occupied the Treasury benches since we have had responsible government. Hon. members may be surprised. I am but voicing, as I believe, the sentiments of the thoughtful people of Canada when I say that the finances of our country to-day are in the hands of reckless men who are prepared to sacrifice the interests of our country in order to maintain themselves in power.

Mr. McDUGALL (Cape Breton). That is your opinion.

Mr. MULOCK. That is my opinion, and I believe it is the opinion of the country. Is there any country in the world that is in the position ours is to-day? From one end of Canada to the other, the employees of this Government are creditors for overdue wages, and the financial administrators are sitting opposite unable to deal with the situation. Is there any greater evidence of incapacity to transact public business than that very circumstance itself? The idea of our being asked to vote away millions of dollars for railways, when the unpaid servants of this Government, unpaid creditors, joiners, workmen, clerks and so on, are waiting for money with which to pay their necessary obligations. Sir, what sort of financial conduct do you call that?

Mr. McDUGALL (Cape Breton). Talk less and we will get through sooner.

Mr. MULOCK. Well, if we are powerless to prevent it, at all events, we can protest. I am not the keeper of the hon. gentleman's conscience. He may rejoice in this method of doing business, it may be entirely satisfactory to him. I am expressing my opinion, and, I believe, the opinions of a very large portion of the community. Sir, the recklessness with which the rights of the people are being dealt with, the recklessness with which our finances are being handled, the recklessness with which our credit is being dealt with, the recklessness with which the possibilities of this country are being disregarded, convince me that the interests of the country are entirely subsidiary to the

interest of the men who are on the Treasury benches.

Mr. McMULLEN. I concur in the views expressed by the hon. member for North York (Mr. Mulock) with regard to the objects and aims of the Government in bringing up these resolutions and forcing them through an almost empty House. Now, they are setting on foot here about forty railway schemes, with regard to which there is not one tittle of evidence that a financial basis is already laid with the view of carrying out these schemes. Many of them are new, just recently formed under a charter, or the renewal of an old charter. The Government are virtually offering bonuses to some particular corporation that will control the charter for three or four years, and peddle it around with the hope of being able to make money out of it. It is a most debasing and demoralizing scheme from beginning to end. It is a very great pity that the Tory party are driven to such extremes that they are compelled to carry on a corrupting system of this kind, by offering to build with the people's money, or to subsidize, roads through sections of country where they think they may possibly secure some political interest in their favour. It is done for that purpose. Before the last three elections we always had these subsidies brought down, new schemes set on foot, members sent home with the announcement to their constituents that they have got a grant towards the construction of a road through some portion of the constituency that they represent, and they will, no doubt, say that if the Government is only sustained the probabilities are that that road will be built, and if they are not sustained, of course they cannot hope to get any aid. These will be the arguments used. Now, I sincerely deplore the condition to which political morality has dropped, as exhibited by hon. gentlemen opposite. Any scheme, any movement, any sacrifice of money that will possibly contribute to their retaining their positions on the Treasury benches, is resorted to unblushingly and without the least hesitation. In the face of a falling revenue, in the face of the enormous amount of indebtedness of this country, in face of the fact that we are sending across the Atlantic about \$10,250,000 a year to pay the interest on borrowed money, in face of the fact that the people of this country are now taxed to an extent beyond that of any other portion of this continent—because there is no other portion of this continent to-day whose people are paying a heavier taxation than the people of this Dominion at the present moment—in face of all these facts we are asked to-day still to increase our responsibilities, to add to the burdens of our people, to offer financial aid to fly-kite schemes for the purpose of helping the Government in the approaching election; and if the Government can by these means secure a renewal of the confidence of the people, they are prepared

Mr. MULOCK

to make the sacrifice. Well, Sir, this is a clear evidence of the kind of political morality that exists in Canada to-day. It is to be hoped that the end of this system is drawing near. It is to be hoped that the people of Canada will see through these schemes, will see through the object of the Government in bringing forward measures of this kind at the close of the session; and it is to be hoped that although it is late in the day, although the country is heavily burdened with debt, although the annual expenditure has now reached an enormous sum—that even at the eleventh hour the country will get relief from this abominable truckling, and, I may say, the political rascality that is exhibited in this whole scheme.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

For 90 miles of the railway from Newport or Windsor to Truro or to a point between Truro and Stewiacke, and from a point on said railway to a point at or near Eastville, and from Eastville through the valley of the Musquodoboit River towards a point on the proposed Dartmouth branch of the Intercolonial, a subsidy not exceeding \$3,200 per mile, in lieu of the subsidies granted by the Act 55-56 Victoria, chapter 5, and also for a railway bridge over the Shubenacadie River on the line of the said railway, a subsidy of 15 per cent on the value of the structure, nor exceeding in the whole \$300,000.

Sir RICHARD CARTWRIGHT. This is a very important branch. I trust the Minister will give a full explanation.

Mr. HAGGART. The object of constructing one section, about fifty miles in length, is to secure a short line from western Nova Scotia to eastern Nova Scotia, and from the western portion of the Dominion by the construction of a direct line from Windsor to Truro. At present the distance is eighty-four miles. The object of building the other section is to reach coal deposits near the Intercolonial Railway.

Sir RICHARD CARTWRIGHT. Is this a going railway or is it simply projected?

Mr. HAGGART. It is in contemplation.

Mr. MILLS (Bothwell). Why is there so much indefiniteness? The resolution reads Newport or Windsor, and also Truro or Stewiacke.

Sir CHARLES HIBBERT TUPPER. These places are close together, and it is in order to allow a little latitude in the location of the line. Newport is very near Windsor, and Brookfield very near Truro.

Sir JOHN THOMPSON. Newport is within five miles of Windsor, which is the terminus of the Windsor branch. The only question is the desirability of giving the company some alternative route and points.

Mr. LAURIER. Is there a company organized?

Sir CHARLES HIBBERT TUPPER. Yes, and part of the road surveyed.

Mr. McMULLEN. How often has this subsidy been revoked?

Sir CHARLES HIBBERT TUPPER. In 1886, in 1890 and also in 1892.

Mr. MULOCK. Are these exactly the same conditions as were attached to the former subsidies?

Sir CHARLES HIBBERT TUPPER. The same as to amount, but the location is different.

Mr. LAURIER. To whom is the subsidy to be paid?

Sir CHARLES HIBBERT TUPPER. To the company who will build the road.

Mr. LAURIER. What company is that?

Sir CHARLES HIBBERT TUPPER. The grant is to any company.

Mr. LAURIER. Then the Government have not decided what company shall receive the subsidy?

Sir CHARLES HIBBERT TUPPER. There was a company organized and a contract was entered into. But the contract has terminated and a subsidy has not been earned. The people in the county of Hants, Colchester and Halifax are most anxious that this line should be constructed, if not by the old company, by an amalgamation. There were two companies organized, Hants Central and Stewiacke and Lansdowne. The latter company had the contract, but it never earned any subsidy.

Sir RICHARD CARTWRIGHT. I suppose the companies have died from old age; but they seem to have left heirs. Is there any organized company in existence to carry out this work?

Sir CHARLES HIBBERT TUPPER. No, there is an amalgamation of the various interests, but they have not yet placed themselves in a position to make a contract.

Sir RICHARD CARTWRIGHT. Really this cannot be one of those questions of urgency of which the Minister of Railways has been descanting.

Sir CHARLES HIBBERT TUPPER. The construction of the road will be proceeded with as soon as this money is available.

Mr. LAURIER. By which company?

Sir CHARLES HIBBERT TUPPER. By the amalgamated company.

Sir RICHARD CARTWRIGHT. A company which at present does not exist will then come to light. This case has a close resemblance to a certain short cut railway of which we heard many years ago. Is there

not some railway communication at or near the points mentioned ?

Sir CHARLES HIBBERT TUPPER. There is a distance of ninety miles from Newport to Brookfield.

Sir RICHARD CARTWRIGHT. Is there any railway communication ?

Mr. HAGGART. There is no railway in that section.

Sir JOHN THOMPSON. Of course there are railways between the two points named.

Sir RICHARD CARTWRIGHT. I hope this case will not be like a case a few years ago, when we were promised a saving of forty-five miles and found the saving was only six.

Sir JOHN THOMPSON. This is to connect Windsor, which is the terminus of the Windsor branch, with Truro, and the road will not be parallel to any existing lines.

Mr. McMULLEN. Is there any communication between the two points named ?

Sir JOHN THOMPSON. Yes, by going around by two railways you can reach the terminal point named, but the intervening country is not served by any railway.

Sir CHARLES HIBBERT TUPPER. I desire to correct my statement as regards a distance of ninety miles. The distance by the present route is eighty-four miles, running down the Windsor and Annapolis to Windsor and up to Brookfield. The distance between Newport and Brookfield is across the country not served by railway facilities and is fifty odd miles.

Mr. MILLS (Bothwell). Then the hon. gentleman is asking \$140,000 more than is required for the subsidy ?

Sir CHARLES HIBBERT TUPPER. The additional miles are required for extension purposes.

Mr. MILLS (Bothwell). Really \$160,000 are required, and not \$300,000.

Sir CHARLES HIBBERT TUPPER. Then there is a bridge. That fifty-four miles takes you to this point on the Intercolonial Railway, and then you go through the iron fields to Eastville, about thirty miles.

Mr. McMULLEN. I cannot understand the idea of subsidizing a road ten or fifteen miles each side of the existing line. If you were subsidizing a road through a district of country which was not served with railway communication, there might be some reasonable excuse.

Sir CHARLES HIBBERT TUPPER. The Railway Report of 1893 shows the districts that will be served by this line: the Ste-wiacke Valley, affording communication with

Sir RICHARD CARTWRIGHT.

the Iron Mines, Spring Side, Upper Stewiacke and Musquodoboit settlements. That country is not served now by the Intercolonial Railway.

To the Nipissing and James Bay Railway Company, for 25 miles of their railway, from at or near North Bay Station on the Canadian Pacific Railway, towards James Bay, in lieu of the subsidy granted by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile; also for 43 miles of their railway from North Bay towards Lake Tamagamang, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$217,000.

Mr. HAGGART. This road runs from North Bay to Lake Temagamang. It passes through, I think, the best portions of the pine country that is at the disposal of the Ontario Government. It is a line that is very much wanted in the interests of developing the great lumber district in that country.

Mr. McMULLEN. Who are the men that hold this charter ?

Mr. HAGGART. Mr. McMurrich, of Toronto is president. I believe there is no doubt about the road being built.

Mr. McMULLEN. What is the subscribed capital ?

Mr. HAGGART. I do not know. There was a subsidy granted last year for twenty-five miles of that road, and they said it was impossible to negotiate that twenty-five miles without having a subsidy for the whole sixty-eight miles. I think there is no doubt whatever it is the intention of the company to see that road completed.

Mr. McMULLEN. Can the hon. gentleman say whether there is an agricultural district there or whether it is entirely a timber country ?

Mr. HAGGART. I think it is, to a great extent, the greatest timber country in Ontario.

Mr. McMULLEN. Who is the lumber held by ?

Mr. HAGGART. The entire section is held by the Ontario Government at present. It has not been surveyed.

To the Drummond County Railway Company, for 30 miles of their railway, from St. Leonard northerly towards a junction with the Intercolonial Railway at Chaudière Junction, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Mr. McMULLEN. What is the position of this company ?

Mr. HAGGART. The Drummond County Railway is constructed from Ste. Rosalie station on the Grand Trunk Railway, near St. Hyacinthe, through Drummondville and St. Leonard, forty-six miles. It is now proposed to subsidize a further portion of thirty miles from St. Leon-

ard to the Chaudière junction on the Intercolonial Railway. When this road is completed it will form another and an easier route on the Intercolonial from Montreal, as the grades are lighter than those on the Grand Trunk Railway.

To the Strathroy and Western Counties Railway Company, for 25 miles, of their railway, from St. Thomas through the counties of Elgin and Middlesex, towards Forest Station or Park Hill on the Grand Trunk Railway, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$80,000.

Mr. McMULLEN. Is this a new line ?

Mr. HAGGART. This is a new line.

Mr. McMULLEN. Has it been surveyed ?

Mr. HAGGART. I cannot tell. The intention of the first twenty-five-mile section is to connect the Canada Southern Railway and Grand Trunk Railway air line with the main line of the Grand Trunk Railway and Canadian Pacific Railway.

Mr. McMULLEN. Does it cross any lines in its route ?

Mr. HAGGART. I think it crosses three lines.

Mr. McMULLEN. Then here is a road only twenty-five miles long, which crosses three existing lines of railway, being subsidized to run in opposition to existing lines.

Mr. MILLS (Bothwell). This road crosses the St. Clair branch of the Canada Southern, the Air Line of the Grand Trunk between Glencoe and St. Thomas, and the Grand Trunk main line from London to Sarnia.

Mr. ROOME. It only crosses the main lines of the Grand Trunk and the Canadian Pacific Railway.

Mr. McMULLEN. This scheme is on a par with the one we were speaking of the other day, of subsidizing the line from St. Catharines to Hamilton. We are subsidizing lines to duplicate existing lines. When we get through granting bonuses of this kind, any man who thinks he is under the heel of a monopoly will come and ask for a bonus in order to get competition ; and how hon. gentlemen opposite will refuse to grant such aid, I do not know.

To the Parry Sound Colonization Railway Company, for 20 miles of their railway, from Parry Sound, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

Mr. McMULLEN. Where does this line run from ?

Mr. HAGGART. From Parry Sound to Ottawa.

Mr. McMULLEN. This is for a portion of the road running from Parry Sound this way ?

Mr. HAGGART. Part of it is to complete the section to Parry Sound, and the other

part is for about ten miles of the eastern section, which is amalgamated with the Ottawa, Arnprior and Parry Sound Railway.

Mr. McMULLEN. What portion of the subsidy is on each ?

Mr. HAGGART. I believe about exactly half goes to each. On the western end, it takes the line from Elmsdale to Parry Sound.

To the United Counties Railway Company, for 32 miles of their line from Iberville to Sorel, a subsidy not exceeding \$3,200 per mile, and not exceeding in all \$102,400.

Mr. DUPONT. (Translation.) I have already, at a previous session, given expression to my views concerning the opportunity of subsidizing the United Counties Railway. I have not changed my opinion since. I still believe that this railway line is not entitled, by its merits and its importance, to the favours granted by the Government to important roads. In my opinion, it would have been more conducive to the general advantage and interest of the public, to build a railway line through the Richelieu valley, accommodating localities which will not, for a long time to come, be served by railway facilities ; whereas the actual line runs through several parishes which are within accessible distance of railway stations. Along the Richelieu River are situated several parishes, as St. Marc, St. Charles, St. Antoine, St. Denis, St. Roch and St. Ours, which are numbered among the earliest Canadian settlements. Since the policy of granting subsidies towards the construction of railways has been inaugurated, these parishes have largely assisted in establishing means of transportation favourable to trade in general, and have received nothing in return. It is a matter of surprise to me that the Government should not yet have seen their way to assist this enterprise. I think it would have been preferable for the Government to have given assistance to the promoters of a company willing to build a road running through the Richelieu valley, rather than voting away money to subsidize a line running a region which is already crossed by a whole system of railways. I trust that should the Government and the Minister of Railways think it fit to grant bonuses to another company, in addition to those granted to the United Counties Railway Company, they will subsidize, at the earliest opportunity, a line running through the valley of the River Richelieu, and affording better railway facilities and accommodation to the parishes just mentioned.

Mr. BECHARD. (Translation.) I cannot help expressing my surprise at the position taken by the hon. member for Bagot (Mr. Dupont), in connection with the subsidy granted to the United Counties Railway Company. The hon. member stated that such parishes as are situated along the River Richelieu, as St. Ours, St. Denis and St. Charles, had a better claim to the estab-

ishment of a railway line than the parishes through which runs the United Counties Railway. Surely, Mr. Chairman, there is nothing to prevent a company being organized for the purpose of building a railway along the Richelieu River, should it be needed; but this is no reason why the United Counties Railway should not be looked upon as an eminently useful scheme. I speak knowingly, after having travelled over the road, which is partly in operation, since last fall; and I may say, that it is well built, in good repair, and that there is already a considerable traffic done, although the road is operated only from Iberville to St. Hyacinthe. This, as is well known, is only a portion of the road, which is going to be extended from St. Hyacinthe through the parishes of St. Jude, St. Barnabé and St. Aimé, as far as Sorel; from Sorel to Iberville, it will run through the parishes just mentioned, and extend further through the parishes of St. Hyacinthe and St. Damase, thus passing through the counties of St. Hyacinthe, Rouville and Iberville. It will thus be seen that this line is a very important one. This road connects with the Canadian Pacific Railway at Iberville, and, further up, with the Vermont Central Railway, thus affording direct connection with the United States. This line shall make connection with the Canada Atlantic Railway at Lacolle, thus securing direct railway communication with Ottawa. It will also make connection with the Maine and Boston line at Highgate Centre, in the State of Vermont. It will thus be seen that the road will, later on, assume a great importance. I hope my hon. friend the member for Bagot will not press his objection to this subsidy. As I have just stated, and I speak with a thorough knowledge of the matter, the road passes through my county, and runs through parishes which hitherto had not been served by any railway facilities. It is true that hitherto there were two lines of railway, running within half a mile of each other, at one end of the parish where I live, and which could accommodate but a small portion of the population; but, to-day, if we take into consideration the fact that there are thirty miles of road built and there is already a large freight traffic, we must come to the conclusion that before long there will be a considerable traffic on that line. The traffic will be much larger once the several counties will have been served with railway communication.

Mr. DUPONT. (Translation.) It strikes me, Mr. Chairman, that the remarks just fallen from the hon. member for Iberville (Mr. Béchard) come in support of the views I have expressed. He has just told us that the parishes through which the United Counties Railway pass are already run by two other lines, half a mile distant from each other. Therefore, we have the evidence of the hon. gentleman himself that those parishes are actually served by two railways.

Mr. BECHARD

But he wants to have another line that will pass in front of his house. I have not the least objection to that; for I am not opposed to the hon. member's parish being served by the best railway facilities. I, therefore, allow that contention of his to pass unchallenged. But, Mr. Chairman, I call your attention to the fact that the hon. gentleman has allowed that these parishes were well served by railway facilities. Therefore, the inhabitants of that region cannot complain on any just ground. Should the hon. member succeed in building another line in addition to the duplicate line already existing, I shall be the first to congratulate him. Still, I think it would only have been fair for the Government to have first considered the needs of those localities which are deprived of all railway accommodation, and which are not within accessible distance of those railway facilities, such as the parishes situated in the counties of Vercheres, Iberville and Richelieu. The claims of these parishes should have been first attended to by the Government, prior to the applications of localities already served by sufficient railway facilities.

To the Railway Company from Joliette to St. Jean de Matha, for 12 miles of their railway from St. Jean de Matha to Ste. Emélie de l'Énergie, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$38,400.

Mr. BEAUSOLEIL. (Translation.) Mr. Chairman, it is a matter of regret to me that the Government should have come to the conclusion of renewing the subsidy granted four or five years ago to the railway company from Joliette to St. Jean de Matha, on the following ground: This company was incorporated under an Act of the Quebec Legislature; it was subsidized by both Federal and Local Legislatures, and although the charter was granted several years ago, not an inch of work has been done, not a cent has been disbursed for the building of this railway. The charter, as also the subsidies granted, have actually lapsed. When the citizens of the parish of Ste. Emélie sent a petition to Parliament applying for an Act of incorporation, we had to face an opposition so unwarranted that when they had to draft a report for submission to the House, not one single plausible reason could be found. The position is this: there actually exists a railway extending from Montreal to St. Gabriel of Brandon, which is operated by the Canadian Pacific Railway. The morning and evening trains run regularly. The distance between St. Gabriel of Brandon and Ste. Emélie is twelve miles. The line has been surveyed, the cost estimated, and it was ascertained that the road could have been built for half the sum that will be expended for the projected line between St. Jean de Matha and St. Felix de Valois, should it ever be constructed. I may further state that the Canadian Pacific Company have been interviewed within the last

two years by the promoters of this road, who have first insisted upon the Canadian Pacific Railway undertaking to build the road on condition that the Government subsidies should be transferred to them. The Canadian Pacific Company declined the offer. They were then asked whether, in case the road should be built, they would agree to operate it. The company's reply was in the negative, on the ground that the distance between St. Felix and St. Jean de Matha, being only 8 miles, is too inconsiderable a distance to allow of a permanent service being established over that distance, as the working expenses would be out of all proportion to the receipts. And it is in the face of such facts as stated, that the Government grants a renewal of subsidy to a road which was doomed and whose fate was sealed; and this in order to thwart and to hamper an important scheme, and prevent the construction of a road which is quite feasible. Therefore, I enter my protest against the grant of this subsidy. I will not ask the House to divide on that point; but I record my protest against the granting of this subsidy, on the ground that it is unjustifiable, because unavailable.

Mr. LIPPE. (Translation.) This railway scheme is, beyond doubt, a very important one. The object of this road is to give railway facilities to a territory fit for colonization, which, when opened up, will afford space for the settlement of forty or fifty thriving parishes. The object of the company is to open up this territory to colonization, and I think they are entitled, on that ground, to a generous assistance from the Government. The company have already been subsidized by this Government, and they have made a considerable outlay. They have had surveys of the road made, and acquired the necessary land; and now obstacles are being thrown in their way to thwart their enterprise and kill the scheme. This subsidy is granted for the extension of the road to Ste. Emélie, and in order to further the interests of the parishes mentioned in the Bill, which the Rev. Mr. Laporte asked this House to pass this year. The object they have in view is to prevent the road passing through St. Jean de Matha, and being extended to the parish of Ste. Emélie, and to accommodate the parishes of Ste. Beatrix, St. Alphonse, St. Come, St. Zenon and St. Damien, while if the views of the hon. member for Berthier were to prevail, the only parishes that would be served by this railway scheme would be Ste. Emélie and St. Damien. It was stated that the charter of the company had lapsed, but such is not the case, for the act of incorporation only enacts that a certain number of gentlemen are incorporated under the name of the Joliette and St. Jean de Matha Railway Company, and it does not provide that the charter shall lapse, on certain conditions taking place. The powers of the company only are curtailed and the Govern-

ment subsidies have lapsed. The company, it is true, have not yet graded their road; but they have had surveys and location plans made. They have located their line from St. Philippe de Valois to Ste. Emélie. They have a large quantity of ties on the spot. Further, they have bought a portion of the necessary ground, and they are ready to start their operations. They have also made arrangements with a company, who have visited the premises and taken a survey of the territory up to the Mattawin and the neighbouring parishes. This company have come to the conclusion that this road is a necessity, and in the general interest of that portion of the country. Therefore, I fail to see any reason why this House should vote down a subsidy which the Government have decided to grant in the public interest, and more so in the interest of the localities which this road will serve.

Mr. BEAUSOLEIL. (Translation.) The hon. member for Joliette (Mr. Lippé) is of opinion that the charter of the railway company from Joliette to St. Jean de Matha has not lapsed. The hon. member should bear in mind that it has been proved in evidence, before the Committee on Railways, during the present session, that this charter no longer existed, as the hon. member himself agreed to. I shall further call his attention to the fact that at the last session of the Quebec Legislature, the subsidies granted to a certain number of railway companies have been cancelled, and that the Joliette and St. Jean de Matha Company is one of those which have lost their bonus. I am aware that the Government may revive or renew this grant, but even then the promoters will have to wait till the next session of the Legislature. This scheme has been found impracticable by the authorities of the Canadian Pacific Railway, to whom the promoters have applied, as just stated, and who declined to have anything to do with the projected enterprise. The object of the company was to prevent the building of a railway running from St. Gabriel of Brandon, and which would serve the parishes of St. Damien, Ste. Emélie, St. Zénon and St. Michel des Saints. It is the only practicable line and one that could be easily built, and at a small cost. It is the only road which could be operated by means of the train going to St. Gabriel. The road promoted by the Rev. Mr. Laporte would run entirely through the county of Berthier, and would strike the county of Joliette only at Ste. Emélie. I make the statement before the House, with a full knowledge of the facts, that the road which is now subsidized, is not going to be built; and I say it will prevent another railway being built in another direction in the near future, either by the Canadian Pacific Company or by any other parties who might have taken hold of the enterprise. As to the subsidy having lapsed, I hold the proof of it in the Statute of the province of Quebec, passed at the last ses-

sion. Statute 57 Vic., ch. 5, schedule A, reads as follows:—

A list of the railway companies whose subsidies have become or are considered as lapsed up to the 1st of November, 1893, according to the tables A and B annexed to the general report of the Commissioner of the provincial crown lands for 1893.

Among the railways mentioned is found that of Joliette and St. Jean de Matha, \$27,400.

Mr. JEANNOTTE. (Translation.) As I take the import of the Statute, the subsidies are lapsed, and not the charter.

Mr. BEAUSOLEIL. (Translation.) Both subsidies and charter are cancelled, because the company did not start the works within the prescribed delay. I may appeal on this point to the recollections of the hon. Minister of Railways. The charter has lapsed, and the Government, taking into consideration the fact of the charter having lapsed, and of the impossibility of the road being built under such conditions, they have, at the same time, declared that the company had forfeited the subsidy granted to them. And now they are trying to galvanize a corpse, and to kill a scheme that was able to live, and would have opened to colonization a vast territory and afforded railway communication to the parishes of St. Damien, Ste. Emélie, St. Zenon, and St. Michel, which are already thickly settled.

For a railway from Port Hawkesbury towards Cheticamp, 25 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$80,000.

Mr. LAURIER. This requires some explanation.

Mr. HAGGART. This road is intended to extend from Port Hawkesbury, northerly along the Gulf of Canso to Cheticamp. The distance is twenty-five miles. It passes through Inverness and Cape Breton, and the whole distance is ninety miles.

Mr. LAURIER. Who are the promoters?

Sir JOHN THOMPSON. There was a company formed some four or five years ago, which went into operations and graded part of the road. The municipality gave them a subsidy conditionally, which has not been realized. This House gave the Inverness and Richmond Railway Company a subsidy in consideration of the fact that the municipality had given them aid. That was in the session of 1886 or 1887.

For a line of railway from the junction of the Elk and Kootenay River to Coal Creek, a distance of 34 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$108,800.

Sir RICHARD CARTWRIGHT. This line, I suppose, is somewhere up in the vicinity of the Rocky Mountains. Indeed, the whole policy connected with it requires some explanation. If we are going to give every inch of the North-west, that chooses to

Mr. BEAUSOLEIL.

clamour for railway accommodation, subsidies, the Minister of Finance had better be prepared for a very large increase of taxation at a very early date. I cannot conceive anything more mischievous than the policy of subsidizing little railways in connection with the Canadian Pacific Railway, in regions of country where the population is something at the rate of two to the square league.

Mr. HAGGART. This is perhaps the most important railway grant we are giving this year. It is for the purpose of building a line of railway from what are known to be the most valuable deposits of coal in British Columbia, and will afford means of transportation from the coal mines to the junction of the Elk and Kootenay River, where they will strike a navigable stream and be able to get access to the United States and to the town of Nelson. It starts from Lethbridge on the line of the Canadian Pacific Railway. Hon. gentlemen are aware that the company has taken over the Galt road, and has taken up the narrow gauge track and put down a broad gauge track from Dunmore to Lethbridge. Their intention is to build through the Crow's Nest Pass, and eventually connect with the mining districts of that section of country. In that section the people are clamouring for the development of the coal mines, and a number of parties have joined in the request that if the Canadian Pacific Railway do not build their line they may be authorized and assisted to build a line of their own, in order to develop this coal-mining region, which those who have seen it say contains the most wonderful deposits of coal, perhaps, in the world.

Sir RICHARD CARTWRIGHT. For whose benefit is this to be developed?

Mr. HAGGART. This is a road asked for by the British Columbia Government, toward which they have granted a large subsidy. Whether that particular company will build the line, or some other company, I am not prepared to say at present. But the British Columbia Government have granted a very large land subsidy to the company for the purpose of developing that particular section.

Sir RICHARD CARTWRIGHT. But we do not own a scrap of this coal. Let the people who own it develop it. Why should we be called upon to tax the ratepayers of Canada \$108,000 for the development of some valuable coal mine, whether it belongs to the British Columbia Government or to private individuals? What justification is there for helping on our overburdened people all these expenditures for enterprises of the merits of which we know nothing at all, and which, if they be one-quarter as valuable or one-tenth as valuable as they have been represented to be by the hon. gentleman, ought to be able to pay their own way. I object to the whole system for the matter of that, but particularly it seems to

me that going into the wilderness in this fashion, on the vague statement that there are valuable coal mines, in which, even though they are as valuable as they are represented, the people of Canada have no interest, is something worse than throwing away our money. Who are the parties who own this coal?

Mr. HAGGART. A portion of it was granted to the railway company for building the railway. Some gentlemen in Montreal and some in British Columbia, I believe, are interested in the company.

Mr. McMULLEN. Who is the president of this company?

Mr. HAGGART. I think Col. Baker, one of the members of the Local Government, has the charter.

Sir RICHARD CARTWRIGHT. Can the hon. gentleman say who are the members of the corporation?

Mr. MARA. I will get the statute giving the names.

Mr. CHARLTON. I would remind the Government that we are giving away something that we cannot take back, the public lands of this Dominion.

Mr. HAGGART. This is worse—it is money.

Mr. CHARLTON. And money—for the development of coal property belonging to the company. We have a very liberal way of promoting private interests at public expense, and this notwithstanding that we have a deficit this year, a debt of \$240,000,000, an expenditure twice per head that of the United States, recklessness, waste and extravagance on every hand. In spite of all, this Government continue their gifts, largesses and benefits to private interests.

Mr. FOSTER. Your countenance is not half as severe as your words.

Sir RICHARD CARTWRIGHT. I have always felt it an outrageous thing to charge to capital account these expenditures for which we have not one copper of value to show. If you are going to make these grants and benevolences at least you should charge them to annual expenditure.

Mr. HAGGART. So we do, I think.

Sir RICHARD CARTWRIGHT. No; they are charged to capital account. We have had deficit after deficit concealed by the fact that we have most improperly placed to capital account items like this which should be paid out of revenue.

Mr. FOSTER. These are paid out of consolidated fund.

Sir RICHARD CARTWRIGHT. Not a cent of these expenditures is charged to annual expenditure. We part with our money and we have not a copper's worth of value or interests in any one of these enterprises

to show; they are not in the sense generally understood charged to consolidated fund, but they are charged to capital account. This will be seen at the commencement of these Public Accounts of ours. Last year we have charged an expenditure to capital account for various railways, \$811,384. The only possible check we can have now that we have entered upon this most debauching and pernicious system will be to charge these items to the ordinary annual expenditure. If they are so charged, the hon. gentleman's deficit next year, instead of being a million and a half or two millions, would be honestly stated at three or four millions. Apart from that, I want to know where this is going to stop. We have a territory four thousand miles across. If we are going from one end of it to the other bonusing and benefiting every person who chances to land upon a good coal mine, or nickel, or silver, or iron mine, where in the name of all that is wonderful does the hon. gentleman expect to pull up? There is not one of these grants but will be a precedent upon which a score of others will be demanded, and I am bound to say that if you grant one individual or corporation this benefit, others have as much—or as little—right to get a grant from the public resources as these people. I should not be surprised to find, after all said and done, that the different proprietors of these coal mines are among our enterprising neighbours on the other side.

Mr. MARA. No.

Sir RICHARD CARTWRIGHT. Does the hon. gentleman know who they are?

Mr. MARA. I have sent for the statute which gives the names of the incorporators of the company. The coal lands are owned by some Montreal people, I believe Messrs. Hanson Bros., Mr. Greenshields and Mr. Gault. In Victoria there are Mr. Pemberton and Col. Baker, and a number of others whose names I have forgotten for the moment. The coal lands are held altogether by British subjects. As the Minister of Railways has said, the mines there are believed to be not only valuable, but the largest seams or veins of coal discovered on the continent. The hon. gentleman asks what good this will do the tax-payers of Canada. I can tell him that it will afford a large market for the farmers of the North-west. It will also afford a large market to the manufacturers and others in the eastern provinces. In British Columbia at the present time a large interprovincial trade is done with the other portions of the Dominion, and I think that the manufacturers and wholesale merchants of Montreal will tell the hon. gentleman that they have no better customers than those in British Columbia. If you inquire at the banks you will find that in no province of the Dominion is paper taken up with greater regularity on the 4th of every month, than in the province of British Columbia.

Mr. CHARLTON. Is there bituminous coal?

Mr. MARA. We have bituminous, anthracite and cannel coal. There appears to be an extraordinary quantity of coal deposits in those mountains. Any hon. member who has read Professor Selwyn's report of two or three years ago, will have seen that. There is one vein—I am almost afraid to give the width of it—of over forty feet.

Mr. CHARLTON. Has there been any test as to its corresponding quality with the Scranton coal?

Mr. MARA. Yes; tests have been made in the laboratory here. All this information is in the blue-books.

Sir RICHARD CARTWRIGHT. I am very glad to hear that valuable coal deposits have been discovered. But the more valuable they are, in all conscience, the less need there should be for our taxing the people at large. The practical result of all this is that these gentlemen whom the hon. gentleman has just named, these capitalists, as I believe some of them are, not content with having got, and probably got very cheaply, an extremely valuable deposit, must needs come to the Parliament of Canada and demand that the ratepayers be obliged to contribute \$108,000 for the purpose of making their individual fortunes. Now, we know perfectly well that large amounts of money have been realized on the Pacific coast by the fortunate proprietors of valuable coal mines there. We do not grudge them what is due to enterprise and energy, but what I do object to is taking public money for the purpose of assisting persons who are absolutely able, if they control a mine one-tenth part as valuable as we are given to understand this is, to raise all the money that is required for the purpose of exploiting it. That is what I complain of, and to that no answer has been made. The more valuable these things are, the more solid and substantial value there is in them, the less reason and the less justice is there in their coming to us for assistance to develop them. Now, as was the case in Nova Scotia, and as ought to be the case all over the Dominion, if the Government were to impose a reasonable tax or royalty on these natural products which ought to belong to the whole community, and not to this or that individual, I could understand the propriety of the Minister coming down to us and saying, we are going to develop a great coal mine out of which a considerable sum will return to the community at large. The fact, however, is that a number of wealthy men have got hold of an extremely valuable mine which may be worth many millions, which, judging from what has occurred on the Pacific coast, very likely is worth many millions; and, not content with having obtained that mine, in all probability for about one-hundredth part of its value, they must come

Mr. MARA.

and demand \$100,000 from the community at large to make their rich prize a little richer.

Mr. FOSTER. Just before the debate closes I wish to correct an error of my hon. friend who states that these are chargeable to capital. They are not chargeable to capital, and have never been so treated in our accounts. If the hon. gentleman will turn to the Public Accounts on the first page he will find capital expenditures of about \$3,079,000, consisting of railways, canals, public works, and Dominion lands. If he will turn again to page 27 of the Public Accounts, he will find payments for different works under capital, and in these railway subsidies are not included. If he will turn again to page 57 of Public Accounts in which the summary is made of the expenditure chargeable to capital, he will find that railway subsidies are not included. They have always been paid out of the surplus of the Consolidated Fund.

Sir RICHARD CARTWRIGHT. Exactly, out of a sum which ought to have gone to reduce our capital debt. They are just as much a charge against the capital.

Mr. FOSTER. If we collect \$38,000,000 and only spend \$7,000,000 of it, you might say that all the rest will have to be taken out of capital, but that is a different thing to saying that we charge this to capital and borrow for it each year.

Sir RICHARD CARTWRIGHT. Not at all. Every penny which is paid for these railways is so much deducted from the sum which would be available to go in reduction of our capital expenditure.

Mr. FOSTER. Equally so with immigration.

Sir RICHARD CARTWRIGHT. It is a charge against capital in the strictest sense of the term. Now, if the hon. gentleman were in a position to do it, I would willingly make a bargain with him. I would be quite content to let all these go on condition that they be paid out of the surplus of 1894-95, for 1895-96.

Mr. FOSTER. I will tell you what I will do. I will agree that not one cent shall be paid for these subsidies when the amount that is paid, taking into account also the amounts that have been paid for subsidies heretofore under the Subsidy Acts we have passed, is greater than the total amount of the surplus which we have had in these years.

Mr. MILLS (Bothwell). Will the hon. gentleman say whether, in the report of the annual expenditure in the years in which these subsidies were paid, this was included as a part of the expenditure of the year, and counted, or whether it was excluded from the hon. gentleman's statement of the expenses for the year?

Sir RICHARD CARTWRIGHT. The hon. gentleman claimed a surplus of \$1,300,000. He made no allowance for the \$811,000 he had expended in railways, and he is going to deduct this out of the surplus.

Mr. McMULLEN. It is not much matter against what account this is to be charged; but there is one thing clear, and that is that the money comes out of the pockets of the people. The people earn this money, it is a tax against them, and how you may put it in your books is another matter. But the hon. gentleman seemed to think that thimble-rigging with the books will relieve the tax-payers. All the same, it comes out of the people's pockets.

Mr. MULLOCK. The hon. gentleman has not charged it to either, according to his method of counting. It is neither in the expenditure of the year nor charged against capital.

Mr. FOSTER. It was an account by itself.

Mr. McMULLEN. There is no more valuable property in the western portion of this Dominion than coal mines. They are going to be a source of enormous wealth to the owners of them. Now, here is a coal mine not far from the American border that will be an enormous mine of wealth to those who control it, and I think they should be left to develop it alone, at their own expense, in place of asking the tax-payers of this country to give them \$108,000 to assist them in developing what is in itself an enormous mine of wealth. What particular advantages are the farming community going to receive from the development of these coal mines? The hon. gentleman who spoke a moment ago, told us that the manufacturers were going to be benefited, that the wholesale merchants of Toronto and Montreal were going to get certain benefits. The manufacturers are always looked after, they are the coddled children of hon. gentlemen opposite. They look after their interests, but there is not one word about the interests of the great mass of the tax-payers of this country. We have this system of endless bonusing of anything and everything, which is a result of the blind following of the late Sir John A. Macdonald, on the part of the Tory party in the province of Ontario. Under the leadership of the late Sir John Macdonald and the present High Commissioner members of this House were persuaded that the granting of subsidies to different roads was all right. We remember the glowing picture presented of the advantages that would follow the construction of railways in Nova Scotia, and the Short Line, the St. Charles branch, the Oxford and New Glasgow line; when those right hon. gentlemen presented these schemes in eloquent terms, they were adopted by their followers, and hon. gentlemen opposite are evidently prepared to follow their example.

It is now proposed by the Government to build a branch line for the benefit of a great corporation, towards which it will pay nothing.

For a railway from Abbotsford Station on the Mission Branch of the Canadian Pacific Railway, to the town of Chilliwack, 21 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$67,200.

Sir RICHARD CARTWRIGHT. Will the hon. gentleman please explain this vote?

Mr. HAGGART. This line will run along the Fraser River, parallel to the Canadian Pacific Railway, through one of the best sections of agricultural land in British Columbia. There is no railway in that part of the country. The road will run to New Westminster and along the Fraser.

Sir RICHARD CARTWRIGHT. Considering what the Canadian Pacific Railway Company have already received from this country, we might be spared constructing branch roads to run in connection with it. In one case we have the plea put forward that coal lands will be tapped, in another case the plea is that the line will run through one of the best agricultural districts. Before this plea is concluded several millions will have been spent in further developing the railway system of the country. What is the population expected to be served by this line of twenty-one miles long?

Mr. MARA. I would reply to the hon. member for South Oxford (Sir Richard Cartwright) that the Canadian Pacific Railway have neither initiated nor advocated either this line or the last one. The promoters are British Columbians; they have pressed their claims on the British Columbia Government, and that Government has agreed to guarantee the interest on the bonds. The Provincial Government made strong representations to the Dominion Government to aid this particular line. This line will tap a rich agricultural district, a district that suffered severely by the late floods—I do not give that as an excuse for granting this subsidy—and one of the richest agricultural portions of the whole country. The settlers are some distance from the river, and during two or three months they are shut out from the outside world altogether, so far as marketing their farm produce is concerned. The settlement will number from 2,000 to 3,000 souls. They produce large crops, which are shipped to the coast, and only by this railway can they have all year round communication with the coast.

Mr. McMULLEN. During how many months of the year is the river closed?

Mr. MARA. During some years, six weeks, and other years three months. This statement applies to steamboat navigation; but the river, so far as canoe navigation is concerned, is closed only from one month to six weeks.

Mr. McMULLEN. Then this is a Bill directly in competition with the sailing craft on the Fraser, which river is not closed more than two months a year?

Mr. MARA. I did not say that. I said that the railway would run some distance from the river. As that part of the country has been overflowed to such an extent recently, hon. gentlemen can imagine the difficulty of building a road so that farmers may be able to haul their produce.

Mr. McMULLEN. The distance cannot be far from the river, because the territory is not very wide there—it is only twelve miles distant from New Westminster to Vancouver.

Mr. MARA. The hon. gentleman is altogether wrong in his geography. The road will run in an entirely different direction.

Mr. McMULLEN. Where?

Mr. MARA. In the valley of the Chilliwack, and between the river and the international boundary.

To the Nicola Valley Railway Company, for 28 miles of their railway, from the western end of the section of their road subsidized by the Act 55-56 Victoria, chapter 5, towards Nicola Lake, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$89,600.

Sir RICHARD CARTWRIGHT. Is this another road running through one of the best districts?

Mr. MARA. It is not on the Fraser, but in the interior, and in what is called the bunch grass country. It will run from Spence's Bridge, a point on the Canadian Pacific Railway, to the Nicola Valley. This also is a proposal advocated by the Government of British Columbia. That province has agreed to guarantee the bonds, at a rate, I think, of 4 per cent. The original Act was for \$24,000 a mile, but the Act was amended last year. This subsidy will not go to the promoters of the road, but is to be paid into the Treasury of British Columbia. The Provincial Government has already entered into an agreement with the Canadian Pacific Railway to operate the line for twenty-five years, paying over 40 per cent of the gross earnings, which will be hypothecated to the Government and form a sinking fund out of which the Provincial Government hope to recoup themselves. When the Canadian Pacific Railway Company is willing to enter into an agreement to lease a road for twenty-five years, this House may fairly consider that some business will be done there, and when the British Columbia Government is willing to enter into such an agreement whereby 40 per cent of the gross earnings will be set aside to recoup them, we may also conclude that the Government has confidence in the railway.

Mr. MULLOCK. If that is the bargain it should form one of the terms of contract.

Mr. MARA.

Mr. McMULLEN. Very important information has been given by the hon. member for Yale (Mr. Mara), to the effect that the interest on certain bonds had been guaranteed by the Provincial Government. There should be a clause in the contract providing that the subsidy is given subject to the British Columbia Government agreeing to guarantee the interest on the bonds.

Mr. DALY. That is a condition that is made by the British Columbia Government with the company.

Mr. McMULLEN. We have the right to put it in this grant.

Mr. DALY. Why is the hon. gentleman and his friends so persistent in their opposition to railway grants in British Columbia? British Columbia pays nearly \$1,250,000 a year into the treasury through customs duties, and is entitled to consideration at the hands of this House. Every single one of these railways is to develop portions of that country, the same as lines of railway through the other provinces. We would be doing an injustice to the people of British Columbia if we did not subsidize these lines of railway for the benefit of that country.

Sir RICHARD CARTWRIGHT. That would be all correct provided enormous sums of money had not been already spent in British Columbia.

Mr. DALY. British Columbia does not consist altogether of the mile-belt.

Sir RICHARD CARTWRIGHT. I know, but enormous burdens have been placed on the people of this country by these railway grants. I have no grudge against British Columbia or any other portion of this Dominion. My objection has been to this most mischievous system of aiding local roads. An unjust interpretation of the British North America Act brought us into the position of being entitled to give state aid to local roads. That is what I regard simply as an atrocious fraud on the plain meaning of the British North America Act. I do not object to any grants being made to British Columbia per se as British Columbia. I object just as much to a similar grant in Ontario and Quebec as I do in British Columbia. But there are special reasons, owing to the extreme sparseness of the population, which makes it objectionable and difficult and dangerous to go on granting in this country of enormous distances, subsidies of land and money to every little railway on the ground that it is advisable to assist a few hundred families here or a few hundred families there. Where you can show that a large number of people are benefited, bad as the system may be, there is some excuse for it. But when you inflict large burdens on the tax-payers for the benefit of a very small number of people, and when you remember that the older portions of Canada have substantially provided \$7,000,000 a year out of their resources

for the benefit of these outlying portions of the Dominion, surely we are justified in saying that it is time to call a halt.

Mr. MARA. Surely the hon. gentleman will admit that the danger is minimized when the Provincial Government is willing to guarantee the bonds, and when the Canadian Pacific Railway agrees to lease and operate the line and pay over to the company which is to hypothecate to the Provincial Government 40 per cent of its gross earnings.

Sir RICHARD CARTWRIGHT. There is no doubt that that is important information, and I am glad to get it.

Mr. McMULLEN. Has the Provincial Government entered into a covenant with the railway companies for this ?

Mr. MARA. Yes.

Mr. McMULLEN. Why is it not stated in the resolution ?

Mr. MARA. Because we have nothing in the world to do with it.

Mr. SEMPLE. There is no province receiving so much injustice as Ontario in this subsidy business. In looking over this list of subsidies, I find that they amount to \$4,662,360, and of this sum Ontario receives a very small portion. Two instances were pointed out where subsidies were granted that province to competing lines, and which were not needed, and Ontario has to pay fully half the amount of all the subsidies granted. This voting away of millions is done very quickly at present, but in the present state of the country there is good reason why the Government should cease making such large grants. In spite of our protest, the Government are determined to carry out this pernicious system, and so long as they occupy the Treasury benches it is in vain to ask them to cease voting such large sums of money to subsidize railways. So long as the present Government is in power they will increase the expenditure in the future as they have done in the past. The ratepayers in the country are continually burdened by them, and we can expect no relief until a change of Government takes place.

To the Nakusp and Slocan Railway Company, for 38 miles of their railway, from the town of Nakusp to a point at or near the Forks at the Carpenter Creek, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$121,600.

Mr. HAGGART. This is for the purpose of building a railway which is, I think, nearly built, between Arrow Lake and the celebrated mines in the Kootenay district at Slocan. It goes from Arrow Lake into the Slocan district, where these mines are situated. It is intended eventually to go down the Slocan River, and to connect with the railway that runs to Nelson.

Mr. McMULLEN. What company is operating the line now in construction ?

Mr. MARA. The line is not being constructed yet. It is graded, and rails are laid probably half-way. It would have been much further advanced had it not been for the recent floods.

Mr. McMULLEN. What road does it connect with ?

Mr. MARA. It is a line connecting the mineral sections of Kootenay with the waterways connected with the Canadian Pacific Railway. In the fall of 1891, rich argentiferous galena, which is believed to be the richest mineral body on the North American continent, was discovered in that section. Although it was only discovered in 1891, over \$1,000,000 have been expended in opening up and developing the claims, and many of these claims are now ready to ship ore, and will ship as soon as this line of railway is completed. This is another line of railway that is bonused and guaranteed by the province of British Columbia.

Mr. McMULLEN. The principle on which we grant bonuses to these lines has always been that they were for the general advantage of Canada, and that they connected with the main lines of the Grand Trunk Railway or the Canadian Pacific Railway. This line connects with none of the great railway systems, and is purely a provincial line. But I suppose hon. gentlemen opposite have the power to grant bonuses to anything, whether it is for the advantage of Canada or not.

Mr. HAGGART. This road was built for the purpose of getting to one of the richest mining countries in the world. The Americans have built a railway to Nelson, eighteen miles into our territory, for the purpose of diverting the trade of that section of the country, and to utilize the richness of it for the people of the United States. The policy of the Government was at first to assist a railway from Revelstoke to Arrow Lake, but they struck a magnificent waterway which takes them down to Nakusp.

Mr. LAURIER. They use the water-stretches there ?

Mr. HAGGART. We are following the example that was set us long ago in this particular instance by the hon. gentleman and his friends when they were in power.

Sir RICHARD CARTWRIGHT. I notice that the hon. gentleman has made it a road for the general advantage of the Dominion.

Mr. MARA. On that point I may state that there is no line that has been bonused by the Dominion Government that is more for the general advantage of Canada than this one. It will obtain for Canada a large and valuable trade that would have been lost to us if this line of railway were not constructed. The line is situated midway be-

tween the Arrow Lakes and the Kootenay Lakes ; and it was a question whether Canada or the State of Washington would get the trade of that country. Realizing its importance, the Dominion Government have aided this more than other lines on condition that it should be completed within twelve months.

To the Pontiac and Kingston Railway Company, for 22 miles of a railway, from Portage du Fort to Upper Thorne Centre, via Shawville, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$70,400.

Mr. McMULLEN. What position is this company in ?

Mr. HAGGART. This is for the purpose of making connection between the thriving little town of Portage du Fort and Shawville on the line of the Pontiac Pacific Junction Railway.

Mr. McMULLEN. What county is this in ?

Mr. HAGGART. The county of Pontiac.

Mr. McMULLEN. What is the population of this important town which the hon. gentleman proposes to grant this amount of money to make connection with ?

Mr. BRYSON. I may say that this road will accommodate about 8,000 people. The village of Portage du Fort is south of the present line ten miles, and the village of Upper Thorne Centre north-east of it about twelve miles, and this line will give both villages connection with the Pontiac Railway. This whole section of country has been settled about forty years ; it is a thriving part of the county ; and, in the circumstances in which the county is at present, I think it only fair that that district should be considered. This is a portion of the line contemplated to run to the Désert, and it is in an air line with the Gatineau Valley Railway.

Mr. LAURIER. What is the meaning of the word "Kingston ?"

Mr. BRYSON. Our charter gives us power to go to Renfrew, where we propose to connect with the Ontario system of railways.

Mr. McMULLEN. I presume that this will give the hon. gentleman a claim for re-election in his county. At the time of the last election, I believe that county had a very heavy debt, which it anticipated getting rid of by the election of the hon. gentleman. His predecessor was not a friend at court, and had not influence to aid the county in getting out of debt. Now the hon. gentleman will have a fresh argument. He will say : "Gentlemen, if we cannot relieve you of past indebtedness, we will give you a fresh grant."

Mr. BRYSON. I will answer the hon. gentleman in one word. This section has been chartered for some time, it had a local sub-

sidy prior to the last election, and in no way can it affect the election.

For a railway from a point on the Intercolonial Railway, between Norton and Sussex stations, towards Havelock, 20 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$64,000.

Mr. LAURIER. This requires some explanation.

Mr. HAGGART. The object of this road is to give this new section of country railway facilities. The length of the road from the Intercolonial Railway to Havelock on the Petitcodiac is about thirty-four miles. It is proposed to aid in building the first section.

Mr. LAURIER. To whom is the subsidy to be paid ? Is there a company incorporated ?

Mr. FOSTER. The Studholm and Havelock Railway Company.

Mr. LAURIER. Is that company to have the subsidy ?

Mr. FOSTER. Yes, if they are able to build it.

Mr. LAURIER. Do you expect anybody else to be able to build it ?

Mr. FOSTER. If they are not able to build it, I expect somebody else will.

Mr. MILLS (Bothwell). What is the nature of this country ?

Mr. FOSTER. Entirely an agricultural country. This is for the farmers.

Mr. McMULLEN. Is there any railway through that section now ?

Mr. FOSTER. None where this railway runs. It will be a feeder to the Intercolonial Railway.

Mr. McMULLEN. More likely a sucker. There have been very few feeders to the Intercolonial Railway. For ten miles on each side of any railway the country is supposed to have accommodation. If you asked for this subsidy for a portion of a road extending beyond ten miles, and it were a section of country fairly entitled to it, there might be some reason for it. But this road will compete with the Intercolonial Railway for traffic for one-half its length at least. I would like to know what county this is in.

Mr. FOSTER. I will give the hon. gentleman the information ; but I wish first to point out the difficulty of avoiding the unhappy condition which he deplures. If you build a road from far out, and make it join another railway like the Intercolonial, you must perforce have a junction with that railway ; consequently some portion will be within ten miles of it. You cannot have a junction without building to the road. The hon. gentleman wants to know what county this runs through. It runs through the good

county of King's, in the province of New Brunswick.

Mr. MILLS (Bothwell). But the hon. gentleman will see that in building a road twenty miles long as a tributary to another, he is scarcely accommodating any population that is not already accommodated by the existing road. There would be some justification for tributary roads if they were long and extended through the country at a very considerable distance. If this road were one hundred miles long, there might be a good deal in its favour.

Mr. FOSTER. It is quite possible to make the road longer. If we had brought down a request for a hundred miles, the argument then would be against the great expense.

Mr. MILLS (Bothwell). If there was no population to be accommodated by the road, that would be a greater outrage even than the proposition of the hon. gentleman.

Mr. FOSTER. But happily this runs through a section which is well populated.

Mr. MILLS (Bothwell). A section of country which is within accessible distance of a line of railway. If the hon. gentleman were to build roads for the accommodation of all parties at a greater distance than ten miles from a railway, he would require railways equal in value to the entire capital of the country.

Mr. McMULLEN. The principle that a country ten miles on each side of a railway has sufficient accommodation, has been recognized by the Ontario Government in granting subsidies. In no case have they granted bonuses for lines that came within ten miles of existing railways. But under the system of the hon. gentleman, for the first ten miles this line comes in direct competition with a road owned by this country, on which the people are paying \$2,000,000 annually, and which is not now earning running expenses—a road which has been a burden on the people from its construction up to the present. On the same principle, the hon. gentleman might claim that we should duplicate lines all over the country. But it all depends on whether the county interested is represented by a supporter of hon. gentlemen opposite. I suppose this will be an additional lever to be used on behalf of the worthy gentleman who represents that county. Mr. Baird, I believe, represents it.

Sir RICHARD CARTWRIGHT. The Finance Minister represents it.

Mr. McMULLEN. It is a man with a beard represents it unquestionably, and I suppose this will be an additional argument to be used in that county on behalf of the hon. Minister in that connection.

Mr. FOSTER. I will not use it as a lever.

Mr. McMULLEN. The hon. gentleman will require to use powerful arguments. It was by the skin of his teeth he got in at the last election, and no doubt this will be of powerful assistance to him in the next.

For a railway from St. John's to Barneville, a distance of 10 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$32,000.

Mr. MILLS (Bothwell). Is this road a continuation of an existing road, or is it only ten miles altogether?

Mr. FOSTER. The whole distance is twenty-two miles.

To the Great Northern Railway Company, for thirty miles from its junction with the Lower Laurentian Railway near St. Tite, in the vicinity of the River St. Maurice westward, in lieu of the subsidies granted to the Maskinongé and Nipissing Railway Company by the Act 55-56 Victoria, chapter 5, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole \$96,000.

Mr. BEAUSOLEIL. This is an entire change of programme. The grant was, in the first instance, when these resolutions were brought down, for a railway to connect the Canadian Pacific Railway with the parish of St. Michel des Saints, which is an important centre. Instead of going into the interior, it is proposed to connect with a different enterprise, i.e., the Lake St. John Railway. It will not open a county for colonization, but run through parishes now populated and of great importance. What has brought that change of policy?

Mr. HAGGART. This is for the purpose of connecting with the St. John Railway, which runs to Lake St. John. A portion of that line runs in a westerly direction, and the object is to make a junction eventually with Carillon, on the Ottawa River.

Mr. LAURIER. That is very eventual.

Mr. HAGGART. That is the grand object, and eventually to connect with Georgian Bay.

Mr. LAURIER. The hon. gentleman has asked Parliament for a certain appropriation. Now he makes a change of a radical character. He ought to tell us what are the reasons that have led him to make such a change.

Mr. OUMET. The reason is that the company that got this subsidy has abandoned this project and has not applied for a renewal of the subsidy. Actually that subsidy has lapsed and does not belong to that company. Under these circumstances it is only fair that the subsidy should not be charged to the province.

Mr. LAURIER. Charged to the province?

Mr. OUMET. That is, to the reasonable share of the province of Quebec in the distribution of these subsidies. If the company

should resume operations I should say then it would be a question for the Government to consider whether they have fair expectations that the road will be built, and if so, I do not see why they should not be given another subsidy.

Sir ADOLPHE CARON. I would like to add that the position is that the Maskinongé and Nipissing Railway Company have merged into the Great Northern Railway Company. The Maskinongé and Nipissing road has a subsidy for thirty miles, but after amalgamation of the two companies, so far as the Maskinongé and Nipissing is concerned that subsidy was transferred to the Northern Railway Company, and the Great Northern is now asking the Government for the ratification of this transfer of the subsidy.

Mr. BEAUSOLEIL. It is about three days since the Government brought down these resolutions, and I do not think that anything has happened to justify the change proposed to-day. The information that the hon. gentleman has spoken of was in possession of the Government when the resolutions were brought down. I do not dispute that it is right that this subsidy should be given to the Great Northern Railway Company; but it seems strange that in three days such a change should be made in the policy of the Government.

Mr. HAGGART moved that the following be added as section 5:

5. Resolved, That the subsidy to the Great Northern Railway Company granted by the Act 56 Victoria chapter 2, for 15 miles from Montcalm to the Canadian Pacific Railway which shall be paid as follows:—On the completion of the 18 miles from New Glasgow to Montcalm and of 2 miles out of the 15 miles from Montcalm to the Canadian Pacific Railway, an instalment proportionate to the value of the 10 miles out of the total mileage subsidized by the Act 56 Victoria, chapter 2, to be established as aforesaid, and the balance of the said subsidy on the completion of the remaining 13 miles of the said Railway.

Mr. BEAUSOLEIL. I should like to inquire if this does not cover a bridge over L'Assomption River?

Mr. HAGGART. It is all they ask to enable them to get a subsidy for twenty miles. If they completed three miles on the second subsidy this year they would not get the money until they had completed ten miles. This is to enable them to get the money for twenty miles of the road.

Mr. BEAUSOLEIL. I would like to inquire if there is not a bridge to be built on L'Assomption River to connect the two sections of the road, and if it is intended that they should have the subsidy notwithstanding that the bridge has not been built?

Mr. HAGGART. No; the road must be a completed one, and if a bridge is neces-

Mr. OUMET.

sary to the completion of it they will not be paid the subsidy until the bridge is built.

Resolutions reported.

Sir JOHN THOMPSON moved the adjournment of the House.

Mr. TAYLOR. Before this motion is carried, I would like to ask the right hon. leader of the Government, for the satisfaction of a great many members on both sides of the House, if he is prepared to state on what day he expects Parliament to be prorogued.

Sir JOHN THOMPSON. Mr. Speaker, I expect to be able to intimate to His Excellency that business will be ready for the prorogation of Parliament on Saturday afternoon.

Motion agreed to; and House adjourned at 5.50 o'clock, p.m.

THURSDAY, 19th July, 1894.

Evening Sitting.

The SPEAKER took the Chair at Eight o'clock.

PRAYERS.

BOUNTY ON PIG IRON.

Sir JOHN THOMPSON moved that, at its next sitting, the House resolve itself into Committee to consider the following resolution:

1. That it is expedient to provide that the Governor in Council may authorize the payment of a bounty of two dollars per ton on all pig iron made in Canada from Canadian ore, a bounty of two dollars per ton on all iron puddled bars made in Canada from Canadian pig iron manufactured from Canadian ore, and a bounty of two dollars per ton on all steel billets manufactured in Canada from pig iron (made in Canada from Canadian ore) and such other ingredients as are necessary and usual in the manufacture of such steel billets, the proportion of such ingredients to be regulated by order of the Governor in Council.

2. That it is expedient to provide that in the case of the products of furnaces now in operation the said bounties shall be applicable only to such products manufactured therein between the 27th day of March, 1894, and the 26th day of March, 1899, both days included, and that in the case of the products of any furnace which commences operations hereafter, but prior to the 27th day of March, 1899, the said bounties shall be applicable to such products manufactured therein during a period of five years from the date of commencing operations.

Motion agreed to.

AMALGAMATION OF MONTREAL BATTALIONS.

Mr. PATTERSON (Huron). Before the Orders of the Day are called, I wish to correct a statement which appears in the Montreal, Ottawa and Toronto papers. In the Toronto 'Mail' of this day, I find the following item :

Lt.-Col. Burland, of the 6th Fusiliers, and Lt.-Col. Butler, of the Prince of Wales Rifles, deny the statement made by the Minister of Militia in Parliament that the proposal for the amalgamation of the two regiments originated from them, and not from Major General Herbert.

Mr. SPEAKER. The hon. member is out of order. He cannot read every newspaper article commenting on the debates or proceedings of the House.

Mr. PATTERSON (Huron). I wish to correct the statement by quoting from the 'Hansard.' What I did say, as it is reported in the unrevised edition of 'Hansard' for Tuesday, 17th July instant, is as follows :—

As regards some of the statements made by my hon. friend from North Victoria respecting the amalgamation of certain battalions in Montreal, I really do not see why that should come up here. Nothing has been done in that regard. I may say that if the volunteer officers misled Major General Herbert as to their views and wishes, and then changed their minds, they could not expect the General to change his. The officers in command of the two battalions in Montreal consented to the amalgamation, and Major General Herbert recommended that amalgamation to me, but I refused to carry it out, because, after full consideration, I did not think it in the interest of the force, or of the battalion in question. I did not wish to see a historic battalion like the Prince of Wales' wiped out, and its name forgotten, by an amalgamation with another corps.

There is a wide difference between consenting and proposing.

LAND GRANTS TO RAILWAYS.

Sir JOHN THOMPSON moved that the order for third reading of Bill (No. 168) be discharged, and that the House again resolve itself into committee for the purpose of adding a resolution respecting the Saskatchewan and Western Railway.

Motion agreed to, Order discharged, resolution considered in committee, reported, and Bill read the third time and passed.

SUBSIDIES TO RAILWAYS.

Resolutions adopted in Committee, at the first sitting of the House, this day, respecting the granting of subsidies in money to certain railway companies, and towards the construction of railways, were read the second time and agreed to.

Mr. HAGGART moved for leave to introduce Bill (No. 169) to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

Motion agreed to, and Bill read the first time.

SUBSIDIES TO RAILWAYS.

House resolved itself into committee to consider resolutions respecting the granting of subsidies in money to a certain railway company, and for the construction of a railway.

(In the Committee.)

To the Montford Colonization Railway Company, for 12 miles of their railway from the end of the 21 miles already subsidized westward to a point on the Rouge River, in the county of Argenteuil, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

Mr. LAURIER. This is a renewal. Has anything been done on that railway ?

Mr. HAGGART. This is a colonization railway. It starts from a junction on the Montreal and Western Railway, and runs in a north-easterly direction towards the Desert. The first twelve miles are constructed, and nine miles are under construction. This resolution is to aid the construction of a further twelve miles, making thirty-three miles in all.

For a railway from a point on the Caraquez railway, at or near Pokemouche siding, towards Tracadie village, 12 miles, a subsidy not exceeding \$3,200 per mile, nor exceeding in the whole, \$38,400.

Sir RICHARD CARTWRIGHT. Have we not paid enough for the Caraquez Railway, and got little enough, in all conscience, without giving \$38,400 more, after the \$200,000 or \$250,000 that have already gone into this work ? What is the present income of the Caraquez Railway ?

Mr. HAGGART. You will find it stated on page 464 of my report for 1894. The mileage is sixty-eight miles ; the amount received for passenger traffic is \$5,210.36 ; for freight traffic, \$12,913.30 ; and for the mails and express freight, \$1,946 making the total gross earnings, \$20,069. The expenditure is, maintenance of the line, buildings, &c., \$7,336 ; working and repairs of engines, \$6,750 ; working and repairs of cars, \$761 ; general operating expenses, \$7,247 ; a total of \$22,095 ; a loss of about \$2,000.

Sir RICHARD CARTWRIGHT. Here is a very pretty illustration of the way the money of the country has been wasted. That railway cost us from \$200,000 to a quarter of a million, and it now appears that the total receipts are about \$300 per mile, and, after wasting that \$200,000, which was used in such a fashion in floating bonds on the London market as greatly to dis-

credit the credit of Canada and the Government thereof, we are asked to vote \$38,400 more. I do not think a more unreasonable proposal was ever submitted to any Parliament, and on this assuredly I think we shall have to take the sense of the House. The hon. gentleman has not so far advanced any reason whatever for granting this sum, good, bad, or indifferent. Possibly he may have some reasons, but they would require to be extremely strong ones in my opinion to justify adding one cent to the expenditure already incurred on this railway. I cannot conceive a more utterly useless and profligate waste of public money than the expenditure in building this same Caraquet Railway. It stands condemned on the very face of it. It is now ten years since the money was given, the road has been some years in operation, and you have these pitiful results. If I am not mistaken, a very large sum of money, in the shape of bonds, was floated in England for this railway. Can the Minister inform us what the bonded indebtedness of the Caraquet Railway is, and whether any interest has been paid on these bonds, and if so, when?

Mr. HAGGART. I believe that no interest has been paid on the bonds within a couple of years.

Mr. MULOCK. There has been no interest paid on the bonds since the beginning, except the interest taken out of the principal money.

Mr. HAGGART. They paid the interest, I believe, for a while.

Mr. MULOCK. The Minister should not state that; I have no doubt he has been misinformed. That road has been a notorious defaulter since the commencement, and if the Minister implies that it has ever earned a single cent of interest on the bonds, he is entirely in error.

Mr. HAGGART. I did not say it had ever earned any interest on the bonds. The information I have received from my deputy is to the effect that the interest had been paid on the bonds, but I think it was taken out of the capital, or the money the bonds sold for. The interest has been paid for three or four years.

Mr. MULOCK. I do not know what the hon. gentleman's source of information is; but even the statement he has made shows that the company has never earned any interest on the bonds. Ministers must not take shelter behind their deputies to make statements which give erroneous impressions. There may have been some stoppage of the principal money in the process of construction, but the railway company defaulted as soon as the principal money ran out. The bond-holders had a meeting in England and passed a resolution to the effect that inasmuch as the Dominion Parliament had led them into this transaction by bonusing the railway, they considered

Sir RICHARD CARTWRIGHT.

that they had a claim against the Government to have the road taken off their hands. It was a notorious defaulter from the beginning, and it never earned from the commencement until this day enough to pay working expenses. If you look at the returns—I have seen them laid on the Table many a time—they show figures like these: earnings, perhaps \$18,000; disbursements to earn that money, \$26,000 or \$28,000. With the exception of the return laid on the Table now, I do not think the receipts have ever been within as close a distance as \$2,000 of the outlay. That being the case, these figures prove that we have given a very large sum of money to build this line of railway; we have induced English people to pour in capital to this enterprise, and to lose it, and to that extent this country is discredited. In addition to all that, the whole enterprise is a failure, for the Minister has told us that the gross receipts per mile per passenger are about 25 cents a day. Did you ever hear anything more ridiculous than that? Does it not prove that there is no demand for the railway there? The railway has been in operation for a period of about seven years, and even to-day there is not traffic enough to give the road 25 cents per day per mile passenger fare. And yet, with that ridiculous result, we find the Government asking for more money for the road. I remember well the case which Sir Charles Tupper presented to the House when he first asked us to vote money for the Caraquet Railway. He told us that there was an enormous wealth of fisheries on the Baie de Chaleurs, and that if we would only connect this wealth with the Intercolonial Railway, the people of the Maritime Provinces would send up their fish for food to the western people, and the western people would send the products of their industry down to the Maritime Provinces, and there would spring up a great inter-provincial trade between the people of Baie de Chaleurs and the west. That was the picture he presented to the House, and after eight years of active operation of that railway, the result is that it earns 25 cents per day per mile railway fare. The report of the Minister as to the earnings of the road reminds me of the prospectus the company gave to the world shortly after the line was built. It was necessary to send a report to the English bond-holders to satisfy them as to how lovely everything was, and the prospectus stated that the road was in operation, and that the traffic had increased and exceeded the most sanguine expectations of the promoters, and exceeded the capacity of the rolling stock. That last statement was literally correct, because the rolling stock consisted at the time of one or two old passenger cars, a few box cars and wheezy old asthmatic engine, that had been discarded by the Intercolonial Railway, and when during a portion of that period, that the traffic exceeded the capacity of the road, was lying on its side in the ditch, near one of the

broken-down bridges. That is the enterprise the people of this country are asked to pour more money into.

Mr. COSTIGAN. The Baie de Chaleurs Railway has been discussed a good many times in this House, and I do not propose to renew the discussion here to-night. The proposition before the House now is for twelve miles of road from a point on that railway towards Caraque village. If the arguments used by the gentlemen who have spoken against this vote are true, they are strongly in favour of the resolution. The point to be reached by this twelve miles of railway will be the central point of four of the most populous parishes in that section of the country, and it may account for the meagreness of the traffic, both in freight and passengers that that important point has not been hitherto reached. It is to reach that point and to accomplish the object originally in view that it is proposed to build the twelve miles covered by this subsidy. The wisdom of the project has been proved by the Provincial Government of New Brunswick—a Liberal Government, an economical Government, and one necessarily economical on account of the small resources at their command—subsidizing this same twelve miles, knowing better than we do, generally speaking, that the railway is one deserving of a subsidy. The effect of the construction of that twelve miles will be to add very largely to the receipts of the road, and to the traffic generally, as it will touch one of the most populous districts of the whole section.

Mr. MULOCK. What additional population can be brought in to be contributory to this road?

Mr. COSTIGAN. Six or eight thousand in the district.

Mr. McMULLEN. What town of six or eight thousand population is there there?

Mr. COSTIGAN. I did not say there was any town of six or eight thousand population. I suppose the hon. gentleman will admit that if a railway touches a central point in a certain district, that it will attract the traffic of that district for several miles around. I said that this line would approach a point that would be central to four of the largest parishes there.

Sir RICHARD CARTWRIGHT. Is Tracadie village the place where the unfortunate leper settlement is established?

Mr. COSTIGAN. It is towards that.

Sir RICHARD CARTWRIGHT. Is that included in the population the hon. gentleman refers to?

Mr. COSTIGAN. The population there is not very great, some twenty-five or twenty-seven lepers. It does not enter into the consideration of granting the subsidy at all, and

I do not know why the hon. gentleman makes allusion to it.

Sir RICHARD CARTWRIGHT. The whole business may be described as leprous in a high degree, particularly in its effect upon the credit of this country. I want to call the serious attention of the House and of the Government, to the fact that for many years no one circumstance has occurred which has been more commented upon in railway circles in England, than the utter collapse of this Caraque Railway, and the fact that the bond-holders in England are aware that they have been swindled—I use that word advisedly. The greatest misrepresentations were made to them of the value of the prospects, and of the earnings of the line, and the result has been that four or five hundred thousand dollars have been abstracted from the pockets of certain unfortunate Englishmen, and have gone into the pockets of certain persons who appear to have been selected as specially deserving of reward, in consideration, I suppose, of having helped to pillage these Englishmen. This matter has been brought before the House, if I am not mistaken, more than once, and it does appear to be more disreputable every time it has been examined. However, I want to call the special attention of the House to the fact that our credit in England has been very seriously affected by the results of this Caraque Railway and by the fact that in recommending the road to the House, former Ministers spoke of it in a way which has been entirely contradicted by the result. I find at present that on this road of sixty-eight miles, we get such results as these: Total manufactured goods conveyed in the course of the year, 500 tons; all other articles are put down at 1,500 tons, with the exception of lumber, of which about 5,000,000 feet were drawn. Of live stock, I find that sixty head were conveyed during the year, besides 5,000 bushels of grain, and 5,500 barrels of flour. Whether any fish were conveyed or not, the records do not state. Here you have a road in which nearly a quarter of a million of public money has been spent, producing absolutely no result. Why, half a dozen wagons, in the course of a year, would draw more than this sixty-eight miles of railway contrives to draw, if they were properly handled. Yet, in the teeth of those facts, the hon. gentleman advises the House to fling \$40,000 more after the \$200,000 of our money already sunk, for no better purpose than to enable certain promoters to unload their bonds on the English market and put an enormous percentage of the money into their individual pockets.

Mr. HAGGART. Before the item passes, I wish to correct a statement which the hon. member for North York (Mr. Mulock) seems to think I made. He led the House to believe that I said that the interest on the bonds was paid out of the earnings of

the road. I did not wish to convey any such impression. The bonds were sold, and a certain amount of the product was retained by the parties purchasing the bonds, in order to pay the interest for a number of years. After that amount was expended, there has been no interest paid either from earnings or anything else

Mr. MULOCK. So that it never earned a dollar of interest.

Mr. McMULLEN. The Caraquet Railway has done more to damage the credit of Canada and the prospects of any company floating their bonds in the English market than any other scheme set on foot in this Dominion. Its record has been a disgraceful one. The capitalists of England were virtually robbed out of their honest money, and by granting a bonus to another branch of that road, we will be virtually condoning the iniquity this company was guilty of, and are asking investors to invest again in another scheme of this kind. If the hon. gentleman wanted to have a bonus granted to any road in the hope that its promoters might thereby be enabled to borrow the money to build it, he certainly should not have coupled that road with the Caraquet Railway, for certainly the fact of being associated with the Caraquet Railway will be no credit to any scheme for the purpose of borrowing money either in England or Canada. In place of the Caraquet Railway, the road would be better named the Wild-cat railway, for such it has been proved to be. The way in which that line was started, by taking the money subscribed for stock and paying that out as interest on the bonds in order to give the company standing in the English market and make the bonds saleable, was unquestionably a course of proceeding which we should not countenance. But now, by virtually granting a bonus to a branch of this road, we are virtually declaring that the conduct they pursued was, after all, justifiable. I do not know very much about some of the schemes which the hon. gentleman proposes to subsidize, but if any of them have such a record as the Caraquet Company, there is very little hope of their being able to borrow money to build the line, and the only redeeming feature about this grant is that the record of the Caraquet Railway will completely preclude the possibility of the money being raised in the English market in connection with it.

Mr. LAURIER. It is more important in this than in any other case that we should know to whom this subsidy is to be made payable. Is it to be made payable to the Caraquet Railway Company, whose name stinks in the nostrils of the bond-holders?

Mr. HAGGART. No doubt it will be, if the Caraquet Railway Company enter into a contract to build the branch.

Mr. HAGGART.

Mr. LAURIER. Is it possible the hon. gentleman says seriously that this money is to be given to the Caraquet Railway Company? He knows that that company is bankrupt, that it is not able to meet its own liabilities, and are we to expect that such a company, which is in default of its bonds, will be able to build a mile of this branch line.

Mr. HAGGART. The branch may be of assistance to it, and make it more profitable. If the principle the hon. gentleman lays down, that every railway company which is in default with regard to some of its bonds, is not to be subsidized, there are very few railways in the country which are not in default with respect to some class of their bonds.

Mr. LAURIER. There is no railway, I am glad to say, whose record smells as badly as that of this company. It is impossible for this company to obtain a cent of money in any market on its bonds. It is impossible that any decent business men would have anything to do with it, and to grant a subsidy under the circumstances is simply an insult to common sense.

Sir JOHN THOMPSON. Under those circumstances, no money will be paid them. They have obtained twice as much as we give them in order to obtain the subsidy.

Mr. MULOCK. What other resources have the company to build the road?

Mr. HAGGART. I do not know of any. If the hon. gentleman will look back to the debate on that subject, he will find that, in reply to the Hon. Mr. Blake, I went fully into the whole question. The question has been debated again and again. These accusations were made against this railway company, and the whole history of the transaction was gone into. The bond-holders sold their bonds, and the actual money that the company got out of the bonds was very little over 20 per cent—I am speaking simply from memory—and the fact that the whole amount that went into the road precluded the possibility of their being any foundation for the charge then made and disproved by myself of any fraud having been committed on any person with respect to the bonds or of any money being made out of them. The probabilities were that the promoters of the scheme honestly put into the road the proceeds of the bonds and all other money they got in the shape of subsidies, either from the Local or Federal Governments. There would not be a tittle of evidence to sustain the charge that any frauds had been perpetrated by parties building the road.

Sir RICHARD CARTWRIGHT. It is well, sometimes, to remember some of the statements made when this Caraquet railway was under construction.

Mr. HAGGART. What was the date ?

Sir RICHARD CARTWRIGHT. I am going to give the hon. gentleman extracts from the speech recommending this road for a subsidy by the Minister of Railways of that day, Sir Charles Tupper. The hon. gentleman was good enough to declare that :

The railway will, in the future, at all events, be of incalculable benefit to the Dominion at large.

We are now seeing the value of Sir Charles Tupper's statements on that point. He proceeds :

But, sir, the scheme is not put forward on that ground alone ; it is put forward, perhaps with even greater force on other grounds, and that is the immense trade the road would develop and would tend to build up, not only in that particular locality, but over the Dominion as a whole. By the construction of that road an enormous trade would be given to the Intercolonial Railway : as a feeder of the Intercolonial Railway it is not second in importance to any other road, and because it is a feeder of the Intercolonial Railway, I assume that my hon. friend opposite can have no objection to it. As I understand him, he is in favour of any road that will feed the Intercolonial Railway.

So are we all, Sir, if it is a feeder and not a sucker, as my hon. friend behind me (Mr. McMullen) interpolated a little while ago.

To give an idea of the amount of trade done along that road, and of the population interested in it, I may inform the House that between the point where it is proposed to connect the Intercolonial Railway and the terminus of the Caraquet or Shippegan, a distance of forty-five miles, there is a population of 18,000 souls. The whole country from end to end of the proposed road, is settled. The value of the products of that section of the country during the past year amounted to some \$1,000,000, made up as follows : lumber, \$300,000 ; fish, comprising canned goods, codfish, salmon, herring, mackerel and oysters, \$500,000 ; grindstones, \$50,000—

I am afraid that we are the subjects of the grindstone's operation in this case.

—farm produce, \$150,000. There are a number of other industries which would contribute to give the road a large trade, and all of which would find its way to the Intercolonial Railway. To the west this road will be a great benefit, in as much as it will afford the people an opportunity, which is now denied them, of getting their fish in a fresh condition, and they will have a larger market for their products, as well as the east a larger market for theirs.

I may remark for the information of the hon. gentleman that I am availing myself of the summary of the history of the Caraquet Railway made by gentlemen for whom gentlemen opposite now express the greatest respect, Mr. Edward Blake, who devoted considerable attention to making a statement of the case. I find that a very considerable amount of vituperation appears to have been indulged in at Mr. Blake's expense for having opposed this road. Later on in Mr.

Blake's statement there is a description of the way in which this road appears to have been run, and it reads as follows :—

They have two pretty old looking second-hand locomotives, one cheap second-class passenger car, two freight cars, and ten or twelve flat cars. This fall they bought a snow plough. There is a station house at the junction worth about \$700, one at Burns' Mill, Bathurst, one at Clifton, one at Grande Anse, one at Burns' Mills, Caraquet—now called Burnsville—and one here at the village of Caraquet. The average cost of these would not exceed \$350 each. You will have a better idea of the cost of rolling stock and rails than I. I heard the company's engineer state, at a dinner given by the president, that the subsidies would be sufficient to build and equip the road. He had then about completed his survey and based his estimate upon it.

The same correspondent says :

I think Burns—

I presume that is the illustrious owner of the road, now a Senator of the Dominion—

—I think Burns procured his rails by hypothecating the first mortgage bonds of the company to the full amount of issue authorized by the company's charter. A small portion of them only have been actually sold. This would leave Burns his two subsidies to grade and equip his road, and I am quite convinced that he would not have more than from \$2,000 to \$2,500 to good out of these subsidies, but he would most certainly have that much of a margin. It is a well known fact that Burns was in pecuniary straits at the time he went into the railroad, and he is now in good standing. I am satisfied ——— is right as to Burns being the company and owning the whole undertaking, and that not a dollar of private moneys has been put into the enterprise by any here connected with it.

Then, here, Sir, is a specimen of the way in which the English bond-holders appear to have been induced to go into this operation. Here is the prospectus of the road, and it is worth while that we should understand how statements such as I have read made by a responsible Minister of Railways are utilized for the purpose of inducing unfortunate English investors to risk their money in utterly rotten schemes :

The Governments of the Dominion of Canada and the province of New Brunswick have given a joint guarantee to the Caraquet Railway Company of £1,280 per mile, amounting in all to a free grant of £76,800, being more than one-fourth of the cost of construction. As security for the payment of the interest on the whole amount of the bonds for three years, viz., up to the 1st July, 1889, inclusive, a sufficient sum has been set aside and will be deposited with the Imperial Bank in the names of the trustees. The Caraquet Railway is a branch from the Canadian Government's main line, connecting with the Intercolonial at Bathurst, and thus with the Canadian Pacific and the whole of the Canadian railroad system. It runs from the Bathurst Junction to Shippegan Harbour, the eastern extremity of the province of New Brunswick,

establishing a through communication right across British North America from the Atlantic to the Pacific seaboard. The line has been built in the most substantial manner by contract, at a cost of £290,000, under Government supervision. Already over forty miles are in operation, and the remaining twenty miles being far advanced towards completion, will, it is expected, be finished and opened by September. The location of the Caraqueet Railway is eminently favourable for the earning of steady revenue.

I believe its revenue, in point of fact, has remained very steady; it began with zero and it has remained at zero ever since.

The amount of mortgage bonds authorized by Act of Parliament is limited to £100,000 and represent a charge of only \$1,700 per mile upon a railway costing \$4,883 per mile.

Well, Sir, I share Mr. Blake's doubt whether £1,500 per mile were really spent on that road.

The ordinary share capital of the company is \$950,000 (or £190,000), the whole of which has been allotted in Canada.

I believe it was, and it was allotted to one hon. gentleman who used to be with us, and has now gone higher up.

The mortgage bonds take priority before the share capital.

Well, I suppose they would—

—both as to principal and interest, and are further secured by a mortgage under a trust deed of the value of the railway, rolling stock and other assets of the company, besides the uncalled capital, namely, by mortgage of sixty miles of railway, whereof, forty miles are in operation, having been completed and equipped at a cost of £4,833 per mile, or equal to £193,320; by twenty miles of railway in course of construction, under contract, for, say, £96,660; by uncalled capital of the company, £44,460, making a total of £334,440, or more than thrice the amount of the entire issue of bonds authorized; thus affording security of the highest class. The amount required out of the revenue to pay the interest upon the whole of the bonds is only \$100 per mile annually.

That would be about £7,000 sterling, the total income of the road, I think, was about £4,000; and £100 per mile, no doubt, seemed to English ears as an insignificant sum on any railway moderately decently located through any country which had any powers of developing a railway traffic.

A carefully prepared estimate based on the traffic already existing shows that a revenue of at least £200 per mile may be expected. Since the opening of the line now in operation the earnings have been highly satisfactory. Mr. K. F. Burns, M.P., the president and general manager, reports: "Thus far the receipts from both passenger and freight have exceeded the company's most sanguine expectations." And, indeed, he adds: "Since regular daily trains commenced running the carrying capacity of the line has been taxed to the utmost, with every likelihood of continually increas-

Sir RICHARD CARTWRIGHT.

ing business. The working expenses and cost of maintenance will be exceptionally low owing to the absence of steep grades, sharp curves and heavy bridges."

Now, Sir, those are the kind of statements on which Englishmen were induced to put their capital into such enterprises: those are the kind of prospectuses which were issued by gentlemen formerly members of this House, and now members of the Dominion Senate; and we have got before us in the Minister's traffic returns, the proof of how utterly worthless all those statements were, whether in the prospectus, or whether in the statement of the Minister who recommended them; and yet, with the knowledge of all these facts, the Government come down and propose to us to grant for this worse than bankrupt concern, \$38,400, together with the \$200,000 we have already flung away.

Mr. McMULLEN. I think we should have some explanation from the Minister of Railways before we grant a subsidy to a link or a line of the disreputable character and record that this road has got. We should have some assurance that it is now working its way out of the mire and disgrace it had dropped into, and that there is some hope of its being placed on something like a decent footing. The statements made by the former Minister of Railways unquestionably must have largely influenced the English capitalists to put their money into that scheme. The Minister of Railways, perhaps, had not an opportunity personally of examining the whole track; he may have had to rely to some extent upon the information received. If he did, he has been sadly deceived. This kind of statement being uttered by the Minister of Railways, must have given a status to this scheme that secured for it a large amount of money in the English market. Now, while we, as a country, are not directly responsible to those men who have taken those bonds, in point of honour we have got to share a certain amount of responsibility, and in granting a further aid for the construction of a branch line to a road with such a disgraceful record, we are virtually condoning the whole scheme, and saying to the English bond-holders that we have no sympathy with them, that if they got fooled, they deserved it, and we are positively injuring every other railway scheme for which people may hereafter attempt to get money in the English market. We admit that the railway system in Canada is not complete; we earnestly hope that there are many sections which will yet be developed by new railway enterprises that will tend to fill up the country and develop it, if they are built honestly and when wanted. But if we have got to face the record of this railway when we are trying to float other schemes, we shall find our credit seriously injured in the English market. I hope that the Minister of Railways will seriously consider this

whole grant before he renews an expression of confidence in a scheme so utterly rotten from start to finish as this whole scheme has been. Now, at the end of ten years, with that disgraceful history before us, the Government propose to revive the whole thing by granting another bonus in order to build a branch to this line. I hope the Minister of Railways, before he asks us to pass this item, will offer some sound reason why this House should again besmear its record by granting a bonus to this abominably rotten scheme, that is a disgrace to this House and a disgrace to the country.

Mr. HAGGART. In reply to the hon. gentleman, I will give a statement from Mr. Burns himself, made at the time this railway was discussed in the House. I had all the figures at the time, and I gave such information to the House as convinced it that the charges made in regard to fraud on this railway were totally unfounded. I will read from the reply of Mr. Burns, and the House will be able to judge how much has been taken by the parties who are charged with benefiting from the grant of money made for the purpose of building this seventy miles of road. He goes into a long statement, shows the amount he received from the Local Government, shows the amount he received from the Dominion Government, shows the amount he realized in cash for the bonds; and the total amount that he received was a little over \$8,500 per mile. He states:

It is constructed as well, if not considerably better, than any local line in New Brunswick. The Caraque line of railway from beginning to end is the best local line in New Brunswick.

This gentleman promoted this railway in the interest of his constituents, for the purpose of giving them communication with the market, and the road, no doubt, is of greater benefit to that section of country than the amount of traffic on the road represents. He, like all other gentlemen interested in railways in their own constituencies was very anxious to have a local road for the benefit of his constituents, he was anxious to show them that he was doing something for them. He succeeded, at a great sacrifice, I have not the slightest doubt, instead of receiving a single penny of benefit. At a great sacrifice to his private means, and at a great expenditure of time, he managed, by his industry, to get seventy miles of that road constructed. If his statement was correct, and I think it is correct, he built the whole road, built the stations on it, and put the rolling stock, such as it is, on the road, for a sum of a little over \$8,500 per mile, and that in a very difficult country. The hon. gentleman may make his statement in every section of the country, but the facts and figures show that the allegations against that gentleman bore upon their face

their inaccuracy, and it was impossible that any gentleman—and I remember the gentleman in question made a similar statement in the House, which bore the impress of truth on the face of it—could have made one cent out of the undertaking, and in fact he stated himself that he was out of pocket a large amount.

Mr. MULOCK. In my criticism I did not wish it to be assumed that I was making any charge that there had been a misappropriation of money. I did not assume it, I did not state it, I did not suppose it. I am perfectly satisfied to accept the statement of the Minister of Railways. My criticism was directed to the fact that the expenditure was an unwise one as a financial investment, and was apparently not in the interests of the country, as the receipts from the traffic show. Inasmuch as this proceeding has resulted in bringing disgrace to the country in a financial way, I think it is due to the House that it should have some guarantee in regard to this proposed grant. The Minister will remember that the bond-holders of the road, no matter how they acquired their bonds, and I suppose they had a good title to them, called a meeting in London, Eng., and they passed a resolution, which was published in the financial journals of England, and also in the Canadian press, to the effect that they had been induced to embark their capital in this road principally because the Dominion Government and local authorities had invested public moneys in the enterprise, and the investing public of England considered that to be the very best guarantee that it was an enterprise legitimate in its character and likely to be of public service, and they cast the responsibility for having been drawn into that enterprise by the Dominion Government. They passed a resolution that the Dominion Government should take these bonds off their hands, and relieve them from the position into which they had been drawn owing to the action of this Government. I am sure the Minister of Railways will give me credit for accurately describing the attitude of the bond-holders. If that is the case, it is reasonable now for the House to learn whether a sounder financial basis exists in this case, so that there will be no danger of repeating this unfortunate experience. I am not wishing to say anything against the promoters. There may be very much in what the Minister of Railways has said, and I am willing to concede that hon. members desiring to show their activity on behalf of their constituents, sometimes involve themselves in financial schemes of such a character and to involve in the end great loss. This may be a case of that kind. Knowing nothing of that section of the country, I assume it was so. But we should have some guarantee given before we are asked to repeat that undertaking.

Mr. HAGGART. After the debate in the House on Mr. Blake's motion, the bond-

holders sent out to this country two of their number to make an investigation. Their report was published in full in the Canadian 'Gazette' in London—I am sorry I have not had time to look it up—and it completely exonerated Mr. Burns, the man against whom these charges were made.

Sir RICHARD CARTWRIGHT. When was that report made?

Mr. HAGGART. The debate in the House took place in 1880; that investigation must have been made in 1891. The full report was published in the Canadian 'Gazette.'

Mr. MULOCK. Assuming it was all right, and I am quite prepared to assume it was so, does not the Minister think that before entering upon a scheme of like character, Parliament should receive assurances that the company has some financial backing, that there is some way by which this subsidy will be made effective without resorting to exploiting. The Ontario Legislature requires to be satisfied as to the financial standing of a company before it gives aid.

Mr. HAGGART. The course pursued here is to first pass a subsidy vote through this House. There are certain appropriations made for railway construction. It is the duty of the Railway Department to obtain from those companies evidence as to their financial status. Upon the report of the department, Council acts, and if it approves the report, it authorizes the Minister of Railways to enter into a contract. These are the precautions taken.

Mr. MULOCK. The House should be satisfied before granting public money that the enterprise is in every respect a sound one and there is reasonable prospect of the subsidy being availed of; in other words, that the whole scheme does not depend on the public grant. The hon. gentleman proposes that the whole matter should be left with him, but that is government by Order in Council, not government by the people.

Sir RICHARD CARTWRIGHT. I have not examined that report made by the shareholders. It may be what the hon. gentleman said, or it may not. I am dealing more particularly with the promise made to us when this road was originally started and with the results attained. But I have this to add, that within the last few years I have seen again and again in financial journals in England of very high standing, despite this report, most disagreeable references to the Canadian Parliament, the High Commissioner, over the Caraqueet Railway, and to Mr. Burns. The matter is often alluded to and is severely condemned. Whether the report whitewashed him or not, I do not know.

Resolutions reported.

Mr. HAGGART.

CANADIAN PACIFIC RAILWAY—DRAWBACKS.

Bill (No. 166) to provide for the allowance of drawback on certain articles, manufactured in Canada, for use in the construction of the Canadian Pacific Railway, was carried in committee and reported.

SUPPLY—CANADIAN TOBACCO.

Sir JOHN THOMPSON moved that the House again resolve itself into Committee of Supply.

Mr. JEANNOTTE. (Translation.) Before this motion is adopted, I wish to say a word or two on a question of the utmost interest to our farmers—I mean the tobacco-growing industry. This industry constitutes one of the most important branches of the farming interests in the province of Quebec. Even in Ontario tobacco is grown. It is quite a paying industry. It may yield a farmer a net revenue of \$100 an acre. I am aware, Mr. Speaker, that a certain number of people entertain prejudices against tobacco of native growth; they think it is inferior in quality to that imported from warmer climates. Still, it is within our recollection that in May last, at New York, a certain quantity of tobacco was seized by the Customs authorities. This tobacco, called Sumatra, which sold for \$2.50 a pound, was merely Canadian tobacco. We do not want the Government to alter the Excise duties; we simply want a duty of 5 cents a pound to be laid upon imported tobacco, equivalent to a discriminating duty in favour of our Canadian tobacco. Our contention is that this increase of duty would not enhance the price of tobacco. At any rate, a duty of 5 cents a pound would hardly be felt by those who buy and smoke imported tobacco. With an additional duty of 5 cents a pound, the price of Canadian tobacco would, I think, be enhanced, and would sell about 4 cents higher. But even if this increase should be only of 3 cents a pound, it would still be very beneficial to our tobacco-growers. In order the better to understand, Mr. Speaker, how important that industry is, and the interest we should attach to its protection, allow me to give you a few figures that speak for themselves. In 1881, the production of tobacco for the province of Quebec alone amounted to 2,356,581 pounds. In the other provinces the production reached only 171,381 pounds. For the whole Dominion, the total production was 2,527,962 pounds. Now, let us see what development that culture took during the following decade. If we take the figures for 1891, ten years later, we will find that, without any direct or important encouragement being received from the Government, the production has been quite large. The figures in connection with this item are the following:—For the province of Quebec, the production of tobacco for 1891 was 3,958,737

pounds of tobacco. For all the other provinces the production was only 319,199 pounds: while for the whole Dominion, the production was 4,277,936 pounds, or an increase of a million and a half pounds for the whole decade. From the Trade and Navigation Returns for 1893, page 392, it appears that the quantity of foreign tobacco imported into Canada was 14,340,741 pounds. The tobacco thus imported was either imported directly for consumption or for use in manufactures by cigar-makers. Out of these fourteen million pounds of imported tobacco, 13,072,691 have been manufactured, showing a value of \$1,717,495. Should the Government, as suggested, impose a Customs duty of 5 cents a pound on imported leaf tobacco, such increase, while not materially affecting the price of that article, would tend to encourage the growing of Canadian tobacco, and to give a new stimulus to that industry, so as to make it more remunerative than it has been so far. There is still another consideration which should commend itself to the Finance Minister, and it is this: The Government are complaining that the revenue is falling off. Well, let them adopt our views and impose this additional duty of 5 cents a pound on imported tobacco, and that increase of duty will yield them \$750,000 a year. It is a suggestion that should weigh with the Minister, I think. I know that whenever it is proposed to introduce a new industry, sceptics are to be found as to the success which may attend it. So with Canadian tobacco, which, it is alleged, will never be of a superior quality. If that tobacco yields now a reasonable profit to the farmer, when sold at 5 or 8 cents a pound, undoubtedly, if it could sell at 10 or 12 cents a pound, that would be an incentive to the farmer to improve its growth. That would enable him to establish large drying-sheds, and the tobacco being better prepared, that would enhance its market value. I may further add that some superior brands of this tobacco of native growth sell at from 50 to 75 cents a pound, this increase in value being secured by the special care bestowed by the farmer on the cultivation of these brands. Were Canadian tobacco protected so as to make its market value 8 or 10 cents a pound, the producer would take more trouble in raising it; the quality would be improved, and a large sale would thereby be secured. It is well known that grain-growing is no longer a paying affair, and that some new system of farming must be resorted to. Tobacco-growing, on the other hand, yields at the same time a fair profit and a large produce. It was as late as in 1860, if I remember aright, that the cheese and dairying industries were mentioned for the first time. A Montreal merchant, who is now gone over to the great majority, was seeking parliamentary honours in Montreal Centre. At a public meeting he stated that he was running in the Conservative interest and that he wished to talk to them about a new industry which was going

to regenerate and redeem farming in the province of Quebec—the cheese industry. What reception did he get from the electors? He was styled the “cheese candidate,” and he was never returned to Parliament. In 1872, at the election in Montreal East, the cheese question again cropped up before the electors. It was agreed then that, as far as the province of Quebec was concerned, farmers should turn their attention to the dairying industries, that it was essentially connected with the future prosperity of the farming community; so much the more so as the raising of breadstuffs was no longer a paying business, and that the North-west wheat production would glut the market so as to make it impossible for the Quebec farmers to raise a sufficient revenue to compensate the expenditure incurred in raising wheat. The province of Manitoba and the North-west Territories raise more wheat now by acre than is raised in ten arpents in the province of Quebec. I do not think I am making an exaggerated statement: but I know of farmers in the county of L’Assomption, in the parish of Mascouche, who did not raise two bushels of wheat to one sown. I stated at the outset, when speaking about the dairying industry, that final success was disbelieved at the time, at least to the large extent now realized. At the elections of 1872 mention was also made of that industry, but, unfortunately, the Liberal party did not believe in the success of that industry. The electors were told not to place any confidence in the predictions as to the future of this industry; they were told it was mere clap-trap to catch electoral votes, and that the promises held out to the electors would never materialize. Ten years later, in 1882, when the Hon. Mr. Chapleau, then Premier of the province of Quebec, tackled the same question and laid down as one of the chief planks of his political platform a substantial encouragement to be given to the dairying industries of the province, his opponents again cried out that it was mere humbug, and that this industry was doomed to failure. It was all clap-trap, they said, directed to catch, under false pretenses, the confidence of the electorate. But what has since happened has fully justified those who believed that the dairying industry would develop into a source of wealth to the farming community. Now the success of that industry is a well-established fact, and it is admittedly one of the best-paying industries. The high standard reached by the dairying industry is admitted on all sides, especially since the Columbian World’s Fair, where our exhibits have won such distinction. What was the state of this industry about thirty years ago? In 1860, our production in that line was 124,320 pounds of cheese, estimated at \$13,675. In 1893, our production was 133,946,365 pounds, estimated at \$13,407,470; or, to put it in a different light, we have as many million dollars in 1893 as we had thousands in 1860.

If tobacco growing received the same material encouragement as it bestowed upon the dairying industry, the same results would be reached. In 1860, when the question of the dairying industry was first brought before public notice, and means were devised to make it a valuable source of wealth for our farming community, the promoters of the enterprise were ridiculed, laughed at, bantered. Still, a number of persons persevered in their attempt, and finally saw their exertions crowned with success. The Conservative party then passed a law creating a school of dairying industry, and success on all the line has been reached. That industry is admittedly linked with the fortune of the province of Quebec and of the whole Dominion. Should the cultivation of tobacco receive the same degree of encouragement at the hands of the Government, the same splendid results would be reached. The present Government is a protective Government; they have pledged themselves to protect, and they do really protect the farming community. The fact is, that all the changes the tariff has been made to undergo this year were favourable to the farming community. It is true, as has often been said before, that the farming class stand in need of protection. The yield of our farm lands is not large, and the expenses run high. Since the Government have pledged themselves to a protective policy, I believe it to be their duty to protect those industries which require fostering. I simply want them to earnestly give their attention to the means best calculated to promote the progress of the tobacco-growing industry, and, in my opinion, the suggestion I now offer is the one best calculated to reach that end. I bring these remarks to a close, for at this late hour of the night, and at this stage of the session, it would be out of place to insist at any further length, when all need a well-deserved rest. I hope I said enough to fully convince the Government. The session is drawing to a close, and I do not expect the Government to initiate any step in that direction this year; but I offer the suggestion now in order to enable the Government to bring, at the next session, some measure calculated to promote and encourage tobacco-growing. Should they be willing to indorse the views I have given expression to, they will have done a great deal in the way of protecting our farming community, especially in the province of Quebec. I do not wish the Government to alter their excise duties. Those duties, to my mind, are perhaps too low; still, I do not advocate any change in that direction. All I ask for, is, that, without altering the excise duties, the Government should impose a duty of 5 cents a pound upon imported tobacco. There is not the least doubt, Mr. Speaker, that with such a duty a satisfactory result would be reached. We import from twelve to fifteen million pounds of tobacco; and this small duty will not prevent one single pound

Mr. JEANNOTTE.

of tobacco from being imported into the country. Manufacturers will manage matters, and raise perhaps a little the market price of their tobacco. Smokers will hardly notice the change, as they will probably make a mixture in order to realize the same profits. By means of this small duty of 5 cents a pound, the Government would realize a revenue of \$750,000, without a single cent of extra charges; for that change would not involve any increase in the staff of customs officers. The staff is large enough for all purposes without this small change necessitating an increase in their number. I hope the Government will take into their serious consideration the suggestion offered, and that they will, after properly examining into the matter, take the necessary means to foster and encourage the cultivation of Canadian tobacco. The better this industry will pay, the better the produce raised will prove. Some brands of native-grown tobacco already sell from fifty cents to one dollar a pound. Make the growth of tobacco a paying affair, and you will thereby secure a magnificent growth. Let me add a last word before closing my remarks. It will perhaps be a matter of surprise for the hon. gentleman to learn that Canada is the only country into which tobacco is introduced free of duty. In Austria-Hungary, for instance, there is a duty of \$4.49 per hundred pounds laid on tobacco. In Germany, the duty is \$9.24 per hundred pounds. In Belgium, it is \$5.75; in Denmark, \$4. In the United States, a country to which our hon. friends opposite turn with admiration as a model country, the duty ranges from \$35 to \$275 per hundred pounds.

Mr. LAURIER. (Translation.) What are the excise duties?

Mr. JEANNOTTE. (Translation.) I do not know. In France the private importation of tobacco is prohibited, for there is a state monopoly on tobacco. In Great Britain, the duty ranges from \$77 to \$85 per hundred pounds. In Italy the importation of tobacco is prohibited. In Greece, a duty of \$41.43 per hundred pounds is laid on tobacco. In Holland, the duty is \$12.72 per hundred pounds. In Norway, it is \$21.32 per hundred pounds. In Russia, the duty is \$26.38 per hundred pounds. And in Canada there is no duty at all. How is that accounted for. The Government have it in their power to bring about a change in that state of things, and I think it is their duty to do so. Whenever we address our electors we tell them that we are working in this House in their interests. We should give them a proof that we are really and earnestly working in their interests, and the best proof we can give them is by protecting the farming industry. With a protective policy, farmers, instead of realizing \$100 an acre by raising tobacco, will make \$130 or \$140. With such a protection, their production might be doubled and so also their profits. The Gov-

ernment will thereby secure a yearly revenue of \$750,000 from that source alone, which is by no means a despicable sum in the present state of the Treasury. This additional income will help them materially to subsidize public undertakings, and as they have not yet disbursed a single farthing for my constituency, I may reasonably hope that out of this increase of revenue I may come in for a small share.

Mr. WOOD (Brockville). The subject to which the hon. gentleman draws the attention of the House is one that has been before the Department of Inland Revenue for some years. Briefly, it is to change the mode of taxation on tobacco from the present system of excise duties to that of a customs duty on the raw leaf.

Mr. JEANNOTTE. No; it is not that. Leave the excise duty as it is, but put a customs duty of 5 cents per pound on the raw leaf of imported tobacco.

Mr. WOOD (Brockville). I never heard of that before, and there is not a document in the Inland Revenue Department that contains such a proposition. I have before me a return, asked by some hon. gentlemen, of all the papers connected with this subject, and I intend to bring it down to-morrow. The hon. gentleman (Mr. Jeannotte) knows that Mr. J. M. Fortier, of Montreal, has been pushing this matter for some years. His proposal is to put a pretty high duty on the raw leaf, and so change our whole mode of taxing tobacco. He would tax the raw leaf at the customs port, and instead of allowing it in free, he proposed that it should go to a bonded warehouse, and then be taken to one of the bonded warehouses of the department, and after it is made into tobacco or cigars, then tax it in accordance with the present mode of taxation. I may say to the hon. gentleman briefly, that the Quebec farmer who grows tobacco has a protection of 400 per cent. The hon. gentleman will not deny that. There is a tax of 5 cents per pound on the manufactured article out of the Canadian leaf, and 25 per cent on tobacco made from the foreign leaf. If under that protection you cannot succeed, for the life of me I fail to understand how you are going to succeed if we put a slight tax of 5 cents per pound at the customs port, as the hon. gentleman proposes. I do not suppose, if I talked for an hour, that I could say more than that. I do not suppose that the hon. gentleman will attempt to make the rest of Canada smoke lower Canadian tobacco. Mr. Fortier himself admits that if his own proposition of 35 cents per pound were imposed on the foreign leaf, as protection to the native grown tobacco, that it would be some years before the farmers of Lower Canada could grow enough tobacco to supply the needs of the country. All the manufacturers of tobacco in this country—and I have their petitions here—state that they do not want

that. The hon. gentleman stands alone in favour of what he now proposes; that is, a tax of 5 cents per pound, and it is the first proposition of that kind I have ever heard. I may say that the whole matter is the subject of consideration in my department, and between this and next session I will give it my best attention. If I can improve the condition of the growers of tobacco in Lower Canada, believe me it will give me great pleasure to do so.

Mr. JEANNOTTE. That is all I want.

BEET-ROOT SUGAR BOUNTY.

Mr. BEAUSOLEIL. (Translation.) Mr. Speaker, I do not rise in my seat to address the House at any great length, nor to deal extensively, as I have done in a previous speech, with the question of a protective policy as regards the beet-root sugar industry in Canada. I simply wish to remind the Government that, in the month of April last, a deputation, headed by the Minister of Agriculture of the province of Quebec (the Hon. Mr. Beaubien), including at least fifteen members of this House and the Controller of Customs, waited upon the hon. Finance Minister, with a view to lay the matter before him and ask him that the bounty of 2 cents per pound which is still in force, be continued during ten years. The object we had in view was to secure a sufficient protection for this industry, so as to enable the farmers to improve the growth of beet-root, and so develop saccharine richness in the beet raised. The deputation pointed out to the Minister that, after the lapse of ten years, the bounty might be dispensed with, as the industry, once started, could stand on its own bottom. The hon. Minister replied that he would ponder the reasons given in support of our request, which, to his mind, were of the utmost gravity, and that he would give his answer within a short time. We stand at the eve of the prorogation of Parliament, and the Government have not yet put on the notice paper any resolution to the effect of continuing during ten years the grant of the bounty now in force, as applied for. The bonus now in force will expire on the 1st of July next, and therefore will only apply to the crop of this year; and were it not renewed, the Berthier factory will have to close down. The future of that industry, one of the most promising, not only from the standpoint of the farming community of the province of Quebec, but the whole Dominion, would be irretrievably ruined. The figures laid before the Finance Minister and his colleagues show that the cost of production and of manufacture of beet-root sugar is higher than its market value. Therefore, it is absolutely necessary that a bounty should be granted, for, without it, the beet-root sugar factories will have to suspend operations. I hope the hon. Ministers who are now in

their seats—I regret that the Finance Minister is not in his seat—will be able to give us the assurance to-morrow that a resolution shall be introduced to the effect of continuing the bounty which has been granted for several years past with such beneficial results. I understand that the beet-root cultivation has assumed, this year, a considerable development, owing to the fact that the Berthier factory is now under the control of men who enjoy public confidence. I may add that the yield of the farm lands under beet-root cultivation is most abundant, and that, as this culture yields fair profits, it is assuming considerable development. Last year the production of beet-root was not over a thousand tons; this year it will reach twenty-five or thirty thousand tons; and so, the Berthier factory will be kept going for the three months during which it may manufacture beet-root into sugar. The amount of the yearly imports of sugar into Canada is over two hundred and twenty-six million pounds. That figure is equivalent to the production of thirty-five factories having the same manufacturing power as the Berthier factory; and capable of supplying work to thousands of workmen and farmers. It seems to me that agriculture, which bears the burden of public taxation, should come in for a share of the encouragement so lavishly extended to other industries, which, though far less deserving of encouragement than this one, have nevertheless succeeded in enlisting the sympathies of the Government.

Mr. OUIMET. (Translation.) The Government fully appreciate the importance of the beet-root sugar industry just referred to by the hon. member for Berthier (Mr. Beausoleil); and, I may say that, for my part, I have exerted myself to bring out before my colleagues to the best of my ability the necessity for the Government to encourage this industry which, I am sorry to say, has not apparently struck root in any other province beside that of Quebec. In the province of Ontario, I think, the farmers who had gone into this industry, have given up making experiments in that direction. The trouble is that, so far this industry has not been quite as successful as might have been expected. I think the cost of production has been more considerable than it should have been, owing to several causes which the hon. member is more conversant with than I am, seeing that he has taken an interest in the matter from the very start of the industry in the country. Instead of making headway, the beet-root industry has been going backwards. Only the other day, a statement was handed down to me showing the bounty paid for the last three years. The bounty paid the first year was twenty thousand dollars, whilst last year it was only from six to seven thousand dollars. That evidences the fact that this industry has remained stationary. I am quite sorry for it, because if there is one in-

Mr. BEAUSOLEIL.

dustry that ought to be implanted in the province of Quebec, the sugar beet industry is the very one. For it requires a considerable hand-labour, and our large Canadian families could supply this hand-labour to better advantage than elsewhere. If this industry has not been as successful as expected or wished for, the reason is to be found in the lack of capital on the part of the manufacturers, and in a lack of experience as well, on the part of our farmers who had undertaken to supply the raw material, or the beet-root out of the three factories established in the province, the Berthier factory is the only one in actual operation. It is a matter of satisfaction to me to see that the Berthier factory is in the hands of a company at the head of which are to be found men whose skill and energy have been put to the test in several industrial concerns, which they have successfully managed. I say without hesitation that with the required capital and the energy which distinguishes these gentlemen, they will succeed in overcoming all difficulties, with the help of the natural advantages this industry offers. For my part, I heartily wish, and I do hope that it may succeed. I do wish they may succeed in establishing this industry on a sound basis, not only for their own sake, but for the sake of the country as well; as their success would be the most convincing proof for our farmers that this industry is highly beneficial to them. It is a melancholy feature in the history of this industry, that the results so far reached should not have come up to our expectations; and, as just stated, the lack of capital on the part of the promoters of this industry, has largely contributed to the failure. Farmers who have engaged in the production of the sugar beet always had some ground of complaint in connection with it. They were not paid as they should have been for supplying the factories with beet. I have some experience in that line, as, in my county, I had to interfere in order to have certain claims settled. The consequence was that a large number of farmers gave up beet-growing, and I am afraid it will be no easy task to prevail upon them to retrace their steps. Now that Messrs. Lefebvre are at the head of the Berthier sugary, I think these difficulties will altogether disappear. As to the request of the hon. member for Berthier (Mr. Beausoleil). I may say that the bonus still holds good for this year; therefore, the absence of action on the part of the Government, during this session, cannot interfere with the operations of this factory, at least for this year. Should the company's success correspond to their wishes, no better means could be devised of convincing the Government that this industry may thrive and prosper. Its success would prove very beneficial to the farming community. I have no hesitation in saying that, should our experiments prove a success in the province of Quebec, Ontario will follow

in our footsteps, and the Government will find themselves under the most agreeable necessity of continuing the protection they have hitherto granted to this industry. I had the honour of making a similar statement, this very day, to the Messrs. Lefebvre, in conveying to their knowledge the Government decision in the matter. The result of the operations of the present year will influence greatly the future of this industry. From a study of the facts and of the advantages resulting from the growth of the beet-root, the Government will, I trust, come to the conclusion of acquiescing to the wishes of the citizens of the Quebec province, who so far stand alone in prosecuting the establishment of that industry in Canada. Next year, should the state of the Treasury permit so, the Government will find themselves in a better position to renew the grant for the future.

Mr. JEANNOTTE. (Translation.) Mr. Speaker. I wish to say a few words on the matter.

Mr. SPEAKER. The hon. member has not a right to speak a second time.

Mr. JEANNOTTE. That was on the tobacco question.

Mr. SPEAKER. I beg the hon. gentleman's pardon. The question is on the motion that I do now leave the Chair.

CANADIAN TOBACCO.

Mr. DUGAS. (Translation.) Mr. Speaker. I have listened with pleasure to the remarks fallen from the hon. member for l'Assomption, in connection with the encouragement which the Government should give the tobacco-growing industry, specially in the province of Quebec. It is a most agreeable duty that devolves upon me of supporting his demand. I am also of opinion that were the Government to make imported leaf pay a duty of five cents a pound, the growth of Canadian tobacco would thereby be greatly encouraged. In the county which I have the honour to represent in this House, tobacco is grown on a large scale. In the parish of St. Jacques l'Achigan, last year the yield reached an aggregate of 800,000 pounds. With a protective duty of 5 cents a pound, the producer would be enabled to put up large drying-sheds for the dressing of tobacco. If the quality of Canadian tobacco is not all that could be desired, it is owing to the absence of proper care in the cultivation of the weed. Tobacco selling at a very low price on the market, the farmer finds no incentive to incur the expenses involved in the putting up of the necessary buildings. As the hon. member for l'Assomption has given all the statistical information relating to the matter, I may dispense with going over the same ground. I trust the Government will accede to our request.

Mr. GIROUARD (Two Mountains.) (Translation.) I will only say a few words in addition to what has been said by the hon. member for l'Assomption (Mr. Jeannotte),

and by the hon. member for Montcalm (Mr. Dugas), about the Canadian tobacco-growing industry. I can speak of it with a thorough knowledge of the matter, and I may first say that the culture of Canadian tobacco is carried on on a large scale in the province of Quebec. This House might, perhaps, be led to think that farmers do not go into the cultivation of tobacco very extensively. But it is quite the reverse, as the production of the tobacco-growing industry represents several millions of pounds in the province of Quebec alone. The tobacco grown in our province is, generally speaking, superior in quality, as evidenced by the experiment made by cigarmakers. The experiment made shows conclusively that cigars manufactured out of the Canadian leaf often bring as high a price on the market as cigars manufactured out of tobacco grown in the United States or in Havana. The fact is that our tobacco-growing industry should receive a larger measure of encouragement. Such a policy would be beneficial to the farming community, not only of the province of Quebec, but of the other provinces as well, for the latter would find in such a protective policy an incentive to engage in the cultivation of tobacco on a larger scale, with considerable profit to themselves. Therefore, I hope the Government will see their way to give substantial encouragement to the growth of Canadian tobacco, and thereby promote the general interests of the country.

SUIT AGAINST THE MESSRS. CONNOLLY.

Mr. LAURIER. Mr. Speaker, the House has not forgotten, I am sure, that when the report of the Committee on Privileges and Elections was presented to this House in 1891, the concluding portion of that report recommended that proceedings should be instituted against the parties who had defrauded the country to the extent of more than half a million dollars, and in the month of April following a suit was entered in the Court of Exchequer for the recovery of that sum, amounting to \$570,064.51. That suit is still pending. The public generally are quite familiar if not with the suit itself, at all events with the names of the parties; and the public have been generally under the impression up to the present moment, and may perhaps be still under the same impression, that the suit was instituted upon the recommendation of this House, which in 1891 approved of the report of the Committee on Privileges and Elections. But, Sir, the public are under a misapprehension in regard to that suit. It was not instituted in obedience to the mandate of this House; but, strange to say, it was instituted in pursuance of a contract entered into by the Department of Public Works with the firm of contractors composed of M. K. and N. Connolly, on the

26th of January, 1892. It is between the following parties :

Between Nicholas K. Connolly, of the city of Quebec, in the province of Quebec, and Michael Connolly, of the city of Kingston, in the province of Ontario, contractors of the first part ; and Her Majesty the Queen, represented by the Minister of Public Works, for the Dominion of Canada, of the second part.

And it recites :

Whereas Her Majesty the Queen, claims that there are due and owing to Her Majesty, by the parties of the first part, jointly with Owen E. Murphy, Patrick Larkin and Robert H. McGreevy, divers sums of money arising out of a certain contract for the construction of the graving dock at Esquimaux, in the province of British Columbia.

And whereas the Quebec Harbour Commissioners allege that they have certain claims against the said parties of the first part and the said Owen E. Murphy, Patrick Larkin and Robert McGreevy, arising out of a contract relating to the Quebec Harbour improvements and the Lévis graving dock, and Her Majesty has undertaken to procure an assignment of the said claims from the Quebec Harbour Commissioners, and to assume any liabilities towards the parties of the first part and the said Owen E. Murphy, Patrick Larkin and Robert H. McGreevy of the Quebec Harbour Commissioners, arising out of any of the said contracts.

And whereas Her Majesty the Queen has requested that the parties hereto, of the first part, do give security for the due payment of any liability which may be found to exist from the parties of the first part and the said Owen E. Murphy, Patrick Larkin and Robert H. McGreevy or from any one or more of them under the proceedings hereinafter mentioned.

Sir, this is a strange transaction, to say the least of it. Here were parties, acknowledged on all sides, proved before this House to have defrauded the country, to have deceived in more than one particular the Department of Public Works; here were parties against whom this House had ordered proceedings, not only of a civil nature, but even of a criminal nature ; and before those proceedings are entered into, the Government of Canada enters into a compact with these very parties, and what is the object of that contract ? The object of it is that those parties, who were ordered to be prosecuted, may give security to the Crown for the payment of liabilities which they were alleged to owe to the Crown. This, I say, is a most extraordinary contract. I do not believe that any thing has ever taken place where two parties in the relation of creditor and debtor go into court, and the alleged debtor agrees to give security in advance for the due payment of the judgment to be rendered against him. So it appears that the impression was strangely erroneous that this suit was instituted to vindicate the honour of the country or to obtain the just rights of the people of this country. It was a friendly suit entered into between the Quebec Government and

Mr. LAURIER

the Canadian Government and Messrs. N. K. and M. Connolly. The Government had a claim against the contractors ; the Quebec Harbour Commissioners had a claim also ; and for my part I do not see that there was any difference between the claim of the Quebec Harbour Commissioners and the claim of the Government, because the money that was to come out of the contract with the Quebec Harbour Commissioners had been supplied to them by votes of this Parliament. Yet the Government undertook to have a transfer of the claim of the Quebec Harbour Commissioners—not a very good claim at best—and undertook at the same time to discharge towards the Messrs. Connolly, the liabilities, whatever they might be, of the Quebec Harbour Commissioners. Therefore, the agreement goes on :

And whereas the said Nicholas K. Connolly and Michael Connolly do not admit that there is any sum due by them and the said Owen E. Murphy, Patrick Larkin and Robert H. McGreevy, or any of them, to Her Majesty the Queen or to the Quebec Harbour Commissioners, but on the contrary contend that there are divers large sums of money due to them in respect of the said contract both by Her Majesty and by the Quebec Harbour Commissioners, and it has been agreed between the parties hereto that certain proceedings shall be taken in the Exchequer Court of Canada by Her Majesty the Queen against the parties of the first part.

It is also stipulated that the parties of the first part, Messrs. N. K. and M. Connolly, shall have the right—there was no necessity for such an agreement—

—to raise such defence or file such counter claims set-off as they may be advised, both in respect of or their alleged claims against her Majesty and against the claims of the said Harbour Commissioners, so to be assigned to Her Majesty as aforesaid.

Then it is agreed that :

And whereas in the meantime and until the rights and liabilities of the said parties have been determined by the proceedings above mentioned, the said parties of the first part have agreed to give the security requested by Her Majesty above mentioned, and for that purpose have become parties to this agreement and have executed the same.

And they transferred over to the Government the following property :—

The following machinery, plant and material, the property of the parties of the first part, which is at present situated and lying at the city of Kingston, Ontario, that is to say, the dredge 'St. Joseph,' with her tackle, apparel and furniture, all the deck scows and two dump scows used with the said dredge in the construction of the Kingston Graving Dock, one tug, the 'Stormy Petrel,' registering at the port of Quebec, all the steam derricks, engines, boilers, electric machines, in use or heretofore in use in the construction of the said dock.

Then it is stipulated :

It is hereby agreed and distinctly understood between the parties that notwithstanding the assignment and transfer of the machinery, plant and material above mentioned to Her Majesty, the parties of the first part shall have the right to use the said machinery, plant and material on any work they may require them on.

A suit was entered in consequence of this agreement. In the defence put up on the part of N. K. and M. Connolly, far from denying all liability, they pleaded a set-off to the amount of \$120,941, the balance which they claimed to be due to them under the contract then in issue before the Court of Exchequer. At the same time, the Messrs. Connolly had a claim against the Government for the work which they had done upon the Kingston graving dock, amounting to the sum of \$43,000. Strange to say, although there was a claim of more than \$500,000 against them, and though they had reserved in the agreement the right to set off against the claim of the Government all sums they might claim as a set-off, they never brought, as a set-off against the claims of the Government, the amount which they claimed to be due them for the work done on the Kingston graving dock. They might have set off the sum of \$160,000; but they reduced that to the sum of \$123,000, leaving the other claims altogether ignored in the suit. What was the reason? The reason was that evidently, when this plea was drawn, they had contemplated what took place afterwards, that is to say, that notwithstanding the suit of the Government, notwithstanding the mandate which the House had given the Government to sue them for whatever they owed the Government, the Government had agreed at the time evidently to give to N. K. and M. Connolly the sum which was afterwards paid them in July, 1892. Now, I say it is altogether unprecedented that a creditor, having a law suit against his debtor, should pay to that debtor, before the law suit was decided, a sum of money, even if it were legitimately due. It is something absolutely unnatural that a creditor should pay money to his debtor, which he might retain in part payment of the amount for which he was suing that debtor; yet the Government, at the time they had a claim against Messrs. Connolly for over \$500,000, and when that claim was pending before the courts, instead of keeping this money in the Treasury as a set-off, deliberately paid it over to Messrs. Connolly. What justification can there be for that course? We will be told that there was security given to the Government for the payment of any amount which the court might decide was due them. But there is no evidence, so far as my information goes, that the security would be anything like sufficient to cover the claim of the Government against the contractors. But there is more than this question of money in this matter. There is a question of principle, which is of most vital importance. We have before us a

firm of contractors who deliberately defrauded the country, according to the judgment passed by the Committee of Privileges and Elections, and ratified by this Parliament, to the amount of over \$500,000. There was the mandate of this House to the Government to prosecute these parties, both civilly and criminally, for their divers felonies and misdemeanours. Yet, in the face of this, we find the Government entering into a bargain to have a friendly suit with the parties over this amount. Could any more immoral transaction be imagined? Could anything more subversive of the ends of justice be perpetrated? If that is all the punishment that is to be meted out to these criminals, certainly no criminals will be deterred from similar proceedings in the future. If contractors are to be assured that when they deceive the Government, that when they contract under fictitious names, when they defraud the Government of thousands of dollars, the matter will be amicably settled by agreement, and a friendly suit entered upon, certainly they will be encouraged to continue their evil courses. No excuse can be given for this transaction. It seems to me that the Government have been guilty of far worse than a mere dereliction of duty. What can be the explanation of their conduct? At the time this agreement was made, the 26th of January, 1892, there happened to be an election in the city of Kingston, and it so happened also that the Messrs. Connolly took an active part on behalf of the Government candidate. Now, Sir, I will not characterize this conduct of the Messrs. Connolly under the circumstances. The hon. Minister of Justice has already characterized it, because at a meeting held by him in his own county of Antigonish, last fall, he said that there had been an election in Richelieu County, in which Messrs. Connolly and McGreevy had worked on behalf of the Liberal candidate, and he proceeded to castigate the Liberal party for accepting the support of these gentlemen. I would accept his criticism, if it were based on fact, but the hon. gentleman must be aware by this that he was strangely mistaken and strangely misled his audience, because, shortly after, it was proved to him, under the signature of the very gentleman who had been his own candidate in that county, Mr. Morgan, that far from taking part in behalf of the Liberal candidates, Messrs. Connolly and McGreevy had always supported the party with which they had been allied. Therefore, the hon. gentleman can apply to his own party all the odium he sought to fasten on the Liberal party on that occasion. I beg, therefore, to move the following amendment:—

That all the words after the word "That" be struck out, and the following inserted instead thereof:—"in March, 1889, a contract for the construction of a graving dock at Kingston, Ontario, was entered into by the Government with a contractor tendering as A. C. Bancroft,

who, in reality, was a non-existent person, but the name was used to represent the contracting firm of N. K. and M. Connolly, who were accepted by the Government as contractors and who completed the said work.

That on the 8th day of April, 1892, an information was filed in the Exchequer Court on behalf of the Dominion Government making claims against the said N. K. and M. Connolly and others, to recover from them, moneys alleged to have been wrongfully obtained from the Government by the defendants and amounting, as stated in such information, to \$570,064.51.

That by a statement of defence filed by the defendants, N. K. and M. Connolly, in answer to such information, on the 7th May, 1892, the said defendants made a counter claim against the Government for the sum of \$123,941.85.

That the trial of the said case is still pending and undisposed of.

That it appears by the Auditor General's Report and by the statement of the Minister of Public Works in this House, that the Government did, on the 13th day of July, 1892, pay to the said N. K. and M. Connolly the sum of \$43,621.50 in connection with their claim for works done on the Kingston Graving Dock, under the fictitious name of N. C. Bancroft.

That the said payment to the said N. K. and M. Connolly was highly improper under the circumstances herein set forth and is deserving of the censure of this House."

Mr. OUMET. Mr. Speaker, I think the hon. gentleman's memory must have failed him, as to the facts in this case. The facts that he has mentioned were all set before this House in 1892, when the whole question was fully ventilated, and a conclusion arrived at by which the department of which I have the honour to be the head was authorized to pay the amount for the payment of which he now wishes to censure the Government. If he refers to the 'Hansard' for 1892, page 2715, he will see that the amount of \$51,000 was asked from Parliament under the head of building Kingston graving dock. It was stated then by myself that this sum of \$51,000 was asked in order to make provision for the completion of the Kingston graving dock during the next fiscal year, and to pay for the construction of different works, and especially a balance due on final estimate of M. and M. K. Connolly, \$43,621.54. A long discussion took place on the subject of this contract. The hon. member for Lincoln (Mr. Gibson) brought before the House all the facts which, he contended, had been disclosed during the long inquiry before the Committee on Privileges and Elections in the McGreevy case. The charges were: First, that Messrs. Connolly had attained the contract by filing or producing a tender under a fictitious name, in the name of A. C. Bancroft, and that this procedure had enabled them to get the contract under fraud, and to the detriment of other bona fide tenderers. The further charge was that the contract had been obtained through some false calculations that had been made of a speci-

fication by the engineers of the department, that these specifications have been underestimated, and by that process the tender of A. C. Bancroft had been shown to be the lowest, although it was not really so. True enough, Mr. Speaker, as I stated at the time, the specifications had been underestimated, as was proved, when the work was completed. It was shown then that there was a larger amount of work than the specifications showed. But, extending the figures according to the work as completed, it was, however, found that the tender of A. C. Bancroft was still the lowest by several thousand dollars, as compared with the next lowest, and by some \$150,000 as compared with the highest tender, which, I think, was the one filed by the firm of which Mr. Gibson, the hon. member for Lincoln, was at the time a partner. I showed, I think, at the time to the satisfaction of this House that the contract was not obtained through fraud, that Bancroft's name was not a fictitious name, but the name of a man employed by the Connollys, under whose name they had filed the second tender. As I said then, I could not come to the conclusion that the contractors had no right to have a second tender filed in the name of another party, provided that this party in whose name he puts in the tender, is disposed to give the required security and to fulfil the contract to its full extent and to the satisfaction of the department. The fact is that the contract was duly carried out, and the work was executed, as shown at the time, in the best possible manner. It is known that the Kingston graving dock is one of the best public works we have in the whole of Canada, and that the Connollys, whatever political misdeeds they may be accused of, have done their work most satisfactorily. After the inquiry in the McGreevy case was completed, proceedings were instituted by the Department of Justice. These proceedings did not mention anything about the Kingston graving dock, and for the very good reason, Mr. Speaker, that the contractors had not received one cent that was not legitimately due them. And, as head of the department, I take the responsibility of stating here that every cent that has been paid to them has been paid for work done, and for work done at reasonable prices and in the best manner possible. After the proceedings were instituted, the Government, through our department, notified Messrs. Connolly that in future they would not receive any money, that the whole amount earned by them would be withheld until the decision in the case instituted against them by the Crown. Sir Frank Smith was then acting Minister of Public Works. The answer by the Connollys was this: that if they received no money, according to their contract, they would be unable to complete the work, and they notified the department that unless they received the amount earned by

them according to the Estimates, they would have to abandon the work ; as a consequence, the department would have to ask for new tenders, make a new contract, provide for new plant, and submit to a delay of six months or perhaps a year before the work would be completed. That public work was necessary for navigation, and, in view of these facts, the acting Minister, with the approbation of the Government, came to the conclusion that it was better to let the Connollys complete their contract and pay them accordingly than to allow the work to stand and enter into new litigation. The agreement was arrived at that if they were willing to continue the work, the money would be paid as it became due. This agreement was communicated to the House and fully explained by me, and the House, after the discussion that took place, was convinced that the charges made against the department concerning the Kingston Graving Dock, were wholly unfounded, with the exception—and it will go for what it is worth—of the fact that Messrs. Connolly had used the name of Bancroft, and filed a tender in that name, and afterwards had obtained the contract on the prices mentioned in that tender. It was also proved at the time that the charge of miscalculating the specifications was not founded. I brought the specifications themselves before the House, and I handed them to the hon. member for Lincoln (Mr. Gibson), and he satisfied himself that the only error there was in the extension of the specification was not made in favour of Bancroft, but was made in favour of Randolph McDonald. In the extension of the tender of Mr. Randolph McDonald a mistake had been made in his favour, showing conclusively that if there had been a mistake made in the extension of these tenders, it had not been made to benefit the Connollys or Bancroft, but had been made by inadvertence by the engineer in charge of these calculations. It was shown that it was not intended to benefit the Connolly's but it was in favour of another man who did not get the contract, even with that mistake, his tender was not the lowest. Now, these facts were all given to the House then, the House was satisfied, and the hon. member for Lincoln, who was the principal speaker in that debate, and who had, from his profession, the best knowledge of the subject, came to the conclusion that the work had been done cheaply, had been done well, and that the money the Connollys got for this work had been earned by them. Besides, the House came to the conclusion to approve the agreement which, as I have said, was made out by the then acting Minister of Public Works, and of which I, as his successor in office, took full responsibility. The House approved of the agreement made by him, according to which the amounts earned by the Connollys on that contract were to be paid. In addition, the

Government took the precaution of exacting from these people an additional security representing, in actual value, more than the amount they were to receive, that is, an amount of about \$90,000, consisting in plant of all kinds which was valued by the chief engineer of our department to that amount. I may add that the contract was positive, making it obligatory on the part of the Government to pay the contractors as estimates were given of the work performed. I think that after these explanations, the House will come to the conclusion that the department was fully authorized by the House itself to make the payment that was made in July following, and that the department cannot be censured for having done what it had been authorized to do in paying this legitimate claim of the Connollys for the completion of the Kingston Graving Dock. I am sorry to say that I cannot explain the motion of the hon. gentleman otherwise than by supposing that he must have entirely forgotten the debate that took place on that occasion. If he had not forgotten it, he would not propose a vote of censure on the action of the House, since the House itself had authorized the payment of which he now complains.

Mr. McMULLEN. This is a very peculiar case when we remember the different disclosures that have been made in connection with it from month to month, and year to year, as it has crept along. At first, the Government held up their hands in horror at the evidences of collusion between the Minister of Public Works and the contractor, whereby the country had been done out of a considerable sum of money. They declared they were ready to prosecute to the utmost these people, that they were prepared to pronounce them culprits and thieves for the manner in which they had taken advantage of the Government in the construction of this public work. But while they were presenting to the country evidences of a determination to prosecute to the utmost rigour all these men whom they claimed were guilty, at the same time they were quietly and secretly hand in glove with them, and had entered into an arrangement with them to advance them money, as was proved by the leader of the Opposition to-night. The hon. gentleman now says that they had to advance the money in order to enable them to go on and to complete the work. It is only now made known to the House.

Mr. OUMET. It was made known then and there.

Mr. McMULLEN. There has been an undercurrent of kindness evident between these men and the Government all the time. The punishment to be inflicted on them for crimes of which they were supposed to be guilty was condoned by allowing them to go on for months and months after the Government had declared that fraud had

been committed. In the meantime money was advanced, and the Minister carried on the work as a public work. If the plant at Kingston graving dock was good security for any sum found to be due to the country, was it not good security for the completion of the work? Was there any necessity for keeping on a gang of men who had cheated the country? Certain approximate estimates had been made, and on them moneys paid to Connolly & Co. in connection with the graving dock. The Minister of Public Works will not admit that the advances made were in excess of the work performed. Will he say that the plant belonging to the Connolly's was not sufficient security for the completion of the work, if it had not been taken over then.

Mr. OUIMET. What right had the Government to take over their property?

Mr. McMULLEN. It belonged to them, but they had been found unworthy to carry out Government works. The Government had a right to cancel the contract.

Sir JOHN THOMPSON. Not for that reason.

Mr. McMULLEN. The Government could have cancelled the contract, taken over the plant and finished the work. The Government, however, were disposed to treat the Connolly's in the most kindly manner possible; in fact they did so. The whole matter possesses some very peculiar features, and at all events an enormous amount of money was lost to the country.

Mr. OUIMET. Not on that work.

Mr. McMULLEN. It has been lost. The Minister will not deny that money was advanced to them, and that subsequently it was resolved to prosecute them. We know that the prosecution ended in—it looked like a friendly affair all through. The whole evidence taken and the statement made by the leader of the Opposition makes this case appear black for hon. gentlemen opposite.

Sir JOHN THOMPSON. I think the leader of the Opposition did well for the encouragement of his own party to state that this was a case about which no excuse could be given. No excuse need be given, because there is no cause whatever or the slightest foundation for any attack or reproach; and when the facts are examined, they will be found to be as they were explained to the satisfaction of this House two years ago, when they were shown to be not such as would cause censure or attempted censure or reproach against the Minister of Public Works; the House expressly gave him authority to go on and make the payments. So it is perfectly clear, after an examination of the facts in this case, that the hon. gentleman must have forgotten the facts before he undertook to submit a motion to this House respecting this matter. To dispose of a few preliminaries in the first instance, I desire to say

Mr. McMULLEN.

this: The hon. gentleman who has just taken his seat has said that we held up our hands in horror at the evidence that there was collusion in 1891 between the Minister of Public Works and the contractors, by which the country was defrauded of a large sum of money. We did not hold up our hands at anything of the kind, because no evidence of that kind transpired, for evidence to the contrary was most distinct and was placed before the Committee of Privileges and Elections, to such an extent that this House adopted the report declaring that that statement was false in every particular. So much for that attempt to throw insult on an hon. gentleman who is now a private member of this House, and who was then in office as Minister of Public Works. The evidence I allude to is now given a political gloss when it is supposed that perhaps the people have forgotten some of the details. The statement has been also made that there was a quiet and secret arrangement in regard to payments to the Connollys. For that there is not the slightest foundation in fact. The arrangements that were made with the Connollys were open to everybody who chose to inquire, they were published in the press of the day, and at the very next session, about two years ago, the details were submitted to this House. It has also been stated that the Connollys were found unworthy of being trusted, and that, therefore, the Government might have cancelled the contract. The Government had not the slightest right to cancel the contract; but if they had possessed that right the result would have been to enhance very much the expense of completing the dock. It has been stated that payment was made because an election was coming on about that time. I do not know at what date the leader of the Opposition imagines the election was held. The payment was made in July, 1892. The agreement for the payment, as it is called by the leader of the Opposition, but which is simply a chattel mortgage given in pursuance of the arrangement, was made, I think, in May, 1892.

Mr. LAURIER. In January, 1892.

Sir JOHN THOMPSON. The election took place in the first week of January.

Mr. LAURIER. On 28th January, 1892.

Sir JOHN THOMPSON. So far as my information was then, and is now, our cause was not warmly supported in Kingston at that time by the Connollys. And the hon. gentleman is very far wide of the mark when he talks about the Antigonish speech. I there stated that we lost Richelieu because we prosecuted Messrs. Connolly and McGreevy, in pursuance of the mandate of the House—and so we did. The Connollys, Mr. McGreevy and the Richelieu Company were opposed to us in the Richelieu election at that time. The hon. gentleman has said that I knew the reverse because over his signature the Conservative Candidate, Mr. Morgan,

had stated that Messrs. Connolly and McGreevy had supported him. I have never seen such a statement made over the signature of Mr. Morgan, but I have seen the report of an interview with Mr. Morgan in which that statement was declared to have been made. I have seen Mr. Morgan, and his assertion was that no such statement ever passed his lips. Those parties, however, supported the Liberal candidate in Richelieu, and we lost Richelieu in consequence. To come now to the question of the chattel mortgage. This investigation took place in 1891, as the House knows. About September the report of the Committee was laid before the House, in which report the Connollys and their associates in the contracts for the construction of the Quebec works and for the construction of a graving dock at Lévis were asserted to have acted fraudulently and in a manner such that the country was considered to have lost a considerable sum of money. The mandate of this House was delivered that they should be prosecuted, and that there should be an attempt to recover the money. Steps were taken to prosecute them; they were prosecuted, they were convicted, and I have nothing to conceal or nothing to be ashamed of with regard to the conduct of that prosecution, or with regard to what subsequently transpired in this matter. But the matter of the criminal prosecution is not touched upon in the resolution of the hon. gentleman, and I shall refrain from discussing it because I know at this hour of the session the House would prefer to have the question dealt with briefly and to the point. The misconduct of the Connollys and their associates was altogether in connection with the execution of the works in Quebec Harbour. They were at that time under contract with us for works at Kingston graving dock, and in connection with the works at Kingston there never has been the slightest reproach against them or against the department with which they contracted, or against the work which they did. At that date there was not the slightest imputation against them nor the slightest suggestion of suspicion, except, as the Minister of Public Works has said, that it was alleged that there was no such man as Bancroft, and that they had got the contract by using Bancroft's name. That turned out not to be a fact. It was investigated by this House, a resolution was moved, and it was proved that they had put in a tender in the name of Bancroft, a tender by which this country not only lost no money, but by the acceptance of which the country saved some thousands of dollars, and when Bancroft was brought forward to sign the contract he came forward and showed that he had made arrangements with the Connollys. They executed that work at Kingston without the slightest reproach, and with great credit to themselves, for the work is a very creditable piece of work and not a very costly one, considering the quality of it.

As soon as the report was adopted by this House that we should recover back the money, we took steps to do so by entering an action in the Exchequer Court of Canada. It was said that this was a friendly suit. It was no more a friendly suit than was the most bitterly conducted suit that was ever carried on in the Exchequer Court. The suit is without parallel in that regard, and it is being prosecuted to-day, and the trial was about to be finished last month in the city of Quebec, when on the application of the defendants' counsel, and in spite of the stout resistance of the counsel for the Crown, its further hearing was postponed until the month of December next. Not one step in that transaction has had a friendly character, or a friendly appearance from beginning to end. Then we were in this position: When they were near the completion of their contract in Kingston—all the disputes being in relation to the works on the harbour in Quebec—and when it became known by our declaration that we not only intended to recover back, if we could, the money which they had obtained in the shape of overpayments, but that we did not intend to pay them for any further work they might do in Kingston, they brought the matter to a point in this way: They said, We are not able to carry on the contract at Kingston, if you do not pay us; we have earned now, something like \$30,000 or \$40,000, and if you stop your certificate for that we are ruined; we have nothing but our plant on which to raise money. The hon. member for North Wellington (Mr. McMullen) has suggested that we should have torn up that contract and seized and sold the plant, and worked out the contract ourselves. We had no authority from Parliament to do that. We had no vote to do that, and if we quarrelled with them unjustly, and broke their contract, and refused to pay them the amount due, we would have to re-examine the whole work, relet it, and postpone the completion of that dock for another year. Under those circumstances we agreed that they should go on and complete their work, and that we should take security from them by way of chattel mortgage on their plant for any payment that we might make them. It was not as the leader of the Opposition has said: the case of a debtor going security for the plaintiff for the amount involved in the suit, but we were merely taking security from them for the amount that we were paying them on the Kingston graving dock, so that they should pay it back to us, if the court should decide that the amount which they owed us by reason of the Quebec work was greater than the amount they had been paid for those works, and for the Kingston work besides. I omitted to say, Mr. Speaker, that of course there were charges in connection with Esquimalt. I should add that to the works of the harbour in Quebec, but I mentioned the Quebec works for the purpose of showing that

the complaints had nothing to do with the Kingston works at all. Therefore in making that arrangement we secured the completion of the Kingston dock instead of having the contract thrown upon our hands, to re-let it, at perhaps a very great sacrifice, and certainly at a very great inconvenience to navigation there. We secured at the same time, the benefit of our set-off practically, by taking security that the amounts which we paid on that contract for the work done should be repaid to us if the court should decide we were entitled to recover in the existing suit. Under these circumstances the paper which the hon. gentleman has read was taken as a chattel mortgage or as security of that nature, specifying the plant upon which we should have a lien, and that which the hon. gentleman has read as being a narrative of the whole transaction, is simply a single detail of the whole transaction, simply a document drawn up to specify clearly that we were not waiving our rights, that we were not condoning the complaints in any way which arose out of the Quebec works and Esquimalt by making any payment, but that on the other hand we were reserving all the rights which the hon. gentleman (Mr. Laurier) has said tonight that we ought to have kept. Under these circumstances they went on and completed the contract as I have already said, and as the hon. Minister of Public Works has explained, this payment was fully put before the House and the authority of the House taken in regard to it. Yet, the accusation is made now, that this is a friendly suit, that payment was made by reason of an election, and that we were dealing covertly and secretly, and losing the benefit of the set-off which we had a right to claim.

Mr. MULOCK. Mr. Speaker, the Minister of Justice has given an explanation of this transaction and he would lead us to understand that in consequence of the action of the Government, as directed by the House to take steps to collect moneys alleged to have been incorrectly obtained out of the public treasury; that thereby a certain other public work was going to be blocked in its completion, and thereby the public service was going to be interfered with. For that reason he says that a modification of the Kingston contract was arrived at under which this money was paid. Now, Sir, the Minister of Justice must have spoken without recollecting the facts. He says that this modification and this concession was made in order to save the interruption of shipping, and in order to prevent the interruption of a great public work which was urgently required in the public interest. Does the hon. gentleman know the nature of the Kingston work? Does he know the amount involved? Does he know the proportion that was unfinished? Does he know the details of the unfinished portion? Does he know to what extent the non-completion in the way he suggests, would have effected the public in-

Sir JOHN THOMPSON.

terest. If not, I would like to ask the hon. gentleman how he can stand up there and tell us that the uncompleted portion of that work was of a character, that had the Government taken it over it would have involved delay and injury to the public service. If he does not let me tell him. The contract, if the Minister of Public Works correctly informed the House—and I speak altogether from what he has placed on the record here—he tells us that the Kingston graving dock involved the expenditure of some \$344,000 and at the time that he spoke, and asked for a vote in this House there was only required, in order to complete the contract, some \$41,000.

Sir JOHN THOMPSON. Hear, hear.

Mr. MULOCK. The Minister of Justice says "hear, hear."

Sir JOHN THOMPSON. Certainly.

Mr. MULOCK. That would amount to one-eighth, or nearly one-ninth part of the work uncompleted. The Minister knew in the fall of 1891 that there was only a one-ninth part of the work uncompleted, and yet he tells us that the public interest would have greatly suffered if they had not done what they did, and made arrangements with the Connollys whereby they were able to get that work in shape by the opening of navigation in the following spring—a period of nearly six months. Does he mean to tell us that his department are so unable to deal with the public service that they could not find the means to complete a mere bagatelle of the contract, some mere matters of detail on the land between the time of taking the chattel mortgage and the opening of navigation? Does he mean to say that the Government have drawn their contracts in such a shape that they cannot enter on the work, and make available for its completion the plant of the contractors?

Sir JOHN THOMPSON. Certainly not.

Mr. MULOCK. Then it is a disgrace to the department.

Sir JOHN THOMPSON. It is nice to use large words, but the hon. member knows that nobody enters into a contract by which he can cancel the contract without the contractor being in default.

Mr. MULOCK. I know very well that every public contract properly drawn provides that in case the contractor defaults in completing his contract, the other party has the right to step in and complete it at the expense of the contractor, and make use of his plant for that purpose.

Sir JOHN THOMPSON. That is another affair altogether. They were not in default at all.

Mr. MULOCK. The Minister of Public Works said that the contract was going to put them in default.

Mr. OUIMET. Will the hon. gentleman allow me to make an explanation? I think he makes a slight mistake of fact when he says that there were only about \$40,000 worth of the works to be completed. I said that when the agreement was entered into with the Hon. Frank Smith, who was then acting Minister of Public Works, there was work to be done, amounting to \$75,000, of which \$32,000 was paid in February, and the balance in July; and the agreement was for the whole amount.

Mr. MULOCK. Will the hon. gentleman supplement his statement by stating the date of the agreement in question?

Mr. OUIMET. The agreement, as I said, was made, I think, some time during November or December, 1891, immediately after the Messrs. Connolly notified the department that if they could not receive their money, they would be unable to go on with the work.

Mr. MULOCK. Very well, I will take those dates. In November, 1891, the Government learned that the contractors would not complete the contract unless they were paid some of the moneys on account of arrears.

Mr. OUIMET. Not arrears.

Mr. MULOCK. The Minister of Justice said so.

Sir JOHN THOMPSON. I did not say so at all.

Mr. MULOCK. The Minister of Justice said, if I understood him correctly, that there was \$30,000 of money earned, and that if that was not paid the contractors could not complete their contract. I suppose we are to accept both statements and try to fit them together.

Sir JOHN THOMPSON. Unless you torture my language.

Mr. MULOCK. If I am in error, I will ask the Minister to correct me.

Sir JOHN THOMPSON. I will not correct you any more, because I have endeavoured to correct you twice, and you have distorted my language.

Mr. MULOCK. I deny that I have distorted. I understood the Minister of Justice to say that after the money had been earned by the contractors after Parliament had issued a mandate to the Government to collect the alleged claim in respect of the transaction in question, and after the money had been earned on the Kingston contract, the contractors said that they would be unable to complete that contract unless the sum was paid to them which they had already earned on that contract \$30,000, I understood the Minister to say.

Sir JOHN THOMPSON. The hon. gentleman is attempting to make that state-

ment of mine applicable to the month of November; whereas, what transpired, as the hon. Minister has explained, was, I think, on the 4th of January. Let me first remind the hon. gentleman that I stated that as soon as the mandate was given by Parliament we commenced the proceedings; I do not mean that we issued the writ immediately. The hon. gentleman says the Connollys were in the position of having to choose between accepting our attitude and throwing up the contract, that is to say, between our not paying them and leaving them to fulfil the contract and to get no money from it until the decision of the Exchequer suit, or else giving up the work and saying: We cannot go on because we cannot stand being treated in that way. Mr. Smith made the arrangement with them, whereby, until the matter was brought before Council, the work should go on, if he had to pay for it himself; and he promised to bring it before Council at an early date. When the matter came to be adjusted, there was about \$30,000—or perhaps \$40,000—due to the Connollys. How much of that had accrued in November or afterwards I do not know.

Mr. MULOCK. I am not responsible for any inaccuracy on the part of the Minister in stating the case. What he stated—and when his remarks come to be read this will be found to be correct—was that unless the arrears due to the contractors and earned at that time were paid, they would be so crippled that they would be unable to complete the work. If that is not the statement he made, of course it alters the argument I would have presented. If that is the statement he made, then I present this argument. There was at that time in the hands of the Government \$30,000 of earned money which the Government had the right to set off, I presume, against the \$570,000 claim. At all events, it had been ordered by the House and determined by the Government that that should be their attitude; they would pay nothing so long as their claim was unsatisfied; and in that view the Government were in this position. If their contract was properly drawn, as I assume it was, they had the right to step in and make use of the plant and materials on the spot and complete the contract without any interruption whatever. It was not necessary for them to advertise again for tenders. If the contract was loosely drawn, that is a different matter; but, if properly drawn, there must have been provisions in it whereby the Government could have completed the work. It would have gone on uninterruptedly, except under different management, and the whole matter afterwards would be a matter of balancing up between the Government and the contractors. So that if the \$30,000 was paid, as the Minister gave me to understand after it had been earned, it should not have been paid.

There was a drawback of 20 per cent on the contract—I do not know whether on the extras or not—but on the contract of \$260,000, there was a drawback to the amount of \$52,000. Was not that on hand? I fail to understand the reason for this laxity in the transaction. I did not intend to dwell on the matter any further, but I cannot let one remark of the First Minister pass unnoticed. He chose to go outside of this motion, for what reason I do not know, to say he was not ashamed of anything connected with the criminal prosecution or anything that followed it. Well, I am ashamed of what followed, and I think the time has come when the hon. Minister should explain what followed and why he gave the advice to His Excellency which led to the prostitution of the administration of justice in this country. I may say with regard to his action in that matter, that his predecessor, the late Sir John Macdonald, whose political actions did not always commend themselves to my judgment, during his long career in public life, never once was known to have disregarded the purity of the Bench or to have done anything to interfere with the administration of justice. I remember well, as a young man, the most trying position Sir John Macdonald was in—reading of it in the public press—when one near and dear to him made a mistake and paid for it in the cells. I can remember many instances in his life where he rose superior to all personal considerations, when the administration of justice was involved, and I can conceive no more important duty of any public man than to see that the laws are lived up to. What is the use of our passing laws if they are to become dead letters. If one could have read the heart of Sir John Macdonald in his last moments, it would have probably disclosed that he lay down his life because of these transactions, which were then a source of grief to him and which would have involved, either the abandonment of his life record of standing up for the administration of justice, or perhaps yielding to the importunities of others. And when he died, I believe he died of a broken heart because of the circumstances brought to his notice. I turn to his successor, on whom his mantle was to fall, who was to be the custodian of the administration of justice, and I believe that if there was one circumstance that commended the present Minister of Justice to the public it was the representations and the promises he made that he would see that justice was administered and that not one guilty man should escape. This is the third time this session I have brought this matter to the hon. gentleman's notice, and I will continue to bring it up until he justifies his action or stands convicted before the country of having prostituted justice.

Sir JOHN THOMPSON. Let me make a very short statement in answer to the Irre-
Mr. MULOCK.

levant and abusive attack of the hon. gentleman. I have only to state, without going into details, that he has made this attack by insinuations time and time again, and has not been man enough to challenge my conduct in that matter on any occasion when I had an opportunity of answering him in this House. But he is that description of man who can make these dirty insinuations at the close of a long debate on an entirely different question. I have only to say to him that he can search the records of my department, whether under Sir John Macdonald or his predecessors or successors, and he will find in no case has an application for clemency been refused, under the representations that were made and put on the Table of this House in the case of Messrs. Connolly and McGreevy.

House divided on amendment of Mr. Laurier :

YEAS:

Messieurs

Allan,	Harwood,
Bain (Wentworth),	Laurier,
Beausoleil,	Leduc,
Beith,	Livingston,
Boston,	Lowell,
Brodeur,	McGregor,
Bruneau,	McMillan,
Cartwright (Sir Richard),	McMullen,
Casey,	Mignault,
Dawson,	Mulock,
Geoffrion,	Scriver,
Guay,	Semple.—24.

NAYS:

Messieurs

Bain (Soulanges),	Jeannotte,
Bellefleur,	Lachapelle,
Bergeron,	Langevin (Sir Hector),
Blanchard,	La Rivière,
Boyd,	Leclair,
Boyle,	Lippé,
Bryson,	McDougald (Picton),
Carling (Sir John),	McLennan,
Caron (Sir Adolphe),	Madill,
Carscallien,	Marshall,
Christie,	Masson,
Coatsworth,	Metcalfe,
Cochrane,	Miller,
Costigan,	Quimet,
Daly,	Pelletier,
Davin,	Roome,
Davis,	Rosamond,
Desaulniers,	Ross (Dundas),
Dugas,	Ross (Lisgar),
Fairbairn,	Smith (Ontario),
Ferguson (Leeds & Gren.),	Sproule,
Ferguson (Renfrew),	Stevenson,
Fréchette,	Temple,
Gillies,	Thompson (Sir John),
Girouard (Two Mountains),	Tupper (Sir C. Hibbert),
Guillet,	Tyrwhitt,
Haggart,	White (Cardwell),
Henderson,	White (Shelburne),
Hughes,	Wilson,
Hutchins,	Wood (Brockville).—61.
Ingram,	

PAIRS:

Ministerial.

Opposition.

Messieurs

Foster,	Mills (Bothwell),
Barnard,	Davies,
Earle,	Rowand,
Putnam,	Forbes,
McDonald (King's),	Welsh,
McLean (P.E.I.),	Yeo,
Cameron,	Perry,

Macdonell,	Gibson,
Corbould,	Gillmor,
Haslam,	Fraser,
Northrup,	Langelier,
Ryckman,	Martin,
Moncrieff,	Lister,
McKay,	Fauvel,
Hazen,	Frémont,
McAlister,	Colter,
Dickey,	Flint,
Tisdale,	Charlton,
Carpenter,	Vaillancourt,
Pope,	Rider,
Turcotte,	Rinfret,
Craig,	Featherston,
Wood (Westmoreland),	Campbell,
Montague,	Edgar,
Grandbois,	Christie,
Prior,	Landerkin,
Pridham,	Grieve,
McDougall (Cape Breton),	Macdonald (Huron),
Joncas,	Carroll,
Denison,	Bernier,
Taylor,	Sutherland,
Amyot,	Godbout,
Girouard (Jacques Cartier),	Béchar,
Cleveland,	Lavergne,
Baker,	Choquette,
Patterson (Colchester),	Innes,
Reid,	Borden,
Burnham,	Paterson (Brant),
Corby,	Préfontaine,
Hodgins,	Somerville,
Smith (Sir Donald),	Bourassa,
Macdowall,	Bowers,
Maclean (York),	Bowman,
Cargill,	Brown,
Mills (Annapolis),	Delisle,
Bergin,	Edwards,
Ives,	Monet,
Grant, (Sir James),	Devlin,
Kaulbach,	Proulx,
Kenny,	Sanborn,
Wilmot,	Legris,
Weldon,	Tarte.

Amendment negatived.

Mr. TAYLOR. The hon. members for Colchester (Mr. Patterson) and East Hastings (Mr. Northrup) have not voted.

Mr. PATTERSON (Colchester). I paired with the hon. member for South Wellington (Mr. McInnes), or I would have voted against the amendment.

Mr. NORTHRUP. I paired with the hon. member for Quebec Centre (Mr. Langelier), or I would have voted against the amendment.

Mr. GUAY. The hon. members for Standstead and Russell have not voted.

Mr. RIDER. I paired with the hon. member for Compton (Mr. Pope), or I would have voted for the amendment.

Mr. EDWARDS. I paired with the hon. member for Stormont (Mr. Bergin).

Mr. SPROULE. The hon. member for South Leeds (Mr. Taylor) has not voted.

Mr. TAYLOR. I paired with the chief whip of the Opposition (Mr. Sutherland).

Motion agreed to, and House again resolved itself into Committee of Supply.

(In the Committee.)

Rapide Plat Canal—enlargement.. \$130,000

Mr. McMULLEN. Is this about completed?

Mr. HAGGART. The estimated cost was \$1,600,000, and the amount expended is \$900,000.

Trent Valley Canal—Construction \$130,000

Mr. McMULLEN. Where is that to be spent?

Mr. HAGGART. Between Peterborough and Lakefield and Balsam Lake and Lake Simcoe. That will give navigation of 160 miles on the canal.

Cornwall Canal—To extend the Cornwall sewer..... \$10,000

Mr. McMULLEN. How much does this Cornwall sewer cost altogether? Was there not something spent upon this a number of years ago in connection with the construction of the canal?

Mr. HAGGART. I believe so. The total cost estimated is \$10,000. This is the result of an arbitration. The town of Cornwall has been threatening action to enforce the agreement, and we are obliged to do the work.

Welland Canal—Rebuilding wall above Lock No. 24..... \$14,000

Mr. McMULLEN. Where is this work?

Mr. HAGGART. On the level above lock 24. The sides of the prism, 1,300 feet, are supported by a dry wall built of stone, not of a durable nature. The stone is crumbling away and the wall has settled from six inches to one foot ten inches on the west side, and, considering the narrowness of the embankment and the serious consequences threatened it has been decided that the wall shall be rebuilt.

Mr. MULLOCK. Whose report is that?

Mr. HAGGART. The report of the engineer, Mr. Thompson.

Mr. MULLOCK. How do you propose to have this work done?

Mr. HAGGART. All this work is done under contract given after tenders have been publicly called for, the contract being given to the lowest tenderer.

Lachine Canal—To pay land damages..... \$19,200

Mr. CASEY. Is that the result of an arbitration award?

Mr. HAGGART. It is the result of the award of the Government appraisers who valued the damages.

Mr. McMULLEN. Who were the Government appraisers?

Mr. HAGGART. Mr. Wood and Mr. Paradis.

Mr. McMULLEN. Can the hon. gentleman give the cost of the arbitration?

Mr. HAGGART. I have not a memorandum of that by me.

Repairs and alterations to car "Victoria"..... \$3,200

Mr. McMULLEN. What car is this?

Mr. HAGGART. The Governor General's car.

Mr. CASEY. How long is it since it was built?

Mr. HAGGART. I do not remember. The Governor General suggested some improvements and the car was sent to the workshops at Moncton to be fitted up according to his suggestions.

Mr. McMULLEN. Will the hon. gentleman tell us what kind of improvements have been made upon it?

Mr. HAGGART. The car is in the workshops at Moncton, being altered according to suggestions of the department, approved by the Governor General.

Mr. McMULLEN. I do not think we have the right to keep up a car of this kind for the Governor General even if he is the representative of Her Majesty. He gets a good round salary and a large amount of money otherwise, and I do not think we ought to be required to keep building and altering and reconstructing a car for the purpose of carrying him around through the country. It is an absurd proceeding. I do not think the people are prepared to endorse such action.

Mr. HAGGART. The hon. gentleman asked the nature of the changes. I will tell him. Metal work, replating, \$145; cleaning and varnishing car, \$75; repairs to trucks, \$126; new patent roller window shades, including alterations necessary to window facings, \$199; steam heating apparatus, \$200; three extra water tanks and enlarging others and making pipe connection, and also changing pipes in kitchen, \$176; four new patent water closets, \$180; fitting car with electric light and storage batteries, \$1,000; add five per cent, \$114. Then there is the painting and varnishing.

Salaries of engineers, draughtsmen and extra clerks, which may be paid notwithstanding anything in the Civil Service Act to the contrary \$17,420

Mr. CASEY. I suppose the Minister can give a full explanation of this?

Mr. HAGGART. These salaries were left out by mistake from the Main Estimates. They are: Thomas Ridout, engineer; R. C. Douglas, engineer; J. B. Spence, chief draughtsman; Johnson, Mothersill, Leslie, Daly, clerks; Chamberlain, Loftus, Desjardines, and Graham, messengers.

Mr. CASEY. Why that proviso, "notwithstanding anything in the Act?"

Mr. HAGGART. They are not on the civil service list at all. A good many of them have been in the department twenty-five or thirty years.

Mr. CASEY. There can be nothing in the Civil Service Act against paying them, then.

Mr. McMULLEN.

Sir JOHN THOMPSON. They are temporary officers, and strictly, they have to be chosen from the list of candidates before they pass an examination.

Mr. CASEY. Some of them, I understand, are new appointments?

Mr. HAGGART. Not one of them.

Towards compensating A. H. Archibald for the loss sustained by him by the breaking up of the roads between North Sydney and port Hastings (over which he was then carrying the mails) by the construction of the Cape Breton Railway. . . . \$4,000

Sir ADOLPHE CARON. Mr. Archibald held a contract to carry the mails between North Sydney and Port Hastings by the highway, a distance of eighty-seven miles, the rate of speed to be six miles an hour, the mode of conveyance to be by vehicle, drawn by one horse, the service daily, the price \$5,004. He claims that in the years 1889-90, during the construction of the railway between Point Tupper and Sydney, the highway over which he carried the mail was expropriated for long distances by the Government for building a railway. The Government contractor laid rails and ties in at least fifteen places across the highway; in other places water-courses were diverted, so that the highway was turned away and destroyed in such a manner as to require him to leave it at many points. He had in some instances to cut roads through the forest. At other points he had to adopt other and more difficult, lengthy and dangerous routes, which compelled him to provide additional teams and conveyances, and caused him to lose many valuable horses and vehicles. He put a claim before the department for the sum of \$11,235.28. After looking into the case very fully, the amount provided in the Estimates was granted to him. After Mr. Archibald made his first claim the matter was inquired into by our inspector at Halifax, who reduced the amount to \$9,473.20, and the Government decided to allow him \$4,000.

Mr. LAURIER. Was the damage from which Mr. Archibald suffered caused by the Government contractor?

Sir ADOLPHE CARON. The contractor expropriated the public highway in several places, and on account of the railway being close to the highway, ties and other material used in the construction were piled on the highway, so that the road was completely diverted for long distances.

Mr. LAURIER. Did the Department of Justice report upon the legality of the claim?

Mr. HAGGART. The Government expropriated ten miles out of the ninety miles of this highway.

Sir JOHN THOMPSON. Strictly speaking I suppose there is no legal liability, because he had contracted to carry the mails on a four years' contract, and he was bound to carry them if there had been no roads at all. But considering that his actual losses were found on investigation to be upwards of \$9,000, and considering that they were due to the construction of a public work, we decided to grant him this compensation.

Mr. LAURIER. I find no fault with this. I may have been wrong in my understanding of the explanation given by the Postmaster General. The contractor might have been responsible and not the Government. Of course, if the impediment arose as a direct result of the work of the Government, the case might be different.

Sir ADOLPHE CARON. I gave that as an instance. I have already explained, however, that during the construction of the railway the highway was interfered with at fifteen different places. The contractor had been in the habit of using one horse and was compelled to add a second, he was so compelled to take a longer route.

Mr. BERGERON. I desire to ask the Minister of Railways and Canals if he remembers having received some communications respecting the construction of a sewer at Valleyfield, some letters from myself and the Council of the town, asking the Dominion Government to take charge of the sewer which crosses the town, and which belongs to the Government. Further, whether, on receipt of those letters from myself or from the Council the hon. gentleman asked a report from his engineer. I further desire to know whether the hon. gentleman has that report, and what are its recommendations, as I believe there is no appropriation for the work in the Supplementary Estimates.

Mr. HAGGART. The Government resolved not to place an amount in the Estimates.

Mr. BERGERON. Was there a report submitted from the Government engineer on the subject?

Mr. HAGGART. I think there was a report as to the cost of the work, but as to whether the Government should undertake the work or not, that was not the business of the engineer.

Mr. BERGERON. What was the estimate of the cost?

Mr. HAGGART. Between \$30,000 and \$36,000.

Mr. BERGERON. Could I obtain a copy of that report from the department.

Mr. HAGGART. Yes.

Mr. BERGERON. Did the engineer recommend the construction of the work?

Mr. HAGGART. It was not his duty to make the recommendation.

Mr. BERGERON. Perhaps I am not understood. The engineer was, no doubt, asked whether this work belonged to the Government or not. If I had not thought he did, or if the Council had not so thought, the request would not have been made. I should like to know whether the Dominion engineer made a report in that spirit?

Mr. HAGGART. I do not know the way in which the engineer reported. The report made to the department was to the construction of the sewer. I do not know whether the engineer dealt with the question of the liability of the Government or not, but he entered fully into the circumstances connected with the matter, and I shall have pleasure in furnishing the hon. gentleman with a copy of the report.

Payment of Damages—Railway
Accident at Lévis. \$12,000

Mr. HAGGART. This vote is rendered necessary by an accident that occurred on the Intercolonial Railway, by which a number of persons were killed and injured.

Mr. LAURIER. How many persons?

Mr. HAGGART. Thirty-three claims were filed; three persons were killed, and one or two more wounded.

Mr. McMULLEN. Did not the investigation show that the train was running at a very high rate of speed.

Sir JOHN THOMPSON. That was proved not to have been the cause of the accident, but the cause was an unforeseen defect in an axle, which was not capable of being ascertained. For that reason, the Government were exonerated. The Government are simply asking for a vote on the principle pursued by railway companies. The amount asked for is very small, and it may be necessary to apply for a supplementary amount. There was some examination of the case by the Solicitor General, who thought an abatement might be made, so as to bring them all within \$15,000.

Mr. McMULLEN. I understood the train was running at a very high rate of speed, that it was twenty minutes behind time, and on a down grade and going round a curve, it ran so swiftly that the hind car went clear over. I was told that in the investigation several passengers had given evidence to that effect. What was done with the engineer?

Mr. HAGGART. The accident was caused by a broken axle on one of the cars. No fault was attributable to the engineer.

To compensate Mr. Martin for injury sustained on the Intercolonial railway. \$1,500

Mr. HAGGART. The son of this man, living in the town of Rimouski, was injured by a train of the Intercolonial Railway at Rimouski station, on 19th July. He is alleg-

ed to have been ejected from a car in motion by a brakeman, and, his leg having been crushed, he was made a cripple for life. The father brought an action against the Government, the cost of which in the courts are said to exceed \$1,000, and the cost of medical assistance was \$500.

Mr. LAURIER. It is not a pleasant task to criticise an item of this kind, but I understand in this matter there is really no claim at all for sympathy. My information is that this boy of seven or eight years was in the habit of going aboard the cars, and had been frequently warned by the brakemen and conductors. At last he was ejected somewhat forcibly, but all through his own fault. Under such circumstances, I understand that the father sued, but the action was dismissed, and very properly dismissed.

Sir JOHN THOMPSON. The circuit court awarded him \$3,000. We appealed, and succeeded on the ground that at the time the accident occurred, the statute did not make the Crown liable for an injury taking place on a public work.

Rideau Canal—To pay Thomas Sweetman, land damages..... \$220

Mr. DAWSON. In connection with this item, I would like to call the attention of the Minister to a reply he made to me last April concerning land damages. He stated that the Government had received a communication from certain residents in the township of Bedford in reference to damages suffered by their lands in consequence of the construction of a dam on West Rideau Lake. I would just like to say that several farmers in the neighbourhood of this lake suffered considerable damage last year, when 137 acres of land in Stinson's Creek valley were flooded. They suffered the total loss of their crops, and hay, and a considerable damage to the land. I urged the Minister to send an engineer at as early a date as possible in order to look into the matter thoroughly, with a view to compensate these parties. At the time the dam was built, it was urged by the farmers that the dam was too high, and would flood their lands, but, they allege, a promise was made to them that the dam would never be closed to its full extent. For two or three years it was not closed, but last year it was closed up and the water rose some twenty inches over their land. It is also claimed by them that by the expenditure of \$500 in dredging the outlet to the lake, the sills of the dam could be lowered three feet. I do not know whether this could be done or not, but when the engineers are there, I think they should examine this statement of the farmers, because if it is correct, the dam could then be so lowered as to avoid flooding and yet save as much water for the canal as is now held back by that dam. I would ask the Minister at what time the engineers will be able to visit that lake?

Mr. HAGGART.

Mr. HAGGART. This is a dam for the reservoir for the upper Rideau Lake in the township of Bedford. There was a dam erected at the foot of the lake, and it was alleged to have done damage to these parties. The superintending engineer of the Rideau Canal was instructed to inquire into it, and I think he did report that there was some damage, and an appraiser was ordered to find out what it was. He also reported, as the hon. gentleman says, that by deepening the wall on the dam at the foot, and lowering the creek for some distance below, that they would be able to use the water in the lake for the purpose of navigation, and get a good deal more by a slight expenditure.

Post Office Staff, Vancouver, B.C. \$8,760

Mr. McMULLEN. What is the cause of this?

Sir ADOLPHE CARON. It is proposed to make this post office a city post office, and in doing so we are making an economy of \$1,060. The present income of the postmaster is \$8,980. The proposed disbursement will be \$6,320; balance to good of department, \$2,660, and out of that we will pay four letter carriers \$1,600, which would leave a balance of \$1,060 to the department.

Mr. McMULLEN. This appears to be a very large amount to pay for the service there compared with the receipts. The hon. Minister says that it only leaves a balance of about \$200 to the good. Does this include the sale of stamps, and everything connected with the office?

Sir ADOLPHE CARON. What I have mentioned is simply what the postmaster receives. The revenue of the office is some \$30,000.

Aid to Basile Beaulieu towards reconstruction of bridge destroyed by fire across Little river, N.B. . \$300

Mr. LAURIER. Why do we pay for this?

Mr. DALY. This is for a bridge that was formerly erected by a contribution of \$300 from the Government and an equal contribution from the municipality. It was destroyed by fire, and we are simply giving the original contribution, the municipality supplying the balance. It is on ordinance land, so that we get the whole benefit of it.

Harbours and Rivers, Ontario—
River Kaministiquia..... \$15,000

Mr. OUMET. This is to cut a channel through the bar at the mouth of the river four hundred feet wide by twenty feet deep. I am advised by my engineer that if this is done the whole of the water of the river will go through that channel and keep it open. Last year we had to expend \$55,000 to keep the channel of the river open.

Mr. McMULLEN. Do you intend to let this work by contract?

Mr. OUIMET. No, we have an elevator dredge now on Lake Huron, and we expect to send it there, and do the work much more cheaply ourselves than if we let it by contract. The cutting is through sand and other soft material.

Mr. MILLS (Bothwell). I called the attention of the hon. Minister of Public Works last year to the state of the navigation in the River Sydenham. There is more traffic upon this river than any other in Canada except the St. Lawrence, and the hon. gentleman informed me last year that the matter would be attended to during the summer. The whole summer is gone by and nothing done. I called his attention to the subject again this year, and also the attention of the Minister of Marine, and would like a statement from those hon. gentlemen as to what is to be done for the improvement of the river navigation.

Sir CHARLES HIBBERT TUPPER. The officers of my department had their attention called to this some time ago. The difficulty is in connection with a lot of sunken timber as well as some silting up of the bottom of the river. We have tried to deal with it by asking for tenders from parties who are willing to undertake the removal of these logs, but the scheme seems to be impractical. The tenderers in some cases wanted property in all these cases, and we found, on looking into it, that it would be hardly proper to undertake to give property in this wood. My officers are now endeavouring to come to some other conclusion, and I think, with the co-operation of public works, so far as dredging is concerned, we will be able to get the wood out of it by another scheme so that we will not have any claim for property in timber.

Public buildings, Nova Scotia .. \$14,600

Mr. GILLIES. Does the hon. gentleman intend to do anything in the way of erecting public buildings in the town of Arichat in my county? A few years ago the Government acquired the site for a public building at the cost of \$1,000, but since then they have been paying rental for the several public offices there. I have had some correspondence with the hon. Minister and understood he fully intended to make some provisions this session for a public building in that town.

Mr. OUIMET. I have submitted to Council a great many applications, some of which I recommended very strongly as being urgent but unfortunately the state of the revenue for the present year does not warrant the Government to go on with any new expenditure.

Stratford County Buildings..... \$10,000

Mr. REID. With regard to this vote of \$11,000 towards Stratford post office, is it

the intention of the department to add another story to the present structure?

Mr. OUIMET. It is.

Committee rose, and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 12.55 a.m. (Friday).

HOUSE OF COMMONS.

FRIDAY, 20th July, 1894.

Morning Sitting.

The SPEAKER took the Chair at Eleven o'clock a.m.

PRAYERS.

THIRD READING.

Bill (No. 166) to amend the Act to provide for the allowance of drawback on certain articles manufactured in Canada for use in the construction of the Canadian Pacific Railway.

SUBSIDIES TO RAILWAYS.

Mr. HAGGART moved second reading of resolutions reported from committee (19th July) respecting the granting of the subsidies therein mentioned to railway companies, and towards the construction of the railways also therein mentioned.

Mr. LAURIER moved that the said resolutions be not now read the second time, but that they be referred back to committee to consider the following amendment:—

That within four days after the opening of each session, the Minister of Railways shall lay upon the Table of the House, copies of all agreements made by any of the companies with the Government together with a statement of all payments made by the Government up to date, for subsidies earned by any of the said companies, and the Orders in Council authorizing such payments.

That within a month after the payment to any company of any portion of the subsidies, the president and manager of said company shall furnish to the Auditor General a statement under oath showing if the whole of the subsidies so paid to the company have been applied in the manner herein intended, and that a similar statement shall be supplied by every contractor of the company who is to receive or has received the payment out of any such subsidies or out of the proceeds thereof, and that, within four days after the opening of each session, the Auditor General shall lay all such statements upon the Table of the House.

That all such documents thus laid upon the Table of the House shall be referred to the Com-

mittee on Public Accounts to be by them investigated in the same manner as the Public Accounts.

That every officer and director of the said companies and every person having a contract with any of the companies for the performance of any work, the doing of anything, or the furnishing of any goods, effects, or materials, and having or expecting to have any claim or demand against the company by reason of such contract, who either directly or indirectly, by himself or by any person on his behalf, subscribes, furnishes or gives, or promises to subscribe, furnish or give, any money or other valuable consideration for the purpose of promoting the election of any candidate to a Legislature or to Parliament, or with the intent in any way of influencing or affecting the result of a provincial or Dominion election,—is guilty of a misdemeanour and liable to a fine of not less than one hundred dollars and not exceeding one thousand dollars; unless the value of the amount or thing paid, offered, given, loaned, promised, received or subscribed, as the case may be, exceed the last mentioned sum, in which case the fine may be raised to a sum not exceeding such value, and also to a term of imprisonment not exceeding one year and not less than one month, and in default of payment of such fine, to imprisonment for a further term not exceeding six months.

He said: For several years past we have adopted the policy of granting subsidies in aid of railways, and strange to say, we have never made any provision that the payments thus made should be audited, as all moneys paid out of the public treasury are audited. It seems to me that this is a practice altogether at variance with the principles of British administration and British government; and I intend to provide by this amendment that these moneys shall be audited, as are all other moneys paid out of the Treasury. Moreover, we know now, the facts have been made patent by investigation, that more than once, subsidies voted in aid of railways have been diverted from the intention for which they have been voted, and that they have been applied to other purposes, in several instances, as parliamentary funds for election purposes. After what has taken place during this session, we have reason to fear that this system will continue. We have heard a member of this Government on the floor of this House, after he had been convicted of obtaining money thus voted by Parliament, state that he had nothing to regret, and that he would do the same thing again as often as the case arose. As we have been voting here three million dollars, such occasions will again arise, and in face of the declaration I have referred to, Parliament would be recreant to its duty if it failed to make provision to prevent the recurrence of such offences.

Sir JOHN THOMPSON. This is an amendment we cannot accept. I do not understand the objections made in the resolution as to the audit of the payment of railway subsidies. The payments made to the companies by way of subsidies are certainly audited like any other items, and therefore, I take it

Mr. LAURIER.

that the hon. gentleman desires an audit to ascertain how the companies have expended the subsidies. The Bill, as amended, would make a curious mixture of appropriation and criminal law, two things which would never be combined. The amendment proposes to re-establish that which Parliament deliberately abolished, the designation of misdemeanour, and so forth. We struck that out of the criminal law, and it is proposed to put it in by an Act like this. The Bill proposes in the same way to repeal to a certain extent the law of contracts. There is on the Statute-book a law with respect to subscriptions by contractors of the Government. The Act would then contain this extraordinary feature, that while the president, secretary, manager, members and contractors of all those railway companies are eligible to sit in Parliament, they would be prevented from subscribing to their own elections or that of a co-director, who might be a personal friend, and would not be able to furnish him even with the necessary money to put up a deposit or any other legitimate expense of an election, either to the Dominion Parliament or Local Legislature. Such action would be punished by both fine and imprisonment. I am not able to agree with the hon. gentleman, although I have no doubt he asserted it with perfect sincerity, that these subsidies have been diverted sometimes to form a parliamentary fund. So strong is my dissent from that opinion that I consider it to have been distinctly disproved in the case to which he referred, and so far from it being correct that any member had been convicted of that offence, and that he declared he would do what he had done again, the hon. gentleman referred to made that declaration because it had been proved that he had done nothing of the kind.

Mr. MILLS (Bothwell). I regret the right hon. gentleman has not accepted this proposition, because if he had done so he would have removed a feeling of suspicion and distrust that exists in the public mind with respect to the use made of appropriations voted by Parliament to certain railways. The hon. gentleman knows that in Parliament a charge was made that on Section "B" a very considerable sum was taken from the subsidy and used for election purposes.

Mr. HAGGART. There was no subsidy at all on Section "B."

Mr. MILLS (Bothwell). It was public money, which amounted to the same thing. The House, at the instance of the hon. gentleman, refused any investigation in that case.

Sir JOHN THOMPSON. It was a Government work.

Mr. MILLS (Bothwell). The charge was that the work had been remeasured when it

was impossible to measure it accurately, and the prior engineer had refused to undertake the work of remeasurement, because he said, he had in the first instance measured it accurately. The sum of nearly \$400,000 was paid in excess of the first estimate, and it was alleged that a very considerable portion of that sum had been appropriated for election purposes. The hon. member for North Ontario (Mr. Edgar) charged the Postmaster General with having obtained from some parties certain money appropriated by Parliament to aid in the construction of railways, \$100,000 having been alleged to have been diverted to election purposes, and I think there were receipts produced which would go to establish the fact that the money was so obtained. Our view as to the obtaining of the money may differ from that of the hon. gentleman, but I believe the majority of the people agree with the opinion we entertain with respect to the moral character of that transaction. Where is the impropriety of having a proper investigation into the moneys voted by this House to aid in the construction of railways, to ascertain whether that money had gone to the purposes for which it was voted, and had not been diverted to any other purpose. Let me call the attention of the House to this fact, that there is nothing at all in the present condition of affairs to prevent a Minister coming to an understanding with a railway corporation or with persons promoting a certain enterprise that if a certain sum was appropriated, a portion of it should be placed at the disposal of the hon. gentleman's friends for election purposes. There should be no possibility of suspicion in regard to members of this House.

Mr. HAGGART. Is it not a crime already, for which either a minister or member of Parliament could be punished?

Mr. MILLS (Bothwell). The hon. gentleman says it is a crime. It is a crime against the law of Parliament, and is liable to be investigated by the House under the law of Parliament. But it is not done. It was not done here some time ago. The objections which the right hon. gentleman has mentioned are all illusory, and the statement that there is a proper investigation into the expenditure, is not a correct view of the actual facts. What check has the Auditor General over the appropriations? The investigation by the Committee on Public Accounts shows that he has none. His business is simply to see that the money is nominally applied for the purpose for which it is voted, and that receipts from the proper parties have been given. Beyond that he cannot go—he cannot go beyond the mere formal Act, as of course the Committee on Public Accounts can do. There is no possibility of making an investigation before that Committee, and of course the proceedings with respect to such appropriation are the same as with respect to public money generally.

Mr. MULLOCK. The Minister of Justice attempted to dispose of this amendment by pointing out what he deemed to be objections to it, the principal one being that it would involve confusion in various laws. What is the amendment? It is that the House resolve itself into Committee of the Whole to consider that resolution, not to adopt it, but to consider it, and if there is anything good in it, to select it, and recommend that it be made into law; so it is rather a captious objection to say that the resolution which has not yet been considered, should be decided against. What is the principle involved in the proposed amendment? That is the question, not the mere language or the machinery proposed to be used to put the principle into force. The principle involved is whether we should not as regards votes of public money adopt measures by which to take all needful precautions to see that the money has not been diverted from its original purpose. The proposition is that when Parliament votes public money, for public enterprises, there should be machinery adopted by which Parliament, through its committees, can trace any money improperly used. Is not such a measure in the public interest? Look at the large sums of public money that we are voting. Within the last hour or two of the session large sums are appropriated for public works. Where are two-thirds of the members of this House? They have gone home, and yet at this stage of the session the Government are asking the House to vote further large sums for public enterprises. There should be a proper auditing of the accounts in order to see that the public money so voted has not been diverted from its true purpose, and the Government should be the first to endorse a proposition of that kind instead of endeavouring to prevent its adoption. The proposition is essentially in the public interest, and if it is not approved of by the Government, it will be another proof of the attitude of the Government to be superior to the people, and to disregard the rights of the people to control their own funds.

House divided on amendment of Mr. Laurier :

YEAS :

Messieurs

Allan,	Laurier,
Bain (Wentworth),	Livingston,
Beausoleil,	McGregor,
Beith,	McMullen,
Brodeur,	Mignault,
Cartwright (Sir Richard),	Mills (Bothwell),
Dawson,	Mulock,
Delisle,	Rider,
Devlin,	Scriver,
Geoffrion,	Sutherland.—20.

NAYS :

Messieurs

Bain (Soulanges),	Jeannotte,
Belley,	Lachapelle,
Bergeron,	Langevin (Sir Hector),
Bergin,	LaRivière,

Boyd.	Leclair,
Bryson.	Lippé,
Carling (Sir John),	McDougald (Pictou),
Carscallen,	Madill,
Coatsworth,	Masson,
Cochrane,	Metcalfé,
Costigan,	Quimet,
Daly.	Pope.
Davin,	Roome,
Davis,	Rosamond,
Dupont,	Ross (Dundas),
Fairbairn.	Ross (Lisgar).
Ferguson (Leeds & Gren.),	Smith (Ontario),
Foster,	Sproule,
Fréchette,	Taylor,
Gillies.	Thompson (Sir John),
Guillet.	Tupper (Sir C. Hibbert),
Haggart.	Tyrwhitt,
Henderson,	White (Cardwell),
Hughes,	Wilmot,
Hutchins,	Wood (Brockville).—50.

PAIRS :

*Ministerial.**Opposition.*

Messieurs

Barnard,	Davies.
Earle,	Rowand,
Putnam,	Forbes,
Macdonald (King's),	Welsh,
McLean (P.E.I.),	Yeo,
Cameron,	Perry.
Macdonell (Algoma),	Gibson,
Corbould,	Gillmor,
Haslam,	Fraser,
Northrup.	Langelier,
Ryckman,	Martin,
Moncrieff,	Lister.
McKay,	Fauvel.
Hazen,	Frémont,
McAlister,	Colter,
Dickey,	Flint,
Tisdale,	Charlton,
Carpenter,	Vaillancourt,
Turcotte.	Rinfret,
Craig,	Featherston,
Wood (Westmoreland),	Campbell,
Montague,	Edgar.
Grandbois,	Christie,
Prior,	Landerkin,
Pridham,	Grieve.
McDougall (Cape Breton),	Macdonald (Huron),
Joncas,	Carroll,
Denison,	Bernier,
Amyot,	Godbout,
Girouard (Jacques Cartier),	Bécharde,
Cleveland,	Lavergne,
Baker,	Choquette,
Patterson (Colchester),	Innes,
Macleon (York),	Bowman,
Ives,	Monet.
Kaulbach,	Proulx.
Kenny,	Sanborn,
Weldon,	Tarte,
Stevenson,	Scriver,
Boyle,	Lowell,
Reid,	Borden,
Burnham,	Paterson (Brant),
Cargill,	Brown.
Corby,	Préfontaine,
Hodgins,	Somerville,
Smith (Sir Donald),	Bourassa,
Macdowall,	Bowers.

Amendment negatived.

Mr. TAYLOR. The hon. member for Hal-
dimand (Mr. Montague) has not voted.

Mr. MONTAGUE. I am paired with the
hon. member for West Ontario (Mr. Edgar).
I would have voted against the amendment.

Sir RICHARD CARTWRIGHT. I beg to
move as an amendment to the second read-
ing of the Resolutions the following :—

That in view of the fact that the said road is a
branch of the Caraque road, and that the said

Mr. MULOCK.

Caraquet road as appears from the report recently
laid on the Table of this House by the Minister of
Railways, is utterly insolvent and unable to pay
working expenses and to keep this line in due
repair; and also that the statements on the
faith of which the original grant was made have
been entirely falsified by the results; there is no
justification for granting any further sums of public
money to such an enterprise.

Some hon. MEMBERS. Lost on the same
division.

Amendment negatived on same division,
and resolutions read the second time and
concurred in.

SUBSIDIES TO RAILWAYS.

Mr. HAGGART moved second reading of
Bill (No. 169) to authorize the granting of
subsidies in aid of the construction of the
lines of railway therein mentioned.

Mr. BRYSON. Mr. Speaker, I rise to make
one observation or two with reference to the
reply received by me on the 5th of last
month from the hon. Minister of Railways
with regard to the relief of the county of
Pontiac for which I made application. I
quite appreciate the reply made by the Min-
ister of Railways, and I understand the
great difficulty there is in the way; but I
wish to call the attention of the Government
to the fact, that at an early date next ses-
sion, I shall call the attention of the House
to the subsidy to the railway bridge, or in
other words, a rebate upon the present rail-
way bridge from Hull to the city of Ottawa.
That bridge was built entirely out of pro-
vincial money, and as I understand the sub-
sidies granted in the year 1884, that portion
of the road from Hull to the city of Ottawa
was not considered. I purpose at an early
date next session to bring the matter thor-
oughly before the House, and at this mo-
ment I merely call the attention of the Gov-
ernment to the fact that I desire to do so,
so that it may be perfectly understood that
my contention is: that the portion of the road
between Hull and the city of Ottawa has
not received the consideration from this Gov-
ernment which it deserved, and that an al-
lowance should be made over that bridge
so as to give the county of Pontiac some re-
lief in the way of allowing the right of way
over the said bridge.

Motion agreed to, and Bill read the second
time.

BOUNTY ON PIG IRON.

Mr. FOSTER moved that the House re-
solve itself into committee to consider the
following resolutions :—

1. That it is expedient to provide that the Gov-
ernor in Council may authorize the payment of a
bounty of two dollars per ton on all pig iron made
in Canada from Canadian ore, a bounty of two
dollars per ton on all iron puddled bars made in

Canada from Canadian pig iron manufactured from Canadian ore, and a bounty of two dollars per ton on all steel billets manufactured in Canada from pig iron (made in Canada from Canadian ore) and such other ingredients as are necessary and usual in the manufacture of such steel billets, the proportion of such ingredients to be regulated by order of the Governor in Council.

2. That it is expedient to provide that in the case of the products of furnaces now in operation the said bounties shall be applicable only to such products manufactured therein between the 27th day of March, 1894, and the 26th day of March, 1899, both days included, and that in the case of the products of any furnace which commences operations hereafter, but prior to the 27th day of March, 1899, the said bounties shall be applicable to such products manufactured therein during a period of five years from the date of commencing operations.

Motion agreed to, and House resolved itself into Committee.

(In the Committee.)

Resolution 1 was amended by adding the words :

In computing the bounty, no payment shall be made in respect to foreign ores used in the products before mentioned.

On Resolution 2,

Sir RICHARD CARTWRIGHT. I am not going to raise a discussion now as to bounties on pig iron. I disapprove of the whole business altogether, but it would be idle at this time of the session and in this state of the House to raise it. The concluding paragraph here is specially objectionable. Nothing could be more opposed to all sound principle than an attempt to tie the hands of Parliament for a period of ten years. For myself I utterly refuse to be bound by it, and I say so expressly for the benefit of those manufacturers, that I, for one, will utterly refuse to be bound by any such proposition. I do not recognize the authority of this Parliament to tie the hands of our successors for any definite term of years. You might as well make that 100 years as ten years as a matter of principle, and no human being would contend that we are bound by any such proposition. When you state that with respect to existing manufacturers, there shall be a term of four or five years is enough, and more than enough; but to state that any concern that may be established in a period of not less than five years from the present date may obtain a like subsidy, appears to be without parallel or precedent and is utterly and entirely opposed to every principle of sound legislation. And to that portion of it I not merely object here, but I will move that it be stricken out.

Mr. MILLS (Bothwell). It seems to me that the Government, in making this proposition; have confused two things that are wholly different. A Government, in entering into a contract from which the public receive some benefit or advantage in return for some service rendered, may ask Parliament to make a contract or engagement that will be binding for a certain period of time.

But, as a matter of public policy, where there is no contract between the Government and the party, where there is no service rendered by the party to the state, for which a consideration is being given, the Government has no power, and this Parliament has no authority, whatever to fix a period of time. There is nothing better settled than that one Parliament cannot bind its successors, nor make as a matter of public policy an engagement that will pledge the public faith. I could in half an hour turn up a dozen cases in which Ministers in England have expressly laid it down that such an attempt to pledge Parliament is a most unconstitutional proceeding. You have no authority whatever to put the party in a position of saying: The public faith is pledged to us. No rule is better settled than that one Parliament cannot bind another Parliament, or make any engagement which will interfere with its authority. Here is a question of public policy. It is open to every man in this country to invest his money in whatever he pleases: it may be a farming operation, or it may be a manufacturing operation; but you cannot tie the hands of Parliament by enabling him to say: I am carrying on a private business in milling or manufacturing, and you cannot alter your legislation, because it will be a breach of faith with me in carrying on my private business. The whole thing is most monstrous, and I hope the Government will not persist in a declaration of that sort. There is no contract between those parties and the Government; there is no service being rendered; and that being so, I hope the hon. Minister will agree to abandon the proposition.

Mr. FOSTER. This is not a contract at all. It is simply an expression of the intention of Parliament at the present time as embodying the well-known policy of the Government at present in power. The hon. gentleman is objecting to legislation of this kind. If his objection had prevailed in the past, our statute-book would have been rather bare as compared with what it is. A tariff Bill which puts a duty of 30 or 35 per cent upon woollens or any other article is an expression of Parliament; but the logical outcome of my hon. friend's argument is that we have no right to pass that.

Mr. MILLS (Bothwell). Not at all.

Mr. FOSTER. Because, with his views of the tariff, looking upon it in the nature of an encouragement of a certain business man, he has just as good a right to say that under that tariff there is a moral obligation on Parliament to keep him in the position in which he commences his work under that tariff. We would have had no bounty legislation at the present time. From 1883 there has been bounty legislation running for a period of years, being the expression of Parliament that so long as that policy were maintained, a bounty of \$2 would be paid on a certain product of the country; and the man, or firm, or company who undertook business

under that knew that it was simply an Act of Parliament expressing the will of Parliament at the time, and that any succeeding Parliament, if it wished, might annul that provision. But, of course, it is plain and clear that so long as the party then in power keep in power, this policy initiated by them and carried into legislation by them will be pursued; but that if they go out of power, and another party come in, then the question is to be considered again by that party with their views upon it. I grant my hon. friend that under any tariff or bounty legislation, such as this, which has been in operation for a number of years, and under which capital has been invested and operations carried on, there is a grave consideration introduced as to how Parliament shall deal with it. The hon. gentleman admits that. In speeches which he has made in this House and in the country in discussing the tariff, he has pointed out that, inasmuch as under the legislation which has been in operation in this country since 1878 certain interests have been vested and certain operations have been going on, it would be necessary to modify what he and his party proposed to do in regard to that legislation. So that I do not think my hon. friend can argue that this is a contract or that it is beyond the power of Parliament to pass it.

Mr. MILLS (Bothwell). I was not urging that this was a contract. I was arguing that the rule which the hon. gentleman has undertaken to apply to a question of public policy is a rule only applicable to contracts. The hon. gentleman himself will not pretend to say, nor has he proposed, that there shall be a duty of 35 per cent on woollen goods for the next five years. The tariff speaks for the present, and every question of public policy ought to speak for the present. The hon. gentleman has no right to say that a bounty shall be continued for five or ten years. In doing so he is violating every constitutional rule or principle applicable to the case, and the motion of my hon. friend is perfectly right.

Sir CHARLES HIBBERT TUPPER. I do not think the hon. gentlemen who have spoken on the other side are quite in accord. If I understood the hon. member for South Oxford, he objects first of all to the bounty principle, and that is consistent. But, as I take it, all will agree that in any application of the bounty principle to the iron industry there must be a period of years.

Mr. MILLS (Bothwell). No, you speak for the present.

Sir CHARLES HIBBERT TUPPER. Well, I think reasonable critics would agree, even though averse to the proposition, that there must be a period longer than the mere present policy. But if I understood the hon. member for South Oxford, he did not object to a short period; I think he named the period of four or five years, and protested against a ten year period. I merely rose

Mr. FOSTER.

to call attention to that, and to the fact that so long as you have this system, there must be a fixed period. This is a declaration of policy of this Government, and we are, at any rate, morally bound to observe it and keep good faith with the people who invest, on the understanding that that is the policy of the country. But no man needs to be told that any incoming Government could repeal statute after statute, and do things even which might be unfair and even involve breach of faith. It seems to me the argument of the hon. member for Bothwell is only one of the subsidiary points taken against the bounty principle altogether, and for that reason he might urge, as a ground against that policy, the fact that you have to fix some period, and that that is objectionable.

Sir RICHARD CAMPBELL WRIGHT. What I was more particularly contending against was the special abuse contained in the last few words of this clause. Not content with the application of the bounty principle to existing industries, the hon. gentleman goes on to provide that any industry which may be established within a period of five years from date shall have a bounty, not of five years, but of ten years from this date. That is a specially objectionable clause, and it was against that I directed my remarks, reserving to myself, wholly and entirely, the entire question of bounties. To the best of my recollection, this is the first time, here or anywhere else, that it has been proposed, not merely to give a bounty running from a certain date, but to give that bounty to industries which may come into existence any time within five years. We ought to be explicitly careful about putting any such legislation upon the statute-book, if only for this reason, that however clearly we, on both sides, understand Parliament cannot tie the hands of its successors, no doubt the ordinary investor, reading such a statute, would suppose that this was an indefeasible grant, which could not be interfered with without grave breach of public faith. I take the opportunity to protest against that in advance, so that parties hereafter, should there be a change of policy on the part of the people, may not be able to say they never had any warning, but understood that if they established a factory in 1899, they would get the bounty from 1894, and had reason to complain that the public faith had not been kept towards them. On every possible ground of expediency, constitutional law and public policy, I object, as earnestly as I can, to the proposition that non-existent industries, which may not come into existence until, not merely this Parliament, but its successor, has finished, should be entitled to bounty for this term of years.

Mr. McMULLEN. Unquestionably, if this law is adopted, any person establishing industries under it would have an undoubted claim for vested rights.

Sir RICHARD CARTWRIGHT. I do not know about that. He could make a claim.

Mr. McMULLEN. If he established an industry, on the understanding that this Act was to last for ten years, and if hon. gentlemen opposite went out of office and the people changed their policy, under this Act he would have a claim. With regard to the principle adopted in the iron industry, I have stated before that if the production is to be encouraged in this country at all, it should be done by a bounty and not by a duty. When you impose a heavy duty, you make those who are the users of the iron pay the whole of it. But when you grant a bounty, every one who contributes to the revenue pays his share, whereas, if you impose a duty, it falls only on those who use the iron. The United States, when they developed their iron industry, did it entirely by bounty. I am not prepared to say that either one or the other is a desirable course to adopt, but if we are to develop the industry we should do so by means of a bounty.

Mr. MULOCK. As regards this \$2 a ton on pig; that same pig, when developed into puddled bars, would be entitled to another \$2 on the same ton.

Mr. FOSTER. Yes.

Mr. MULOCK. This puddled bar is the raw material of steel billets?

Mr. FOSTER. Puddled bar is the raw material of the man who makes bar iron. The raw material of the steel billet is the pig iron.

Mr. MULOCK. It means that puddled bar has a bounty of \$4—\$2 on pig and \$2 on the bar, and the same raw material that passed into the form of puddled bar draws the bounty.

Mr. FOSTER. That only makes \$2 on puddled bars.

Mr. MULOCK. The same iron in the raw, that has gone through two stages, gets \$4 per ton.

Mr. FOSTER. The same material.

Mr. MULOCK. It may change its character, but there will be a bounty of \$4. What will this involve?

Mr. FOSTER. That will depend entirely upon the working of the scheme. You will recollect that the duty upon the bar before was \$9 a ton. That has been reduced to \$5 per ton, so that the customs rate has suffered a very heavy reduction. That was in order to put puddled bar, the raw material of bar iron, at a more reasonable rate. This \$2 is added as a bounty, so that the manufacture of puddled bars has the protection of \$5 and the \$2 bounty, equal to \$7, if you look upon both as being equally protective. How it will work in the initial stages and later, can only be demonstrated by experi-

ence. Probably, in the beginning, a considerable amount of puddled bar will be imported, and there will be no \$2 bounty on that. But the idea is that—I do not know how nearly it will work out—the operation of the whole thing will be, in the course of three or four years, to at least double the amount of iron now made. The amount of iron that was made in 1891-92 was 30,000 tons. In 1892-93 it increased to 47,000 tons, and in 1893-94 it reached 62,000 tons. So that there has been a large increase in the manufacture of the iron, and the margin that is left on the present consumption, if I remember right, would be probably 160,000 tons.

Mr. MULOCK. If the policy is successful the result will be the increase in the manufacture of pig iron, puddled bar, steel billets and so on in Canada. This will cause an increased demand on the treasury. I am asking the Minister if he is able to tell us what charge upon the revenue this will involve.

Mr. FOSTER. That is a very difficult thing to tell; you cannot tell how long it will take the home product to secure the market in competition with puddled bar that is allowed in at \$4 per ton less than formerly. There will be a gain to the consumers generally through the cheapening of iron by reason of the bounty.

Sir RICHARD CARTWRIGHT. That is true, as least it is true in a roundabout way. What you take out of the treasury will go to benefit the consumers of iron. It will not go to benefit the people at large. But this matter may prove to be a considerably more serious matter than the hon. gentleman seems to think. I rather think he is underestimating the amount of iron of that class consumed in this country. He says that the maximum will be 160,000 tons. I do not think that the whole production was included. I think that the maximum is something over 200,000 tons. On that quantity, if his calculation be correct, we will have to pay about \$4 per ton.

Mr. FOSTER. Two dollars. Our only bounty hitherto has been on pig iron.

Sir RICHARD CARTWRIGHT. In that case there would be two losses to the revenue, the loss, in the first place, of the bounty, which, if his estimate is correct, might amount to between three and four hundred thousand dollars. Then I understand he says—and that I believe to be correct—there is a present duty amounting to \$5 per ton on puddled bar. Now, it is quite evident that under circumstances which we cannot see or control, the tendency would be to throw this manufacture into the hands of the Canadian producer, as, between the bounty and the duty, they have a tremendous protection, equal to at least \$7 per ton. Should this be the result we may be making provision for throwing away about a million dollars of revenue which we now receive

from the customs and lesing about three or four hundred thousand more in the shape of bounties. That, together, would amount to a million and a quarter or a million and a half of dollars. Looking at the great improvements that we know to have been made in the production of iron and the reduction of its cost, it is quite conceivable that that may occur in a period of three or four years.

Resolutions reported.

DOMINION ELECTIONS ACT.

Bill (No. 128) further to amend the Dominion Elections Act, was read the second time, and House resolved itself into Committee.

(In the Committee.)

Sir JOHN THOMPSON. This Bill is intended to make provision with respect to the counties in which special delays are provided for, including Nipissing, the new electoral district. My hon. friend from Chicoutimi (Mr. Belley) wishes to move an amendment making provision for a portion of the coast similar to that with regard to the Magdalen Islands. However, the House will hear his amendment in a moment. We intend to have an improvement in the ballot paper, adopting the same ballot paper as is now in use in the city of Ottawa. The die for producing it will cost about ten cents each and a die has to be furnished, of course, for each electoral division. I was asked whether the ballot paper belonged to the Government. It does not; the ballot paper is patented. But an arrangement has been made by which, if the Government should choose to use the ballot, we obtain the right to use it for the sum of \$2,500. We say that it would be very beneficial to adopt this form of ballot paper throughout Canada for the purpose of preventing the spoiling of ballots. Hon. gentlemen will see by looking at the copies of the ballot paper I have here that it renders the spoiling of ballots by marking in the wrong place almost impossible. In Ottawa, where it is in use for municipal elections, the spoiling of ballots from this cause is unknown. This overcomes one of the great difficulties in connection with the administration of the ballot law. I suppose every hon. member has had experience of this difficulty. In my own constituency in the first election I ran for this Parliament, in one polling place alone there were upwards of thirty spoiled ballots. The proportion in the rural districts is so large as to be somewhat serious. The object of this is to provide a remedy. I will explain the first clause more in detail.

Mr. MILLS (Bothwell). I was going to suggest to the hon. gentleman that the provision of the law with regard to giving the returning officer power to return any candidate other than the one having the majority

Sir RICHARD CARTWRIGHT.

of votes should be amended by this Bill. In the case of a man having been a member of the Local Legislature, he is allowed to judge whether he is a member or not after he has been to the poll, which ought never to be in any case.

Sir JOHN THOMPSON. The first section is to amend the existing law, which reads thus:

The Governor General shall, except as herein-after mentioned, fix the date of the nomination of candidates at elections, and shall at every general election fix one and the same day for the nomination of candidates in all the electoral districts, except in the electoral districts of Algoma, in the province of Ontario, Cariboo, in the province of British Columbia, and Gaspé, in the province of Quebec.

So that we will have now the exceptions of Algoma, which is at present exempt, Cariboo, Gaspé and Nipissing.

Mr. BELLEY. (Translation.) Mr. Speaker. I wish to move an amendment to the Bill now before the House. In the county of Chicoutimi and Saguenay we are situated in a peculiar position: owing to the extent of the county the elections cannot take place in the ordinary manner. That county extends from Tadoussac to the northern line of the province of Quebec. There are polls almost everywhere in a territory three hundred and fifty miles in extent, and there is no communication, or hardly any. I think that county should be granted the same delays that are given to the county of Gaspé. Therefore, I move in amendment, that the words "Chicoutimi and Saguenay" be added after the word "Gaspé" in section 4.

Mr. LAURIER. Chicoutimi and Saguenay are on the whole rather a compact territory. It is true that there is a portion of the coast which is sparsely populated, but that portion is traversed by telegraph through and through. All the establishments are on the coast, or not more than three or four miles from the shore. I do not see any reason for making an exception in the case of these counties.

Sir ADOLPHE CARON. I think that the case of Chicoutimi and Saguenay is identical with the case of Gaspé. My hon. friend will recollect that between Tadoussac and Pointe aux Esquimaux, at the extreme eastern limit of the county of Chicoutimi and Saguenay there is a distance of over 300 miles. Moreover, as the hon. gentleman knows, the means of communication are rather difficult at all seasons of the year.

Mr. LAURIER. There are telegraph lines.

Sir ADOLPHE CARON. No doubt; but the Act provides in the case of Gaspé for getting over the difficulty, to a great extent, by means of the telegraph; and my hon. friend (Mr. Belley) wishes to have the

same facility in Chicoutimi and Saguenay as is enjoyed in Gaspé in respect to the issuing of proclamations; so that in case of necessity, the telegraph wires may be used for the purpose of the proclamation and for the other purposes which are provided for in the statute so far as Gaspé is concerned. In any case, I really see no objection to my hon. friend's proposition. No doubt, when the means of communication are developed and improved, it will not be necessary to make a distinction in favour of Chicoutimi and Saguenay. But it is a huge county, almost a province in itself, and I fully understand the reason why my hon. friend desires the same facilities in that county which are enjoyed in Gaspé.

Mr. LAURIER. I am not convinced, but still I will make no further objection.

Sir ADOLPHE CARON. I wish my hon. friend had told me before that he could not be convinced, and then I would not have spoken.

Mr. MILLS (Bothwell). I move the insertion of a clause as follows:—

That section 2 of chapter 13 of Canada be and is hereby repealed.

My objection to the present section is that it places a member of the Local Legislature on a wholly different footing from a judge or an alien or any other one disqualified by law. The returning officer will have the same right to judge of the eligibility of a candidate for nomination as to judge in regard to the case of an alien; he will not possess greater or less powers; he will have the same right to pass on the eligibility of a person to be a candidate in the one case as in the other. While this section is law a returning officer may go behind the nomination which he has received after a candidate has received a majority of votes; he may say that the candidate is not qualified, that he is still a member of the Local Legislature. We should not place that power in the hands of a returning officer, we should not give him an opportunity to pass judgment on his own actions after the time has passed, and thus be able to say that a certain person was not eligible as a candidate, when he had not made that declaration on nomination day. Let me give an illustration. A gentleman who is a member of a Local Legislature becomes a candidate for the Dominion House. He consents to accept the candidature, he puts in his resignation, his nomination is received. Under this provision a returning officer would have the power to declare when the election is over: It is true you have a majority of votes, but you should not have been nominated, and I will, therefore, return your opponent. If the returning officer had made that declaration on nomination day another candidate might have been nominated. In a word, a returning officer will be in a

position to be a judge of his own acts, which Lord Esher and Lord Lopes and other members of the Court of Appeals in England say is a position which a returning officer has no right whatever to occupy. The returning officer exercises his judgment when he receives the nomination of the candidates, and if there has been anything irregular and improper in receiving the nomination, then was the proper time for the decision of the returning officer to be given. I consider this proposed section to be at variance with the general policy of law, and one which should not be retained on our statutes.

Mr. SPEAKER. The hon. gentleman proposes to repeal a section of an Act which does not come within the scope of the present Bill, which is one "to further amend the Election Act." The proposition of the hon. member for Bothwell is to repeal a clause in section 13 of "the Act respecting the House of Commons." That does not come within the scope of the title of the present Bill.

Mr. MILLS (Bothwell). These sections might all with great profit have been included in one statute.

Sir JOHN THOMPSON. I agree with Mr. Speaker, that it is very undesirable to have one Act deal with amendments to two Acts. Difficulty might arise in ascertaining whether the Act is amended or not.

Mr. MILLS (Bothwell). We have done so frequently?

Sir JOHN THOMPSON. Not frequently, I think. I would prefer that they should be dealt with in a separate Act. I am very much inclined to the view of the hon. gentleman (Mr. Mills) that the returning officer having once accepted a nomination, he should not reverse his own judgment and declare a candidate disqualified.

Mr. OUIMET. I hope the hon. gentleman (Mr. Mills) will become convinced when he thinks of it during recess, that he ought to remove that disqualification that he has himself put in the statute depriving all members of Local Legislatures from having the privileges of a seat in this Parliament. I think it is one of the worst laws that ever was put on the Statute-book, and to-day it is more evident than ever, that instead of its being an advantage to prevent members of the Local Legislatures from sitting in this House the same as members of this House have been prevented from sitting in the Local Legislatures; it has been a source of inconvenience and weakness for both this Parliament and the Provincial Legislatures.

Mr. MILLS (Bothwell). I do not think the hon. gentleman has considered the principle that was involved in that Bill, and I do not wish to detain the House at this last day of the session by discussing it. The hon. gentleman knows that if a member of this House

were eligible to sit in the Local Legislature, there would be no reason why a Minister of the Crown from this House should not be a member of the Local Legislature; actually, if he were a member of the minority, controlling the Lieutenant-Governor. He would also have no interest in maintaining the rights of the province as against this House. There would be confusion of jurisdiction and very great difficulty arising out of such legislation.

Mr. BELLEY. (Translation.) I beg to move an amendment. Under the law, as regards the county of Chicoutimi and Saguenay, whenever the Governor General shall deem it convenient so to order, on the ground of the inclemency of the season or the difficulty of communication by water with the Island of Anticosti; which, by the way, is included in my county, the proclamation for an election may be transmitted by telegraph. This enactment is to be found under article 132 of the Revised Statutes of Canada. I wish to have the Bill so amended as to bring a certain portion of the county of Chicoutimi under the operation of that clause of the statute, providing that whenever the Governor General in Council shall deem it fit, on account of the difficulty of communication by land with such portion of the county, the proclamation or any other paper in connection with the election shall be forwarded by telegraph. Such provision is to apply to that portion of territory to the east of Bersimis. Winter communication by land in that portion of the territory of Chicoutimi and Saguenay is very difficult, and unless this amendment were adopted, such electors as live in that section of the county would be liable to be deprived of their vote.

I move that the following be added as clause 7:—

Section 132, chapter 8 of the Revised Statutes is amended by striking off in the 5th, 6th and 7th lines the words "That communication by water between the Island of Anticosti or Magdalen Islands as the case may be and the mainland" and substitute the following: "That communication by water between the Magdalen Islands and the mainland, in the electoral district of Gaspé; and by water or by land between the polling districts to the east of Bersimis, in the electoral district of Chicoutimi and Saguenay, or between such polling districts and the place of nomination."

Sir JOHN THOMPSON. I assume that the hon. gentleman has considered this well, because I have no knowledge of it.

Mr. BELLEY. Yes.

Mr. LAURIER. (Translation.) Is not that provision included in the local law?

Mr. BELLEY. (Translation.) No; that portion of territory is unorganized as yet. To the east of Bersimis there are to be found about one thousand voters. Unless the law be amended, they would be deprived of their vote, and I think the House will agree

Mr. MILLS (Bothwell).

that it is in the public interest that these electors should exercise their franchise.

Bill reported, and read the third time and passed.

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

After Recess.

SUPPLY.

House again resolved itself into Committee of Supply.

(In the Committee.)

Lieutenant-Governor's Residence,
Regina—Improvements, etc. . . . \$2,500

Sir RICHARD CARTWRIGHT. What is the total amount expended up to date on this House?

Mr. OUIMET. \$32,000.

Sir RICHARD CARTWRIGHT. It does appear to me, looking at the position of the North-west and the total grant we make for all purposes there, that the expenditure of \$33,000 or thereabouts, and \$5,000 or \$6,000 more, for the Lieutenant-Governor's residence, is out of all proportion to the real needs. The Lieutenant-Governor has a salary of \$7,000 a year, and after all is said and done, whether we need a Lieutenant-Governor at all is a question. The attempt to keep up these little "two-penny-ha'penny" courts all over the country is one very open to question. My impression is that, as a rule, they do not add to the dignity or honour of the people of Canada, and we would be better without them. Whether or not, in a place like the North-west, it does appear to me that to have a new residence for the Lieutenant-Governor, costing \$30,000 or \$40,000, when the whole revenue is only \$7,000 or \$8,000, is preposterous. If we must have a representative of our Government there it would be better to do away with the Lieutenant-Governorship altogether and be represented by a commissioner.

Mr. MILLS (Bothwell). In looking over the accounts I see that the charge for heating Government House last year was about \$2,000. The cost of maintaining the Government House there has been in the neighbourhood of \$17,000 a year.

Sir RICHARD CARTWRIGHT. Maintaining it?

Mr. MILLS (Bothwell). Yes; the cost of maintaining Government House has been about \$17,000 a year. I think that is an enormous sum to spend in maintaining Government House in a territory so sparsely populated. I notice that of that \$1,000 was for school purposes. Now, there is a distinct appropriation for school purposes. Whether this \$1,000 was for the education of Mr. Royal's family I do not know, but it is entered as part of the expenditure on Gov-

ernment House. I had intended to bring this matter to the attention of the Public Accounts Committee, but the committee has been occupied with other matters and I have been unable to get the information that it is desirable should be in the possession of the House. I dare say the Minister of the Interior may be in possession of these facts and may be able to give us the information we desire. I have no hesitation in saying that an expenditure of \$17,000 of public money in maintaining Government House in the North-west Territories is utterly preposterous. The average expenditure for the province of Ontario is only about \$14,000, and that has been attacked—whether justly or unjustly I am not going to say here, though I am prepared to discuss that outside.

Mr. DALY. I would like to ask the hon. gentleman where he gets his information. Let the hon. gentleman give day and date. It is perfectly absurd, no such sum has been spent, no appropriation of the kind has been made.

Mr. MILLS (Bothwell). The hon. gentleman may say what he pleases about that. I have gone over the accounts and made a memorandum covering eight or ten pages of foolscap showing the amount expended. But, not expecting that the matter would be brought before the House, I have left the memorandum at my residence. But the hon. gentleman will find that the expenditure is as I have stated. There is a salary for a messenger, an extra messenger, a private secretary, expenditure for heating, lighting, repairs, schools and other items making up the sum I have mentioned. It is something under \$17,000, but it is over \$16,000.

Mr. DALY. What can schools have to do with the Governor's residence?

Mr. MILLS (Bothwell). I do not know; but there is an appropriation in the Lieutenant-Governor's account for school purposes.

Mr. DALY. I think I understand now. There is an amount of \$1,000 or \$1,200 for Indian schools outside the ceded territory.

Mr. MILLS (Bothwell). They are not reported as Indian schools. There are several amounts, one of about \$700, one \$150, and one \$300. I do not wish to be understood as saying that it was exactly \$1,000, for I know it was more than that.

Mr. DALY. They may not be called Indian schools, but they are attended only by Indian and half-breed children.

Mr. MILLS (Bothwell). That may be the explanation, but it is entered as part of the expenses connected with the Government House.

Mr. DALY. That is the Auditor General's fault; he mixes up everything.

Mr. MILLS (Bothwell). No; I am not talking about the Auditor General's accounts. I have taken the vouchers as they have

been presented to the Committee on Public Accounts.

Mr. DALY. In that \$17,000 must be included the cost of furnishing the residence.

Mr. MULLOCK. At page A-63 of the Auditor General's Report the hon. gentleman will find the entries.

Mr. DALY. That is for the office, not the residence.

Mr. DAVIN. The Governor's office would include accounts of a different character. These accounts refer to the Lieutenant-Governor's office at the Government building. The secretary is Mr. Gordon, who is also Clerk of the Assembly. Of course there are clerks in the Governor's office, and my hon. friend is quite mistaken in supposing that Government House is responsible for these expenditures.

Mr. MILLS (Bothwell). My estimate does not include any payment made to Mr. Gordon in his capacity as Clerk of the Legislature, but only that made to him in his capacity of Lieutenant-Governor's secretary. Of course the Lieutenant-Governor's residence is charged with the expense of the office, and the account only differs from that for Rideau Hall in this respect. If you were to include the Governor General's department here you would make them exactly the same. The charges in connection with the office, it struck me, were very much out of proportion to any business that was done.

Mr. DAVIN. Mr. Gordon acts as Secretary to the Lieutenant-Governor.

Mr. McMULLEN. If the Government had brought down the returns I asked for three months ago, and which I have been urging the Secretary of State to lay on the Table, we should have the information with regard to the cost of buildings in Manitoba and the North-west. I heard some hon. gentleman say that the cost of the Lieutenant-Governor's residence would amount to \$33,000.

Mr. DALY. The hon. gentleman is mistaken. He has got things all mixed up. What the hon. gentleman from North York (Mr. Mulock) refers to at page A-63 is the accounts of the Lieutenant-Governor's office.

Mr. MULLOCK. I did not say that the cost of the Lieutenant-Governor's office was \$33,000.

Mr. DALY. The accounts have nothing to do with the Lieutenant-Governor's residence.

Mr. McMULLEN. Will the hon. gentleman who, no doubt, is familiar with the Auditor General's Report, say where the figures for the Lieutenant-Governor's residence are to be found. That report is so voluminous it is almost impossible for any man to master all the details.

Mr. DALY. There is no member of the House so conversant with the Auditor Gen-

eral's Report as the hon. gentleman. I am not as conversant with it as he is, nor do I seek to be. If the hon. gentleman will give me the page of the items of which he complains, and not speak in this vague and general way, I will endeavour to give him the information. But when he makes this sweeping statement that the accounts of the Lieutenant-Governor's office—

Mr. McMULLEN. I am not dealing with the Lieutenant-Governor's office; I was speaking of the cost of the Lieutenant-Governor's residence. Some hon. gentlemen say that the cost will be \$33,000. But when all the figures in connection with the construction, fitting and furnishing are taken together, I venture to say that the cost will be over \$60,000. My hon. friend (Mr. Davin) shakes his head. Let the Government bring down the report I have asked for and which I have teased the Government to bring down for the last three months.

Mr. OUMET. I have just received that report. I received it too late to be laid on the Table at the opening of this sitting.

Sir RICHARD CARTWRIGHT. What does it show as to the cost of the Lieutenant-Governor's residence?

Mr. OUMET. The total cost is \$28,000.

Lieut.-Governor's residence — Outstanding accounts for works performed, furniture, fittings, &c., to render the new residence ready for occupation—Revote.....\$2,879 46

Mr. McMULLEN. Now, here is an item that covers exactly these items we want to know. Now, we want to know what the entire structure cost us. We are entitled to that information.

Mr. OUMET. I can give the hon. gentleman the information. He will notice that this is a revote of a lapsed appropriation given to pay the divers accounts mentioned here. These accounts include papering, furniture, carpenter work, electric bells, glassware, &c.—a total of \$2,879.46. These accounts were made when the Lieut.-Governor occupied the new residence. He received instructions to move into the new residence during the fall, and as is always the case when moving into a new house, various fixings were necessary, and had to be done at once, before the usual departmental authority could be had. When the appropriation was given last year, or the year before, I undertook to have all these accounts looked over and controlled. The Auditor General also gave us his services in doing the same thing, and for that reason, payment has been delayed until today. Now that everything seems to be correct, and the Auditor General says that everything is correct, we have to ask for a revote of the amount.

Mr. McMULLEN. The hon. Minister has not given us the entire cost of the Lieuten-

Mr. DALY.

ant-Governor's residence, including furniture. The item that is before the House only covers the information we have asked under that head. Will the hon. gentleman give us the entire cost of the furniture and everything connected with the Lieutenant-Governor's residence, including the surroundings?

Mr. OUMET. I cannot give him that information now, although I had it on the main estimates. I said the furniture alone had cost \$5,000, and my deputy confirms that statement.

Mr. McMULLEN. Will the Minister in the same way give us the cost of the buildings, with all the additions?

Mr. OUMET. My deputy says that the new building and everything connected with it, has cost between \$35,000 and \$40,000. The amount entered in that report is \$28,000, but he tells me that the return only contains what was spent during the last three years, and the rest was spent before that.

Mr. McMULLEN. Will the hon. gentleman's deputy say if that includes stables and everything connected with the residence?

Mr. OUMET. No; the stable was built with the old residence. The cost of the old residence and the outbuildings is not included. This is the new residence.

Mr. McMULLEN. Then the old buildings that were there before have been unutilized for the purposes for which they were originally intended? I claim that the whole thing, including the new and the old, cost about \$60,000 or \$62,000.

Mr. OUMET. As I said, the old residence is not used. The stables, conservatory and all the outbuildings, are those that are now used.

Mr. McMULLEN. Could the hon. gentleman give us the cost of the buildings that are now being used in connection with the new residence?

Mr. OUMET. I am afraid I shall have to get another return. My deputy tells me that it will be easier to give a list of all the expenditures for the new residence, and also the expenditures for the old. I will give it to-morrow.

Mr. McMULLEN. I want to know if billiard rooms are erected in connection with the new residence?

Mr. OUMET. There is a billiard room in the new residence, with one table.

Mr. McMULLEN. I do not believe that the electors of this country are prepared to endorse an expenditure of this kind. In the province of Ontario, a province that is as well able to bear the expenses of a Lieutenant-Governor's residence as any province in the Dominion, an agitation has arisen amongst the labouring classes and the farmers in favour of abolishing the Government House, simply because it is an expendi-

ture that the country can well do without. If that is the opinion of the taxpayers in a province with over 2,000,000 of a population, I would like to know how we can be justified, in a territory with only 60,000 population, only one-third of the population of the city of Toronto, in spending \$45,000 to \$50,000 on the Lieutenant-Governor's residence, and paying an enormous annual expenditure in addition to his salary? I notice that the people are rising to a point when they are determined to secure economy in the administration of public affairs, and will not submit to heavy expenditures in connection with the North-west. The Government establishment at Regina has been marked by great extravagance, and the people will not support the proposition to invest such a large amount for a Lieutenant-Governor's house there.

Mr. DALY. The hon. gentleman and the party to which he belongs are entirely responsible for the appointment of a Lieutenant-Governor for the North-west Territories. At the time the North-west Territories Bill was introduced, Sir John Macdonald, then leading the Opposition, took exception to the provision in the Bill for the appointment of a Lieutenant-Governor, stating that the Lieutenant-Governor of Manitoba was in a position to fulfil all the duties. But this was not acceptable to the hon. gentlemen opposite. They wanted the office of Lieutenant-Governor of the Territories to be created, they desired to find an office for one of their supporters, and Mr. Laird was appointed. The hon. gentleman has talked of extravagance. Let the hon. gentleman go to Battleford, and he will see there that almost as much was spent in building the chimney of a public building as was spent on the Government House at Regina. The hon. gentleman has referred to the old Government House. At the time it was erected, lumber was worth from \$40 to \$45 a thousand. As to the present building, it is one in which the people of the country obtained full value for their money. It is a beautiful structure, worthy of the Public Works Department, one that will meet all the requirements of the Lieutenant-Governor, and one which twenty years hence will be as good as it is to-day. Adopting the hon. gentleman's own argument, why are not the people of the North-west as much entitled to a Lieutenant-Governor as the people of Ontario? They are people largely from the province of Ontario, and they have been accustomed to a Lieutenant-Governor.

Mr. McMULLEN. I am not here to condone or condemn the acts of the Mackenzie Government or any other Government, but I am here to deal with matters as we find them. We are not going to be governed by the experience of the Reform Government or of the Conservative Government. The condition of the people as regards taxation, the restricted condition of the development of our resources, our slight increase of popu-

lation, all point to a necessity for economy, and the people cannot afford extravagance in connection with public buildings. We might allow the Lieutenant-Governor of the North-west a moderate house, such a house as the gentleman occupied in this city before he went to Regina. The people of Manitoba will find that the people will not tolerate these heavy expenditures, and they have set their foot down and are determined that they shall not continue.

Mr. DALY. We have heard that from hon. gentlemen opposite for fifteen years.

Mr. McMULLEN. Both Conservative and Reform Governments may have erred. I will not say whether the Mackenzie Government erred or not, but the people will insist that extravagance must terminate, and that they shall obtain an economical administration of public affairs.

Sir RICHARD CARTWRIGHT. I think the Minister of the Interior, if he will make a little inquiry into their temper, will find that the greatest want of the people of Ontario is not a Lieutenant-Governor. There is no doubt these are very heavy expenditures to keep up, and the present proposal is likely to operate injuriously against the true interests of the North-west. This statement of extravagant expenditure will prejudice the minds of the rate-payers of the older provinces against extravagance in the North-west, and I would advise the Minister to consider seriously whether the system cannot be reformed.

Mr. MILLS (Bothwell). The Minister of the Interior has stated that Sir John Macdonald did not want a Lieutenant-Governor in the North-west, but desired the Lieutenant-Governor of Manitoba to discharge the duties, and that we disregarded his advice. It is perfectly true that Sir John Macdonald opposed the appointment of a Lieutenant-Governor of the North-west, and that he wanted Mr. Morris to continue to discharge those duties. But the state of things which existed at the time of the arrangement had come to an end. There were people scattered all over the Territories.

Mr. DALY. I thought our railways scattered them.

Mr. MILLS (Bothwell). They were hunters, and not agriculturists. We had to send a police force there to protect the surveyors of the Canadian Pacific Railway. A North-west Council was appointed. Some members of the Council resided at the Forks of the Saskatchewan, and if the hon. gentleman's view had been carried out it would have been necessary that they should travel 700 miles to sit in Council with the Lieutenant-Governor. That arrangement was not considered to be in the public interest. When the hon. gentleman spoke about the extravagance on the building at Battleford, he was drawing on his imagination. Nothing could be plainer than the building erected there.

Mr. DALY. No plain buildings could have cost more.

Mr. MILLS (Bothwell). The cost of the Government House at Battleford during the five years of Mr. Laird's administration, was not as much as one year's expenditure during the past five years.

Mr. DALY. I take issue with the hon. gentleman.

Mr. MILLS (Bothwell). The hon. gentleman is making a statement unwarranted by the facts. It is quite out of place to drag in what happened in 1878. Whenever the hon. Minister, at a proper period of the session, wishes to discuss this subject, I shall be prepared to meet him.

Mr. DALY. I shall be most delighted, and I shall be able to bear out every statement by facts, and show that the residence of the Lieutenant-Governor at Battleford cost more than did the residence of the Lieutenant-Governor at Regina.

Mr. McMULLEN. Not one-fifth as much.

Mr. DALY. It is there as a monument to you.

Mr. McMULLEN. That was before there were any railways.

Mr. DALY. Certainly.

Mr. McMULLEN. The Regina residence was not built before there was any railway.

Mr. DALY. The railway just reached there.

Mr. McMULLEN. And lumber cost \$100 a thousand, when the Battleford residence was built.

Mr. DALY. I have no doubt, if it was worth \$40 a thousand the Liberal Government paid \$100 for it.

Mr. McMULLEN. You better not talk about over-payments. You cannot find anywhere in the Mackenzie Government that there were 1,000,000 feet of lumber stolen as there was in connection with the Curran bridge. If the hon. gentleman is going to refer to stealing or boodling, we can match him any day, and double over.

Mr. DALY. Hear, hear; you can match us any day.

Mr. McMULLEN. We can show you that you carry off the palm for boodling. You have graduated in the business. We never knew anything about it.

Mr. DALY. You are past-masters in the art?

Mr. McMULLEN. We never knew anything about it. If the hon. gentleman is so anxious to maintain a Lieutenant-Governor's residence in the North-west, how is it that there is no Lieutenant-Governor's residence in New Brunswick?

Mr. MILLS (Bothwell).

Mr. DALY. There is one in New Brunswick, and a magnificent one, too.

Mr. McMULLEN. How is it, then, that Sir Leonard Tilley did not live in it, but preferred to live in a block?

Mr. DALY. I suppose he found it more convenient.

Mr. McMULLEN. They have double the population in New Brunswick that there is in the North-west, and yet they have no Lieutenant-Governor's residence. The Government have spent \$62,000 on this residence in Regina.

Mr. DALY. You say so.

Mr. McMULLEN. I will prove it to you.

Mr. DALY. I never heard it before.

Mr. McMULLEN. The Minister of Public Works admits that there were from \$40,000 to \$45,000 spent on the new building, and the returns show that there were over \$22,000 spent on the old.

Mr. DALY. That is since 1882—during twelve years.

Mr. McMULLEN. It is since the hon. gentleman's Government came into office.

Mr. DALY. That is not spent on the building itself.

Mr. McMULLEN. It is, and the returns prove it.

Sir RICHARD CARTWRIGHT. Really, this is a matter which deserves, even at this late date a trifle of attention. We do not object to reasonable sums being expended for the purpose of maintaining authorities in the North-west, but I will just read from this return what has been spent at Regina, not including apparently this last \$40,000. It is worth while to see how our money has been going in that part of the country. Here it is:

Regina Council Chamber (whatever that may be), \$9,877; Court-house, \$6,503; Dominion Lands Office, \$329. (How we escaped with that I cannot imagine.) Indian Office, \$10,000; Industrial School, \$4,872; Jail and Lunatic Asylum, \$54,224; Lieut.-Governor's residence (old), \$22,371; Mounted Police barracks, \$154,729; Post Office, \$8,361; Public buildings, dam for water supply, \$5,240; Riding and Drill Hall, \$41,651.

Add to that the \$40,000 which we have just spent and you have, speaking roughly, about \$360,000 spent within the course of a few years, in that town of Regina.

Mr. MULLOCK. What is its size?

Sir RICHARD CARTWRIGHT. I do not know, but I suppose if you were to deduct the Mounted Police and Government officials, and those who derive their living from them, there might be fifty families.

Mr. DAVIN. The last remark of the hon. gentleman shows the spirit with which he has come to criticise these items. He said that if you take away the officials and the mounted police there might be fifty families in Regina. Even he, with the extraordinary ignorance that he has shown, and shows, whenever he criticises anything connected with the North-west, must know that that statement belongs to the category of extravagant and vindictive utterances that belong to his preachments on finances in this House. He takes an item there of some \$329 for a land office, and he says he is surprised how we got off with that. That shows again incompetency to criticise these matters. The land office is not a separate office. The land office that is referred to there is the land office connected with the Department of the Interior, I presume, and if so, it is in the old court-house. The hon. gentleman (Sir Richard Cartwright) and my friend from Wellington (Mr. McMullen) talked about the amount spent on the Government building. The reason why it was necessary to put up a solid building was because of the expense that attended the trumpery building that was originally erected. The history of that old building is: that a very small and a very cheap building was originally put up, and in order to meet the needs of the Territories—Territories that have risen to the importance of a great province—we required the Government House extended constantly, and for the comfort and health of those who live in it we required to have that old Government House constantly tinkered up. The result was that the old Government House was a most extravagant thing to keep in repair, because it had been originally built and projected on so small and trifling and parsimonious a view. Now, as the Minister of the Interior says, you have a Government House that, speaking in common and ordinary language, we may say will last for all time. You have a solid structure, and a structure that, while a handsome one, is not one that has any extravagance as to ornamentation. It is such a structure as a person representing the Government of Canada, and representing Her Majesty, and who is the head of society as well as of political life in the North-west, should have. Sir, if those hon. gentlemen want to discuss the question as to whether or not we should have Lieutenant-Governors, let them bring it up at the proper time and we shall discuss it. I do not know that I might yield to the general proposition in regard to the whole of them, but if you were to abolish the Lieutenant-Governors in all the provinces, there is one place probably in the whole Dominion of Canada where you would still have to adhere practically to having a Lieutenant-Governor, because in the North-west Territories the Lieutenant-Governor is something more than a mere ornament; he has important duties to discharge as the representa-

tive of this Government in those Territories. Now, Sir, let me say this: Never is the North-west brought up here; never is anything connected with the North-west brought up, that North-west which has—although their numbers are sneered at—going on one hundred thousand people; never is any subject connected with the North-west brought up, never is any expenditure for the North-west proposed, that we have not to meet, not merely hostility to the North-west and all expenditure for the North-west from the Opposition—whether the words come from an eminent leader like the hon. gentleman who was formerly Minister of Finance, or from an eminent man like my hon. friend from Bothwell, or from one only less eminent like the hon. member for North Wellington—but we have to meet as well from these hon. gentlemen ignorant constructions of items, maliciously placed upon them, so as to sound in the ears of persons abroad as if gross extravagance were going in the North-west; and the object is to prejudice if they could the old provinces—

Mr. MILLS (Bothwell). Order.

Mr. DAVIN. Then I will say, calculated to prejudice the old provinces against the North-west. That is the kind of criticism we have to meet, persistently from the hon. member for North Wellington, and spasmodically from the hon. gentleman who was formerly Finance Minister. The latter hon. member when a few items are placed before him, takes up the paper and looks at it as if it were altogether a surprise, and says: "Now, really Mr. Chairman, we must know something about these figures; really, it is too bad." Then he reads out the whole thing, knowing absolutely nothing of the circumstances that might enable him to criticise the expenditure, as on one occasion when from the gallery I heard him criticising an item of hay and displaying such extraordinary ignorance about it that I could not help being amused at such a display from a former Finance Minister.

Mr. MILLS (Bothwell). The hon. gentleman is in the habit of accusing members on this side of the House, of ignorance. The hon. gentleman affects a superiority of knowledge and judgment, and statesmanship with regard to everything connected with the North-west Territories quite beyond the powers not only of hon. gentlemen on this side of the House, but also of any of the antiquies who sit on the Treasury benches. Well, Sir, the hon. gentleman will not in any degree succeed in impressing the House with a sense of his superior knowledge or ability by constantly asserting it. I must say—but the hon. gentleman will no doubt attribute it to that prejudice which arises from my ignorance and hostility to the North-west Territories—that I have never been able to see, in the observations which the hon. gentleman addresses to the House, that minuteness of knowledge or that superiority of judgment

which on all occasions he ascribes to himself when he undertakes to discuss any matter connected with the Territories. Now, I do not admit for one moment that the people of the North-west Territories are at all interested in that financing which leads to the waste of public money in the North-west Territories. The hon. gentleman assumes that wherever money is misspent in the North-west Territories every one who criticises that expenditure or undertakes to show that the money is misapplied is hostile to the North-west Territories; and he is wanting in those large views which many spendthrifts on many occasions have exhibited in dealing with other people's money rather than their own. I am sure that if the hon. gentleman had in his private possession any considerable proportion of these moneys which belong to the public at large and which he is ready to deal with so generously and liberally, he would apply wholly different principles to their expenditure. Now, we on this side of the House regard ourselves as trustees of the people, and we have some regard for those on whose behalf we act. We recognize this money which the hon. gentleman proposes to expend so lavishly as the possession of the entire population. The hon. gentleman says that the first building erected at Regina was wholly unsuited to the rank and position and character of the gentleman who was appointed Lieutenant-Governor. Well, Sir, that was not the opinion of that statesman whom the hon. gentleman followed with such unquestioning obedience in a former period of our parliamentary history. That work was undertaken during his administration of the office. That building has cost this country \$22,000, and it has been abandoned; and I say that if it had been constructed with any care or proper supervision, a building costing that sum ought to have been ample for any gentleman who will represent this Dominion in that new section of the country. The expenditure on that building was quite as large as the expenditure on many gubernatorial residences in the older provinces, and I think it would have been no indignity to one who was appointed Lieutenant-Governor to occupy a building of that cost. The hon. gentleman's friends admitted that the money was misspent. The building has been abandoned, another building has been erected at a cost of \$40,000, and my hon. friend read statements to show that \$360,000 had been spent in the village of Regina, and the hon. gentleman says that it is an indication of hostility to the North-west Territories to refer to the amount of expenditure at all. Well, Sir, that is not the view the people of this country are taking, and I can assure the hon. gentleman that with regard to all these matters there is a disposition to criticise hostilely; and it is only by the exercise of prudence and care that you will be able to maintain the Lieutenant-Governor's residence in any one of the provinces of this

Mr. MILLS (Bothwell).

Dominion. I say for myself that I do not think that is a desirable state of things; but when you know the public feeling and temper you have to have some regard for it; and if you fail to do so then you will bring about the very result which the hon. gentleman himself will admit would be a misfortune.

Mr. McMULLEN. I wish to say a few words in reply to my hon. friend from Western Assiniboia (Mr. Davin), as he made some reference to me. The hon. gentleman is ready on all occasions to get up in this House and pronounce every man ignorant. Apparently no man knows anything but himself. He appears to be a modern Solonon, and he talks as if wisdom will die with him. He is quite willing to endorse every expenditure in the North-west, no matter if it were for the purpose of digging a hole and filling it up again; it makes no difference to him so long as the money is spent there; and he talks flippantly about the Opposition's criticisms of that expenditure, and vilifies and maligns and calls ignorant every gentleman who cannot see as he does. We know very well that his remarks in that respect are not confined to the Opposition. We can well remember when, in a very violent temper, he charged the Controller of Customs with being a man ignorant and incompetent, with whom he would not think for a moment of comparing himself; and we remember the last year he compared the present members of the Cabinet to a collection of antiques, and said that he was the funnel of hon. gentlemen opposite, through which flowed into them information and understanding to enable them to discharge their duties. We admit the great ability of the hon. gentleman. I have often thought what a pity it is that such intelligence, ability and eloquence should be buried away back in the prairies of the North-west. Is it not a wonder that some other portion of Canada did not discern the enormous ability with which my hon. friend is endowed and take him up and put him into some, high, dignified position. And if not in Canada, is it not surprising that some section of Greenland or the United States should not have recognized his ability, because he has travelled all over the world and become disgusted at the want of recognition which his abilities met with everywhere, until finally, in his utter disgust, he went off to the prairies of the North-west and there buried himself, and aims at becoming a burning and shining light. My hon. friend unquestionably at times entertains the House, and we are all glad to listen to him; but when we come to deal with matters of State earnestly, he is utterly at sea, but is always willing to condone any expense provided it is only made in and around Regina. He speaks about our animosity. Well, we are not at all actuated by any such feeling. We are here to protect and vindicate the interests of this Do-

minion by curtailing unnecessary expenditure, whether in connection with the Regina 'Leader' or anything else. That paper has been a pap-sucker for many years under the guidance of my hon. friend. No doubt he makes that paper a fruitful source of revenue out of Government expenditure, and no doubt he does a great deal of very useful work for the party he supports in that particular district. I would advise my hon. friend, when he gets up to criticise hon. members in this House, who, possibly, may not be blessed with the enormous amount of intelligence and the great advantages he has had the privileges of enjoying, to reflect that he is not considered by this House the Solomon of this age, which he fondly imagines himself to be.

Sir RICHARD CARTWRIGHT. I have been looking diligently, but am sorry to say in vain, to find what the actual population of Regina may be. It is a terrible oversight, no doubt, on the part of the census commissioners to have lumped in its population with that of Assiniboia, which is divided into four or five counties. Take Assiniboia West, in which Regina is situated, and its total population is 9,800 souls, with a square area of some 66,000 miles, being at the rate of one family to every thirty square miles, and it is the capital of that district in which not very far from half a million dollars of public money has been expended in the last two years. I repeat to the Government and the Minister of the Interior the warning that I have given, that there is the greatest dissatisfaction at the way in which, during the last few years, the people of Canada have been taxed for expenditures in the North-west, which they do not believe to be in the slightest degree for the real benefit of the people there. We have spent several million dollars throughout the North-west Territories in erecting public buildings of one kind or another. Considering its small population, scattered over such a huge area, that is nothing but profligate waste; and it is doubly to be deplored because it renders impossible those other expenditures for the real benefit of the people which I would like to see incurred there. In all human probability, so far as it is possible to judge from the very imperfect information in the census, there are not more than three hundred people in Regina at present who do not derive their livelihood, either directly or indirectly, from Government pap, and a more useless description of population for a new country it is hard to find than those who do derive their existence from the crumbs that may fall from the Government of the day.

Mr. MULOCK. How does it come that this new building, said to have cost some \$40,000, and which was supposed to be completed for all time, costs for repairs over \$2,800 and \$2,500, or over \$5,000?

Mr. OUIMET. These accounts have been incurred in divers furnishings, &c. The other repairs, I have explained to the hon. gentleman, were in connection with the engines and hose to protect the building against fire. Then the drainage was defective on account of insufficient ventilation, and in consequence of the very severe weather out there, the roof has been leaking and some of the rooms have been spoiled, necessitating repairs and new papering.

Mr. MULOCK. The hon. Minister will remember that the \$2,500 he mentioned in the first item was to provide for fire appliances and ventilation. But what is this \$2,800 for?

Mr. OUIMET. This second item is for fixtures and furnishings which were necessary when the Lieutenant-Governor entered the building three years ago, and which were left standing, because at the time there was not the proper authority from the department to make them. There were some difficulties as to whether the department was responsible for these accounts or not. And, although the amount was voted two years ago, we have not been able, through the difficulties that arose after the dismissal of our clerk of works there, to come to the conclusion that these different items were due. Since then we have come to the conclusion that these accounts are properly payable, and I am sorry that these people have been waiting all this time for their money.

Mr. MULOCK. Who authorized the expenditure?

Mr. OUIMET. The Lieutenant-Governor had received direct instructions from his department, the Department of the Interior, which was presided over at the time by Sir John Macdonald himself, to move into the new building. It was about the opening of the first or second session of the North-west Legislature, and it was thought proper at the time that the Lieutenant-Governor should move into the new building, so as to do honour to the new representatives. The things charged for in these accounts, being, in the opinion of the Lieutenant-Governor, absolutely necessary for his installation into the new residence, he undertook the expenditure without previously securing authority from the department. The department have taken all the necessary precautions to ascertain that these accounts were legitimately due, and we now ask for a revote of the amount.

Victoria—New Post Office—(Re-
vote, \$24,000)..... \$54,000

Mr. MULOCK. Will the hon. gentleman please explain?

Mr. OUIMET. Last year I asked for an appropriation, which was voted, for the purpose of purchasing a site for a new post office in Victoria. The site has since been

purchased from the Canada Western Hotel Company. The price asked was something like \$90,000, but after long negotiations I succeeded in getting the land for what I consider was a very cheap price, \$75,000. Part of the appropriation, \$24,000, is a revote, and the balance is for the purpose of proceeding with the erection of the building, whose cost will be about \$150,000. We have not yet asked for tenders, but intend doing so at once.

Mr. MULLOCK. What is the size of the lot?

Mr. OUMET. This lot has a frontage on Government street of 150 x 240 feet depth on Courtney street. It is opposite the new Parliament buildings. This site has an additional value from the fact that excavations have already been made, which can be made use of for the new building. I was informed—and I have made such inquiries as to enable me to say that I believe—that these excavations cost as much as \$24,000. As this expenditure would otherwise have to be incurred, it reduces the real cost of this site to a very reasonable figure indeed.

Mr. MULLOCK. The fact is that you have paid \$500 a foot frontage for it. Do you compute by the square foot?

Mr. OUMET. Yes. This site has a frontage on four streets. It is a complete site by itself. We do not expect to occupy the whole site with the present building, and we expect to realize a fair amount for what will be left.

Mr. MULLOCK. I am surprised at \$500 a foot being paid for a site for a building which was estimated to cost \$50,000.

Mr. OUMET. According to my calculation, it only amounts to \$2 a square foot. There are 34,000 square feet.

Mr. DALY. Property containing 500 feet has sold on the same street for \$700 and \$800 per foot frontage.

Cattle Quarantine Station..... \$2,000

Mr. MULLOCK. I would like to ask the Minister if he has abandoned the plan that was disclosed in the course of the debate we took part in respecting the quarantining of American cattle, that is, of appointing railway officials as guardians in charge of trains carrying American cattle through the country?

Mr. DALY. I will get the information for the hon. gentleman to-night.

Harbours and Rivers, Nova Scotia..... \$27,552

Mr. GILLIES. On this item I desire to bring a small matter, but yet of considerable interest, to the notice of the Minister of Public Works, concerning which I have had some correspondence with him and his department. On several occasions I have en-

Mr. OUMET.

deavoured to get some improvements made at a place called Fourché harbour, a place of some considerable importance as a fishing locality, situated, as the hon. gentleman will notice by the map, on the southern coast of Cape Breton, about twenty miles west of Louisburg, and thirty miles east of St. Peter's. A large fishing business is carried on at this point, and the hon. gentleman will understand how desirable it is that some improvements should be made at this point in order to afford shelter to fishermen, because, for a distance of fifty miles on that coast, on either side of this point, there is no proper shelter or harbour of refuge for fishermen. I had an interview with the chief engineer of the Public Works Department, and that courteous gentleman and obliging and efficient officer was disposed to give me every assistance in the matter. He had a survey of the place made last winter, and a report, I think, is lodged in the Minister's department. There is no construction required at all in the way of a breakwater or anything of that sort; all that is necessary is that a dredge be sent there for a few days, and I venture to say that a very excellent harbour can be made. There is already a good harbour, but it is shut out from the ocean by a small bar. If the dredge were sent there for a few days she would be able to do a good deal in the way of affording the necessary shelter for fishermen at that point. The dredge is now in the county of Halifax, and when she finishes there I would ask the Minister to send her to this point, and if she were able to work there for the remainder of the season, I am sure that such shelter could be secured as we have been for a long time asking.

Mr. OUMET. The hon. gentleman has not exaggerated the importance of that harbour, which is situated on a coast about sixty or seventy miles long, and this is the only place of refuge. But it will cost a good deal to take off the bar at the opening of the harbour—I think the estimate is about \$7,000. If it is possible to dispose of the dredge during the fall, after she has done the work she is now engaged in, I shall be very glad to meet the hon. gentleman's wishes.

Lower St. Lawrence—To provide for the establishment of safe landing places for fishing boats along the south coast of the Gulf of St. Lawrence below Matane..... \$2,000

Mr. LAURIER. How is this to be expended?

Mr. OUMET. This appropriation is asked for to give the fishermen on that coast certain places where they can seek refuge in stormy weather. Unfortunately, a long extent of coast, from 250 to 300 miles, has no harbour of refuge for the fishermen, and in stormy weather they have to land upon the coast at the risk of their lives. We are undertaking to clean out the rocks and

boulders at several places, so as to make a place about 500 feet each way, where there will be no stones at all, and where the fishermen can go during stormy weather and land in safety. This is an experiment which I hope will be successful in giving to these fishermen the necessary harbours of refuge, which they ought to have had before this day, if they are to be treated in the same way as other fishermen are treated. I think this sum will be sufficient to make four such places of refuge at \$500 each.

Rivière du Lièvre—To provide for settlement of claims for damages to riparian properties by backwater due to the construction of the Little Rapids lock and dam..... \$5,000

Mr. DEVLIN. I would like to ask a few questions with regard to this vote, questions which I have asked before in the House, but did not obtain the information. Could the Minister give some of the claims which this vote is to meet?

Mr. OUMET. Yes; a number of claims have been filed in the department from municipalities, and from individuals in the townships of Portland East and West. There is one from Joseph Grondin for damage done to his mill property on the north-east bank of the Lièvre. The water at the mill was raised about twelve feet. A claim has been made for \$5,500, and the amount recommended to be paid is \$951.50, with which I think we can settle without going to the Exchequer Court.

Mr. DEVLIN. I wish specially to ask whether in the list of parties whose claims were allowed you have the names Carroll and Wood?

Mr. OUMET. Yes.

Mr. DEVLIN. What is the revenue, if any, derived from the canal?

Mr. OUMET. The hon. gentleman knows that this work was constructed in expectation of the development of the phosphate business, and during the last few years that business has been at a standstill.

Mr. DEVLIN. Is there any staff employed?

Mr. OUMET. Only one, the lockmaster.

Mr. DEVLIN. What is his salary?

Mr. OUMET. \$300 or \$400 a year.

Mr. DEVLIN. I offer my congratulations to the Minister that he has been able to place in the Estimates a sufficient sum to cover the claims presented for damages caused by the water being thrown back by the construction of the lock. I am in favour of any money grant expended judiciously in the county I represent, but I must say that I do not approve of the original expenditure in connection with those locks. The hon. gentleman from Pontiac smiles. There is not an hon. gentleman who can ap-

prove of the extravagance I am going to point out. The hon. gentleman will remember that his former colleague in the representation of Pontiac had the contract. The facts in connection with this work are these. Here is a lock which has been constructed, that returns no revenue, but the people are obliged to pay for its maintenance; it is a lock which was estimated to cost not more than \$44,000, but which up to this moment has cost \$255,000, a lock against which there is yet a claim in the department of from \$60,000 to \$90,000. I do not approve of that expenditure; I do not think there is any hon. member who understands the facts connected with the construction of the lock who can approve of it. I consider it is worse than the expenditure in connection with the Curran bridge or the Tay Canal, for while an expenditure on the Curran bridge may have been wasteful and extravagant, the work will be of public service. But here is a lock, which returns no revenue, which cost, instead of \$44,000, \$260,000. If that money was expended in the county I represent I regret it—it was a wasteful and extravagant expenditure of the public resources. It is serving the purpose of allowing a vessel to pass up and down; but that vessel passed up and down the river before the lock was constructed. The construction of this work has, however, brought about great destruction of property, and to-day the department is taking a vote of \$5,000. That vote I approve, because it is to pay damages done to residents who suffered from the construction of this work.

Mr. OUMET. Unfortunately the engineer who had charge of preparing the Estimates for this work under-estimated its cost, in fact he made a very great mistake, so that the work has cost three times at least the amount estimated. Not one cent has been paid except for work done. No special favour has been conferred on the contractor, Mr. Poupore. There was a serious mistake made in estimating the cost of the work, due to ignorance, inability or a mistake on the part of the engineer who had charge of the preliminary surveys. To-day I am willing to admit that the work does not confer much benefit on that part of the country, compared with the amount expended. But if the phosphate industry, which we regret to see is under the weather now, revived, this work would be utilized, and the revenue over expenditure would certainly compare favourably with that from any other work in the Dominion. It is obvious that the hon. gentleman who has spoken does not intend to be a candidate for that part of his present county; if so, he would remember the great anxiety shown by the people of Buckingham for that improvement. If he intended to be a candidate in the county of Labelle, he would not have spoken as he has done.

Mr. DEVLIN. The Minister of Public Works rose to correct me. He has stated that the work has cost three times the amount originally intended and estimated. The hon. gentleman will perhaps allow me to correct him. I will read his own answer to a question. The question was put by me on the Notice paper last session :

What is the total amount paid out in connection with the construction of the Little Rapid lock or locks on the Du Lièvre River.

and the answer was :

The total amount paid out in connection with the locks on the River du Lièvre is \$255,384.91.

Add to that the sum of \$5,000, to be now voted, and the hon. gentleman will find that my statement a moment ago was perfectly correct, namely, that \$260,000 is the figure. I made a further statement: that the claims still held against that canal ranged between \$60,000 and \$90,000. I put a question also on the Notice paper last year: if there were any further claims against the department in connection with the construction of this lock, and the answer given me, as I see here, was: there is a still further claim for extras of \$60,971.74, and the answer of the Minister further went on to say: that that claim was not entertained. So that the hon. gentleman, in correcting me, simply gives me an opportunity to prove that my figures and my statements were perfectly correct. With regard to the hon. gentleman's assertion about my possible candidature in that section of the county, I must say that it has little or nothing to do with this expenditure. If a man, in order to be the representative of a county, or in order to have any chance of obtaining a seat in this House, must sanction horrible extravagance, and must bow to Curran bridge scandals, and every other scandal that is perpetrated, I am willing to decline the honour of a seat in this House, even for the county I represent. I think that such a position is not one that would be to the credit of any one. Such a representation of claims to the honour of a seat in this House is not one that should be stated as it was stated by the Minister of Public Works in this House a few moments ago. I would furthermore tell the Minister that so far as that is concerned, if I were honoured with the nomination for that section of the county, I might have no difficulty in accepting it, nor in coming back with the same triumph I had on the last occasion.

Magog Wharf \$2,500

Mr. RIDER. What particulars has the Minister to give in connection with this item?

Mr. OUIMET. The wharf now at Magog is not a public wharf, and it appears that the owner of it is unwilling to give the necessary accommodation to the public. This vote will enable us, if possible, to purchase

Mr. OUIMET.

the wharf and make a public wharf of it. Magog is an important place, and I hope if this money is enough to purchase the wharf and repair it, and put it at the disposal of the public, that the wharf will be able to pay its own expenses of maintenance.

Mr. RIDER. In case this amount is not sufficient to purchase the wharf, is it still the intention of the Minister to purchase the wharf and make it open to the public?

Mr. OUIMET. That will be for the Government to decide afterwards.

Mr. RIDER. This is a very important matter, as the Minister has said. Magog is a very important manufacturing town: the Canadian Pacific Railway passes through there, and the station is very near this wharf, which is an outlet to quite a large lake. As I understand it, the wharf is at present owned by a private individual, and there has been some difficulty in the public having access to it. I think, before the Government would be justified in any expenditure connected with this, that they should acquire the property and open it to the public. Is it the intention of the Government to do that?

Mr. OUIMET. It is our intention to do that.

Mr. RIDER. Has there been anything done whatever in connection with it?

Mr. OUIMET. Nothing, except an interview I had the other day with a gentleman from Magog, who told me he hoped that the amount would be sufficient.

Mr. RIDER. Who is the present owner of the wharf?

Mr. OUIMET. I am not quite sure.

Mr. RIDER. How will this money be expended? Will there be a plan of the works given, and tenders asked for?

Mr. OUIMET. I have not said that it was the intention of the Government to build a new wharf. I said it was the intention to purchase the present wharf, and to repair it and open it to the public.

Toronto Harbour—Works at eastern entrance, &c.; the city of Toronto having contributed
\$100,000..... \$50,000

Mr. MULOCK. I would like to ask the Minister of Public Works who is conducting that work, and on what terms?

Mr. OUIMET. The work has been contracted for by Messrs. Murray & Cleveland, of St. Catharines, Ontario. Date of contract, 31st of May, 1889. Work is still going on at schedule prices. Work expected to be completed in the autumn of 1895.

Mr. MULOCK. What is the total amount already expended by the Government on the work?

Mr. OUIMET. \$249,920.

Mr. MULOCK. Does that include the \$100,000 contributed by the city of Toronto ?

Mr. OUIMET. Yes ; that is all that has been paid until now.

Mr. MULOCK. The total amount paid by the Government would be \$149,000 ?

Mr. OUIMET. Yes ; but besides that we have expended for the protection of the Island, \$135,083.14.

Mr. MULOCK. Will the hon. gentleman state how the expenditure in connection with the Island was contracted for ?

Mr. OUIMET. The stone was contracted for, and the work was done by day's labour under the superintendence of our own engineer.

Mr. MULOCK. What was the cost of the stone ?

Mr. OUIMET. I cannot say now.

Mr. MULOCK. I would like full explanation as to this expenditure.

Mr. OUIMET. The hon. gentleman will find all that in the Auditor General's Report of the last year and the year before, but if the hon. gentleman desires it, I shall get a statement made in the department, and send it to him.

Mr. MULOCK. Very well. Is the work being done by Murray & Cleveland, principally dredging the sand ?

Mr. OUIMET. No, it is building and laying cribs. As the hon. gentleman knows, the present work consists of two jetties. The width of the channel is about 400 feet ; and a berth has to be dredged where the cribs are to be sunk a depth necessary to keep the cribs in place after the channel has been dredged to a depth of sixteen feet.

Mr. MULOCK. Do you get rock at sixteen feet ?

Mr. OUIMET. No.

Mr. MULOCK. What is paid per cubic yard for the dredging, and where is the sand deposited when it is taken out ?

Mr. OUIMET. The price is 11 $\frac{3}{4}$ cents per cubic yard, and the sand is deposited about a mile out in the deep water.

Mr. MULOCK. How far out does the contract require the sand to be taken before it is dumped ?

Mr. OUIMET. The place is to be indicated by the department. It is to be sufficiently far in deep water to prevent it coming back to the work.

Mr. MULOCK. Who is in charge to see that this direction is carried out ?

Mr. OUIMET. The Government engineer, Mr. Temple.

Mr. MULOCK. Who is in supervision day by day, from morning till night, to see that the contract is carried out ?

Mr. OUIMET. There are two inspectors—one of the name of Kelly, and the other of the name of Hurden.

Mr. MULOCK. Does the Minister say that while the work is going on one or other of these inspectors is constantly in attendance to see that the Government instructions are carried out ?

Mr. OUIMET. Yes, that is my information.

Mr. McMULLEN. Who is inspecting the work ?

Mr. OUIMET. The chief engineer of the department pays monthly visits to the work. The work I may say is done in the most creditable manner, as any man who visits it can see.

Mr. McMULLEN. My reason for asking that question is this : In the time of my hon. friend's predecessor, we had an investigation in the Public Accounts Committee into the expenditure of this very work ; and it was proved that what are known as blind bolts were used ; that is, a bolt with a head, and perhaps one or two inches in length was driven into the woodwork, instead of a proper bolt which is supposed to pass through from side to side and to be fastened by a nut. This was done in the absence of the engineer, and the result was that the whole thing went to pieces when the winter storms came, and the money was virtually lost. What I want to know is whether a Government officer is there continuously to see that that is not perpetrated again ?

Mr. OUIMET. Nothing of the kind happens now. That unfortunately took place with the work constructed for the protection of the island ; but this special work is done with the greatest possible care.

Mr. McMULLEN. I have no doubt my hon. friend is anxious that it should not occur again. He says the Government engineer is in charge of the work ? How often is he there ?

Mr. OUIMET. Every day. This is the only work he has to attend to.

Mr. McMULLEN. In the case of the previous work it was proved that the engineer and the inspector were there every day, and yet blind bolts were used to an enormous extent.

Mr. OUIMET. When there were some irregularities connected with the work for the protection of the island, I am informed that there was no resident engineer, but only an inspector. Since then we have stationed an engineer there to see that the work is properly done, and the work of this engineer is inspected monthly by the chief engineer

of the department. If the hon. gentleman pays a visit to the work, he will see for himself that it is being done in the most creditable manner.

Mr. COATSWORTH. I understand that when any work goes to pieces, the contractor is responsible. There is no doubt that there is an inspector on the work now. Mr. Kelly Evans is in continual supervision over the work that is going on at the entrance, and there is another inspection of the crib in course of construction on the city side. I would like to say also that there is no doubt that if this work had not been done, it is the judgment of many persons who consider themselves competent to judge, that the harbour would have been practically destroyed by this time; there would have been two or three channels through the island from the lake into the harbour. In regard to the work which is being done at the eastern entrance, from my personal knowledge of it—for I lived on the island one summer—it is one of the finest entrances to any harbour in the province of Ontario. It is 400 feet wide, and it shortens the distance to Niagara and the distance to Montreal by ten miles. Before the works were constructed, when the channel was made by natural causes, I have known steamers in many instances to get stuck in the sand; whereas now we have a magnificent entrance, which allows of dredging to a depth of forty feet or more before the rock is reached. So that when the hon. Minister of Railways and Canals consents to the deepening of the canals to twenty feet, as I expect he will in the near future, we will have a splendid entrance there for sea-going vessels.

Lakes Simcoe and Couchiching—
Regulation of waters of..... \$5,000

Mr. OUMET. This is to improve and widen the outlet of the lake so as to regulate the waters by means of a movable dam that will be partially removed when the waters are high, and replaced in order to prevent the waters getting too low. I understood this will benefit a large area, three or four counties which suffered greatly from the flooding of the water in the spring, and during the summer there is very little water in the lake. Very careful surveys have been made.

Mr. MULOCK. Where is the dam to be erected?

Mr. OUMET. On the eastern branch of the Severn River. It will not interfere with the running of mills.

Mr. MULOCK. I am glad to bear tribute to one good act at least on the part of the Minister of Public Works. The scheme, if properly carried out, will be a good protection.

Mr. OUMET.

Columbia River—Protection of
bank at Revelstoke, &c..... \$5,000

Mr. MILLS (Bothwell). What is the precise reason for this? Are we the owners of any property here?

Sir JOHN THOMPSON. The town site of Revelstoke belongs to the Dominion Government. The Provincial Government, some years ago, made a struggle to take possession of it and to issue patents for the lands; but during the recent flood, these works threatened to give way, and cause great damage to the town site. We propose to undertake the work of strengthening the dam, but only intend to do so on its being understood that the claim of the Provincial Government is abandoned.

Slides and Booms—Ottawa District \$750

Mr. BRYSON. I would like to call attention to the fact that a dam was built at the Grand Falls, at the head of the Coulonge River, in 1890 or 1891. That dam was built somewhat higher than the one that had been there for many years previous, and has caused considerable damage to a number of farmers for a distance of three or four miles up the Coulonge. For a certain time, the engineer in charge said the dam was not any higher, and that the damage was due to the spring freshet. However, in the spring of 1893, he went over the ground with the farmers and became convinced that, to some extent, the lands were damaged through the construction of the dam. This spring he sent out a surveyor to take measurements of the lands submerged, and I would ask the hon. Minister, since the amount required to pay for these damages has not been placed in the Estimates, that he would have the amount taken out of some other vote, if possible, or that he would send an arbitrator up there to find out what amount the farmers are entitled to.

Mr. OUMET. The report was received too late to bring the matter before Council, and will have to stand over for another year.

Mr. BRYSON. Will the hon. gentleman see that an arbitrator is sent there to ascertain what compensation should be paid, so that the hon. gentleman may come down next year and ask for the amounts absolutely necessary.

Mr. OUMET. I will do that.

Bridges across the Saskatchewan
at Edmonton, North-west
Territories; the municipality
furnishing 25 per cent
of the cost..... \$25,000

Mr. MILLS (Bothwell). Is it proposed to build the bridge on a level with the surface on each side? It seems to me that if the railway company have a crossing there, a passenger bridge and a railway bridge could be built in one structure and it might be

one on a level with the surface on each side.

Mr. DALY. It appears that the railway, when it passes, will pass considerably below the town. The arrangement suggested by the hon. gentleman was laid before the Railway Committee, but they had no intention of crossing the river at present and it is an absolute necessity to the people of Edmonton and St. Albert and North Saskatchewan that this bridge should be built. The length is about half a mile, not a mile and a half as the hon. gentleman says.

Swing bridge over the Burlington
Channel..... \$5,000

Mr. BAIN (Wentworth). Where is this Burlington channel?

Mr. OUIMET. At the entrance to Burlington Bay.

Mr. BAIN (Wentworth). Is this vote expected to be sufficient to complete the bridge?

Mr. OUIMET. No, the estimated cost of the bridge is \$20,000. This is to ask for tenders, so that the exact cost will be known, and to begin work.

Mr. BAIN (Wentworth). I suppose that that means that the Minister intends finally to complete the work?

Mr. OUIMET. If our Government is sustained, it is very likely that—

Mr. HENDERSON. The necessity for the bridge across this channel is very great, and I hope that this year a commencement at least will be made and the work finished early next year.

Mr. BAIN (Wentworth). I agree with my respected friend from Halton (Mr. Henderson) that the present mode of conveyance across this channel is discreditable to the Government of the day. The old facilities were not very good, but one day last winter even they left and we were compelled to take to the antiquated mode of crossing in use in the early days of the canal. But with the improvements going on at Burlington Beach and the additional travel across the beach, the present facilities are utterly insufficient.

Mr. OUIMET. That is not the fault of the department. The antiquated ferry had been replaced by a very good one, but it was carried away on the lakes last winter by a storm, and never was heard of again.

Mr. BAIN (Wentworth). But that was no justification for reverting to the antiquated method of forty years ago.

Mr. OUIMET. That was used pending the decision as to the building of the bridge.

Mr. MILLS (Bothwell). The municipality would erect this bridge in the course of a month or two. What is the object of the Government taking part of the appropriation only? If the work is to be done it ought

to be done immediately. Why do a little this year and a little the next?

Mr. OUIMET. This work cannot be done with equal cheapness and care and convenience to the people until next winter. During the summer traffic is very heavy—three or four hundred carriages pass there daily. Plans have been prepared, tenders will be asked for and probably work can be carried on during the winter. As hon. gentlemen may expect to be called here some time during January next, as early as possible—we shall be lonesome while all are away—we shall then ask for another appropriation in time to complete the work.

Mr. McMULLEN. We have no objection to the proposed improvement at the city of Hamilton. Has a careful investigation been made of the cost, and has the hon. gentleman the word of his chief engineer that the cost will not be more?

Mr. OUIMET. The plans have been prepared and if the hon. gentleman has any curiosity on the subject he can see them at my office, as several members of the House have already done. The estimate of my chief engineer is between \$20,000 and \$21,000. I hope we shall be able to do the work somewhat cheaper than that.

Mr. McMULLEN. Why does he not take the appropriation for the amount of \$20,000 and let the work be tendered for and carried out.

Mr. OUIMET. I stated that my intention was to ask for tenders. The work cannot be carried through except in the winter. When tenders have been received they will be submitted to Council, and the Government will decide whether they will go into the expenditure. This vote is merely to submit the matter to the House and tell them what we intend to do and get an appropriation in advance. If we do not take the whole amount it is because we do not need it. The balance will be needed next spring when, it is expected the bridge will be completed.

Mr. BAIN (Wentworth). It is about three months since I was told in answer to a question across the floor, that plans had been prepared for this bridge and the cost would be about \$21,000. I know that the city of Hamilton is very much interested in this work and made strong representations to the Government. While I am not finding fault with the vote of \$5,000, it does seem to me that the Minister was almost too frank in saying he proposed to delay the work until after the next general election.

Mr. OUIMET. I did not say that. If you have any objection I might drop the item.

Mr. BAIN (Wentworth). I am not objecting, but I am saying, in the interest of the community that a reasonable degree of energy should be shown. It is cruel to the people there to allow any unnecessary delay.

That canal has never been a burden upon the Government, and for a long time it was a source of revenue. It is the entrance to a very important commerce and the crossing is becoming every year more important to the inhabitants on both sides. It is discreditable to the Government to keep these people crossing with the antiquated means we have now. It is true there was a better service, but even that was of a very inferior kind. I think the Minister mistakes very much the feeling of the people in the county represented by my hon. friend (Mr. Henderson) and the adjoining county of Wentworth, if he thinks the people will be satisfied to have this work left over for another year when the preliminary work might be going on.

Mr. HENDERSON. I cannot say that I am dissatisfied with the answer given by the hon. Minister. An appropriation of \$5,000 is now made, and he has explained the plan upon which he intends going, and by next spring we fully expect this bridge will be fully completed. I do not think any man could reasonably expect that it could be completed much sooner. There is reason in what he says, that the work cannot be carried on so readily during the summer months, when the travel across there is constant, and the bridge will have to be built just about where the present ferry now crosses. The better season to construct the bridge is in the winter or late in the fall, and as we will certainly have no general election until after the bridge is completed, I do not see that my hon. friend can make very much capital out of that. I am glad that the Government have seen fit to make an appropriation for this bridge. For the last two years I have been drawing their attention to it, and I know that other representatives from that section of the country have done the same; and I am pleased that the Government have at last met our views upon this matter.

Mr. BAIN (Wentworth). I would like to remind my hon. friend that this bridge can hardly be constructed out of a vote of \$5,000, and before the House meets again, we will be pretty well along in the winter, unless we get together earlier than we have done this season. I am afraid it will be nearer a year from now.

Mr. HENDERSON. I hope the hon. member for Wentworth will not urge his objection so strongly, that the Government should even drop the little vote we have got.

Mr. BAIN (Wentworth). I did not propose anything of the kind.

Monument to the late Sir John A.
Macdonald--(Revote \$7,700.).. \$12,000

Mr. BAIN (Wentworth). How soon will we have the pleasure of seeing that monument erected?

Mr. BAIN (Wentworth).

Mr. OUIMET. I cannot fix the date. I expected it would be ready to be inaugurated during the fall, but I am not in a position to hope for that now. I received a communication from Mr. Hébert day before yesterday, sending me what was supposed to be a model, or reproduction, for approval. There was something in it that I did not like, and I have written him to correct it. Mr. Hébert is the French-Canadian artist who received the prize for the model amongst forty-five competitors. He is now in Paris working on the statue, which is to be of bronze.

Mr. FLINT. Have the Government decided on the site for the statue?

Mr. OUIMET. Not yet.

Towards erection of the Maison-
neuve monument.....\$1,000

Mr. OUIMET. This monument, costing about \$25,000, is to be erected on the Place d'Armes, Montreal, and we are giving this small amount in assistance.

Retiring allowance to Joseph Rosa,
Esq., civil engineer, who spent 37
years in public service, equal to
six months' of his salary.....\$1,003 75

Mr. McMULLEN. I object to this item. Men who have been thirty-seven years in the public service, and have been receiving a good round salary all the time, ought to be able to provide for themselves. I notice there were two items in the Estimates this year granting six months' salary to two individuals who discharged the duties of immigration agents in the old country, and who received a good salary all the time. The people cannot afford this kind of thing.

Mr. OUIMET. These four officers, three of whom are subsequently named, have been granted a gratuity of six months' salary on account of having been for a long time in the employ of the department. They do not get any superannuation. Their services were dispensed with for the sake of economy.

Mr. DEVLIN. I am not objecting to these items, but I would like to ask a question that has no reference to any of the gentlemen mentioned here. Are the employees of any department, for instance, draughtsmen and so on, who are constantly employed by the department, allowed to tender for works outside the department?

Mr. OUIMET. No.

Mr. DEVLIN. Of course I have no information to give, but I wanted to get the Minister's answer in order that those who are interested in this matter, may understand the position they are in. I put the question two or three years ago when complaints were made by engineers and by draughtsmen who were not connected with the service in this country in any way, that works from which they were able to draw their living were frequently tendered for

by employees of the departments, engineers and draughtsmen. I am glad to hear the Minister of Public Works say that such a practice is not tolerated.

To provide for the maintenance of new steamer now under construction in England..... \$10,000

Mr. McMULLEN. What would be the cost of the new steamers?

Sir CHARLES HIBBERT TUPPER. \$86,000.

Mr. MULOCK. Could not those vessels have been built in Canada?

Sir CHARLES HIBBERT TUPPER. Yes, at a cost of over \$136,000. We have a tender for about that figure.

Mr. MULOCK. What is there peculiar in regard to the vessels to explain the reason why they cannot be built in Canada?

Sir CHARLES HIBBERT TUPPER. We do not build ocean steamers in Canada.

Mr. MULOCK. Where are they to ply?

Sir CHARLES HIBBERT TUPPER. They are for ocean and river service connected with the lighthouses.

Mr. MULOCK. Why cannot builders in Canada construct these vessels as cheaply as ship-builders in England?

Sir CHARLES HIBBERT TUPPER. I did not ask them.

Mr. MULOCK. I think the hon. Minister does not care to mention the fact that the duty on materials entering into the construction renders the cost of such vessels here higher than in England, and prevents iron ship-building in Canada being a success. I think the Minister of Marine had also to get vessels for inland waters that had been built on the Clyde.

Sir CHARLES HIBBERT TUPPER. No. All the vessels used on the lakes were built in Canada.

To pay Macdonald Bros. for their services for saving the boiler and engine of the steamer "Napoleon III."... \$4,000

Sir CHARLES HIBBERT TUPPER. The steamer "Napoleon III." was wrecked three years ago off the coast of Cape Breton, and Macdonald Bros. saved the engine and boiler, which were valued at about \$19,000. This is really a salvage claim. There was no legal claim put forward, but it was considered that this was a fair amount to allow them.

Amount required to pay George Ganley, for hire of tug during fall of 1891, while employed on fishery service on Lake Superior..... \$675

Mr. MULOCK. Why was this account not settled before?

Sir CHARLES HIBBERT TUPPER. The expenditure was incurred by the overseer without instructions. The overseer is now dead. The claim was not recognized. It was subsequently represented that this trip undertaken by the overseer resulted in great benefit to the Government, and that subsequently no less than \$1,500 was received in fines and license fees. Accordingly, the account was subsequently passed.

Geological Survey—To provide for the cost of boring for petroleum at Athabasca river. \$7,000

Mr. McMULLEN. Was this a successful experiment?

Mr. DALY. It is only now being carried out. We expect to learn the result within a month or six weeks.

Mr. MILLS (Bothwell). Is this experiment being made at the nearest point in the North-west Territories where the deposits are known to exist?

Mr. DALY. This is where the tar sand is exposed on the Athabasca River, and where there is every expectation of petroleum being found. This amount is required to ascertain whether it exists there in paying quantities.

To pay J. W. Powell, Victoria, B. C., balance of cost of a collection of Indian curios furnished the Department of Interior in 1879-80..... \$129

Mr. DALY. This account is for a collection of curios ordered by the late Deputy Minister of the Interior, Col. Denis. It has been in dispute between the department and Mr. Powell. There is no question as regards the claim itself. The papers between the Department of Indian Affairs and the Geological Survey were mislaid, and have only recently been brought to light.

Indians—To provide for expenditure at Caughnawaga, P. Q., in building school-houses, building roads and ditches, and surveys..... \$3,500

Mr. MILLS (Bothwell). I wish to bring under the attention of the Minister the claims of an Indian band in the south-western Peninsula. About a century ago, in the western portion of Canada, the Indians received certain islands in Lake Erie. Among other lands obtained by them was Point Pelee, and an island now known as McCormack's Island. A man named McKee obtained from the Indians a lease of the island for nine hundred and ninety-nine years, upon condition of making a payment of three bushels of corn. I believe payment was not made for about a century, and also that the Indian title was not extinguished. By the treaty of 1790 the Indians surrendered all claims on the mainland from the Detroit River eastward to a point in the county of Elgin, and from the river south

to the borders of Lake Erie. After the war of 1812 the Indians claimed compensation for their services. Mr. Ellis, acting then as Indian agent, authorized the Indians to enter into possession of Point Pelee. They took possession, with the promise that this land would be guaranteed to them as an Indian reservation. Mr. Ellis died shortly afterwards. No conveyance was made. They remained there until 1863, when a number of hunters and trappers went on the reserve and crowded out the Indians. Those Indians are without any annuity and without any funds. They ask that the Government should compensate them for McCormack's Island, that they should extinguish the Indian title; and they also ask that some arrangement be made between the Dominion and Ontario Governments to allow them to go into possession at Point Pelee in accordance with the promise of the Indian Department. They say that they served during the war of 1812-15, and they went into possession of the Point as compensation to them for their services at the instance of the authorities at that time, who thought it was desirable for the Indian population who were in active service on behalf of the English, should reside in that south-western Peninsula, because at that time there were no settlers of any account in that district except a few refugees from the United States. I think these people have an equitable claim against the Government, and that they ought to receive some compensation. In my opinion there are no persons owning that point, and there are several hundred acres at the extreme point that belong to the Government as a military reserve. I do not know that it has any value as such, and the Minister might inquire whether that may not be conveyed to these Indians as a reserve, subject to the right of the Government to use it for military purposes if they require, and also to make some compensation. I will not go into the case further now. The parties in possession of McCormack's Island at one time endeavoured to get a patent, but the courts held that they were not entitled to the patent until the Indian title had been extinguished.

Mr. DALY. I am glad the hon. gentleman (Mr. Mills) has given me the benefit of his knowledge in reference to this matter, as it is a question that has engaged the attention of the department from time to time. The information the hon. gentleman has given me will enable me to go more fully into the matter than I have been able to do during the time at my disposal. The hon. gentleman may not be aware of the fact, but the papers disclose it, that the Indians received the consideration for their surrender of this Point, and as the hon. gentleman has said, the courts have held that McCormack is not entitled to the Point on account of not having a surrender from the Indians. An attempt has been made to get

Mr. MILLS (Bothwell).

a surrender from the Indians from time to time, but they refused. As to the suggestion that we should give them a reserve on Point Pelee, that is a matter for consideration. It is ordnance land, and has been under lease to some game club, and a portion of it is occupied by the lighthouse keeper there. The whole matter will be taken into consideration at the earliest opportunity that can be given.

Further amount required to meet cost
of Royal Commission on Liquor
Traffic \$10,000; printing, &c.,
\$20,000..... \$30,000

Mr. MULOCK. What has been paid out in all for this commission?

Mr. FOSTER. I had a complete statement made out, but I am sorry to say that some of the papers have been mislaid. I will give the hon. gentleman all the information in the morning.

Mr. MULOCK. Will the information show the total cost of the commission, and all that has been paid out, including this \$30,000?

Mr. FOSTER. Yes, it will give all the details.

Committee rose and reported resolutions.

Sir JOHN THOMPSON moved the adjournment of the House.

Motion agreed to; and the House adjourned at 6 p.m.

FRIDAY, 20th July, 1894.

Evening Sitting.

The Speaker took the Chair at Eight o'clock.

PRAYERS.

MONEY SUBSIDIES TO RAILWAYS.

Bill (No. 169) to authorize the granting of subsidies to the lines of railways therein mentioned was considered in committee, and reported.

BOUNTY ON PIG IRON.

Resolutions reported from committee (July 19) respecting the payment of a bounty on all pig iron made in Canada from Canadian ore, was read the second time and concurred in.

Mr. HAGGART moved for leave to introduce Bill (No. 170) respecting the payment of bounties on iron and steel manufactured from Canadian ore.

Motion agreed to, and Bill read the first time.

WAYS AND MEANS.

House again resolved itself into Committee on Ways and Means.

(In the Committee.)

1. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the Public Service for the financial year ending the 30th June, 1895, the sum of \$1,217,956.15 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the Public Service for the financial year ending the 30th June, 1895, the sum of \$23,361,432.65 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions reported.

CUSTOMS ACTS AMENDMENT.

Bill (No. 135) to consolidate and amend the Acts respecting the duties of Customs, was again considered in committee, reported, and read the third time and passed.

LAND IN THE TERRITORIES.

Bill (No. 162) to consolidate and amend the Acts respecting land in the Territories again considered in committee, reported, and read the third time and passed.

RAILWAY PASSENGER TICKETS.

Bill (No. 163) to amend the Act respecting the sale of railway passenger tickets was read the second time, and House resolved itself into committee.

(In the Committee.)

On section 1,

Mr. SPROULE. It is a pity such an Act should pass. We passed a Bill some years ago relating to the sale of passenger tickets, which I thought, at the time, and have continued to think ever since, was an unreasonable Bill. When a railway company enters into a contract to take a person over its road and return, and they get payment for the return ticket, no great injustice is done, if one party should use the ticket one way and another party use it on the return trip. The railway company is put to no trouble whatever and has been paid what they considered a fair price. This Bill, if passed, will be an inconvenience to the public. Any passenger who wishes to get a refund of the money upon that portion of the ticket not used, will have to go to a station agent and declare that he is the purchaser and purchased it at such a station. It is an inconvenience and trouble to which the public should not be put. Every change in the railway law is in the direction of additional restrictions against the public in favour of the company.

Mr. MILLS (Bothwell). I regarded that measure, which was introduced by Sir Char-

les Tupper some years ago, as a most improper and arbitrary measure, and I shall oppose every attempt to extend it and support every motion made to repeal it. I can well understand that where a railway company sells an excursion ticket far below the ordinary price, they might, with some plausibility, insist upon undertaking to control the sale they made; but to sell a return ticket to a party who may find himself unable to return, who may be taken ill and cannot return, and to refuse to that party the opportunity of selling the ticket to be used by somebody else, is a most monstrous interference with private rights. It is subjecting the people to a condition of inferiority to the great railway corporations. We are being, under such legislation, reduced to the same position as the serfs were by the nobles in the middle ages. It is true we have not arrogant lords, such as they have, but the lords who are exercising jurisdiction and control over us, are the great corporations that are being created in our day. Now, I am not willing to confer this power; in the first instance, I am not willing to make this extension. It seems to me it is a matter of no consequence to the railway company. They are in honour bound to carry somebody for the ticket, they have got their pay, and it can make no difference to them whether they carry "A," "B," or "C" for the ticket which they have sold. They are not putting on any extra car, they are put to no additional expense; and, that being so, it is none of their business who travels upon the ticket. They know they have got their money, and that somebody has a right to travel upon it, as evidenced by the ticket itself. I think this is legislation in the wrong direction. We ought to give some little consideration to the rights of private parties; it is in their interests that these rights are being created. I am not in favour of this legislation. I was in hopes that the hon. Minister would be prepared to go in the opposite direction, and undo the mischief that has been done by one of his predecessors in office.

Mr. HAGGART. The hon. gentleman mistakes entirely the object of the Bill; it is to prevent fraud. The party may have travelled on the ticket, and the ticket may be presented after it has been used, and the object of the Bill is to prevent a fraud like that. For instance, a party purchases a return ticket from Toronto to Montreal; he travels down to Montreal, the ticket is punched by the conductor of the road, and after he arrives at Montreal it is taken and broken in two, and the return ticket is given to the party to use. If the return ticket is not punched, the party may get upon the train and travel the whole way from Montreal to Toronto, and what is to prevent the holder of that ticket afterwards presenting it to the ticket agent at any place and getting pay for it, though it has been

used? It is to prevent frauds like that upon the railway company.

Mr. LAURIER. That is the result of the negligence of the company's officers.

Mr. HAGGART. It is impossible to prevent it. That ticket may be good for a day or two only, and it may be impossible for the party, after coming down to Montreal, to return in time to commit the fraud. But if the ticket is good for thirty days, the party travels down to Montreal and goes back in four or five days; he has used the ticket, has enjoyed all the rights he had under the ticket to Toronto, still, that ticket may be presented to an agent and the company may be obliged to repay that part of the money.

Mr. MILLS (Bothwell). Not if the conductor does his duty.

Mr. HAGGART. That is true enough. But at this late hour of the session, if hon. gentlemen opposite are opposed to the Bill, it is only five or six months before another session, and I will not press it any further.

Mr. SUTHERLAND. All this difficulty the hon. gentleman has mentioned is due to the neglect of the conductor. The Bill will put a large number of people to a good deal of unnecessary trouble, perhaps make them lose their money altogether, not being able to comply with the provisions of this Bill. The hon. gentleman proposes to meet one or two instances, perhaps, out of fifty or a hundred, owing to the neglect of duty of the officers of the company. It seems to me unreasonable. I think it is felt to be so throughout the country, and I have heard a great many speak about it.

Mr. HAGGART. The hon. gentleman states what is true. It may put the honest holder of the ticket who is entitled to a return of the money, to a good deal of trouble. I have tried to guard against that in every way. I compel agents all along the line of the road to have blanks in which they have only to fill in the names and present the blank to the party who bought the ticket. I have heard it stated by people connected with the great railway companies that they are losing \$100,000 or \$150,000 a year from frauds of this description, and they are pressing for the legislation.

Mr. LAURIER. That speaks very badly for the conductors.

Mr. HAGGART. It may be done in other ways also. However, there is no immediate necessity for pressing the Bill, and I move that the committee rise, report progress, and ask leave to sit again.

Mr. MULOCK. If it is the intention of the Minister to introduce legislation next session, I think he might fairly add to such a Bill some obligation on the part of the railway company to pay the money. Now,

Mr. HAGGART.

the practice adopted by railway companies is very different from the spirit of the law. The spirit of the law and the language of the law is that the railway company shall redeem the ticket when presented; but if you present the ticket now for redemption, the railway company does not give you the money; they ask you to sign a receipt or a voucher of some kind, they receive your ticket, and it is forwarded to some head office, and after a while you get a communication that there is something waiting for you, and you go to the station and get your money. Now, that is not the spirit in which Parliament passed that Act. I was not in the House myself at the time, but I remember from reading the proceedings that it was adopted in order to do away with the scalping business, and in order that the purchaser of a return ticket, or of a ticket not altogether used, should not be the loser in respect to the unused portion. The scheme was adopted in order that he might be able to get his unearned portion redeemed, and not be allowed to speculate upon it.

Mr. HAGGART. He is entitled to it under the Act. He need not go to the trouble you mention.

Mr. MULOCK. But he never gets his money. I was going to make a proposition to my hon. friends in regard to the matter. The Bill the hon. Minister is introducing is in no respect a change of the existing law, except that it requires the ticket-holder to sign a declaration; in every other respect he is leaving the law as it is. I was going to suggest that instead of dropping the Bill he should go on with the Bill and add a clause to it that would satisfy my hon. friends, because they would be getting something then by their proposition. I suggest that he cast some responsibility upon the railway if it does not comply with the law; for example: say that if on such a demand they refuse to pay the money, the railway company shall be answerable to some extent, for instance, be liable to lose 10 per cent of the unearned portion. I do not think they should have a right to interfere with the travelling public in that way. Would the hon. Minister put in a clause like that?

Mr. HAGGART. I will consider it, and introduce a new Bill next session.

Committee rose and reported progress.

Mr. HAGGART moved the adjournment of the House.

Mr. LAURIER. Is it the intention to prorogue to-morrow?

Mr. DALY. Prorogation will take place on Monday.

Motion agreed to: and the House adjourned at 9.50 p.m.

HOUSE OF COMMONS.

SATURDAY, July 21st, 1894.

Morning Sitting.

The SPEAKER took the Chair at Eleven o'clock.

PRAYERS.

BINDING TWINE.

Mr. DAVIN. Before the Orders of the Day are called, I desire to call the attention of the Premier to an advertisement which has appeared in the newspapers, to the effect that binding twine manufactured in Kingston Penitentiary is to be sold at 6½ and 7 cents per pound for very best quality, and that it will be delivered all over the country as far west as Owen Sound free of freight charges. I should like to ask the Prime Minister if he would extend that offer to the North-west Territories.

Sir JOHN THOMPSON. I should very much like to be able to do so, but I am afraid I cannot make such a promise. Companies already engaged in the binding twine business are in the habit of paying the freight as far west as Owen Sound, but we would not be able, without involving loss and without calling on Parliament to make good that loss, to pay the freight on binding twine sent to the North-west Territories.

Mr. MULOCK. I should like to ask if binding twine is being sold under cost?

Sir JOHN THOMPSON. No, it is not. I mentioned the rates the other day, and I forget them for a moment, but binding twine is not being manufactured under cost—the price covers the cost and an allowance for the labour of the prisoners.

Mr. MULOCK. Is that calculated as free labour, or as convict labour?

Sir JOHN THOMPSON. As convict labour, 50 cents per day, because their hours are shorter and work lighter than free labour. The product is sold at a price covering the cost of the material, also interest on the expenditure for plant, allowance for deterioration and everything that enters into the calculation of a private manufacturer.

Mr. MULOCK. Except the labour.

Sir JOHN THOMPSON. Not excepting the labour, but excepting free labour prices. We charge for the labour, but less than free labour prices.

Mr. MULOCK. A question here arises with respect to goods manufactured by convict labour and the prices at which they are put upon the market. The Government are calculating the price at convict rates, and are placing convict labour in competition

with free labour. There is a large question involved; I do not wish to enter into it now, but I want to be sure as to what is the practice of the Government.

Sir JOHN THOMPSON. That question does not arise in this instance. The labour is computed at 50 cents per day, and it is worth no more than that. Convict labour terminates in winter at four or five o'clock in the afternoon; the prisoners are also later in beginning work, and the work is lighter than with free labour. In addition I may say that we are selling the product at the same prices as the Central Prison in Toronto, the firm at Brantford, and the Consumers' Cordage Company, although I have not made an agreement with any of them.

PERSONAL EXPLANATION.

Mr. LAURIER. I received yesterday a telegram from Mr. A. E. D. Morgan, who was a Conservative candidate at Richelieu election, asking me to correct what appears to have been a misstatement made by me. The telegram is as follows:—

HON. WILFRED LAURIER.

You said last evening that I had stated that the Connollys had assured me in the Richelieu election. I never made any such statement, and it would have been untrue, as I have previously contradicted it in the press. I ask you as a gentleman to correct your misstatement.

PROPOSED DOMINION REFORMATORY.

Mr. McLENNAN. I desire to ask the Prime Minister a question in regard to the Dominion Reformatory, as there has been nothing stated in regard to the location chosen for that institution. Has the Government decided on the location, and what time will be occupied in erecting the necessary buildings?

Sir JOHN THOMPSON. The representations which the hon. gentleman himself made on the subject of a suitable location, and the claims of the county of Glengarry as a site for the reformatory, have convinced me and my colleagues that that county is a most desirable one for such an institution, on account of its position as being almost central as regards the provinces of Ontario and Quebec from which the population of the institution will come, and also the great railway facilities possessed by the district—by Alexandria, for example. If I can, therefore, select a suitable site in the hon. gentleman's own county, I propose to make that the site of the reformatory. The vote of \$10,000 is taken with a view of purchasing a site, opening quarries, and preparing plans, and making preliminary arrangements. Of course I must come to Parliament and ask for another vote before the work of construction reaches any advanced stage.

THIRD READING.

Bill (No. 169) to authorize the granting of subsidies in aid of the construction of the lines of railways therein mentioned.—(Mr. Haggart.)

WAYS AND MEANS.

Mr. FOSTER moved second reading of the following resolutions :—

1. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the Public Service for the financial year ending the 30th June, 1894, the sum of \$1,217,956.15 be granted out of the Consolidated Revenue Fund of Canada.

2. Resolved, That towards making good the Supply granted to Her Majesty, on account of certain expenses of the Public Service for the financial year ending the 30th June, 1895, the sum of \$23,361,432.95 be granted out of the Consolidated Revenue Fund of Canada.

Resolutions read the second time and concurred in.

SUPPLY BILL.

Mr. FOSTER moved for leave to introduce Bill (No. 171) for granting to Her Majesty certain sums of money required for defraying certain expenses of the public service, for the financial years ending respectively 30th June, 1894, and the 30th June, 1895, and for other purposes relating to the public service.

Motion agreed to, and Bill read the first, second and third times, and passed.

BOUNTIES ON IRON AND STEEL.

Bill (No. 170) to provide for the payments of bounties on iron and steel manufactured from Canadian ore, was read the second time, considered in committee, reported, and read the third time and passed.

ELECTORAL FRANCHISE.

Sir JOHN THOMPSON moved second reading of Bill (No. 143) respecting the Electoral Franchise. He said: A word of explanation on this, Mr. Speaker. The House understands, I think, pretty fully the scheme of this. Briefly, it brought into operation for the purposes of the revision the Redistribution Act of 1892, and it contained a provision for the arrangement of lists for the by-elections, previous to the coming into force for electoral purposes of the Redistribution Act of 1892, and re-arranged the basis of franchise altogether. But for various reasons, which I need not detail now, the conclusion was come to which I announced to the House a few days ago, that all the

Sir JOHN THOMPSON.

provisions of the Bill for changes in the franchise system would be deferred until next year, when I hope to present it again for adoption by this House. In the meantime, the provisions which I ask the House to adopt will be found on the last page on the file of hon. members. It is reprinted in the form of a new Bill, but contains some provisions which are in the old.

Mr. LAURIER. I think the hon. gentleman presumes upon the intelligence of the House when he said the House understood fully the purport of this Bill. The thing has been so mixed up that it is difficult to understand it at all. We are just on the eve of prorogation, and we do not know what the policy of the Government may be to-morrow, or whether the Government knows what it may be itself. Their record has been a series of goings backward and forward on this measure. Is the hon. gentleman sure it will be introduced next year?

Sir JOHN THOMPSON. Of course.

Mr. LAURIER. During the past four years we have had Bills introduced and never carried out, but this time the hon. gentleman says it will be final. I notice that the proposed revision shall commence the 1st of August. Perhaps it would be preferable it should commence the 1st of September, as we are now within one week of the 1st of August, and it may not be conducive to the best interests if we are to go into revision immediately on the close of the session.

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

(In the Committee.)

Sir JOHN THOMPSON moved in amendment to the first clause :

The expression "Redistribution Act," when hereafter used means the Act for the redistribution of representation of the House of Commons, being chapter 11 of the Statutes of 1892, as amended by chapter 96 of the Statutes of 1893. The expression "by-election" hereafter used means any election held after revision and bringing into force of the voters' lists for the present year and before the dissolution of the present Parliament.

Amendment agreed to.

Sir JOHN THOMPSON moved that clause 2 be amended as follows :—

Except as hereinafter provided the list of voters shall be prepared and revised and completed for the present year and for any subsequent year previous to the dissolution of the present Parliament, as if the Redistribution Act were in force and for and with reference to the electoral districts as they will be constituted when that Act comes into force.

Amendment agreed to.

On section 3,

Mr. MULOCK. If I remember rightly the 1st June is named in the Act. It simply allows the revising officer any time between 1st June and 1st September to prepare his first draft of the list, but nothing is to be done before 1st June. The date you really want to fix is that on which the preliminary list shall be completed, to provide that it shall not be completed before a certain day. Under the present law he is obliged to have his first list for revision on 1st August.

An hon. MEMBER. Make that 1st September.

Mr. MULOCK. Is that long enough? Nothing can be done in the province of Ontario between now and 1st September, especially in the rural districts, because every one will have his work to do. You will have nothing done between now and 1st September.

Sir JOHN THOMPSON. It is proposed to provide that the revising officer shall begin as soon as possible after the passing of this Act and have the preliminary list ready by 1st October.

Mr. MILLS (Bothwell). I would now say "as soon as possible after the passing of this Act."

Sir JOHN THOMPSON. The public is supposed to know what he is doing.

Mr. LAURIER. The public are supposed to show an interest in their own business.

Mr. MILLS (Bothwell). The preliminary list is clerical work. The restriction in the statute is not to hinder him from doing mere clerical work at any time.

Mr. COCHRANE. The public is not concerned when the preliminary list is prepared.

Mr. MILLS (Bothwell). The notification to the public should not be earlier than 1st September.

Sir JOHN THOMPSON. The 1st of October.

Mr. MULOCK. I understand that under the present scheme electors have a right to furnish the revising officers with information. So the time between 1st June and 1st August is not merely to enable the revising officer to do clerical work, but to enable the electors to furnish him with information to make up his list. We should allow a reasonable time for the electors to furnish information, so that the preliminary lists may be as perfect as possible. The question is, what can be done between now and the 1st of October. To my mind the real point is to have the list out of the hands of the revising officers within a reasonable time. I think that under the present law they have only to the end of the year to make a

return of the list to the Clerk of the Crown in Chancery. The question is whether we can advantageously allow more time for the preparation of the preliminary list without running the return of the lists into next year. The more time is given to the preparation of the preliminary list, the less time will be required to correct it. How would it do to make the date for the preliminary list the 1st of November? There will be no time for the people in the rural districts to attend to the lists until well after the fall seeding.

Mr. COCHRANE. That would not allow time for the annual revision.

Mr. MULOCK. We could extend that time a little, perhaps.

Sir JOHN THOMPSON. According to the dates fixed in this draft, the list would not be completed until 28th February. I do not think we can extend the date for the preliminary lists beyond 1st October without unduly delaying the completion. The first proposal was to begin as soon as possible after the passing of the present Act. I propose to make that as soon as possible after the 1st of August, and to make the limit for filing declarations and for the completion of the preliminary list the 1st of October. I think these delays will be enough.

Mr. MULOCK. Is the Minister not in error in saying that if we extend the time for the preliminary list to the 1st of November, the final list would not be published at the end of February?

Sir JOHN THOMPSON. No; in that case I think it would be the end of March.

Mr. LAURIER. It makes no practical difference whether it is the end of March or the end of November when it comes into force.

Mr. COCHRANE. You would have the final revision going on while we are here attending the sitting of Parliament.

Mr. SPEAKER. The delays provided here are practically the same as provided in the Act itself. It is provided in the Act that the revising officer shall commence as soon as possible after 1st June; and this makes it as soon as possible after 1st August. The Act provides that the preliminary list shall be ready on 1st August; this makes it 1st October. Under this amendment the final list is to be ready on 28th February instead of 1st December. So that there is the same delay throughout.

Mr. LAURIER. That is quite right—the delays in each case are relatively the same, and that is quite proper. But the only thing I raise an objection to is as to commencing. We are now within ten days of the 1st of August. The members must help the revising officer, if they want to

spare work afterwards. They must check the list of applications of their opponents and prepare their own applications.

Mr. SPEAKER. As the revision is commenced on 1st of June, we would have had no opportunity to do the work which the hon. member says is required to be done by members of Parliament. From the 1st of August to the 1st of October, seems to me to be a reasonable delay in which those interested in the preparation of the list can see that the names are filed.

Sir JOHN THOMPSON. I think I will ask the House to make the words "as soon as possible after the passing of this Act" read: "as soon as possible after the 1st of August," and to go on and fix the date for the 1st of October for the completion of the preliminary list, and then, according to this amendment, the 28th February for completion instead of 31st of December.

Mr. MULOCK. I would ask the Minister if he sees any objection to make it the 15th October instead of the 1st? While, in looking at the calendar, there is a great deal of what Mr. Speaker says, when the public had the idea the Franchise Act was to be changed, there was, I suppose, little if any work done during the right season for doing it. The only time this sort of work is done in rural districts is either in winter or spring, or in the fall after the principal work on the farm is over. Now, inasmuch as from the supposed abandonment of the Act, no work was done during the season when the farmers and people engaged in rural pursuits, would have and could have attended to it, they are now left to a season when they are otherwise engaged, and in rural districts it will be impossible for anything to be done until towards the end of September. I think any one who is familiar with the ways of the country, will see that; so I think you ought, for the purpose of the preliminary list, to allow, if possible, a little more latitude, say about the 15th of October.

Mr. WHITE (Cardwell). I am inclined to think that in practical experience it will be found that the objection of the hon. member for North York (Mr. Mulock) will not hold. If the work of preliminary revision begins in August or September, or a little later, it will be found that a good deal less time will be required, for this reason: that the municipal rolls will be accessible for the work; whereas, if the revision takes place in midsummer, during June and July, these rolls are not accessible. Comparatively few of them are available at that time, and a great deal of labour is entailed in ascertaining what names are on the municipal rolls, and what are not. So I think that in practical operation it will be found that less time and less trouble will be required in carrying on the work of revision during a later period of the year than in midsummer.

Mr. WOOD (Brockville). I was going to make the same observation. I think for all

Mr. LAURIER.

purposes the 1st of October will be the most convenient time, judging by my own experience.

On subsection 2,

Mr. MILLS (Bothwell). Before we proceed further, I wish to suggest this change with a view of cheapening the revision of the list. I would suggest that the measure be amended by providing that in all cases of tenancy, where it is found by the assessment roll that the name of a tenant on the existing voters' list is not upon the assessment roll, that on the assessment roll shall be substituted for that on the voters' list. Often when a tenancy expires, a good deal of difficulty is found in getting the name off the voters' list, because you must call either the tenant himself or the proprietor for the purpose of showing that; and if the party is of the opposite political persuasion, it is sometimes a very difficult thing to get the necessary witness, and there is always some expense attendant upon the calling of witnesses for the purpose of striking names off the roll. Now, as the list is old and there will be a good many new names, it would facilitate the work and make it very much cheaper for the members upon whom the cost of this work of revision will largely fall, to substitute, in the case of tenants, the name on the assessment roll for the name on the voters' list, wherever the name on the voters' list is not found on the assessment roll. As the list is old, there will be a great many tenants whose tenancy has expired, who are, perhaps, out of the district altogether, and it will make a more perfect list at very much less cost.

Mr. WOOD (Brockville). That leaves in the hands of the revising officers a very large arbitrary power.

Mr. MILLS (Bothwell). No.

Mr. WOOD (Brockville). Yes; because identity comes in, and you leave that entirely to him.

Mr. MILLS (Bothwell). You are assuming prima facie that when a man's name is not on the assessment roll at all, his tenancy has expired. Now, it is certainly no greater hardship to him, if he is a tenant still—but in 99 cases out of 100 he will be found not to be a tenant—it will be no greater hardship to him to appear and to show that he is still a tenant, than it would be to call upon some party to be at the expense of striking off 100 such names.

Mr. WOOD (Brockville). I mean to say that the revising officer now has the power, and in my opinion, as I understand it, it is his duty, to make entries in a case of that kind. That is if the name of a person is on the old voters' list, and the name of that person as tenant is not on the assessment roll, it is within his power and his right now to make entries as to that, and exercise his own judgment.

Mr. MILLS (Bothwell). I think my hon. friend is mistaken. I have had means of knowing cases of that sort. A revising officer who follows the law of evidence will not take a name off unless you produce either the tenant himself or the proprietor to show that he has no longer an interest in the property as tenant.

Mr. WOOD (Brockville). As owner..

Mr. MILLS (Bothwell). I am speaking of a tenant.

Mr. WOOD (Brockville). But as owner. The revising officers, I think, follow that rule, but not with regard to tenancy. In Leeds and Grenville I can vouch that wherever a revising officer found that the name of the tenant was not on the assessment roll and still appeared as tenant on the old list, he almost invariably struck the name off.

Mr. MILLS (Bothwell). I have again and again been refused by the revising officer to strike a name off unless legal evidence is produced. He will not strike the name off simply because it does not appear upon the new assessment roll. Now, what I am asking is that when a man's name disappears from the assessment as tenant, and he is no longer upon the assessment roll, it shall be assumed by the revising officer that he has ceased to be a tenant, and that his name shall come off the voters' list without putting anybody to the trouble and expense of subpoenaing him or subpoenaing the proprietor. The proprietor may be a non-resident, and the tenant may have left a constituency, or may have no means of getting his name off.

Mr. WOOD (Brockville). I think I can point out to the hon. gentleman where he is wrong, and that he will admit it. Now, it should be left largely to the discretion of the revising officer, because, although his name is on as tenant on the old list and does not appear as tenant on the assessment roll, nevertheless the Act provides that he may still remain on the assessment roll and vote if he has any other qualification. Now, though he has ceased to be a tenant on the assessment roll, he may have become an owner, and still has no right to remain on the list. Therefore, I think your view that ipso facto that name should be struck off, is wrong, because you may be striking off the name of a man who has a perfect right to be on in another capacity, and in that other capacity has a right to vote as such. Therefore, I would leave it to the revising officer.

Mr. MILLS (Bothwell). I have known half a dozen cases—I am speaking of what has come under my observation—where the revising officer will not take that name off without evidence. The case the hon. gentleman mentioned will not be touched by this provision, because if he has become a proprietor, his name would appear on the assessment roll as such, and there would

be no reason for taking him off. He will be left on for another reason.

Mr. WOOD (Brockville). Not necessarily. He may have only recently purchased.

Mr. COCHRANE. He may be a tenant within the meaning of the Franchise Act, and not be assessed as a tenant on the assessment roll.

Mr. MILLS (Bothwell). My hon. friends will find that they will have thrown upon themselves the expense of at least one dollar for every name they attempt to get off. If there is a revising officer in this country that takes a name off on any other testimony than that of the party himself, he takes it off on evidence that is not warranted by the law.

Mr. WOOD (Brockville). Even though he is dead. Does the hon. gentleman not know that if a man is dead, the revising officer strikes his name off as a matter of course?

Mr. MILLS (Bothwell). When you have proved him dead.

Mr. SPEAKER. Besides that, the revising officer takes the assessment roll and frames additions on prima facie evidence offered by that roll. Of course, it may be subsequently attached.

Mr. MILLS (Bothwell). I can show an assessment roll in which tenants who occupied property in succession stand there as tenants for the same property. So long as the law remained what it is, that is the legal consequence.

Mr. SPEAKER. Evidence can be produced that a man who is on the assessment roll is not the tenant of the property in question, and surely it will be very easy to prove that some one else is tenant.

Mr. MILLS (Bothwell). Suppose a proprietor of property in Kent resides in Toronto, how could he be able to tell whether the present tenant's name alone is on the list? It might be necessary to bring witnesses long distances in order to establish the fact.

Mr. WOOD (Brockville). That would be part of the natural work of the revising officer, and it would come within the scope of his authority.

Sir JOHN THOMPSON. Perhaps a clause to this effect would meet the case: "When the revising officer has ascertained that the tenant has lost his qualification as such, and has not other qualification, he may omit his name from the preliminary list, and substitute the name of the tenant who succeeded him."

Mr. MILLS (Bothwell). The assessment roll should be taken as prima facie evidence and assumed to be correct.

Mr. SPEAKER. We made a provision that a voter's name shall not be struck off

the list if he has a qualification other than that for which he is entered on the list. The hon. gentleman proposes that if a man ceases to be a tenant in one particular part of a town or city, and is still a voter under the Act through some other qualification, his name shall be first struck off by the revising officer, and the man will then be put to the trouble and expense of having the name again put on the list. Is it any greater trouble and expense to those looking after the revision of the lists to attack the qualification of a man not entitled to vote than it would be to a person who is entitled to vote being called upon to again apply to have his name on the list? He may have another qualification, he may have rented another property in the same subdivision, or he may have a qualification under income. That would not appear on the assessment roll.

Mr. MILLS (Bothwell). All these matters should appear. The list should show the ground on which the man is qualified. There is very little trouble or expense in having the name placed on the list. His name should not stand on the list as being qualified for property with which he has parted, or of which he was tenant years ago.

Mr. MULOCK. The suggestion of my hon. friend from Bothwell (Mr. Mills) is in harmony with the spirit of the Act. The express language of the Act is that the assessment roll shall be prima facie evidence of the right to vote.

Mr. COCHRANE. The assessment roll would not show any financial qualification unless he was assessed for property.

Mr. MULOCK. Would not the assessment roll show the wage-earner who pays taxes in any other respect than as a wage-earner?

Mr. COCHRANE. No, a man could be a tenant under the meaning of the Franchise Act, and not appear on the assessment roll as a tenant at all. I may have 200 acres of land, and I may rent 50 acres, to avoid having to do too much work and if I split up the property and be on the assessment roll for two distinct amounts, the statute labour is a great deal higher than it would be if I assessed myself. I may have a man renting from me and he would not be on the assessment roll at all only as a manhood franchise voter.

Mr. MILLS (Bothwell). That is a fraud.

Mr. COCHRANE. I do not think it is, it is often done.

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

BIRTH OF AN HEIR-APPARENT.

Sir JOHN THOMPSON. I beg to move, seconded by Mr. Laurier, that this House do

Mr. SPEAKER.

concur in the Address from the Senate to Her Most Gracious Majesty the Queen, to tender to Her Majesty their cordial congratulations upon the birth of a son to His Royal Highness the Duke of York and Her Royal Highness the Duchess of York. The following is the Address:—

To HIS EXCELLENCY the Right Honourable Sir JOHN CAMPBELL HAMILTON-GORDON, Earl of Aberdeen, Viscount Formartine, Baron Haddo, Methlic, Tarves and Kellie, in the Peerage of Scotland, Viscount Gordon of Aberdeen, County of Aberdeen, in the Peerage of the United Kingdom, Baronet of Nova Scotia, Governor General of Canada.

MAY IT PLEASE YOUR EXCELLENCY:—

We, Her Majesty's dutiful and loyal subjects, the Commons of Canada in Parliament assembled, have resolved to send a message of congratulation to Their Royal Highnesses the Duke and Duchess of York upon the joyful occasion of the birth of a son to Their Royal Highnesses.

We beg leave to approach Your Excellency with our respectful request that you will be pleased to transmit the said message to Their Royal Highnesses the Duke and Duchess of York in such way as Your Excellency may see fit.

Sir JOHN THOMPSON. Mr. Speaker, the business of the House is now completed, but I am not able to announce definitely the hour when His Excellency will attend for prorogation on Monday, but I am under the impression that it will be either two o'clock or three o'clock. However, announcement will be made, of course. I think it is not necessary that the House should meet again to-day. At the meeting at 11 o'clock on Monday, the time of prorogation will be announced. If there is no objection, I would move that the House adjourn until 11 o'clock on Monday morning.

Motion agreed to; and House adjourned at 12.40 p.m.

HOUSE OF COMMONS.

MONDAY, 23rd July, 1894.

Morning Sitting.

The SPEAKER took the Chair at Eleven o'clock.

PRAYERS.

PROROGATION.

Mr. SPEAKER. I have received the following communication from the Secretary of His Excellency the Governor General:—

OFFICE OF THE GOVERNOR GENERAL'S SECRETARY,
OTTAWA, 21st July, 1894.

SIR,—I have the honour to inform you that His Excellency the Governor General will proceed to the Senate Chamber to prorogue the Session of the Dominion Parliament, Monday, the 23rd instant, at 3 o'clock, P.M.

I have the honour to be, sir,
Your obedient servant,

ARTHUR GORDON,
Governor General's Secretary.

The Honourable
The Speaker of the House of Commons.

BIRTH OF AN HEIR APPARENT.

Mr. SPEAKER. I have the honour to inform the House that I have received a Message from the Senate, acquainting this House that they have agreed to the Address of this House to His Excellency the Governor General, praying that His Excellency will be pleased to transmit the Joint Address of both Houses to Her Gracious Majesty the Queen, of congratulation upon the birth of a son to His Royal Highness the Duke, and Her Royal Highness the Duchess of York, in such manner as His Excellency may see fit, in order that the same may be laid at the foot of the Throne, by filling up the blank with the words "Senate and."

The Speaker left the Chair at 11.25 a.m.

After Recess.

PROROGATION.

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

MR. SPEAKER :

His Excellency the Governor General desires the immediate attendance of this House in the Senate Chamber.

Accordingly, Mr. Speaker, with the House, went to the Senate Chamber.

IN THE SENATE CHAMBER.

His Excellency was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills :—

An Act respecting the Wood Mountain and Qu'Appelle Railway Company.

An Act to again revive and further amend the Act to incorporate the Lindsay, Bobcaygeon and Pontypool Railway Company.

An Act respecting the Canada and Michigan Tunnel Company.

An Act respecting the Bell Telephone Company of Canada.

An Act respecting the Ottawa Gas Company.

An Act to amend the Act to incorporate the Steam Boiler and Plate Glass Insurance Company of Canada.

An Act respecting the Atlantic and North-west Railway Company.

An Act respecting the Niagara Grand Island Bridge Company.

An Act respecting the River St. Clair Railway Bridge and Tunnel Company.

An Act to incorporate the Elgin and Havelock Railway Company.

An Act respecting the St. Lawrence and Adirondack Railway Company.

An Act to revive and amend the Act to incorporate the Brandon and South-western Railway Company.

An Act respecting the Montreal and Ottawa Railway Company.

An Act respecting the Winnipeg and Hudson Bay Railway Company, and to change the name thereof to the Winnipeg Great Northern Railway Company.

An Act to incorporate the Dominion Woman's Christian Temperance Union.

An Act to amend the Act respecting the Ladies of the Sacred Heart of Jesus.

An Act to amend the Harbour Masters' Act.

An Act to amend the Act respecting Lighthouses, Buoys and Beacons, and Sable Island.

An Act further to amend the Acts respecting the Harbour of Pictou, in Nova Scotia.

An Act for the relief of Caroline Jane Downey.

An Act to incorporate the St. Clair and Erie Ship Canal Company,

An Act to incorporate the Duluth, Nepigon and James' Bay Railway Company.

An Act to authorize the purchase of the Yarmouth and Annapolis Railway by the Windsor and Annapolis Railway Company, Limited, and to change the name of the latter company, to the Dominion Atlantic Railway Company.

An Act respecting the Guelph Junction Railway Company.

An Act respecting the Medicine Hat Railway and Coal Company.

An Act to amend the inspection of Ships Act.

An Act to amend the Railway Act.

An Act to amend the Acts relating to the Moncton and Prince Edward Island Railway and Ferry Company.

An Act to again revive and further amend the Act to incorporate the Red Deer Valley Railway and Coal Company.

An Act to incorporate the Wolsely and Fort Qu'Appelle Railway Company.

An Act respecting the Dominion Burglary Guarantee Company (Limited).

An Act to incorporate the Canadian Railway Fire Insurance Company.

An Act respecting the Richelieu and Ontario Navigation Company.

An Act to incorporate the Canadian Railway Accident Insurance Company.

An Act to incorporate the Northern Life Assurance Company of Canada.

An Act to amend the Acts respecting the Clifton Suspension Bridge Company.

An Act to confirm an agreement between the Ottawa City Passenger Railway Company and the

Ottawa Electric Street Railway Company, and an agreement between the said companies and the Corporation of the city of Ottawa, and to unite the said companies under the name of "The Ottawa Electric Railway Company."

An Act to disfranchise Voters who have taken bribes.

An Act to incorporate the Colonial Mutual Life Association.

An Act to incorporate the Dominion Gas and Electric Company.

An Act to incorporate the Ottawa Electric Company.

An Act to empower the Niagara Falls Suspension Bridge Company to issue debentures, and for other purposes.

An Act to incorporate the Welland Power and Supply Canal Company (Limited).

An Act to incorporate the Lake Megantic Railway Company.

An Act to revive and amend the Act to incorporate the Rocky Mountain Railway and Coal Company.

An Act respecting the Erie and Huron Railway Company.

An Act respecting Public Harbours.

An Act to incorporate the Ontario Mutual Life Assurance Company.

An Act to incorporate the Cariboo Railway Company.

An Act respecting the Chaudière Electric Light and Power Company (Limited).

An Act to incorporate the Metis, Matane and Gaspé Railway Company.

An Act respecting the Consumers' Cordage Company (Limited).

An Act respecting the Ontario Loan and Debenture Company.

An Act to incorporate the Alberta Southern Railway Company.

An Act further to amend the law relating to Holidays.

An Act to amend the Seamen's Act.

An Act to provide for the examination of witnesses on oath by the Senate and House of Commons.

An Act to repeal the Homestead Exemption Act.

An Act to amend and consolidate the Acts relating to the Harbour Commissioners of Montreal.

An Act further to amend the Revised Statutes, chapter seventy-seven, respecting the safety of ships.

An Act respecting the Manitoba and North-western Railway Company of Canada.

An Act for the relief of Nicholas Joshua Filman.

An Act for the relief of William Samuel Piper.

An Act for the relief of Joseph Thompson.

An Act for the relief of Orlando George Richmond Johnson.

An Act respecting the Calgary Irrigation Company.

An Act to provide for the better preservation of Game in the unorganized portions of the North-west Territories of Canada.

An Act to amend an Act relating to the Custody of Juvenile offenders in the province of New Brunswick.

An Act to amend the Act respecting the incorporation of Boards of Trade.

An Act respecting Arrest, Trial and Imprisonment of Youthful Offenders.

An Act to incorporate the Alliance of the Reformed Baptist Church of Canada and the several churches connected therewith.

An Act respecting the Canada Southern Railway.

An Act further to amend the North-west Territories' Representation Act.

An Act respecting the Speaker of the Senate.

An Act further to amend the General Inspection Act.

An Act respecting the Montreal Island Belt Line Railway Company.

An Act to incorporate the General Trust Corporation of Canada.

An Act further to amend the Revised Statutes respecting Interest.

An Act to amend the Consolidated Revenue and Audit Act.

An Act respecting the Seigniorship of Sault St. Louis.

An Act respecting the St. Lawrence Insurance Company.

An Act respecting the St. Catharines and Niagara Central Railway Company.

An Act to amend and consolidate the Acts respecting the North-west Mounted Police Force.

An Act further to amend the Steamboat Inspection Act.

An Act further to amend the Act respecting certificates to Masters and Mates of Ships.

An Act respecting the Common School Fund.

An Act respecting certain subsidies granted to the Government of the province of Quebec by chapter eight of the Statutes of 1884.

An Act further to amend the Cullers' Act.

An Act to consolidate and amend certain Acts relating to the Ottawa and Gatineau Valley Railway Company, and to change the name of the Company to the Ottawa and Gatineau Railway Company.

An Act to make further provision respecting Grants of Land to members of the Militia Force on active service in the North-west.

An Act respecting Houses of Refuge for Females in Ontario.

An Act to incorporate the New York, New England and Canada Company.

An Act to incorporate the Nova Scotia Steel Company (Limited).

An Act further to amend "The Indian Act."

An Act further to amend the Petroleum Inspection Act.

An Act further to amend the Acts respecting the Civil Service.

An Act further to amend the Act respecting the Judges of Provincial Courts.

An Act to incorporate the Edmonton Street Railway Company.

An Act respecting the Lake Erie and Detroit River Railway Company and the London and Port Stanley Railway Company.

An Act to incorporate the Montreal, Ottawa and Georgian Bay Canal Company.

An Act respecting the utilization of the waters of the North-west Territories for irrigation and other purposes.

An Act to incorporate the Pontiac and Ottawa Railway Company.

An Act respecting the Cobourg, Northumberland and Pacific Railway Company.

An Act to incorporate the Gleichen, Beaver Lake and Victoria Railway Company.

An Act to again revive and further amend the Act to incorporate the Brockville and New York Bridge Company.

An Act to incorporate the French River Boom Company (Limited).

An Act respecting the Atlantic and Lake Superior Railway Company.

An Act respecting the Montreal Park and Island Railway Company.

An Act respecting Dominion Lands.

An Act further to amend the Act respecting Ocean Steamship subsidies.

An Act further to amend the Act respecting the Senate and House of Commons.

An Act further to amend the Post Office Act.

An Act respecting a certain treaty between Her Britannic Majesty and the President of the French Republic.

An Act respecting the land subsidy of the Canadian Pacific Railway Company.

An Act further to amend the Fisheries Act.

An Act respecting the Inspection of Electric Light.

An Act further to amend the Criminal Code, 1892.

An Act in restraint of Fraudulent Sale or Marking.

An Act for the relief of James St. George Dillon.

An Act to amend the Act respecting Dominion Notes.

An Act to amend the Act to provide for the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway.

An Act to authorize the granting of subsidies in land to certain Railway Companies.

An Act respecting the Units of Electrical Measure.

An Act to incorporate the Boynton Bicycle Electric Railway Company.

An Act further to amend The Insurance Act.

An Act to consolidate and amend the Acts respecting Land in the Territories.

An Act further to amend the Inland Revenue Act.

An Act to authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.

An Act to provide for the payment of Bounties on Iron and Steel manufactured from Canadian ore.

An Act further to amend the Dominion Elections Act.

An Act further to amend the Acts respecting the North-west Territories.

An Act further to amend "The Electoral Franchise Act."

An Act to consolidate and amend the Acts respecting the Duties of Customs.

Then the Honourable the Speaker of the House of Commons addressed His Excellency the Governor General as follows :—

MAY IT PLEASE YOUR EXCELLENCY :

The Commons of Canada have voted certain Supplies required to enable the Government to defray the expenses of the Public Service.

In the name of the Commons, I present to Your Excellency the following Bill :—

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1894, and the 30th June, 1895, and for other purposes relating to the Public Service.

to which I humbly request Your Excellency's assent.

To this Bill the Royal Assent was signified in the following words :—

In Her Majesty's name, His Excellency the Governor General thanks Her Loyal Subjects, accepts their benevolence, and assents to this Bill.

After which His Excellency the Governor General was pleased to close the Fourth Session of the Seventh Parliament of the Dominion with the following

SPEECH :

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

In bringing to a conclusion this laborious session of Parliament, I have to thank you for the assiduity and zeal with which you have attended to the various matters which have been brought before you.

I congratulate you upon the notable fact that the invitation which my Government extended to the Governments of the other Colonies to send representatives to Canada to confer on matters affecting their mutual interests was so promptly accepted; and that Her Majesty's Government also enhanced the dignity and usefulness of the Conference by sending a representative to assist at its deliberations. It is confidently hoped that the results of the Conference will be found beneficial to the Colonies and to the Empire generally.

The ratification of the Treaty of Commerce with France will lead, I hope, to a large increase in our exports and an extension of friendly relations with that country.

I trust that the arduous work which has engaged you in readjusting the Duties of Customs will accomplish the desired result of adapting the tariff to the present conditions of the various classes of our population.

The Statutes of the session will show that the laws affecting many public interests have been revised and greatly improved by your efforts, and I observe that you have likewise made generous provision for public improvements which are designed to increase the facilities for travel and transportation throughout the country.

Gentlemen of the House of Commons :

I thank you for the liberal provision which you have made for the services of the current year.

Honourable Gentlemen of the Senate :

Gentlemen of the House of Commons :

In relieving you from your present duties I pray that your labours may be fruitful of benefit to the

country and that on returning to your homes you will find that a generous harvest is about to reward the toil of our farmers and that the blessing of Providence has been likewise bestowed abundantly on all the other interests of the people whom you represent.

The **SPEAKER** of the Senate then said :

Honourable Gentlemen of the Senate, and Gentlemen of the House of Commons :

It is **HIS EXCELLENCY THE GOVERNOR GENERAL'S** will and pleasure, that this Parliament be prorogued until Saturday, the first day of September next, to be here held, and this Parliament is accordingly prorogued until the first day of September next.

INDEX.

FOURTH SESSION—SEVENTH PARLIAMENT, 1894.

Abbreviations of well known words and Parliamentary expressions are used in the following :—1°, 2°, 3°, First Reading, Second Reading, Third Reading ; 3 m. h., 6 m. h., 6 w. h., Three Months' Hoist, Six Months' Hoist, Six Weeks' Hoist ; *, without remark or debate ; Acts., Accounts ; Adjn., Adjourn ; Adjd., Adjourned ; Amt., Amendment ; Amts., Amendments ; Amalg., Amalgamation ; Ans., Answer ; Ass., Assurance ; B., Bill ; B. C., British Columbia ; Can., Canada or Canadian ; C. P. R., Canadian Pacific Railway ; Com., Committee ; Co., Company ; Conc., Concur, Concurred, Concurrence ; Consd., Consider ; Consdn., Consideration ; Cor., Correspondence ; Deb., Debate ; Dept., Department ; Depts., Departments ; Div., Division ; Dom., Dominion ; Govt., Government ; His Ex., His Excellency the Governor General ; Hse., House ; H. of C., House of Commons ; Incorp., Incorporation ; Ins., Insurance ; I.C.R., Intercolonial Railway ; Man., Manitoba ; Mess., Message ; M., Motion ; m., moved ; Neg., Negatived ; N.B., New Brunswick ; N.W.T., North-west Territories ; N.S., Nova Scotia ; O.C., Order in Council ; Ont., Ontario ; P.E.I., Prince Edward Island ; P.O., Post Office ; Par., Paragraph ; Prop., Proposed ; Q., Quebec ; Ques., Question ; Recom., Recommit ; Ref., Refer, Referred, Reference ; Rep., Report, Reported ; Repts., Reports ; Res., Resolution ; Ret., Return ; Ry., Railway ; Rys., Railways ; Sel., Select ; Sen., Senate ; Sp., Special ; Stmt., Statement ; Sup., Supply ; Suppl., Supplement, Supplementary ; Wthdn., Withdrawn ; Wthdrl., Withdrawal ; Y. N., Yeas and Nays ; Names in *Italic* and parentheses are those of the mover.

Adams, Mr. M., *Northumberland, N.B.*

Lake Megantic Ry. Co.'s incorp. (B. 58) 1°*, 1030.

Allan, Mr. H. W., *South Essex.*

Fishery Overseer Prosser, Prosecution (Ques.) 4052 (ii).

— Regulations, Lake Erie, on M. for Com. of Sup. (remarks) 4217 (ii).

St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2118 (i).

Timber Cut on Point Pelée, Sales (Ques.) 4052 (ii).

Ways and Means—The Tariff :

In Com. (wheat) 1761.

Amyot, Mr. G., *Bellechasse.*

Bounty on Canadian-built Ships (M. for Ret.) 1399 (i).

Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com., 5978 (ii).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2577, 2880, 2931, 3372 (i) ; on M. for 3°, 3636 (ii).

Commercial Relations with France, on M. to adjn. Hse., 1466 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4526 (ii).

Drawbacks on Shipbuilding (M. for O.C.'s) 1035 ; (Ques.) 2293 (i).

Dom. Day, Adjmt. (remarks) 5047 (ii).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3630 (ii).

Judiciary of Quebec, on M. for Com. of Sup. (remarks) 5842 (ii).

— Mr. *Tarte's* Charges (remarks) 6227 (ii).

Amyot, Mr. G.—Continued.

Lord's Day Observance B. 2 (Mr. *Charlton*) on M. for Com., 3399 ; in Com., 3406 (ii).

N. W. T. Act. Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3°, 6103.

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4676 (ii).

Order, Ques. of (Mr. *Quimet*) Obstruction, 3174 (i).

Privilege, Ques. of (Mr. *Mulock*) Newspaper criticism, 2944 (i).

Quebec West Representation, Vacancy (remarks) 5970 (ii).

Rosa, Narcisse, Shipbuilder, Moneys paid, 1865-69 (M. for Stmt.) 4479 (ii).

SUPPLY :

Legislation : House of Commons (Translators) 522.

Militia (Pointing walls, Que.) 6249.

Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4957, 4974 (ii.)

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2°, 5618 (ii).

Turcotte, Mr., M.P., Rep. of Com. on Priv. and Elec. (remarks) 3867 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 721 (i).

In Com. (albumenized paper) 189 ; (diamonds) 2637 ; (opium) 1481.

Bain, Mr. T., *North Wentworth.*

Burlington Canal Scow Service (Ques.) 949 (i).

Dundas and Waterloo Road, Dr. Walker's Claim (Ques.) 6048 (ii).

Bain, Mr. T.—Con.

Insurance Act Amt B. 111 (Mr. *Foster*) in Com., 5870 (ii).

SUPPLY :

Arts, Agriculture, &c. (Columbian Exhibition) 5499; (Exhibition, N.W.T.) 6252.

Collection of Revenues (Weights and Measures) 5477.

Govt. of N. W. T. (Lieut.-Gov.'s Expenditure) 4918.

Penitentiaries (Kingston) 5218, 5517, 6243.

Public Works—Income: Roads and Bridges (Burlington River Bridge) 6509.

Ways and Means—The Tariff :

In Com. (bananas, &c.) 2659.

Bain, Mr. J. W., Soulanges.

SUPPLY :

Canals—Capital (Soulanges) 5441.

Baird, Mr. G. F., Queen's, N.B.

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies, P.E.I.*) to Com. on Ways and Means, 3740 (ii).

Baker, Mr. G. B., Missisquoi.

Atlantic and North-west Ry. Co.'s (B. 30) Sen. Amts., conc., 2725 (i).

Hard-pan Cases, Expenditure, ref. to Pub. Accts. Com. (M.) 3003 (i).

Montreal and Ottawa Ry. Co.'s (B. 48) 1st, 841 (i).

Public Accounts Com., 1st and 2nd Reps., conc. (M.) 1635 (i).

—— 3rd Rep., conc. (M.) 1869 (i).

—— 4th Rep., conc. (M.) 1870 (i).

—— Meeting (remarks) 3304 (ii).

—— 10th Rep., conc. (M.) 5968 (ii).

Quebec Judiciary, on M. (Sir *John Thompson*) to conc. in Res., 5162 (ii).

St. Lawrence and Adirondack Ry. Co.'s (B. 39) 1st, 751 (i).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6280 (ii).

Barnard, Mr. F. S., Cariboo.

Ways and Means—The Tariff :

In Com. (lead bars, &c.) 2397; (sugar, &c.) 2406.

Beausoleil, Mr. C., Berthier.

Atlantic Mail Contracts (Ques.) 6048 (ii).

Beet-Root Sugar Bounty, on M. for Com. of Sup. (remarks) 6434 (ii).

Debates, Official, 2nd Rep. of Com., on conc., 4299 (ii).

Experimental Farm, Ottawa, Employees (Ques.) 4478, 4718 (ii).

Fishery Instructions in Berthier, Maskinongé, &c., Counties (Ques.) 79 (i).

Man. and N. W. T. Schools, Pets. from Archbishops, &c. (Ques.) 6356 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6392 (ii).

Béchar, Mr. F., Iberville.

Chambly Canal, Swing Bridge, Ste. Thérèse Island (M. for Ret. *) 1991 (i).

Bechard, Mr. F.—Con.

Chevalier, Fishery Overseer, Dismissal (M. for Ret.) 1991 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3405 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res. 6390 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1037 (i).

Belley, Mr. L. de G., Chicoutimi and Saguenay.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2608, 2885, 2921 (i).

County Court Judges, B. C., in Com. on Res. (Sir *John Thompson*) 3562 (ii).

Criminal Code, 1892, Amt. B. 126 (Sir *John Thompson*) in Com., 5177 (ii).

Dom. Elections Act Amt. B. 128 (Sir *John Thompson*) in Com., 6480 (ii).

Judiciary of Quebec, on M. for Com. on Ways and Means (remarks) 5846 (ii).

Supreme Court Judges Superannuation B. 89 (Sir *John Thompson*) in Com., 4978 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 688 (i).

Bennett, Mr. W. H., East Simcoe.

Lachine Canal Bridges, Expenditure, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 6340 (ii).

Logs, Export Duty, on M. for Com. of Sup. (remarks) 4197 (ii)

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com. (Amt.) to recom., 4083 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 792 (i).

In Com. (iron manufactures) 2709; (logs and round timber) 285; (saw-logs) 2960.

Bergeron, Mr. J. G. H., Beauharnois.

Canal Employees, Payment of Wages, on M. for Com. of Sup. (remarks) 5273 (ii).

Montreal Island Belt Ry. Co.'s (B. 59) 1st, 1030.

SUPPLY :

Canals—Income (Miscellaneous) 6461.

Bergin, Mr. D., Cornwall and Stormont.

Atlantic and Lake Superior Ry. Co.'s (B. 73) 1st, 1219 (i).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2617, 2882 (i), 3386 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3650 (ii).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3615 (ii).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3645 (ii).

Printing Com., 2nd Rep., conc. (M.) 2488 (i).

Railways and Canals Deptl. Act Amt. B., introd. (M.) 4038; 1^o of B., 4566 (ii).

SUPPLY :

Canals—Capital (Cornwall) 5117

Bernier, Mr. M. E., *St. Hyacinthe.*

Prohibition Commission, Translation of Rep.
(Ques.) 6257 (ii).

Ways and Means—The Tariff :
In Com. (wire, iron, &c.) 3001.

Borden, Mr. F. W., *King's, N.S.*

Census, The, in Com. of Sup., 4129 (ii).
I.C.R., Sales of Scrap Iron (Ques.) 4477 (ii).
Kingston and B.C. Penitentiaries, Papers respect-
ing (Ques.) 1119 (i).
Picket's Pier, Engineer's Reps. (M. for copies)
2754 (i).

SUPPLY :

Agriculture (Year-book) 4129.
Collection of Revenues: Post Office (Mail Service)
4172. Railways (P.E.I.) 5153.
Geological Survey (General Vote) 5153.
Public Works—Income: Buildings (N.B.) 5230.
Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 924 (i).
In Com.: Res. 1 (Customs Acts Amts., definitions,
&c.) 1375. Res. 3 (medicinal preparations) 1949;
(fertilizers) 3001; (phosphate fertilizers) 2999;
(plumbago) 3024; (spokes for wheels) 2997.
Concurrence (patent medicines) 4018.

Bowers, Mr. E. C., *Digby.*

Digby Pier, Damages through Gale (remarks)
1037 (i).
Fisheries Act Amt. B. 145 (Sir *Charles Hibbert
Tupper*) on M. for P., 4565; in Com., 5567 (ii).
Fishing Bounty Frauds, Prosecution (Ques.)
3092 (i).
Fog Alarms, Coal Supply (Ques.) 2869 (i).
I.C.R., Freight Rates on Grain (Ques.) 2292 (i).
Lobster Curing Licenses, in Com. on Res. (Sir
Charles Hibbert Tupper) 5565 (ii).
—— Fishery, N.S. and N.B. (M. for Cor.) 2767.
—— Size of Catch, &c. (Ques.) 286.
Marine Hospital, St. John, and Sick Mariners
(Ques.) 843 (i).
Ships' Safety Act Amt. B. 98 (Sir *Charles Hibbert
Tupper*) in Com., 4581 (ii).

SUPPLY :

Collection of Revenues: Adulteration of Food
(Expenses) 4773. Customs (Provinces generally)
5078.
Fisheries (Legal Expenses) 5027; (Salaries, &c.)
4740.
Indian Affairs (Man. and N.W.T., Schools) 4863.
Lighthouse and Coast Service (Maintenance, &c.)
4710; (Repairs, &c., Wharfs) 4716; (Salaries,
&c.) 4698.
Marine Hospitals (Que., N.B., &c.) 4736.
Mounted Police (Scouts, &c.) 4637.
Ocean and River Service (Govt. Steamers) 4690;
(Tidal Observations) 4696.
Public Works—Income: Buildings (N.B.) 5229;
(Mar. Provinces generally) 4432. Harbours and
Rivers (N.B.) 4465; (N.S.) 4448.
Scientific Institutions (Meteorological Service) 4735.

Bowers, Mr. E. C.—*Con.*

Ways and Means—The Tariff :

In Com. (coal oil, &c.) 278; (cordage) 2652; (cotton
clothing) 2828; (elm logs) 2994; (iron tubing)
2528; (lead bars, &c.) 2317; (salt) 3028; (shovels,
&c.) 2317; (syrops) 2410.

Boyd, Mr. N., *Marquette.*

Dom. Gas and Electric Co.'s incorp. (B. 77) 1^c*,
1219; in Com., 3079 (i).
Man. and North-western Ry. Co.'s B. 108 (Mr.
Taylor) in Com. (Amt.) 4041 (ii).
Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 1093 (i).

Boyle, Mr. A., *Monck.*

St. Catharines and Niagara Central Ry. Co.'s
Subsidy, in Com. on Res. (Mr. *Huggart*) 6271.
(ii).
Subsidies (Money) to Rys. B. 169 (Mr. *Huggart*) in
Com. on Res., 6271 (ii).

SUPPLY :

Collection of Revenues (Weights and Measures)
5477.
Ways and Means—The Tariff :
In Com. (fruit trees) 1777; (wall paper) 1936.

Brodeur, Mr. L. P., *Rouville.*

Civil Service Examinations, Personation (Ques.)
1794 (i).
—— Irregularities (M. for Sel. Cou.) 4053; neg.
(Y. 40, N. 68) 4070 (ii).
Judges' Salaries, Increase (Ques.) 518 (i).
Judiciary of Quebec, in Com. on Res. (Sir *John
Thompson*) 5096; on conc., 5161 (ii).
Loiselle, B., Postmaster (Ques.) 518.
—— Dismissal (M. for Cor.) 2734, 2751 (i).
Man. and N.W.T. Schools, on M. for Cor., 1992.
Man. School Case, Judicial Com. of P. C., Decision
(Ans.) 518 (i).
Montreal Division P. O. Inspectorship (Ques.) 517.
Petroleum Inspection Act Amt. B. 122 (Mr.
Wood, Brockville) in Com., 5471 (ii).
Readjustment of Counties in Que. (Ques.) 1793 (i).

SUPPLY :

Canals—Income (Lachine) 5447.
Collection of Revenues: Post Office (Mail Service)
4174. Customs (Board, &c.) 5086; (Miscellaneous
5000; (Ont.) 5075; (Que.) 5069.
Legislation: House of Commons (Translators) 5222.
Tobacco (Can.) Reduction of Duties (M. for Cor.*
3636 (ii).

Brown, Mr. J. P., *Chateauguay.*

Beauharnois Postmaster (Ques.) 950 (i).
St. Urbain de Chateauguay Postmaster, Com-
plaints against (Ques.) 2131 (i).
Ways and Means—The Tariff :
In Com. (wall paper) 1947.

Bruneau, Mr. A. A., Richelieu.

- Coal (Govt.) Sales at Sorel (Ques.) 3273 (i).
 Fishery Overseer Giguère, Appmt. (Ques.) 3274 (ii).
 Hus, Ed. P., Lighthouse-keeper (Ques.) 1711 (i).
 N. W. T. School Question (Ques.) 1222 (i).
 Privilege (Ques. of) A. Turcotte, M.P., ref. to
 Com. on Priv. and Elec. (M.) 2784, 2931 (i).
 Turcotte, Mr., M.P., Stmt. respecting (read) 1284.
 ——— Priv. and Elec. Com., 4th Rep., on conc.,
 5917, 5926 (ii).
Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 697 (i).

Bryson, Mr. J., Pontiac.

- Govt. Business, precedence on Mondays, on M.
 (Sir *John Thompson*) 4814 (ii).
 Ottawa and Gatineau Valley Ry. Co.'s (B. 72)
 1st, 1218 (i).
 Pontiac and Ottawa Ry. Co.'s incorp. (B. 139)
 1st, 4101 (ii).
 Pontiac Pacific Junction Ry. Co.'s Subsidy, in
 Com. on Res. (Mr. *Haggart*) 6283 (ii).
 ——— on M. for Com. of Sup. (remarks) 5416 (ii).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*)
 in Com. on Res., 6281, 6407; on M. for 2^o,
 6472 (ii).

SUPPLY :

- Canals—Income* (Welland) 5450.
Public Works—Income : Slides and Booms, 6508.
 Timber Licenses (Granted since Jan., 1888, on M.
 for Stmt., 1982 (i).
 ——— Sales on Indian Reserves, on Amt. (Sir
John Thompson) 1414 (i).
Ways and Means—The Tariff :
 In Com. (coal oil, &c.) 2283; (saw-logs) 2977;
 (staves, &c.) 2992.

Calvin, Mr. H. A., Frontenac.

- St. Lawrence Canals, Enlargement, on prop. Res.
 (Mr. *Denison*) 2184 (i).

Cameron, Mr. H., Inverness.

- Atlantic S.S. Service, Fast, Terminus (Ques.) 4196.
 Census, The, in Com. of Sup., 4142 (ii).
 Lawrence, G. C., Charges against (M. for Cor. *)
 2424 (i).
 Port Mulgrave and Hawkesbury Steam Ferry
 (M. for Cor. *) 2424 (i).

SUPPLY :

- Agriculture* (Year-book) 4142.

Campbell, Mr. A., Kent, Ont.

- Atlantic S.S. Service, Fast, B. 161 (Mr. *Foster*)
 on M. for 2^o, 5957 (ii).
 Cluff, W. H., Emplmt. in P. O. D. (Ques.) 1398.
 Maritime Provinces, Fisheries, on M. for Com.
 of Sup., 5412 (ii).
 McQueen, Fishery Overseer, Dismissal (M. for
 Ret. *) 1984, 2075 (i).
 ——— (Ques.) 367 (i).
 Ont. Fisheries, on M. for Ret., 1594 (i).
 Order, Ques. of (Sir *Richard Cartwright*) 1743 (i).
 Prohibition, Commissioners' Rep. (Ques.) 3764 (ii)

Campbell, Mr. A.—Con.

- St. Clair and Erie Ship Canal Co.'s incorp. B. 21
 (Mr. *Tisdale*) on M. for Com., 2117 (i).
 Superannuation, Abolition, on Amt. (Mr. *Mc-*
Mullen) to Com. of Sup., 4335 (ii).

SUPPLY :

- Arts, Agriculture, &c.* (Columbian Exhibition)
 5498.
Civil Government (Interior) 3221.
Miscellaneous (Seed Grain to Settlers) 5505.
Quarantine (Cattle) 4393.
Railways—Capital : I. C. R., 3505; (Dartmouth
 Branch) 3518; (Rolling Stock) 3507.
Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 709 (i).
 In Com. (coal) 3571; (farm products) 1391 : (wheat)
 1533, 1741.

Cargill, Mr. H., East Bruce.

- Ways and Means*—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 1207 (i).
 Concurrence (animals) 4016.

Caron, Sir Adolphe, Rimouski.

- Atlantic Mail Contracts (Ans.) 6049 (ii).
 Barwick, F. E., Emplmt. by Govt. (Ans.) 4050.
 Beauharnois Postmaster (Ans.) 950 (i).
 Cape Breton Mail Service, Tenders (Ans.) 844 (i).
 Civil Servants, non-payment of Salaries, on M.
 for Com. of Sup. (remarks) 6308 (ii).
 ——— Examination, Irregularities, on M. (Mr.
Brodeur) for Sel. Com., 4062 (ii).
 Cluff, W. H., Emplmt. in P. O. D. (Ans.) 1398.
 Dom. Elections Act Amt. B. 127 (Sir *John Thomp-*
son) in Com., 6480 (ii).
 Expenditure on Elections, on Amt. (Mr. *Edgar*)
 to M. for Com. of Sup., 5201 (ii).
 ——— on personal Explanation (Mr. *Edgar*) 5475.
 Fitzroy-Galicia Mail Service (Ans.) 1398 (i).
 Georgetown Postmaster, Dismissal (Ans.) 3440,
 3605 (ii).
 ——— Complaints against (Ans.) 4478 (ii).
 ——— on Amt. (Mr. *Landerkin*) to Com. of Sup.,
 4726 (ii).
 Govt. Building in Victoria, B.C., Site, &c. (Ans.)
 516 (i).
 Graham, John, Special Examination for Promo-
 tion (Ans.) 842 (i).
 Hastings (North) Mail Service (Ans.) 3092 (i).
 Hull (Que.) Postmaster, Name, &c. (Ans.) 1222 (i).
 Inverness County (N.S.) Mail Contract (Ans.) 597.
 Kemptville Postmaster, Charges against (Ans.)
 3872 (ii).
 Letter Box (Street) Contract, Montreal (Ans.)
 1397 (i).
 ——— Postage, Reduction of Rates, on prop. Res.
 (Mr. *Coatsworth*) 2205 (i).
 ——— Postage, Reduction of Rate (Ans.) 520 (i).
 Loiselle, B., Postmaster, Dismissal (Ans.) 518 (i).
 ——— on M. for Cor., 2737, 2748 (i).
 Mail Contract, County of Huron (Ans.) 1566 (i).
 ——— Ottawa County (Ans.) 2132, 2414 (i).
 ——— P.E.I. and Mainland (remarks) 1564, 1713.

Caron, Sir Adolphe—Con.

- Mail Matter (Unpaid) from U. S. (Ans.) 519 (i).
 — Service in N. S., Increased communication (Ans.) 519 (i).
 Montmagny P. O., Emplmt. of John Langlois (Ans.) 687 (i).
 Montreal Division P. O. Inspectorship (Ans.) 518.
 North Wakefield Mail Contracts (Ans.) 2870 (i).
 Ottawa City, Contract for Mails (Ans.) 3091 (i).
 Owen Sound Postmastership (Ans.) 519 (i).
 — Vacancy (Ans.) 4643 (ii).
 Pelletier, Jules, Emplmt. by Govt. (Ans.) 516 (i).
 Post Office Act Amt. (B. 167) 2^d m., 6379 (ii).
 Postmaster General's Deptl. Rep. (presented) 946.
 Prohibition of Liquor Traffic, on prop. Res. (Mr. *Flint*) 2485 (i).
 Public Accounts Com., substitution of Name (M.) 2211 (i).
 Registered Letters, Reduction of Fee (Ans.) 520.
 St. François de Sales P. O., on M. for Cor., 2193.
 St. Roch (Que.) P. O., Lease of Property (Ans.) 598 (i).
 St. Thomas P. O., Postmaster and Employees (Ans.) 2294 (i).
 — Box Rents (Ans.) 4478 (ii).
 St. Urbain de Chateauguay Postmaster, Complaints against (Ans.) 2131 (i).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haygart*) in Com. on Res., 6411 (ii).
- SUPPLY :
- Canals—Income* (Miscellaneous) 6460.
Collection of Revenues: Post Office (Mail Service) 4167, 5478; (Vancouver P.O.) 6464.
Public Works—Income: Buildings (Que.) 4433.
 Tremblay, Joseph, C.E., Emplmt. by Govt. (Ans.) 516 (i).
 Vinton Postmaster, Name, &c. (Ans.) 2732 (1).
 Weston (N.B.) P. O., Establishment (Ans.) 520 (i).
 West Shefford P. O., Reopening (Ans.) 2732 (i).

Carpenter, Mr. F. M., South Wentworth.

- St. Catharines and Niagara Ry. Co.'s (B. 79) 1st*, 1219 (i).

Carroll, Mr. H. G., Kamouraska.

- Gauvreau, Dr., and SS. *Labrador* (Ques.) 3606 (ii).
Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 579 (i).

Cartwright, Sir Richard, South Oxford.

- Address, The, on conc., 61 (i).
 Adjmt. for Easter, on M. (remarks) 78 (i).
 — Queen's Birthday (remarks) 3004 (i).
 Advertising in Newspapers, Classification (Ques.) 685 (i).
 Agricultural Implement Industry, Persons Employed (Ques.) 684 (i).
 Atlantic Fast Mail Service (Ques.) 1219 (i).
 — prop. Subsidy (Ques.) 683 (i).
 — SS. Subsidy, Fast Service, on prop. Res. (Mr. *Foster*) 3450 (ii).

Cartwright, Sir Richard—Con.

- Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com. on Res., 5721, 5773; on M. for 2^d, 5960; in Com., 5971 (ii).
 Behring Sea, Capture of Sealing Vessels (Ques.) 181 (i).
 — Regulations, Legislation (remarks) 150 (i).
 — Res. B. C. Legislature *re* British Sealers (Ques.) 2134 (i).
 Birth of an Heir Apparent (remarks) 5692 (ii).
 Bounty on French-built Ships (Ques.) 1219 (i).
 — on Pig Iron, in Com. on Res. (Mr. *Foster*) 6473 (ii).
 BUDGET, THE, (Reply) 291; (Amt.) 336; neg. (Y. 72, N. 128) 1326 (i).
 Business of the House (remarks) 1223 (i).
 Canoe Cove (P.E.I.) Breakwater, Construction (Ques.) 685 (i).
 Cattle Embargo by Great Britain (remarks) 2041.
 — Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 1st, 134 (i).
 C.P.R., Land Grants B. 159 (Mr. *Daly*) on M. for 2^d, 6033 (ii).
 Census, The, in Com. of Sup., 4149 (ii).
 — Returns (remarks) 4197 (ii).
 Chartered Banks, on presentation of Rep. (remarks) 1714 (i).
 Commercial Relations with France (Ques.) 1710 (i).
 Consolidated Fund, Receipts and Expenditure (Ques.) 6356 (ii).
 County Court Judges, B.C., in Com. on Res. (Sir *John Thompson*) 3564 (ii).
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3652 (ii).
 Customs Collectorship, Montreal (Ques.) 289 (i).
 — Appmt. to Vacancy (remarks) 4315 (ii).
 Dom. and P.O. Savings Banks, Depositors (M. for Ret. *) 1991 (i).
 — Lands B. 160 (Mr. *Daly*) in Com., 6065 (ii).
 — Notes B. 165 (Mr. *Foster*) in Com. on Res., 6031 (ii).
 Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5056 (ii).
 Exchange Bsnk, Indebtedness (Ques.) 2623 (i).
 — Sums due Govt. (Ques.) 368 (i).
 Expenditure of the Dom., on Amt. (Mr. *Charlton*) to Com. of Sup., 6205 (ii).
 — on Elections, on Personal Explanation (Mr. *Edgar*) 5475 (ii).
 Exports and Imports (M. for Ret. *) 149 (i).
 Freight Rates in N.W.T., on M. for Com. of Sup., adjmt. of Hse. (M.) 5395 (ii).
 General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3541 (ii).
 Georgetown Postmaster, on Amt. (Mr. *Landerkin*) to Com. of Sup., 4729 (ii).
 Govt. Business, on M. (Mr. *Foster*) for Com. on Ways and Means (remarks) 3011 (i).
 Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5852 (ii).

Cartwright, Sir Richard—Con.

- Lachine Canal Bridges, Expenditure, on M. for Com. of Sup. (remarks) 6308; (Amt.) 6316; neg. (Y. 36, N. 74) 6353 (ii).
- Land Grants, Man. University, on M. for Com. of Sup. (remarks) 3476 (ii).
- Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2746 (i).
- Maple Sugar, Classification under Tariff (remarks) 1120 (i).
- N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com. on Res., 4593; in Com. on B. 4646 (ii).
- N.W.T. (Ordinance 32, 1893) B. 23 (Mr. *Davis*) on M. for 1^o, 596 (i).
- Order (Ques. of) 1743 (i).
- (Sir *John Thompson*) unparliamentary language, 5385 (ii).
- Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6188 (ii).
- Public Accounts Com., adoption of Rep. (remarks) 1470 (i).
- 1st and 2nd Repts., on Amt. to Amt. (Sir *Charles Hibberj Tupper*) 1702 (i).
- Meeting (Ques.) 520; (remarks) 599, 755 (i); 3303 (ii).
- Powers and Functions (remarks) 2630 (i).
- Questions put by Members, on M. to adju. Hse. (remarks) 759 (i).
- Receipts and Expenditure, Consolidated Fund (M. for Stmt. *) 2424 (i).
- (M. for Ret. *) 1399 (i).
- Rice Cleaning, Mills and Persons engaged (Ques.) 1711 (i).
- Senate, Number, &c., of Vacancies (Ques.) 288, 515 (i).
- St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Haggart*) 6274.
- Subsidies (Land) to Rys. B. 168 (Mr. *Daly*) in Com. on Res., 6067, 6377; in Com. on B., 6359.
- (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6274, 6414; on M. for Com., 6382; in Com., 6385 (ii).
- to Quebec B. 150 (Sir *John Thompson*) in Com. on Res., 4821; in Com. on B., 5097 (ii).
- Sugar Refineries, Number of Employees (Ques.) 283, 684 (i).
- Refining Industry, Number Employed (Ques.) 684 (i).
- Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4355 (ii).

SUPPLY: on M. for Com. (remarks) 3178 (ii).

Administration of Justice: Supreme Court (Library) 3344.

Arts, Agriculture, &c. (Columbian Exhibition) 5499; (*Patent Record*) 4125; (*Year-book*) 4126.

Canals—Capital (Cornwall) 3523, 5142; (*Rapide Plat*) 3530; (*Sault Ste. Marie*) 4158; (*Trent*) 4155. *Income* (Lachine) 5447.

Cartwright, Sir Richard—Con.

SUPPLY—Con.

Charges of Management (Asst. Receiver Gen., Halifax) 3062; (Brokerage) 3199; (Inspector) 3181; (Printing Notes) 3199; (Public Debt) 3199; (Savings Banks) 3186; (Colonial Crown Agents) 5368.

Civil Government (Agriculture) 3233, J. B. Jackson, 6239; (Civil Service Examiners) 3250; (Geological Survey) 3236; (Indian Affairs) J. J. Campbell, 6232; (Interior) 3206; (Justice) Messrs. Power and Fraser, 6233; (Privy Council) contingencies, 3234; 5215; (Secretary of State, &c.) contingencies, 3267, 5217; (Trade and Commerce) 3237.

Collection of Revenues: Adulteration of Food, &c. (Expenses) 4772. Canals (Lachine) 5451; (Welland) 5452. Customs (Board, &c.) 5683; (Que.) 5073. Excise (B. A. Note Co.) 5475; (Methyiated Spirits) 4768; (Preventive Service) 4763. Ordnance Lands, 4778. Post Office (Mail Service) 4173, 5478. Railways (I.C.R.) 5143.

Dominion Land—Income: Outside Service (Salaries) 5014; (Stationery, &c.) 5014; (Surveys) 5017.

Fisheries (Fish-breeding, &c.) 4747; (Legal Expenses) 5026; (Ont., Salaries) 4737.

Geological Survey (General Vote) 5153.

Immigration (Agents' Salaries in Can.) 4778, 4798; (Expenses) 4801.

Indian Affairs (N.B., Man. and N.W.T.) 4841; (Live Stock) 4848; (Ont. and Que.) 4824; (Relief and Seed Grain) 4824; (School Funds) 4832; (Schools) 4853, 4862.

Legislation: House of Commons (Extra Clerks) 3492; (Leather Trunks) 6244; (Salaries, &c.) 3489; (Voters' Lists) 3493. Library (American History) 3500. Senate (Salaries, &c.) 3496.

Lighthouses and Coast Service (Contingencies) 4710; (Maintenance) 4713.

Mail Subsidies, &c. (Allan S.S. Co.) 5459; (St. John N.B., Digby, &c., N.S.) 5459; (St. John, &c., and W. Indies, &c.) 5457.

Marine Hospitals (Que., N.B., &c.) 4736; (Shipwrecked, &c., Seamen) 4737.

Militia (Active Militia, Gratuities) 4885; (Artillery and Rifle Associations, &c.) 4884; (Clothing, &c.) 6245; (Modern Firearms) 6248; (Monuments) 6249.

Miscellaneous (Intercolonial Conference) conc., 5777; (Mr. Fabre's Salary) 5040; (Seed Grain to Settlers) 5502; (Survey, Timber Berths) 5501.

Ocean and River Service (Govt. Steamers) 4683; (Tidal Observations) 4683.

Penitentiaries (Kingston) 5218, 5506, 6242; (Man.) 3350, 5220; (St. Vincent de Paul) 3348.

Pensions, 3501; (Militiamen of 1885) 3502; (Mounted Police, &c.) 3502; (Veterans of 1812) 3501.

Public Works—Income: Buildings (N. W. T., Lieut.-Gov.'s Residence) 6484; (Repairs, &c., Ottawa) 4439. Harbours and Rivers (B.C.) 4473; (Ont.) 4470. Miscellaneous (Art Gallery) 4475.

Quarantine (Cattle) 4374; (Salaries, Organized Districts) 4371.

Cartwright, Sir Richard—Con.**SUPPLY—Con.**

Railways—Capital: C. P. R., 3503. I. C. R., 3503; (Bedford Branch) conc., 5113; (Dartmouth Branch) 3518; (Halifax, increased accommodation) 3505; (Original Construction) 3508; (Rolling Stock) 3507; (Cape Breton and New Glasgow) 6355; (Construction) 5431.

Scientific Institutions, &c. (Meteorological Service) 4733.

Tariff Amendments (Ques.) 1220 (i).

Tay Canal, on Amt. (Mr. *Charlton*) to Com. of Sup., 4113 (ii).

— Receipts from Tolls (Ques.) 145 (i).

Timber Licenses Granted since Jan., 1888, on M. for Stmt., 1981 (i).

— Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1433 (i).

Thousand Islands, Sales, on M. for Com. of Sup., 4396; (Amt.) 4402; neg. (Y. 32, N. 64) 4416 (ii).

Treaty with France, Ratification (Ques.) 687 (i).

— B. 147 (Mr. *Foster*) on M. for 2^d, 5578; in Com., 5695; on M. for 3^d, 5776 (ii).

Ways and Means—The Tariff :

In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1327, 1372. Res. 3 (adzes, &c.) 2794; (albumenized paper) 1898; (beeswax) 1498; (blacking, &c.) 2091; (blasting powder) 3026; (bolts and rivets) 5849; (books) 1903, 1924; (books, prohibited) 2095, 3011; (bullion) 3334; (cane, &c.) 2826; (carpets) 3065; (cement) 2121; (champagne, &c.) 1474; (charts, maps) 1927; (cloth, not rubber, &c.) 3332; (coal) 3570; (coal oil, &c.) 2237; (cocoa paste) 3068; (coffee and tea) 2076; (coffee) 1783; (condensed milk) 1502; (cotton batts) 2531; (cotton, gray) 2533; (cotton, printed) 2556; (cotton warps) 2532; (cyanide of potassium) 3335; (degras) 3335; (drain tiles) 2094; (earthenware, &c.) 2093, 2220; (elm logs) 2094; (emery wheels) 3310; (farm products) 1517; (fowls) 3335; (galvanized wire) 2584; (glass) 2120; (glue) 1502; (grapes) 1781; (hoofs, horns, &c.) 3336; (horse clothing) 5848; (India-rubber boots) 2126; (iron, &c., beams) 2692; (iron manufactures) 2696; (iron, &c., nuts) 2531; (iron ore, &c.) 3311; (iron, rolled) 2820; (iron or steel hoops, &c.) 3571; (iron tubes) 2998; (iron tubing) 2522; (knife blades) 3324; (laces, &c.) 2648; (lamp chimneys) 2098; (lamp springs) 5848; (lard, &c.) 1494; (leather) 3311; (linseed, &c., oil) 2090; (live hogs) 1482; (lumber, manufactured) 3025; (malt) 3002; (maple sugar) 5848; (marble slabs, &c.) 3306; (medicinal preparations) 1957; (molasses) 3326; (mosaics, &c.) 3338; (mutton, &c.) 1487; (newspapers, &c.) 2722; (oatmeal) 1715; (olive oil) 2090; (opium) 1476; (oranges, &c.) 1782; (paints, &c.) 2091; (paraffine wax) 2069; (Paris green) 2092; (plaster of Paris) 2222; (plumbago) 3024; (potatoes) 1505; (putty) 2093; (rice) 1716; (salt) 2999, 3027; (sewing thread) 2650; (shovels, &c.) 2817; (slates, &c.) 3307; (soap, &c.) 1498; (spectacles, &c.) 2120; (stearine) 2213; (steel pipe, &c.) 3337; (stereotypes) 2822; (sugar) 3000; (surgical dressings) 3330; (tallow, &c.) 1497; (tarred paper) 1948; (tea and green

Cartwright, Sir Richard—Con.**Ways and Means—The Tariff—Con.**

coffee) 3000; (trees, fruit) 1776; (varnishes, &c.) 2092; (velvets, &c.) 2646; (wall paper) 1930, 1942; (wheat) 1743, 1769 (window shades, &c.) 3064, 3330; (wire, iron, &c.) 2819; (women's, &c., dress goods) 3066; (woollen clothing) 3064; (woollen yarns) 3059; (wool manufactures) 3028; (yarns) 3337.

Concurrence: (Admiralty charts) 4030; (agricultural implements) 4023; (barley) 4013; (carpets) 4028; (lard, &c.) 4014; (opium, crude) 4013; (patent medicines) 4018; (plate glass) 4018; (rye flour) 4014; (salmon) 4029; (surgical dressings) 4028; (tomatoes) 4016; (travellers' baggage) 4029.

Wheat Exports, on M. to adju. Hse. (remarks) 1784 (i).

Willie McIvoran, Illegal Seizure, on M. for Cor., 1573 (i).

Witnesses on Oath, Examination, on M. for Com. on Ways and Means, 1875; (Amt.) 1879 (i).

Casey, Mr. G. E., West Elgin.

Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com., 5979 (ii).

Barwick, F. E., Emplmt. by Govt. (Ques.) 4050.

Cattle Embargo by Great Britain, on M. for Ret., 1807 (i).

C. P. R., Lands Grants B. 159 (Mr. *Daly*) in Com., 6039 (ii).

Chaudière Falls, Water power, Lessees, &c. (Ques.) 2622 (i).

Customs Acts, Drawbacks and Rebates under, (M. for O. C., &c. *) 1399 (i).

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies*, *P. E. I.*) to Com. on Ways and Means, 3816 (ii).

General Inspection Act Amt. B. 125 (Mr. *Wood*, *Brockville*) in Com., 3545 (ii).

Hughes, D. J., and Printing Bureau (M. for Cor. *) 3300 (ii).

Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5879 (ii).

Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2202 (i).

Militia and Defence, Deptl. Rep. (remarks) 1787.

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4659 (ii).

Permanent Militia Corps, concentration (Ques.) 4310 (ii).

Public Accounts Com., Powers and Functions (remarks) 2644 (i).

Shipping Master, Montreal, Appmt. (Ques.) 2294, 2413 (i).

St. Thomas P. O., Postmaster and Employees (Ques.) 2294 (i).

— Box Rents, &c. (Ques.) 4477 (ii).

Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4355 (ii).

SUPPLY :

Administration of Justice (Miscellaneous) 6241.

Arts, Agriculture, &c. (Experimental Farms 4290, 5463; (Statistics) 5462.

Casey, Mr. G. E.—Con.

SUPPLY—Con.

- Canals—Income* (Miscellaneous) 6459 (ii).
Civil Government (Agriculture) J. B. Jackson, 6240.
Collection of Revenues: Post Office (Mail Service) 4187.
Immigration (Expenses) 4806.
Legislation: House of Commons (Leather Trunks) 6244; (Voters' Lists) 3495.
Militia (Clothing, &c.) 6244; (Inspection of Stores) 6246; (Modern Firearms) 6248.
Public Works—Capital: Harbours and Rivers (Que.) 4418. *Income: Buildings* (Man.) 4438; (N.S.) 4421; (Ont.) 4437; (Que.) 4436; (Repairs, &c., Ottawa) 4440. *Harbours and Rivers* (N.B.) 4468; (Ont.) 4471.
Quarantine (Cattle) 5464.
Railways—Capital: I.C.R. (Cape Breton and New Glasgow) 6355.
 Tariff, The, Commissioners' Rep. (Ques.) 952, 1119 (i).
 — Commissioners' Instructions, &c. (Ques.) 1566 (i).
 — Cost of Inquiry (Ques.) 1792 (i).
 — Inquiries respecting (Ques.) 1970 (i).
 Timber Sales on Indian Reserves, on Amt. (Sir John Thompson) 1413 (i).
 Toronto Drill Shed, in Com. of Sup. (remarks) 4421 (ii).
 Treaty with France Ratification B. 147 (Mr. Foster) on Amt. (Mr. O'Brien) to M. for 2^d, 5624; on Amt. (Mr. Edgar) 5663 (ii).
Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 1074 (i).
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1328, 1333, 1352. Res. 3 (albumenized paper) 1900; (axles, &c.) 2516; (books) 1905, 1924; (cases for jewels) 2515; (coal oil, &c.) 2248; (copper wire) 2514; (diamonds) 2687; (eggs) 2688, 3573; (enamelled ware) 2514; (farm products) 1520; (flax fibre) 2688; (galvanized wire) 3581; (hides, skins, &c.) 2689; (Indian corn) 2690; (iron, &c., angles) 2505; (iron, &c., forgings) 2505; (iron manufactures) 2694, 2706; (iron, scrap) 2349, 2378; (laces, &c.) 2648; (nitro-glycerine) 3026; (paintings, &c.) 1928; (rice) 1717, 3578; (rope) 2662; (salt) 3026; (sewing thread) 2651; (tacks, &c.) 2511; (twine) 2664; (velvets, &c.) 2647; (wheat) 1763; (wire nails) 2508; (wool, &c.) 2668, 2672; (wool manufactures) 3041.
 Witnesses on Oath, Examination, on Amt. (Sir Richard Cartwright) to Com. on Ways and Means, 1881 (i).

Charlton, Mr. J., North Norfolk.

- Address, The, on conc., 104 (i).
 Adjmt., Queen's Birthday (remarks) 2872, 2941.
 Atlantic S.S. Service, Fast, B. 161 (Mr. Foster) in Com. on Res., 5760; on 2^d of Res., 5776; in Com. on B., 5991 (ii).
 Blue-books and Deptl. Reps., Dates of Publication (M. for Ret.) 147 (i).

Charlton, Mr. J.—Con.

- Bribery and Disfranchisement B. 6 (Mr. Weldon) in Com., 2918, 3372 (i).
 Cattle Ranch (Govt.) Fort Macleod (M. for papers, &c.) 449 (i).
 C.P.R., Drawbacks on Iron and Steel Bridges B. 166 (Mr. Haggart) in Com. on Res., 6012; on Amt. (Mr. Mulock) 6370 (ii).
 — Land Grants B. 159 (Mr. Daly) in Com., 6036 (ii).
 Columbian Exhibition, Can. Exhibit, Employees' Salaries, &c. (M. for Ret. *) 1399 (i).
 Cornwall Canal, Sheik's Island Dam (Ques.) 155.
 — Contract (M. for Cor., &c.) 452 (i).
 Customs Acts Amt.—Export Duty on Logs—(B. 9) 1^o, 137; on Order for 2^o (re-remarks) 2339 (i).
 — Board, Number of Sittings (Ques.) 155 (i).
 — Seizures in Out., 1891-92 (Ques.) 845 (i).
 — Refund of Fines (Ques.) 156 (i).
 Dillon, Jas. St. George, Relief B. 148 (Mr. Sutherland) on M. for 2^d, 5528 (ii).
 Dom. Lands B. 160 (Mr. Daly) in Com., 6065 (ii).
 — Sales to Settlers, on M. for Com. of Sup. (Amt.) 3593; neg. (Y. 47, N. 100) 3970 (ii).
 — (Explanations) 3908, 3936 (ii).
 — Notes Act Amt. B. 165 (Mr. Foster) in Com., 6263 (ii).
 Expenditure of the Dom. on M. for Com. of Sup. (Amt.) 6190; neg. (Y. 42, N. 87) 6211 (ii).
 — on Elections, on Amt. (Mr. Edgar) to M. for Com. of Sup., 5207 (ii).
 Exports to the U.S. (M. for Ret.) 453, 1831 (i).
 Fisheries Act Amt. B. 145 (Sir Charles Hilbert Tupper) on M. for 1^o, 4564 (ii).
 Franchise, Electoral, Act Repeal (B. 3) 1^o, 79.
 Fraudulent Sale or Marking Restraint B. 123 (Mr. Wood, Brockville) in Com., 5171 (ii).
 Govt. Business, precedence on Wednesdays, on prop. Res. (Sir John Thompson) 3441 (ii).
 Imports under Orders in Council (Ms. for Rets.) 2763, 2782 (i).
 Indian Act Amt. B. 116 (Mr. Daly) in Com., 5541.
 — Corn, Imports (M. for Ret. *) 452 (i).
 Iron and Steel Imports since 1886 (M. for Ret. *) 452 (i).
 Land Grant to Rys. in Man. and N.W.T. (Ques.) 754, 948 (i).
 — to Religious Sects, &c. (M. for Ret. *) 449.
 Lands in the Territories Consolid. B. 162 (Mr. Daly) in Com., 6079 (ii).
 Logs, Export Duty, on M. for Com. of Sup. (re-remarks) 4202 (ii).
 Lord's Day Observance (B. 2) 1^o, 79; 2^o m., 2298 (i); in Com., 3406, 3637; 3^o m., 4071; in Com., 4072, 4083 (ii).
 Lotteries Act Prevention (B. 16) 1^o, 366 (i).
 N.W.T. Acts Amt. B. 149 (Mr. Daly) in Com., 5166 (ii).
 Pontiac Pacific Junction Ry. Co.'s Subsidy, in Com. on Res. (Mr. Haggart) 6284 (ii).
 Printing Com., 2nd Rep., on conc. (remarks) 2488.

Charlton, Mr. J.—*Con.*

Privilege, (Ques. of (Mr. *Sproule*) Speech at Jarvis, Ont. (remarks) 847 (i).

— (Ques. of) ruled out of Order (Mr. *Speaker*) 1223 (i).

Public Debt, Gross and Net (Ques.) 5691 (ii).

Order (Ques. of) latitude of Deb., 4341 (ii).

Questions put by Members, on M. to adjn. Hec. (remarks) 756 (i).

Railway Passenger Tickets, Sale, B. 163 (Mr. *Huggart*) on M. for 1^o, 6045 (ii).

Sault Ste. Marie Canal, Date of Completion (Ques.) 683 (i).

Seduction and Abduction Provision (B. 18) 1^o, 447 (i).

Shipping Master, Montreal, Appmt. (remarks) 2296 (i).

Soulanges Canal, Transfer of Goodwin's Contracts (M. for Cor. *) 449 (i).

St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Huggart*) 6270 (ii).

Subsidies (Land) to Rys. B. 168 (Mr. *Daly*) in Com. on Res., 6073 (ii).

— (Money) to Rys. B. 169 (Mr. *Huggart*) in Com. on Res., 6270.

SUPPLY: on M. for Com. (remarks) 3176 (ii).

Arts, Agriculture, &c. (Columbian Exhibition) 5498.

Charges of Management (Asst. Receiver, Halifax) 3183.

Collection of Revenues: Post Office (Mail Service) 5479.

Miscellaneous (Liquor Traffic Commission) 5537; (Surveys of Timber Berths) 5501.

Public Works—Income: Buildings (Ont.) 4437; (Que.) 4435; (Repairs, &c., Ottawa) 4440.

Trade and Commerce (Commercial Agencies) 5486; (International Bureau, Brussels) 5486.

Tariff Investigation, Rep. of Proceedings, &c. (M. for Ret.) 1034 (i).

Tay Canal, on M. for Com. of Sup. (Amt.) 4103; neg. (Y. 58, N. 101) 4121 (ii).

Thompson, Joseph, Relief B. 120 (Mr. *Northrup*) on M. for 2^o, 3602 (ii).

Timber Licenses granted since 1888 (M. for Stmt. *) 452, 1977 (i).

— Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1422 (i).

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edgar*) to M. for 2^o, 5683; in Com., 5699 (ii).

Voters' Lists, Cost of Revisions (Ques.) 1030 (i).

— Revisions since 1885 (Ques.) 752 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 387 (i).

In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 2663, 1331, 1364, 1372, 1387. Res. 3 (axes, &c.) 2794; (axes, &c.) 2304; (barbed wire) 2394; (buttons of hoof) 2682; (buttons, pearl) 2682; (canned goods) 2218; (coal) 3570; (codfish) 2635; (coffins, &c.) 2399; (damask) 2666; (elm logs) 2993; (farm products) 1505, 2399; (fertilizers) 2683; (fruit) 1780; (goods, unenumerated)

Charlton, Mr. J.—*Con.*

*Ways and Means—The Tariff—*Con.**

2684; (herrings) 2634; (hubs for wheels) 2989; (iron, scrap) 2368; (iron, &c., not welded) 2997; (logs, &c.) 2830; (mackerel) 2684; (mutton) 1490; (opium) 1477; (oysters) 2685; (peaches) 1782; (photographic dry plates) 2683; (pianofortes, &c.) 2405; (potatoes) 1504; (railway cars, &c.) 2402; (rice) 1737; (salmon) 2685; (sawed boards &c.) 2988; (starch) 1775; (staves, &c.) 2989; (stereotypes) 2824; (sugars, &c.) 2403; (syrups) 2408; (tomatoes, &c.) 2218; (trees, fruit) 1776; (wheat) 1739, 1775; (wool, &c.) 2668, 2677.

Concurrence (barley) 4015; (carpets, &c.) 4023; (sugar) 4026; (travellers' baggage) 4029.

Chesley, Mr. J. A., St. John City and County.

Atlantic SS. Service, Fast, in Com. on Res., 5767 (ii).

Ships' Safety Act Amt. B. 98 (Sir *Charles Hilbert Tupper*) in Com., 4572, 4576 (ii).

SUPPLY:

Public Works—Income: Dredging (Plant) 4606.

Ways and Means—The Tariff:

In Com. (iron, scrap) 2359.

Choquette, Mr. P. A., Montmagny.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2881, 3371.

Contract for Supplies, Quebec Citadel (Ques.) 751.

Dillon, Jas. St. George, Relief B. 158 (Mr. *Sutherland*) on M. for 3^o, 6292 (ii).

Druid, Govt. Str., Cost of Repairs (Ques.) 2132.

Gibson vs. Queen, in Com. of Sup., 4124 (ii).

I.C.R., Lumber, &c., Supplies, Value (Ques. 4888 (ii).

— Robberies at Rivière du Loup (Ques.) 4195.

— Sales of Newspapers, &c., Tenders (Ques. 1031 (i).

Pelletier, Eugene, Emplmt. on Experimental Farm (Ques.) 3440 (ii).

Quebec Observatory, W. A. Ashe's Successor (Ques.) 4308 (ii).

St. Roch (Que.) P. O., Lease of Property (Ques. 597; (M. for Cor.) 2782 (i).

Soulanges Canal, Changes in Contract (M. for Ret.) 3294.

SUPPLY:

Agriculture (Year-book) 4129.

Civil Government (Justice) Messrs. Power and Fraser, 6234.

Collection of Revenues: Post Office (Mail Service) 4168. Canals (St. Peter's) 5453.

Miscellaneous (Liquor Traffic Commission) 5540.

Railways—Capital: I. C. R. (St. Charles Branch) 3509.

Supreme Court Judges' Superannuation B. 81 (Sir *John Thompson*) in Com., 4969 (ii).

Turcotte & Provost, Supplies for Quebec Citadel (M. for Ret. *) 2782 (i).

Turcotte, Mr., M.P., Rep. of Com. on Priv and Elec. (remarks) 3870 (ii).

Christie, Mr. T., *Argenteuil.*

Lord Day's Observance B. 2 (Mr. *Charlton*) on M. for 2^d, 2328 (i).

Prohibition of Liquor Traffic, on prop. Res. (Mr. *Flint*) 2470 (i).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6282 (ii).

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2^d, 5614 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1136 (i).

In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1390. Res. 3 (books) 1916.

Coatsworth, Mr. E., jun., *East Toronto.*

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 3373 (ii).

Civil Service Examinations, on M. (Mr. *Brodour*) for Sel. Com., 4070 (ii).

Clifton Suspension Bridge Co.'s Act Amt. (B. 41) 1st, 751 (i).

Cruelty to Animals prevention (B. 4) 1st, 79 (i); in Com., 3648, 4091, 4526, 4530, 4543 (ii).

Customs Collector, Montreal, Appmt to Vacancy (remarks) 4315 (ii).

Downey, Caroline Jane, Relief (B. 105) 2^d agreed to (Y. 76, N. 31) 2597 (i).

Geological Survey Repts. (Ques.) 2297 (i).

Govt. Contractors and Labourers' Wages (prop. Res.) 3606 (ii).

Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5864 (ii).

Logs. Export Duty, on M. for Com. of Sup. (Ques.) 4208 (ii).

Letter Postage, Reduction of Rates (prop. Res.) 2193 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3410; (Amt. to Amt.) 4083 (ii).

Prohibition of Liquor Traffic, on prop. Res. (Mr. *Flint*) 2472 (i).

Public Accounts Com., Examination of Geo. Bailey (M.) 2211 (i).

—— Meeting (remarks) 3304 (ii).

Public Works under Contract, Workmen's Wages (prop. Res.) 3295 (ii).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2148 (i).

SUPPLY :

Legislation: House of Commons (Voters' Lists) 3495.

Public Works—Income: Harbours and Rivers (Ont.) 6507.

Railways—Capital: I. C. R. (Rolling Stock) 3506.

Sweating System, Toronto, on M. for Com. of Sup. (remarks) 6301 (ii).

***Ways and Means*—The Tariff :**

In Com. (elastic webbing) 2648; (collars of cotton, &c.) 2563; (twine and cotton cordage) 2661; (velvets, &c.) 2645.

Cochrane, Mr. E., *East Northumberland, Ont.*

Franchise (Electoral) Act Amt. B. 143 (Sir *John Thompson*) in Com., 6525 (ii).

General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3543 (ii).

Ways and Means—The Tariff :

In Com. (wheat) 1742.

Cockburn, Mr. G. R. R., *Centre Toronto.*

Electric Light Co.'s, Legislation respecting (Ques.) 1116 (i).

Erie and Huron Ry. Co.'s (B. 81) 1st, 1219 (i).

Statistical Year Book, Delay in Publication (Ques.) 289 (i).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2169 (i).

SUPPLY :

Charges of Management (Savings Banks) 3190.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2^d, 5614 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1120 (i).

In Com. (books) 1913; (coal oil, &c.) 2288; (lard, &c.) 1495; (wall paper) 1938.

Colter, Mr. N. R., *Carlton, N.B.*

Exports *via* Niagara and Fort Erie (Ques.) 5529.

Imports *via* Niagara and Fort Erie (Ques.) 5529.

Maduxnakeag, Fishway in Stream (Ques.) 158 (i).

Reform Baptist Church of Can. (Alliance) incorp. (B. 84) 1st, 1219 (i).

SUPPLY :

Fisheries (Hatcheries) 5024.

Public Works—Income: Harbours and Rivers (N.B.) 4466.

Weston P. O., Establishment (Ques.) 520 (i).

Corbould, Mr. G. E., *New Westminster.*

County Court Judges, B. C., in Com. on Res., (Sir *John Thompson*) 3559 (ii).

Fraser River Floods (remarks) 3599 (ii).

Interest Act Amt. B. 129 (Mr. *Foster*) in Com., 4947 (ii).

SUPPLY :

Fisheries (Fish-breeding) 4749.

Public Works—Income: Harbours and Rivers (B.C.) 4473.

Corby, Mr. H., *West Hastings.*

Resignation tendered (remarks) 4811 (ii).

Costigan, Hon. J., *Victoria, N.B.*

Civil Service Act Amt. (B. 54) 1st, 5154 (ii).

—— Examinations, Irregularities at Montreal (Ans.) 1794, 2134 (i).

—— on M. (Mr. *Brodour*) for Sel. Com., 4064 (ii).

—— List (presented) 149 (i).

Laprairie-Napierville Electoral Lists (Ans.) 2938.

Returns, on Inquiry (remarks) 5467, 5531 (ii).

—— Ordered, List (presented) 6258 (ii).

Revising Officers in Man., Appmt. (Ans.) 3605.

Secretary of State's Deptl. Rep. (presented) 149.

Costigan, Hon. J.—*Cont.*

Subsidies (Money) to Rys. B. 169 (Mr. *Hargreave*)
in Com. on Res., 6417 (ii).

SUPPLY :

Civil Government (Civil Service Examiners) 3234 ;
(Secretary of State) 3268.

Collection of Revenue: Excise (Extra Duty), 4758.

Legislation: House of Commons (Printing &c.)
3500.

Miscellaneous (Parliamentary papers) 4886 ;
(Printing Bureau, Plant) 5042.

Voters' Lists, Cost of Printing (Ans.) 1795 (i).

— Cost of Revisions (Ans.) 1030 (i).

— Revisions since 1885 (Ans.) 752 (i).

Craig, Mr. T. D., *East Durham.*

Cruelty to Animals prevention B. 4 (Mr. *Coutts-
worth*) in Com., 3654 (ii).

Prohibition of Liquor Traffic, on prop. Res. (Mr.
Flint) 2466 (i).

N.W.T. Act Amt. B. 149 (Sir *John Thompson*)
on Amt. (Mr. *McCarthy*) to M. for S., 6130 (ii).

Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 518 (i).

Curran, Hon. J. J., *Centre Montreal.*

Bribery and Disfranchisement B. 6 (Mr. *Weldon*)
in Com., 2923 (i), 3397 (ii).

Criminal Code (1882) Amt. B. 126 (Sir *John
Thompson*) in Com., 5176 (ii).

Judiciary of Quebec, on M. for Com. of Sup.
(remarks) 5817 (ii).

Lord's Day Observance B. 2 (Mr. *Charlton*) in
Com., 3428; on Amt. (Mr. *Moro*) to recom.,
4080 (ii).

Order, Ques. of (Mr. *Chamuel*) Obstruction, 3175 (i).

Ways and Means—The Tariff :

In Com. (collars of cotton, &c.) 2511; (iron tubing)
525; (wool manufactures) 3037.

Daly, Hon. T. M., *Selkirk.*

Boundaries of Prov. of Que., on M. for Cor.,
1549 (i).

Buffalo Breeding Ranch at Fort Smith (Ans.)
2089 (i).

Can. Agency, Chicago (Ans.) 5309 (ii).

C. P. R. Co.'s Land Subsidy (B. 159) 1*, 5691 ;
2* m., 6082; in Com., 6085, 6266 (ii).

Cape Canso Survey (Ans.) 1795 (i).

Carlisle, C. S., Services re Immigration (Ans.) 753.

Cattle Embargo by Great Britain, on M. for
Ret., 1825 (i).

— Trade, on M. for Com. of Sup. (remarks)
3245 (i).

Cheese Weighing at Montreal (Ans.) 2414 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coutts-
worth*) in Com., 3662 (ii).

Deaf and Dumb, Man. and N.W.T., Education
(Ans.) 3605 (ii).

Disfranchisement of Provincial Officials, on prop.
Res. (Mr. *Mills, Annapolis*) adjmt. of deb. (M.)
3161 (i).

Daly, Hon. T. M.—*Cont.*

Dom. Gas and Electric Co.'s B. 77 (Mr. *Boyd*) in
Com., 3078 (i).

— Lands, Sales to Settlers, on Amt. (Mr.
Charlton) to M. for Com. of Sup., 3873 (ii).

— Lands (B. 160) 1*, 5691; in Com., 6065 (ii).

Experimental Farms, Employees (Ans.) 4478,
4718 (ii).

Freight Rates in N.W.T., on M. for Com. of
Sup. (remarks) 5383, 5406 (ii).

French Canadians, Repatriation (Ans.) 3439 (ii).

Game Preservation in N.W.T. (B. 115) 1*, 3903 ;
in Com., 3537 (ii).

Gauvreau, Dr., and SS. "Labrador" (Ans.) 3606.

Geological Survey, Lunenburg County (Ans.)
1397 (i).

— Publication of Repts. (Ans.) 2297 (i).

— Summary Rep. (presented) 127.

Half-Breed Lands in Man., on M. for Ret. 1404.

Homestead Exemption Act (N.W.T.) Repeal (B.
104) 1*, 2289 (i); 2* m., 4300 (ii).

Immigration Agents' Work, on M. for Ret.,
2415 (i).

— Inspection at Quebec, on M. for Cor.,
1485 (i).

Indian Act Amt. (B. 116) 1*, 3603 (i); in Com.,
5540 (ii).

— Affairs, Deptl. Rep. (presented) 127 (i).

— Deptl. Repts., Distribution to Indians, on
prop. Res. (Mr. *Peterson, Braub*) 2780 (i).

Industrial Schools, N.W.T., Number, &c. (Ans.)
2567 (i).

Interior, Deptl. Rep. (presented) 150 (i).

Irrigation in N.W.T. 1*, 3669; (B. 134) in Com.,
4949, 5063, 5096 (ii).

Land Grants to Man. University (Ans.) 3091 (i).

— on M. for Com. of Sup. (remarks) 3478 (ii).

— to Militia, Active Service in N.W.T. (B. 54)
1*, 841 (i); 2* and in Com., 4892 (ii).

— to Rys. in Man. and N.W.T. (Ans.) 755,
948 (i).

Land in the Territories consolid. Act Amt. (B.
162) 1*, 5887; 2* and in Com., 6077 (ii).

Legge, Joshua, Services (Ans.) 1790 (i).

Loans to Settlers in Man., on M. for Lists, 3102.

Man. and North-western Ry. Co.'s B. 108 (Mr.
Taylor) in Com., 4045 (ii).

McCormick's Islands, Ownership, on M. for
Cor., 1983 (i).

Mississauga Indians, Amount in Indian Trust
Fund (Ans.) 397 (i).

Moore, J. C., Emphynt. by Govt. (Ans.) 4050 (ii).

National Park, Sale of Town Lots (Ans.) 2567 (i).

N.W. Mounted Police Act, Amt. B. 121 (Mr. *Ives*)
in Com., 4672 (i).

N.W.T. Representation Act Amt. (B. 5) 1*, 79 ;
in Com., 2490, 2788 (i).

— (B. 133) 1*, 3688; Order for 2* dischgd.,
4890 (ii).

Daly, Hon. T. M.—Con.

- N.W.T. Act Amt. B. 149 (Sir *John Thompson*) 1°, 4890; in Com., 5166; on Amt. (Mr. *McCarthy*) to M. for 3°, 6113 (ii).
 Sault St. Louis Seignior (B. 97) in Com., 4893.
 Seignior of St. Louis (B. 97) 1°, 2130 (i).
 Settlers in N.W.T. from U.S., on M. for Ret., 2418 (i).
 St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2162.
 ——— River Islands, Sale (Ans.) 1791, 2342 (i).
 Subsidies (Land) to Rys. (B. 168) prop. Res., 5935; in Com., 6067; 1°* of B., 6154 (ii).
 ——— prop. Res., 6253; in Com. on Res., 6377.
 ——— (Money) to Rys. B. 169 (Mr. *Huggart*) in Com. on Res., 6404 (ii).
 Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4352 (ii).

SUPPLY :

- Administration of Justice* (Man., additional Judge) 6241; (Supreme Court) contingencies, 3343.
Arts, Agriculture, &c. (Columbian Exhibition) 5498; (Exhibition, N.W.T.) 6251; (Experimental Farms) 5462. (Reps.) 6251; (*Patent Record*) 5461; (Statistics) 5462.
Civil Government (Geological Survey) 3237; (Indian Affairs) J. J. Campbell, 6232; (Interior) 3201, B. L. Yorke, 6233, contingencies, 3272.
Collection of Revenues: Ordnance Lands, 4777, 6464.
Dominion Lands—Income (Agents) 4930; (Commissioner's Salary) 4928; (Homestead Inspectors) 4930; (Outside Service) 5014; (Stationery, &c.) 5014; (Secretaries) 4229; (Supt. of Mines) 4928; (Surveys) 5017 (ii).
Geological Survey (Borings for Petroleum) 6514; (General Vote) 5154; (J. W. Powell's Claim) 6514 (ii).
Govt. of N. W. T. (Insane Patients) 4921; (Lieut.-Gov.'s Expend.) 4913; (Lieut.-Gov.'s Office) 5461; (Schools, &c.) 4921 (ii).
Immigration (Agents' Salaries in Can.) 4773, 4800; (Expenses, &c.) 4802; (Merrick and Connolly) 5464 (ii).
Indian Affairs (B.C.) 4880, 5461; (Inspector of Agencies) 4828; (Man. and N.W.T.) 4842, 4848, 4879; (N.B. and N.S.) 4841, 5460; (Ont. and Que.) 4824, 6515; (School Funds) 4828; (Schools) 4826, 4853, 4863.
Mounted Police (Forage) 4634; (Scouts, Charges, &c.) 4637 (ii).
Miscellaneous (Banff Park) 5042; (Boundary Surveys) 5042; (Mr. Fabre's Salary) 5040; (Mounted Police) 5502; (Seed Grain to Settlers) 5503; (Survey of Timber Berths) 5501 (ii).
Penitentiaries (Manitoba) 3356 (ii).
Public Works—Income: Buildings (B.C., P. O., Victoria) 6499; N.W.T. (Lieut. Gov.'s Residence) 6485. Roads and Bridges (N.W.T.) 6509.
Quarantine (Cattle) 5464 (ii).
 Tassé, Senator, Expenses at Chicago Exhibition (Ans.) 6048 (ii).
 Thousand Islands, Ret. (Ans.) 2342, 2692 (i).
 ——— Sales, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 4402 (ii).
 Timber Cut on Point Pelée, Sales (Ans.) 4052 (ii).

Daly, Hon. T. M.—Con.

- Timber Licenses granted since Jan., 1888, on M. for Stmt., 1980 (i).
 ——— Limits in Shell River District, Rent, Arrears (Ans.) 1969 (i).
 ——— on Indian Reserves, Disposal, on M. for Cor., 1984 (i).
 ——— Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1413, 1420 (i).
 Winnipeg Standard, Advertising (Ans.) 754 (i).

Davies, Mr. L. H., Queen's, P. E. I.

- Adjmt., Queen's Birthday (remarks) 2942 (i).
 Atlantic Fast SS. Service, Terminus (remarks) 4051 (ii).
 Behring Sea, Res. B. C. Legislature *re* British Sealers (Ques.) 2134 (i).
 Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2919, 3375 (i).
 Broad Cove (C.B.) Repairs to Pier (Ques.) 2413 (i).
 Business of the House, on M. to adjn., 2038 (i).
 Calgary Irrigation Co.'s B. 53 (Mr. *Davis, Alberta*) on Sen. Amts., 4887 (ii).
 Campbell, Samuel, Dismissal (M. for Ret. *) 452.
 ——— (Ques.) 288 (i).
 Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3084 (i).
 Can. Temperance Act Amt. (B. 11) 1°, 154 (i).
 Canoe Cove Breakwater Construction (Ques.) 685 (i).
 Cape Breton Ry. sub-Contractors' Claims (Ques.) 2297 (i).
 Captains or Mates, Certificated, on Steamers (M. for Ret. *) 451 (i).
 Cattle, Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 1°, 135 (i).
 Carlyle, C. C., Services *re* Immigration (Ques.) 753 (i).
 Civil Service Examinations, Irregularities, on M. (Mr. *Brodeur*) for Sel. Com., 4063 (ii).
 Coffin, Charles, Compensation for Ry. Damages (M. for Ret. *) 452 (i).
 County Court Judges, B. C., in Com. on Res. (Sir *John Thompson*) 3559 (ii).
 Davis, Messrs., Security for Contract (remarks) 3604 (ii).
 Duties on Fishing Nets under New Tariff (remarks) 1118 (i).
 Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5054 (ii).
 Ellis, John V., Sentence of Supreme Court of N.B. (M. for Ret. *) 452 (i).
 ——— on M. for Com. on Ways and Means, 3670; (Amt.) 3699; neg. (Y. 66, N. 110) 3864.
 ——— Imprisonment (remarks) 3450 (ii).
 Eastern Harbour (C.B.) Lighthouse, Construction (Ques.) 2412 (i).
 Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) on M. for 1°, 4560 (ii).
 Franchise, Electoral, Act Amt. B. 143 (Sir *John Thompson*) on M. for 1°, 4306 (ii).

Davies, Mr. L. H.—Con.

- Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3607, 3629 (ii).
 ——— Steamer "Curlew," &c. Construction (M. for Ret. *) 3300 (ii).
 Grand Etang (C.B.) Wharf, Tenders, &c. (M. for Ret. *) 2424 (i).
 Halifax Drill Shed, in Com. of Sup., 4426 (ii).
 Holidays, Public, B. 106 (Sir *John Thompson*) in Com., 4594 (ii).
 I.C.R., Freight Rates (M. for Ret.) 145 (i).
 ——— Employees Discharged (Ques.) 156 (i).
 ——— Harris Property, St. John, Amount Paid (Ques.) 158 (i).
 ——— (M. for papers, &c. *) 451 (i).
 ——— St. Charles Branch, papers *re* Judgment (remarks) 3602 (ii).
 Interest Act Amt. B. 129 (Sir *John Thompson*) on M. for 1°, 3302; in Com., 4948 (ii).
 Judiciary, N.B. (remarks) 5, 11, 126 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3425; on Amt. (Mr. *Bennett*) to recom., 4085 (ii).
 Mail Service, P.E.I. and Mainland (remarks) 1564, 1712 (i).
 Marine and Fisheries Deptl. Rep., Delay in Distribution (Ques.) 289 (i).
 Masters and Mates' Certificates Acts Amt. B. 130 (Sir *Charles Hibbert Tupper*) in Com. on Res., 4590; in Com. on B., 4895 (ii).
 McLeod, John, Inspector, Charges against (M. for Ret. *) 4479 (ii).
 Militia District, P.E.I. (Ques.) 1794 (i).
 Montreal Harbour Commissioners B. 110 (Sir *Charles Hibbert Tupper*) in Com., 4644 (ii).
 N.W.T. Act Amt. B. 5 (Mr. *Daly*) in Com., 2492.
 N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com. on Res., 4593; in Com. on B. 4648 (ii).
 Palmer, ex-Judge, Letters Patent *re* Superannuation (Ques.) 181 (i).
 ——— Charges against (M. for papers, &c.) 128.
 Public Accounts Com., adoption of Rep. (remarks) 1472 (i).
 ——— 1st and 2nd Reprs., on Amt. to Amt. (Sir *Charles Tupper*) 1657 (i).
 ——— Examination of Auditor General (M.) 2486 (i).
 ——— Meeting (remarks) 3304 (ii).
 ——— Printing Evidence (remarks) 4567 (ii).
 ——— Powers and Functions (remarks) 2625, 2642 (i).
 Returns on Inquiry (remarks) 4395, 4817 (ii).
 Revenue and Audit Acts consolid. B. 127 (Mr. *Foster*) in Com., 4942 (ii).
 Ships' Inspection Act Amt. B. 113 (Sir *Charles Hibbert Tupper*) in Com., 3535 (ii).
 ——— Safety Act Amt. B. 98 (Sir *Charles Hibbert Tupper*) in Com., 4576 (ii).

Davies, Mr. L. H.—Con.

- Steam Boiler and Plate Glass Ins. Co. of Can. incorp. Act Amt. (B. 35) 1°, 750 (i).
 Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4368 (ii).
 SUPPLY :
Administration of Justice (Admiralty Court) salaries, 3346; (Exchequer Court) salaries, 3346; (Official Arbitrators) 3341; (Supreme Court) 3343, contingencies, 3343; Library, 3344.
Canals—Capital (Cornwall) 3521; (Galops) 3530.
Income (Beauharnois) 4162.
Charges of Management—(Charlottetown, Asst. Receiver) 3185; (Halifax, Asst. Receiver) 3182; (Inspector) 3181.
Civil Government (Interior) 3212, 3233, contingencies, 3272; (Justice) contingencies, 3267; (Public Works) 3233; (Trade and Commerce) 3238; (Customs) contingencies, 3273; (Inland Revenue) contingencies, 3273; (Sec. of State) contingencies, 3268.
Collection of Revenues: Customs (P.E.I.) 5068.
Dominion Lands—Income (Agents) 4930, 4935; (Inspector of Agencies) 4928; (Secretaries) 4929.
Govt. of N. W. T. (Lieut.-Gov.'s Expenses) 4912.
Fisheries (B.C. Salaries) 4745; Fish-breeding, &c.) 4746; (Hatcheries) 5023; (Legal Expenses) 5026; (Salaries, &c.) 4740.
Indian Affairs (Man. and N. W. T.) 4858, 4879; (Ont. and Que.) 4925.
Lighthouse and Coast Service (Maintenance) 4714; (Repairs of Wharfs) 4716; (Salaries, &c.) 4708.
Militia (Active, Gratuities) 4885; (Pay of Staff, &c.) 4882.
Ocean and River Service (Govt. Steamers) 4683; (Tidal Observations) 4694.
Penitentiaries (B.C.) 3366; (Manitoba) 3349.
Public Works—Income: Buildings (N. S.) 4426; (Repairs, &c., Ottawa) 4440; Dredging (N. S. and P.E.I.) 4607; (Plant) 4594; Harbours and Rivers (N.S.) 4460; P.E.I., 4465; Miscellaneous (Art Gallery) 4474.
Railways—Capital: I.C.R. (Dartmouth Branch) 3518; (St. Charles Branch) 3510.
Scientific Institutions (Meteorological Service) 4735.
 Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4957 (ii).
 Tea Importations under New Tariff (Ques.) 4039.
 Thompson, Joseph, Relief B. 120 (Mr. *Northrup*) on M. for 2°, 3602 (ii).
 Steamboat Inspection Act Amt. (B. 137) on prop. Res. (Sir *Charles Hibbert Tupper*) 4568 (ii).
 Voters' Lists, Cost of Printing (Ques.) 1795 (i).
Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 860 (i).
 In Com.: Res. 1: (Customs Acts Amts., definitions, &c.) 1328, 1337, 1366, 1393. Res. 3 (axes, &c.) 2798; (books) 1915; (brass, &c. nails) 2512; (cloth, not rubber or waterproof) 3333; (coal oil, &c.) 2223; (collars of cotton, &c.) 2561; (condensed milk) 1503; (cotton, gray) 2549; (cotton, printed) 2560; (fire-brick) 3336; (fish-plates) 2507; (galvanized wire) 3583; (Indian corn) 1547; (iron bars) 2505; (iron bridges) 2507; (iron forgings) 2505; (iron, scrap) 2354; (iron tubing) 2516; (lead bars, &c.) 2513;

Davies, Mr. L. H.—Con.*Ways and Means—Con.*

(lead pipes, &c.) 2512; (live hogs) 1481; (medicinal preparations) 950; (newspapers, &c.) 2722; (opium) 1478; (phosphate fertilizers) 2999; (syrups) 2408; (tacks, &c.) 2511; (wall paper) 1928, 1941; (wire nails) 2500.

Welland Power and Supply Co.'s B. 49 (Mr. *McKay*) in Com., 2724 (i).

Winter Service, P.E.I., and Mainland, on M. for Ret., 4512 (ii).

Witnesses on Oath, Examination B. 90 (Sir *John Thompson*) in Com., 2624 (i).

— on Amt. (Sir *Richard Cartwright*) to M. for Com. on Ways and Means, 1885 (i).

Woodstock (N.B.) Preventive Officer, Name, &c. (Ques.) 2133 (i).

Davin, Mr. N. F., Assiniboia.

Atlantic SS. Service, Fast, in Com. on Res., 5741 (ii).

Binder Twine, Newspaper Advertising (remarks) 6521 (ii).

Brandon and South-western Ry. Co.'s Act Amt. (B. 47) 1^o*, 841 (i).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2576 (i).

Buffalo Breeding Ranch at Fort Smith (Ques., 2039 (i).

Cattle Trade with Great Britain, on M. for Com. of Sup. (remarks) 4911 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4536 (ii).

Dom. Lands, Sales to Settlers, on Amt. (Mr. *Charlton*) to Com. of Sup., 3935 (ii).

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies, P.E.I.*) to Com. on Ways and Means, 3837 (ii).

Freight Rates in N.W.T., on M. for Com. of Sup. (remarks) 5371 (ii).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3617 (ii).

Indian Act Amt. B. 116 (Mr. *Daly*) in Com., 5543 (ii).

Judiciary of Quebec, on Mr. *Tarte's* Charges (remarks) 6227 (ii).

Land Grants, Man. University, on M. for Com. of Sup. (remarks) 3480 (ii).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3409.

Man. and N.W.T. Schools, on M. for Cor., 1601.

Militia Pensions, Permanent Corps, on prop. Res. (Mr. *Prior*) 3098 (i).

Mounted Police, Medals and Scrip (Ques.) 2040 (i).

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4651 (ii).

N.W.T. Act Amt. B. 5 (Mr. *Daly*) in Com., 2496, 2789 (i).

— (B. 86) 1^o, 1396 (i).

— B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3^o, 6138 (ii).

Order (Ques. of) relevancy of deb., 4988 (ii).

Davin, Mr. N. F.—Con.

Schools in Man. and N.W.T., on M. for Cor., 173 (i).

Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4341 (ii).

SUPPLY :

Public Works—Income : Buildings (N.W.T., Lieut.-Gov.'s Residence) 6486.

Timber Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1411 (i).

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edgar*) to M. for 2^o, 5674.

Trent Valley Canal Commission, on M. for Rep., 1799 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 522 (i).

In Com. (fur products) 1527; (wheat) 1746.

Concurrence (agricultural implements) 4020.

Wolseley and Fort Qu'Appelle Ry. Co.'s incorp. (B. 102) 1^o*, 2289 (i).

Davis, Mr. D. W., Alberta.

Alberta Southern Ry. Co.'s incorp. (B. 101) 1^o*, 2211 (i).

Calgary Irrigation Co.'s (B. 53) 1^o*, 841 (i); 2^o m., 4855; on Sen. Amts., 4888 (ii).

Gleichen, Beaver Lake and Victoria Ry. Co.'s incorp. (B. 57) 1^o*, 946 (i).

N.W.T. Ordinance 32, 1893 (B. 23) 1^o*, 596 (i).

Red Deer Valley Ry. and Coal Co.'s (B. 107) 1^o*, 2783 (i).

Rocky Mountain Ry. and Coal Co.'s incorp. Act Amt. (B. 80) 1^o*, 1219 (i).

SUPPLY :

Indian Affairs (Man. and N.W.T.) 4850.

Trust Corporations of Can. incorp. (B. 96) 1^o*, 2211 (i).

Dawson, Mr. G. W. W., Addington.

Dam at West Rideau Lake, Floods (Ques.) 1220.

SUPPLY :

Collection of Revenues : Canals (Rideau, Sweetman's Claim) 6463.

Sweetman, Thos., Compensation for Damages (Ques.) 1221 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 826.

Delisle, Mr. A., Portneuf.

Lebel, Esdras, Emplmt. by Govt. (Ques.) 448 (i).

Montmagny P. O., Emplmt. of John Langlois (Ques.) 687 (i).

Pelletier, Eugène, Emplmt. by Govt. (Ques.) 447.

— Jules, Emplmt. by Govt. (Ques.) 516 (i).

— Odilon, Emplmt. by Govt. (Ques.) 447, 515 (i); 3440 (ii).

St. Anne de la Pérade Landslide (Ques.) 3089 (i).

Tremblay, Joseph, C. E., Emplmt. by Govt. (Ques.) 515 (i).

Denison, Mr. F. C., West Toronto.

C.P.R., Land Grants B. 159 (Mr. *Daly*) in Com., 6035 (ii).

Denison, Mr. F. C.—Con.

Dillon, Jas. St. George, Relief B. 148 (Mr. *Sutherland*) in Com., 6048 (ii).

Downey, Caroline J., Relief (B. 105) 1*, 2341 (i).

Insurance Act Amt. Bill 111 (Mr. *Foster*) in Com., 5877 (ii).

Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2205 (i).

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4655 (ii).

N.W.T. Act Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3°, 6135 (ii).

Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6175 (ii).

Order (Ques. of) relevancy of deb., 4701 (ii).

St. Lawrence Canals, Enlargement (prop. Res.) 2137, 2180 (i).

SUPPLY :

Legislation : House of Commons (Voters' Lists) 3494.

Ways and Means—The Tariff :

In Com. (putty) 2093; (wheat) 1754.

Desaulniers, Mr. F. S. L., St. Maurice.

Administration of Justice in Arthabaska (Ques.) 2293 (i).

Devlin, Mr. C. R., Ottawa County.

Cluff, W. H., Emplmt. in P.O.D. (Ques.) 1398.

Customs Collectorship, Montreal, Appmt. to Vacancy, on M. for Com. of Sup. (remarks) 4313 (ii).

Hull *Despatch*, Payments by Govt. (Ques.) 4050, 4307 (ii).

Labour Statistics, Establishment of Bureau, on M. for Ret., 2189 (i).

Little Rapids Dam (Ques.) 2870 (i).

— in Com. of Sup., 4157 (ii).

Loiselle, B., Postmaster, Dismissal, on M. for Cor., 273 (i).

Mail Service, Ottawa County (Ques.) 2132, 2414.

Man. and N.W.T. Schools, on M. for Cor., 2068.

Moore, J. C., Emplmt. by Govt. (Ques.) 4049 (ii).

N. W. T. Act Amt.—Dual Language—B. 10 (Mr. *McCarthy*) on M. for 1°, 139 (i).

North Wakefield Mail Contracts (Ques.) 2870 (i).

Order (Ques. of) Member reading Speech, 860 (i).

Ottawa River Bridge, Hull and Nepean Point (Ques.) 2413 (i).

Pontiac Judicial District, Appmt. of Judge (Ques.) 517 (i).

— Pacific Junction Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Haggart*) 6285 (ii).

Schools in Man. and N.W.T. (M for Ret.) 2414.

Spanish River, Algoma, Dredging (Ques.) 2939 (i).

— Improvements (M. for Ret. *) 3301 (ii).

Slide Master at Fort Coulonge (Ques.) 5774 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6285 (ii).

SUPPLY :

Canals—Capital (Trent) 4157. *Income* (Carillon and Grenville) 4161; (Culbute) 4162.

Devlin, Mr. C. R.—Con.

SUPPLY—Con.

Civil Government (Agriculture) 3233; (Interior) 3232.

Collection of Revenues : Canals (Salaries, &c.) 4165. Customs (Board) 5082; (Que.) 5072. Post Office (Mail Service) 4168.

Indian Affairs (Man. and N.W.T.) 4877.

Legislation House of Commons, (Translators) 5220; (Voters' Lists) 3490.

Public Works—Income : Harbours and Rivers (Que.) 6501. Miscellaneous (Rea, Jos.) 6512.

Ocean and River Service (Tidal Observations) 4697.

Timber Limits on Indian Reserves (M. for Cor. *) 3301 (ii).

— on Indian Reserves, Disposal, M. for Cor., 1983 (i).

— Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1425 (i).

Ways and Means—The Tariff :

In Com. (saw-logs) 2962.

Dickey, Mr. A. R., Cumberland.

Arbitration, Settlement of Disputes, on prop. Res. (Mr. *Edgar*) 3111 (i).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2891 (i), 3374 (ii).

Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3085 (i).

Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5050 (ii).

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) in Com., 5574 (ii).

Franchise (Electoral) Act Amt. (B. 55) 1°, 841 (i).

Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5878 (ii).

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2°, 5605 (ii).

Dugas, Mr. L. E., Montcalm.

Can. Tobacco, Excise Duty (Ques.) 685 (i).

— Reduction of Duty, on M. for Com. of Sup. (remarks) 6437 (ii).

Dupont, Mr. F., Bagot.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2571, 2900 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3643 (ii).

Prohibition of Liquor Traffic, on prop. Res. (Mr. *Flint*) 2479 (i).

Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6390 (ii).

SUPPLY :

Public Works—Income : Buildings (Repairs, &c., Ottawa) 4445.

Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4956, 4997 (ii).

Dyer, Mr. E. A., Brome.

Fishing Bounty Frauds, Prosecution (Ques.) 3002.

Edgar, Mr. J. D., West Ontario.

- Arbitration, Settlement of Disputes (prop. Res.) 3102 (i).
 Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com., 5977 (ii).
 Calgary Irrigation Co.'s B. 53 (Mr. *Davis, Alberta*) on M. for 2° (objection) 4855 (ii).
 C.P.R., Drawbacks on Iron or Steel Bridges, in Com. on Res., 6025 (ii).
 Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3083 (i).
 Cattle, Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 1°, 134 (i).
 Copyright, Papers respecting (remarks) 10 (i).
 ——— (M. for Cor.*) 149 (i).
 Corby, Mr., M.P. for W. Hastings, on Resignation (remarks) 4812 (ii).
 Criminal Code, 1892, Amt. B. 126 (Sir *John Thompson*) in Com., 5178; on Sen. Amts., 6359.
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3653 (ii).
 Customs Collectors, Mercantile Pursuits (Ques.) 1972 (i).
 Dillon, Jas. St. George, Relief B. 148 (Mr. *Sutherland*) on M. for 2°, 5528; on M. for 3°, 6294 (ii).
 Dom. Irrigation Act Amt. B. 134 (Mr. *Daly*) on M. for 1°, 2369 (ii).
 Duty on Cotton Goods (remarks) 1031 (i).
 Expenditure on Elections, on M. for Com. of Sup. (Amt.) 5179; neg. (Y. 65, N. 102) 5213 (ii).
 Franchise, Electoral, Act Amt. (B. 12) 1°, 180 (i).
 Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3610 (ii).
 Graham, John, Special Examination for promotion (Ques.) 842 (i).
 Grand Jurors (Ont.) Reduction of Number (B. 24) 1°, 596; 2° m., 2339 (i); in Com., 4512, 4514; prop. trans. to Govt. Orders, 4567 (ii).
 I.C.R., Passenger and Freight Rates (Ques.) 949.
 Insurance Act Amt. B. 111 (Sir *John Thompson*) in Com., 5853; on 2° of Amts., 6061 (ii).
 Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2744 (i).
 Military College, Ret. respecting (Ques.) 952 (i).
 Personal Explanation, Sir A. P. Caron's Speech *re* Election Expenditure (remarks) 5472 (ii).
 Pig Iron Bounty, Amounts paid (M. for Stmnt.*) 451 (i).
 St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2119 (i).

SUPPLY :

Collection of Revenues: Adulteration of Food (Expenses) 4775. Excise (Extra Duty) 4753; (Methylated Spirits) 4767; (Preventive Service) 4765; (Salaries, &c.) 4751.

Scientific Institutions (Meteorological Services) 4734.

Sweating System in Toronto, on M. for Com. of Sup. (remarks) 6290, 6296 (ii).

Edgar, Mr. J. D.—Con.

- Tariff, The, Analytical Index, Publications, &c. (Ques.) 753 (i).
 Tea and Coffee, Imports under New Tariff (remarks) 755 (i).
 Treaty with France Ratification B. 147 (Mr. *Foster*) on M. for 2° (Amt. to Amt.) 5633; neg. (Y. 51, N. 119) 5684; in Com., 5697 (ii).
 Turcotte, Mr., M.P., on M. (Mr. *Bruncau*) to ref. Stmnt. to Sel. Com., 2935 (i).
 ——— Rep. of Com. on Priv. and Elec., 3866, 3871.
 ——— 4th and 5th Reprs. (Ques.) 5575 (ii).
 ——— on conc., 5890; Amt., 5904; neg. (Y. 54, N. 84) 5932 (ii).
 Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1011 (i).
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1336, 1373, 1378. Res. 3 (blasting powder) 3026; (books) 1918; (British copyright works) 1927; (cement) 2124; (cordage) 2654; (collars of cotton, &c.) 2562; (cotton batts) 2531; (cotton clothing) 2828; (cotton, gray, &c.) 2534; (cotton, printed) 2555; (cotton warps) 2532; (cotton, white) 2554 (i); (nuts, &c., iron or steel) 3321; (opium) 1479; (oysters) 2686; (sails) 2667; (sewing thread) 2649; (wheat) 1760; (wool manufactures) 3040.

Edwards, Mr. W. C., Russell.

- General Inspection Act Amt. B. 134 (Mr. *Wood, Brockville*) in Com., 3549 (ii).
 Timber Licenses granted since Jan., 1888, on M. for Stmnt., 1979 (i).
 Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1202 (i).
 In Com. (saw-logs) 2973 (i).

Fairbairn, Mr. C., South Victoria.

- Cattle Disease in County of Grey (remarks) 598 (i).
 ——— Transit through Canada, on Amt. (Mr. *Edgar*) to M. for Com. of Sup., 5364 (ii).
 Embargo in Great Britain, Removal (Ques.) 448.

Fauvel, Mr. W. Le B., Bonaventure.

- Admiral SS., and N. B. Mail Service (Ques.) 687 (i).
 Assignees under Insolvent Act, 1875 (M. for Ret.) 3300 (ii).
 Civil Service Examinations, Personation (Ques.) 1794 (i).
 Customs Collector at Gaspé (Ques.) 4477 (ii).
 Insolvent Act (1875) Official Assignees (Ques.) 1792 (i).
 Pelletier, Jules, Emplmt. by Govt. (Ques.) 516.
 ——— Odilon, Payments for Services (Ques.) 515.
 Subsidized SS. and Govt. Rys., Rates, Passengers, &c. (Ques.) 1117 (i).

SUPPLY :

Fisheries (Legal Expenses) 5029.

Lighthouse and Coast Service (Signal Service) 4716.

Ocean and River Service (Removal of Obstructions) 4697.

Tremblay, Joseph, C.E., Emplmt. by Govt. (Ques.) 515 (i).

Fauvel, Mr. W. Le B.—Con.

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1101 (i).

Featherston, Mr. J., Peel.

American Swine in Bond for Slaughter (Ques.) 1221 (i).

Cattle Embargo in Great Britain (Ques.) 288 (i).

— by Great Britain, on M. for Ret., 1819 (i).

Exports *via* Niagara and Fort Erie (Ques.) 5529.

General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3548 (ii).

Imports *via* Niagara and Fort Erie (Ques.) 5529.

Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 1^o*, 135 (i).

SUPPLY :

Quarantine (Cattle) 4391.

Ways and Means—The Tariff :

In Com. (rice, &c.) 3576.

Flint, Mr. T. B., Yarmouth.

Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com., 5995 (ii).

Breweries, Distilleries, &c. (M. for Stmtnt.*) 3301.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 3395 (ii).

Census, The, in Com. of Sup., 4144 (ii).

Commercial Relations with France (M. to adjn. Hse.) 1463 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3649, 4090, 4535 (ii).

Dimock, Mr., Services *re* Chicago Exhibition (Ques.) 1565 (i).

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) on M. for 1^o, 4563; in Com., 5569 (ii).

Game Preservation, N.W.T., B. 115 (Mr. *Daly*) in Com., 3537 (ii).

Halifax Drill Shed, in Com. of Sup., 4418 (ii).

Insolvency Law (New) Distribution of copies (Ques.) 448; (remarks) 755 (i).

Liquors, Distilled and Fermented (M. for Stmtnt.) 3297 (ii).

Liquor Traffic, Evidence and Rep. of Commission (Ques.) 287 (i).

New York, New England and Can. Co.'s incorp. (B. 71) 1^o*, 1218 (i).

Prohibition of Liquor Traffic (prop. Res.) 2432 (i).

Seamen's Act Amt. B. 13 (Sir *Charles Hibbert Tupper*) in Com., 2726 (i).

Ships' Safety Act Amt. B. 98 (Sir *Charles Hibbert Tupper*) in Com., 4589 (ii).

Superaunation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4323 (ii).

SUPPLY :

Administration of Justice (Arbitrators, Official) 3340.

Arts, Agriculture &c. (Year-book) 4144.

Civil Government (Civil Service Examiners) 3261; (Geological Survey) 3237; (Gov. Gen. Sec.'s Office) contingencies, 3264; (Trade and Commerce) 3237.

Collection of Revenues: Excise (Customs' Collectors) 4767; (Preventive Service) 4759.

Flint, Mr. T. B.—Con.

SUPPLY—Con.

Fisheries—(N.S., Salaries, &c.) 4738.

Govt. of N. W. T. (Lieut.-Gov's. Expend.) 4920.

Immigration (Merrick and Connolly) 5464.

Mail Subsidies, &c. (St. John, &c., and W. Indies, &c.) 5456.

Mounted Police (Buildings, &c.) 4641; (Forage) 4634; (Renewals of Arms) 4636; (Scouts, Charges, &c.) 4638; (Subsistence) 4632.

Ocean and River Service (Tidal Observations) 4696.

Public Works—Income: Buildings (N.S.) 4418; (Repairs, &c., Ottawa) 4442. Harbours and Rivers (N.S.) 4448, 5458. Miscellaneous (Art Gallery) 4476.

Quarantine (Public Health) 4374.

Steamboat Inspection (Expenses) 4737.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2^o, 5601 (ii).

Ways and Means—The Tariff :

In Com. (albumenized paper) 1899; (cordage) 2659; (India-rubber boots) 2127; (cotton clothing) 2828, 2830; (cotton, white) 2555.

Forbes, Mr. F. G., Queen's, N.S.

Bounties to Fishermen in Victoria County (Ques.) 949 (i).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2892 (i), 3373 (ii).

Broad Cove and Orangedale Ry. (Ques.) 1710 (i).

Census, The, in Com. of Sup., 4150 (ii).

County Court Judges, B. C., in Com. on Res. (Sir *John Thompson*) 3566 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4536 (ii).

Customs Collector at Louisburg (Ques.) 3275 (ii).

Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5053, 5058 (ii).

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies, P.E.I.*) to Com. on Ways and Means, 3837 (ii).

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) on M. for 1^o, 4564 (ii).

Halifax Drill Shed, in Com. of Sup., 4419 (ii).

Hickey, Geo., Emplmt. as Canal Inspector (Ques.) 5044 (ii).

Industries in Queen's and Shelburne Counties (Ques.) 1789 (i).

— Description, &c. (M. for Ret.*) 1991 (i).

— Lunenburg, Description (M. for Ret.*) 1991 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) on Amt. (Mr. *Bennett*) to recom., 4086 (ii).

Queen's Co. Revising Barrister (Ques.) 1222 (i).

Returns, on inquiries (remarks) 4102 (ii).

Shelburne Revising Barrister (Ques.) 1222 (i).

SUPPLY :

Administration of Justice (Admiralty Court) salaries, 3346; (Supreme Court) Library, 3345; Reports, 3344.

Arts, Agriculture, &c. (Year-book) 4150.

Charges of Management (Halifax, Asst. Receiver) 3061.

Forbes, Mr. F. G.—Con.**SUPPLY—Con.**

Civil Government (Geological Survey) 3237.
Collection of Revenues: Excise (Extra Duty) 4751 ;
 (Preventive Service) 4764. *Ordnance Lands*
 (Grand Falls, N.B., &c.) 4777. *Post Office* (Mail
 Service) 4181. *Weights and Measures* (Salaries)
 4770.

Fisheries (Hatcheries) 5025; (Legal Expenses)
 5035.

Lighthouse and Coast Service (Maintenance) 4715 ;
 (Salaries, &c.) 4699.

Ocean and River Service (Tidal Observations)
 4695.

Public Works—Income: Buildings (N.S.) 4419.
Dredging (Plant) 4605. *Harbours and Rivers*
 (N.S.) 4457.

Railways—Capital: I.C.R., 3504 ; (Dartmouth
 Branch) 3518 ; (Halifax, increased accommoda-
 tion) 3505 ; (Original construction) 3509 ; (St.
 Charles Branch) 3515.

Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to Com., 663 (i).

In Com. (cordage) 2654 ; (galvanized wire) 3590.

Fréchette, Mr. L., alias Côté, Mr. J., Mégantic.

Privilege (Ques. of) Editorial in *l'Electeur*, 2411.

Rocheleau, J. P., Complaints against (M. for
 copies*) 1991 (i).

Ways and Means—The Tariff, on Amt. (Sir
Richard Cartwright) to M. for Com., 656 (i).

Frémont, Mr. J. J. T., Quebec County.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*)
 in Com., 2886 (i).

C. P. R., North Shore Section, Improvements
 (Ques.) 948 (i).

Hurons of Lorette and Seignior of Sillery (M.
 for Ret.*) 1036 (i).

Foster, Hon. G. E., King's, N.B.

Adjmt. for Easter, on M. (remarks) 78 (i).

Admiral SS. and N.B. Mail Service (Ans.)
 687 (i).

Agricultural Implement Industries, Persons Em-
ployed (Ans.) 685 (i).

American Swine in Bond for Slaughter (Ans.)
 1221 (i).

Atlantic Fast Mail Service (Ans.) 1219 (i).

— prop. Subsidy (Ans.) 683 (i).

— Terminus (Ans.) 4051. (ii).

— Subsidy (prop. Res.) 3450 ; (B. 161) in Com.
 on Res., 5710 ; on 2° of Res., 5776 ; (B. 161) 1°*,
 5777 ; 2° m., 5936 ; in Com. on B., 5971 (ii).

Auditor General's Rep. (presented) 127 (i).

Binder Twine, Free Entry, on prop. Res. (Mr.
Mulock) 146 (i).

Bounty on Pig Iron (prop. Res.) 6472 ; in Com.,
 6474 (ii).

BUDGET, THE, Annual Stmt., 182 (i).

— See "WAYS and MEANS."

Foster, Hon. G. E.—Con.

Business of the House (remarks) 1224 (i).

Cattle (Can.) Slaughtered in Great Britain (Ans.)
 2040 (i).

— Disease in County of Grey (Ans.) 598 (i).

— Embargo in Great Britain (Ans.) 288, 448.

— Trade, on M. for Com. of Sup. (remarks)
 3245 (i).

C. P. R., Drawbacks on Iron or Steel Bridges, in
 Com. on Res., 6013 ; 1°* of B., 6065 (ii).

Chartered Banks, List of Shareholders (presented)
 1714 (i).

— Unclaimed Balances, Rep. (presented)
 4039 (ii).

Coal Oil Duties, Repeal, &c. (Ans.) 1970 (i).

Commercial Relations with France, on M. for
 Cor., 1456 (i).

Consolidated Fund, Receipts and Expenditure
 (Ans.) 6356 (ii).

Customs Board, Decisions, &c. (Ans.) 4196 (ii).

Customs and Excise Acts Amt. (B. 135) 1°*, 4038 ;
 2°, 6155 (ii).

Dairying for Profit, Pamphlet, Distribution
 (Ans.) 3765 (ii).

Dimock, Mr., Services re Chicago Exhibition
 (Ans.) 1565 (i).

Dominion Notes (B. 165) in Com. on Res., 6030,
 6029 ; 1°* of B., 6053 ; in Com. on B., 6262 (ii).

Duties on Fishing Nets under New Tariff (re-
 marks) 1119 (i).

Estimates, The (1894-95) Mess. from His Ex.
 (presented) 144 (i).

— Suppl., 1894-95 (presented) 5850 (ii).

Exchange Bank, Sums due Govt. (Ans.) 368 (i).

Expenditure of the Dom., on Amt. (Mr. *Charlton*)
 to Com. of Sup., 6200 (ii).

Experimental Farm Rep. (presented) 1714 (i).

Exports to the U.S., on M. for Ret., 453 (i).

Farm Implements, Free Entry (Ans.) 1971 (i).

French Commercial Treaty (Ans.) 80 (i).

Grant, John G., Landing-waiter at Barrie, Dis-
missal (Ans.) 4196 (ii).

Govt. Business, on M. for Com. on Ways and
 Means (remarks) 3008 (i).

Insurance Act Amt. (B. 111) in Com., 5851 (ii).

Interest on Dom. Stock, non-payment (Ans.)
 5775 (ii).

Legge, Joshua, Services (Ans.) 1790 (i).

Liquor Traffic, Evidence and Rep. of Commis-
sion (Ans.) 287 (i).

— *Maple Sugar, Classification under Tariff* (re-
 marks) 454, 1119 (i).

Member for Winnipeg, Ques. respecting (remarks)
 1565 (i).

Mess. from His Ex. (presented) 144 (i), 5850 (ii).

Palmer, Engineer, Claims (Ans.) 283 (i).

Pelletier, Eugène, Emplmt. by Govt. (Ans.) 448.

— *Emplmt. on Experimental Farm* (Ans.)
 3440 (ii).

Printing Com., 2nd Rep., on conc. (remarks)
 2488 (i).

Foster, Hon. G. E.—Con.

- Prohibition Commissioners, Names and Expenditure (Ans.) 1031 (i).
 ——— Commissioners' Rep. (Ans.) 3765 (ii).
 ——— Commission, Translation of Rep. (Ans.) 6258 (ii).
 Public Accounts Com., Meeting (remarks) 755 (i), 3304 (ii).
 ——— Rep. (presented) 127 (i).
 ——— Powers and Functions (remarks) 2630 (i).
 ——— Debt, Gross and Net (Ans.) 5691 (ii).
 Returns, on inquiries (remarks) 4102 (ii).
 Senate and House of Commons Indemnity (B. 146) (prop. Res.) 5935; Res. conc. in and 1^o of B., 6053; in Com., 6260 (ii).
 Shoe Industry in P.E.I. (Ans.) 3440 (ii).
 Statistical Year-book, Delay in Publication (Ans.) 289 (i).
 Straits of Northumberland Tunnel, Borings (Ans.) 284 (i); 4195 (ii).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6400 (ii).
 Sugar Refining Industry, Number Employed (Ans.) 283, 684 (i).
 Superannuation Fund, Number of Contributors (Ans.) 753 (i).
 ——— Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4363 (ii).
 SUPPLY: ON M. for Com. (remarks) 3175 (ii).
Agriculture (Archives) 4124; (*Patent Record*) 4125; (Year-book) 4126.
Arts, Agriculture, &c. (Dairy Commissioner) 4296; (Experimental Farms) 4276; (J. B. Jackson) 6234.
Charges of Management (Charlottetown, Asst. Receiver) 3186; (Halifax, Asst. Receiver) 3181; (Winnipeg, Asst. Receiver) 3184; (Bill S'amps, &c.) 3199; (Brokerage) 3199; (Country Savings Banks) 3186; (Inspector) 3180; (Printing Notes) 3199; (Public Debt) 3199.
Civil Government (Agriculture) 3233; (Civil Service Examiners) 3250; (Customs) contingencies, 3273; (Inland Revenue) contingencies, 3274; (Geological Survey) 3237; (Gov. Gen. Sec.'s Office) 3200, contingencies, 3266; (Marine and Fisheries) contingencies, 3274; (Privy Council) 3200; (Printing and Stationery) 3200; (Sec. of State) 3269; (Trade and Commerce) 3237.
Legislation: Senate (Deceased Senators indemnities) conc., 6359.
Miscellaneous (Intercolonial Conference) conc., 5777; (Prohibition Commission) 6516.
Quarantine (Cattle) 4374; Salaries, &c. (organized districts) 4371.
 Supply (B. 171) 1^o, 2^o and 3^o, 6523 (ii).
 Tariff Amendments (Ans.) 1220 (i).
 ——— Commissioners' Instructions, &c. (Ans.) 1566 (i).
 ——— Controllers' Visits (Ans.) 1971 (i).
 ——— Cost of Inquiry (Ans.) 1792 (i).
 ——— Emplmt. of Sec. (Ans.) 1968, 1970 (i).
 ——— Finance Minister's Visits (Ans.) 1972 (i).
 ——— Investigation, Rep. of Proceedings, &c., on M. for Ret., 1034 (i).

Foster, Hon. G. E.—Con.

- Tariff, Ministerial Inquiries, Places Visited (Ans.) 2620 (i).
 ——— Resolutions, Old and New, Printing (Ans.) 448 (i).
 ——— Ret. respecting (Ans.) 1569 (i).
 Tea and Coffee, Imports under New Tariff (Ans.) (remarks) 521, 755 (i).
 Tea Importations under New Tariff (Ans.) 4039.
 Treaty with France Ratification (B. 147) 2^o m., 5576; 2^o agreed to (Y. 120, N. 41) 5688; in Com., 5695 (ii).
 Tuberculosis, Legislation respecting (Ans.) 80 (i).
Ways and Means—Annual Stmt., 182 (i).
 ——— Resolutions (presented) 247 (i).
 ——— Amended Resolutions (presented) 1322 (i).
Ways and Means—The Tariff:
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1327, 1337, 1373-1383. Res. 3 (acetic acid, &c.) 1949; (adzer, &c.) 2794; (albumenized paper) 1898; (articles for Govt. use) 2687; (axle springs, &c.) 2516; (bananas) 2689; (barbed wire) 2395; (beeswax) 1498; (blasting powder) 3025 (i); (bolts and rivets) 5849 (ii); (books) 1903, 1919; (books, prohibited) 2996; (brass, &c.) 2512; (British copyright works) 1927; (British gum) 2089; (buckthorn, &c., fencing) 2397 (i); (bullion) 3334 (ii); (buttons of hoof) 2682; (buttons, pearl) 2682; (cane, &c.) 2826 (i), 3337 (ii); (cartridges) 2684; (cases for jewels) 2515; (celluloid) 2821; (cement) 2121; (champagne, &c.) 1474; (chrome steel) 2514 (i); (cloth, not rubber, &c.) 3332; (coal) 3570 (ii); (coal oil) 2227, 2238; (cocoa, &c.) 1784; (cocoa paste) 3068; (coffee) 1783 (i); (coffee, green) 3334 (ii); (coffins, &c.) 2399 (i); (communion plate) 3336 (ii); (condensed milk, &c.) 1502 (i); (copper, &c.) 3335 (ii); (copper wire) 2514; (cordage) 2652; (corset clasps, &c.) 2398; (cotton batts) 2531; (cotton clothing) 2823; (cotton, gray) 2533; (cotton, printed) 2555; (cotton warps) 2532; (cotton, white) 2554; (damask) 2666 (i); (cyanide of potassium) 3335; (degras) 3335 (ii); (diamonds) 2687; (drain tiles) 2094; (earthenware) 2093, 2221 (i); (eggs) 3573 (ii); (elastic webbing) 2648; (elm logs) 2993; (emery wheels) 2516 (i), 3309 (ii); (enamelled ware) 2513; (eyelets, &c.) 2723; (farm wagons, &c.) 2399; (fertilizers) 2683 (i); (fire-brick) 3335 (ii); (fish, pickled) 2685; (fish plates) 2508; (flaxseed) 2722 (i); (frames, &c.) 5848; (fowls) 3335 (ii); (fruit) 1780 (i); (galvanized iron, &c.) 3580; (glass bulbs) 5848 (ii); (glass carboys, &c.) 2095; (glue) 1502; (grapes) 1781; (gun and sporting powder) 3026 (i); (hoofs, horns, &c.) 3336 (ii); (horse clothing) 5848 (ii); (Indian corn) 1551, 2690; (iron angles) 2505; (iron, &c., bars) 2505; (iron, &c., beams) 2692; (iron bridges) 2507; (iron, &c., forgings) 2505 (i); (iron, &c., hoops) 3571 (ii); (iron, manufactures) 2695; (iron, &c., nuts) 2531 (i); (iron ore, &c.) 3311 (ii); (iron, rolled) 2821; (iron, scrap) 2342; (iron tubing) 2521 (i); (knife blades) 3324 (ii); (lamp chimneys) 2097, 2099 (i); (lamp springs) 5848 (ii); (lard) 1493; (lead bars, &c.) 2513; (leather) 3022 (i), 3311 (ii); (linseed, &c., oil) 2090; (live hogs) 1481 (i); (logwood) 5849 (ii); (lumber, manufactured) 3025; (malt) 3002; (maps, &c.) 1927 (i);

Foster, Hon. G. E.—Con.*Ways and Means—The Tariff—Con.*

(maple sugar) 5848; (marble slabs, &c.) 3306 (ii); (medicinal preparations) 1949; (mining machinery) 3075; (molasses) 2403, (i), 3326; (mosaics, &c.) 3338 (ii); (mutton, &c.) 1487; (newspapers, &c.) 2722; (nitro-glycerine) 3026; (nuts, &c.) 1784 (i); (nuts, &c., iron or steel) 3321, 3315 (ii); (oatmeal) 1715; (oats) 1563; (olive oil) 2090; (opium) 1476; (oranges, &c.) 1782; (oysters) 2685; (paintings, &c.) 1928; (paints, &c.) 2091; (paraffine wax) 2089; (peaches) 1782; (photographic dry plates) 2683; (piano-fortes, &c.) 2403; (pine clapboards) 2989, 2996; (plaster of paris) 2222; (plumbago) 3024; (potatoes) 1504; (putty) 2093; (remarks) 3008; (rice) 1716, 1733 (i), 3338 (ii); (rove) 2663; (sails) 2666, 2355; (salt) 2630, 2099; (sawed boards) 2980; (sewing threads) 2649; (shingles) 3025; (shirts) 3064; (shovels, &c.) 2817; (slates, &c.) 2223, 3068 (i), 3306 (ii); (soap, &c.) 1498; (spices) 1784; (starch) 1775; (stearine) 2212 (i); (steel, milled, &c.) 3311; (steel pipes, &c.) 3337 (ii); (steel rails) 3069; (stereotypes) 2821; (sugar, &c.) 2403, 3000 (i); (surgical dressings) 3330; (switches, &c.) 3337 (ii); (tacks, &c.) 2511; (tallow, &c.) 1497; (tarred paper) 1948; (tea and coffee) 2076, 2081, 2079; (tea and green coffee) 3000; (tomatoes, &c.) 2218; (trees, fruit) 1776; (unenumerated goods) 2684; (vaseline) 2091; (velvets, &c.) 2646 (i); (verbal corrections) 3305 (ii); (wall paper) 1928; (wheat) 1739; (wire cloth) 2514; (wire iron, &c.) 2819; (wire nails) 2508; (wood pulp) 2515; (wool, &c.) 2668; (woollen yarns) 3062; (woollen clothing) 3063; (window shades) 3064 (i), 3330 (ii); (wool manufactures) 3028, 3054; (women's, &c., dress goods) 3066 (i); (yarns, &c.) 3337 (ii).

Concurrence (Ms.) 3971, 4034; (acetic acid) 4017; (Admiralty charts) 4030; (animals, &c.) 4016; (barley) 4015; (carpets) 4028; (eggs) 4016, 4033; (iron manufactures, &c.) 4030; (lard, &c.) 4014 (ii); (medicinal preparations, &c.) 3017 (i); (opium, crude) 4013; (patent medicines) 4018; (plate glass) 4018; (rye flour) 4014; (shovels, &c.) 4019; (sugar) 4027; (salmon) 4029; (surgical dressings) 4028; (tomatoes) 4016; (wire, steel) 4033 (ii).

Fraser, Mr. D. C., Guysborough.

Bounties to Fishermen in Victoria County (Ques.) 949 (i).
Breakwaters, Guysborough Co. (Ques.) 157 (i).
Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 3297, 3372 (ii).
Broad Cove and Orangedale Ry. (Ques.) 1710 (i).
Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3086 (i).
Cape Breton Mail Service, Tenders (Ques.) 844.
Cape Canso Survey (Ques.) 1795 (i).
County Court Judges, B. C., in Com. on Res. (Sir *John Thompson*) 3560 (ii).
Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3656 4524, (ii).
Disfranchisement of Provincial Officials, on prop. Res. (Mr. *Mills, Annapolis*) 3153 (i).
Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies, P.E.I.*) to Com. on Ways and Means, 3732 (ii).

Fraser, Mr. D. C.—Con.

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) on M. for 1°, 4562; in Com., 5567 (ii).
Fishery Bounties, Payments (Ques.) 157 (i).
Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3610 (ii).
Guysborough C'ty, Public Works (Ques.) 283 (i).
—— Industries, Employees (Ques. 1972 (i).
—— Industries Established (M. for Ret. *) 3300 (ii).
—— Industries Ret. (inquiry) 5466 (ii).
Inverness County Mail Contract (Ques.) 597 (i).
Isaac's Harbour, Appmt. of Lighthouse Keeper (Ques.) 845 (i).
Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5559, 5565 (ii).
Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3428 (ii).
Mail Service in N.S., Increased communication (Ques.) 519 (i).
Medals, Good Conduct (Ques.) 1792 (i).
N. W. T. Acts Amt. B. 149 (Mr. *Daly*) in Com., 5167 (ii).
Nova Scotia Steel Co.'s incorp. (B. 131) 1°, 3668 (ii).
Port Hawkesbury Customs Collector (Ques.) 2131.
Public Accounts Com., Powers and Functions (remarks) 2644 (i).
Public Works in N.S., Amount expended (M. for Ret. *) 366 (i).

SUPPLY:

Collection of Revenues: Adulteration of Food (expenses) 4774. Customs (Provinces generally) 5079. Excise (Extra Duty) 4752; (Methylated Spirits) 4769; (Preventive Service) 4762; Post Office (Mail Service) 5481.
Fisheries (Fish-breeding, &c.) 4747; (Salaries, &c.) 4741 (ii).
Immigration (Agents' Salaries, &c.) 4787 (ii).
Indian Affairs (Man. and N. W. T.) 4856, 4879 (ii).
Mounted Police (Scouts, &c.) 4637 (ii).
Public Works—Income: Dredging (N.S. and P.E.I.) 4612; (Plant) 4595; (Vessels, repairs) 4607 (ii).
Railways—Capital: I. C. R. (Accommodation at Feron) 5065; (Bedford Branch) 5066 (ii).
Trade and Commerce (Commercial Agencies) 5488.
Vinton Postmaster, Name, &c. (Ques.) 2732 (i).
Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1273 (i).
In Com. (axes) 2809; (flax seed) 2723; (iron manufactures) 2718; (newspapers) 2722 (i).

Gibson, Mr. W., Lincoln and Niagara.

Canal Employees, Payment of Wages, on M. for Com. of Sup. (remarks) 5273 (ii).
Curran Bridge, Contracts, &c. (M. for Ret. *) 450.
—— Papers respecting (Ques.) 1875 (i).
Electrical Measurement provision B. 117 (Mr. *Wood, Brockville*) on M. for 1°, 3003 (i).
Oakville Pier and Lighthouse, Rebuilding, Cost (Ques.) 2622 (i).
St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2129 (i).

Gibson, Mr. M.—Com.

SUPPLY :

Canals—Capital (Cornwall) 3527, 5114; (Galops) 3532; (Lachine, construction) 5497; (Soulanges) 3519 (ii).

Collection of Revenues: Adulteration of Food (Expenses) 4772; (Weights and Measures) 5477.

Ways and Means—The Tariff :

In Com. : Res. 1 (Customs Acts Amts., definitions, &c.) 1334, 1362 Res. 3 (cement) 2122; (coal oil, &c.) 2261; (copper, &c.) 3335; (glass, &c.) 2104; (nuts, &c., iron or steel) 3313; (salt) 2999; (slates, &c.) 3307; (steel milled, &c.) 3312; (wall paper) 1935; (window shades) 3330 (i).

Gillies, Mr. J. A., Richmond, N.S.

Atlantic SS. Service, Fast, B. 161 (Mr. Foster) in Com., 5984 (ii).

Boynton Bicycle Electric Ry. Co.'s incorp. (B. 85) 1st, 1219 (i).

— Pet., Rep. of Standing Orders Com. (M. to ref. back) 1113 (i).

Fast Atlantic SS. Service, Terminus (Ques.) 4051.

Fisheries Act Amt. B. 145 (Sir Charles Hibbert Tupper) on M. for 1^o, 4563 (ii).

Montreal Park and Island Ry. Co.'s B. 68 (Mr. Girouard, Jacques Cartier) in Com., 5288 (ii).

Purse Seining, Trawling, &c. (Ques.) 5233 (ii).

SUPPLY :

Public Works—Income: Buildings (N.S.) 6465; *Dredging* (N.S. and P.E.I.) 4613; *Harbours and Rivers* (N.S.) 6499 (ii).

Supreme Court Judges' Superannuation R. 89 (Sir John Thompson) in Com., 5001 (ii).

Gillmor, Mr. A. H., Charlotte.

Arbitration, Settlement of Disputes, on prop. Res. (Mr. Edgar) 3119 (i).

Exports to U. S., on M. for Ret., 1864 (i).

Fisheries (Fish-breeding, &c.) 4750 (ii).

Granite Imports (Ques.) 3872 (ii).

Mail Matter (Unpaid) from U. S. (Ques.) 517 (i).

Ships' Safety Act Amt. B. 98 (Sir Charles Hibbert Tupper) in Com., 4579 (ii).

Ways and Means—The Tariff :

In Com. (axes) 2808; (coal oil, &c.) 2233 (farm products) 1517; (live hogs) 1483 (i).

Girouard, Mr. D., Jacques Cartier.

Judiciary of Quebec, on M. for Com. of Sup. (remarks) 5824 (ii).

— Mr. Tarte's Charges (remarks) 6212 (ii).

Montreal Park and Island Ry. Co.'s (B. 68) in Com., 5295, 5484; recom., 5521 (ii).

Richelieu and Ont. Nav. Co.'s (B. 62) 1st, 1030 (i).

Treaty with France Ratification B. 147 (Mr. Foster) on Amt. (Mr. O'Brien) to M. for 2^o, 5623 (ii).

Turcotte, Mr., M.P., Priv. and Elec. Com. 4th and 5th Reprs. (presented) 5574 (ii).

— 4th Rep. of Com., conc. (M.) 5887; M. agreed to (Y. 82, N. 43) 5933 (ii).

Ways and Means—The Tariff :

In Com. (nuts, &c., steel or iron) 3316 (i).

Girouard, Mr. J., Two Mountains.

Can. Agency, Chicago (Ques.) 5368 (ii).

Dairying for Profit, Pamphlet, Distribution (Ques.) 3765 (ii).

Fishways in Argenteuil County (Ques.) 950 (i).

French Canadians, Repatriation (Ques.) 3439 (ii).

Mille Isles River Fisheries (Ques.) 1794 (i).

North River Fisheries (Ques.) 1793 (i).

Tobacco (Can.) Reduction of Duty, on M. for Com. of Sup. (remarks) 6437 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 1107 (i).

Grandbois, Mr. P. E., Temiscouata.

Ste. Emilie Ry. Co.'s incorp. (B. 83) 1st, 1219 (i).

Grant, Sir James, Ottawa City.

Address in Answer to His Ex.'s Speech (moved) 11 (i).

Atlantic SS. Service, Fast, B. 161 (Mr. Foster) in Com. on Res., 5742 (ii).

Can. Providence Association incorp. Act Amt. (B. 76) 1st, 1219 (i).

Can. Ry. Accident Ins. Co.'s incorp. (B. 36) 1st, 750; in Com., 3088 (i).

— Fire Ins. Co.'s incorp. (B. 42) 1st, 751 (i).

Chaudière Electric Light and Power Co.'s (B. 75) 1st, 1219 (i).

Geological Museum, New Building (Ques.) 2136.

Lachine Canal Bridges, Expenditure, on Amt. (Sir Richard Cartwright) to Com. of Sup., 6349.

Ottawa Electric Co.'s incorp. (B. 74) 1st, 1219 (i).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. Denison) 2154 (i).

SUPPLY :

Indian Affairs (Man. and N.W.T.) 4875 (ii.)

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 952 (i).

Grieve, Mr. J. N., North Perth.

Customs Officers, Uniforms (Ques.) 1118 (i).

— Statutes, Publication of Index (Ques.) 1118 (i).

Letter Postage, Reduction of Rate (Ques.) 520 (i).

Mail Service, Ottawa County (Ques.) 2132 (i).

Owen Sound Postmastership (Ques.) 519 (i).

Registered Letters, Reduction of Fee (Ques.) 520.

Stratford Public Buildings, Loss by Fire (Ques.) 2039 (i).

SUPPLY :

Arts, Agriculture, &c. (Experimental Farms) 4282.

Ways and Means—The Tariff :

In Com. (shovels) 2818; (stereotypes) 2822 (i).

Guay, Mr. P. M., Lévis.

Judges' Salaries, Increase (Ques.) 518 (i).

Lighthouses, Ste. Emilie Parish (Ques.) 156 (i).

Loiselle, B., Dismissal (Ques.) 518 (i).

Man. School Case, Judicial Com. of P. C., Decision (Ques.) 518 (i).

— Question, Roman Catholic minority (Ques) 1712 (i).

Guay, Mr. P. M.—Con.

- Montreal Division P.O. Inspectorship (Ques.) 517.
 Quebec Observatory, W. A. Ashe's Successor (Ques.) 4308 (ii).
 Readjustment of Counties in Que. (Ques.) 1793.
 Voters' Lists, Revision for 1894 (Ques.) 2732 (i).

Haggart, Hon. J. G., South Lanark.

- Bounty on Pig Iron (B. 170) Res. conc. and 1st of B., 6516 (ii).
 Broad Cove and Orangedale Ry. (Ans.) 1710 (i).
 Canal Employees, Payment of Wages, on M. for Com. of Sup. (remarks) 5274 (ii).
 Cape Breton Ry., sub-Contractors' Claims (Ans.) 2297 (i).
 Caraquet Ry., Gross Earnings, 1891-92 (Ans.) 2566 (i).
 C.P.R., North Shore Section, Improvements (Ans.) 948 (i).
 — Drawback on Iron, &c., Bridges (B. 166) prop. Res., 5369; in Com., 5536, 6010; 2^d M., 6359 (ii).
 Chignecto Marine Ry., Amount Paid to Date (Ans.) 754 (i).
 Coal (Govt.) Sales at Sorel (Ans.) 3274 (ii).
 Cornwall Canal, Sheik's Island Dam (Ans.) 155.
 Curran Bridge, Papers respecting (Ans.) 1875 (i).
 Dam at West Rideau Lake, Floods (Ans.) 1221.
 Davis, Messrs., Security for Contract (Ans.) 3604.
 Duvar Road Flag Station, P. E. I. Ry. (Ans.) 2038 (i).
 Electric Light Inspection B. 118 (Mr. Wood, Brockville) in Com., 5057 (ii).
 Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. Coatsworth) 3621 (ii).
 Hickey, C. E., Supt. Williamsburg Canal (Ans.) 2135 (i).
 Hickey, Geo., Emplmt. as Canal Inspector (Ans.) 5044 (ii).
 I.C.R., Employees Discharged (Ans.) 157 (i).
 — Freight Rates on Grain (Ans.) 2293 (i).
 — Harris' Property, Amount Paid (Ans.) 158.
 — Lumber, &c., Supplies, Value (Ans.) 4889 (ii).
 — Memramcook and College Bridge Station Receipts (Ans.) 2038, 2131 (i).
 — Passenger and Freight Rates (Ans.) 950 (i).
 — Robberies at Rivière du Loup (Ans.) 4195.
 — Sales of Newspapers, &c., Tenders (Ans.) 1031 (i).
 — Sales of Scrap Iron (Ans.) 4477 (ii).
 Inspector, Appmt. (Ans.) 4718 (ii).
 Insurance Act Amt. B. 111 (Mr. Foster) in Com., 5878 (ii).
 Lachine Canal Bridges, Expenditure, on Amt. (Sir Richard Cartwright) to Com. of Sup., 6317.
 — Cost of Widening (Ans.) 5774 (ii).
 Lemay, Victor, Deceased (Ans.) 2871 (i).
 Little Rapids Lock, in Com. of Sup., 4158 (ii).
 Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2742 (i).

Haggart, Hon. J. G.—Con.

- Lord's Day Observance B. 2 (Mr. Charlton) in Com., 3637 (ii).
 Man. and North-western Ry. Co.'s B. 108 (Mr. Taylor) in Com., 4049 (ii).
 Mill River (P. E. I.) Flag Station, Removal (Ans.) 283 (i); on inquiry for Ret. (remarks) 3303 (ii).
 — Ret. (remarks) 5466 (ii).
 Pontiac Pacific Junction Ry. Co.'s Subsidy, in Com. on Res., 6282 (ii).
 — on M. for Com. of Sup. (remarks) 5426 (ii).
 Public Accounts Com., 1st and 2nd Repts., on Amt. to Amt. (Sir Charles Tupper) 1675 (i).
 Railway Act Amt. B. 14 (Mr. Mulock) on M. for 2^d, 3300 (ii).
 Railways and Canals, Deptl. Rep. (presented) 180.
 Railway Passenger Tickets, Sale (B. 163) 1st, 6045; in Com., 6518 (ii).
 Returns, on inquiry (remarks) 4102 4818, (ii).
 Sault Ste. Marie Canal, Date of Completion (Ans.) 683 (i).
 Sheik's Island Dam, in Com. of Sup., 4153 (ii).
 — papers (remarks) 3534, 3602 (ii).
 — Mr. Rubidge's Rep. (remarks) 4312 (ii).
 Soulanges Canal, Contractors' Securities (Ans.) 3766 (ii).
 — Expropriation of Land (Ans.) 5233 (ii).
 South-eastern Ry., Sections abandoned by Co. (Ans.) 1117 (i).
 St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res., 6275 (ii).
 St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. Tisdale) in Com., 2390 (i).
 St. Lawrence Canals, Enlargement, on prop. Res. (Mr. Denison) 2174 (i).
 Subsidies (Money) to Rys. (B. 169) prop. Res., 6254, 6357; M. for Com. on Res., 6267, 6380; in Com., 6385, 6414; 1st*, 6414 (ii).
 Subsidized SS. and Govt. Rys., Rates, Passengers, &c. (Ans.) 1118 (i).

SUPPLY :

- Administration of Justice* (Official Arbitrators) 3341 (ii).
Canals—Capital (Cornwall) 3521, 5113, 5133; (Galops) 3530; (Lachine) construction, 5497; (Lake St. Louis) 4160; (Murray) 4154; (Rapid Plat) 3530, 6457; (Sault Ste. Marie) 4159; (Soulanges) 3519; (St. Lawrence River, &c.) 4154; (Trent) 4155; (Welland) 4154. *Income*—(Beauharnois) 4162; (Carillon and Grenville) 4161; (Cornwall) 6458; (Culbute) 4162; (Lachine) 4160, 5447, 6458; (Rideau) 5450; (Ste. Anne's Lock) 4161; (St. Peter's) 4162; (Trent Valley) 5446, 6458; (Welland) 4160, 5450, 6458. *Miscellaneous*, 6459 (ii).
Civil Government (Interior) 3227 (i).
Collection of Revenues—Canals (Lachine) 5451; (Rideau, Sweetman's Claim) 6464; (Salaries, &c.) 4164; (Welland) 5452. *Excise* (Extra Duty) 4756. *Post Office* (Mail Service) 5480. *Railways* (I.C.R.) 5143; (Accident at Levis) 6462; (Martin's Claim) 6462; (P. E. I.) 5153; (C.P.R., construction) 5431; (Bedford Branch) 5066; conc., 5113. *Railways and Canals* (Miscellaneous) 4163 (ii).

Haggart, Hon. J. G.—Con.

SUPPLY—Con.

Railways—Capital: C.P.R., 3503. I.C.R., 3504; (accommodation at Feron, 5064; (Annapolis and Digby Ry.) 5432; (Cape Breton and New Glasgow) 6354; (construction) 5431; (Dartmouth Branch) 3518; (Halifax, increased accommodation) 3505; (Indiantown Branch) 3517; (Original construction) 3508; (Rolling Stock) 3506; (St. Charles Branch) 3509; (Sydney Branch, extension) 3517. Litigation, &c., 3519 (ii).

Sweetman, T., Compensation for Damages (Ans.) 1221 (i).

Tay Canal, Receipts from Tolls, &c. (Ans.) 145 (i).

— on Amt. (Mr. Charlton) to Com. of Sup., 4110 (ii).

Trent Valley Canal, Expenditure, &c. (Ans.) 687.

— Commission, on M. for Rep., 1797 (i).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 337 (i).

Wellington Street and G.T.R. Bridge, Claims (Ans.) 3091 (i).

Williamsburg Canal Superintendent, par. in *Morrisburg Herald* (Ans.) 285 (i).

Wood, A. F., Govt. Valuator, Ret. respecting (Ans.) 2342 (i).

Harwood, Mr. H. S., Vaudreuil.

Sabourin, Théophile, Appmt. as Fishery Overseer (M. for O.C.*) 1398 (i).

Soulanges Canal, Expropriation of Land (Ques.) 5233 (ii).

SUPPLY:

Canals—Capital (Soulanges, construction) 5432.

Haslam, Mr. A., Vancouver Island.

Cruelty to Animals prevention B. 4 (Mr. Coatsworth) in Com., 4525 (ii).

Lord's Day Observance B. 2 (Mr. Charlton) in Com., 3435; on Amt. (Mr. Mara) to recom., 4079; on Amt. (Mr. Bennett) to recom., 4087 (ii).

SUPPLY:

Indian Affairs (Man. and N.W.T.) 4861 (ii).

Timber Sales, on Indian Reserves, on Amt. (Sir John Thompson) 1432 (i).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 497 (i).

In Com. (collars of cotton, &c.) 2561; (iron manufactures) 2721; (rice) 1723; (sawed boards, &c.) 2983; (sugar, &c.) 2409 (i).

Hazen, Mr. J. D., St. John City and County.

Atlantic S.S. Service, Fast, B. 161 (Mr. Foster) in Com. of Res., 5757 (ii).

Dom. Day Adjmt., (remarks) 5047 (ii).

Elgin and Havelock Ry. Co.'s incorp. (B. 40) 1st, 751 (i).

Ellis, Mr., Imprisonment, on Amt. (Mr. Davies, P.E.I.) to Com. on Ways and Means, 3704 (ii).

Logs, Export Duty, on M. for Com. of Sup. (remarks) 4206 (ii).

Hazen, Mr. J. D.—Con.

Public Harbours B. 95 (Sir Charles Hibbert Tupper) in Com., 2729 (i).

Ships' Safety Act Amt. B. 98 (Sir Charles Hibbert Tupper) in Com., 4570 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 454 (i).

In Com. (books) 1915; (coal oil, &c.) 2241, 2245; (wall paper) 1943 (i).

Henderson, Mr. D., Halton.

Guelph Junction Ry Co.'s (B. 63) 1st, 1113 (i).

Lord's Day Observance B. 2 (Mr. Charlton) in Com., 3433 (ii).

SUPPLY:

Public Works—Income: Roads and Bridges (Burlington Channel Bridge) 6509 (ii).

Ways and Means—The Tariff:

In Com. (degras) 3335 (ii); (yarns, woollen) 3059 (i).

Hughes, Mr. S., North Victoria.

Herbert, Major General, Language addressed to French Batt. (Ques.) 2733 (i).

Martini-Metford Rifles, Number purchased (Ques.) 368 (i).

Militia Manuals, Distribution of copies (Ques.) 368 (i).

N.W.T. Act Amt. B. 149 (Sir John Thompson) on M. for 3^d (Amt. to Amt.) 6089; neg. (Y. 2, N. 131) 6102 (ii).

Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6161 (ii).

— on General Herbert's explanations (remarks) 5498 (ii).

SUPPLY:

Militia (Brigade Major Roy) 6247.

Trent Valley Canal Commission (M. for Rep.) 1796 (i).

Villiers, Lieut.-Col., Retirement (Ques.) 369 (i).

Ingram, Mr. A. B., East Elgin.

Disfranchisement of Provincial Officials, on M. to adjn. deb., 3162 (i).

Expenditure of the Dom., on Amt. (Mr. Charlton) to Com. of Sup., 6211 (ii).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. Coatsworth) 3611 (ii).

Labour Statistics, Establishment of Bureau, on M. for Ret., 2191 (i).

Order, Ques. of (Sir Richard Cartwright) 1744 (i).

Subsidies (Money) to Rys. B. 169 (Mr. Haggart) in Com. on Res., 6269 (ii).

SUPPLY:

Legislation: House of Commons (Voters' Lists) 3497 (ii).

Quarantine (Cattle) 4390 (ii).

Ways and Means—The Tariff:

In Com. (articles for Govt. use) 2687; (collars of cotton) 2562, 1374, 1391; (cartridges) 2684; (logs and round timber) 284; (wheat) 1744 (i).

Innes, Mr. J., *South Wellington.*

Cattle Embargo by Great Britain, on M. for Ret., 1817 (i).

Chicago Exhibition, Can. Commissioners' Rep. (Ques.) 5530 (ii).

Ways and Means—The Tariff :

In Com. (sewing machines) 2396; (type, &c.) 2393.

Ives, Hon. W. B., *Sherbrooke.*

Brown, Gilpin, Appmt. in Mounted Police (Ans.) 2567 (i).

Cattle, Ocean Freight Rates, B. 8 (Mr. *Mulock*) on M. for 1°, 135 (i).

—— Transit through Canada, on Amt. (Mr. *Mulock*) to Com of Sup., 5329 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4531 (ii).

Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5060 (ii).

Mounted Police Commissioner's Rep. (presented) 1327 (i).

—— Medals and Scrip (Ans.) 2040 (i).

N.W. Mounted Police Act Amt. (B. 121) 2° m., 4591; in Com. on Res., 4593; in Com. on B., 4647 (ii).

SUPPLY :

Civil Government (Interior) 3219; (Privy Council Office) 3200 (i), 5215 (ii).

Dominion Lands—Income (Board of Examiners) 5016; Mounted Police (Buildings, &c.) 4641; Clothing) 4635; (Forage) 4633; (Hospitals, &c.) 4636; (Pay of Force) 4629; (Renewals of Arms) 4636; (Scouts, &c.) 4636; (Subsistence) 4632 (ii).

Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4961 (ii).

Ways and Means—The Tariff :

In Com. (mining machinery) 3076 (i); (nuts, &c., iron or steel) 3222 (ii); (stearine) 2215; (wool, &c.) 2668 (i).

Jeannotte, Mr. H., *L'Assomption.*

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2568, 2586, 2875 (i), 3368 (ii).

Dillon, Jas. St. George, Relief B. 148 (Mr. *Sutherland*) on M. for 3°, 6290 (ii).

Judiciary of Quebec, on M. for Com. of Sup. (remarks) 5835 (ii).

Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2199 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3407 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. *Huggart*) in Com. on Res., 6395 (ii).

SUPPLY :

Mounted Police (Scouts, charges, &c.) 4638 (ii).

Tobacco (Can.) Reduction of Duty, on M. for Com. of Sup. (remarks) 6428 (ii).

Joncas, Mr. L. Z., *Gaspé.*

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2873 (i).

SUPPLY :

Lighthouse and Coast Service (Maintenance) 4715.

Kaulbach, Mr. C. E., *Lunenburg.*

Fish Exports, Cuba and Porto Rico (Ques.) 1397.

Fishing Licenses (Nfld.) Refund of Fees (Ques.) 1396 (i).

Geological Survey, Lunenburg County (Ques.) 1397 (i).

Maritime Provinces, Fisheries, on M. for Com. of Sup. (remarks) 5406 (ii).

SUPPLY :

Mail Subsidies, &c. (St. John, &c., and W. Indies, &c.) 5454 (ii).

Public Works—Income : Harbours and Rivers (N.S.) 4457 (ii).

Ways and Means—The Tariff :

In Com. (cordage) 2658; (eggs) 2688; (sails) 2666; (saw-logs) 2969 (i).

Kenny, Mr. T. E., *Halifax.*

Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) in Com. on Res., 5749; on M. for 2°, 5952 (ii).

Dominion Atlantic Ry. Co.'s (B. 50) 1°, 841 (i).

—— Day, Adjmt. (remarks) 5046 (ii).

Exports to U.S., on M. for Ret., 1845 (i).

Halifax Drill Shed, in Com. of Sup., 4420 (ii).

Ships' Safety Act Amt. B. 98 (Sir *Charles Herbert Tupper*) in Com., 4573 (ii).

SUPPLY :

Public Works—Income : Buildings (N.S.) 4420.

Dredging (N.S. and P.E.I.) 4617; (Plant) 4597.

Fisheries (N.S., Salaries) 4743 (ii).

Tea and Coffee, Imports under New Tariff (Ques.) 521 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1296 (i).

In Com. (cotton, gray, &c.) 2537; (sugar, &c.) 2408.

Lachapelle, Mr. S., *Hochelaga.*

Address in Answer to His Excellency's Speech (seconded) 23 (i).

Chicago Fair, School Awards (M. for Ret.) 3289.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2°, 5629 (ii).

Landerkin, Mr. G., *South Grey.*

Barrel Standard, under Weights and Measures Act (Ques.) 2622 (i).

Behring Sea Seal Fisheries, Number and Value (Ques.) 696 (i).

Cape Breton Ry., sub-Contractors' Claims (Ques.) 2297 (i).

Carlsruhe Brewery, Govt. Revenue (Ques.) 2622.

Cattle Disease in County of Grey (remarks) 521.

—— Embargo by Great Britain, on M. for Ret., 1830 (i).

—— Trade. Rep. *re* Export (remarks) 2212 (i).

Coal Oil in Tanks, Places where admitted (Ques.) 284, 516, 517, 596 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3655 (ii).

Deptl. Reps. (Ques.) 2042 (i).

Dom. Elections Act Amt. (remarks) 3302 (ii)

Dunn, Capt. Ed., Suspension (Ques.) 1564

Landerkin, Mr. G.—Con.

- Exports to U.S., on M. for Ret., 1865 (i).
 Georgetown Postmaster, Dismissal and Appmt. (Ques.) 3440, 3605 (ii).
 ——— Complaint against, (Ques.) 4478 (ii).
 ——— on M. for Com. of Sup. (Amt.) 4720; neg. (Y. 36, N. 88) 4732 (ii).
 Govt. Business, precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3446 (ii).
 Imports from the U.S., Ret. (Ques.) 2298 (i).
 ——— Value, &c. (M. for Lists) 3300 (ii).
 Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5881 (ii).
 ——— (Sir *John Thompson*) on 2^o of Amts., 6061.
 Legge, Joshua, Services (Ques.) 1790 (i).
 Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2201 (i).
 Liquor Traffic, Commissioners' Rep. (remarks) 9.
 Montreal P.O., Contract for Elevator (Ques.) 842.
 Neustadt Brewery, Govt. Revenue (Ques.) 2621.
 ——— and Carlsruhe Breweries, Revenue, &c. (Ques.) 2938 (i).
 N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4652 (ii).
 Owen Sound Postmaster, Vacancy (Ques.) 4643.
 Prohibition, Commissioners' Names and Expenditure (Ques.) 1031 (i).
 Public Accounts Com., 3rd Rep., on Amt. (Sir *Charles Hibbert Tupper*) 1967 (i).
 Returns Ordered by Hse. and not presented (M. for Ret. *) 1036 (i).
 ——— non-production (remarks) 3601 (ii).
 ——— (Inquiry) 4395, 6258 (ii).
 Sanford, Senator, Visit to Washington *re* U.S. Tariff (Ques.) 286 (i).
 St. Lawrence River Islands, Sale (Ques.) 1791 (i).

SUPPLY :

- Administration of Justice* (Official Arbitrators) 3342.
Collection of Revenues: Customs (Ont.) 5075; (Provinces, generally) 5080; Weights and Measures (Salaries) 4771 (ii).
Legislation: House of Commons (Revision of Voters' Lists) 3492; (Salaries) 3490. Senate (Salaries, &c.) 3488 (ii).
Public Works—Income: Buildings (Man. and N. W.T.) 4438; (N.B.) 4431; Harbours and Rivers (Ont.) 4472 (ii).
 Tariff Inquiries, Emplmt. of Sec. (Ques.) 1968, 2133 (i).
 ——— Resolutions, Old and New, Printing (Ques.) 448 (i).
Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 479 (i).
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1367 (i); (cloth, not rubber or waterproof) 3333; (Communion plate) 3336; (emery wheels) 3309; (hoofs, horns, &c.) 3336; (surgical dressings) 3331; (verbal corrections) 3305 (ii).
 Williamsburg Canal Superintendent, par. in *Morrisburg Herald* (Ques.) 285 (i).

Langelier, Mr. F., Centre Quebec.

- Chicago Fair, School Awards, on M. for Ret., 3294 (ii).
 Common School Fund, Distribution, in Com. on Res. (Mr. *Foster*) 4823 (ii).
 Consumers' Cordage Co.'s B. 31 (Mr. *Rosmond*) on M. for Com., 3082 (i).
 Customs Board, Decisions, &c. (Ques.) 4196 (ii).
 ——— House (Que.) Entries and Duties. (remarks) 951 (i).
 Debates, Official, 2nd Rep. of Com., on conc., 4298 (ii).
 Hull (Que.) Postmaster, Name, &c. (Ques.) 1222.
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3405, 4073; on Amt. (Mr. *Mara*) to recom., 4080; (Amt.) 6 m. h., 4087 (ii).
 Matane Lighthouse, Custodian (Ques.) 4041 (ii).
 Ottawa Electric Light Co.'s B. 74 (Sir *James Grant*) in Com., 3052 (i).
 Quebec West Election and Atlantic SS. Service (Ques.) 4052 (ii).
 SUPPLY :
Administration of Justice (Admiralty Court) salaries, 3346 (ii).
Collection of Revenues: Customs (Board, &c.) 5081; (Que.) 5072. Excise (extra duty) 4754; (preventive service) 4760. (Miscellaneous) 5092.
Railways—Capital: I.C.R. (St. Charles Branch) 3511 (ii).
 Timber Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1412 (i).
Ways and Means—The Tariff :
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1370. Res. 3 (books) 1911; (corset clasps) 2398; (corset-eyelets) 2723; (farm wagons) 2399; (musical instruments) 2403 (ii).
 Concurrence (wire, iron or steel) 4033 (ii).

Langevin, Sir Hector, Three Rivers.

- Alaska and B. C. Boundary (M. for Cor., &c. *) 450 (i).
 Boundaries of Prov. of Que. (M. for Cor.) 1569.
 Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2886, 2918 (i).
 Can. Australian Cable (M. for Cor., &c. *) 450 (i).
 C.P.R., Drawbacks on Iron or Steel Bridges, in Com. on Res., 6024 (ii).
 Civil Service Insurance, Working of Act (M. for Stmt. *) 450 (i).
 Dillon, Jas. St. George, Relief B. 148 (Mr. *Sutherland*) on M. for 2^o (objection) 5064, 5108; on M. for 3^o (Amt.) 6 m. h., 6294; neg. (Y. 22, N. 67) 6295 (ii).
 Expenditure on Elections, on Amt. (Mr. *Edgar*) to Com. of Sup., 5197 (ii).
 Franchise Act, Revising Officers (M. for List *) 450 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3637; on Amt. (Mr. *Mara*) to recom., 4076 (ii).
 Montreal Harbour Commissioners' Act Amt. B. 110 (Sir *Charles Hibbert Tupper*) in Com., 4645.

Langevin, Sir Hector—Con.

Turcotte, Mr., M.P., Rep. of Com. on Priv. and Elec. (remarks) 3866 (ii).

Ways and Means—The Tariff:

In Com. (books) 1908 (i).

LaRivière, Mr. A. A. C., Provencher.

Aux-Rosseau, Aux-Rats, &c., Rivers, Inspection, Engineers' Reps. (M. for copy*) 1398 (i).

Debates, Official Rep., 1st Rep. of Com. (presented) 149 (i); 3rd Rep. (presented) 5465 (ii).

— conc. (M.) 280, 365 (i).

Ladies of the Sacred Heart of Jesus Act Amt. (B. 43) 1^o*, 751 (i).

Loans to Settlers in Man. (M. for List) 3100 (i).

N.W.T. Act Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3^o, 6133 (ii).

Schools in Man. and N. W. T. (M. for Pets., &c.) 159 (i).

Laurier, Hon. W., East Quebec.

Address, The, on conc., 27 (i).

Adjmt. for Easter, on M. (remarks) 78 (i).

— Queen's Birthday (remarks) 2872, 2942, 3163 (i).

Arbitration, Settlement of Disputes, on prop. Res. (Mr. *Edgar*) 3117 (i).

Atlantic SS. Service, Fast (Ques.) 1968 (i).

— and French Treaty (Ques.) 5154 (ii).

— B. 161 (Mr. *Foster*) in Com. on Res., 5738; in Com., 5971 (ii).

Bancroft, Connolly & Co., Contract *re* Kingston Graving Dock (Amt) to Com. of Sup., 6438; neg. (Y. 24, N. 61) 6456 (ii).

B. C. Sealers' Claims (M. for Ret.) 1577 (i).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2883 (i).

Business of the House (remarks) 6047 (ii).

C.P.R., Drawback on Iron, &c., Bridges, on prop. Res. (Mr. *Haggart*) 5534; in Com., 5536.

Cattle Trade with Great Britain, on M. for Com. of Sup. (remarks) 4909 (ii).

Civil Service Examinations, Irregularities, on M. (Mr. *Brodeur*) for Sel. Com., 4060 (ii).

Commercial Relations with France (M. for Cor.) 1435, 1451, 1470 (i).

Common School Fund, Distribution, in Com. on Res. (Mr. *Foster*) 4822 (ii).

Corby, Mr., M.P. for West Hastings, on resignation (remarks) 4813 (ii).

Cornwall Canal, on M. for Com. of Sup. (Amt.) 5158; neg. (Y. 47, N. 85), 5158 (ii).

County Court Judges, B.C., in Com. on Res. (Sir *John Thompson*) 3557 (ii).

Criminal Code, 1892, Amt. B. 126 (Sir *John Thompson*) in Com., 5175 (ii).

Debates, Official, 2nd Rep. of Com., on conc., 4298 (ii).

Dom. Day, Adjmt., on M. (Sir *John Thompson*) 5094 (ii).

Dom. Elections Act Amt. B. 128 (Sir *John Thompson*) in Com., 6480 (ii).

Laurier, Hon. W.—Con.

Drawbacks on Shipbuilding, on M. for Ret. (objection) 1035 (i).

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies*, *P.E.I.*) to Com. on Ways and Means, 3847 (ii).

Estimates, Supply (remarks) 5775 (ii).

Exports to U.S., on M. for Ret. 1857 (i).

Floods in Quebec (remarks) 3600 (ii).

Franchise Act Amt. (remarks) 3302, 3367, 4039 (ii).

— Electoral, Act Amt. B. 143 (Sir *John Thompson*) on M. for 1^o, 4302; on M. for 2^o, 6524; in Com., 6525 (ii).

French Commercial Treaty (Ques.) 80 (i).

— (M. for Stmt.*) 1036 (i).

Game Preservation, N.W.T., B. 115 (Mr. *Daly*) in Com., 3538 (ii).

Govt. Business, Adjmt., Queen's Birthday (remarks) 2942, 3163 (i).

— Orders, precedence on Thursdays, on M. (Sir *John Thompson*) 1872 (i).

— on M. (Mr. *Foster*) for Com. on Ways and Means (remarks) 3014 (i).

— precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3446; on Mondays, on M. 4814 (ii).

Hearn, Hon. John, deceased (remarks) 2940 (i).

Immigrants, Inspection at Quebec (M. for Cor.) 1434 (i).

Immoral books, alleged importations, on M. for Com. of Sup. (remarks) 6307 (ii).

Indian Act Amt. B. 116 (Mr. *Daly*) in Com., 5543 (ii).

Inland Revenue, Drawbacks, in Com. on Res. (Mr. *Wood*, Brockville) 5172.

Intercolonial Conference, Adjmt. (remarks) 5045.

Irrigation in N.W.T. B. 134 (Mr. *Daly*) in Com., 4953, 5063 (ii).

Judiciary, N. B. (remarks) 9 (i).

— Quebec, on M. for Com. of Sup. (remarks) 5809 (ii); on Mr. *Tarte's* Charges (remarks) 6229 (ii).

Labour Statistics, Establishment of Bureau, on M. for Ret., 2190 (i).

Land Grants, Man. University, on M. for Com. of Sup. (remarks) 3470 (ii).

Lands in the Territories consolid. B. 162 (Mr. *Daly*) on M. for 2^o, 6077 (ii).

Logs, Export Duty, on M. for Com. of Sup. (remarks) 4215 (ii).

Man. and N.W.T. Schools, on M. for Cor., 2065.

— Pets. from Archbishops, &c. (remarks) 6357 (ii).

Montreal Harbour Commissioners' Act Amt. B. 110 (Sir *Charles Hibbert Tupper*) in Com., 4645 (ii).

Morgan, A.E.D. (Personal Explanation) 6522 (ii).

N.-W. Mounted Police Act Amt. B. 121 (Mr. *Ives*) on M. for 2^o, 4592 (i).

N. W. T. Act Amt. B. 5 (Mr. *Daly*) in Com., 2490.

— Act. Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3^o, 6105 (ii).

Laurier, Hon. W.—Con.

- Order (Ques. of) Insincerity charged against Member objected to, 2166 (i).
 — Ques. of (Sir *Richard Cartwright*) 1744 (i).
 — Ques. of (Sir *John Thompson*) unparliamentary language, 4341, 5385 (ii).
 Pontiac Pacific Junction Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Haggart*) 6283 (ii).
 Privilege, Ques. of (Sir *John Thompson*) par. in *Free Press* criticizing Mr. Speaker's action, 1963.
 Public Accounts Com., substitution of Name (M.) 2136 (i).
 — 3rd Rep. (consdn. m.) 1965 (i).
 — 10th Rep., on conc., 5968 (ii).
 — Examination of Auditor General, on prop. M., 2487 (i).
 — Powers and Functions (remarks) 2638 (i).
 Quebec Dill Shed, Modern Guns (Ques.) 1793 (i).
 — West Representation, Vacancy (remarks) 5969 (ii).
 Questions put by Members, on M. to adjn. Hse. (remarks) 759 (i).
 Railway Passenger Tickets, Sale, B. 163 (Mr. *Haggart*) on M. for 1°, 6046 (ii).
 — Subsidies to Quebec (B. 150) for Com. on Res. (Sir *John Thompson*) 4820; on M. for 3°, 5155 (ii).
 Redistribution Act Amt. B. (remarks) 4306 (ii).
 Saugeen Indians' Fishing Rights in French Bay (M. for Pets., &c.*) 1990 (i).
 Sault St. Louis Seignior B. 97 (Mr. *Daly*) in Com., 4893 (ii).
 Seignior of St. Louis B. 97 (Mr. *Daly*) on M. for 1°, 2130 (i).
 Sheik's Island Dam, papers (remarks) 3534, 3601.
 — in Com. of Sup., 4153 (ii).
 — (Mr. *Rubidge's* Rep.) 4312 (ii).
 Ships' Safety Act Amt. B. 98 (Sir *Charles Hibbert Tupper*) in Com., 4587 (ii).
 St. Fortunat de Wolfeston Postmaster, Dismissal (M. for O. C., &c.*) 1036 (i).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) on M. for Com. on Res. 6380; in Com., 6267, 6386, 6419; on 2° of Res. (Amt.) 6466; neg. (Y. 20, N. 50) 6470 (ii).
 Subsidy to S.S. Line to France (Ques.) 947 (i).
 SUPPLY : on M. for Com. (remarks) 3175 (i).
 Arts, Agriculture, &c. (Columbian Exhibition) 5499 (ii).
 Canals—Capital (Cornwall) 2524, 5114, 5137; conc., 5158; (Lachine, construction) 5497; (Soulanges) 3519; (St. Lawrence River, &c.) 4153.
 Income: (Lachine) 5448. (Miscellaneous) 6460.
 Charges of Management (Mr. *Skinner's* services) 5367 (ii).
 Collection of Revenues: Customs (Board, &c.) 5082.
 Railways: I.C.R. (Martin's claim) 6463 (ii).
 Dominion Lands—Income (Agents) 4939; (Homestead Inspectors) 4930 (ii).
 Govt. of N.W.T. (Lieut.-Gov.'s Expend.) 4915 (ii).
 Indian Affairs (Man. and N.W.T.) 4852; (Ont. and Que.) 4824; (School Funds) 4840 (ii).

Laurier, Hon. W.—Con.

SUPPLY—Con.

- Legislation : House of Commons (Translators) 5224; (Voters' Lists) 3492 (ii).
 Marine Hospitals (Que., N.B., &c.) 4737 (ii).
 Militia (Clothing, &c.) 5429 (ii).
 Miscellaneous (Parliamentary Papers) 4896; (Intercolonial Convention) 5537; (Liquor Traffic Commission) 5540 (ii).
 Mounted Police (Forage) 4635; (Subsistence) 4633.
 Public Works—Income: Buildings (Quebec) 4433.
 Dredging (Ontario and Quebec) 4620; (Plant) 4603. Harbours and Rivers (Quebec) 4470 (ii).
 Railways—Capital: C.P.R., 3503; I.C.R. (Original construction) 3508; (St. Charles Branch) 3510.
 Litigation, &c., 3519 (ii).
 Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4956; (Amt.) (Y. 42, N. 51) 5013 (ii).
 Tea and Coffee, Imports under New Tariff (remarks) 521, 755 (i).
 Thousand Islands, Sales, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 4413 (ii).
 Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edgar*) to M. for 2°, 5649; (Amt.) 5686; neg. (Y. 56, N. 109) 5687 (ii).
 Turcotte, Mr., M.P., on M. (Mr. *Bruneau*) to ref. Stmt. to Priv. and Elec. Com., 2785 (i).
 — on M. (Mr. *Bruneau*) to ref. to Sel. Com., 2934 (ii).
 — Rep. of Com. on Priv. and Elec. (remarks) 3868; 4th and 5th Repts. (remarks) 5575 (ii).
 Voters' List, Instructions to Revising Officers (remarks) 2786 (i).
 — par. in *Montreal Gazette* (remarks) 5968.
 Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1224 (i).
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1328, 1355, 1360. Res. 3 (books) 1909; (champagne) 1475; (cotton, grey) 2549; (enamelled ware) 2513; (farm wagons, &c.) 2400; (Indian corn) 1558; (iron bars) 2504; (iron manufactures) 2715; (iron, scrap) 2342; (remarks) 3014; (stearine) 2214; (sugar, &c.) 2408; (opium) 1477; (wood pulp) 2515 (i).
 Concurrence (acetic acid) 4617; (opium, crude) 4013.
 Willie McGowan, Illegal Seizure, on M. for Cor., 1572 (i).
 Witnesses on Oath, Examination, on Amt. (Sir *Richard Cartwright*) to M. for Com. on Ways and Means, 1880, 1897 (i).
 Yamaska River Dam, Sums paid on construction (M. for Stmt.) 1575 (i).
- Lavergne, Mr. J., Drummond and Arthabaska.**
 Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2926 (i).
 Coal Oil Duties, Repeal, &c. (Ques.) 1970 (i).
 Farm Implements, &c., Free Entry (Ques.) 1971.
 Fishery Warden on Labrador Coast (Ques.) 5691.
 Infantry School, Montreal, proposed (Ques.) 4476.
 Schools of Man. and N.W.T., Printing Pet. of Bishops (Ques.) 4309 (ii).

Lavergne, Mr. J.—Con.

South-eastern Ry., Sections abandoned by Co. (Ques.) 1116 (i).

SUPPLY :

Agriculture (Year-book) 4127 (ii).

Tariff Inquiries, Controller's Visits (Ques.) 1971.

— Finance Minister's Visits (Ques.) 1971 (i).

— Ministerial Inquiries, Places Visited (Ques.) 2620 (i).

Leclair, Mr. P., Terrebonne.

School Law of P. E. I. (M. for papers, &c.*) 450.

Leduc, Mr. J. H., Nicolet.

Fishery Instructions in Berthier, Maskinongé, &c., Counties (Ques.) 79 (i).

Nicolet Cathedral, Disallowance of Local Act *re* Money Vote (Ques.) 2621 (i) ; 4717 (ii).

Legris, Mr. J. H., Maskinongé.

Man. and N.W.T. Schools, on M. for Cor., 2020 (i).

Supreme Court Judges' Superannuation B. 89 (Sir John Thompson) in Com., 5009 (ii).

Yamachiche Wharf, Construction, &c. (Ques.) 3765 (ii).

— Amounts Paid, &c. (Ques.) 946 (i).

Lépine, Mr. A. T., East Montreal.

Inspector of Vessels, Montreal (Ques.) 2413 (i).

Judges in Prov. of Quebec (Ques.) 1789 (i).

Labour Statistics, Establishment of Bureau (M. for Ret.) 2186 (i).

Lippe, Mr. U., Joliette.

Subsidies (Money) to Rys. B. 169 (Mr. Haugart) in Com. on Res., 6393 (ii).

Lister, Mr. J. F., West Lambton.

Contractor's Deposits with Govt. (M. for Stmt.*) 2424 (i).

Criminal Code, 1892, B. 126 (Sir John Thompson) in Com., 5470 (ii).

Davis, Messrs., Security for Contract (Ques.) 3604.

Fishery Regulations in Ont. (Ques.) 843 (i).

Fishing (Seine) Licenses in Ont. (Ques.) 950 (i).

— with Gill-nets, Regulations (Ques.) 1969.

Govt. Property in London, Lease, &c. (Ques.) 3766.

Grand Jurors (Ont.) Reduction in Number B. 24 (Mr. Edgar) on M. for 2°, 2340 (i).

Hilton, Govt. Dock (Ques.) 1969 (i).

— Cost (Ques.) 1788 (i).

— Extension (Ques.) 3090 (i).

— Title to Land (Ques.) 2620 (i).

Judges (Junior) Prov. of Ont. (M. for Ret.*) 3301.

Kemptville Postmaster, Charges against (Ques.) 3872 (ii).

Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2748 (i).

Montreal Park and Island Ry. Co.'s B. 68 (Mr. Girouard, Jacques Cartier) in Com. (explanation) 5521 ; in Com., 5298 (ii).

Ont. Fisheries, on M. for Ret., 1587 (i).

Pontiac Pacific Junction Ry., on M. for Com. of Sup. (remarks) 5425 (ii).

Lister, Mr. J. F.—Con.

Public Accounts Com., 1st and 2nd Reps., on Amt. to Amt. (Sir Charles Hibbert Tupper) 1667 (i).

Soulanges Canal, Contractors' Securities (Ques.) 3766 (ii).

SUPPLY :

Administration of Justice (Supreme Court) contingencies, 334 ; *Library*, 3345 (ii).

Superannuation (Mr. Wallace) 5489 (ii).

Trade and Commerce (Commercial Agencies) 5486.

Timber Limits in Shell River District, Rent Arrears (Ques.) 1969 (i).

— Sales on Indian Reserves, on Amt. (Sir John Thompson) 1409 (i).

Turcotte, Mr., M.P., 4th Rep. of Com. on Priv. and Elec., on conc., 5912 (ii).

Witnesses on Oath, Examination, on Amt. (Sir Richard Cartwright) to M. for Com. on Ways and Means, 1884 (i).

Ways and Means—The Tariff :

In Com. (coal oil) 2249 (i).

Lowell, Mr. J. A., Welland.

Alien Labour Law of U.S. (Ques.) 4307 (ii).

Lundy's Lane, commemoration of Battle (Ques.) 4307 (ii).

Niagara Falls Suspension Bridge Co.'s (B. 65) 1*, 1113 (i).

— River, Dumpage of Garbage, &c. (Ques.) 4307 (ii).

Ste. Anne de la Pérade Landslide (Ques.) 3089 (i).

SUPPLY :

Collection of Revenues : Canals (Salaries, &c.) 4164 (ii).

Militia (Monuments) 6249 (ii).

Macdonald, Mr. A. C., King's, P.E.I.

SUPPLY :

Fisheries (Fish-breeding) 4747 (ii).

Public Works—*Income* : Dredging (N.S. and P.E.I.) 4609 (ii).

Ways and Means—The Tariff :

In Com. (fish, pickled) 2685 (i).

Macdonald, Mr. P., East Huron.

Address, The, on conc., 80 (i).

Atlantic S.S. Service, Fast, B. 161 (Mr. Foster) on M. for 2°, 5942 (ii).

Bowell, J. C., Services (Ques.) 947 (i).

Coal Oil, Imports in Tank Cars (M. for Ret.*) 514 (i).

Hastings (North) Mail Service (Ques.) 3092 (i).

Ont. Legislature, Appmts. of Members by Dom. Govt. (M. for Ret.*) 453 (i).

— Payment of Members by Dom. Govt. for Services (M. for Ret.*) 452 (i).

Returns *re* Ont. Local Legislators (inquiry) 2786 (i).

Sault Ste. Marie Canal, Tonnage of Vessels (M. for Ret.) 1035 (i).

Supreme Court Judges' Superannuation B. 89 (Sir John Thompson) in Com. 4993, 5000 (ii).

Macdonald, Mr. P.—Con.

Treaty with France Ratification B. 147 (Mr. Foster) on Amt. (Mr. O'Brien) to M. for 2°, 5586 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 536 (i).
In Com. (farm products) 1536 (i).

Macdonell, Mr. G. H., Algoma.

Lord's Day Observance B. 2 (Mr. Charlton) on Order for 3° (M. to recom.) 4087 (ii).

Montreal, Ottawa and Huron Canal Co.'s incorp. (B. 138) 1°*, 4101 (ii).

Ont. Fisheries, on M. for Ret., 1596 (i).

Ways and Means—The Tariff :

In Com. (firewood, handles, &c.) 2945; (sawed boards, &c.) 2984; (saw-logs) 2945 (i); (scrap iron) 2347 (i).

Macdowall, Mr. D. H., Saskatchewan.

Ways and Means—The Tariff :

In Com. (India-rubber boots) 2126 (i).

Maclean, Mr. W. F., East York.

Atlantic S.S. Service, Fast, in Com. on Res., 5771.

Electric Meters, Legislation *re* Inspection (Ques.) 1117 (i).

Electric Light Inspection B. 118 (Mr. Wood, Brockville) in Com., 5052 (ii).

French River Boom Co.'s incorp. (B. 100) 1°*, 2211.

Logs, Export Duty, on M for Com. of Sup. (remarks) 4209 (ii).

Lord's Day Observance B. 2 (Mr. Charlton) on M. for 2°, 2335 (i); in Com., 3429 (ii).

Prohibition of Liquor Traffic, on prop. Res. (Mr. Flint) 2484 (i).

Railway Act Amt. (B. 61) 1°*, 1030 (i).

SUPPLY :

Public Works—Income: Buildings (Repairs, &c., Ottawa) 444 (ii).

Treaty with France Ratification B. 147 (Mr. Foster) on Amt. (Mr. O'Brien) to M. for 2°, 5598; in Com. 5700 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 848 (i).

In Com. (books) 1907; (live hogs) 1483 (i); (nuts or bolts, iron or steel) 3318 (ii); (saw-logs) 2979; (scrap iron) 2370; (wool manufactures) 3031 (i).

Concurrence (agricultural implements) 4019; (portable machines) 4024; (steel rails) 4031 (ii).

McAllister

Logs, Export Duty, on M. for Com. of Sup. (Ques.) 4206 (ii).

McCarthy, Mr. D., North Simcoe.

Atlantic S.S. Service, Fast, B. 161 (Mr. Foster) on M. for 2°, 5944; in Com., 5973 (ii).

C.P.R., Drawbacks on Iron, &c., Bridges, on prop. Res. (Mr. Haggart) 5534; in Com. on Res., 6013; B. 159 (Mr. Daly) in Com., 6037 (ii).

Canal Inspector Appmt. (Ques.) 4718 (ii).

McCarthy, Mr. D.—Con.

Church Articles, Free Entry (M. for Ret.) 3121.

Corby, Mr., M.P. for W. Hastings, on Resignation (remarks) 4813 (ii).

Criminal Code, 1892, B. 126 (Sir John Thompson) in Com., 5470; on M. for 3°, 5532 (ii).

Cruelty to Animals prevention B. 4 (Mr. Coatsworth) in Com., 3650, 4518 (ii).

Dom. Lands B. 160 (Mr. Daly) in Com., 6066 (ii).

Notes Act Amt. B. 165 (Mr. Foster) in Com., 6265 (ii).

Ellis, Mr., Imprisonment, on Amt. (Mr. Davies, P.E.I.) to Com. on Ways and Means, 3856 (ii).

Govt. Business, precedence on Wednesdays, on prop. Res. (Sir John Thompson) 3449 (ii).

precedence on Mondays, on M. (Sir John Thompson) 4814 (ii).

Queen's Birthday, Adjmt. (remarks) 3172 (ii).

Grand Jurors (Ont.) Reduction of Number B. 24 (Mr. Mulock) in Com., 4515 (ii).

Grant, John G., Landing-waiter at Barrie, Dismissal (Ques.) 4196 (ii).

Hickey, Geo., Emplmt. as Canal Inspector (Ques.) 5044 (ii).

Immoral Literature Imported at Montreal (Ques.) 5530 (ii).

on M. for Com. of Sup. (remarks) 6304 (ii).

Indian Act Amt. B. 116 (Mr. Daly) in Com., 5544 (ii).

Insurance Act Amt. B. 111 (Mr. Foster) in Com., 5854; on 2° of Amts., 6054 (ii).

Interest on Dominion Stock, non-payment (Ques.) 5775 (ii).

Judiciary of Quebec, on Mr. Tarte's Charges (remarks) 6228 (ii).

Land Grants, Man. University, on M. for Com. of Sup. (remarks) 3482 (ii).

Man. and North-Western Ry. Co.'s B. 108 (Mr. Taylor) in Com., 4046 (ii).

N.W.T. Act. Amt.—Dual Language—(B. 10) 1°, 138 (i).

Act Amt. B. 149 (Sir John Thompson) on M. for 3° (Amt.) 6080, 6148; neg. (Y. 21, N. 114) 6153 (ii).

Order (Ques. of) in Com. on B. 4, 4536 (ii).

Quebec West, Representation, Vacancy (remarks) 5969 (ii).

Return, Inquiry for, 4720 (ii).

St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res. (Mr. Haggart) 6272 (ii).

Senate and House of Commons B. (Sir John Thompson) in Com. on Res., 6029 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. Haggart) in Com. on Res., 6268 (ii)

SUPPLY :

Canals—Capital (Cornwall) 3525 (ii).

Railways—Capital: I. C. R. (St. Charles Branch) 3514 (ii).

Miscellaneous (Liquor Traffic Commission) 5540 (ii).

McCarthy, Mr. D.—Con.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edgar*) to M. for 2°, 5666; in Com., 5695 (ii).

Turcotte, Mr., M. P., Rep. of Com. on Priv. and Elec. (remarks) 3871 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1151 (i).

McDonald, J. A., Victoria, N.S.

SUPPLY :

Fisheries (Legal expenses) 5028 (ii)

McDonald, Mr. W. W., East Assiniboia.

Freight Rates in N.W.T., on M. for Com. of Sup. (remarks) 5370 (ii).

SUPPLY :

Dominion Lands: Income (Agents) 4936.

Govt. of the N. W. T. (Insane Patients, &c.) 4921.

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1020 (i).

In Com. (eggs) 2688; (farm products) 1532; (India-rubber boots) 2126 (i); (sawed boards, &c.) 2986.

Wood Mountain and Qu'Appelle Ry. Co.'s (B. 20) 1°, 596 (i).

McDougald, Mr. J., Pictou.

Coal Imports *via* G. T. R. (Ques.) 2412 (i).

McDougall, Mr. H. F., Cape Breton.

Willie McGowan, Illegal Seizure (M. for Cor.) 1570 (i).

McGregor, Mr. W., North Essex.

C.P.R. Land Grant B. 159 (Mr. *Daly*) in Com., 6042 (ii).

Fisheries of Ont. (M. for O. C.'s., &c.*) 1579, 2075 (i).

Lake Erie and Detroit River Ry. Co., &c. (B. 82) 1°, 1219 (i).

Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5559 (ii).

St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2116 (i).

SUPPLY :

Arts, Agriculture, &c. (Experimental Farms) 5463.

Collection of Revenues (Customs) Miles Cowan, 5464.

Penitentiaries (Manitoba) 3360 (ii).

Quarantine (Cattle) 4338.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2°, 5592 (ii).

Ways and Means—The Tariff :

In Com. : Res. 1 (Customs Acts Amts., definitions, &c.) 1390 (i).

McInerney, Mr. G. V., Kent, N.B.

Moncton and P. E. I. Ry. and Ferry Co.'s Act Amt. (B. 103) 1°, 2289 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 559 (i).

In Com. (iron tubing) 2519, 2526; (cordage) 2658 (i).

McKay, Mr. A., Hamilton.

Colonial Mutual Life Association incorp. (B. 114) 1°, 3077 (i).

Filman, Joshua, Relief (B. 109) 1°, 2937 (i).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2143 (i).

Tea and Coffee, Imports under New Tariff (remarks) 521 (i).

Welland Power and Supply Co.'s B. 49 (Mr. *McKay*) incorp. (B. 49) 1°, 841; in Com., 2725.

Ways and Means—The Tariff :

In Com. (lamp chimneys) 2102 (i); (nuts, &c., steel or iron) 3318 (ii).

McLean, Mr. J., King's, P.E.I.

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) in Com., 5571 (ii)

Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5567 (ii).

Ways and Means—The Tariff :

In Com. (coal oil, &c.) 2244; (starch) 1774 (i).

McLennan, Mr. R. R., Glengarry.

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3620 (ii).

— Liability for Labour on Public Works (B. 69) 1°, 1115 (i).

Reformatory for Dom., Establishment (Ques.) 6522 (ii).

Return Fare Tickets on Rys. (B. 70) 1°, 1116 (i).

Volunteers of 1837-38 (Ques.) 4192 (ii).

McLeod, Mr. E., St. John City, N.B.

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies*, *P.E.I.*) to Com. on *Ways and Means*, 3832 (ii).

McMillan, Mr. J., South Huron.

Address, The, on conc., 95 (i).

Cattle Embargo by Great Britain, on M. for Ret., 1822 (i).

— Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 1°, 131 (i).

— Trade (remarks) 3175 (i).

— Transit through Canada, on Amt. (Mr. *Edgar*) to M. for Com. of Sup., 5361 (ii).

Cheese Inspection at Montreal (remarks) 2489 (i).

— Weighing, on M. for Com. on *Ways and Means* (remarks) 2497 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3660, 4088 (ii).

Elgin and Woodstock Creameries, Ret. (Ques.) 2623 (i).

General Inspection Act Amt. B. 125 (Mr. *Wood*, *Brockville*) in Com., 3542 (ii).

Mail Contract, County of Huron (Ques.) 1566 (i).

Seaforth as an Outport of Entry (Ques.) 3766 (ii).

SUPPLY :

Arts, Agriculture, &c. (Columbian Exhibition) 5498.

(Dairy Commissioner) 4296; Experimental Farms, 4286, 5462.

Miscellaneous (Seed Grain) 5506.

Penitentiaries (Kingston) 5219.

McMillan, Mr. J.—Con.SUPPLY—*Con.*

Public Works: Income—Buildings (Experimental Farms) 5232.

Quarantine (Cattle) 4381.

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) on M. for Com., 620 (i).

In Com. (axes, &c.) 2799; (drain tiles) 2094; (Indian corn) 1540; (iron, &c., bars) 2505; (iron tubes, not welded) 2998; (oatmeal) 1716; (rove) 2663; (seeds) 1776, 1390; (wheat) 1740, 1771; (wool) 2674 (i).

McMullen, Mr. J., North Wellington.

Agriculture, Deptl. Rep., presentation (remarks) 4102 (ii).

Atlantic S.S. Service, East (Mr. Foster) in Com. on Res., 5753, 5762; in Com., 5972; on 2° of Res., 5776; on M. for 2°, 5936 (ii).

Bancroft, Connolly & Co., Contract *re* Graving Dock, on Amt. (Mr. Laurier) to Com. of Sup., 6446 (ii).

Bounty on Pig Iron, in Com. on Res. (Mr. Foster) 6476 (ii).

Bowell, J. C., Services (Ques.) 947 (i).

Bribery and Disfranchisement B. 6 (Mr. Weldon) in Com., 3398 (ii).

Brown, Gilpin, Appmt. in Mounted Police (Ques.) 2566 (i).

Buildings in N. W. T., Ret. (Inquiry) 5370, 5531 (ii).

Butter Manufactured at Experimental Creameries (M. for Ret. *) 451 (i).

Campbellford sub-Collector of Customs (Ques.) 3090 (i).

C.P.R., Drawbacks on Iron and Steel Bridges B. 166 (Mr. Haggart) in Com. on Res., 6011; on Amt. (Mr. Mulock) 6373 (ii).

— Land Grants B. 159 (Mr. Daly) on M. for 2°, 6034 (ii).

Cattle, Ocean Freight Rates B. 8 (Mr. Mulock) on M. for 1°, 132 (i); 2° m., 4545 (ii).

— (Can.) Slaughtered in Great Britain (remarks) 2041 (i).

— Embargo by Great Britain (M. for Ret.) 1800 (i).

— Transit through Can., on M. for Ret., 4493 (ii).

— On Amt. (Mr. Edgar) to Com. of Sup., 5343 (ii).

Civil Service Superannuation B. 7 (remarks) 2341 (i).

Cockburn Island Wharf, &c., Total Cost (M. for Ret. *) 450 (i).

Corn, Rebate of Duty on Imports (Ques.) 841 (i).

County Court Judges, B. C., in Com. on Res. (Sir John Thompson) 3558, 3562 (ii).

Cruelty to Animals prevention B. 4 (Mr. Coatsworth) in Com., 3657 (ii).

Cullers' Office, Que., Number, &c. (Ques.) 1567.

Customs sub-Collector at Campbellford, Suspension (Ques.) 368 (i).

McMullen, Mr. J.—Con.

Dillon, James St. George, Relief B. 148 (Mr. Sutherland) 2° m., 5108 (ii).

Daggan, E., Superannuation (Ques.) 1711 (i).

Exports to U.S., on M. for Ret., 1853 (i).

Ferland, Pierre, Appmt. as Stave Culler (Ques.) 1711 (i).

Fitzroy-Galetta Mail Service (Ques.) 1398 (i).

Flour, Free Imports for Deep-Sea Fisheries (Ques.) 842 (i).

Furlow, Pierre, Appmt. as Stave Culler (Ques.) 1567 (i).

General Inspection Act Amt. B. 125 (Mr. Wood, Brockville) in Com., 3543 (ii).

Govt. Buildings in Man. and N.W.T., Total Cost (M. for Ret. *) 450 (i).

— Business, Adjmt., Queen's Birthday (remarks) 3168 (i).

— precedence on Wednesdays, on prop. Res. (Sir John Thompson) 3442 (i).

Govt. Property in London, Lease, &c. (Ques.) 3766 (ii).

Halifax Drill Shed, in Com. of Sup., 4424 (ii).

Indian Act Amt. B. 116 (Mr. Daly) in Com., 5552 (ii).

— Industrial Schools, N.W.T., Number, &c. (Ques.) 2567 (i).

Inland Revenue, Drawbacks, in Com. on Res. (Mr. Wood, Brockville) 5173 (ii).

Insurance Act Amt. B. 111 (Mr. Foster) in Com., 5882 (ii).

Lachine Canal Bridges, Expenditure, on Amt. (Sir Richard Cartwright) to Com. of Sup., 6343.

Letter Box (Street) Contract, Montreal (Ques.) 1397 (i).

Lord's Day Observance B. 2 (Mr. Charlton) on M. for 2°, 2334 (i); in Com., 3416, 3642; on Amt. (Mr. Mara) to recom., 4078 (ii).

Man. and North-western Ry. Co.'s B. 108 (Mr. Taylor) in Com., 4049 (ii).

McNab & Gallagher, Purchase of Land (M. for O.C. *) 2425 (i).

McQueen, Fishery Overseer, Dismissal, on M. for Ret., 1990 (i).

N.W. Mounted Police Acts Amt. B. 121 (Mr. Ives) in Com., 4646 (ii).

N.W.T. Act Amt. B. 149 (Sir John Thompson) on Amt. (Mr. McCarthy) to M. for 3°, 6143 (ii).

Ottawa City Mail Service, Contract (Ques.) 3091

Park and Island Ry. Co.'s B. 68 (Mr. Girouard, Jacques Cartier) 5484 (ii).

Pontiac Pacific Junction Ry. Co.'s Subsidy, in Com. on Res. (Mr. Haggart) 6283 (ii).

Private Bills, on M. (Mr. Tisdale) to place on Order Paper (objection) 5520 (ii).

Privilege (Ques. of) Newspaper criticism of Speech, 2786 (i).

Public Buildings, Man. and N.W.T., Ret. (Ques.) 2297 (i); Ret. (inquiry) 5775, 6358 (ii).

Questions put by Members, on M. to adjn. Hse., 760 (i).

McMullen, Mr. J.—Con.

- Rebates on Manufactured Goods (M. for Ret. *) 2425 (i).
- Returns (inquiry) 5467 (ii).
- St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Huqart*) 6270.
- Senate and House of Commons Indemnity B. 164 (Mr. *Foster*) in Com., 6259 (ii).
- Soulanges Canal, Contractors' Securities (Ques.) 3766 (ii).
- Subsidies (Land) to Rys. B. 159 (Mr. *Daly*) in Com. on Res., 6072, 6377 (ii).
- (Money) to Rys. B. 169 (Mr. *Huqart*) in Com. on Res., 6268; on M. for Com. on Res., 6384; in Com., 6386, 6419 (ii).
- Superannuation, Abolition, on M. for Com. of Sup., 4316; (Amt.) 4321; neg. (Y. 55, N. 91) 4370 (ii).
- (Civil Service) Act Amt. (B. 17) 1^c, 367 (i).
- Contributors to Fund, Inside and Outside Service (M. for Ret. *) 1036 (i).
- Number of Contributors (Ques.) 753 (i).
- SUPPLY: in Com. (remarks) 3179 (i).
- Administration of Justice* (Exchequer Court) contingencies, 3345; (Judges' Travelling Expenses, N.W.T.) 3340; (Official Arbitrators) 3341; (Supreme Court) 3342; Library, 3345; Reports, 3344 (ii).
- Agriculture* (Year-book) 4126 (ii).
- Arts, Agriculture, &c.* (Columbian Exhibition) 5497 (ii).
- Canals—Capital* (Lachine) 4159; (Murray) 4154; (Sault Ste. Marie) 4159; (Trent) 4157; (Cornwall) 3521; (Soulanges) 3520. *Income*: (Cornwall) 6458; (Lachine) 5449; (Miscellaneous) 6458; (Trent Valley) 5446 (ii).
- Charges of Management* (Asst. Receiver, Halifax) 3183; (Bill Stamps, &c.) 3199; (Brokerage) 3199; (Inspector) 3180; (Printing Notes) 3199; (Savings Banks) 3193 (i).
- Civil Government* (Gov. Gen. Sec.'s Office) 3200, contingencies 3266; (Interior) 3201; (High Commissioner) contingencies, 3246 (i); (Marine and Fisheries) contingencies, 3274 (ii); (Printing and Stationery) 3200; (Privy Council) 3200 (i) 5215 (ii); (Public Works) 3235; (Trade and Commerce) 3238 (i).
- Collection of Revenues*: Canals (Salaries, &c., 4164. Customs (Board, &c.) 5087; (B.C.) 5077; (N.B.) 5067; (N.S.) 5067; (Provinces generally) 5080; (Que.) 5069. Post Office (Mail Service) 4167, 5480; (Vancouver, B.C.) 6464. Railways: I.C.R. (Accident at Lévis) 6462; (I.C.R.) 5151. Railways and Canals, (Miscellaneous) 4163; (Weights and Measures) 5476 (ii).
- Dominion Police*, 3347 (ii).
- Legislation*: House of Commons (Extra Clerks) 3492. Library (Messengers) 5228; (Salaries, &c.) 3499; (Printing, &c.) 3500; (Salaries) 3490; (Voters' Lists) 3494. Senate (Salaries, &c.) 3485 (ii).
- Miscellaneous* (Liquor Traffic Commission) 5539 (ii).
- Mounted Police* (Buildings, &c.) 4641; (Clothing) 4635; (Forage) 4633; (Hospitals, &c.) 4636; (Pay of Force) 4629; (Renewal of Arms) 4636; (Scouts, &c.) 4636 (ii).

McMullen, Mr. J.—Con.

SUPPLY—Con.

- Penitentiaries* (B.C.) 3366; (Kingston) 5219, 5514; (Manitoba) 3357, 5229; (St. Vincent de Paul) 3347 (ii).
- Pensions* (Militiamen of 1885) 3502 (ii).
- Public Works—Income*: Buildings (N.S.) 4424; (N.W.T., Lieut.-Gov.'s residence) 6486; (Repairs, &c., Ottawa) 4443. Dredging (Vessels, repairs) 4607; (Ont. and Que.) 4620; (Plant) 4603. Harbours and Rivers (Ont.) 6506. Miscellaneous (Rosa, Jos.) 6512. Roads and Bridges (Burlington Channel Bridge) 6510 (ii).
- Quarantine* (Cattle) 4374, 4377; (Salaries, organized districts) 4373 (ii).
- Railways—Capital*: I. C. R., 3504; (Accommodation at Ferona) 5064; (Bedford Branch) 5065; (Cape Breton and New Glasgow) 6355; (Dartmouth Branch) 3519; (Indiantown Branch) 3517; (Rolling Stock) 3506; (St. Charles Branch) 3510; (Sydney Branch, Extension) 3518 (ii).
- Superannuation* (Mr. Wallace) 5488 (ii).
- Trade and Commerce* (Commercial Agencies) 5487.
- Tay Canal, on Amt. (Mr. *Charlton*) to Com. of Sup., 4118 (ii).
- Telephone accommodation in Corridor of Hse. (remarks) 3600 (ii).
- Timber Dues collected at Quebec (M. for Ret. *) 1036 (i).
- Culled and Fees collected at Montreal (M. for Ret. *) 1036 (i).
- Cullers, Montreal, Fees Collected, &c. (Ques.) 754 (i).
- Treaty with France Ratification B. 147 (Mr. *Foster*) in Com., 5701 (ii).
- Ways and Means—The Tariff*, on Amt. (Sir *Richard Cartwright*) to M. for Com., 425 (i).
- In Com. (axes, &c.) 2799; (cane, &c.) 2826 (i); (cloth, not rubber, &c.) 3334; (coal) 3570 (ii); (coal oil, &c.) 2263; (coffins, &c.) 2399; (cordage) 2656; (cotton, gray, &c.) 2533, 2553; (cotton, printed) 2556; (earthenware) 2221; (elastic webbing) 2648 (i); (emery wheels) 3309 (ii); (farm products) 1507, 1522; (iron manufactures) 2716; (iron, &c., nuts) 2531; (iron, scrap) 2346; (iron tubings) 2530; (lamp chimneys) 2103; (live hogs) 1482 (i); (marble slabs, &c.) 3366; (molasses) 3327; (nuts, &c., iron or steel) 3322 (ii); (oats) 1563; (oatmeal) 1716; (opium) 1478; (rice, &c.) 1720 (i), 3575 (ii); (shovels, &c.) 2817; (slates, &c.) 2223 (i), 3307 (ii); (soap, &c.) 1500, 1507; (starch) 1773; (stearine) 2213; (stereotypes) 2826; (sugars, &c.) 2404 (i); (surgical dressings) 3332 (ii); (tallow, &c.) 1497; (tea and coffee) 2064, 1578, 1388; (velvets, &c.) 2646; (wall paper) 1934, 1944, 1749; (wire nails) 2510 (i); (window shades) 3330 (ii).
- Concurrence (agricultural implements) 4019; (Indian corn) 4015; (portable machines) 4024; (shovels, &c.) 4018 (ii).
- Wood, A. F., Govt. Valuator, Amount paid (M. for Ret. *) 453 (i).
- Ret. respecting (Ques.) 2342, 2786 (i).

McNeill, Mr. A., North Bruce.

- Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) on M. for 2°, 5940; in Com., 5984 (ii).
 Cattle, Ocean Freight Rates B. 8 (Mr. *Mulock*) on M. for 2°, 4555 (ii).
 Civil Service Employees, Creed (Ques.) 1117 (i).
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3651, 4518, 4533, 4539 (ii).
 General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3550 (ii).
 Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3619 (ii).
 Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5882 (ii).
 Intercolonial Conference Preferential Trade (remarks) 5467 (ii).
 N. W. T. Act Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3°, 6136 (ii).
 Order, Ques. of (Mr. *Laurier*) Member's sincerity (remarks) 2167 (i).
 ——— (Ques. of) (personalities in deb.) 4989 (ii).

SUPPLY:

- Quarantine* (Cattle) 4376 (ii).
 Timber Sales on Indian Reserves, on prop. Res. (Mr. *Mills, Bothwell*) 1408 (i).
 Treaty with France Ratification B. 147 (Mr. *Foster*) in Com., 5703 (ii).
Ways and Means—The Tariff:
 In Com. (coal oil, &c.) 2257; (cotton, grey, &c.) 2540; (glass, &c.) 2108; (saw-logs) 2971: (wheat) 1768 (i).
 Wheat Exports, on M. to adjn. Hse. (remarks) 1784 (i).
 Witnesses, Examination on Oath, on Amt. (Sir *Richard Cartwright*) to M. for Com. on Ways and Means, 1893 (i).

Mara, Mr. J. A., Yale.

- Cariboo Ry. Co.'s incorp. (B. 60) 1°, 1030 (i).
 County Court Judges, B.C., in Com. on Res. (Sir *John Thompson*) 3558 (ii).
 Dom. Notes Act Amt. B. 165 (Mr. *Foster*) in Com., 6260 (ii).
 Fortifications at Esquimalt, Chinese Labour (Ques.) 3603 (ii).
 Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3616 (ii).
 Irrigation in N. W. T., B. 134 (Mr. *Daly*) in Com., 4952; 5064 (ii).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3422, 4072; (Amt.) to recom., 4074; agreed to (Y. 60, N. 52) 4081; in Com., 4082.
 Machinery Admitted Duty Free (M. for Ret.*) 452 (i).
 New Westminster and Burrard Inlet Telephone Co.'s (B. 52) 1°, 841 (i).
 Settlers in N. W. T. from U.S., on M. for Ret., 2423 (i).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6397 (ii).
 Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4347 (ii).

Mara, Mr. J. A.—Con.

SUPPLY:

- Fisheries* (Hatcheries) 5021; (Legal expenses) 5029.
Indian Affairs (B.C) 4880; Man. and N.W.T. Schools) 4857 (ii).
Ways and Means—The Tariff:
 In Com. (mining machinery) 3069; (mutton, &c.) 1488; (potatoes) 1505; (rice) 1729; (soaps, &c.) 1501 (i).

Martin, Mr. J., Winnipeg.

- Address, The, on conc., 113 (i).
 Atlantic SS. Service, Fast, in Com. on Res., 5746 (ii).
 Ballot Extension to N.W.T. (B. 7) 1°, 79; 2° m., 2338 (i); M. for Com. withdn., 4088 (ii).
 Bonuses to Rys. or SS. Co.'s *re* Settlers to Man., &c. (M. for Ret.*) 1036 (i).
 Chicago Exhibit, Can. Employees, &c. (M. for Ret.*) 449 (i).
 ——— Exhibition, Ret. (inquiry) 5531 (ii).
 Columbian Exhibition Ret. (inquiry) 5370 (ii).
 Criminal Code, 1892, B. 126 (Sir *John Thompson*) in Com., 5468; on M. for 3°, 5532 (ii).
 Deaf and Dumb, Man. and N.W.T., Education (Ques.) 3605 (ii).
 Dom. Gas and Electric Co.'s B. 77 (Mr. *Boyd*) in Com., 3077 (i).
 ——— Lands, Sales to Settlers, on Amt. (Mr. *Charlton*) to Com. of Sup., 3919 (ii).
 Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5056 (ii).
 Experimental Farm, Brandon, Out buildings, (Ques.) 2870 (i).
 Freight Rates in N.W.T., on M. for Com. of Sup. (remarks) 5379, 5396.
 Govt. Building in Victoria, B.C., Site, &c. (Ques.) 516 (i).
 ——— Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3632 (ii).
 Half-breed Lands in Man. (M. for Ret.) 1034, 1400 (i).
 Homesteads, Taken in Man., 1892-93 (M. for Ret.*) 449 (i).
 ——— Exemption Act (N.W.T.) Repeal B. 104 (Mr. *Daly*) on M. for 1°, 2290 (i).
 Immigration Agents' Work (M. for Ret.) 2414 (i).
 Interest Act. Amt. B. 129 (Mr. *Foster*) in Com., 4946 (ii).
 Land Grants, Man. University (Ques.) 3091 (i).
 ——— on M. for Com. of Sup., 3451 (ii).
 ——— to Militia B. 54 (Mr. *Daly*) in Com., 4892 (ii).
 Loans to Settlers in Man., on M. for List, 3101.
 Lord's Day Observance B. 2 (Mr. *Charlton*) on Amt. (Mr. *Bennett*) to recom., 4086 (ii).
 Man. and North-western Ry. Co.'s B. 108 (Mr. *Taylor*) on M. for 2°, 3088 (i); Com., 4040 (ii).
 Member's Son, Emplmt. by Govt. (Ques.) 2871.
 Member for Winnipeg, Ques. respecting (remarks) 1565 (i).
 National Park, Sale of Town Lots (Ques.) 2567 (i)

Martin, Mr. J.—Con.

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) on M. for 2^o, 4592; in Com., 4664 (ii).

N.W.T. Act Amt. B. 5 (Mr. *Daly*) in Com., 2493, 2788 (i).

— Representation Act Amt. B. 5 (Mr. *Daly*) on M. for 1^o, 79 (i).

Penitentiaries, Prisoners Deceased (M. for Ret. *) 449 (i).

Revising Officers in Man., Appmt. (Ques.) 3605.

Settlers (U.S.) in N.W.T. (M. for Ret.) 2415

St. Andrew's Rapids (Man.) Improvements (M. for O.C., &c.) 1972 (i).

St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2117 (i).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2158 (i).

SUPPLY :

Collection of Revenues: Post Office (Mail Service) 4175; Excise (Preventive Service) 4760 (ii).

Dom. Lands—Income: (Agents) 4932; (Surveys) 5018.

Govt. of N. W. T. (Insane Patients) 4921: (Schools) 4921 (ii).

Immigration (Agents' Salaries) 4791; (Expenses) 4804 (ii).

Indian Affairs (Man. and N.W.T.) 4849; (Schools) 4872; (Supplies) 4849 (ii).

Legislation: House of Commons (Translators) 5223 (ii).

Public Works—Income: Dredging (Man.) 4622 (ii).

Tariff Commissioners, Ret. respecting (Que.) 1568, 2298 (i).

— Revision, Ministers' and Controllers' Trips, Cost, &c. (M. for Ret. *) 449 (i).

Timber Sales in Man. (M. for Ret. *) 2424 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 966 (i).

In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1368, 1376, 1393. Res. 3 (apples) 1504; (axes, &c.) 2807, 2813; (barrels, petroleum) 2690; (farm products) 1524; (flax seeds) 2723 (i); (galvanized wire) 3591 (ii); (India-rubber boots, &c.) 2126; (iron manufactures) 2716; (lard, &c.) 1496; (live hogs) 1482; (mutton, &c.) 1487; (pine clapboards) 2889; (rice) 1739; (sawed boards, &c.) 2980; (soap) 1499; (wheat) 1739 (i).

Winnipeg Standard, Govt. Advertising (Ques.) 754, 841 (i).

Masson, Mr. J., North Grey.

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 3373 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3650 (ii).

Dillon, Jas. St. George, Relief, B. 148 (Mr. *Sutherland*) on M. for 2^o, 5523; on M. for Com., 5919; Amt., 5923; Agreed to (Y. 64, N. 61) 5925 (ii).

Duluth, Winnipeg and James Bay Ry. Co.'s incorp. (B. 37) 1^o*, 751 (i).

Lachine Canal Bridges, Expenditure, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 6345 (ii).

Masson, Mr. J.—Con.

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3414, 3641 (ii).

Timber Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1417 (i).

Turcotte, Mr., M.P., 4th Rep. of Com. of Priv. and Elec., on conc., 5906 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1188 (i). In Com. (iron manufactures) 2709; (lard, &c.) 1493; (saw-logs, &c.) 2956 (i).

Metcalfe, Mr. J. H., Kingston.

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4540 (ii).

Johnson, Orlando Geo., Relief (B. 136) 1^o*, 4038.

— M. to place 2^o on Order Paper, 4189 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 999 (i).

Mignault, R. M. S., Yamaska.

Yamaska River Dam, Obstruction (Ques.) 4888.

Miller, Mr. A. C., Prince Edward.

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3664 (ii).

Mills, Hon. D., Bothwell.

Address, The, on conc., 106 (i).

Atlantic S.S. Service, Fast, B. 161 (Mr. *Foster*) on M. for 2^o, 5936; in Com., 5975 (ii).

Behring Sea Regulations, Legislation (remarks) 154 (i).

Boundaries of Prov. of Que., on M. for Cor., 1570 (i).

Bounty on Pig Iron, in Com. on Res. (Mr. *Foster*) 6473 (ii).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) on M. for 2^o, 2338; in Com., 2573 (i), 3297, 3384 (ii).

C.P.R., Drawbacks on Iron and Steel Bridges B. 166 (Mr. *Haggart*) in Com. on Res., 6010; in Com. on B., 6266; on Amt. (Mr. *Mulock*) 6374.

— Land Grants B. 159 (Mr. *Daly*) on M. for 2^o, 6033; in Com., 6036 (ii).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3652, 4093 (ii).

Dom. Elections Act Amt. B. 128 (Sir *John Thompson*) in Com., 6479 (ii).

— Gas and Electric Co.'s B. 77 (Mr. *Boyd*) in Com., 3081 (i).

— Irrigation B. 134 (Mr. *Daly*) on M. for 1^o, 3670 (ii).

— Lands, Sales to Settlers, on Amt. (Mr. *Charlton*) to Com. of Sup., 3959 (ii).

— Lands B. 160 (Mr. *Daly*) in Com., 6065 (ii).

Edmonton Street Ry. Co.'s B. 23 (Mr. *Davis, Alberta*) in Com., 5484 (ii).

Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5049 (ii).

Ellis, Mr., Imprisonment, on Amt. (Mr. *Davies, P.E.I.*) to Com. on Ways and Means, 3767 (ii).

Mills, Hon. D.—Con.

- Fishery Regulations, Lake Erie, on M. for Com. of Sup. (remarks) 4262 (ii).
- Franchise, Electoral, Act Amt. B. 132 (Sir *John Thompson*) on M. for 1^o, 4304; in Com., 6525 (ii).
- Game Preservation, N.W.T., B. 115 (Mr. *Daly*) in Com., 3538 (ii).
- General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3552 (ii).
- Govt. Business, on M. (Mr. *Foster*) to Com. on Ways and Means (remarks) 3019 (i).
- precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3448 (ii).
- Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3625 (ii).
- Governor General's Instructions (remarks) 10 (i).
- Grand Jurors (Ont.) Reduction in Number B. 24 (Mr. *Edgar*) on M. for 2^o, 2340 (i).
- Hudson Bay, Her Majesty's Sovereignty (M. for Cor.) 3276 (i).
- Propagation of Seals (prop. Res.) 3278 (ii).
- Indian Act Amt. B. 116 (Mr. *Daly*) in Com., 5541 (ii).
- Irrigation in N.W.T., B. 134 (Mr. *Daly*) in Com., 5063, 5096 (ii).
- Judiciary, N.B. (remarks) 9 (i).
- Lands in the Territories consolid. B. 162 (Mr. *Daly*) in Com., 6077 (ii).
- Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2209 (i).
- Library of Parliament, 2nd Rep. of Com., conc. (M.) 4393 (ii).
- Lieut.-Governor's Instructions, N.W.T. (remarks) 181 (i).
- Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5558 (ii).
- Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2742 (i).
- London, Industrial Statistics, Ret. (remarks) 5466 (ii).
- Manufacturing Establishments, Ret. *re* (remarks) 3601 (ii).
- Lord's Day Observance B. 2 (Mr. *Charlton*) on M. for 2^o, 2330 (i); in Com., 3640, 4072 (ii).
- Man. and North-western Ry. Co.'s B. 108 (Mr. *Taylor*) in Com., 4048 (ii).
- McCormick's Islands, Ownership (M. for Cor.) 1983 (i).
- McQueen, Fishery Overseer, Dismissal, on M. for Ret., 1989 (i).
- Member for Winnipeg, Ques. respecting (objection) 1565 (i).
- N.W.T. Act Amt. B. 5 (Mr. *Daly*) in Com., 2493.
- Act Amt. B. 149 (Sir *John Thompson*) in Com., 5167; on Amt. (Mr. *McCarthy*) to M. for 3^o, 6119 (ii).
- Order, Ques. of (Mr. *Laurier*) Member's sincerity (remarks) 2167 (i).
- Ques. of (Sir *John Thompson*) unparliamentary language, 5385 (ii).

Mills, Hon. D.—Con.

- Ottawa Electric Light Co.'s B. 74 (Sir *James Grant*) in Com., 3061 (i).
- Petroleum Inspection Act Amt. B. 122 (Mr. *Wood, Brockville*) in Com., 5471 (ii).
- Pontiac Pacific Junction Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Haggart*) 6283 (ii).
- Public Accounts Com., adoption of Rep. (remarks) 1471 (i).
- 1st and 2nd Reps., on Amt. to Amt. (Sir *Charles Tupper*) 1682 (i).
- Powers and Functions (remarks) 2633 (i).
- Public Harbours B. 95 (Sir *Charles Hibbert Tupper*) in Com., 2730 (i).
- Railway Passenger Tickets, Sale, B. 163 (Mr. *Haggart*) on M. for 1^o, 6046; in Com., 6517 (ii).
- Returns, Imperfect (remarks) 4312 (ii).
- Sable Island Lighthouses, &c., Act Amt. B. 46 (Sir *Charles Hibbert Tupper*) 2728 (i).
- Seamen's Act Amt. B. 13 (Sir *Charles Hibbert Tupper*) in Com., 2726 (i).
- St. Catharines and Niagara Central Ry. Co.'s Subsidy, in Com. on Res. (Mr. *Haggart*) 6273.
- St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2115; in Com., 2379 (i).
- Subsidies (Land) to C.P.R., B. 159 (Mr. *Daly*) in Com., 6266 (ii).
- to Rys. B. 168 (Mr. *Daly*) in Com. on Res., 6070, 6358, 6379 (ii).
- (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6267 (ii).
- B. 169 (Mr. *Haggart*) on Amt. (Mr. *Laurier*) to M. for 2^o of Res., 6468 (ii).
- B. 169 (Mr. *Haggart*) on M. for Com. on Res., 6380; in Com., 6387 (ii).
- Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4343 (ii).
- SUPPLY:**
- Agriculture* (Archives) 4124 (ii).
- Civil Government—Agriculture* (J. B. Jackson) 6235 (ii); (Gov. Gen. Sec.'s Office) contingencies, 3265; (Interior) 3203; (Privy Council Office) 3200 (i), 5216 (ii); (Public Works) 3236; (Trade and Commerce) 3238; (Sec. of State) contingencies, 3270 (i).
- Collection of Revenues: Post Office* (Mail Service) 5482; (Weights and Measures) 5476.
- Geological Survey* (Borings for Petroleum) 6514.
- Indians* (Caughnawaga) 6514.
- Militia* (Clothing, &c.) 5430; (Monuments) 6250.
- Miscellaneous* (Mounted Police) 5502.
- Public Works—Income: Buildings* (N.W.T., Lieut.-Gov.'s Residence) 6484; (Harbours and Rivers, B.C.) 6508; (Ont., Kaministiquia River) 6465; (Roads and Bridges (Burlington Channel Bridge) 6509; (N.W.T.) 6508.
- Railways and Canals—Capital: I.C.R.* (Cape Breton and Glasgow) 6355.
- Superannuation* (Mr. Wallace) 5495.
- Trade and Commerce* (Commercial Agencies) 5486.
- Tariff Commission, Evidence taken by Sec. (M. for copy)* 3295 (ii).

Mills, Hon. D.—*Con.*

Teas, Adulteration, on prop. Res. (Mr. *Stairs*) 2431 (i).

Thousand Islands, Repts. as to Value (M. for copies*) 451 (i).

—— Ret. (remarks) 2691; (Ques.) 2341 (i).

—— on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 4468 (ii).

Timber Licenses Granted since Jan., 1888, on M. for Stmt., 1981 (i).

—— Sales on Indian Reserves, prop. Res., 1405; on Amt. (Sir *John Thompson*) 1427 (i).

Treaty with France and High Commissioner (Ques.) 5531 (ii).

—— Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *O'Brien*) to M. for 2^o, 5607; in Com., 5703 (ii).

Vankoughnet, L., Removal from Civil Service (M. for Ret.) 1033 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 761; on M. for Com. (remarks) 3019 (i).

In Com. : Res. 1 (Customs Acts Amts., definitions, &c.) 1331, 1391. Res. 3 (axes, &c.) 2305; (bananas) 2689; (books) 1916; (cane, &c.) 2826 (i), 3337 (ii); (canned goods) 2220; (champagne) 1474; (coal oil, &c.) 2258, 2284; (cotton, gray) 2540; (drain tiles) 2095; (elm logs) 2993; (emery wheels) 2516; (fertilizers) 2683; (fruit) 1780 (i); (galvanized wire) 3587; (hoofs, horns, &c.) 3336 (ii); (Indian corn) 1541, 2690; (iron angles) 2506; (iron manufactures) 2700; (iron, &c., nuts) 2531; (iron, scrap) 2346; (iron tubing) 2520, 2527 (i); (knife blades) 3325 (ii); (lamp chimneys) 2100; (lard, &c.) 1494; (live hogs) 1486; (medicinal preparations) 1956; (mutton, &c.) 1487 (i); (nuts, &c., steel or iron) 3313 (ii); (opium) 1477; (oranges, &c.) 1781; (oysters) 2686; (peaches) 1783; (rice) 1717; (sails) 2667; (shovels, &c.) 2818 (i); (slates, &c.) 3307 (ii); (soap) 1499; (stearine) 2214 (i); (steel, milled, &c.) 3311 (ii); (steel rails) 3069; (stereotypes) 2822; (sugars, &c.) 2406; (tea and coffee) 2076; (tea or green coffee) 3001; (trees, fruit) 1778; (wall paper) 1945; (wheat) 1756, 1778; (wire cloth) 2514; (wire nails) 2508; (women's, &c., dress goods) 3066; (wool, &c.) 2669; (woollen clothing) 3064; (woollen yarns) 3060 (i).

Welland Power and Supply Canal Co.'s B. 49 (Mr. *McKay*) in Com., 3643 (i).

Witnesses on Oath, Examination B. 90 (Sir *John Thompson*) in Com., 2624 (i).

—— Examination, on Amt. (Sir *Richard Cartwright*) to M. for Com. on *Ways and Means*, 1889 (i).

Mills, Mr. J. B., *East Annapolis.*

Boynton Bicycle Electric Ry. Co.'s Pet., on M. to ref. back to Standing Orders Com., 1113 (i).

County Court Judges, B. C., in Com. on Res. (Sir *John Thompson*) 3561 (ii).

Disfranchisement of Provincial Officials (prop. Res.) 3143 (i).

Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) in Com., 5573 (ii).

Moncrieff, Mr. G., *Lambton.*

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2923 (i), 3382 (ii).

Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3084 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3427 (ii).

Ont. Loan and Debenture Co.'s (B. 38) 1^o*, 751 (i).

Ways and Means—The Tariff :

In Com. (coal oil, &c.) 2265 (i).

Monet, Mr. D., *Napierville.*

Lachine Canal, Cost of Widening (Ques.) 5774 (ii).

Laprairie-Napierville Electoral Lists (Ques.) 2937.

Mallette, L. Z., Payments *re* Dufferin Terrace (Ques.) 5775 (ii).

Roy, Thos., Emplmt. by Govt. (Ques.) 3089 (i).

SUPPLY :

Canals—*Capital* (Seulanges construction) 5443.

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 742 (i).

Montague, Mr. W. H., *Haldimand.*

Canada Southern Ry. Co.'s Bill (No. 141) 1^o*, 4297.

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3615 (ii).

Indian Act Amt. B. 116 (Mr. *Daly*) in Com., 5542 (ii).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3408, 4073, 4082 (ii).

SUPPLY :

Collection of Revenues : Railways (I.C.R.) 5152.

Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edmur*) to M. for 2^o, 5663.

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1243 (i).

Concurrence (agricultural implements) 4023 (ii).

Mulock, Mr. W., *North York.*

American Cattle Imports into Can. (M. for Ret. *) 451 (i).

Atlantic SS. Service, Fast (M. for Ret. *) 2424 (i).

—— SS. Service, Fast, B. 161 (Mr. *Foster*) in Com., 5974 (ii).

—— Subsidy, Fast Service, on prop. Res. (Mr. *Foster*) 3450 (ii).

Bancroft, Connolly & Co., Contract *re* Kingston Graving Dock, on Amt. (Mr. *Laurier*) to Com. of Sup., 6451 (ii).

Binder Twine, Convict Labour (remarks) 6521.

—— Free Entry (prop. Res.) 146 (i).

—— Plant, &c., in Kingston Penitentiary (M. for Cor. *) 451 (i).

Bounty on Pig Iron, in Com. on Res. (Mr. *Foster*) 6477 (ii).

Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2929 (i), 3370 (ii).

C.P.R., Drawbacks B. 166 (Mr. *Haggart*) on M. for 2^o, 6359; (Amt.) 3 m. h., 6357; neg. (Y. 15, N. 100) 6376 (ii).

Caraquet Ry., Gross Earnings, 1891-2 (Ques.) 2566 (i).

Mulock, Mr. W.—*Con.*

- Cattle Embargo by Great Britain, on M. for Ret., 1827 (i).
 — Exports (remarks) 1568, 1787 (i).
 — Inspection (M. for Cor.*) 2424 (i).
 — (Live) Number and Value of Exports (Ques.) 1221 (i).
 — Ocean Freight Rates (B. 8) 1^o, 128 (i).
 — Ret. (remarks) 2785 (i).
 — Trade, Rep. *re* Export (remarks) 2212 (i).
 — Trade, on M. (Mr. *Foster*) for Com. of Sup. (remarks) 3244 (ii).
 — Trade with Great Britain, on M. for Com. of Sup. (remarks) 4895 (ii).
 — Transit through Canada, on M. for Com. of Sup. (remarks) 5275, 5301; Amt., 5328; neg. (Y. 59, N. 99) 5366 (ii).
 Civil Servants, non-payment of Salaries, on M. for Com. of Sup. (remarks) 6307 (ii).
 Civil Service Examinations, Irregularities, on M. (Mr. *Brodeur*) for Sel. Com., 4069 (ii).
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3652 (ii).
 Electric Light Inspection B. 118 (Mr. *Wood, Brockville*) in Com., 5048, 5058 (ii).
 Expenditure on Elections, on Amt. (Mr. *Edgar*) to M. for Com. of Sup. 5212 (ii).
 Franchise (Electoral) Act Amt. B. 143 (Sir *John Thompson*) in Com., 6525 (ii).
 Govt. Business, precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3442 (ii).
 — Queen's Birthday Adjmt. (remarks) 3163.
 — on Adjmt. (remarks) 4100 (ii).
 Governor General's Salary Provision (B. 93) 1^o, 1871 (i).
 Herbert, Maj.-General, Rep. *re* Militia (Ques.) 287 (1).
 Insurance Act Amt. B. 111 (Sir *John Thompson*) on M. for 2^o, 3005 (i); on 2^o of Amts., 6062 (ii).
 Interest Act Amt. B. 129 (Mr. *Foster*) in Com., 4947 (ii).
 Irrigation in N.W.T., B. 134 (Mr. *Daly*) in Com., 4950 (ii).
 Juvenile Offenders' B. 112 (Sir *John Thompson*) in Com., 4940 (ii).
 Kingston and B.C. Penitentiaries, Papers respecting (Ques.) 1875 (i).
 — Penitentiary, Shortage of Accounts (Ques.) 3275, 3367 (ii).
 — Penitentiary, Receipts for Gate Money (M. for Stmt.*) 1036 (i).
 Lands in the Territories consolid. B. 162 (Mr. *Daly*) in Com., 6078 (ii).
 Lazier, Lieut.-Col., Retirement (Ques.) 752 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3408; on Amt. (Mr. *Mara*) to recom. (rule read) 4076 (ii).
 Man. and North-western Ry. Co.'s B. 108 (Mr. *Taylor*) in Com., 4047 (ii).
 McGreevy and Connolly, Release from Prison (M. for Pets, &c.) 145 (i).

Mulock, Mr. W.—*Con.*

- McGreevy and Connolly, Ret. *re* Release, Delay in presentation (Ques.) 290 (i).
 Military College Graduates, &c. (Ques.) 281; (M. for Ret.*) 366 (i).
 Militia Deptl. Rep., Delay in Publication (Ques.) 947 (i).
 N.W.T. Act Amt. B. 5 (Mr. *Martin*) in Com., 2789 (i).
 North York Industries, Ret. *re* (remarks) 1972 (i).
 Northern Life Assurance Co. of Can. incorp. (B. 51) 1^o*, 841 (i).
 Order, Ques. of (Mr. *McNeill*) personalities in deb., 4989 (ii).
 Penitentiaries, Kingston and B.C., Charges against Management (M. for copies*) 451 (i).
 Privilege (Ques. of) Newspaper criticism, 2943 (i).
 Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6177 (ii).
 Public Accounts Com., 1st and 2nd Repts., conc., (Amt.) 1635 (i).
 Questions put by Members, on M. to adjn. Hse. (remarks) 760 (i).
 Quartermaster-General, Militia, Appmt. (Ques.) 2290 (i).
 Ry. Act. Amt. (B. 14) 1^o*, 366 (i); 2^o, 3299 (ii).
 Ry. Passenger Tickets, Sale, Act Amt. B. 163 (Mr. *Haggart*) in Com., 6519 (ii).
 Senate and House of Commons Act. Amt. (B. 15) 1^o*, 366 (i).
 St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2112 (i).
 St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2180 (i).
 Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 5005 (ii).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6415 (ii).
 — on Amt. Mr. *Laurier*) to M. for 2^o of Res., 6470 (ii).
 — on M. for Com. on Res., 6382; in Com., 6386 (ii).

SUPPLY :

- Administration of Justice* (Judges' allowances, B.C.) 3340; (Official Arbitrators) 3342 (ii).
Charges of Management (Halifax, Asst. Receiver) (Inspector) 3182; (Winnipeg, Asst. Receiver) 3134 (i).
Civil Government (Agriculture) 3233; (Civil Service Examiners) 3253; (High Commissioner) contingencies, 3249 (i).
Collection of Revenues: Customs (Miscellaneous) 5091 (ii).
Dominion Lands—Income: (Agents) 4931; (Board of Examiners) 5014; (Commissioner's Salary) 4928; (Homestead Inspectors) 4930; (Inspector of Agencies) 4929; (Surveys) 5019 (ii).
Govt. of N.W.T. (Lieut.-Gov.'s expenditure) 4913; (Schools) 4927 (ii).
Legislation: House of Commons (Translators) 5226 (ii).
Militia (Military College) conc. 5093 (ii).
Miscellaneous (Prohibition Commission) 6516 (ii).

Mulock, Mr. W.—Con.SUPPLY—*Con.*

Ocean and River Service (New Steamer, maintenance) 6513 (ii).

Penitentiaries (St. Vincent de Paul) 3347 (ii).

Public Works—Income: (B.C. Post Office, Victoria) 6498; (N.B.) 5230; N.W.T. (Lieut.-Gov.'s Residence) 646; (Repairs, &c., Cattle Quarantine Stations) 6499; (Repairs, &c., Ottawa) 5231; Harbours and Rivers (N.S.) 5232; Harbours and Rivers (Ont.) 6504 (ii).

Superannuation (Mr. Wallace) 5495 (ii).

Trent Valley Canal Commission, on M. for Rep., 1798 (i).

—— Expenditure, &c. (Ques.) 687 (i).

Vankoughnet, L., Superannuation, &c. (M. for Cor.*) 1036 (i).

Ways and Means—The Tariff:

In Com. (axes, &c.) 2810; (blasting powder) 3026 (i); (cloth, not rubber or waterproof) 3333; (coffee, green) 3334 (ii); (India-rubber boots, &c.) 2125 (i); (iron ore, &c.) 3311; (knife blades) 3325 (ii); (lamp chimneys) 2095; (leather) 3303 (i); (nuts, &c., steel or iron) 3313; (rice) 3338 (ii); (scrap iron) 2345, 2372 (i); (slates, &c.) 3307 (ii); (stearine) 2213 (i); (steel, milled, &c.) 3312; (surgical dressings) 3330; (verbal corrections) 3306; (window shades) 3064, 3330 (ii); (wool manufactures) 3054 (i).

Wellington Street and G.T.R. Bridge, Claims (Ques.) 3091 (i).

Witnesses on Oath, H. of C. and Senate (B. 90) 1^o, 1786 (i).

—— Examination of, on Amt. (Sir *Richard Cartwright*) to M. for Com. on Ways and Means, 1891, 1898 (i).

Northrup, Mr. W. B., East Hastings.

Piper, William Samuel, Relief (B. 119) 1^o*, 3163.

Thompson, Joseph, Relief (B. 120) 1^o*, 3163 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1138 (i).

O'Brien, Mr. W. E., Muskoka.

Business of the House, on M. to adju. (remarks) 2037 (i).

C.P.R., Drawbacks B. 166 (Mr. *Haggart*) on Amt. (Mr. Mulock), 6373 (ii).

Cattle Embargo by Great Britain, on M. for Ret., 1827 (i).

—— Transit through Canada on Amt. (Mr. *Edgar*) to M. for Com. of Sup. 5339 (ii).

Church Articles, Free Entry, on M. for Ret., 3133 (i).

Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3666 (ii).

Grant, John G., Landing-waiter at Barrie, Dismissal (Ques.) 4196 (ii).

N. W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4680 (ii).

Ont. Fisheries, on M. for Ret., 1596 (i).

Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6189 (ii).

O'Brien, Mr. W. E.—Con.

Rice Cleaning, Mills and Persons engaged (Ques.) 1711 (i).

Superannuation, Abolition, on Amt. (Mr. *McMullen*) to Com. of Sup., 4322 (ii).

SUPPLY:

Arts, Agriculture, &c. (Statistics) 5462 (ii).

Canals—Capital (Trent) 4156 (ii).

Fisheries (Hatcheries) 5020 (ii).

Govt. of N. W. T. (Lieut.-Gov.'s expend.), 4917 (ii).

Indian Affairs (Ont. and Que.) 4827 (ii).

Legislation: House of Commons (Voters' Lists) 3499 (ii).

Miscellaneous (Mr. Fabre's salary) 5039 (ii).

Penitentiaries (Kingston) 5513 (ii).

Timber Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1420 (i).

Treaty with France Ratification B. 147 (Mr. *Foster*) on M. for 2^o, 5582; (Amt.) 5585; Amt. neg. (Y. 44, N. 128) 5685; in Com., 5697 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 810 (i).

In Com. (books) 1904; (tarred paper) 1949; (tea and coffee) 2067; (saw-logs) 2951 (i).

Ouimet, Hon. J. A., Laral.

Bancroft, Connolly & Co., Contract *re* Graving Dock, on Amt. (Mr. *Laurier*) to Com. of Sup., 6443 (ii).

—— Sums paid (Ans.) 5575 (ii).

Beet-Root Sugar Bounty, on M. for Com. of Sup. (remarks) 6435 (ii).

Brae Harbour Breakwater, Repairs (Ans.) 1970 (i).

Broad Cove (C.B.) Repairs to Pier (Ans.) 2413 (i).

Burlington Canal Scow Service (Ans.) 949 (i).

Canoe Cove (P.E.I.) Breakwater, Construction (Ans.) 685 (i).

Cascumpeque Harbour, Blasting and Dredging (Ans.) 2733 (i).

Chaudière Falls Water Power, Lessees, &c. (Ans.) 2623 (i).

Civil Service Examination, Irregularities, on M. (Mr. *Brodeur*) for Sel. Com., 4057, 4067 (ii).

Commercial Relations with France, on M. for Cor., 1461, 1465, 1469 (i).

Criminal Code, 1892, Amt. B. 126 (Sir *John Thompson*) in Com., 5176 (ii).

Digby Pier, Damages through Gale (Ans.) 1037 (i).

Dom. Elections Act Amt. B. 128 (Sir *John Thompson*) in Com., 6482 (ii).

Dundas and Waterloo Road, Dr. Walker's Claim (Ans.) 6048 (ii).

Experimental Farm, Brandon, Outbuildings (Ans.) 2870 (i).

Geological Museum, New Building (Ans.) 2136 (i).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3608 (ii).

Halifax Drill Shed, in Com. of Sup., 4418 (ii).

Higgins' Pier, Dredging at Pier (Ans.) 2734 (i).

Hilton Dock, Extension (Ans.) 3090 (i).

—— Govt. Dock (Ans.) 1969 (i).

—— Title to Land (Ans.) 2621 (i).

Ouimet, Hon. J. A.—Con.

- Judiciary of Quebec, on Mr. Tarte's Charges (remarks) 6230 (ii).
 Mallette, L. Z., Payments *re* Dufferin Terrace (Ans.) 5775 (ii).
 Little Rapids Dam (Ans.) 2870 (i).
 Miminegash Breakwater, Dredging (Ans.) 284 (i).
 ——— Expenditure (Ans.) 284 (i).
 ——— Repairs (Ans.) 2039 (i).
 Montreal P. O., Contract for Elevator (Ans.) 842.
 Oakville Pier and Lighthouse, Rebuilding, Cost (Ans.) 2622 (i).
 Order (Ques. of) Obstructing Business, 3173 (i).
 Pickett's Pier, Engineer's Reps., on M. for copies, 2760 (i).
 Public Buildings in Man. and N.W.T. Ret. (remarks) 2298 (i); on inquiry for Ret. (remarks) 5776; (Ans.) 6358 (ii).
 ——— Works Deptl. Rep. (presented) 1036 (i).
 Slide Master at Fort Coulonge (Ans.) 5774 (ii).
 Spanish River, Algoma, Dredging (Ans.) 2939 (i).
 St. Andrew's Rapids (Man.) Improvements, on M. for O.C., &c., 1976 (i).
 St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) in Com., 2390 (i).
 Stratford Public Buildings, Loss by Fire (Ans.) 2039 (i).
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6410 (ii).

SUPPLY :

- Civil Government* (Public Works) 3233 (i); (contingencies) 5217 (ii).
Government of N. W. T. (Lieut.-Gov.'s expend.) 4914.
Legislation: House of Commons (Translators) 5222.
Public Works—Capital: Harbours and Rivers (Kaministiquia River) 6464; (Man.) 4473; (N.B.) 4466; (N.S.) 4448, 5232, 5458, 6500; (Ont.) 4470, 6504; (P.E.I.) 4465; (Que.) 4417, 4470; Slides and Booms, 6508 (ii).
Public Works—Income: (Buildings) (B.C., P.O., Victoria) 6498; (Man. and N.W.T.) 4438; (Mar. Provs. generally) 4432; (N.B.) 4431, 4447, 5228; (N.S.) 4418, 5228, 6465; (N.W.T., (Lieut.-Gov.'s Residence) 6487; (Ont.) 4437; (Que.) 4432; (Repairs, &c.) 4436, 4439, 5231. Harbours and Rivers (Kingston Dock) 5228. Dredging (Man.) 4622; (N.S. and P.E.I.) 4608; (Ont. and Que.) 4619; (Plant) 4594; (Vessels. repairs) 4607. Roads and Bridges (Burlington Channel Bridge) 6509; (Ottawa) 5458. Miscellaneous (Art Gallery) 4474; (Monument, Sir John Macdonald) 6512; Rosa, Jos.) 6512; Surveys, &c.) 5458. Harbours and Rivers (B.C.) 4473, 5458 (ii).
 Telephone accommodation in Corridor of Hse. (remarks) 3601.
 Treaty with France Ratification B. 147 (Mr. *Foster*) on Amt. (Mr. *Edgar*) to M. for 2^d, 5678.
 West Point Pier, Rebuilding (Ans.) 2733 (i).
 Yamachiche Wharf, Amounts paid, &c. (Ans.) 947 (i); construction, &c. (Ans.) 3765 (ii).
 Yamaska River Dam, sums paid on construction, on M. for Stmnt., 1576 (i).
 ——— Obstruction (Ans.) 4888 (ii).

Paterson, Mr. W., South Brant.

- Business of the House, calling of Motions (remarks) 2136 (i).
 C.P.R., Drawbacks on Iron or Steel Bridges, in Com. on Res., 6021 (ii).
 Dominion Woman's Christian Temperance Union incorp. (B. 56) 1st, 946 (i).
 Govt. Business, on M. (Mr. *Foster*) for Com. on Ways and Means (remarks) 3005 (i).
 Indian Act Amt. B. 116 (Mr. *Daly*) in Com., 5542, 5546 (ii).
 Indian Deptl. Reps., Distribution to Indians (prop. Res.) 2778 (i).
 Mississauga Indians, Amount in Indian Trust Fund (Ques.) 597 (i).
 Six Nation Indians, Payments out of Fund (Ms. for Res. *) 1399, 1991 (i).
 SUPPLY :
Canals—Income (Lachine) 5447; (Trent Valley) 5446 (ii).
Collection of Revenues: Post Office (Mail Service) 4180 (ii).
Fisheries (Intelligence Bureau) 5459 (ii).
Immigration (Merrick and Connolly) 5464 (ii).
Indian Affairs (B.C.) 5461; (N.S. and N.B.) 5460; (Ont. and Que.) 4824; (School Fndds) 4835; (Ont.) 4824; (Ont. and Que.) 4827 (ii).
Militia (clothing, &c.) 5429 (ii).
Miscellaneous (Liquor Traffic Commission) 5539 (ii).
Public Works—Income (Buildings, repairs, &c., Ottawa) 4443 (ii).
Quarantine (Cattle) 4389 (ii).
 Timber Sales on Indian Reserves, on Amt. (Sir *John Thompson*) 1416 (i).
Ways and Means—The Tariff, on Amt (Sir *Richard Cartwright*) to M. for Com., 350; (remarks) 3005 (i).
 In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1379, 1394. Res. 3 (adzes, &c.) 2798; (bread-stuffs) 1562; (fish, fresh and dried) 2686; (iron manufactures) 2695, 2714; (iron tubing) 2520; (rice) 1723; (soap, &c.) 1498; (slate roofing) 3069; (tallow, &c.) 1497; (tea and coffee) 2088; (wheat) 1739; (wool, &c.) 2668; (wool manufactures) 3052 (i).
 Concurrence (fire-brick) 4030 (ii).

Patterson, Hon. J. C., West Huron.

- Chinese Labour on Esquimalt Fortifications (Ans.) 281 (i).
 Contract for Supplies, Quebec Citadel (Ans.) 751 (i).
 Drill Hall, Montreal, Paving (Ans.) 1398 (i).
 Govt. Property in London, Lease (Ans.) 3766 (ii).
 Herbert, Major-General, Language addressed to French Batt. (Ans.) 2733 (i).
 ——— Rep. *re* Militia (Ans.) 287 (i).
 Lazier, Lieut.-Col., Retirement (Ans.) 752 (i).
 Lundy's Lane, Commemoration of Battle (Ans.) 4308 (ii).
 Martini-Metford Rifles, Number purchased (Ans.) 368 (i).
 Medals, Good Conduct (Ans.) 1792 (i).
 Military College, Ret. respecting (Ans.) 952 (i).

Patterson, Hon. J. C.—*Con.*

- Militia Dept. Rep., Delay in publication (Ans.) 947 (i).
- Manuals, Distribution of copies (Ans.) 368.
- Pensions, Permanent Corps, on prop. Res. (Mr. *Prior*) 3099 (i).
- Montreal Militia, Amalgamation of Battalions, newspaper criticisms (remarks) 6413 (ii).
- Permanent Militia Corps, concentration (Ans.) 4311 (ii).
- Powell, Col. Walker, Suspension, General Herbert's Explanation, 5496 (ii).
- on M. for Com. of Sup. (remarks) 6182 (ii).
- P.E.I. Militia District (Ans.) 1795 (i).
- Quartermaster-General, Militia, Appmt. (Ans.) 2291 (i).
- Quebec Drill Shed, Modern Guns (Ans.) 1793 (i).

SUPPLY :

- Civil Government* (Militia) 6234 (ii).
- Militia* (gratuities) 4885, 5429; (Artillery and Rifle Associations) 4884; (Brigade Major Roy) 6426; clothing, &c.) 5429, 6244; (Thos. Rainsford) 6246; (Inspection of Stores) 6246; (Military College, conc.) 5108; (Staff, &c.) 4882; (Pointing walls, Que.) 6249; (Modern Firearms) 4884, 6248; (Monuments) 4884, 6249 (ii).

Superannuation (Mr. Wallace) 5496 (ii).

- Villiers, Lieut.-Col., Retirement (Ans.) 369 (i).
- Volunteers of 1837-38 (Ans.) 4194 (ii).
- Ways and Means*—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com. (remarks) 1317 (i).

Patterson, Mr. W. A., *Colchester.*

- Columbian Exhibition, Officials from N.S. at Can. Exhibit (M. for Ret. *) 1036 (i).
- Disfranchisement of Provincial Officials, on prop. Res. (Mr. *Mills, Annapolis*) 3158 (i).

SUPPLY :

Railways—Capital (Annapolis and Digby Ry.) 5432 (ii).

Pelletier, Mr. L. C., *Laprairie.*

- Ways and Means*—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1048 (i).

Perry, Mr. S. F., *Prince, P.E.I.*

- Cascumpeque Harbour, Blasting and Dredging (Ques.) 2733 (i).
- Fisheries Act Amt. B. 145 (Sir *Charles Hibbert Tupper*) in Com., 5572 (ii).
- Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5560 (ii).
- Mill River Flag Station, Removal (Ques.) 283 (i).
- Ret. (inquiry) 5465 (ii).
- Miminegash Breakwater, Dredging (Ques.) 284 (i).
- Expenditure (Ques.) 283 (i).
- Repairs (Ques.) 2039 (i).
- Palmer, Engineer, Claims (Ques.) 283 (i).
- P.E.I. Ry., Mill River Flag Station (M. for Cor.) 2773 (i).
- Returns, Mill River Flag Station (Ques.) 3303 (ii).
- (inquiry) 4101, 4395 (ii).
- non-production (remarks) 3601 (ii).

Perry, Mr. S. F.—*Con.*

- Shoe Industry in P. E. I. (Ques.) 3440 (ii).
- Stanley, Str.*, Dates of Trips (M. for Ret. *) 3301.
- Straits of Northumberland Tunnel, Borings (Ques.) 284 (i); 4195 (ii).

SUPPLY :

Agriculture (Year-Book) 4127 (ii).

Collection of Revenues: Post Office (Mail Service) 4188 (ii).

Public Works—Income: Dredging (N.S. and P.E.I.) 4610. *Harbours and Rivers* (P.E.I.) 4461 (ii).

Tignish Breakwater, Amount collected (Ques.) 284 (i).

— Appmt. of Lighthouse Keeper (Ques.) 843.

— Weather Signal (Ques.) 1788, 1967 (i).

— Wharfage Dues (Ques.) 1789 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 503 (i).

West Point Pier, Rebuilding (Ques.) 2732 (i).

Winter Service, P.E.I. and Mainland (M. for Ret.) 4495 (ii).

Pope, Mr. R. H., *Compton.*

- Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6279 (ii).

Pridham, Mr. W., *South Perth.*

- Cruelty to Animals prevention B. 4 (Mr. *Coutsworth*) in Com., 4544 (ii).

Prior, Mr. E. G., *Victoria, B.C.*

Chinese Labour on Esquimalt Fortifications (Ques.) 281 (i).

Fortifications at Esquimalt, Chinese Labour (Ques.) 3603 (ii).

Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coutsworth*) 2294 (i).

Militia Pensions, Permanent Corps, prop. Res. 3093 (i).

SUPPLY :

Fisheries (Hatcheries) 5021; (Legal expenses) 5034.

Trade and Navigation Returns, Clerical Error (remarks) 951 (i).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1318 (i).

Reid, Mr. J. D., *South Grenville.*

SUPPLY :

Canals—Capital (Galops) 3533 (ii).

Public Works—Income: Buildings (Ont.) 4465 (ii).

Ways and Means—The Tariff :

In Com. (rice, &c.) 3573 (ii).

Rider, Mr. T. B., *Stanstead.*

Ballot Paper, property of Govt. (Ques.) 4477 (ii).

Chignecto Marine Ry., Amount paid to Date (Ques.) 754 (i).

Customs Vacancies in Stanstead Co. (Ques.) 3767.

Employees, &c., Voting at Elections (B. 87) 1^c, 1564 (i).

French Treaty, Articles admitted under (Ques.) 5043 (ii).

Rider, Mr. T. B.—*Con.*

Maple Sugar, Classification under Tariff (remarks) 453, 1119 (i).

Petroleum Inspection Act Amt. B. 122 (Mr. Wood, Brockville) in Com., 5471 (ii).

SUPPLY:

Miscellaneous (Seed Grain) 5505 (ii).

Mounted Police (Forage) 4635; (Scouts, charges, &c.) 4639 (ii).

Penitentiaries (Kingston) 5517 (ii).

Public Works—Income: Harbours and Rivers (Que.) 6503 (ii).

Ways and Means—The Tariff:

In Com. (maple sugar) 5848 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 1309 (i).

In Com. (cement) 2125; (vaseline) 2091 (i).

Rinfret, Mr. C. I., *Lotbinière.*

Bancroft, Connolly & Co., Payments to (Ques.) 5575 (ii).

Lemay, Victor, Deceased (Ques.) 2871.

Lighthouses, Ste. Emilie Parish (Ques.) 156 (i).

Richmond, Revising Officer (Ques.) 2733 (i).

SUPPLY:

Public Works—Income: Dredging (Ont. and Que.) 4619 (ii).

Tassé, Senator, Expenses at Chicago Exhibition (Ques.) 6048 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 646 (i).

Robillard, Mr. H., *Ottawa City.*

Drill Hall, Montreal, Paving (Ques.) 1398 (i).

Ottawa Electric Ry. Co.'s (B. 65) 1st, 1113 (i).

Roome, Mr. W. F., *West Middlesex.*

Prohibition of Liquor Traffic, on prop. Res. (Mr. Flint) 2459 (i).

Subsidies (Money) to Rys. B. 169 (Mr. Haggart) in Com. on Res., 6389 (ii).

Ways and Means—The Tariff:

In Com. (surgical dressings) 3002 (i).

Rosamond, Mr. B., *North Lanark.*

Ways and Means—The Tariff:

In Com. (cotton, gray, &c.) 2542 (i); (logwood) 5849 (ii); (wheat) 1767; (wool) 2680 (i).

Ross, Mr. A. W., *Lisgar.*

Man. and North-western Ry. Co. of Can. (B. 108) 1st, 2784 (i).

Medicine Hat Ry. and Coal Co.'s (B. 64) 1st, 1113 (i).

SUPPLY:

Public Works—Income: Dredging (Man.) 4628 (ii).

Winnipeg and Hudson Bay Ry. Co.'s (B. 22) 1st, 596 (i).

Ways and Means—The Tariff:

In Com. (sawed boards, &c.) 2987 (i).

Rowand, Mr. J., *West Bruce.*

Cattle, Ocean Freight Rates B. 8 (Mr. Mulock) on M. for 2^d, 4556 (ii).

Rowand, Mr. J.—*Con.*

SUPPLY:

Arts, Agriculture, &c. (Experimental Farms) 4284 (ii).

Ways and Means—The Tariff:

In Com. (buckthorn and strip fencing) 2396 (i).

Ryckman, Mr. S. S., *Hamilton.*

Ways and Means—The Tariff:

In Com. (coal oil, &c.) 2218 (i).

Sanborn, Mr. J. R., *Sheffield.*

West Sheffield P. O., Reopening (Ques.) 2732 (i).

Scriver, Mr. J., *Huntington.*

Bribery and Disfranchisement B. 6 (Mr. Weldon) in Com., 2918 (i).

Cheese Weighing on M. for Com. of Ways and Means (remarks) 2504 (i).

Dom. Notes Act Amt. B. 165 (Mr. Foster) in Com., 6264 (ii).

Insurance Act Amt. B. 111 (Sir John Thompson) on 2^d of Amts., 6058 (ii).

Letter Postage, Reduction of Rates, on prop. Res. (Mr. Coatsworth) 2197 (i).

Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2741 (i).

Lord's Day Observance B. 2 (Mr. Charlton) in Com., 3432; on Amt. (Mr. Bennett) to recom., 4084 (ii).

Order, Ques. of (Mr. Laurier) Member's sincerity (remarks) 2166 (i).

Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6181 (ii).

St. Urbain de Châteauguay Postmaster, Complaints against (Ques.) 2131 (i).

Superannuation, Abolition, on Amt. (Mr. McMullen) to Com. of Sup., 4360 (ii).

SUPPLY:

Arts, Agriculture, &c. (Experimental Farms) 4283.

Fisheries (Fish-breeding, &c.) 4748 (ii).

Legislation: Library (American History) 3500 (ii).

Militia (Brigade Major Roy) 6246; (Pay of staff, &c.) 4983 (ii).

Supreme Court Judges' Superannuation B. 89 (Sir John Thompson) in Com., 4968 (ii).

Treaty with France Ratification B. 147 (Mr. Foster) in Com., 5698 (ii).

Ways and Means—The Tariff:

In Com. (adzes, &c.) 2795; (books) 1917; (coal oil, &c.) 2280 (i).

Semple, Mr. A., *Centre Wellington.*

Cattle Ocean Freight Rates B. 8 (Mr. Mulock) on M. for 2^d, 4554 (ii).

Cruelty to Animals prevention B. 4 (Mr. Coatsworth) in Com., 4536 (ii).

Subsidies (Money) to Rys. B. 169 (Mr. Haggart) in Com. on Res., 6405 (ii).

SUPPLY:

Agriculture (Experimental Farms) 4285 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 589 (i).

In Com. (twine, &c.) 2665 (i).

Smith, Mr. W., South Ontario.

- Cattle (Can.) Slaughtered in Great Britain (Ques.) 2040 (i).
 Tuberculosis, Legislation respecting (Ques.) 80 (i).
Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 640 (i).

Somerville, Mr. J., North Brant.

- Civil Service Examinations, Irregularities at Montreal (Ques.) 2134 (i).
 Hickey, C. E., Supt. Williamsburg Canal (Ques.) 2135 (i).
 Mail Matter Unpaid from U.S. (M. for Cor. *) 3162.
 Tariff, Analytical Index, Cost (M. for Ret. *) 3163.
Ways and Means—The Tariff :
 In Com. (stereotypes) 2821 (i).

Speaker, Mr. (HON. PETER WHITE) North Renfrew.

- Address, The, His Ex.'s Reply (read) 2341 (i).
 Agriculture, Deptl. Rep., remarks (Mr. *McMullen*) ruled out of Order, 4102 (ii).
 Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2918 (i), 3386 (ii).
 Civil Service Examination, Irregularities (remarks) 4057 (ii).
 Church Articles, Free Entry, on M. for Ret., 3133.
 Controverted Elections, 1.
 Cullers' Act Amt. B. 124 (Mr. *Wood*, Brockville) in Com., 4949 (ii).
 Customs Collectorship, Montreal, Members' remarks checked, 4312 (ii).
 Dom. Elections Act Amt. B. 128 (Sir *John Thompson*) in Com., 6482 (ii).
 Duty on Cotton Goods, Member's remarks ruled out of Order, 1033 (i).
 Electric Light Inspection B. 118 (Mr. *Wood*, Brockville) in Com., 5049 (ii).
 Estimates, The, Mess. from His Ex. (read) 144 (i).
 Exports to U.S., on M. to adjn. House (remarks) 1866 (i).
 Franchise (Electoral) Act Amt. B. 143 (Sir *John Thompson*) in Com., 6526 (ii).
 Gloucester, Vacancy in Representation (Issue of Writ) 1395 (i).
 Govt. Orders, Precedence on Thursdays (remarks) 1874 (i).
 Hastings, West, Representation, Issue of Writ, 4887 (ii).
 Heir Apparent, Birth, Address to Her Majesty (read) 6252 (ii).
 Internal Economy Commission, Mess. from His Ex. (read) 128 (i).
 Librarians' Rep. (presented) 5 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3435; on Amt. (Mr. *Mara*) to recom. (remarks) 4075 (ii).
 Member called to Order, 541 (i).
 — for Winnipeg, Ques. respecting, ruled out of Order, 1565 (i).
 — New, Return (notification) 2, 3077 (i); 5368 (ii).
 — New, 2 (i), 5368 (ii).

Speaker, Mr. (HON. PETER WHITE)—Con.

- Members, remarks checked, 1648, 1829, 1866, 1963, 2164, 2295, 2489 (i); 3472, 3749, 4345, 4358, 6413 (ii).
 Mess. from His Ex. (read) 128, 144, 2341 (i); 4642, 5850 (ii).
 — from Sen. (read) 6533 (ii).
 Militia and Defence Deptl. Rep. (remarks) 1787.
 Order, Ques. of (Mr. *Laurier*) Member's sincerity (ruling) 2166; authorities quoted, 2185 (i).
 — Ques. of (Mr. *Ouimet*) 3173 (i).
 Parliament, 4th Session, Opening, 1.
 Pontiac Pacific Junction Ry. Co's Subsidy, in Com. on Res. (Mr. *Haggart*) 6284 (ii).
 Private Bills, on M. (Mr. *Tisdale*) to place on Order Paper, objection sustained, 5521 (ii).
 Privilege, Ques. of (Mr. *Charlton*) ruled out of Order, 1223 (i).
 — (Mr. *Sproule*) Mr. Charlton's Speech at Jarvis, Ont. (remarks) 846 (i).
 Prorogation, Letter from Gov. Gen.'s Sec. (read) 6532 (ii).
 Provost and Larose, non-attendance at Bar (notification) 4040 (ii).
 Public Accounts Com., on prop. M. (Mr. *Davies*, P.E.I.) ruled out of Order, 2487 (i).
 — ref. to proceedings in Com. checked, 1648.
 — Works under Contract, on prop. Res. (remarks) 3295 (ii).
 Quebec West, Representation, Vacancy (remarks) 5969 (ii).
 — Issue of Writ (remarks) 6045 (ii).
 Questions put by Members, Member's remarks checked, 756 (i).
 Railways and Canals Dept. Act Amt. B., introd. Speaker, Dep. ruled out of Order, 4038 (ii).
 Speech from the Throne (rep.) 2.
 Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) in Com. on Res., 6284 (ii).
 SUPPLY :
Legislation : House of Commons (Extra Clerks) 3492; (Leather trunks) 6243; (Salaries, &c.) 3489. (Translators) 5220. Library (American History) 3500. Senate (Salaries, &c.) 3486 (ii).
Penitentiaries (Kingston) 5219 (ii).
 Unparliamentary Language, Members called to Order, 143 (i), 5385; Retraction by Member, 5386, 5387 (ii).
 Vacancies in the Representation (notification) 1.
Ways and Means—The Tariff :
 In Com. (elm logs) 2994; (saw-logs) 2959 (i).
 Concurrence (opium, crude) 4014 (ii).
 Writs of Election, Practice (read) 6046 (ii).
Speaker, Deputy (Mr. J. G. H. BERGERON) Beauharnois.
 Man. and North-western Ry. Co.'s B. 108 (Mr. *Taylor*) in Com. (ruling) 4041 (ii).
 Member's remarks checked, 2594 (i), 5004 (ii).
 Order, Ques. of (Sir *Richard Cartwright*) 1744 (i).
 — (Mr. *McNeill*) personalities in deb., 4989.
Ways and Means—The Tariff :
 In Com. (opium) 1478 (i).

Sproule, Mr. T. S., East Grey.

- Adulteration of Food further Act Amt. (B. 91) 1^o, 1786 (i).
 Atlantic SS. Service, Fast, B. 161 (Mr. *Foster*) on M. for 2^o, 5964 (ii).
 Bribery and Disfranchisement B. 6 (Mr. *Weldon*) in Com., 2606 (i).
 Can. Mutual Aid Association, Registration (M. for Ret.*) 1991 (i).
 C.P.R., Drawbacks on Iron or Steel Bridges, in Com. on Bes., 6020 (ii).
 ——— Land Grants B. 159 (Mr. *Daly*) in Com., 6037 (ii).
 Cattle Embargo by Great Britain, on M. for Ret., 1810 (i).
 ——— Live (U.S.) Transit through Canada (M. for Ret.) 4479 (ii).
 ——— Transit through Canada, on Amt. (Mr. *Edgar*) to M. for Com. of Sup., 5352 (ii).
 Cheese Weighing, on M. for Com. on Ways and Means (remarks) 2502 (i).
 Cobourg, Northumberland and Pacific Ry. Co.'s (B. 132) 1^o*, 3668 (ii).
 Combinations in restraint of Trade Act Amt. B. 149) 1^o*, 4393 (ii).
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 3661 (ii).
 Detective Corporations and Mercantile Agencies (B. 92) 1870 (i).
 Dom. Notes Act Amt. B. 165 (Mr. *Foster*) in Com., 6265 (ii).
 Insurance Act Amt. B. 111 (Sir *John Thompson*) on 2^o of Amts., 6062 (ii).
 General Inspection Act Amt. B. 125 (Mr. *Wood, Brockville*) in Com., 3542 (ii).
 Govt. Business, precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3444 (ii).
 ——— Contractors and Labourers' Wages, on prop. Res. (Mr. *Coatsworth*) 3617 (ii).
 ——— Queen's Birthday, Adjmt. (remarks) 3170.
 Letter Postage, Reduction of Rates, on prop. Res. (Mr. *Coatsworth*) 2198 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3433, 3638 (ii).
 N.W.T. Act Amt. B. 149 (Sir *John Thompson*) on Amt. (Mr. *McCarthy*) to M. for 3^o, 6146 (ii).
 Printing Com., 2nd Rep., on conc. (remarks) 2488 (i).
 Privilege (Ques. of) Mr. *Charlton's* Speech at Jarvis, Ont. (remarks) 846 (i).
 Pub. Accounts Com., Meeting (remarks) 3305 (ii).
 Railway Passenger Tickets, Sale, Act Amt. B. 163 (Mr. *Haggart*) in Com., 6517 (ii).
 St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2112 (i).
 St. Lawrence Canals, Enlargement, on prop. Res. (Mr. *Denison*) 2144 (i).

SUPPLY :

Arts, Agriculture, &c. (Experimental Farm, Printing Reports) 6250 (ii).

Sproule, Mr. T. S.—Con.

SUPPLY—Con.

- Charges of Management* (Country Savings Banks) 3188 (i).
Civil Government (Civil Service Examiners) 3252.
Legislation : House of Commons (Miscellaneous) 6243 (ii).
Penitentiaries (Kingston) 5519 (ii).
Quarantine (Cattle) 4383 (ii).
 Tay Canal, on Amt. (Mr. *Charlton*) to Com. of Sup., 4117 (ii).
 Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 599 (i).
 In Com. (articles for Govt. use) 2687; (canned goods) 2220; (cement) 2123; (farm products) 1511; (flax fibre) 2689; (flax seeds) 2722; (Indian corn) 1546; (India-rubber boots, &c.) 2126; (iron manufactures) 2713; (lamp chimneys) 2102; (logs, &c.) 2830; (medicinal preparations) 1955; (mutton, &c.) 1492; (saw-logs) 2966 (i); (slates, &c.) 3308 (ii); (staves, &c.) 2990; (stearine) 2213; (tomatoes, &c.) 2218; (trees, fruit) 1778; (wheat) 1750, 1772; (wool) 2674 (i).
 Concurrence (patent medicines) 4018; (nuts, &c., iron or steel) 3323 (ii).

Stairs, Mr. J. Fitz-W., Halifax.

- Hudson Bay, Propagation of Seals, on prop. Res. (Mr. *Mills, Bothwell*) 3287 (ii).
 Lobster Curing Licenses, in Com. on Res. (Sir *Charles Hibbert Tupper*) 5566 (ii).
 SUPPLY :
Penitentiaries (Manitoba) 3364 (ii).
 Ways and Means—The Tariff :
 In Com. (cement) 2122 (i); (copper, &c.) 3335; (fire-brick) 3335 (ii); (medicinal preparations) 1955; (putty) 2093; (sugars, &c.) 2407 (i); (Tea, adulterated) 5850 (ii).
 Teas, Adulteration (prop. Res.) 2425 (i).
 Winding-up Act Amt. (B. 94) 1^o*, 1967 (i).

Sutherland, Mr. J., North Oxford.

- Adjmt., Queen's Birthday (remarks) 3004 (i).
 Cheese Weighing, on M. for Com. on Ways and Means (remarks) 2502 (i).
 Cruelty to Animals prevention B. 4 (Mr. *Coatsworth*) in Com., 4528 (ii).
 Customs Collector at Louisburg (Ques.) 3275 (ii).
 Dairy Reports, Delay in Printing (remarks) 5369.
 Dillon, James St. George, Relief (B. 148) 1^o on div., 4887; 2^o m., 5064; Order for 2^o read, 5485; 2^o m., 5523; M. for Com., 5919 (ii).
 Fishing with Gill Nets, Regulation (Ques.) 1969.
 Hastings (North) Mail Service (Ques.) 3092 (i).
 Hilton, Govt. Dock (Ques.) 1969 (i).
 ——— Title to Land (Ques.) 2620 (i).
 I.C.R., Sales of Scrap Iron (Ques.) 4477 (ii).
 Insurance Act Amt. B. 111 (Mr. *Foster*) in Com., 5856 (ii).
 Railway Passenger Tickets, Sale, Act Amt. B. 163 (Mr. *Haggart*) in Com., 6519 (ii).
 Shipping Master, Montreal, Appmt. (Ques.) 2413 (i).
 St. Thomas P. O., Box Rents, &c. (Ques.) 4477.

Sutherland, Mr. J.—Con.

SUPPLY :

Government of N. W. T. (Lieut.-Gov.'s expenditure) 4919 (ii).

Indian Affairs (Man. and N.W.T. Schools) 4357.

Public Works—Income: Buildings (Quebec) 4434.

Timber Limits in Shell River District, Rent Arrears (Ques.) 1969 (i).

Vinton Postmaster, Name, &c. (Ques.) 2732 (i).

Ways and Means—The Tariff :

In Com. (galvanized wire) 3588 (ii); (iron, &c., bars) 2693; (iron, scrap) 2376; (tea and coffee) 2077 (i).

Concurrence (agricultural implements) 4021; (iron manufactures, &c.) 4030; (steel rails) 4032; (tea and green coffee) 4032 (ii).

Tarte, Mr. J. I., L'Islet.

C.P.R., Drawbacks B. 166 (Mr. *Huggart*) on Amt. (Mr. *Mulock*) 6373 (ii).

Commercial Relations with France, on M. for Cor., 1454, 1463 (i).

France and Canada SS. Line (M. for Cor. *) 2783.

Great Northern Ry., Cor. respecting (M. for Ret. *) 2782 (i).

Judiciary of Quebec, Charges against Judges (remarks) 6220 (ii).

— on M. for Com. of Sup. (remarks) 5777 (ii).

Lachine Canal Bridges, Expenditure, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 6328.

Man. School Question, Roman Catholic minority (Ques.) 1712 (i).

— and N.W.T. Schools, Ret. (remarks) 6381.

N.W.T. Act Amt.—Dual Language—B. 10 (Mr. *McCarthy*) on M. for 1^o, 159 (i).

— School Question (Ques.) 1222 (i).

Order, Ques. of (Mr. *Davin*) relevancy of deb., 4988 (ii).

Privilege (Ques. of) incorrect reporting, 5094 (ii).

Schools in Man. and N.W.T. (M. for Cor.) 159 (i).

Soulanges Canal, Advertisement for Tenders (M. for copy *) 1399 (i).

— Changes in Contract (M. for Ret.) 3294 (ii).

— Sections 12 and 13 (M. for Cor. *) 2783 (i).

St. François de Sales P.O. (M. for Cor.) 2191 (i).

Supreme Court Judges' Superannuation B. 89 (Sir *John Thompson*) in Com., 4972 (ii).

SUPPLY :

Collection of Revenues: Customs (Ques.) 5074 (ii).

Taché & Son, Repts. on Surveys and Soundings (M. for copies *) 3300 (ii).

Taylor, Mr. G., South Leeds.

Adjmt., Queen's Birthday (remarks) 2871, 2940, 3004 (i).

Brockville and New York Bridge Co.'s Revival (B. 157) 1^o*, 5465 (ii).

Cheese Weighing at Montreal (Ques.) 2414 (i).

— on M. for Com. on Ways and Means (remarks) 2500 (i).

General Inspection Act Amt. B. 125 (Mr. *Wood*, *Brockville*) in Com., 3544 (ii).

Taylor, Mr. G.—Con.

Legal Services, Amounts Paid (M. for Ret. *) 2424 (i).

Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3435, 3639; on M. for 3^o (Amt.) to recom., 4071, 4086 (ii).

Montreal Park and Island Ry. Co.'s (B. 68) 1^o*, 1113 (i).

Niagara Falls Electric Ry. Bridge Co.'s incorp. (B. 67) 1^o*, 1113 (i).

Public Works under Contract, Workmen's Wages (prop. Res.) 3295 (ii).

SUPPLY :

Fisheries (Fish-breeding) 4748 (ii).

Legislation: House of Commons (Translators) 5224 (ii).

Penitentiaries (Kingston) 5519 (ii).

Ways and Means—The Tariff, on Amt. (Sir *Richard Cartwright*) to M. for Com., 1055 (i).

Ways and Means—The Tariff :

In Com. (axes, &c.) 2804; (coal oil, &c.) 2238, 2282; (collars of cotton, &c.) 2561; (cordage) 2637; (corset clasps, eyelets, &c.) 2398; (iron, &c., nuts) 2531; (iron tubes not welded) 2997; (lard, &c.) 1493; (lumber for spokes of wheels) 2997 (i); (nuts, &c., steel or iron) 3312 (ii); (railway cars, &c.) 2402 (i); (rice, &c.) 3577 (ii); (shovels, &c.) 2818; (wheat) 1740 (i).

Concurrence (portable machines) 4025 (ii).

Thompson, Rt. Hon. Sir John, Antigonish.

Address, The, on M. to conc., 45, 111 (i).

— His Ex.'s Reply (presented) 2341 (i).

— precedence of deb. (M.) 77 (i).

Adjmt. for Easter (M.) 78 (i).

— Queen's Birthday (remarks) 2872, 2941 (i).

Administration of Justice in Arthabaska (Ans.) 2293 (i).

— Oaths of Office (B. 1) 1^o*, 2 (i).

Advertising in Newspapers, Classification (Ans.) 686 (i).

Agriculture, Deptl. Rep. (presented) 4101 (ii).

Alien Labour Law of U. S. (Ans.) 4307 (ii).

Arbitration, Settlement of Disputes, on prop. Res. (Mr. *Edgar*) 3113 (i).

Archives Rep., 1893 (presented) 4101 (ii).

Atlantic SS. Service, Fast (Ans.) 1968 (i).

— and French Treaty (Ans.) 4196, 5154 (ii).

— B. 161 (Mr. *Foster*) in Com., 5973 (ii).

Ballot Extension to N. W. T. B. 7 (Mr. *Martin*) on M. for 2^o, 2338 (i).

— Paper, property of Govt. (Ans.) 4477 (ii).

Bancroft, Connoily & Co., Contract re Graving Dock, on Amt. (Mr. *Laurier*) to Com. of Sup., 6447 (ii).

Behring Sea, Capture of Sealing Vessels (remarks) 181 (i).

— Regulations, Legislation (remarks) 151 (i).

Binder Twine, Free Entry (M. to adjn. deb.) 147.

— Free Freight (remarks) 6521 (ii).

Birth of an Heir Apparent (remarks) 5693 (ii).

Boards of Trade incorp. Acts Amt. (B. 142) 1^o*, 4395; in Com., 4948 (ii).

Thompson, Rt. Hon. Sir John—Con.

- Bounty on French-built Ships (Ans.) 1220 (i).
 — on Pig Iron (prop. Res.) 6412 (ii).
 Bribery and Disfranchisement B 6 (Mr. *Weldon*)
 in Com., 2616, 2917 (i), 3297, 3379 (ii).
 Business of the House, Adjmt. (M.) 2037, 2212 (i).
 — Calling of Motions (remarks) 2136 (i).
 — (remarks) 6047, 6154 (ii).
 — on Amt. (Mr. *Mulock*) 6367 (ii).
 C. P. R., Drawbacks on Iron, &c., Bridges, on
 prop. Res. (Mr. *Hagart*) 5535; in Com. on
 Res., 6016 (ii).
 Cattle Disease in County of Grey (remarks) 522 (i).
 — Ocean Freight Rates, B. 8 (Mr. *Mulock*)
 on M. for 1°, 134 (i).
 — Trade, on M. for Com. of Sup. (remarks)
 3246 (i).
 Census Returns (remarks) 4197 (ii).
 Cheese Inspection at Montreal (remarks) 2489 (i).
 — Weighing, on M. for Com. on Ways and
 Means (remarks) 2503 (i).
 Chicago Fair, School Awards, on M. for Ret.,
 3294 (ii).
 Church Articles, Free Entry, on M. for Ret., 3138.
 Civil Service Employees, Creed (Ans.) 1117 (i).
 — Superannuation B. (remarks) 2341 (i).
 — Examinations, Irregularities, on M. (Mr.
Brodleur) for Sel. Com., 4059 (ii).
 Commercial Relations with France, on M. for
 Cor., 1443 (i).
 Common School Fund. Distribution (prop. Res.)
 4719; in Com., 4822; (B. 151) 1°, 4892.
 Copyright, Papers respecting (remarks) 10 (i).
 Corby, Mr., M.P. for West Hastings, on Resigna-
 tion (remarks) 4813 (ii).
 County Court Judges, B. C. (prop. Res.) 3441; in
 Com. on Res., 3557; conc. in Res., 5161 (ii).
 Criminal Code, 1892, Amt. (B. 126) in Com.,
 5174, 5469; 3° m., 5532; Sen. Amts., 6359 (ii).
 Cruelty to Animals prevention B. 4 (Mr. *Coats-
 worth*) in Com., 3648, 4100, 4517 (ii).
 Cullers' Act Amt. B. 124 (Mr. *Wood, Brockville*)
 in Com., 4949 (ii).
 Customs Acts Amt. B. 9 (Mr. *Charlton*) on Order
 for 2°, 2339 (i).
 — Collector at Louisburg (Ans.) 3275 (ii).
 — Collector at Gaspé (Ans.) 4477 (ii).
 — Montreal, Appmt. to Vacancy, on M. for
 Com. of Sup. (remarks) 4314 (ii).
 — (Que.) Entries and Duties (remarks) 951 (i).
 Debates, Official Rep., Sel. Com. (M.) 5 (i).
 — 1st Rep. of Com., on conc., 280 (i); 2nd
 Rep., 4297 (ii).
 Dom. Day, Adjmt. (M.) 5093 (ii).
 — Elections Act Amt. (B. 128) 1°, 3301; in
 Com., 6479 (ii).
 — Gas and Electric Co.'s B. 77 (Mr. *Boyd*) in
 Com., 3081 (i).
 — Notes Act Amt. (prop. Res.) 5465; in
 Com. on Res., 6031 (ii).
 — Police, Commissioner's Rep. (pres.) 127 (i)

Thompson, Rt. Hon. Sir John—Con.

- Drawbacks on Shipbuilding, on M. for Ret., 1035.
 Edmonton Street Ry. Co.'s B. 23 (Mr. *Davis,
 Alberta*) in Com., 5485 (ii).
 Election Expenditure, on Personal Explanation
 (Mr. *Edgar*) remarks, 5475 (ii).
 Ellis, Mr., Imprisonment (remarks) 3450 (ii).
 — on Amt. (Mr. *Davies, P. E. I.*) to Com. on
 Ways and Means, 3790 (ii).
 Estimates, Suppl., 1893-94 (presented) 4642 (ii).
 Exchange Bank, Indebtedness (Ans.) 2623 (i).
 Excise, Drawbacks on Exports (prop. Res.) 4889.
 Fishing Exports, Cuba and Porto Rico (Ans.)
 1397 (i).
 — Licenses (Nfld.) Refund of Fees (Ans.) 1396.
 Fortifications at Esquimalt, Chinese Labour
 (Ans.) 3603 (ii).
 Franchise Act Amt. (remarks) 3303, 3367 (ii).
 — Electoral, Act Amt. (B. 143) 1°, 4300;
 2° m., 6523; in Com., 6524 (ii).
 Fraser River Floods (remarks) 3600 (ii).
 Freight Rates in N.W.T., on M. for Com. of
 Sup. (remarks) 5375 (ii).
 French Treaty, Articles Admitted under (Ans.)
 5044 (ii).
 — Ratification (B. 147) 1°, 4642 (ii).
 Gibson vs. Queen, in Com. of Sup. (explanation)
 4122 (ii).
 Govt. Business, on Adjmt. (remarks) 4100 (ii).
 — Contractors and Labourers' Wages, on
 prop. Res. (Mr. *Coatsworth*) 3623 (ii).
 — on M. (Mr. *Foster*) for Com. on Ways and
 Means (remarks) 3012 (i).
 — Orders, precedence on Thursdays (M.)
 1872 (i).
 — precedence on Wednesdays (Ms.) 3163,
 3171 (i), 3441 (ii).
 — precedence on Mondays (M.) 4814 (ii).
 — precedence on Saturdays (M.) 5936 (ii).
 Governor General's Instructions (remarks) 11 (i).
 Grand Jurors (Ont.) Reduction of Number B.
 24 (Mr. *Mulock*) in Com., 4515 (ii).
 Granite Imports (Ans.) 3872 (ii).
 Guysboro' County (N.S.) Public Works (Ans.)
 282 (i).
 — Industries, Ret. (remarks) 5466 (ii).
 Half-breed Lands in Man., on M. for Ret., 1034.
 Halifax Drill Shed, in Com. of Sup., 4419 (ii).
 Hard Pan Cases, Papers respecting (M. for Ret.)
 2691 (i).
 Hearn, Hon. John, deceased (remarks) 2939 (i).
 Heir Apparent, Birth, Address to Her Maj.
 from Senate, conc. (M.) 6531 (ii).
 Holidays, Public (B. 106) in Com., 4594 (ii).
 Houses of Refuge (Female) Ont. (B. 156) 1°, 5465;
 in Com., 5533 (ii).
 Hull *Despatch*, Payments by Govt. (Ans.) 4051,
 4307 (ii).
 Immoral Books, alleged importations, on M. for
 Com. of Sup. (remarks) 6306 (ii).
 Infantry School, Montreal, proposed (Ans.) 4476.

Thompson, Rt. Hon. Sir John.—Con.

- I.C.R., St. Charles Branch, Papers *re* Judgment (remarks) 3602 (ii).
 Industries in Guysboro' County, Employees (remarks) 1972 (i).
 — Queen's and Shelburne Counties (Ans.) 1789 (i).
 Insolvency Law (New) Distribution of copies (remarks) 449 (i).
 — (B. 152) 1st, 4940 (ii).
 Insolvent Act (1875) Official Assignees (Ans.) 1792 (i).
 Insurance Act Amt. (B. 111) 1^o, 2783; 2^o m., 3005 (i); in Com., 5172, 5851; 2^o of Amts. from Com., conc. (M.) 6054 (ii).
 Intercolonial Conference, Adjmt. (M.) 5044 (ii).
 — Preferential Trade (remarks) 5468 (ii).
 Interest Act Amt. B. 129 (Mr. *Foster*) 1^o, 3301; in Com., 4945 (ii).
 Internal Economy Commission, Mess. from His Ex. (presented) 128 (i).
 Joint Stock Co.'s Incorp. (B. 153) 1st, 4940 (ii).
 Judges in Prov. of Quebec (Ans.) 1,89 (i).
 — of Prov. Courts (prop. Res.) 5046; in Com. on Res., 5095; conc., 5161 (ii).
 — Salaries, Increase (Ans.) 519 (i).
 Judiciary, N.B. (remarks) 7, 11 126 (i).
 — Quebec, on M. for Com of Sup. (remarks) 5800 (ii).
 — Mr. Tarte's Charges (remarks) 6212 (ii).
 Juvenile Offenders (N.B.) Act Amt. (B. 144) 1st, 4557; 2^o, 4893; in Com., 4940 (ii).
 Kingston and B. C. Penitentiaries (Ans.) 1875 (i).
 — Papers respecting (Ans.) 1119 (i).
 Kingston Penitentiary, Shortage of Accounts (Ans.) 3275 (ii).
 Labour Day, Legalization (B. 106) 1^o, 2410 (i).
 — Statistics, Establishment of Bureau, on M. for Ret., 2190 (i).
 Land Grants, Man. University, on M. for Com. of Sup. (remarks) 3467 (ii).
 Lands in the Territories Consolid. B. 162 (Mr. *Daly*) on M. for 2^o, 6077 (ii).
 Library of Parl. Joint Com. (M.) 515 (i).
 Lieut.-Governor's Instructions, N. W. T. (remarks) 181 (i).
 Liquor Traffic, Commissioners' Rep. (remarks) 10 (i).
 Logs, Export duty, on M. for Com. of Sup. (remarks) 4215 (ii).
 Loiselle, B., Postmaster, Dismissal, on M. for Cor., 2747 (i).
 Lord's Day Observance B. 2 (Mr. *Charlton*) in Com., 3433, 4073 (ii).
 Man. and North-western Ry. B. 108 (Mr. *Taylor*) in Com., 4041 (ii).
 — and N. W. T. Schools, on M. for Cor., 2042 (i); Pets. from Archbishops, &c. (Ans.) 6356 (ii).
 — School Case, Judicial Com. of P. C., Decision (Ans.) 518 (i).

Thompson, Rt. Hon. Sir John.—Con.

- Man. School Question, Roman Catholic Minority (Ans.) 1712 (i).
 — Ret. (remarks) 6381 (ii).
 McGreevy and Connolly, Release from Prison, on M. for Pet., 146 (i).
 — Ret. *re* Release, Delay in presentation (Ans.) 290 (i).
 Mess. from His Ex. (presented) 128, 144, 2341 (i); 4642, 5850 (ii).
 Military College, Graduates, &c. (remarks) 282 (i).
 Niagara River, Dumpage of Garbage, &c. (Ans.) 4307 (ii).
 Nicolet Cathedral, Disallowance of Local Act *re* Grant (Ans.) 2621 (i); 4718 (ii).
 N.W. Mounted Police Acts Amt. B. 121 (Mr. *Ives*) in Com., 4663 (ii).
 N. W. T. Act Amt. B. 5 (Mr. *Martin*) 2789 (i).
 — Acts Amt. B. 149 (Mr. *Daly*) in Com., 5169; 3^o M., 6080; on Amt. (Mr. *McCarthy*) to M. for 3^o, 6126 (ii).
 — (Ordinance 32, 1893) B. 23 (Mr. *Davin*) on M. for 1^o, 596 (i).
 — School Question (Ans.) 1222 (i).
 Order, Ques. of (Sir *Richard Cartwright*) on Member's veracity (remarks) 1743 (i).
 — (Mr. *Laurier*) on Member's sincerity (remarks) 2166 (i).
 — relevancy of deb., 4988 (ii).
 — unparliamentary language, 5385 (ii).
 Ottawa River Bridge, Hull and Nepean Point (Ans.) 2414 (i).
 Palmer, ex-Judge, Letters Patent *re* Superannuation (Ans.) 181 (i).
 — Charges against (papers presented) 128 (i).
 Penitentiaries Rep. (presented) 127 (i).
 Pictou Harbour, further Act Amt. (B. 88) 1st, 1786 (i).
 Pontiac Judicial District, Appmt. of Judge (Ans.) 517 (i).
 Printing of Parl., Joint Com. (M.) 514 (i).
 Privilege, Ques. of (Mr. *Charlton*) Irregular Procedure (remarks) 1223 (i).
 — par. in *Free Press*, criticizing Mr. Speaker's action, 1958 (i).
 Provost and Larose, non-attendance at Bar— Arrest (M.) 4040 (ii).
 — presence at Bar (Ms.) 4189 (ii).
 Public Accounts Com., adoption of Rep. (remarks) 1471 (i).
 — 1st and 2nd Reps., on Amt. to Amt. (Sir *Charles Hibbert Tupper*) 1689 (i).
 — 3rd Rep., on conc., 1869 (i).
 — Examination of Auditor General, on prop. M., 2486 (i).
 — on Amt. (Sir *Charles Hibbert Tupper*) 1966 (i).
 — new Member (M.) 4300 (ii).
 — Powers and Functions (remarks) 2627, 2640.
 Public Harbours B. 95 (Sir *Charles Hibbert Tupper*) in Com., 2730 (i).

Thompson, Rt. Hon. Sir John—Con.

- Quebec West Election and Atlantic S.S. Service (Ans.) 4052 (ii).
- Queen's (N.S.) Revising Barrister (Ans.) 1222 (i).
- Questions put by Members, on M. to adjn. Hse., 758 (i).
- Readjustment of Counties in Que. (Ans.) 1793 (i).
- Redistribution Act Amt. B. (remarks) 4307 (ii).
- Reformatory for Dom., Establishment (Ans.) 6522 (ii).
- Returns *re* Ont. Local Legislators (remarks) 2786 (i).
- on Inquiries (remarks) 5530, 6258 (ii).
- Revenue and Audit Acts Consolid. B. 127 (Mr. *Foster*) in Com., 4941 (ii).
- Rice Cleaning, Mills and Persons engaged (Ans.) 1711 (i).
- Richmond, Revising Officer (Ans.) 2733 (i).
- Sanford, Senator, Visit to Washington *re* U.S. Tariff (Ans.) 286, 287 (i).
- Schools in Man. and N.W.T., on M. for Adjnmt. (remarks) 179; on M. for Ret., 2414 (i).
- in Man. and N.W.T., Printing Pet. of Bishops (Ans.) 4310 (ii).
- Select Standing Committees (M.) 4 (i).
- Preparation of Lists (M. for Com.) 126 (i).
- Lists (presented) 424; conc., 447 (i).
- Senate and House of Commons B. 164 (Mr. *Foster*) in Com. on Res., 6029 (ii).
- Contingencies, in Com. of Sup. (explanation) 4122 (ii).
- Dates of Vacancies (Ans.) 595 (i).
- Number, &c., of Vacancies (Ans.) 288 (i).
- Shelburne (N.S.) Revising Barrister (Ans.) 1222.
- Shipping Master, Montreal, Appmt., on M. to adjn. (remarks) 2296 (i).
- Sittings (Morning) of the House (M.) 6253 (ii).
- Speaker of Senate (B. 89) 1^o*, 1786 (i); in Com., 4943 (ii).
- St. Anne de la Pêrade Landslide (Ans.) 3090 (i).
- St. Clair and Erie Ship Canal Co.'s incorp. B. 21 (Mr. *Tisdale*) on M. for Com., 2118 (i).
- Subsidies (Money) to Rys. B. 169 (Mr. *Haggart*) prop. Res., 6049; in Com. on Res., 6289, 6385, 6420 (ii).
- Amt. (Mr. *Laurier*) to M. for 2^o of Res., 6467 (ii).
- Ry. to Quebec (prop. Res.) 4719; Com. on Res. (M.) 4818; (B. 150) 1^o*, 4891; in Com., 5098; 3^o m., 5154 (ii).
- S.S. Line to France (Ans.) 948 (i).
- SUPPLY (Res. for Com.) 126; on M. for Com. (remarks) 3176 (i).
- Administration of Justice* (Exchequer Court) contingencies, &c., 3346; (Judges' allowance, B.C.) 3340; (Judges' travelling expenses, N.W.T.) 3340; (Miscellaneous) 6241; (Official Arbitrators) 3340; Ont. (Additional Judge) 6241; (Supreme Court) 3343; Library, 3345; contingencies, 3343; Reports, 3344 (ii).
- Agriculture* (Year-Book) 4149 (ii).

Thompson, Rt. Hon. Sir John—Con.

SUPPLY—Con.

- Arts, Agriculture, &c.* (Statistics) 5482 (ii).
- Canals—Capital* (Cornwall) 3526. *Income* (Miscellaneous) 6461 (ii).
- Charges of Management* (Colonial Crown Agents) 5367; (Mr. Skinner's services) 5367 (ii).
- Civil Government* (Civil Service Examiners) 3253; (Gov. Gen. Sec.'s Office) contingencies, 3264; (Justice) contingencies, 3267 (i); 5217; (Messrs. Power and Fraser) 6233 (ii); (Sec. of State) contingencies, 3268 (i).
- Collection of Revenues*: Excise (preventive service) 4765; Rys.—I.C.R. (Accident at Levis) 6462; (Martin's claim) 6463 (ii).
- Dominion Lands—Income* (Agents) 4936; (Board of Examiners) 5015 (ii).
- Dominion Police* (Gratuity, Widow Stewart) 6242.
- Govt. of N.W.T.* (Schools) 4924 (ii).
- Indian Affairs* (School funds) 4840 (ii).
- Legislation*: House of Commons (Voters' Lists) 3492. Library (Salaries) 3499. Senate (Salaries, &c.) 3485 (ii).
- Mail Subsidies, &c.* (Baddeck and Grand Narrows) 5459; (Digby, N.S., St. John, N.B.) 5459; St. John, &c., and W. Indies) 5455.
- Miscellaneous* (Mr. Fabre's salary) 5040; inter-colonial Convention) 5536; (Liquor Traffic Commission) 5537; (W. Gliddon, extra services) 5537 (ii).
- Penitentiaries* (B.C.) 3366; (Dorchester) 6243; (Kingston) 5218, 5507, 6242; (Manitoba) 3349, 5220, 6243; (St. Vincent de Paul) 3347 (ii).
- Pensions*, 3501; (Militiamen of 1885) 3502; (Mounted Police, &c.) 3502; (Veterans of 1812) 3502 (ii).
- Public Works—Income*: Buildings (N.S.) 4419; Dredging (Plant) 4597, 4601; Harbours and Rivers (B.C.) 6508.
- Railways—Capital*: I.C.R. (Bedford Branch) 5066; conc., 5113.
- Superannuation* (Mr. Wallace) 5488.
- Superintendent of Insurance* (Expenses) 5215.
- Trade and Commerce* (Commercial Agencies) 5486; (International Bureau, Brussels) 5485.
- Supreme Court Judges' Superannuation (B. 89) prop. Res., 4889; in Com., 4955 (ii).
- Tariff Commission, Evidence taken by Sec., on M. for copy, 3295 (ii).
- Inquiries, Emplmnt. of Sec. (Ans.) 2133 (i).
- Ret. *re* Expenses (Ans.) 2298 (i).
- Tariff, The, Commissioners' Rep. (Ans.) 1119 (i).
- Travelling Commissioners' Rep. (Ans.) 952 (i).
- Thousand Islands, Sales, on Amt. (Sir *Richard Cartwright*) to Com. of Sup., 4410 (ii).
- Timber Sales on Indian Reserves, on prop. Res. (Mr. *Mills, Bothwell*) 1408 (i).
- (Amt.) 1409; agreed to (Y. 68, N. 45) 1433.
- Trade and Commerce, Deptl. Rep. (presented) 3002 (i).
- Treaty with France, Ratification (Ans.) 687 (i).
- and High Commissioner (Ans.) 5531 (ii).
- Ratification B. 147 (Mr. *Foster*), on Amt. (Mr. *Edgar*) to M. for 2^o, 5638; in Com., 5707.

Thompson, Rt. Hon. Sir John—Con.

Turcotte, Mr., M.P., on M. (Mr *Bruneau*) to ref. Stmt. to Priv. and Elec. Com., 2785; (Amt.) 2933; agreed to (Y. 103, N. 69) 2936 (i); Rep. of Com. on Priv. and Elec. (remarks) 3868 (ii).

— 4th Rep. of Com. on Priv. and Elec. consdn. (M.) 5775 (ii).

Voters' Lists, Instructions to Revising Officers (remarks) 2787 (i).

— Revision for 1894 (Ans.) 2732 (i).

— Revision, par. in *Montreal Gazette* (remarks) 5969 (ii).

Ways and Means—Res. for Com., 126 (i).

— The Tariff (remarks) 362 (i).

In Com.: Res. 1 (Customs Acts Amts., definitions, &c.) 1342, 1357, 1380. Res. 3 (books, &c., prohibited) 2996; (breadstuffs, &c.) 1563; (British copyright works) 1927; (champagne) 1475; (farm products) 1505; (iron manufactures) 2696, 2716; (newspapers) 2722; (remarks) 3012; (stearine) 2217; (steel rails) 3069; (wheat) 1762; (wood pulp) 2515 (i).

Welland Power and Supply Canal Co.'s B. 49 (Mr *McKay*) in Com., 3045 (i).

Winnipeg *Standard*, Govt. Advertising (Ans.) 841 (i).

Witnesses on Oath B. 90 (Mr *Mulock*) trans. to Govt. Orders (M.) 2075; in Com., 2624 (i).

— on Amt. (Sir *Richard Cartwright*) to M. for Com. on Ways and Means, 1879, 1896 (i).

Youthful Offenders (B. 112) 1^o*, 2783 (i).

Tisdale, Mr. D., South Norfolk.

Bribery and Disfranchisement B. 6 (Mr *Weldon*) in Com., 3389 (ii).

Can. Ry. Accident Ins. Co.'s B. 36 (Sir *James Grant*) in Com., 3085 (i).

C. P. R., Drawbacks on Iron or Steel Bridges, in Com. on Res., 6017 (ii).

Cruelty to Animals prevention B. 4 (Mr *Coatsworth*) in Com., 4088 (ii).

Dillon, Jas. St. George, Relief, B. 148 (Mr *Sutherland*) on Amt. (Mr *Masson*) to M. for Com., 5923 (ii).

Govt. Contractors and Labourers' Wages, on prop. Res. (Mr *Coatsworth*) 3618 (ii).

Insurance Act Amt. B. 111 (Mr *Foster*) in Com., 5852 (ii).

Lake Erie Fisheries, on. M. for Com. of Sup. (remarks) 5234 (ii).

Man. and North-western Ry. Co.'s B. 108 (Mr *Taylor*) in Com., 4041 (ii).

Militia Pensions, Permanent Corps, on prop. Res. (Mr *Prior*) 3098 (i).

Powell, Col., Suspension, on M. for Com. of Sup. (remarks) 6155 (ii).

Private Bills to place on Order Paper (M.) 5520.

St. Clair and Erie Ship Canal Co.'s incorp. (B. 21) 1^o*, 596; in Com., 2380 (i).

Ways and Means—The Tariff:

In Com. (wheat) 1762 (i).

Tupper, Hon. Sir Charles Hibbert, Pictou.

Atlantic SS. Service, Fast, in Com. on Res., 5733 (ii).

Behring Sea Seal Fisheries, Number and Value, 686 (i).

— Res. B. C. Legislature *re* British Sealers (Ans.) 2135 (i).

Bounties to Fishermen in Victoria County, N.S. (Ans.) 949 (i).

— on Pig Iron, in Com. on Res. (Mr *Foster*) 6475 (ii).

B. C. Sealers' Claims, on M. for Ret., 1577 (i).

Campbell, Samuel, Dismissal (Ans.) 288 (i).

Cattle Trade, Rep. *re* Export (remarks) 2212 (i).

— Trade with Great Britain, on M. for Com. of Sup. (remarks), 4904 (ii).

— Transit through Canada, on Amt. (Mr *Edgar*) to Com. of Sup., 5348 (ii).

Chicago Exhibition, Can. Commissioners' Rep. (Ans.) 5530 (ii).

Cruelty to Animals prevention B. 4 (Mr *Coatsworth*) in Com., 3664 (ii).

"Druid," Govt. Str., Cost of Repairs (Ans.) 2132.

Dunn, Capt. Ed., Suspension (Ans.) 1564 (i).

Eastern Harbour (C.B.) Lighthouse, Construction (Ans.) 2412 (i).

Fisheries Act Amt. (B. 145) 1^o*, 4557; in Com., 5567 (ii).

Fishery Regulations, Lake Erie, on M. for Com. of Sup. (remarks) 4222, 4233 (ii).

Fishery Bounties, Payments (Ans.) 157 (i).

— Instructions in Berthier, Maskinongé, &c., Counties (Ans.) 80 (i).

— Overseer Giguere, Appmt. (Ans.) 3274 (ii).

— Prosser, Prosecution (Ans.) 4052 (ii).

— Regulations in Ont. (Ans.) 843 (i).

— Warden on Labrador Coast (Ans.), 5692.

Fishing Bounty Frauds, Prosecution (Ans.) 3093

— by U. S. Citizens in Bay of Quinte (Ans.) 1791 (i).

— Gill Nets, Regulations (Ans.) 1969 (i).

— (Seine) Licenses in Ont. (Ans.) 951 (i).

Fishways in Argenteuil County (Ans.) 950 (i).

Fog-Alarms, Coal supply (Ans.) 2869 (i).

Govt. Business, on M. (Mr *Foster*) for Com. on Ways and Means (remarks) 3015 (i).

— precedence on Wednesdays, on prop. Res. (Sir *John Thompson*) 3446 (ii).

— Queen's Birthday, Adjmt. (remarks) 3166.

Harbour Commissioners' (Montreal) Acts Amt. (B. 110) 1^o*, 2725 (i).

Harbour Masters' Act Amt. (B. 45) 1^o*, 840: in Com., 2727 (i).

Hilton, Govt. Dock, Cost (Ans.) 1788 (i).

Hudson Bay, Her Majesty's Sovereignty, on M. for Cor., 3277 (ii).

— Propagation of Seals, on prop. Res. (Mr *Mills, Bothwell*) 3279 (ii).

Hus, Ed. P., Lighthouse-keeper (Ans.) 1711 (i).

Isaac's Harbour (N.S.) Appmt. of Lighthouse-keeper (Ans.) 845 (i).

Tupper, Hon. Sir Charles Hibbert—Con.

- Inspector of Vessels, Montreal (Ans.) 2413 (i).
 Lake Erie Fisheries, on M. for Com. of Sup. (remarks) 5267 (ii).
 Lebel, Esdras, Emplmt. by Govt. (Ans.) 448 (i).
 Legge, Joshua, Services (Ans.) 1790 (i).
 Library of Parlt., 2nd Rep. of Com., on conc., 4393 (ii).
 Lighthouses, &c., Sable Island (B. 46) 1^o*, 841 (i).
 ——— Ste. Emilie Parish (Ans.) 156 (i).
 Lobster Fisheries, Size of Catch, &c. (Ans.) 286.
 ——— License Fees (prop. Res.) 4719; in Com. on Res., 5557 (ii).
 Maduxnakeag, Fishway in Stream (Ans.) 158 (i).
 Mail Service, P.E.I. and Mainland (remarks) 1713.
 Marine and Fisheries Deptl. Rep., Delay in distribution (Ans.) 290; (presented) 2212 (i).
 ——— (presented) 1116 (i).
 ——— Hospital, St. John (N.B.) and Sick Mariners (Ans.) 843 (i).
 Maritime Provinces, Fisheries, on M. for Com. of Sup., 5412 (ii).
 Masters and Mates' Certificates (B. 130) prop. Res. 2939 (i); 1^o* of B., 3367; in Com. on Res., 4589, 4894 (ii).
 Matane Lighthouse, Custodian (Ans.) 4052 (ii).
 McQueen, Fishery Overseer, Dismissal, on M. for Ret., 1987; (Ans.) 367 (i).
 Mille Isles River Fisheries (Ans.) 1794 (i).
 Modus Vivendi, O. C.'s respecting (presented) 150 (i).
 Montreal Harbour Commissioners' Act Amt. (B. 110) in Com., 4644 (ii).
 North River Fisheries (Ans.) 1793 (i).
 Ont. Fisheries, on M. for Ret., 1589 (i).
 Pelletier, Odilon, Emplmt. by Govt. (Ans.) 447, 515 (i).
 Pictou Harbour Act Amt. (B. 88) in Com., 2728.
 Public Accounts Com., 3rd Rep. (Ans.) 1966 (i).
 ——— 1st and 2nd Reps., on Amt. (Mr. Mulock) conc., 1649 (i).
 ——— (Amt. to Amt.) 1656; agreed (Y. 110, N. 64) 1708 (i).
 ——— Powers and Functions (remarks) 2636 (i).
 ——— Harbours (B. 95) 2^o m., 2728; in Com., 2729 (i).
 Purse Seining, Trawling, &c. (Ans.) 5234 (ii).
 Quebec, Observatory, W. A. Ashe's Successor (Ans.) 4308 (ii).
 Returns, on inquiries (remarks) 4395 (ii).
 Sable Island Lighthouses, &c., Act Amt. (B. 46) in Com., 2727 (i).
 Sault Ste. Marie Canal, Tonnage of Vessels, on M. for Ret., 1035 (i).
 Seamen's Act Amt. (B. 13) 1^o, 281; 2^o m., 2726 (i).
 Shipping Master, Montreal, Appmt. (Ans.) 2294, 2413 (i).
 Ships' Safety further Act Amt. (B. 98) 1^o*, 2211 (i); in Com., 4569; M. to recom., 4643 (ii).
 Ships' Inspection Act Amt. (B. 113) 2^o m., 3535.

Tupper, Hon. Sir Chas. Hibbert—Con.

- Steamboat Inspection Act Amt. (B. 137) 1^o, 4039 (i); in Com., 4894 (ii).
 Subsidies (Money) to Rys. B. 169 (Mr. Haggart) in Com. on Res., 6385 (ii).
 SUPPLY :
Civil Government (Interior) 3217 (i). *Marine and Fisheries*, (W. B. Dawson) 6233 (ii).
Dominion Lands—Income (Agents) 4937 (ii).
Fisheries (Fish-breeding, &c.) 4746; (Ganley, Tug Hire) 6514; (Hatcheries) 5021; (Intelligence Bureau) 5460; (International Commission) 5039; (Legal expenses) 5026; (N.S., Salaries, &c.) 4738; (Ont.) 4737; (P.E.I.) 4744 (ii).
Lighthouse and Coast Service (Maintenance, &c.) 4711; (Repairs, &c., Wharfs) 4716; (Salaries, &c.) 4697; (Signal Service) 4716 (ii).
Mail Subsidies, &c. (Allan SS. Co.) 5459 (ii).
Marine Hospitals (Que., N.B., &c.) 4736; (Shipwrecked Seamen) 4737 (ii).
Miscellaneous (Mr. Fabre's salary) 5041 (ii).
Ocean and River Service (Govt. Steamers) 4683; (Macdonald Bros. Claim) 6513; (New Steamer, Maintenance) 6513; (Removal of Obstructions) 4697; (Tidal Observations) 4693 (ii).
Public Works—Income: Harbours and Rivers (Ont.) 6565 (ii).
Scientific Institutions, &c. (Anticosti Island Survey) 5460; (Meteorological Service) 4733 (ii).
Steamboat Inspection (Expenses) 4737 (ii).
 Tignish Breakwater, Appmt. of Lighthouse Keeper (Ans.) 844 (i).
 ——— Breakwater, Amount collected (Ans.) 284.
 ——— Breakwater, Weather Signal (Ans.) 1788, 1967 (i).
 ——— Wharfage Dues (Ans.) 1789 (i).
 Tonnage Dues (prop. Res.) 4101; in Com., 4568.
 Treaty with France Ratification B.147 (Mr. Foster) on Amt. (Mr. Edgar) to M. for 2^o, 5655 (ii).
Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 894 (i).
 In Com. (remarks) 3015; (scrap iron) 2346 (i).
 Willie McGowan, Illegal Seizure, on M. for Cor., 1571 (i).
 Winter Service, P.E.I. and Mainland, on M. for Ret., 4512 (ii).

Turcotte, Mr. A. J., Montmorency.

- Metis, Matane and Gaspé Ry. Co.'s incorp. (B. 78) 1^o*, 1219 (i).

Tyrwhitt, Mr. R., South Simcoe.

- Letter Postage, Reduction of Rates, on prop. Res. (Mr. Coutsworth) 2208 (i).

Vaillancourt, Mr. C. E., Dorchester.

- Yamachiche Wharf, Construction, &c. (Ques.) 3765 (ii).

Wallace, Hon. N. C., West York.

- Bowell, J. C., Services (Ans.) 947 (i).
 Campbellford sub-Collector of Customs (Ans) 3090 (i).
 Cattle Exports (remarks) 1568, 1788 (i).
 ——— (Live) Number and Value of Export (Ans.) 1221 (i).

Wallace, Hon. N. C.—Con.

- Cattle, Rep. *re* Export (remarks) 2212 (i).
 ——— Trade, on M. (Mr. Foster) for Com. of Sup. (remarks) 2246 (i).
 Church Articles, Free Entry, on M. for Ret., 3127.
 Coal Imports *via* G.T.R. (Ans.) 2412 (i).
 Commercial Relations with France (Ans.) 1710.
 Corn, Rebate of Duty on Imports (Ans.) 841 (i).
 Customs Board, Number of Sittings (Ans.) 155 (i).
 ——— Collectorship, Montreal (Ans.) 289 (i).
 ——— Collectors, Mercantile Pursuits (Ans.) 1972 (i).
 ——— Officers' Uniforms (Ans.) 1118 (i).
 ——— Refund of Fines (Ans.) 156 (i).
 ——— Seizures in Ont. 1891-92 (Ans.) 845 (i).
 ——— Statutes, Publication of Index (Ans.) 1118 (i).
 ——— Sub-Collector at Campbellford, Suspension (Ans.) 369 (i).
 ——— Vacancies in Stanstead County (Ans.) 3767 (ii).
 Drawbacks on Shipbuilding (Ans.) 2293 (i).
 Duty on Cotton Goods (remarks) 1033 (i).
 Exports to U.S., on M. for Ret., 1859 (i).
 ——— *via* Niagara and Fort Erie (Ans.) 5529.
 Flour, Free Imports for Deep Sea Fisheries (Ans.) 842 (i).
 Immoral Literature Imported at Montreal (Ans.) 5530 (ii).
 Imports from U.S., Ret. (Ans.) 2298 (i).
 ——— *via* Niagara and Fort Erie (Ans.) 5530 (ii).
 Order, Ques. of (Sir Richard Cartwright) 1743 (i).
 Petroleum Inspection Act Amt. B. 122 (Mr. Wood, Brockville) in Com., 5472 (ii).
 Port Hawkesbury, Customs Collector (Ans.) 2131.
 Roy, Thos., Emplmt. by Govt. (Ans.) 3089 (i).
 Seaforth as an Outport of Entry (Ans.) 3766 (ii).

SUPPLY :

Collection of Revenues: Customs (B.C.) 5077; (Board, &c.) 5080; (Miles, Cowan) 5464; (Miscellaneous) 5090; (N.B., N.S., Que., P.E.I., Ont.) 5067, 5075; (Provs. generally) 5078 (ii).

Tariff, The, Analytical Index, Publication, &c. (Ans.) 753 (i).

——— Explanatory Letter, 1568 (i).

——— Inquiries, Controller of Customs Visits (Ans.) 1971 (i).

Teas, Adulteration, on prop. Res. (Mr. Stairs) Adjmt. of deb. (M.) 2429 (i).

Trade and Navigation Returns, Clerical Error (remarks) 951 (i).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 369 (i).

In Com.: Res. 1 (Customs Act Amt., definitions, &c.) 1342, 1358, 1366, 1389. Res. 3 (axes, &c.) 2801, 2810; (axle grease) 2090; (breadstuffs, &c.) 1562; (buttons of hoof) 2682; (buttons, pearl) 2682; (carpets) 3065; (cement) 2122; (codfish) 2685; (collars of cotton, &c.) 2563; (cordage) 2855; (cotton batts) 2532; (cotton clothing) 2828; (cotton, grey) 2533; (cotton, printed) 2555; (cotton warps) 2533; (earthenware, &c.) 2094, 2222;

Wallace, Hon. N. C.—Con.*Ways and Means*—The Tariff—Con.

(farm wagons, &c.) 2399; (flax fibre) 2688; (herrings) 2684; (iron manufactures) 2699, 2714; (iron, &c., nuts) 2531; (iron tubing) 2529; (lamp chimneys) 2095; (mackerel) 2684; (medicinal preparations) 1953; (mining machinery) 3075; (oysters) 686; (Paris green) 2092; (pianofortes, &c.) 2403; (plumbago) 3025; (rice) 1721; (rove) 2664; (salmon) 2685; (sewing thread) 2649; (soap, &c.) 1500; (stereotypes) 2823; (unenumerated goods) 2684; (varnishes, &c.) 2092; (wall paper) 1940; (wheat) 1743; (wool) 2670 (i).

Concurrence (agricultural implements) 4020; (carpets) 4028; (fire-brick) 4030; (iron manufactures, &c.) 4030; (portable machines) 4024; (steel rails) 4032; (travellers' baggage) 4029 (ii).

Woodstock (N.B.) Preventive Officer, Name, &c. (Ans.) 2133 (l).

Weldon, Mr. R. C., Albert.

Atlantic SS. Service, Fast, in Com. on Res. 5755.

Bribery and Disfranchisement (B. 6) 1^o*, 79; 2^o m., 2337; in Com., 2573, 2874 (i); 3^o m., 3369.

Dillon, Jas. St. George, relief B. 148 (Mr. Sutherland) on M. for 2^o, 5526 (ii).

Ellis, Mr., Imprisonment, on Amt. (Mr. Davies, P.E.I.) to Com. on Ways and Means, 3751 (ii).

Judiciary of Quebec, on M. for Com. of Sup. (remarks) 5834 (ii).

Public Accounts Com., 1st and 2nd Reps., on Amt. to Amt. (Sir Charles Hibbert Tupper) 1663 (i).

St. Clair and Erie Ship Canal Co.'s Incorp. B. 21 (Mr. Tisdale) in Com., 2386 (i).

Thousand Islands, Sales, on Amt. (Sir Richard Cartwright) to Com. of Sup., 4407 (ii).

Treaty with France Ratification B. 147 (Mr. Foster) in Com., 5708 (ii).

Ways and Means—The Tariff :

In Com. (lamp chimneys) 2104; (sugar, &c.) 2405.
 Witnesses on Oath, Examination, on Amt. (Sir Richard Cartwright) to M. for Com. on Ways and Means, 1888 (i).

Welsh, Mr. W., Queen's, P.E.I.

Lobster Curing Licenses, in Com. on Res. (Sir Charles Hibbert Tupper) 5559 (ii).

Ships' Safety Act Amt. B. 98 (Sir Charles Hibbert Tupper) in Com., 4570, 4583 (ii).

Ways and Means—The Tariff :

In Com. (tea and coffee) 2080 (i).

White, Mr. R. S., Cardwell.

Bell Telephone Co. of Can. (B. 34) 1^o*, 750 (i).

Debates, Official, 2nd Rep. of Com., conc. (M.) 4297 (ii).

Dillon, Jas. St. George, Relief B. 148 (Mr. Sutherland) on M. for 3^o, 6290 (ii).

Franchise (Electoral) Act Amt. B. 143 (Sir John Thompson) in Com., 6527 (ii).

Logs, Export Duty, on M. for Com. of Sup. (remarks) 4212 (ii).

White, Mr. R. S.—Con.

Seditious and Unlawful Associations (B. 44) 1°, 751 (i).

St. Lawrence Canals, Enlargement, on prop. Res. (Mr. Denison) 2156 (i).

— Ins. Co.'s (B. 99) 1°, 2211 (i).

White, N. W., Shelburne.

Fisheries Act Amt. B. 145 (Sir Charles Hibbert Tupper) in Com., 5568 (ii).

SUPPLY :

Lighthouse and Coast Service (Salaries, &c.) 4705.

Wilson, Mr. U., Lennox.

Fishing by U.S. Citizens in Bay of Quinté (Ques.) 1791 (i).

Ways and Means—The Tariff :

In Com. (India-rubber boots) 2127 (i).

Weights and Measures Act Amt. (B. 19) 1°, 447.

Wood, Hon. J. F., Brockville.

Adulteration of Food B. 91 (Mr. Sproule) on M. for 1°, 1787 (i).

— Rep. (presented) 4300 (ii).

Barrels, Standard under Weights and Measures Act (Ans.) 2622 (i).

Carlsruhe Brewery, Govt. Revenue (Ans.) 2622 (i).

Coal Oil in Tanks, Places, &c., where admitted (Ans.) 516, 285, 517, 596 (i).

Cullers' Office, Que., Number, &c. (Ans.) 1567 (i).

Duggan, E., Superannuation (Ans.) 1711 (i).

Electric Light Inspection (B. 118) 1°, 3304 (ii).

— Co.'s, Legislation (Ans.) 1116 (i).

— Meters, Legislation *re* Inspection (Ans.) 1117 (i).

Electric Inspection (B. 118) in Com., 5048 (ii).

Electrical Measurement provision (B. 117) 1°, 3003 (i).

Ferland, Pierre, Appmt. as Stave Culler (Ans.) 1711 (i).

Franchise (Electoral) Act Amt. B. 143 (Sir John Thompson) in Com. 6527 (ii).

Fraudulent Sale or Marking Restraint (B. 123) in Com., 5171 (ii).

Furlow, Pierre, Appmt. as Stave Culler (Ans.) 1567 (i).

General Inspection Act Amt. (B. 125) in Com., 3541 (ii).

Inland Revenue, Deptl. Rep. (presented) 127 (i).

— Act Amt. (B. 158) 1°, 5472; in Com., 6155 (ii).

— Drawbacks, in Ccm., on Res., 5172 (ii).

Member's Son, Emplmt. by Govt. (Ans.) 2871.

Neustadt Brewery, Govt. Revenue (Ans.) 2821.

— and Carlsruhe Breweries, Revenue, &c. (Ans.) 2938 (i).

Petroleum Inspection Act Amt. (B. 122) in Com., 5471 (ii).

Wood, Hon. J. F.—Con.

St. Clair and Erie Ship Canal Co.'s Incorp. (B. 21), (Mr. Tisdale) on M. for Com., 2114 (i).

SUPPLY :

Collection of Revenue : Adulteration of Food (Expenses) 4772; (Excise) 5475; (Customs Collectors) 4767; (Extra Duty) 4751; (Methylated Spirits) 4767; (Preventive Service) 4759; (Salaries, &c.) 4751; (Weights and Measures) 4770, 5476.

Tariff Inquiries, Controller of Inland Rev., Visits (Ans.) 1971 (i).

Teas, Adulteration, on prop. Res. (Mr. Stairs) 2430 (i).

Timber Cullers, Montreal, Fees Collected (Ans.) 754 (i).

Tobacco (Can.) Excise Duty (Ans.) 685 (i).

— Reduction of Duty, on M. for Com. of Sup. (remarks) 6433 (ii).

Treaty with France Ratification B. 147 (Mr. Foster), on M. for 3°, 5776 (ii).

Ways and Means—The Tariff, on Amt. (Sir Richard Cartwright) to M. for Com., 413 (i).

In Com. (iron tubing) 2522; (malt) 3002 (i).

Weights and Measures and Gas, Rep. (presented) 5465 (ii).

Wood, Mr. J., Westmoreland.

Atlantic SS. Service, Fast, B. 161 (Mr. Foster) in Com. on Res., 5764, 5999, 6000 (ii).

I. C. R. Memramcook and College Bridge Station Receipts (Ques.) 2038, 2131 (i).

Insurance Act Amt. B. 111 (Mr. Foster) in Com., 5857; on 2° of Amts., 6059 (ii).

SUPPLY :

Fisheries (Hatcheries) 5022 (ii).

Public Works—Income : Harbours and Rivers (N.B.) 4469 (ii).

Ways and Means—The Tariff :

In Com. (coal oil, &c.) 2242 (i).

Winter Service, P.E.I. and Mainland, on M. for Ret., 4508 (ii).

Yeo, Mr. J.—Prince. P.E.I.

Brae Harbour Breakwater, Repairs (Ques.) 1970.

Duvar Road Flag Station, P. E. I. Ry. (Ques.) 2038 (i).

Higgins' Shore, Dredging at Pier (Ques.) 2734 (i).

Lobster Curing Licenses, in Com. on Res. (Sir Charles Hibbert Tupper) 5566 (ii).

Mill River Flag Station, on M. for Cor., 2776 (i) P. E. I. Ry.

SUPPLY :

Lighthouse and Coast Service (Maintenance, &c.) 4712 (ii).

Public Works—Income : Harbours and Rivers (P.E.I.) 5232 (ii).

Tignish Breakwater, Weather Signal (Ques.) 1967 (i).

INDEX—PART II.

SUBJECTS.

- ABBOTSFORD AND MOOSOMIN RY. SUBSIDY: prop. Res. (Mr. Haggart) 6256; in Com., 6402 (ii).
- ACIDS, &c.: in Com. of Ways and Means, 1949 (i).
- ACETIC ACID, GLACIAL, &c.: Ways and Means, conc., 4017 (ii).
- ACCOUNTANT'S SALARY, KINGSTON PENITENTIARY: in Com. of Sup., 6242 (ii).
- ADDRESS IN ANS. TO HIS EXCELLENCY'S SPEECH: moved (Sir James Grant) 11; seconded (Mr. Lachapelle) 23 (i).
- Deb. (Mr. Laurier) 27; (Sir John Thompson) 45; (Sir Richard Cartwright) 61; (Mr. Macdonald, Huron) 80; (Mr. McMillan) 95; (Mr. Mills, Bothwell) 106; (Mr. Martin) 113 (i).
- HIS EXCELLENCY'S REPLY: presented (Sir John Thompson) 2341 (i).
- ADJOURNMENTS, ASCENSION DAY: M. (Sir John Thompson) 2212 (i)
- DOM. DAY: M. (Sir John Thompson) 5093 (ii).
- INTERCOLONIAL DELEGATES RECEPTION: M. (Sir John Thompson) 5044 (ii).
- QUEEN'S BIRTHDAY: Remarks (Mr. Taylor, &c.) 2871, 2940, 3004 (i).
- M. (Sir John Thompson) 3163.
- Administration of Oaths of Office B. No. 1** (Sir John Thompson). 1°, 2°; *pro forma*.
- "ADMIRAL" SS. AND N.B. MAIL SERVICE: Ques. (Mr. Fauvel) 687 (i).
- ADMIRALTY CHARTS: Ways and Means, conc., 4030.
- ADMIRALTY REGISTRAR AND MARSHALL: in Com. of Sup., 3346 (ii).
- Adulteration of Food, Drugs, &c., Act Amt. B. No. 91** (Mr. Sproule). 1°, 1786.
- ADULTERATION OF FOOD, EXPENSES, &c.: in Com. of Sup., 4772 (ii).
- REP.: presented (Mr. Wood, Brockville) 4300.
- ADULTERATED TEAS, IMPORTS: Ques. (Mr. Stairs) 2425 (i).
- ADVERTISING (GOVT.) IN NEWSPAPERS, CLASSES A, B, C: Ques. (Sir Richard Cartwright) 686 (i).
- WINNIPEG "STANDARD": Ques. (Mr. Martin) 754, 841 (i).
- AGRICULTURE:**
- AMERICAN CATTLE IMPORTED ALIVE: M. for Cor., &c.* (Mr. Mulock) 451 (i).
- SWINE BONDED FOR SLAUGHTER: Ques. (Mr. Featherston) 1221 (i).
- BRUSH, A., COR. *re* CATTLE INSPECTION: M. for Cor.* (Mr. Mulock) 2424 (i).
- AGRICULTURE—Con.**
- CATTLE (CAN.) EXPORTS *via* U.S.: M. for Cor., &c.* (Mr. Mulock) 451 (i).
- DISEASE: Remarks (Mr. Fairbairn) 593 (i).
- EMBARGO IN GREAT BRITAIN: M. for Ret. (Mr. McMullen) 1800 (ii).
- Ques. (Mr. Fairbairn) 448 (i).
- Ques. (Mr. Featherston) 238 (i).
- Ret.: Remarks (Mr. Mulock) 2785 (i).
- Ques. (Mr. Smith, Ont.) 2040 (i).
- EXPORTS TO UNITED KINGDOM, VALUE: Ques. (Mr. Mulock) 1221, 1787, 2212.
- MIN. OF AGRICULTURE, REP.: Remarks (Mr. Mulock) 1568 (i).
- TRANSIT THROUGH CANADA: Amt. (Mr. Mulock) to Com. of Sup., 5275, 5301; neg. (Y. 59, N. 99) 5366 (ii).
- M. for Cor., &c. (Mr. Sproule) 4479 (ii).
- INSPECTION BETWEEN CAN. AND U. S.: M. for Cor.* (Mr. Mulock) 2424 (ii).
- DAIRYING FOR PROFIT, TRANSLATION OF PAMPHLET: Ques. (Mr. Girouard, Two Mountains) 3765 (ii).
- DAIRY REPORTS, DELAY IN PRINTING: Remarks (Mr. Sutherland) 5369 (ii).
- EXPERIMENTAL FARM, EMPLOYEES: Ques. (Mr. Delisle) 3440 (ii).
- Ques. (Mr. Beausoleil) 4478, 4718 (ii).
- PELLETIER, EUGENE, EMPLOYMENT BY DEPT. OF AGRICULTURE (Mr. Delisle) 447 (i).
- TUBERCULOSIS, LEGISLATION RESPECTING: Ques. (Mr. Smith, Ont.) 80 (i).
- WRIGHT, J. B., M.D., V.S., CATTLE INSPECTION: M. for Cor. (Mr. Mulock) 2424 (ii).
- [See Provinces, "SUPPLY," &c.]
- AGENCIES AND CONTINGENCIES, LIGHTHOUSE AND COAST SERVICE: in Com. of Sup., 4710 (ii).
- AGENCY AT CHICAGO: Ques. (Mr. Girouard, Jacques Cartier) 5368 (ii).
- ALLAN CO., OCEAN MAIL SERVICE: in Com. of Sup., 5459 (ii).
- ALASKA AND B. C. BOUNDARY: M. for Cor., &c. (Sir Hector Langevin) 450 (i).
- Alberta Southern Ry. Co.'s incorp. B. No. 101** (Mr. Davis, Alberta). 1°, 2211; 2°, 2597; in Com. and 3°, 4027. (57-58 *Vic.*, c. 61.)
- ALBUMENIZED PAPER: in Com. of Ways and Means, 1898 (i).
- ALIEN LABOUR LAW, U.S.: Ques. (Mr. Lowell) 4307.
- AMERICAN CATTLE IMPORTED ALIVE: M. for Cor.* &c. (Mr. Mulock) 451 (i).
- HISTORY: in Com. Sup., 3500 (ii).

- AMERICAN SWINE BONDED FOR SLAUGHTER: Ques. (Mr. Featherston) 1221 (i).
- ANALYTICAL INDEX CUSTOMS TARIFF, COST: M. for Ret.* (Mr. Somerville) 3163 (i).
- Ques. (Mr. Edgar) 753, 1568 (i).
- ANNAPOLIS AND DIGBY RY., CONSTRUCTION: in Com. of Sup., 5432 (ii).
- Animals.** See "CRUELTY."
- ANIMALS AND THEIR PRODUCTS: Ways and Means, conc., 4016 (ii).
- ANTICOSTI ISLAND SURVEY: in Com. of Sup., 5460 (ii).
- APPLES (DRIED): in Com. of Ways and Means, 1780, 1504 (ii).
- ARBITRATION, SETTLEMENT OF DISPUTES: prop. Res. (Mr. Edgar) 3102 (i).
- Deb. (Mr. Dickey) 3111; (Sir John Thompson) 3113; (Mr. Laurier) 3117; (Mr. Gillmor) 3119.
- ARCHIBALD, A. H., COMPENSATION: in Com. of Sup., 6460 (ii.)
- ARCHIVES: in Com. of Sup., 4124.
- ARTHABASKA, ADMINISTRATION OF JUSTICE: Ques. (Mr. Desaubiers) 2293 (i).
- ARTICLES FOR GOVT. USE: in Com. of Ways and Means, 2687 (i).
- ARTILLERY AND RIFLE ASSOCIATIONS: in Com. of Sup., 4884 (ii).
- ARTS AND STATISTICS:**
- BUREAU OF LABOUR STATISTICS, ESTABLISHMENT: M. for Ret. (Mr. Lepine) 2186 (i).
- CHICAGO EXHIBITION, CAN. COMMISSIONERS REP.: Ques. (Mr. Innes) 5530 (ii).
- CAN. EMPLOYEES: M. for Ret.* (Mr. Martin) 449 (i).
- MR. DIMOCK'S SERVICES: Ques. (Mr. Landerkin) 1565 (i).
- SCHOOL AWARDS: M. for Ret. (Mr. Lachapelle) 3289 (ii).
- EMPLOYEES FROM N.S.: M. for Ret. (Mr. Patterson, Colchester) 1036 (ii).
- IN COM. OF SUP., 4125, 5461 (ii).
- LABOUR STATISTICS, ESTABLISHMENT OF BUREAU: M. for Ret. (Mr. Lepine) 2186 (i).
- NAMES, &c., OFFICIALS WITH CAN. EXHIBIT: M. for Ret. (Mr. Charlton) 1399 (i).
- YEAR-BOOK, DELAY IN PUBLICATION: Ques. (Mr. Cockburn) 289 (i).
- [See "CENSUS," &c.]
- ASS'T RECEIVER GEN.'S OFFICE, CHARLOTTETOWN: in Com. of Sup. 3185 (i).
- HALIFAX: in Com. of Sup., 3181 (i).
- WINNIPEG: in Com. of Sup., 3184 (i).
- Atlantic and Lake Superior Ry. Co.'s B. No. 73** (Mr. Bergin). 1st, 1219; 2nd, 2597; in Com. and 3rd, 5485. (57-58 Vic., c. 63.)
- Atlantic and North-west Ry. Co.'s B. No. 30** (Mr. Baker). 1st, 682; 2nd, 885; in Com. and 3rd, 1747; Sen. Amts. conc. in, 2725. (57-58 Vic., c. 62.)
- Atlantic SS. Service.** See "OCEAN."
- ATLANTIC SS. SERVICE, FAST: Ques. (Sir Richard Cartwright) 683, 1219 (i).
- Ques. (Mr. Laurier) 947, 1968 (i), 5154 (ii).
- TERMINUS: Ques. (Mr. Gillies) 4051 (ii).
- ATLANTIC SS. SERVICE: Ques. (Mr. Cameron) 4196 (ii).
- SUBSIDIES ASKED: M. for Cor.,* &c. (Mr. Mulock) 2424 (i).
- AUDETTE, L. A., INCREASED SALARY: in Com. of Sup., 3346 (ii).
- Audit.** See "REVENUE."
- AUDITOR GENERAL, PUB. ACCTS. COM.: M. (Mr. Davies, P.E.I.) to examine, 2486 (i).
- REP.: presented (Mr. Foster) 127 (i).
- AUSTRALIAN-CANADIAN CABLE: M. for Cor.* (Sir Hector Langerin) 450 (i).
- AXES, &c.: in Com. of Ways and Means, 2794 (i).
- BADDECK AND GRAND NARROWS: in Com. of Sup., 5459 (ii).
- BANANAS: in Com. of Ways and Means, 2689 (i).
- BANCROFT, CONNOLLY & CO., PAYMENTS TO: Ques. (Mr. Rinfret) 5575 (ii).
- BANFF NATIONAL PARK SALE OF LOTS: Ques. (Mr. Martin) 2567 (i).
- BARBED WIRE: in Com. of Ways and Means, 2394 (i).
- BALLOT PAPER, FORM, GOVT. PROPERTY: Ques. (Mr. Rider) 4477 (ii).
- Ballot.** See "N.W.T."
- Baptist Church.** See "REFORMED."
- BARLEY: Ways and Means, conc., 4014 (ii).
- BARRELS, &c., STANDARD FOR: Ques. (Mr. Landerkin) 2622 (i).
- PETROLEUM: in Com. of Ways and Means, 2090 (i).
- BARWICK, F. D., EMPLOYT. BY GOVT. (Mr. Casey) 4050 (ii).
- BAY OF QUINTÉ, FISHING BY U. S. CITIZENS: Ques. (Mr. Wilson) 1791 (i).
- BEACHARNOIS CANAL: in Com. of Sup., 4162 (ii).
- RESIDENCE OF POSTMASTER: Ques. (Mr. Brown) 950 (i).
- BEAULIEU, BASIL, AID FOR BRIDGES: in Com. of Sup., 6464 (ii).
- BEDFORD AND DARTMOUTH BRANCH RY.: in Com. of Sup., 3518, 5065; conc., 5113 (ii).
- BEE-SWAX: in Com. of Ways and Means, 1498 (i).
- BEE-TROOT SUGAR: Remarks (Mr. Beausoleil) to Com. of Sup., 6334 (ii).
- BEHRING SEA, BRITISH SEALERS, RES. B. C. LEGISLATURE: Ques. (Sir Richard Cartwright) 2134 (i).
- FISHING REGULATIONS: Remarks (Sir Richard Cartwright) 150 (i).
- ON ADJMT.: Remarks (Mr. McDougall) 681 (i).
- Remarks (Sir Richard Cartwright) 181 (i).
- SEAL CATCH, NUMBER AND VALUE: Ques. (Mr. Laurier) 686 (i).
- BELLEVILLE HARBOUR: in Com. of Sup., 4472 (ii).
- Bell Telephone Co. of Can. B. No. 34** (Mr. White, Cardwell). 1st, 750; 2nd, 886; in Com. and 3rd, 1747. (57-58 Vic., c. 108).
- BILL (No. 1) Respecting the Administration of Oaths of Office.—(Sir John Thompson.) 1st, 2; *pro forma*.

- BILL (NO. 2)** To secure the better observance of the Lord's Day, commonly called Sunday.—(Mr. *Charlton*.)
1^o, 79; 2^o m., 2298; 2^o, 2337; M. for Com., 3399; in Com., 3405, 3637; 3^o m., 4071; Amt. (Mr. *Mara*) to recom., 4074; agreed to (Y. 60, N. 52) 4081; 3^o, 4087.
- BILL (NO. 3)** To repeal the Electoral Franchise Act and to make certain provisions in place thereof.—(Mr. *Charlton*.)
1^o, 79.
- BILL (NO. 4)** To make further provisions as to the prevention of cruelty to animals and to amend the Criminal Code, 1892.—(Mr. *Coatsworth*.)
1^o, 79; 2^o and in Com., 3648, 4088, 4517.
- BILL (NO. 5)** Further to amend the North-west Territories Act.—(Mr. *Daly*.)
1^o, 79; 2^o, 2490; in Com., 2490, 2788; 3^o, 2943. (57-58 *Vic.*, c. 15.)
- BILL (NO. 6)** To disfranchise voters who have taken bribes.—(Mr. *Weldon*.)
1^o, 79; 2^o and ref. to Sel. Com., 2337; in Com., 2568, 2598, 2873, 3297, 3368, 3390; 3^o, 3636. (57-58 *Vic.*, c. 14.)
- BILL (NO. 7)** To extend the ballot to the North-west Territories.—(Mr. *Martin*.)
1^o, 79; 2^o, 2338; in Com., 2490; withdn., 4088.
- BILL (NO. 8)** Respecting Ocean freight rates on cattle.—(Mr. *Mulock*.)
1^o, 128; 2^o m. (Mr. *McMullen*) 4545; deb. adjd., 4557.
- BILL (NO. 9)** Further to amend the Acts respecting the Duties of Customs.—(Mr. *Charlton*.)
1^o, 137; Order for 2^o dschgd., 2339.
- BILL (NO. 10)** Further to amend the Acts respecting the North-west Territories.—(Mr. *McCarthy*.)
1^o, 138.
- BILL (NO. 11)** To amend the Canada Temperance Act.—(Mr. *Davies, P.E.I.*)
1^o, 154.
- BILL (NO. 12)** To amend the Electoral Franchise Act, by providing for a residential qualification for all voters.—(Mr. *Edgar*.)
1^o, 180.
- BILL (NO. 13)** To amend the Seamen's Act.—(Sir *Charles Hibbert Tupper*.)
1^o, 281; 2^o and in Com., 2726; 3^o, 2727. (57-58 *Vic.*, c. 43.)
- BILL (NO. 14)** To amend the Railway Act.—(Mr. *Mulock*.)
1^o, 366; 2^o, in Com. and 3^o, 3299. (57-58 *Vic.*, c. 53.)
- BILL (NO. 15)** To amend the Act respecting the Senate and House of Commons.—(Mr. *Mulock*.)
1^o, 366.
- BILL (NO. 16)** To amend the Criminal Code, 1892, for the purpose of more effectually preventing lotteries.—(Mr. *Charlton*.)
1^o, 366.
- BILL (NO. 17)** To amend the Civil Service Superannuation Act.—(Mr. *McMullen*.)
1^o, 367.
- BILL (NO. 18)** To amend the Criminal Code, 1892, for the purpose of making more effectual provision for the punishment of seduction and abduction.—(Mr. *Charlton*.)
1^o, 447.
- BILL (NO. 19)** To amend the Act respecting Weights and Measures.—(Mr. *Wilson*.)
1^o, 447.
- BILL (NO. 20)** Respecting the Wood Mountain and Qu'Appelle Railway Company.—(Mr. *McDonald, Assiniboia*.)
1^o, 596; 2^o, 721; in Com. and 3^o, 1396. (57-58 *Vic.*, c. 96.)
- BILL (NO. 21)** To incorporate the St. Clair and Erie Ship Canal Company.—(Mr. *Tisdale*.)
1^o, 596; 2^o, 721; in Com., 2112, 2120, 2379; 3^o, 2391. (57-58 *Vic.*, c. 104.)
- BILL (NO. 22)** Respecting the Winnipeg and Hudson Bay Railway Company, and to change the name thereof to the Winnipeg Great Northern Railway Company.—(Mr. *Ross, Lisgar*.)
1^o, 596; 2^o, 721; in Com. and 3^o, 2412. (57-58 *Vic.*, c. 94.)
- BILL (NO. 23)** Respecting Ordinance No. 32 of 1893, of the North-west Territories empowering the Municipality of the Town of Edmonton to construct and operate a Tramway. (Title changed to incorporate the Edmonton Street Railway Company).—(Mr. *Davis, Alberta*.)
1^o, 596; 2^o, 721; in Com. and 3^o, 5484. (57-58 *Vic.*, c. 71.)
- BILL (NO. 24)** To reduce from twelve to seven the number of Grand Jurors necessary to find a true bill in the Province of Ontario.—(Mr. *Edgar*.)
1^o, 596; 2^o, 2339; in Com., 4514; Remarks re transfer to Govt. Orders, 4576.
- BILL (NO. 25)** Respecting the Canada and Michigan Tunnel Company.—(Mr. *Montague*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 1396. (57-58 *Vic.*, c. 101.)
- BILL (NO. 26)** Respecting the Ottawa Gas Company.—(Sir *James Grant*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 2120. (57-58 *Vic.*, c. 112.)
- BILL (NO. 27)** Respecting the Dominion Burglary Guarantee Company, Limited.—(Mr. *Sproule*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 121.)
- BILL (NO. 28)** Respecting the Ontario Mutual Life Assurance Company.—(Mr. *Bowman*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 2120. (57-58 *Vic.*, c. 123.)
- BILL (NO. 29)** To again revive and further amend the Act to incorporate the Lindsay, Bobcaygeon and Pontypool Railway Company.—(Mr. *Fairbairn*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 1396. (57-58 *Vic.*, c. 78.)
- BILL (NO. 30)** Respecting the Atlantic and North-west Railway Company.—(Mr. *Baker*.)
1^o, 682; 2^o, 885; in Com. and 3^o, 1747; Sen. Amts. conc. in, 2725. (57-58 *Vic.*, c. 62.)

- BILL (No. 31) Respecting the Consumers' Cordage Company.—(Mr. Rosamond.)**
1^o, 682; 2^o, 885; M. for Com., 3082; in Com. and 3^o, 3083. (57-58 *Vic.*, c. 114.)
- BILL (No. 32) Respecting the Niagara Grand Island Bridge Company.—(Mr. Ingram.)**
1^o, 682; 2^o, 886; in Com. and 3^o, 2391. (57-58 *Vic.*, c. 99.)
- BILL (No. 33) Respecting the River St. Clair Railway Bridge and Tunnel Company.—(Mr. Ingram.)**
1^o, 682; 2^o, 886; in Com. and 3^o, 2391. (57-58 *Vic.*, c. 100.)
- BILL (No. 34) Respecting the Bell Telephone Company of Canada.—(Mr. White, Cardwell.)**
1^o, 750; 2^o, 886; in Com. and 3^o, 1747. (57-58 *Vic.*, c. 108.)
- BILL (No. 35) To amend the Act to incorporate the Steam Boiler and Plate Glass Insurance Company of Canada.—(Mr. Davies, P.E.I.)**
1^o, 750; 2^o, 886; in Com. and 3^o, 1788. (57-58 *Vic.*, c. 125.)
- BILL (No. 36) To incorporate the Canadian Railway Accident Insurance Company.—(Sir James Grant.)**
1^o, 750; 2^o, 886; in Com., 3083; 3^o, 3088. (57-58 *Vic.*, c. 118.)
- BILL (No. 37) To incorporate the Duluth, Nepigon and James's Bay Railway Company.—(Mr. Masson.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 1992. (57-58 *Vic.*, c. 70.)
- BILL (No. 38) Respecting the Ontario Loan and Debenture Company.—(Mr. Moncrieff.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 3088. (57-58 *Vic.*, c. 116.)
- BILL (No. 39) Respecting the St. Lawrence and Adirondack Railway Company.—(Mr. Baker.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 2411. (57-58 *Vic.*, c. 93.)
- BILL (No. 40) To incorporate the Elgin and Havelock Railway Company.—(Mr. Hazen.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 2411. (57-58 *Vic.*, c. 72.)
- BILL (No. 41) To amend the Acts respecting the Clifton Suspension Bridge Company.—(Mr. Coatsworth.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 2411. (57-58 *Vic.*, c. 97.)
- BILL (No. 42) To incorporate the Canadian Railway Fire Insurance Company.—(Sir James Grant.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 3088. (57-58 *Vic.*, c. 119.)
- BILL (No. 43) To amend an Act respecting the Ladies of Sacred Heart of Jesus.—(Mr. LaRivière.)**
1^o, 751; 2^o, 886; in Com. and 3^o, 2391. (57-58 *Vic.*, c. 128.)
- BILL (No. 44) Further to amend the tenth Chapter of the Consolidated Statutes for Lower Canada, respecting seditious and unlawful associations and oaths.—(Mr. White, Cardwell.)**
1^o, 751.
- BILL (No. 45) To amend the Harbour Masters Act—(from the Senate).—(Sir Charles Hibbert Tupper.)**
1^o, 840; 2^o and in Com., 2727; 3^o, 2787. (57-58 *Vic.*, c. 50.)
- BILL (No. 46) To amend the Act respecting Lighthouses, Buoys, and Beacons, and Sable Island—(from the Senate).—(Sir Charles Hibbert Tupper.)**
1^o, 841; 2^o and in Com., 2727; 3^o, 2787. (57-58 *Vic.*, c. 41.)
- BILL (No. 47) To revive and amend the Act to incorporate the Brandon and South-western Railway Company.—(Mr. Davin.)**
1^o, 841; 2^o, 1151; in Com. and 3^o, 2412. (57-58 *Vic.*, c. 65.)
- BILL (No. 48) Respecting the Montreal and Ottawa Railway Company.—(Mr. Baker.)**
1^o, 841; 2^o, 1151; in Com. and 3^o, 2412. (57-58 *Vic.*, c. 85.)
- BILL (No. 49) To incorporate the Welland Power and Supply Canal Company.—(Mr. McKay.)**
1^o, 841; 2^o, 1151; in Com., 2724, 3043; 3^o, 3051. (57-58 *Vic.*, c. 102.)
- BILL (No. 50) To authorize the purchase of the Yarmouth and Annapolis Railway by the Windsor and Annapolis Railway Company (Limited), and to change the name of the latter Company to the Dominion Atlantic Railway Company.—(Mr. Kenny.)**
1^o, 841; 2^o, 1151; in Com. and 3^o, 2412. (57-58 *Vic.*, c. 69.)
- BILL (No. 51) To incorporate the Northern Life Assurance Company of Canada.—(Mr. Mulock.)**
1^o, 841; 2^o, 1151; in Com. and 3^o, 3602. (57-58 *Vic.*, c. 122.)
- BILL (No. 52) Respecting the New Westminster and Burrard Inlet Telephone Company (Limited).—(Mr. Mara.)**
1^o, 841; 2^o, 1151; withdn.
- BILL (No. 53) Respecting the Calgary Irrigation Company.—(Mr. Davis, Alberta.)**
1^o, 841; 2^o, 1151; in Com. and 3^o, 2724. Sen. Amts., 4855; conc. in, 4887. (57-58 *Vic.*, c. 106.)
- BILL (No. 54) To make further provision respecting granting of land to members of the Militia Force on active service in the North-west.—(Mr. Daly.)**
1^o, 841; 2^o and in Com., 4892; 3^o, 4893. (57-58 *Vic.*, c. 24.)
- BILL (No. 55) In amendment to the Electoral Franchise Act.—(Mr. Dickey.)**
1^o, 841.
- BILL (No. 56) To incorporate the Dominion Woman's Christian Temperance Union.—(Mr. Scriver.)**
1^o, 946; 2^o, 1151; in Com. and 3^o, 2120. (57-58 *Vic.*, c. 127.)
- BILL (No. 57) To incorporate the Gleichen, Beaver Lake and Victoria Railway Company.—(Mr. Davis, Alberta.)**
1^o, 946; 2^o, 1151; M. (Mr. Tisdale) to place on Order Paper objected to, 5520; in Com. and 3^o, 5727. (57-58 *Vic.*, c. 74.)

- BILL (No. 58) To incorporate the Lake Megantic Railway Company.—(Mr. Pope.)**
1^o, 1030; 2^o, 1151; in Com. and 3^o, 4027. (57-58 *Vic.*, c. 77.)
- BILL (No. 59) Respecting the Montreal Island Belt Line Railway Company.—(Mr. Bergeron.)**
1^o, 1030; 2^o, 1151; in Com., 4027; recom., 5521; 3^o, 5523. (57-58 *Vic.*, c. 83.)
- BILL (No. 60) To incorporate the Cariboo Railway Company.—(Mr. Mara.)**
1^o, 1030; 2^o, 1151; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 67.)
- BILL (No. 61) To amend the Railway Act by providing a maximum passenger rate.—(Mr. Maclean, York.)**
1^o, 1030;
- BILL (No. 62) Respecting the Richelieu and Ontario Navigation Company.—(Mr. Girouard, Jacques Cartier.)**
1^o, 1030; 2^o, 1151; in Com. and 3^o, 3602. (57-58 *Vic.*, c. 105.)
- BILL (No. 63) Respecting the Guelph Junction Railway Company.—(Mr. Henderson.)**
1^o, 1113; 2^o, 1367; in Com. and 3^o, 2724. (57-58 *Vic.*, c. 75.)
- BILL (No. 64) Respecting the Medicine Hat Railway and Coal Company.—(Mr. Ross, Lisgar.)**
1^o, 1113; 2^o, 1367; in Com. and 3^o, 2724. (57-58 *Vic.*, c. 80.)
- BILL (No. 65) To confirm an agreement between the Ottawa City Passenger Railway Company and the Ottawa Electric Street Railway Company, and an agreement between the said Companies and the Corporation of the City of Ottawa, and to unite the said Companies under the name of the Ottawa Electric Railway Company.—(Mr. Robillard.)**
1^o, 1113; 2^o, 1368; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 86.)
- BILL (No. 66) To empower the Niagara Falls Suspension Bridge Company to issue debentures, and for other purposes.—(Mr. Lowell.)**
1^o, 1113; 2^o, 1368; in Com. and 3^o, 3273. (57-58 *Vic.*, c. 98.)
- BILL (No. 67) To incorporate the Niagara Falls Electric Railway Bridge Company.—(Mr. Montague.)**
1^o, 1113; 2^o, 1368.
- BILL (No. 68) Respecting the Montreal Park and Island Railway Bridge Company.—(Mr. Girouard, Jacques Cartier.)**
1^o, 1113; 2^o, 1368; in Com., 5288, 5484; 3^o, 5485. (57-58 *Vic.*, c. 84.)
- BILL (No. 69) Respecting the liability of the Government and public companies for labour used in the construction of public works.—(Mr. McLennan.)**
1^o, 1115.
- BILL (No. 70) Respecting the sale of railway return fare tickets.—(Mr. McLennan.)**
1^o, 1116.
- BILL (No. 71) To incorporate the New York, New England and Canada Company.—(Mr. Flint.)**
1^o, 1218; 2^o, 1368; in Com. and 3^o, 4887. (57-58 *Vic.*, c. 113.)
- BILL (No. 72) To consolidate and amend certain Acts relating to the Ottawa and Gatineau Valley Railway Company, and to change the name of the Company to the Ottawa and Gatineau Railway Company.—(Mr. Bryson.)**
1^o, 1218; 2^o, 1368; in Com. and 3^o, 4664. (57-58 *Vic.*, c. 87.)
- BILL (No. 73) Respecting the Atlantic and Lake Superior Railway Company.—(Mr. Bergin.)**
1^o, 1219; 2^o, 2597; in Com. and 3^o, 5485. (57-58 *Vic.*, c. 63.)
- BILL (No. 74) To incorporate the Ottawa Electric Company.—(Sir James Grant.)**
1^o, 1219; 2^o, 1600; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 111.)
- BILL (No. 75) Respecting the Chaudière Electric Light and Power Company (Limited), and to change the name thereof to The Ottawa Electric Company.—(Sir James Grant.)**
1^o, 1219; 2^o, 1600; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 109.)
- BILL (No. 76) To amend the Act to incorporate the Canada Provident Association.—(Sir James Grant.)**
1^o, 1219; 2^o, 1747.
- BILL (No. 77) To incorporate the Dominion Gas and Electric Company.—(Mr. Boyd.)**
1^o, 1219; 2^o, 1368; in Com., 3077; 3^o, 3273. (57-58 *Vic.*, c. 110.)
- BILL (No. 78) To incorporate the Métis, Matane and Gaspé Railway Company.—(Mr. Turcotte.)**
1^o, 1219; 2^o, 1368; in Com. and 3^o, 4027. (57-58 *Vic.*, c. 81.)
- BILL (No. 79) Respecting the St. Catharines and Niagara Central Railway Company.—(Mr. Carpenter.)**
1^o, 1219; 2^o, 1600; in Com. and 3^o, 4855. (57-58 *Vic.*, c. 92.)
- BILL (No. 80) To revive and amend the Act to incorporate the Rocky Mountain Railway and Coal Company.—(Mr. Davis, Alberta.)**
1^o, 1219; 2^o, 1747; in Com. and 3^o, 4027. (57-58 *Vic.*, c. 91.)
- BILL (No. 81) Respecting the Erie and Huron Railway Company.—(Mr. Cockburn.)**
1^o, 1219; 2^o, 1368; in Com. and 3^o, 4027. (57-58 *Vic.*, c. 73.)
- BILL (No. 82) Respecting the Lake Erie and Detroit River Railway Company and the London and Port Stanley Railway Company.—(Mr. McGregor.)**
1^o, 1219; 2^o, 1368; in Com. and 3^o, 5523. (57-58 *Vic.*, c. 76.)
- BILL (No. 83) To incorporate the Ste. Emélie Railway Company.—(Mr. Pelletier.)**
1^o, 1219; 2^o, 1368.

- BILL (No. 84) To incorporate the Alliance of the Reformed Baptist Church of Canada, and the several Churches connected therewith.—(Mr. Colter.)
1°*, 1219; 2°*, 1747; in Com. and 3°*, 3051. (57-58 Vic., c. 126.)
- BILL (No. 85) To incorporate the Boynton Bicycle Electric Railway Company.—(Mr. Gillies.)
1°*, 1219; 2°*, 1748; in Com. and 3°*, 5485. (57-58 Vic., c. 64.)
- BILL (No. 86) In further amendment of the Northwest Territories Act.—(Mr. Davin.)
1°, 1396.
- BILL (No. 87) To facilitate the voting by Employees at elections of Members of the House of Commons.—(Mr. Rider.)
1°, 1564.
- BILL (No. 88) Further to amend the Acts respecting the Harbour of Pictou, in Nova Scotia—(from the Senate).—(Sir John Thompson.)
1°*, 1786; 2° and in Com., 2728; 3°*, 2943. (57-58 Vic., c. 49.)
- BILL (No. 89) Respecting the Speaker of the Senate—(from the Senate).—(Sir John Thompson.)
1°*, 1786; Order for 2° read, 2787; 2°* and in Com., 4943; 3°*, 4955. (57-58 Vic. c., 11.)
- BILL (No. 90) To provide for the examination of Witnesses on Oath by the Senate and House of Commons.—(Mr. Mulock.)
1°*, 1786; M. (Sir John Thompson) to transfer to Govt. Orders, 2075; 2°*, in Com. and 3°*, 2624. (57-58 Vic., c. 16.)
- BILL (No. 91) Further to amend the Act respecting the Adulteration of Food, Drugs, and Agricultural Fertilizers.—(Mr. Sproule.)
1°, 1786.
- BILL (No. 92) Respecting Detective Corporations and Mercantile Agencies.—(Mr. Sproule.)
1°, 1870.
- BILL (No. 93) To fix the salary of the Governor General.—(Mr. Mulock.)
1°, 1871.
- BILL (No. 94) To amend The Winding-up Act.—(Mr. Stairs.)
1°, 1967.
- BILL (No. 95) Respecting Harbours—(from the Senate).—(Sir Charles Hibbert Tupper.)
1°*, 2130; 2° and in Com., 2728; 3°*, 2787. (57-58 Vic., c. 47.)
- BILL (No. 96) To incorporate the Trust Corporation of Canada—(from the Senate).—(Mr. Davis, Alberta.)
1°*, 2211; 2°*, 2328; in Com. and 3°*, 3602. (57-58 Vic., c. 115.)
- BILL (No. 97) Respecting the Seigniorship of Sault Saint Louis.—(Mr. Daly.)
1°, 2130; 2°*, in Com. and 3°*, 4893. (57-58 Vic., c. 25.)
- BILL (No. 98) Further to amend the Revised Statutes, Chapter seventy-seven, respecting the Safety of Ships—(from the Senate).—(Sir Charles Hibbert Tupper.)
1°*, 2211; 2° and in Com., 4569; recom. and 3°*, 4643. (57-58 Vic., c. 44.)
- BILL (No. 99) Respecting the St. Lawrence Insurance Company.—(Mr. White, Cardwell.)
1°*, 2211; 2°*, 2412; in Com. and 3°*. 4855. (57-58 Vic., c. 124.)
- BILL (No. 100) To incorporate the French River Boom Company (Limited).—(Mr. Coatsworth.)
1°*, 2211; 2° 2412; in Com. and 3°*, 5523. (57-58 Vic., c. 107.)
- BILL (No. 101) To incorporate the Alberta Southern Railway Company.—(Mr. Davis, Alberta.)
1°*, 2211; 2°*, 2597; in Com. and 3°*, 4027. (57-58 Vic., c. 61.)
- BILL (No. 102) To incorporate the Wolseley and Fort Qu'Appelle Railway Company—(from the Senate).—(Mr. Davin.)
1°*, 2289; 2°*, 3089; in Com. and 3°*, 4027. (57-58 Vic., c. 95.)
- BILL (No. 103) To amend the Acts relating to the Moncton and Prince Edward Island Railway and Ferry Company—(from the Senate).—(Mr. McInerney.)
1°*, 2289; 2°*, 2412; in Com. and 3°*, 4027. (57-58 Vic., c. 82.)
- BILL (No. 104) To repeal the Homestead Exemption Act.—(Mr. Daly.)
1°, 2289; 2°, in Com: and 3°*, 4590. (57-58 Vic., c. 29.)
- BILL (No. 105) For the relief of Caroline Jane Downey—(from the Senate).—(Mr. Coatsworth.)
1°*, 2341; 2° agreed to (Y. 76, N. 31) 2597; 3°*, 3051. (57-58 Vic., c. 130.)
- BILL (No. 106) Further to amend the law relating to Holidays.—(Sir John Thompson.)
1°, 2410; 2°*, in Com. and 3°*, 4594. (57-58 Vic., c. 55.)
- BILL (No. 107) To again revive and further amend the Act to incorporate the Red Deer Valley Railway and Coal Company—(from the Senate).—(Mr. Davis, Alberta.)
1°*, 2783; 2°*, 3089; in Com. and 3°*, 4027. (57-58 Vic., c. 90.)
- BILL (No. 108) Respecting the Manitoba and Northwestern Railway Company of Canada—(from the Senate).—(Mr. Taylor.)
1°*, 2784; 2°*, 3088; in Com., 4040, 4664; 3°*, 4664. (57-58 Vic., c. 79.)
- BILL (No. 109) For the relief of Joshua Nicholas Filman—(from the Senate).—(Mr. McKay.)
1°*, 2937; 2°*, 3273; in Com. and 3°*, 4887. (57-58 Vic., c. 131.)
- BILL (No. 110) To amend and consolidate the Acts relating to the Harbour Commissioners of Montreal—(from the Senate).—(Sir Charles Hibbert Tupper.)
1°*, 2725; 2° and in Com., 4643; 3°*, 4646. (57-58 Vic., c. 48.)

- BILL (No. 111) To amend the Insurance Act**—(*from the Senate*).—(Sir John Thompson.)
1^o, 2783; 2^o, 3005; in Com., 5172, 5851; M. for 2^o of Amts. rep. from Com., 6054; 3^o, 6064. (57-58 Vic., c. 20.)
- BILL (No. 112) Respecting Arrest, Trial and Imprisonment of Youthful Offenders**.—(Sir John Thompson.)
1^o, 2783; 2^o and in Com., 4940; 3^o, 4941. (57-58 Vic., c. 58.)
- BILL (No. 113) To amend the Inspection of Ships Act**.—(Sir Charles Hibbert Tupper.)
1^o, 2783; 2^o and in Com., 3535; 3^o, 3537. (57-58 Vic., c. 45.)
- BILL (No. 114) To incorporate the Colonial Mutual Life Association**.—(Mr. McKay.)
1^o, 3077; 2^o, 3273; in Com. and 3^o, 4049. (57-58 Vic., c. 120.)
- BILL (No. 115) For the preservation of Game in the unorganized portions of the North-west Territories of Canada**.—(Mr. Daly.)
1^o, 3003; 2^o and in Com., 3537; 3^o, 3541. (57-58 Vic., c. 31.)
- BILL (No. 116) Further to amend The Indian Act**—(*from the Senate*).—(Mr. Daly.)
1^o, 3003; 2^o and in Com., 5540; 3^o, 5557. (57-58 Vic., c. 32.)
- BILL (No. 117) Respecting the Units of Electrical Measure**.—(Mr. Wood, Brockville.)
1^o, 3003; 2^o, in Com. and 3^o, 5047. (57-58 Vic., c. 38.)
- BILL (No. 118) Respecting the Inspection of Electric Light**.—(Mr. Wood, Brockville.)
1^o, 3004; 2^o and in Com., 5048; 3^o, 5172. (57-58 Vic., c. 39.)
- BILL (No. 119) For the relief of William Samuel Piper**—(*from the Senate*).—(Mr. Northrup.)
1^o, 3163; 2^o, 3390; in Com. and 3^o on div., 4857. (57-58 Vic., c. 133.)
- BILL (No. 120) For the relief of Joseph Thompson**—(*from the Senate*).—(Mr. Northrup.)
1^o, 3163; 2^o m., 3602; 2^o, 4027; in Com. and 3^o on div., 4887. (57-58 Vic., c. 134.)
- BILL (No. 121) To amend and consolidate the Acts respecting the North-west Mounted Police Force**.—(Mr. Ives.)
1^o, 3240; Res. prop., 3244; in Com., 4593; 2^o, of B., 4591; in Com., 4646, 4664; 3^o, 4818. (57-58 Vic., c. 27.)
- BILL (No. 122) Further to amend the Petroleum Act**.—(Mr. Wood, Brockville.)
1^o, 3240; 2^o, in Com. and 3^o, 5471. (57-58 Vic., c. 40.)
- BILL (No. 123) In restraint of Fraudulent Sale or Marking**.—(Mr. Wood, Brockville.)
1^o, 3240; 2^o, in Com. and 3^o, 5171. (57-58 Vic., c. 37.)
- BILL (No. 124) Further to amend the Cullers' Act**.—(Mr. Wood, Brockville.)
1^o, 3240; 2^o, in Com. and 3^o, 4949. (57-58 Vic., c. 52.)
- BILL (No. 125) Further to amend the General Inspection Act**.—(Mr. Wood, Brockville.)
1^o, 3240; 2^o and in Com., 3541; 3^o, 3557. (57-58 Vic., c. 36.)
- BILL (No. 126) To amend the Criminal Code, 1892**.—(Sir John Thompson.)
1^o, 3240; 2^o and in Com., 5174, 5468; recom., 5533; 3^o, 5534; Sen. Amt., 6359. (57-58 Vic., c. 57.)
- BILL (No. 127) To amend the Consolidated Revenue and Audit Act**.—(Sir John Thompson.)
1^o, 3241; 2^o and in Com., 4941; 3^o, 4943. (57-58 Vic., c. 19.)
- BILL (No. 128) Further to amend the Dominion Elections Act**.—(Sir John Thompson.)
1^o, 3301; 2^o and in Com., 6479; 3^o, 6484. (57-58 Vic., c. 13.)
- BILL (No. 129) Further to amend the Revised Statute respecting Interest**.—(Sir John Thompson.)
1^o, 3301; 2^o and in Com., 4945; 3^o, 4948. (57-58 Vic., c. 22.)
- BILL (No. 130) Further to amend the Act respecting Certificates to Masters and Mates of Ships**.—(Sir Charles Hibbert Tupper.)
Res. prop., 2939; in Com., 4950; 1^o, 3367; 2^o, 4589; in Com. and 3^o, 4894. (57-58 Vic., c. 42.)
- BILL (No. 131) To incorporate the Nova Scotia Steel Company**.—(Mr. Fraser.)
1^o, 3668; 2^o, 4027; in Com. and 3^o, 4887. (57-58 Vic., c. 117.)
- BILL (No. 132) Respecting the Cobourg, Northumberland and Pacific Railway Company**.—(Mr. Guillet.)
1^o, 3668; 2^o, 4027; in Com. and 3^o, 5485. (57-58 Vic., c. 68.)
- BILL (No. 133) Further to amend the Acts respecting the North-west Territories**.—(Mr. Daly.)
1^o, 3668; Order for 2^o dschg., 4890.
- BILL (No. 134) Respecting the utilization of the waters of the North-west Territories for irrigation and other purposes**.—(Mr. Daly.)
1^o, 3669; 2^o and in Com., 4949, 5063, 5096; 3^o, 5154. (57-58 Vic., c. 30.)
- BILL (No. 135) To consolidate and amend the Acts respecting the Duties of Customs**.—(Mr. Foster.)
Res. prop., 247, 1322; in Com., 1327, 1473, 1714, 1898, 2076, 2212, 2342, 2504, 2645, 2692, 2793, 2945, 3022, 3052, 3305, 3570, 5848; conc., 3971, 4028, 6032; 1^o of B., 4038; 2^o, 6155; 3^o, 6517. (57-58 Vic., c., 33.)
- BILL (No. 136) For the relief of Orlando George Richmond Johnson**—(*from the Senate*).—(Mr. Metcalfe.)
1^o, 4038; M. to place 2^o on Order paper, 4189; 2^o, 4476; in Com. and 3^o on div., 4887. (57-58 Vic., c. 132.)
- BILL (No. 137) Further to amend the Steamboat Inspection Act**.—(Sir Charles Hibbert Tupper.)
1^o, 4039; Res. prop., 4101; in Com., 4568; 2^o of B., 4568; in Com. and 3^o, 4894. (57-58 Vic., c. 46.)
- BILL (No. 138) To incorporate the Montreal, Ottawa and Huron Canal Company**.—(Mr. Macdonell.)
1^o, 4101; 2^o, 4233; in Com. and 3^o, 5523. (57-58 Vic., c. 103.)

- BILL (No. 139)** To incorporate the Pontiac and Ottawa Railway Company.—(Mr. *Bryson*.)
1^o, 4101; 2^o, 4431; in Com. and 3^o, 5485. (57-58 *Vic.*, c. 88.)
- BILL (No. 140)** To amend the law relating to Conspiracies and Combinations in restraint of trade—(from the Senate).—(Mr. *Sproule*.)
1^o, 4393.
- BILL (No. 141)** Respecting the Canada Southern Railway—(from the Senate).—(Mr. *Montague*.)
1^o, 4297; 2^o, 4431; in Com. and 3^o, 4855. (57-58 *Vic.*, c. 66.)
- BILL (No. 142)** To amend the Act respecting the incorporation of Boards of Trade.—(Sir *John Thompson*.)
1^o, 4395; 2^o, in Com. and 3^o, 4948. (57-58 *Vic.*, c. 23.)
- BILL (No. 143)** Respecting the Electoral Franchise.—(Sir *John Thompson*.)
1^o, 4300; 2^o and in Com., 6523; 3^o, 6531. (57-58 *Vic.*, c. 12.)
- BILL (No. 144)** To amend an Act relating to the custody of juvenile offenders in the Province of New Brunswick—(from the Senate).—(Sir *John Thompson*.)
1^o, 4557; 2^o, in Com. and 3^o, 4893. (57-58 *Vic.*, c. 59.)
- BILL (No. 145)** Further to amend the Fisheries Act.—(Sir *Charles Hibbert Tupper*.)
1^o, 4557; Res. prop. (Lobster Licensee) 4719; in Com., 5557; conc. in, 5557; 2^o of B. and in Com., 5567; 3^o, 5574. (57-58 *Vic.*, c. 51.)
- BILL (No. 146)** Further to amend the Act respecting the Department of Railways and Canals.—(Mr. *Bergin*.)
1^o, 4566.
- BILL (No. 147)** Respecting a certain Treaty between Her Britannic Majesty and the President of the French Republic.—(Mr. *Foster*.)
1^o, 4643; 2^o m., 5576; Amt. (Mr. *O'Brien*) 5585; neg. (Y. 44, N. 128) 5685; Amt. to Amt. (Mr. *Edgar*) 5638; neg. (Y. 51, N. 119) 5684; Amt. (Mr. *Laurier*) 5686; neg. (Y. 56, N. 109) 5867; 2^o agreed to (Y. 120, N. 41) 5689; M. for Com., 5694; in Com., 5695; 3^o, 5776. (57-58 *Vic.*, c. 2.)
- BILL (No. 148)** For the relief of James St. George Dillon—(from the Senate).—(Mr. *Sutherland*.)
1^o, 4887; 2^o m., 5064, 5108, 5485, 5523; 2^o on div., 5529; in Com. and rep. on div., 6048; 3^o m., 6290; Amt. (Sir *Hector Langevin*) 6 m. h., 6293; neg. (Y. 22, N. 67) 6295; 3^o on div., 6296. (57-58 *Vic.*, c. 129.)
- BILL (No. 149)** Further to amend the Acts respecting the North-west Territories.—(Mr. *Daly*.)
1^o, 4890; 2^o and in Com., 5166; 3^o m., 6080; Amt. (Mr. *McCarthy*), 6080; Amt. to Amt. (Mr. *Hughes*) 6089; neg. (Y. 2, N. 131) 6102; Amt. neg. (Y. 21, N. 114), 6152; 3^o, 6153. (57-58 *Vic.*, c. 17.)
- BILL (No. 150)** Respecting certain Subsidies granted to the Government of the Province of Quebec by chapter 8 of the Statutes of 1884.—(Mr. *Foster*.)
Res. prop., 4818; in Com., 4822; conc. in and 1^o of B., 4891; 2^o and in Com., 5097; 3^o, 5154. (57-58 *Vic.*, c. 5.)
- BILL (No. 151)** Respecting The Common School Fund.—(Mr. *Foster*.)
Res. prop., 4719; in Com., 4822; conc. in and 1^o of B., 4892; 2^o and in Com., 5098; 3^o, 5154. (57-58 *Vic.*, c. 3.)
- BILL (No. 152)** Respecting Insolvency—(from the Senate).—(Sir *John Thompson*.)
1^o, 4940.
- BILL (No. 153)** Respecting the Incorporation and Regulation of Joint Stock Companies—(from the Senate).—(Sir *John Thompson*.)
1^o, 4940.
- BILL (No. 154)** Further to amend the Acts respecting the Civil Service.—(Mr. *Costigan*.)
1^o, 5154; 2^o, in Com. and 3^o, 5533. (57-58 *Vic.*, c. 18.)
- BILL (No. 155)** Further to amend the Act respecting the Judges of Provincial Courts.—(Sir *John Thompson*.)
Res. prop. (B.C.) 3441; in Com., 3557; conc., 5161; (Que.) 5046; in Com., 5095; conc. in, 5161; 1^o of B., 5166; 2^o, in Com. and 3^o, 5533. (57-58 *Vic.*, c. 56.)
- BILL (No. 156)** Respecting Houses of Refuge for Females in Ontario—(from the Senate).—(Sir *John Thompson*.)
1^o, 5465; 2^o, in Com. and 3^o, 5533. (57-58 *Vic.*, c. 60.)
- BILL (No. 157)** to again revive and further amend the Act to incorporate the Brockville and New York Bridge Company.—(Mr. *Taylor*.)
1^o, 5465; 2^o, 5485; M. (Mr. *Tisdale*) to place on Order Paper objected to, 5520; in Com. and 3^o, 5727. (57-58 *Vic.*, c. 89.)
- BILL (No. 158)** Further to amend the Inland Revenue Act.—(Mr. *Wood, Brockville*.)
Res. prop., 4889, in Com., 5172; 1^o of B., 5472; 2^o, 6154; in Com. and 3^o, 6155. (57-58 *Vic.*, c. 35.)
- BILL (No. 159)** Respecting the Land Subsidy to the Canadian Pacific Railway Co.—(Mr. *Daly*.)
1^o, 5691; 2^o, 6032; in Com., 6035; recom. and 3^o, 6266. (57-58 *Vic.*, c. 7.)
- BILL (No. 160)** Respecting Dominion Lands.—(Mr. *Daly*.)
1^o, 5691; 2^o and in Com., 6065; 3^o, 6067. (57-58 *Vic.*, c. 26.)
- BILL (No. 161)** Further to amend the Act respecting Ocean Steamship Subsidies.—(Mr. *Foster*.)
Res. prop., 3450; in Com., 5710; conc. in and 1^o of B., 5777; 2^o m., 5936; 2^o on div., 5967; in Com. 5970; 3^o, 6053. (57-58 *Vic.*, c. 8.)

- BILL (No. 162)** To consolidate and amend the Acts respecting lands in the Territories—(*from the Senate*).
—(*Mr. Daly*.)
1^o, 5887; 2^o and in Com., 6077; 3^o, 6517. (57-58 *Vic.*, c. 28.)
- BILL (No. 163)** To amend the Act respecting the sale of Railway Passenger Tickets.—(*Mr. Haggart*.)
1^o, 6045; 2^o and in Com., 6517.
- BILL (No. 164)** Further to amend the Act respecting the Senate and the House of Commons.—(*Mr. Foster*.)
Res. prop., 5935; in Com., 6029; conc. in and 1^o* of B., 6053; 2^o*, 6154; in Com., 6259; 3^o*, 6358. (57-58 *Vic.*, c. 10.)
- BILL (No. 165)** To amend the Act respecting Dominion notes.—(*Mr. Foster*.)
Res. prop., 5465; in Com., 6029; conc. in and 1^o* of B., 6053; 2^o*, 6154; in Com., 6259; 3^o*, 6358. (57-58 *Vic.*, c. 21.)
- BILL (No. 166)** To amend the Act to provide for the allowance of drawback on certain articles manufactured in Canada, for use in the construction of the Canadian Pacific Railway.—(*Mr. Haggart*.)
Res. prop., 5369, 5533; in Com., 5536, 6010; conc. in and 1^o* of B., 6065; 2^o m., 6359; Amt. (*Mr. Mulock*) 3 m. h., 6367; neg. (Y. 15, N. 100) 6376; 2^o, 6377; in Com., 6428; 3^o*, 6466. (57-58 *Vic.*, c. 34.)
- BILL (No. 167)** Further to amend the Post Office Act—(*from the Senate*).—(*Sir Adolphe Caron*.)
1^o*, 6154; 2^o, in Com. and 3^o*, 6379. (57-58 *Vic.*, c. 54.)
- BILL (No. 168)** To authorize the granting of Subsidies of Land to certain Railway Companies.—(*Mr. Daly*.)
Res. prop., 5935, 6253; in Com., 6067, 6377; 1^o* of B., 6154; 2^o*, 6266; in Com., 6358; recom. and 3^o*, 6413. (57-58 *Vic.*, c. 6.)
- BILL (No. 169)** To authorize the granting of subsidies in aid of the construction of the lines of railway therein mentioned.—(*Mr. Haggart*.)
Res. prop., 6049, 6254, 6357; in Com., 6267, 6385, 6414; 1^o* of B., 6414; 2^o of Res. m. and Amt. (*Mr. Laurier*) 6466; neg. (Y. 20, N. 50) 6470; 2^o, 6472; 3^o*, 6523. (57-58 *Vic.*, c. 4.)
- BILL (No. 170)** Respecting the payment of bounties on iron and steel manufactured from Canadian ore.—(*Mr. Haggart*.)
Res. prop., 6412; in Com., 6472; 1^o* of B., 6516; 2^o*, in Com. and 3^o*, 6523. (57-58 *Vic.*, c. 9.)
- BILL (No. 171)** for granting to Her Majesty certain sums of money required for defraying certain expenses of the Public Service, for the financial years ending respectively the 30th June, 1894, and the 30th June, 1895, and for other purposes relating to the Public Service.
1^o*, 2^o* and 3^o*, 6523. (57-58 *Vic.*, c. 1.)
- BILLS ASSENTED TO**, 6533 (ii).
- BILL STAMPS, ENGLISH**: in Com. of Sup., 3199 (i).
- BINDER TWINE, FREE ENTRY**: prop. Res. (*Mr. Mulock*) 146 (i).
- BINDER TWINE PLANT FOR KINGSTON PENITENTIARY**:
M. for Cor.* (*Mr. Mulock*) 451 (i).
— Remarks (*Mr. Davin*) 6521 (ii).
- BIRTH OF AN HEIR APPARENT**: Remarks (*Sir Richard Cartwright*) 5692 (ii).
- ADDRESS TO DUKE AND DUCHESS OF YORK:
M. (*Sir John Thompson*) 6531 (ii).
- BLACKBERRIES, &c.**: in Com. of Ways and Means, 1780.
- BLACKING, SHOE**: in Com. of Ways and Means, 2081.
- BLANCHARD, THEOTIME, ESQ., MEMBER FOR GLOUCESTER**: introduced, 3274 (ii).
- BLANKETS, &c., ONT. AND QUE., INDIANS**: in Com. of Sup., 4826 (ii).
- BLISS AND CAMPBELL, MESSRS**: in Com. of Sup., 6234 (ii).
- BLUE-BOOKS, &c., DATES OF PUBLICATION SINCE 1887**:
M. for Ret.* (*Mr. Charlton*) 147 (i).
- BOARD OF CUSTOMS**: in Com. of Sup., 5080 (ii).
— MEETINGS: Ques. (*Mr. Langelier*) 4196 (ii).
— Ques. (*Mr. Rider*) 3242 (i).
- BOARD OF EXAMINERS, DOM. LANDS, SURVEYORS**: in Com. of Sup., 5014 (ii).
- Boards of Trade Act Amt. B. No. 142** (*Sir John Thompson*). 1^o*, 4395; 2^o*, in Com. and 3^o*, 4948. (57-58 *Vic.*, c. 23.)
- BONUSES TO RYS. AND COMPANIES FOR SETTLERS**:
M. for Ret.* (*Mr. Mulock*) 1036 (i.)
- BOOKS, &c.**: in Com. of Ways and Means, 1903, 2995 (i).
- BOSTON AND NOVA SCOTIA COAL AND RY. CO.'S SUBSIDY**: prop. Res. (*Mr. Haggart*) 6255 (ii).
- BOUNDARIES OF QUEBEC**: M. for Cor., &c. (*Sir Hector Langevin*) 1569 (i).
- BOUNDARY, ALASKA AND B.C.**: M. for Cor., &c.* (*Sir Hector Langevin*) 450 (i).
- BOURINOT, C., COLLECTOR OF CUSTOMS AND JOURNALIST**: Ques. (*Mr. Fraser*) 2131 (i).
- Bounties**. See "IRON."
- BOUNTIES TO FISHERMEN, NON-DISTRIBUTION**: Ques. (*Mr. Fraser*) 949 (i).
- BOUNTY, &c., ON CAN. BUILT SHIPS**: M. for O.C.'s* (*Mr. Amyot*) 1399 (i).
— ON FISH EXPORTS TO CUBA, &c.: Ques. (*Mr. Kaulbach*) 1397 (i).
— ON FRENCH BUILT SHIPS: Ques. (*Sir Richard Cartwright*) 1219 (i).
— ON PIG IRON, AMOUNT PAID: M. for Stmt.* (*Mr. Edgar*) 451 (i).
— prop. Res. (*Mr. Haggart*) 6412 (ii).
— TO FISHERMEN, PROSECUTION FOR FRAUD: Ques. (*Mr. Bowers*) 3092 (i).
- BOWELL, J. C., AMOUNT PAID FOR SERVICES**: Ques. (*Mr. Macdonald, Huron*) 947 (i).
- BOYNTON BICYCLE ELECTRIC RY. CO.'S PET.**: M. (*Mr. Gillies*) to ref. to Standing Orders Com., 1113 (i).
- Boynton Bicycle Ry. Co.'s incorp. B. No. 85** (*Mr. Gillies*). 1^o*, 1219; 2^o*, 1748; in Com. and 3^o*, 5485. (57-58 *Vic.*, c. 64.)
- BRACEBRIDGE AND BAYSVILLE RY. CO.'S SUBSIDY**: prop. Res. (*Sir John Thompson*) 5935; in Com., 6267 (ii).

- BRAE HARBOUR PIER, REPAIRS:** Ques. (Mr. *Yeo*) 1970 (i).
- Brandon and South-western Ry. Co.'s Act Amt. B. No. 47** (Mr. *Davin*). 1st, 841; 2nd, 1151; in Com. and 3rd, 2412. (57-58 *Vic.*, c. 65.)
- BRANDON AND SOUTH-WESTERN RY. CO.'S LAND SUBSIDY:** prop. Res. (Sir *John Thompson*) 5935 (ii).
- BRANDON EXPERIMENTAL FARM BUILDINGS:** Ques. (Mr. *Martin*) 2870 (i).
- BRANTFORD, WATERLOO AND LAKE ERIE RY. CO.'S SUBSIDY:** prop. Res. (Sir *John Thompson*) 6050; in Com., 6268 (ii).
- BRASS AND COPPER NAILS:** in Com. of Ways and Means, 2512 (i).
- BBEADSTUFFS, &c.:** in Com. of Ways and Means, 1561 (i).
- BREAKWATERS AND PIERS, P.E.I., GENERAL REPAIRS, &c.:** in Com. of Sup., 4461 (ii).
- BREAKWATERS IN GUYSBORO' COUNTY:** Ques. (Mr. *Fraser*) 157, 282 (i).
- Bribery and Disfranchisement B. No. 6** (Mr. *Weldon*). 1st, 79; 2nd and ref. to Sel. Com., 2337; in Com., 2568, 2598, 2873, 3297, 3368, 3390; 3rd, 3636. (57-58 *Vic.*, c. 14.)
- BRIDGE OVER OTTAWA RIVER:** Ques. (Mr. *Devlin*) 2413 (i).
- BRITISH COLUMBIA:**
- ALASKA AND B. C. BOUNDARY: M. for Cor., &c. (Sir *Hector Langevin*) 450 (i).
- BEHRING SEA, BRITISH SEALERS, RES. B.C. LEGISLATURE: Ques. (Sir *Richard Cartwright*) 2134 (i).
- FISHING REGULATIONS: Remarks (Sir *Richard Cartwright*) 150, 181 (i).
- ON ADJMT.: Remarks (Mr. *McDougall*) 681 (i).
- SEAL CATCH, NUMBER AND VALUE: Ques. (Mr. *Laurier*) 686 (i).
- CHINESE LABOUR ON FORTIFICATIONS: Ques. (Mr. *Prior*) 281 (i), 3603 (ii).
- CUSTOMS: in Com. of Sup., 5077 (ii).
- ELK AND KOOTENAY RIVER RY. SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6395 (ii).
- FISHERIES: in Com. of Sup., 4745 (ii).
- GOVT. BUILDINGS (NEW) VICTORIA: Ques. (Mr. *Martin*) 516 (i).
- IMPORTS (FREE) MINING MACHINERY: M. for Ret. (Mr. *Mara*) 452 (i).
- NAKUSP AND SLOCAN RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6356; in Com., 6405 (ii).
- PENITENTIARY: in Com. of Sup., 3366 (ii).
- CHANGES *re* MANAGEMENT: M. for Ret.* (Mr. *Mulock*) 471 (i).
- SEALERS' CLAIMS: M. for Ret. (Mr. *Laurier*) 1577 (i).
- SEAL FISHERMEN, B.C. CLAIMS: M. for Ret. (Mr. *Laurier*) 1577 (i).
- [See Provinces, "SUPPLY," &c.]
- BRITISH GUM:** in Com. of Ways and Means, 2089 (i).
- BROAD COVE AND ORANGEDALE RY.:** Ques. (Mr. *Fraser*) 1710 (i).
- BROAD COVE MARSH PIER, DISMISSAL OF INSPECTOR:** M. for Ret.* (Mr. *Davies, P.E.I.*) 4479 (i).
- REPAIRS: Ques. (Mr. *Davies, P.E.I.*) 2413 (i).
- Brockville and New York Bridge Co.'s B. No. 157** (Mr. *Taylor*). 1st, 5465; 2nd, 5485; M. (Mr. *Tisdale*) to place on Order paper objected to, 5520; in Com. and 3rd, 5727. (57-58 *Vic.*, c. 89.)
- BROCKVILLE, WESTPORT AND SAULT STE. MARIE RY. CO.'S SUBSIDY:** prop. Res. (Sir *John Thompson*) 6049; in Com., 6269 (ii).
- BROOKE, G. H. A., REVISING OFFICER FOR RICHMOND, APPMT.:** Ques. (Mr. *Rinfret*) 2733 (i).
- BROWN, GILPIN, APPMT. IN MOUNTED POLICE:** Ques. (Mr. *McMullen*) 2566 (i).
- BRUSH, A., AND CATTLE INSPECTION:** M. for Cor.* (Mr. *Mulock*) 2424 (i).
- BUCKTHORN FENCING OF IRON OR STEEL:** in Com. of Ways and Means, 2396 (i).
- BUCKWHEAT, &c.:** in Com. of Ways and Means, 1505 (i).
- BUFFALO BREEDING RANCH:** Ques. (Mr. *Davin*) 2039.
- BUREAU OF LABOUR STATISTICS, ESTABLISHMENT:** M. for Ret. (Mr. *Lépine*) 2186 (i).
- Burglary Guarantee.** See "DOMINION."
- BURLINGTON CANAL, SCOW SERVICE:** Ques. (Mr. *Bain, Wentworth*) 949 (i).
- BURLINGTON CHANNEL SWING BRIDGE:** in Com. of Sup., 6509 (ii).
- BUSINESS OF THE HOUSE:** M. (Sir *John Thompson*) 2212 (i).
- ON ADJMT.: Remarks (Mr. *Mulock*) 2929 (i).
- (Sir *Richard Cartwright*) 1223 (i).
- (Mr. *Patterson, Brant*) 2136 (i).
- (Mr. *Laurier*) 6047 (ii).
- See "Govt."
- BUTTONS:** in Com. of Ways and Means, 2682 (i).
- BUILDINGS (GOVT.) MAN. AND N.W.T.:** M. for Ret.* (Mr. *McMullen*) 450 (i).
- in Com. of Sup., 4432, 4438, 4641, 4879, 6498.
- Calgary Irrigation Co.'s B. No. 53** (Mr. *Davis, Alberta*). 1st, 841; 2nd, 1151; in Com. and 3rd, 2724; Sen. Amts., 4855; conc. in, 4887. (57-58 *Vic.*, c. 106.)
- CALGARY POST OFFICE, &c.:** in Com. of Sup., 4439.
- SETTLERS FROM U. S., NUMBER, &c.: M. for Ret. (Mr. *Martin*) 2415 (i).
- CAMPBELLFORD, SUB-COLLECTOR OF CUSTOMS:** Ques. (Mr. *McMullen*) 368, 3090 (i).
- CAMPBELL, CHAS., PREVENTIVE OFFICER:** Ques. (Mr. *Davies, P.E.I.*) 2133 (i).
- CAMPBELL, J. J., TRANSFER:** in Com. of Sup., 6232.
- CAMPBELL, SAMUEL, DISMISSAL:** Ques. (Mr. *Davies, P.E.I.*) 288 (i).
- M. for Ret.* (Mr. *Davies, P.E.I.*) 452 (i).
- CAN. ARCHIVES:** presented (Sir *John Thompson*) 4101 (i).
- CAN. AND AUSTRALIAN CABLE:** M. for Cor., &c.* (Sir *Hector Langevin*) 450 (i).
- CAN. AGENCY AT CHICAGO:** Ques. (Mr. *Girouard, Jacques Cartier*) 5368 (ii).
- CAN. BUILT SHIPS, DRAWBACKS OR BOUNTY:** M. for O.C.'s* (Mr. *Amyot*) 1399 (i).
- CAN. EASTERN RY. CO.'S SUBSIDY:** prop. Res. (Mr. *Haggart*) 6256 (ii).

- Can. and Michigan Tunnel Co.'s B. No. 25** (Mr. *Montague*). 1^o, 682; 2^o, 885; in Com. and 3^o, 1396. (57-58 *Vic.*, c. 101.)
- CAN. MUTUAL AID ASSOCIATION, REGISTRATION:** M. for Cor., &c.* (Mr. *Sproule*) 1991 (i).
- Can. Provident Association incorp. Act Amt. B. No. 76** (Sir *James Grant*). 1^o, 1219; 2^o, 1747.
- Can. Ry. Accident Ins. Co.'s incorp. B. No. 36** (Sir *James Grant*). 1^o, 750, 2^o, 886; in Com., 3083; 3^o, 3088. (57-58 *Vic.*, c. 118.)
- Can. Ry. Fire Ins. Co.'s incorp. B. No. 42** (Sir *James Grant*). 1^o, 751; 2^o, 886; in Com. and 3^o, 3088. (57-58 *Vic.*, c. 119.)
- Can. Southern Ry. Co.'s B. No. 141** (Mr. *Montague*). 1^o, 4297; 2^o, 4431; in Com. and 3^o, 4655. (57-58 *Vic.*, c. 66.)
- Can. Temp. Act Amt. B. No. 11** (Mr. *Davies, P.E.I.*) 1^o, 154.
- C.P.R. Drawbacks B. No. 166** (Mr. *Haggart*). Res. prop., 5369, 5533; in Com., 5536, 6010; conc. in and 1^o of B., 6065; 2^o m., 6359; Amt. (Mr. *Mulock*) 3 m. h., 6367; neg. (Y. 15, N. 100) 6376; 2^o, 6377; in Com., 6428; 3^o, 6466. (57-58 *Vic.*, c. 34.)
- C.P.R. Co.'s LAND SUBSIDY: prop. Res.** (Mr. *Daly*) 5935 (ii).
- **NORTH SHORE SECTION:** Ques. (Mr. *Fremont*) 948 (i).
- in Com. of Sup., 3503, 5431 (ii).
- **AWARD:** in Com. of Sup., 3503 (ii).
- See "SUBSIDIES."
- CAN. TOBACCO:** Remarks (Mr. *Jeannotte*) to M. for Com. of Sup., 6428 (ii).
- CANALS:**
- CHAMBLY CANAL, SWING BRIDGE NEAR STE. THERESE ISLAND:** M. for Ret.* (Mr. *Bechard*) 1991 (i).
- CORNWALL CANAL, SHEIK'S ISLAND DAM:** Ques. (Mr. *Charlton*) 155 (i).
- Ques. (Mr. *Mulock*) 3241 (i).
- **DAVIS & SONS CONTRACT:** M. for copy, &c.* (Mr. *Charlton*) 449, 452 (i).
- Ques. (Mr. *Lister*) 3241 (i).
- Remarks (Mr. *Laurier*) 3534, 3601 (ii).
- **DAVIS BROS. SECURITY FOR CONTRACT:** Ques. (Mr. *Lister*) 3604 (ii).
- EMPLOYEES, WAGES DUE:** Remarks (Mr. *Bergeron*) to Com. of Sup., 5273 (ii).
- INSPECTOR, NEW APPMT.:** Ques. (Mr. *McCarthy*) 4718 (ii).
- LACHINE CANAL, CONTRACT FOR WIDENING:** Ques. (Mr. *Monet*) 5774 (ii).
- **WELLINGTON ST., &c., BRIDGES:** Ques. (Mr. *Mulock*) 3091 (i).
- ST. LAWRENCE RIVER AND CANALS, DEEPENING:** prop. Res. (Mr. *Denison*) 2137 (i).
- SAULT STE. MARIE CANAL, LEMAY'S DEATH:** Ques. (Mr. *Rinfret*) 2871 (i).
- **ORIGINAL CONTRACT:** Ques. (Mr. *Charlton*) 683 (i).
- SOULANGES CANAL, ADVERTISEMENTS FOR TENDERS:** M. for copies (Mr. *Tarte*) 1309 (i).
- **CHANGE IN CONTRACTS:** M. for Ret. (Mr. *Tarte*) 3294 (ii).
- CANALS—Con.**
- SOULANGES CANAL, CONTRACTS:** M. for Cor.* (Mr. *Charlton*) 449 (i).
- **LANDS EXPROPRIATED:** Ques. (Mr. *Harcourt*) 5233 (ii).
- **SECURITY FOR CONTRACT:** Ques. (Mr. *Lister*) 3766 (ii).
- **TENDERS AND CONTRACTS:** M. for Cor., &c. (Mr. *Tarte*) 2783 (i).
- TAY CANAL, RECEIPTS FROM TOLLS, &c.:** Ques. (Sir *Richard Cartwright*) 145 (i).
- TRENT VALLEY CANAL, COMMISSIONERS' REP.:** M. for copy (Mr. *Huohes*) 1796 (i).
- **EXPEND.:** Ques. (Mr. *Mulock*) 687 (i).
- WILLIAMSBURG CANALS, SUPERINTENDENT:** Ques. (Mr. *Landerkin*) 285 (i).
- Ques. (Mr. *Somerville*) 2135 (i).
- [See "SUPPLY."]
- CANE, REED OR RATTAN:** in Com. of Ways and Means, 2826 (i).
- CANOE COVE (P.E.I.) BREAKWATER, CONSTRUCTION:** (Mr. *Davies, P.E.I.*) 685 (i).
- CAPE BRETON MAIL SERVICE:** Ques. (Mr. *Fraser*) 844.
- **OXFORD AND NEW GLASGOW RY.:** in Com. of Sup., 6354 (ii).
- CAPE BRETON RY. EXTENSION Co.'s SUBSIDY:** prop. Res. (Mr. *Haggart*) 6256 (ii).
- **SUB-CONTRACTORS' CLAIM:** Ques. (Mr. *Davies, P.E.I.*) 2297 (i).
- [See "Hard Pan."]
- CAPE CANSO, SURVEYS:** Ques. (Mr. *Fraser*) 1795 (i).
- CAP DE LA MADELINE, ST. PILES RY. SUBSIDY:** prop. Res. (Mr. *Haggart*) 6256 (ii).
- CAPTAINS AND MATES, CERTIFICATED:** M. for Cor., &c.* (Mr. *Davies, P.E.I.*) 451 (i).
- CARAQUET RY. AND POKEMOUCHE RY. SUBSIDY:** prop. Res. (Mr. *Haggart*) 6357; in Com., 6414 (ii).
- CARAQUET RY., RECEIPTS AND EXPENDITURE:** Ques. (Mr. *Mulock*) 2566 (i).
- CARBOYS AND DEMJOHNS:** in Com. of Ways and Means, 2095 (i).
- Cariboo Ry. Co.'s incorp. B. No. 60** (Mr. *Mara*). 1^o, 1030; 2^o, 1151; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 67.)
- CARILLON AND GRENVILLE CANAL:** in Com. of Sup., 4161 (ii).
- CARLSRUHE BREWERY, INLAND REVENUE:** Ques. (Mr. *Landerkin*) 2622, 2938 (i).
- CARLYLE, C. C., SERVICES re IMMIGRATION FROM Nfld.:** Ques. (Mr. *Davies, P.E.I.*) 753 (i).
- CARPETS INGRAIN:** in Com. of Ways and Means, 3065 (i); conc., 4028 (ii).
- CASCUMPEQUE HARBOUR, P.E.I., BLASTING, &c.:** Ques. (Mr. *Perry*) 2733 (i).
- CATTLE (CAN.) EXPORTS via U.S.:** M. for Cor., &c.* (Mr. *Mulock*) 451 (i).
- **DISEASE IN COUNTY OF GREY:** Remarks (Mr. *Landerkin*) 521 (i).
- (Mr. *Fairbairn*) 598 (i).
- **EMBARGO IN GREAT BRITAIN:** Ques. (Mr. *Fairbairn*) 448 (i).
- Ques. (Mr. *Featherston*) 288 (i).
- **M. for Ret.** (Mr. *McMullen*) 1800 (i).

- CATTLE: Ret. : Remarks (Mr. Mulock) 2785 (i).**
 — **EXAMINATION AFTER SLAUGHTER: Ques. (Mr. Smith, Ont.) 2040 (i).**
 — **TRADE WITH GREAT BRITAIN: Remarks (Mr. Mulock) to Com. of Sup., 3244 (i), 4895 (ii).**
 — **EXPORTED TO UNITED KINGDOM, VALUE: Ques. (Mr. Mulock) 1221, 1787, 2212 (i).**
 — **EXPORTS, MIN. OF AGRICULTURE'S, REP. : Remarks (Mr. Mulock) 1568 (i).**
 — **TRANSIT THROUGH CANADA: M. for Cor., &c. (Mr. Sproule) 4479 (ii).**
 — **Amt. (Mr. Mulock) to Com. of Sup., 5275, 5301; neg. (Y. 59, N. 99) 5366 (ii).**
Deb. (Mr. Ives) 5329; (Mr. O'Brien) 5339; (Mr. McMullen) 5343; (Sir Charles Hibbert Tupper) 5348; (Mr. Sproule) 5352; (Mr. McMillan) 5361; (Mr. Fairbairn) 5364.
 — **INSPECTION BETWEEN CAN. AND U. S. : M. for Cor.* (Mr. Mulock) 2424 (i).**
 — **QUARANTINE: in Com. of Sup., 4374 (ii).**
 — **RANCH (GOVT.) FORT MACLEOD: M. for Papers, &c.* (Mr. Charlton) 449 (i).**
 — **See "Ocean Freight Rates."**
- CAUGHNAWAGA RESERVE: in Com. of Sup., 6514 (ii).**
CELLULOID: in Com. of Ways and Means, 2821 (i).
CEMENT, PORTLAND, &c.: in Com. of Ways and Means, 2121 (i).
CENSUS:
AGRICULTURAL IMPLEMENTS, INDUSTRY, NUMBER EMPLOYED: Ques. (Sir Richard Cartwright) 684 (i).
INDUSTRIES IN GUYSBORO', DESCRIPTION, &c.: Ques. (Mr. Fraser) 1972 (i).
 — **QUEEN'S AND SHELburne: Ques. (Mr. Forbes) 1789 (i).**
MANUFACTURING ESTABLISHMENTS IN LONDON, RET. : Remarks (Mr. Mills, Bothwell) 3601 (ii).
RETURNS: Remarks (Sir Richard Cartwright) 4179 (ii)
RICE CLEANING MILLS AND HANDS: Ques. (Sir Richard Cartwright) 1711 (i).
SHOE FACTORIES IN P.E.I.: Ques. (Mr. Perry) 3440 (ii).
SUGAR REFINERIES, NUMBER OF EMPLOYEES: Ques. (Sir Richard Cartwright) 283, 684 (i).
 [See "ARTS AND STATISTICS."]
- CENTRAL RY. CO.'S (N.B.) SUBSIDY: prop. Res. (Mr. Haggart) 6255 (ii).**
Certificates. See "MASTERS AND MATES."
CHAMBLY CANAL, SWING BRIDGE NEAR STE. THÉRÈSE ISLAND: M. for Ret.* (Mr. Bechard) 1991 (i).
CHAMPAGNE AND WINES: in Com. of Ways and Means, 1473 (i).
CHARGES OF MANAGEMENT: in Com. of Sup., 3180.
CHARLEBOIS, ALPHONSE, WIDENING LACHINE CANAL: Ques. (Mr. Monet) 5774 (ii).
CHARTERED BANKS, LIST OF SHAREHOLDERS: presented (Mr. Foster) 1714 (i).
Chaudière Electric Light and Power Co.'s B. No. 75 (Sir James Grant). 1^o, 1219; 2^o, 1600; in Com. and 3^o, 3051. (57-58 Vic., c. 109.)
CHAUDIÈRE FALLS WATER PRIVILEGES: Ques. (Mr. Casey) 2622 (i).
CHEVALIER, FISHING OVERSEER, DISMISSAL: M. for Ret.* (Mr. Béchard) 1991 (i).
- CHEESE WEIGHING, APPMT. OF REFEREE: Ques. (Mr. Taylor) 2414 (i).**
 — **Remarks (Mr. McMullen) 2489; on M. for Com. of Ways and Means, 2497 (i).**
CHICAGO EXHIBITION, CAN. COMMISSIONERS' REP. : Ques. (Mr. Innes) 5530 (ii).
 — **CAN. EMPLOYEES: M. for Ret.* (Mr. Martin) 449 (i).**
 — **MR. DIMOCK'S SERVICES: Ques. (Mr. Laulackin) 1565 (i).**
 — **SCHOOL AWARDS: M. for Ret. (Mr. Lachapelle) 3289 (ii).**
 — **NAMES, &c., OFFICIALS WITH CAN. EXHIBIT: M. for Ret. (Mr. Charlton) 1399 (i).**
 — **EMPLOYEES FROM N.S. : M. for Ret.* (Mr. Patterson, Colchester) 1036 (i).**
CHIGNECTO MARINE RY., SUMS PAID ON ACCOUNT: Ques. (Mr. Rider) 754 (i).
CHINESE LABOUR AT ESQUIMALT: Ques. (Mr. Prior) 281 (i), 3603 (ii).
Christian Temperance. See "DOM."
CHROME STEEL: in Com. of Ways and Means, 2514 (i).
CHURCH ARTICLES, FREE ENTRY: M. for Ret. (Mr. McCarthy) 3121 (i).
CIRCUIT ALLOWANCE TO JUDGES, B.C. : in Com. of Sup. 3340 (ii).
CIVIL GOVERNMENT: in Com. of Sup., 3233, 3264 (i), 6234 (ii).
CIVIL SERVANTS, CONTRIBUTORS TO SUPERANNUATION FUND: M. for Ret.* (Mr. McMullen) 1036 (i).
Civil Service Acts Amt. B. No. 154 (Mr. Costigan). 1^o, 5154; 2^o, in Com. and 3^o, 5533. (57-58 Vic., c. 18.)
CIVIL SERVICE BOARD: in Com. of Sup., 3249 (i).
 — **EMPLOYEES, CREED, &c., Ques. (Mr. McNeill) 1117 (i).**
 — **EXAMINATIONS, CANDIDATES DISQUALIFIED: Ques. (Mr. Somerville) 2134 (i).**
 — **IRREGULARITIES: M. (Mr. Brodeur) for Sel. Com., 4053; neg. (Y. 40, N. 68) 4070 (ii).**
Deb., (Sir John Thompson) 4059; (Mr. Lawrier) 4060; (Sir Adolphe Caron) 4062; (Mr. Davies, P.E.I.) 4063; (Mr. Costigan) 4064; (Mr. Ouimet) 4067; (Mr. Mulock) 4069.
 — **PERSONATION: Ques. (Mr. Brodeur) 1794 (i).**
 — **SALARIES: Remarks (Mr. Mulock) to Com. of Sup., 6307 (ii).**
 — **INSURANCE: M. for Stmnt.* (Sir Hector Langevin) 450 (i).**
 — **LIST: presented (Mr. Costigan) 149 (i).**
 — **SPECIAL EXAMINATION, P.O.D. : Ques. (Mr. Edgar) 842, 1566 (i).**
 — **SUPERANNUATION FUND: Ques. (Mr. McMullen) 753 (i).**
 — **Amt. (Mr. McMullen) to Com. of Sup., 4316; neg. (Y. 55, N. 91) 4370 (ii).**
- Civil Service Superannuation Act Amt. B. No. 17 (Mr. Mulock). 1^o, 367 (i).**
CLAPBOARDS, PINE: in Com. of Ways and Means, 2989 (i).

- CLEMENT & SON, REP., &C., *re* BUTTER SALES: M. for copies* (Mr. McMullen) 451 (i).
- Clifton Suspension Bridge Co.'s Acts**
Amt. B. No. 41 (Mr. Cootsworth). 1*, 751; 2*, 886; in Com. and 3*, 2411. (57-58 *Vic.*, c. 97.)
- CLOTHING AND NECESSARIES, MILITIA: in Com. of Sup., 5429, 6244 (ii).
- CLOTHING FOR WOMEN AND CHILDREN: in Com. of Ways and Means, 3066 (i).
- MOUNTED POLICE: in Com. of Sup., 4635 (ii).
- CLUFF, W. H., EMPLOYT. IN OTTAWA P.O.: Ques. (Mr. Campbell) 1398 (i).
- COAL, BITUMINOUS: in Com. of Ways and Means, 3570.
- TENDERS, FOG ALARMS: Ques. (Mr. Bowers) 2869 (i).
- GOVT., SALES AT SOREL: Ques. (Mr. Brunet) 3273 (ii).
- IMPORTS BY G.T.R.: Ques. (Mr. McDougall) 2412 (i).
- COAL OIL IMPORTED IN TANKS: Ques. (Mr. Landerkin) 284 (i).
- M. for Ret.* (Mr. Macdonald, Huron) 514 (i).
- REPEAL OR REDUCTION OF DUTY: Ques. (Mr. Lavergne) 1970 (i).
- PLACES WHERE ADMITTED: Ques. (Mr. Landerkin) 516, 517, 596 (i).
- in Com. of Ways and Means, 2223 (i).
- Deb. (Mr. Davies, P. E. I.) 2223; (Mr. Foster) 2227; (Sir Richard Cartwright) 2237; (Mr. Flint) 2238, 2258; (Mr. Wood, Westmoreland) 2242; (Mr. Hazen) 2245; (Mr. Casey) 2248; (Mr. McNeill) 2257; (Mr. Gibson) 2261; (Mr. Gillmor) 2261; (Mr. McMullen) 2263; (Mr. Moncrieff) 2265; (Mr. Scriver) 2280; (Mr. Taylor) 2282; (Mr. Ryckman) 2282; (Mr. Bryson) 2283; (Mr. Mills, Bothwell), 2284.
- Cobourg, Northumberland and Pacific Ry. Co.'s B. No. 132** (Mr. Guillet). 1*, 3668; 2*, 4027; in Com. and 3*, 5485. (57-58 *Vic.*, c. 68.)
- COCKBURN ISLAND WHARF, TOTAL COST, &C.: M. for Ret.* (Mr. McMullen) 450 (i).
- COCOA PASTE: in Com. of Ways and Means, 1784, 3068 (i).
- CODFISH: in Com. of Ways and Means, 2685 (i).
- COFFINS AND CASKETS: in Com. of Ways and Means, 2399 (i).
- COFFIN, CHAS., CLAIM FOR RY. DAMAGES: M. for Ret.* (Mr. Davies, P. E. I.) 452 (i).
- COFFEE (GREEN): in Com. of Ways and Means, 1783, 2076 (i).
- COLLECTION OF REVENUES. See "SUPPLY."
- COLLEGE BRIDGE STATION, RECEIPTS: Ques. (Mr. Wood, Westmoreland) 2131 (i).
- Colonial Mutual Life Association incorp.**
B. No. 144 (Mr. McKay). 1*, 3077; 2*, 3273; in Com. and 3*, 4049. (57-58 *Vic.*, c. 120.)
- COLUMBIA RIVER: in Com. of Sup., 6508 (ii).
- Combinations.** See "TRADES."
- COMMERCIAL RELATIONS WITH FRANCE: M. for Cor. (Mr. Laurier) 1435 (i).
- Deb. (Sir John Thompson) 1443; (Mr. Tarte) 1454; (Mr. Foster) 1456; (Sir Richard Cartwright) 1460; (Mr. Quimet) 1461; (Mr. Amyot) 1466.
- COMMERCIAL TREATY WITH FRANCE, LOSS OF REVENUE:
 Ques. (Sir Richard Cartwright) 1710 (i).
- Ques. (Mr. Laurier) 80 (i).
- RATIFICATION: Ques. (Sir Richard Cartwright) 687 (i).
- See "Treaty."
- COMMISSIONER OF DOM. LANDS, SALARY: in Com. of Sup., 4928 (ii).
- COMMISSIONERS ON TARIFF, FORMAL APPOINT.: Ques. (Mr. Casey) 1566 (i).
- COMMITTEES AND EXTRA CLERKS, H. OF C.: in Com. of Sup., 3492 (ii).
- COMMITTEES:
 DEBATES, OFFICIAL REP.: M. for Sel. Com. (Sir John Thompson) 5 (i).
- 1ST REP.: presented (Mr. La Rivière) 149 (i).
- CONC.: M. (Mr. La Rivière) 280, 365 (i).
- 2ND REP., CONC.: M. (Mr. White, Cardwell) 4297 (ii).
- 3RD REP.: presented (Mr. La Rivière) 5465 (ii).
- LIBRARY, LIST OF MEMBERS: M. (Sir John Thompson) 515 (i).
- 2ND REP. OF COM., CONC.: M. (Mr. Mills, Bothwell) 4393 (ii).
- PRINTING, JOINT, LIST OF MEMBERS: M. (Sir John Thompson) 514 (i).
- 2ND REP., CONC.: M. (Mr. Borgia) 2488 (i).
- PRIV. AND ELEC.: M. (Mr. Edgar) summoning Witnesses before Bar of House, 3866 (ii).
- NON-ATTENDANCE: M. (Sir John Thompson) Mr. Speaker to issue Warrant for Arrest, 4040.
- Witnesses in attendance at Bar, 4189 (ii).
- 4TH REP.: M. (Sir John Thompson) consdn., 5775 (ii).
- 4TH AND 5TH REPS.: presented (Mr. Girouard, Jacques Cartier) 5574 (ii).
- 4TH REP., CONC.: M. (Mr. Girouard, Jacques Cartier) 5887 (ii).
- PUBLIC ACCOUNTS: Remarks (Sir Richard Cartwright) 520 (i).
- ORGANIZATION: Remarks (Sir Richard Cartwright) 599 (i).
- MEETING: Ques. (Sir Richard Cartwright) 755.
- REP.: Remarks (Sir Richard Cartwright) 1470 (i).
- 1ST AND 2ND REPS.: on consdn., prop. Res. (Mr. Mulock) to examine Witnesses on Oath, 1635; Amt. (Sir Charles Hibbert Tupper) 1656; agreed to (Y. 110, N. 61) 1708 (i).
- 3RD REP.: consdn. postponed, 1869 (i).
- CONSDN., 1965; Amt. (Mr. Laurier) Examination of J. Pope agreed to, 1966 (i).
- 4TH REP.: conc., 1870 (i).
- WITNESSES ON OATH, EXAMINATION: Amt. (Sir Richard Cartwright) to Com. of Ways and Means, 1079; withdn., 1898 (i).
- NAMES SUBSTITUTED: M., 2136, 2211 (i).
- BAILEY, GEO., EXAM. ON OATH: M. (Mr. Cootsworth) 2211 (i).
- EXAM. OF AUDITOR GEN. *re* PUB. EXPENDITURE: (Mr. Davies, P. E. I.) 2486 (i).
- MISUNDERSTANDING AT MEETING: Remarks (Sir Richard Cartwright) 3303 (ii).
- VACANCY: M. (Sir John Thompson) 4300 (ii).
- PRINTING EVIDENCE: Remarks (Mr. Davies, P. E. I.) 4567 (ii).
- 10TH REP., CONC.: M. (Mr. Baker) 5968 (ii).

COMMITTEES—*Con.*

SELECT STANDING: M. (Sir John Thompson) for, 4.

— M. for Com. to prepare Lists (Sir John Thompson) 126 (i).

— LISTS: presented (Sir John Thompson) 442 (i).

Common School Fund B. No. 151 (Mr. Foster). Res. prop., 4719; in Com., 4822; conc. in and 1* of B., 4892; 2* and in Com., 5098; 3*, 5154. (57-58 *Vic.*, c. 3.)

COMPANIES. *See:*

ALBERTA SOUTHERN RY. CO.
 ATLANTIC AND LAKE SUPERIOR RY. CO.
 ATLANTIC AND NORTH-WEST RY. CO.
 BELL TELEPHONE CO.
 BOYNTON BICYCLE ELECTRIC RY. CO.
 BRANDON AND SOUTH-WESTERN RY. CO.
 BROCKVILLE AND NEW YORK BRIDGE CO.
 CALGARY IRRIGATION CO.
 CANADA AND MICHIGAN TUNNEL CO.
 CANADIAN RAILWAY ACCIDENT INS. CO.
 CANADIAN RAILWAY FIRE INS. CO.
 CARIBOO RY. CO.
 CHAUDIÈRE ELECTRIC LIGHT AND POWER CO.
 CLIFTON SUSPENSION BRIDGE CO.
 COBOURG, NORTHUMBERLAND AND PAC. RY. CO.
 CONSUMERS CORDAGE CO.
 DOMINION BURGLARY GUARANTEE CO.
 DOMINION GAS AND ELECTRIC CO.
 DULUTH, NEPIGON AND JAMES'S BAY RY. CO.
 ELGIN AND HAVELOCK RY. CO.
 ERIE AND HURON RY. CO.
 FRENCH RIVER BOOM CO.
 GLEICHEN, BEAVER LAKE AND VICTORIA RY. CO.
 GUELPH JUNCTION RY. CO.
 JOINT STOCK COMPANIES.
 LAKE ERIE AND DETROIT RIVER RY. CO.
 LAKE MEGANTIC RY. CO.
 LINDSAY, BOBCAYGEON AND PONTYPOOL RY. CO.
 MANITOBA AND NORTH-WESTERN RY. CO.
 MEDICINE HAT RY. AND COAL CO.
 MÉTIS, MATANE AND GASPÉ RY. CO.
 MONCTON AND P. E. I. RY. AND TUNNEL CO.
 MONTREAL AND OTTAWA RY. CO.
 MONTREAL ISLAND BELT LINE RY. CO.
 MONTREAL, OTTAWA AND HURON CANAL CO.
 MONTREAL PARK AND ISLAND RY. CO.
 NEW YORK, NEW ENGLAND AND CANADA RY. CO.
 NIAGARA FALLS ELECTRIC RY. BRIDGE CO.
 NIAGARA GRAND ISLAND BRIDGE CO.
 NIAGARA FALLS SUSPENSION BRIDGE CO.
 NORTHERN LIFE ASSURANCE CO. OF CANADA.
 NORTH-WESTERN AND BURRARD INLET TEL. CO.
 NOVA SCOTIA STEEL CO.
 ONTARIO LIFE ASSURANCE CO.
 ONTARIO LOAN AND DEBENTURE CO.
 OTTAWA AND GATINEAU RY. CO.
 OTTAWA ELECTRIC CO.
 OTTAWA GAS CO.
 PONTIAC AND OTTAWA RY. CO.
 RED DEER VALLEY RAILWAY AND COAL CO.
 RICHELIEU AND ONTARIO NAVIGATION CO.
 RIVER ST. CLAIR RAILWAY BRIDGE CO.
 ROCKY MOUNTAIN RY. AND COAL CO.
 ST. CATHARINES AND NIAGARA CENTRAL RY. CO.
 ST. CLAIR AND ERIE SHIP CANAL CO.
 ST. EMILIE RY. CO.
 ST. LAWRENCE AND ADIRONDACK RY. CO.
 ST. LAWRENCE INS. CO.

COMPANIES—*Con.*

STEAM BOILER AND PLATE GLASS CO.

WELLAND POWER AND SUPPLY CO.

WINNIPEG AND HUDSON BAY RY. CO.

WOLSELEY AND FORT QU'APPELLE RY. CO.

WOOD MOUNTAIN AND QU'APPELLE RY. CO.

[*See* "RAILWAYS," "SUBSIDIES, &c."]

CONDENSED MILK: in Com. of Ways and Means, 1502 (i).

CONNOLLY AND MCGREEVY, RELEASE: M. for Pets., &c. (Mr. Mulock) 145 (i).

CONNOLLY, MESSRS., SUIT AGAINST: Amt. (Mr. Laurier) to Com. of Sup., 6438; neg. (Y. 24, N. 61) 6456 (ii).

CONNOR, MR., PLANT FOR MANUFACTURE OF BINDER TWINE: M. for Cor.* (Mr. Mulock) 451 (i).

CONSOLIDATED FUND, RECEIPTS AND EXPENDITURES: Ques. (Sir Richard Cartwright) 6356 (ii).

— M. for Stmt.* (Sir Richard Cartwright) 2424.

Consumers Cordage Co.'s B. No. 31 (Mr. Rosamond). 1*, 682; 2*, 885; M. for Com., 3082; in Com. and 3*, 3083. (57-58 *Vic.*, c. 114.)

CONTINGENCIES: in Com. of Sup., 3249, 3246 (i).

CONTRACTS FOR SUPPLIES, QUEBEC CITADEL: Ques. (Mr. Choquette) 751 (i).

— *See* "Turcotte, Mr."

CONTROLLERS' AND MINISTERS' EXPENSES INVESTIGATING TARIFF: M. for Ret.* (Mr. Martin) 449.

CONTROVERTED ELECTIONS: Notification (Mr. Speaker) 1.

COPPER WIRE: in Com. of Ways and Means, 2514 (i).

COPYRIGHT: M. for Cor., &c.* (Mr. Edgar) 149 (i).

— Remarks on Adjnt. (Mr. Edgar) 10.

— BRITISH: in Com. of Ways and Means, 1927 (i).

CORBY, MR., M.P., WEST HASTINGS: Resignation, 4811; introduced, 5368 (ii).

CORDAGE: in Com. of Ways and Means, 2652 (i).

CORNWALL CANAL, DAVIS'S BROS. SECURITY FOR CONTRACT: Ques. (Mr. Lister) 3604 (ii).

— in Com. of Sup., 3521, 4153, 5113, 6458; conc., 5158 (ii)

— SHEIK'S ISLAND DAM: Ques. (Mr. Charlton) 155 (i).

— CONTRACT: Ques. (Mr. Mulock) 3241 (i).

— M. for Ret.* (Mr. Charlton) 452 (i).

— *See* "CANALS."

CORN, INDIAN: Ways and Means, conc., 4015 (ii).

— REBATE OF DUTY: Ques. (Mr. McMullen) 841.

CORSET CLASPS, &c.: in Com. of Ways and Means, 2398 (i).

— EYELETS: in Com. of Ways and Means, 2723.

COTTON CLOTHING, &c.: in Com. of Ways and Means, 2828 (i).

— GOODS, DUTY: Personal Explanation (Mr. Edgar) 1031 (i).

— MANUFACTURES: in Com. of Ways and Means, 2828 (i).

— SEWING THREAD: in Com. of Ways and Means, 2649 (i).

— TWINE AND CORDAGE: in Com. of Ways and Means, 2661 (i).

- COTTON UNBLEACHED : in Com. of Ways and Means, 2531 (i).
 ——— WARPS : in Com. of Ways and Means, 2532 (i).
 ——— NYLONITE, &C., COLLARS : in Com. of Ways and Means, 2558 (i).
 ——— BLEACHED : in Com. of Ways and Means, 2554.
 ——— DYED OR COLOURED : in Com. of Ways and Means, 2555 (i).
- County Court Judges.** See "PROVINCIAL."
 COUNTY COURT JUDGES, MAN. AND ONT. : in Com. of Sup., 6241 (ii).
- COWAN, MR., EXTRA SERVICES : in Com. of Sup., 5464 (ii).
- CREAMERIES, ELGIN AND WOODSTOCK : M. for Ret.* (Mr. McMullen) 451 (i).
- Criminal Code, 1892, Act Amt. (Seduction, &c.) B. No. 18** (Mr. Charlton). 1°, 447.
 ——— **B. No. 126** (Sir John Thompson). 1°, 3240; 2°* and in Com., 5174, 5468; recon., 5533; 3°*, 5534; Sen. Amt., 6359. (57-58 Vic., c. 57.)
 ——— (Lotteries) **B. No. 16** (Mr. Charlton). 1°, 366 (i).
- CRIMINAL STATISTICS : in Com. of Sup., 4125 (ii).
- CRUDE PETROLEUM : in Com. of Ways and Means, 2287 (i).
- Cruelty to Animals Prevention B. No. 4** (Mr. Coatsworth). 1°, 79; 2° and in Com., 3648, 4088, 4517.
- "CRUISER," GOVT. STEAMER, SUSPENSION OF CAPT. DUNN : Ques. (Mr. Landerkin) 1564 (i).
- CROSS CREEK AND EASTERN RY. SUBSIDY : prop. Res. (Mr. Haggart) 6255 (ii).
- CULBUTE CANAL : in Com. of Sup., 4162 (ii).
- Cullers' Act Amt. B. No. 124** (Mr. Wood, Brockville). 1°, 3240; 2°*, in Com. and 3°*, 4949. (57-58 Vic., c. 52.)
- CULLERS' OFFICE, MONTREAL, FEES, &C. : Ques. (Mr. McMullen) 754, 1711 (i).
 ——— QUES., APPMTS. AND SUPERANNUATIONS, &C. : Ques. (Mr. McMullen) 1036 (i).
 ——— QUES. AND MONTREAL : M. for Ret.* (Mr. McMullen) 1036 (i).
- CURRAN BRIDGE CONTRACTS, &C. : M. for copies* (Mr. Gibson) 450 (i).
 ——— PAPERS RESPECTING : Ques. (Mr. Gibson) 1875.
 ——— See "Lachine."
- CUSTOMS :**
 ADULTERATED TEAS, IMPORTS : Ques. (Mr. Stairs) 2425 (i).
 ANALYTICAL INDEX CUSTOMS TARIFF, COST : M. for Ret.* (Mr. Somerville) 3163 (i).
 ——— Ques. (Mr. Edgar) 753, 1568 (i).
 BINDER TWINE, FREE ENTRY : prop. Res. (Mr. Mulock) 146 (i).
 BOARD OF CUSTOMS, MEETINGS : Ques. (Mr. Langelier) 4196 (ii).
 ——— Ques. (Mr. Charlton) 155 (i).
 ——— Ques. (Mr. Rider) 3242 (i).
 BOUNTY, &C., ON CAN. BUILT SHIPS : M. for O.C.'s* (Mr. Amyot) 1399 (i).
 ——— PIG IRON, AMOUNT PAID ; M. for Stmdt.* (Mr. Edgar) 451 (i).
 ——— prop. Res. (M. Haggart) 6412 (ii).
- CUSTOMS—Con.**
 BOWELL, J. C., AMOUNT PAID FOR SERVICES : Ques. (Mr. Macdonald, Huron) 947 (i).
 CAMPBELLFORD SUB-COLLECTOR, SUSPENSION : Ques. (Mr. McMullen) 368 (i).
 CHEESE WEIGHING : Ques. (Mr. McMullen) 2489; on M. for Com. of Ways and Means, 2497 (i).
 COAL IMPORTS BY G.T.R. : Ques. (Mr. McDougall) 2412 (i).
 COAL OIL IMPORTED IN TANK CARS : M. for Ret.* (Mr. Macdonald, Huron) 514 (i).
 ——— Ques. (Mr. Landerkin) 284 (i).
 ——— PLACES WHERE ADMITTED : Ques. (Mr. Landerkin) 516, 517, 596 (i).
 ——— REFUEL OR REDUCTION : Ques. (Mr. Lavergne) 1970 (i).
 COLLECTIONS ON FRONTIER : Ques. (Mr. Edgar) 1972 (i).
 COMMISSIONERS ON TARIFF, FORMAL APPMT. : Ques. (Mr. Casey) 1566 (i).
 CONTROLLERS' AND MINISTERS' EXPENSES re TARIFF : M. for Ret.* (Mr. Martin) 449 (i).
 CORN, REBATE OF DUTY : Ques. (Mr. McMullen) 841.
 COTTON GOODS, DUTY : Personal Explanation (Mr. Edgar) 1031 (i).
 DRAWBACKS OR REBATES : M. for O.C.'s* (Mr. Casey) 1399 (i).
 ENTRIES AND DUTIES UNDER NEW TARIFF : Remarks (Mr. Langelier) 951 (i).
 EXPORTS AND IMPORTS : M. for Ret.* (Sir Richard Cartwright) 149 (i).
 EXPORTS FROM CANADA AND REBATES ALLOWED : M. for Ret.* (Mr. McMullen) 2125 (i).
 EXPORTS TO U.S. AND OTHER COUNTRIES : M. for Ret. (Mr. Charlton) 453, 1831 (i).
 FLOUR, FREE ENTRY FOR DEEP SEA FISHERIES : Ques. (Mr. McMullen) 842 (i).
 GOVT. IMPORTS FROM U.S. : Ques. (Mr. Landerkin) 2298 (i).
 GRANITE, IMPORTS DURING 1893 : Ques. (Mr. Gillmor) 3872 (ii).
 IMMORAL BOOKS, ALLEGED IMPORTATION : Ques. (Mr. McCarthy) 5530 (ii).
 IMPORTS AND EXPORTS : M. for Ret.* (Sir Richard Cartwright) 149 (i).
 ——— FROM U.S. FOR PUBLIC SERVICE : Ques. (Mr. Landerkin) 2298 (i).
 ——— OF COAL BY G.T.R. : Ques. (Mr. McDougall) 2412 (i).
 IMPORTS UNDER ORDERS IN COUNCIL : M. for Ret.* IN COM. OF SUP. : 3273 (i), 5967, 5990 (ii). (Mr. Charlton) 2763, 2782 (i).
 INDEX TO CUSTOMS STATUTES : Ques. (Mr. Grieve) 1118 (i).
 INDIAN CORN, DRAWBACK ON IMPORTS : M. for Ret.* (Mr. Charlton) 452 (i).
 ——— REMOVAL OF DUTIES : Ques. (Mr. Lavergne) 1971 (i).
 IRON AND STEEL FOR BRIDGES, VALUE OF IMPORTS : M. for Ret.* (Mr. Charlton) 452 (i).
 MAPLE SUGAR, CLASSIFICATION UNDER TARIFF : Ques. (Mr. Rider) 453, 1115 (i).
 MINING MACHINERY, FREE IMPORTS : M. for Ret.* (Mr. Mara) 452 (i).
 MONTREAL COLLECTORSHIP : Remarks (Mr. Devlin) 4312 (ii).
 ——— VACANCY : Ques. (Sir Richard Cartwright) 289 (i).
 OFFICERS' UNIFORMS : Ques. (Mr. Grieve) 1118 (i).

CUSTOMS—*Con.*

- SEIZURES, REFUND OF FINES : Ques. (Mr. *Charlton*) 156 (i).
 — PER AUDITOR GEN'S REP. : Ques. (Mr. *Charlton*) 845 (i).
 SHIPBUILDERS' DRAWBACKS, 1865 TO 1879 : Ques. (Mr. *Amyot*) 2293 (i).
 STENOGRAPHER, *re* TARIFF INQUIRIES : Ques. (Mr. *Lauderkin*) 1968, 2133 (i).
 TARIFF AMENDMENTS : Ques. (Sir *Richard Cartwright*) 1220 (i).
 — COMMISSIONERS, FORMAL APPMT., &c. : Ques. (Mr. *Casey*) 1546 (i).
 — CHANGES, PRINTING : Ques. (Mr. *Lauderkin*) 448 (i).
 — Remarks (Mr. *Laurier*) to Com. of Sup., 3175.
 — COMMISSIONERS' REPORT : Remarks (Mr. *Casey*) 952, 1119 (i).
 — RET. *re* : Remarks (Mr. *Martin*) 1538 (i).
 — EVIDENCE TAKEN : M. for copy (Mr. *Mills, Bothwell*) 3295 (ii).
 — REPORTS : Remarks (Mr. *Casey*) 952 (i).
 — MINISTERS AND CONTROLLERS' EXPENSES. COST : Ques. (Mr. *Casey*) 1792, 1970 (i).
 — INQUIRIES, MINISTERS AND CONTROLLERS' VISITS : Ques. (Mr. *Lovergne*) 1971, 2620 (i).
 — M. for Ret * (Mr. *Martin*) 449 (i).
 TEA AND COFFEE ADULTERATED : Remarks (Mr. *Kenny*) 521 (i).
 — DUTIES : Remarks (Mr. *Edgar*) 755 (i).
 TEA IMPORTATIONS, LONDON DIRECT, FREE ENTRY : Remarks (Mr. *Durieu, P.E.I.*) 4039 (ii).
 TEAS ADULTERATED, IMPORTS : prop. Res. (Mr. *Stairs*) 2425 (i).
 TRADE AND NAVIGATION RETURNS, CLERICAL ERRORS : Ques. (Mr. *Prior*) 951 (i).
 UNIFORMS FOR OFFICERS : Ques. (Mr. *Grieve*) 1118 (i).
 UNITED STATES EXPORTS : M. for Ret. (Mr. *Charlton*) 453 (i).
 WASHINGTON, SENATOR SANFORD'S VISIT : Ques. (Mr. *Lauderkin*) 295 (i).
 [See Provinces, "SUPPLY," "WAYS AND MEANS."] **Customs Acts Amt. B. No. 9** (Mr. *Charlton*). 1°, 137 : Order for 2°, dschgd., 2339.
 — **consolid. Acts Amt. B. No. 135** Mr. *Foster*. Res. prop., 247, 1322 ; in Com., 1327, 1473, 1714, 1898, 2076, 2212, 2342, 2504, 2645, 2692, 2793, 2945, 3022, 3052, 3305, 3570, 5848 ; 1* of B., 4038 ; Res. conc. in, 3971, 4034, 6032 ; 2°, 6155 ; 3*, 6517. (57-58 *Vic., c. 33*.)
 DAIRY COMMISSIONER : in Com. of Sup., 4296 (ii).
 "DAIRYING FOR PROFIT," TRANSLATION OF PAMPHLET. Ques. (Mr. *Girouard, Two Mountains*) 3765 (ii).
 DAIRY REPORTS, DELAY IN PRINTING : Remarks (Mr. *Sutherland*) 5369 (ii).
 DAMASK : in Com. of Ways and Means, 2666 (i).
 DAM OF RIVER YAMASKA, CONSTRUCTION : M. for Stmt. (Mr. *Laurier*) 1573 (i).
 DAVIS & SONS' CONTRACT FOR SHEIK'S ISLAND DAM, &c. : M. for copy, &c. (Mr. *Charlton*) 452 (i).
 — SECURITY FOR CONTRACT : Ques. (Mr. *Lister*) 3604 (ii).
 DAWSON, W. B., ASST. ENGINEER : in Com. of Sup., 6233 (ii).
 DEAF AND DUMB, N.W.T., EDUCATION : Ques. (Mr. *Martin*) 3605 (ii).

- DEBATES, OFFICIAL REP., 1ST REP. OF COM. : presented (Mr. *LaRivière*) 149 (i).
 — CONC. : M. (Mr. *LaRivière*) 280, 365 (i).
 — 2ND REP. OF COM., CONC. : M. (Mr. *White, Cardwell*) 4297 (ii).
 — 3RD REP. OF COM. : presented (Mr. *LaRivière*) 5465 (ii).
 DEEP SEA FISHERIES, FREE FLOUR : Ques. (Mr. *Mullen*) 842 (i).
 DEPTL. REPS. INDIAN, DISTRIBUTION : prop. Res. (Mr. *Paterson, Brant*) 2778 (i).
 DEPOSITS AS SECURITIES ON CONTRACTS : M. for Stmt. (Mr. *Lister*) 2424 (i).
Detective Corporations and Mercantile Agencies B. No. 92 (Mr. *Sproule*). 1°, 1870.
 DIGBY PIER, DAMAGE TO : Remarks (Mr. *Bowers*) 1037.
 — in Com. of Sup., 4448 (ii).
Dillon, Jas. St. George. See "DIVORCE."
 DIMOCK, MR., SERVICES AT CHICAGO EXHIBITION : Ques. (Mr. *Lauderkin*) 1565 (i).
 DISALLOWANCE, LOCAL ACT *re* NICOLET CATHEDRAL : Ques. (Mr. *Leduc*) 2621 (i), 4717 (ii).
 DISFRANCHISEMENT, PROVINCIAL GOVT. OFFICIALS : prop. Res. (Mr. *Mills, Annapolis*) 3143 (i).
Disfranchisement. See "BRIBERY."
 DIVISIONS :
 BUDGET, THE : Amt. (Sir *Richard Cartwright*) Fiscal Policy of the Dominion, 336 ; neg. (Y. 72, N. 128) 1326 (i).
 C.P.R. (DRAWBACKS) B. 166 (Mr. *Foster*) on M. for 2° : Amt. (Mr. *Mulock*) 3 m. h., 6367 ; neg. (Y. 15, N. 100) 6376 (ii).
 CATTLE TRANSIT THROUGH CANADA : Amt. (Mr. *Mulock*) to Com. of Sup., 5328 ; neg. (Y. 59, N. 90) 5366 (ii).
 CIVIL SERVICE EXAMINATIONS, IRREGULARITIES : prop. Res. (Mr. *Brodour*) for Sel. Com., 4053 ; neg. (Y. 40, N. 68) 4070 (ii).
 CONNOLLY BROS. AND BANCROFT'S CONTRACT *re* KINGSTON GRAVING DOCK : Amt. (Mr. *Laurier*) to Com. of Sup., 6442 ; neg. (Y. 24, N. 61) 6456 (ii).
 CORNWALL CANAL, SHEIK'S ISLAND DAM : Amt. (Mr. *Laurier*) to M. to conc. in Res. rep. from Com. of Sup., 5158 ; neg. (Y. 47, N. 85) 5159 (ii).
 DIVORCE (DILLON, JAS. ST. GEORGE) RELIEF B. 148 : M. for Com. (Mr. *Sutherland*) 5919 ; Amt. (Mr. *Mosson*) to ref. back to Standing Com. on Private Bills, 5923 ; agreed to (Y. 64, N. 61) 5925 ; on M. for 3°, Amt. (Sir *Hector Langevin*) 6 m. h., 6294 ; neg. (Y. 22, N. 67) 6295 (ii).
 — (DOWNEY, CAROLINE J.) RELIEF B. No. 105) : M. for 2° (Mr. *Coatsworth*) agreed to (Y. 76, N. 31) 2597 (i).
 DOMINION LANDS, SALES TO SETTLERS : prop. Res. (Mr. *Charlton*) in Amt. to Com. of Sup., 3593 ; neg. (Y. 47, N. 100) 3970 (ii).
 ELLIS, MR., IMPRISONMENT : prop. Res. (Mr. *Davies, P.E.I.*) in Amt. to Com. on Ways and Means, 3699 ; neg. (Y. 66, N. 110) 3864 (ii).
 EXPENDITURE OF THE DOMINION : Amt. (Mr. *Charlton*) to Com. of Sup., 6199 ; neg. (Y. 42, N. 87) 6211 (ii).
 GEORGETOWN POSTMASTER : Amt. (Mr. *Lauderkin*) to Com. of Sup., 4725 ; neg. (Y. 36, N. 88) 4732 (ii).
 LACHINE CANAL, WELLINGTON ST. BRIDGE, CONSTRUCTION : Amt. (Sir *Richard Cartwright*) to Com. of Sup., 6316 ; neg. (Y. 36, N. 74) 6353 (ii).

DIVISIONS—*Con.*

- LORD'S DAY OBSERVANCE B. No. 2:** M. for 3^o (Mr. *Charlton*) 4071; Amt. (Mr. *Mara*) to recom., 4074; agreed to (Y. 60, N. 52) 4081 (ii).
- MCGREEVY-CONNOLLY, EXPENDITURE ON ELECTIONS:** Amt. (Mr. *Edgar*) to Com. of Sup., 5197; neg. (Y. 65, N. 102) 5213 (ii).
- N.W.T. ACT AMT. B. 149:** M. for 3^o (Sir *John Thompson*) 6080; Amt., Dual Language (Mr. *McCarthy*) 6089; neg. (Y. 21, N. 114) 6152; Amt. to Amt. (Mr. *Hughes*) neg. 6089 (Y. 2, N. 131) 6102.
- PUBLIC ACCOUNTS COMMITTEE, 1ST AND 2ND REPS.:** prop. Res. (Mr. *Mulock*) Examination of Witnesses on Oath, 1635; Amt. (Sir *Charles Hibbert Tupper*) 1641; agreed to (Y. 110, N. 64) 1708 (i).
- SUBSIDIES TO RYS. B. 169:** M. for 2^o (Mr. *Haggart*) of Res., 6466; Amt. (Mr. *Laurier*) neg. (Y. 20, N. 50) 6470 (ii).
- SUPERANNUATION OF CIVIL SERVANTS:** Amt. (Mr. *McMullen*) to Com. of Sup., 4231; neg. (Y. 55, N. 91) 4370 (ii).
- SUPREME COURT JUDGES:** prop. Res. (Sir *John Thompson*) 4955; Amt. (Mr. *Laurier*) 6 m. h., 5012; neg. (Y. 42, N. 5) 5012 (ii).
- TAY CANAL, CONSTRUCTION:** prop. Res. (Mr. *Charlton*) in Amt. to Com. of Sup., 4109; neg. (Y. 58, N. 101) 4121 (ii).
- THOUSAND ISLANDS, SALE:** Amt. (Sir *Richard Cartwright*) to Com. of Sup., 4402; neg. (Y. 32, N. 64) 4416 (ii).
- TIMBER SALES ON INDIAN RESERVES;** prop. Res. (Mr. *Mills, Bothwell*) 1405; Amt. (Sir *John Thompson*) 1409; agreed to (Y. 68, N. 45) 1433 (i).
- TREATY WITH FRANCE, RATIFICATION B. No. 147:** M. for 2^o (Mr. *Foster*) 5576; Amt. (Mr. *O'Brien*) 5585; neg. (Y. 44, N. 128) 5686; Amt. to Amt. (Mr. *Edgar*) 5638; neg. (Y. 51, N. 119) 5685; Amt. (Mr. *Laurier*) neg. (Y. 56, N. 100) 5687; agreed to (Y. 120, N. 41) 5689 (ii).
- TURCOTTE, ARTHUR J., M.P.:** Charges against (Mr. *Bruneau*) Contracts for Quebec Citadel Supplies, 2931; Amt. (Sir *John Thompson*) 2934; agreed to (Y. 103, N. 69) 2936 (i).
- 4th Rep. of Com. on Priv. and Elec.: conc. (Mr. *Girouard, Jacques Cartier*) 5687; Amt. (Mr. *Edgar*) 5904; neg. (Y. 54, N. 84) 5932; Rep. agreed to (Y. 82, N. 53) 5933 (ii).
- Divorce (Dillon, Jas. St. Geo.) B. No. 148** (Mr. *Sutherland*). 1^o*, 4887; 2^o m., 5064, 5108, 5485, 5523; 2^o on div., 5529; in Com. and rep. on div., 6048; 3^o m., 6290; Amt. (Sir *Hector Langevin*) 6 m. h., 6293; neg. (Y. 22, N. 67) 6295; 3^o on div., 6296. (57-58 *Vic.*, c. 129.)
- (Downey, Caroline Jane) B. No. 105 (Mr. *Coatsworth*). 1^o, 2341; 2^o agreed to (Y. 76, N. 31) 2597; 3^o*, 3051. (57-58 *Vic.*, c. 130.)
- (Filman, Joshua Nicholas) B. No. 109 (Mr. *McKay*). 1^o*, 2937; 2^o*, 3273; in Com. and 3^o*, 4887. (57-58 *Vic.*, c. 131.)
- (Johnson, Orlando Geo. Richmond) B. No. 136 (Mr. *Metcalfe*). 1^o*, 4038; M. to place 2^o on Order paper, 4189; 2^o*, 4476; in Com. and 3^o on div., 4887. (57-58 *Vic.*, c. 132.)
- (Piper, William Samuel) B. No. 119 (Mr. *Northrup*). 1^o*, 3161; 2^o*, 3390; in Com. and 3^o on div., 4887. (57-58 *Vic.*, c. 133.)
- Divorce (Thompson, Joseph) B. No. 120** (Mr. *Northrup*). 1^o*, 3163; 2^o m., 3602; 2^o*, 4027; in Com. and 3^o on div., 4887. (57-58 *Vic.*, c. 134.)
- DOM. AND P. O. SAVINGS BANKS DEPOSITORS:** M. for Pet.* (Sir *Richard Cartwright*) 1991 (i).
- Dom. Atlantic Ry. Co.'s B. No. 50** (Mr. *Kenny*). 1^o*, 841; 2^o*, 1151; in Com. and 3^o*, 2412. (57-58 *Vic.*, c. 69.)
- Dom. Burglary Guarantee Co.'s B. No. 27** (Mr. *Sproule*). 1^o*, 682; 2^o*, 885; in Com. and 3^o*, 3051. (57-58 *Vic.*, c. 121.)
- DOM. DAY, ADJMT.:** M. (Sir *John Thompson*) 5093 (ii).
— Remarks (Mr. *Kenny*) 5046 (ii).
- Dom. Elections Act Amt. B. No. 128** (Sir *John Thompson*). 1^o, 3301; 2^o* and in Com. 6479; 3^o*, 6484. (57-58 *Vic.*, c. 13.)
- DOM. ELECTIONS ACT AMENDMENT:** Remarks (Mr. *Lauderkin*) 3302 (ii).
- Dom. Gas and Electric Co.'s incorp. B. No. 77** (Mr. *Boyd*). 1^o*, 1219; 2^o*, 1368; in Com., 3077; 3^o*, 3273. (57-58 *Vic.*, c. 110.)
- DOM. LANDS, &C.:** in Com. of Sup., 4929, 5013 (ii).
- DOM. LANDS:** Amt. (Mr. *Charlton*) to M. for Com. of Sup. 3593, 3873; neg. (Y. 47, N. 100) 3970 (ii).
Deb. (Mr. *Daly*) 3873; (Mr. *Martin*) 3919; (Mr. *Davin*) 3935; (Mr. *Mills, Bothwell*) 3959.
- Dom. Lands B. No. 160** (Mr. *Daly*). 1^o, 5691; 2^o* and in Com., 6065; 3^o*, 6067. (57-58 *Vic.*, c. 26.)
- Dom. Notes Act Amt. B. 165** (Mr. *Foster*). Res. prop., 5465; in Com., 6029; conc. in and 1^o* of B., 6053; 2^o*, 6154; in Com., 6259; 3^o*, 6358. (57-58 *Vic.*, c. 21.)
- DOM. POLICE:** in Com. of Sup., 3347, 6242 (ii).
— REP.: presented (Sir *John Thompson*) 127 (i).
- DOM. PUBLIC BUILDINGS, RENEWALS, &C.:** in Com. of Sup. 4432 (ii).
- DOM. STOCK, NON-PAYMENT OF INTEREST:** Ques. (Mr. *McCarthy*) 5775 (ii).
- Dom. Woman's Christian Temp. Union incorp. B. No. 56** (Mr. *Scriven*). 1^o*, 946; 2^o*, 1151; in Com. and 3^o*, 2120. (57-58 *Vic.*, c. 127.)
- DORCHESTER (N.B.) PENITENTIARY:** in Com. of Sup. 3349 (ii).
- Downey, Caroline J.** See "DIVORCE."
- DRAIN TILES:** in Com. of Ways and Means, 2094 (i).
- Drawbacks.** See "C.P.R."
- DRAWBACKS TO SHIPBUILDERS 1865 TO 1879:** Ques. (Mr. *Amyot*) 2293 (i).
- DREDGING CONTRACT AT MIMINEGASH (P.E.I.) BREAK-WATER:** Ques. (Mr. *Perry*) 284 (i).
— in Com. of Sup., 4594 (ii).
- IN SPANISH RIVER: Ques. (Mr. *Derlin*) 2939.
- DREDGE "PRINCE EDWARD":** Ques. (Mr. *Perry*) 3341.
- DRILL HALL, MONTREAL, PAVING:** Ques. (Mr. *Lépine*) 1398 (i).
— TORONTO: in Com. of Sup., 4437 (ii).
- QUEBEC, MODERN GUNS: Ques. (Mr. *Laurier*) 1793 (i).
- Drugs.** See "ADULTERATION OF FOOD."

- "DRUID," GOVT. STEAMER, REPAIRS, &c.: Ques. (Mr. *Choquette*) 2131 (i).
- DRUMMOND COUNTY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6388 (ii).
- Dual Language. See "N.W.T."
- DUFFERIN TERRACE REPAIRS, COST: Ques. (Mr. *Monet*) 5775 (ii).
- DUGGAN, E., SUPERANNUATION: Ques. (Mr. *McMullen*) 1711 (i).
- Duluth, Nepigon and James' Bay Ry. Co.'s incorp. B. No. 37 (Mr. *Masson*). 1st, 751; 2nd, 886; in Com. and 3rd, 1992. (57-58 *Vic.*, c. 70.)
- DUNHAM, H., AND CUSTOMS SUB-COLLECTORSHIP: Ques. (Mr. *McMullen*) 3090 (i).
- DUNN, CAPT. E., SUSPENSION: Ques. (Mr. *Landerkin*) 1564 (i).
- Duties. See "CUSTOMS," "CUSTOMS ACTS," &c.
- DUVAR ROAD FLAG STATION, P.E.I. RY.: Ques. (Mr. *Yeo*) 2038 (i).
- DYER'S BAY WHARF: in Com. of Sup. 4472 (ii).
- EARTHENWARE: in Com. of Ways and Means, 2093, 2220 (i).
- EASTER ADJOURNMENT: M. (Sir *John Thompson*) 78.
- EASTERN EXTENSION RY., CHARGES AGAINST TICKET AGENT: M. for Cor. (Mr. *Cameron*) 2424 (i).
- EASTERN HARBOUR (C.B.) LIGHTHOUSE: Ques. (Mr. *Davies, P.E.I.*) 2412 (i).
- Edmonton Street Ry. Co.'s B. No. 23 (Mr. *Davis, Alberta*). 1st, 596; 2nd, 721; in Com. and 3rd, 5484. (57-58 *Vic.*, c. 71.)
- EGGS: in Com. of Ways and Means, 3572; conc., 4016, 4033 (ii).
- Electoral. See "DOM.," "FRANCHISE," &c.
- ELECTORAL LISTS, LAPRAIRIE-NAPIERVILLE: Ques. (Mr. *Monet*) 2937 (i).
- ELECTRIC LIGHT CO.'S, LEGISLATION RESPECTING: Ques. (Mr. *Cockburn*) 1116 (i).
- Electric Light Inspection B. No. 118 (Mr. *Wood, Brockville*). 1st, 3004; 2nd and in Com., 5048; 3rd, 5172. (57-58 *Vic.*, c. 39.)
- ELECTRIC METERS, LEGISLATION *re* INSPECTION: Ques. (Mr. *Maclean, York*) 1117 (i).
- Electrical Measurement B. No. 117 (Mr. *Wood, Brockville*). 1st, 3003; 2nd, in Com. and 3rd, 5047. (57-58 *Vic.*, c. 38.)
- ELEVATORS, MONTREAL P. O., CONTRACTS: Ques. (Mr. *Landerkin*) 842 (i).
- Elgin and Havelock Ry. Co.'s incorp. B. No. 40 (Mr. *Hazen*). 1st, 751; 2nd, 886; in Com. and 3rd, 2411. (57-58 *Vic.*, c. 72.)
- ELGIN AND WOODSTOCK EXPERIMENTAL CREAMERIES, &c.: M. for Ret. (Mr. *McMullen*) 451 (i).
- ELK AND KOOTENAY RIVER RY. SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6395 (ii).
- ELLIS, JOHN V., SENTENCE BY SUPREME COURT, N.B.: M. for Pet. (Mr. *Davies, P.E.I.*) 452 (i).
- IMPRISONMENT: Remarks (Mr. *Davies, P.E.I.*) to Com. of Sup., 3450 (ii).
- ELLIS, JOHN V., on M. for Com. of Ways and Means: Amt. (Mr. *Davies, P.E.I.*) 3670; neg. (Y. 66, N. 110) 3864 (ii).
- Deb. (Mr. *Hazen*) 3704; (Mr. *Fraser*) 3732; (Mr. *Baird*) 3740; (Mr. *Weldon*) 3751; (Mr. *Gillmor*) 3763; (Mr. *Mills, Bothwell*) 3767; (Sir *John Thompson*) 3790; (Mr. *Casey*) 3816; (Mr. *McLeod*) 3832; (Mr. *Davin*) 3837; (Mr. *Laurier*) 3847; (Mr. *McCarthy*) 3856.
- EMBARGO. See "CATTLE."
- EMERY WHEELS: in Com. of Ways and Means, 2515 (ii).
- Employees. See "VOTING."
- ENAMELLED IRON OR STEEL-WARE: in Com. of Ways and Means, 2513 (i).
- ENGINEERS, DRAUGHTSMEN, &c., SALARIES: in Com. of Sup., 4445, 6459 (ii).
- Erie and Huron Ry. Co.'s B. No. 81 (Mr. *Cockburn*). 1st, 1219; 2nd, 1368; in Com. and 3rd, 4027. (57-58 *Vic.*, c. 73.)
- ESQUIMALT, CHINESE LABOUR ON FORTIFICATIONS: Ques. (Mr. *Prior*) 281 (i), 3603 (ii).
- ESTIMATES, THE (1894-5): presented (Mr. *Foster*) 144 (i).
- SUPPL. (1893-4): presented (Sir *John Thompson*) 4642 (ii).
- SUPPL.: Remarks (Mr. *Laurier*) 5775 (ii).
- SUPPL. (1894-5): presented (Mr. *Foster*) 5850.
- EXCHANGE BANK, INDIVIDUAL CLAIMS: Ques. (Sir *Richard Cartwright*) 2624 (i).
- SUMS DUE GOVT.: Ques. (Sir *Richard Cartwright*) 368, 682 (i).
- EXCHEQUER COURT: in Com. of Sup., 3345 (ii).
- EXCISE DUTY ON CAN. TOBACCO: Ques. (Mr. *Dugas*) 685 (i).
- in Com. of Sup., 4751 (ii).
- EXCISE REP.: presented (Mr. *Wood, Brockville*) 127.
- Exemptions. See "HOMESTEADS."
- EX-FISHERY OVERSEER, ESSEX DISTRICT, ILLEGAL COLLECTIONS: Ques. (Mr. *Allan*) 4052 (ii).
- EXHIBIT AT CHICAGO, EMPLOYEES, &c.: M. for Ret.* (Mr. *Martin*) 449 (i).
- See "Chicago."
- EXHIBITION, N.W.T.: in Com. of Sup., 6251 (ii).
- EXPENDITURE ON ELECTIONS: Amt. (Mr. *Edgar*) to Com. of Sup., 5175; neg. (Y. 65, N. 102) 5213 (ii).
- EXPERIMENTAL FARM, BRANDON, BUILDINGS: Ques. (Mr. *Martin*) 2870 (i).
- EMPLOYEES: Ques. (Mr. *Delisle*) 3440 (ii).
- Ques. (Mr. *Bausoleil*) 4478, 4718. (ii).
- in Com. of Sup., 4266, 5232, 5462, 6250 (ii).
- REP.: presented (Mr. *Foster*) 1714 (i).
- EXPORT DUTY ON LOGS: Remarks (Mr. *Bennett*) to Com. of Sup., 4198 (ii).
- CAN. CATTLE VIA U.S.: M. for Cor. &c.* (Mr. *Mulock*) 451 (i).
- EXPORTS AND IMPORTS: M. for Ret.* (Sir *Richard Cartwright*) 149 (i).
- AT NIAGARA FALLS AND FORT ERIE: Ques. (Mr. *Featherston*) 5529 (ii).
- EXPORTS FROM CAN. AND REBATES ALLOWED: M. for Ret.* (Mr. *McMullen*) 2425 (i).

- EXPORT TO UNITED STATES AND OTHER COUNTRIES :**
M. for Ret. (Mr. *Charlton*) 453, 1831 (i).
 Deb. (Mr. *Kenny*) 1845; (Mr. *McMullen*) 1853; (Mr. *Laurier*) 1857; (Mr. *Wallace*) 1859; (Mr. *Gillmor*) 1864; (Mr. *Landerkin*) 1865.
- FABRE, MR., SALARY, &c.:** in Com. of Sup., 5039 (ii).
- FARM AND FREIGHT WAGONS:** in Com. of Ways and Means, 2399 (i).
- FARM IMPLEMENTS, REMOVAL OF DUTIES:** Ques. (Mr. *Lavergne*) 1971 (i).
- FERLAND, PIERRE, Appmt. AS STAVE CULLER:** Ques. (Mr. *McMullen*) 1711 (i).
- FERRIES, &c.** See "Captains."
- FERONA, INCREASED ACCOMMODATION:** in Com. of Sup., 5064 (ii).
- FERTILIZERS:** in Com. of Ways and Means, 2683 (i).
- Filman.** See "Divorce."
- FINANCE :**
AUSTRALIAN-CANADIAN CABLE: M. for Cor.* (Sir *Hector Langevin*) 45 (i).
CAN. MUTUAL AID, ASSOCIATION, REGISTRATION: M. for Cor., &c.* (Mr. *Sproule*) 1991 (i).
CIVIL SERVICE INSURANCE: M. for Stmt.* (Sir *Hector Langevin*) 450 (i).
 — SUPERANNUATION FUND: Ques. (Mr. *McMullen*) 753 (i).
CONSOLIDATED FUND RECEIPTS AND EXPENDITURES:
 M. for Stmt.* (Sir *Richard Cartwright*) 2424 (i).
 — Ques. (Sir *Richard Cartwright*) 6356 (ii).
DOM. AND P. O. SAVINGS BANKS. DEPOSITORS: M. for Ret.* (Sir *Richard Cartwright*) 1901 (i).
EXCHANGE BANK, INDIVIDUAL CLAIMS: Ques. (Sir *Richard Cartwright*) 2624 (i).
 — SUMS DUE GOVERNMENT: Ques. (Sir *Richard Cartwright*) 368, 682 (i).
EXPENDITURE OF DOM.: Amt. (Mr. *Charlton*) to M. for Com. of Sup., 6190; neg. (Y. 42, N. 37) 6211 (ii).
GOVT. RYS. AND SUBSIDIZED SS., &c., UNIFORM RATES: Ques. (Mr. *Fauvel*) 1117 (i).
INSOLVENCY LAW, DISTRIBUTION: Ques. (Mr. *Flint*) 448 (i).
 — ACT, DISTRIBUTION: Remarks (Mr. *Flint*) 755 (i).
INTEREST ON DOM. STOCK, NON-PAYMENT: Ques. (Mr. *McCarthy*) 5775 (ii).
NATIONAL BANK, SALE OF LOTS: Ques. (Mr. *Martin*) 2567 (i).
OFFICIAL ASSIGNEE UNDER INSOLVENT ACT 1875: Ques. (Mr. *Fauvel*) 1792 (i).
PUBLIC DEBT, GROSS AND NET: Ques. (Mr. *Charlton*) 5691 (ii).
RECEIPTS AND EXPEND., 1893-1894: M. for Ret.* (Sir *Richard Cartwright*) 1399 (i).
 — CONSOLIDATED FUND: M. for Stmt.* (Sir *Richard Cartwright*) 2424 (i).
SUBSIDY FOR FAST SS. LINE TO FRANCE: Ques. (Mr. *Laurier*) 947 (i).
SUPERANNUATION FUND, CONTRIBUTORS: M. for Ret.* (Mr. *McMullen*) 1036 (i).
 [See "OCEAN," "SUBSIDIES," "SUPPLY," &c.]
FIRE ARMS, MODERN: in Com. of Sup., 4884, 6248 (ii).
FIRE BRICKS: conc., 4030 (ii).
FIRE IN PUBLIC BUILDINGS, STRATFORD: Ques. (Mr. *Grievs*) 2039 (i).
FIREWOOD, HANDLE BOLTS, &c.: in Com. of Ways and Means, 2945 (i).
- FISHERIES :**
BAY OF FUNDY HERRING FISHERY: Ques. (Mr. *Perry*) 283 (i).
BAY OF QUINTE, FISHING BY U.S. CITIZENS: Ques. (Mr. *Wilson*), 1791 (i).
BOUNTIES, PAYMENT: Ques. (Mr. *Fraser*) 157 (i).
 — NON-DISTRIBUTION: Ques. (Mr. *Fraser*) 949 (i).
BOUNTY FRAUDS, PROSECUTIONS: Ques. (Mr. *Bowers*) 3092 (i).
DEEP SEA FISHERIES, FREE FLOUR: Ques. (Mr. *McMullen*) 342 (i).
EXPORTS TO CUBA AND PORTO RICO: Ques. (Mr. *Kaulbach*) 1397 (i).
FISH-BREEDING: in Com. of Sup., 4746, 5029 (ii).
FISH, FRESH AND DRIED: in Com. of Ways and Means, 2686 (i).
FISH-WAY AT MADUXNAKEAG: Ques. (Mr. *Colter*) 158 (i).
 — IN NORTH RIVER, ARGENTEUIL: Ques. (Mr. *Girouard, Two Mountains*) 950, 1793 (i).
GILL NETS, SIZE: Ques. (Mr. *Lister*) 1969 (i).
IN COM. OF SUP., 4737, 5020, 549, 6513 (ii).
LICENSES, NEWFOUNDLAND, RECOVERY OF FEES: Ques. (Mr. *Kaulbach*) 1396 (i).
 — LAKE ONT., &c.: Ques. (Mr. *Lister*) 950 (i).
MARITIME PROVINCES FISHERIES: Remarks (Mr. *Kaulbach*) to Com. of Sup., 5406 (ii).
MODUS VIVENDI, MEMO. re FISHING VESSELS: presented (Sir *Charles Hibert Tupper*) 150 (i).
NETS, DUTIES UNDER NEW TARIFF: Remarks (Mr. *Davies, P.E.I.*) 1118 (i).
ONT., DEPTL. ORDERS: M. for copies (Mr. *McGregor*) 1579, 2075 (i).
OVERSEERS' INSTRUCTIONS: Ques. (Mr. *Beausoleil*) 79 (i).
OVERSEER McQUEEN: Ques. (Mr. *Campbell*) 367 (i).
OVERSEER AT VERCHÈRES: Ques. (Mr. *Bruneau*) 3274 (ii).
PELLETIER, ODILON, EMPLOYMENT BY DEPT. OF MARINE AND FISHERIES: Ques. (Mr. *Delisle*) 447, 515 (i).
PICKLED OR SALTED: in Com. of Ways and Means, 2685 (i).
PURSE-SEINING, SEINING AND TRAWLING: Ques. (Mr. *Gillies*) 5233 (ii).
REGULATIONS IN ONT.: Ques. (Mr. *Lister*) 843 (i).
 — LAKE ERIE: Remarks (Mr. *Allan*) to Com. of Sup., 4217 (ii).
RIGHTS OF INDIANS IN FRENCH BAY: M. for Pet.* (Mr. *Laurier*) 1990 (i).
RIVER MILLE ISLES: Ques. (Mr. *Girouard, Two Mountains*) 1794 (i).
SEALS, PROPAGATION IN HUDSON'S BAY: prop. Res. (Mr. *Mills, Bothwell*) 3278 (ii).
UNITED STATES CITIZENS IN BAY OF QUINTE: Ques. (Mr. *Wilson*) 1791 (i).
WARDEN ON LABRADOR COAST: Ques. (Mr. *Lavergne*) 5691 (ii).
 [See PROVINCES, "RETURNS," "SUPPLY," &c.]
Fisheries Act Amt. B. No. 145 (Sir *Charles Hibert Tupper*). 1^o, 4557; Res. prop. (Lobster Licenses) 4719; in Com., 5557; conc. in, 5557; 2^o* and in Com., 5567; 3^o*, 5574. (57-58 *Vic., c. 51.*)
FITZROY-GALETTA MAIL SERVICE, CONTRACT, &c.: Ques. (Mr. *McMullen*) 1398 (i).
FLAX: in Com. of Ways and Means, 2688 (i).
FLAX SEEDS: in Com. of Ways and Means, 2722 (i).

- FLOODS, WEST RIDEAU LAKE**: Ques. (Mr. *Dawson*) 1220 (i).
- FLOUR, FREE ENTRY FOR DEEP SEA FISHERIES**: Ques. (Mr. *McMullen*) 842 (i).
- FLOUR, RYE**: Ways and Means, conc., 4044 (ii).
- FOG ALARMS, TENDERS FOR COAL**: Ques. (Mr. *Bowers*) 2869 (i).
- FORAGE, MOUNTED POLICE**: in Com. of Sup., 1633 (ii).
- FOREST RANGERS, &C., CLERKS**: in Com. of Sup., 5014.
- FORT COULONGE SLIDEMASTER**: Ques. (Mr. *Derlin*) 5774 (ii).
- FORTIFICATIONS AT ESQUIMALT, CHINESE LABOUR**: Ques. (Mr. *Prior*) 281 (i).
- FRAMES, &C., FOR PURSES**: in Com. of Ways and Means, 5848 (ii).
- France**. See "TREATY."
- **COMMERCIAL RELATIONS**: M. for Cop. (Mr. *Laurier*) 1435 (i).
- **SS. SERVICE WITH**: M. for Cop.* (Mr. *Tarte*) 2783.
- See "ATLANTIC, OCEAN," &c.
- FRANCHISE ACT AMT., PROVINCIAL OFFICIALS**: prop. Res. (Mr. *Mills, Annapolis*) 3143 (i).
- **REVISING OFFICERS UNDER**: M. for List* (Sir *Hector Langevin*) 450 (i).
- **Remarks** (Mr. *Laurier*) 3302, 3367, 4039 (ii).
- Franchise (Electoral) Act Amt. B. No. 55** (Mr. *Dickey*). 1^o, 841.
- **B. No. 143** (Sir *John Thompson*). 1^o, 4300; 2^o and in Com., 6523; 3^o, 6531. (57-58 *Vic.*, c. 12.)
- **(Repeal) B. No. 3** (Mr. *Charlton*). 1^o, 79.
- **(Residential Qualification) B. No. 12** (Mr. *Edgar*). 1^o, 180.
- FRASER RIVER, B.C., FLOODS**: Remarks (Mr. *Corbould*) 3599 (ii).
- **CHANNEL**: in Com. of Sup., 4473 (ii).
- FRASER, MISS HARRIETT, PENSION**: in Com., of Sup., 3501 (ii).
- Fraudulent Sale or Marking Restraint B. No. 123** (Mr. *Wood, Brockville*). 1^o, 3240; 2^o, in Com. and 3^o, 5171. (57-58 *Vic.*, c. 37.)
- Freight Rates**. See "OCEAN."
- FREIGHT RATES IN N. W. T.**: Remarks (Mr. *McDonald, Assiniboia*) to Com. of Sup., 5370 (ii).
- Deb.** (Mr. *Davin*) 5371; (Sir *John Thompson*) 5375; (Mr. *Martin*) 5379, 5396; (Mr. *Daly*) 5383, 5403; (Sir *Richard Cartwright*) 5395.
- **GRAIN, I.C.R.**: Ques. (Mr. *Bowers*) 2292 (i).
- FRENCH-BUILT SHIPS, BOUNTY**: Ques. (Sir *Richard Cartwright*) 1219 (i).
- FRENCH COMMERCIAL TREATY**: Ques. (Mr. *Laurier*) 80 (i).
- **RATIFICATION**: Ques. (Sir *Richard Cartwright*) 687 (i).
- **STMT. IN FORM TABLE "C"**: M. for copy* (Mr. *Laurier*) 1036 (i).
- See "Treaty with France."
- FRENCH TRANSLATORS, HOUSE OF COMMONS**: in Com. of Sup., 5220 (ii).
- French River Boom Co.'s incorp. B. No. 100** (Mr. *Coatsworth*). 1^o, 2211; 2^o, 2412; in Com. and 3^o, 5523. (57-58 *Vic.*, c. 107.)
- FRUITS, &C., CANNED, &C.**: in Com. of Ways and Means, 2218 (i).
- FURLOW, PIERRE, APPMT. AS STAVE CULLER**: Ques. (Mr. *McMullen*) 1567 (i).
- GALOPS RAPIDS**: in Com. of Sup., 3530 (ii).
- Game Preservation (unorganized Territories) B. No. 115** (Mr. *Daly*). 1^o, 3003; 2^o and in Com., 3537; 3^o, 3541, (57-58 *Vic.*, c. 31.)
- GAS AND ELECTRIC LIGHT, OTTAWA BUILDINGS**: in Com. of Sup., 444 (ii).
- GASPÉ CUSTOMS COLLECTOR, SUPERANNUATION**: Ques. (Mr. *Fauvel*) 4477 (ii).
- GAUVREAU, DR., AND SS. "LABRADOR"**: Ques. (Mr. *Carroll*) 3606 (ii).
- MAN. INDIANS**: in Com. of Sup., 4841, 4879 (ii).
- General Inspection Act Amt. B. No. 125** (Mr. *Wood, Brockville*). 1^o, 3240; 2^o and in Com., 3541; 3^o, 3557. (57-58 *Vic.*, c. 36.)
- GEOLOGICAL MUSEUM, NEW BUILDING**: Ques. (Sir *James Grant*) 2136 (i).
- in Com. of Sup., 3236, 5153 (ii).
- **SURVEY, LUNENBURG COUNTY**: Ques. (Mr. *Kaulbach*) 1397 (i).
- **REPORTS**: Ques. (Mr. *Coatsworth*) 2297 (i).
- **DEPTL. REP.**: presented (Mr. *Daly*) 127 (i).
- GEORGETOWN POSTMASTER, DISMISSAL**: Ques. (Mr. *Landerkin*) 3440, 3605, 4478 (ii).
- **Amt.** (Mr. *Landerkin*) to Com. of Sup., 4720; neg. (Y. 36, N. 88) 4732 (ii).
- GILL NETS, REGULATIONS AS TO SIZE**: Ques. (Mr. *Lister*) 1969 (i).
- GLIDDON, W., SERVICES *vs* ARBITRATION**: in Com. of Sup., 5537 (ii).
- GLASS BULBS**: in Com. of Ways and Means, 5848 (ii).
- Gleichen, Beaver Lake and Victoria Ry. Co.'s incorp. B. No. 57** (Mr. *Davis, Alberta*). 1^o, 946; 2^o, 1151; M. (Mr. *Tisdale*) to place on Order paper objected to, 5520; in Com. and 3^o, 5727. (57-58 *Vic.*, c. 74.)
- GLOUCESTER, VACANCY IN REPRESENTATION**: Notification (Mr. *Speaker*) 1395 (i).
- **RETURN OF MEMBER ELECT**: Notification (Mr. *Speaker*) 3077 (i).
- GLUE AND MUCILAGE**: in Com. of Ways and Means, 1502 (i).
- GODERICH HARBOUR**: in Com. of Sup., 4471 (ii).
- GOODS, UNENUMERATED**: in Com. of Ways and Means, 2684 (i).
- GORDON, DAVID WILLIAM, VACANCY BY DECEASE**: Notification (Mr. *Speaker*) 1 (i).
- GOV. GEN.'S INSTRUCTIONS**: Remarks (Mr. *Mills, Bothwell*) 10 (i).
- Gov. Gen.'s Salary Regulation B. No. 93** (Mr. *Mulock*). 1^o, 1871.
- GOV. GEN.'S SEC.'S OFFICE**: in Com. of Sup., 3200, 3264.
- GOVT. BUSINESS**: M. (Sir *John Thompson*) to Adjn., 2037 (i).
- **PRECEDENCE ON MONDAYS**: M. (Sir *John Thompson*) 4814 (ii).
- **WEDNESDAYS**: Ms. (Sir *John Thompson*) 3163 (i), 3441 (ii).

- GOVT. BUSINESS, THURSDAYS: M. (Sir John Thompson) 1872 (i).
- SATURDAYS: M. (Sir John Thompson) 5936 (ii).
- REMARKS (Sir John Thompson) 6154 (ii).
- CONFERENCE WITH LIEUT. GOV. N.W.T., *re* SCHOOLS: Ques. (Mr. Tarte) 1122 (i).
- Govt. Contracts and Labourers' Wages B. No. 69** (Mr. McLennan). 1^o, 1115.
- GOVT. CONTRACTS AND LABOURERS' WAGES: prop. Res. (Mr. Coatsworth) 3295, 3606, 3612 (ii).
- Deb. (Mr. Ouimet) 3608; (Mr. Fraser) 3610; (Mr. Edgar) 3610; (Mr. Ingram) 3611; (Mr. Mara) 3616; (Mr. Davin) 3617; (Mr. Sproule) 3618; (Mr. Tisdale) 3618; (Mr. McNeill) 3619; (Mr. McLennan) 3620; (Mr. Haggart) 3621; (Mr. Laurier) 3622; (Sir John Thompson) 3623; (Mr. Mills, Bothwell) 3625; (Mr. Davies, P.E.I.) 3629; (Mr. Amyot) 3630; (Mr. Martin) 3632.
- GOVT. DOCK AT HILTON, TITLE TO LAND: Ques. (Mr. Lister) 2620, 3090 (i).
- IMPORTS FROM UNITED STATES: Ques. (Mr. Lauderkin) 2298 (i).
- LEASE OF PROPERTY IN LONDON: Ques. (Mr. Lister) 3766 (ii).
- N.W. TERS.: in Com. of Sup., 4921, 5461 (ii).
- RYS. AND SUBSIDIZED SS., &C., UNIFORM RATES: Ques. (Mr. Faurcl) 1117 (i).
- RYS., MILES OPERATED, &C.: Ques. (Mr. McMullen) 3243 (i).
- STEAMER "DRUID," REPAIRS, &C.: Ques. (Mr. Choquette) 2132 (i).
- STEAMERS, MAINTENANCE: in Com. of Sup., 4683 (ii).
- GRADUATES, ROYAL MILITARY COLLEGE: Ques. (Mr. Mulock) 281 (i).
- GRANBY, GEO., TUG HIRE: in Com. of Sup., 6513 (ii).
- Grand Jurors (Ont.) Reduction of Number B. No. 24** (Mr. Edgar). 1^o*, 596; 2^o, 2339; in Com., 4514; remarks *re* trans. to Govt. Orders, 4576, 5467.
- GRAHAM, J., SPECIAL EXAMINATION FOR PROMOTION: Ques. (Mr. Edgar) 842, 1566 (i).
- GRAND RIVER HARBOUR OF REFUGE: in Com. of Sup., 4470 (ii).
- GRANITE, IMPORTS DURING 1893: Ques. (Mr. Gillmor) 3872 (ii).
- GRANT, JNO. G., LANDING WAITER, DISMISSAL: Ques. (Mr. McCarthy) 4196 (ii).
- GRANT, SIR JAMES, MEMBER FOR OTTAWA: introduced, 2 (i).
- GRAPES: in Com. of Ways and Means, 1781 (i).
- GRATUITIES TO RETIRED OFFICERS: in Com. of Sup., 5429 (ii).
- GREAT BRITAIN AND CAN. CATTLE: Ques. (Mr. Featherston) 288 (i).
- Ques. (Mr. Fairbairn) 448 (i).
- GREAT NORTHERN RY. CO.'S SUBSIDY: prop. Res. (Mr. Haggart) 6255, 6257; in Com., 6410 (ii).
- GRENVILLE CANAL: in Com. of Sup., 5446 (ii).
- GRINDSTONES: in Com. of Ways and Means, 2125 (i).
- GROUNDS, OTTAWA BUILDINGS: in Com. of Sup., 4442 (ii).
- Guelph Junction Ry. Co.'s B. No. 63** (Mr. Henderson). 1^o*, 1113; 2^o*, 1367; in Com. and 3^o*, 2724. (57-58 *Vic.*, c. 75.)
- GUN, &C., CARTRIDGES: in Com. of Ways and Means, 2684 (i).
- GUYSBORO' BREAKWATER: Ques. (Mr. Fraser) 157 (i).
- GUYSBORO' PUBLIC WORKS, EXPENDITURE: Ques. (Mr. Fraser) 282 (i).
- INDUSTRIES, DESCRIPTION, &C.: Ques. (Mr. Fraser) 1972 (i).
- HALF-BREEDS, LAND GRANTS IN MAN.: M. for Ret. (Mr. Martin) 1034, 1400 (i).
- HALIFAX DRILL HALL: in Com. of Sup., 4418 (ii).
- INCREASED ACCOMMODATION, I.C.R.: in Com. of Sup., 3505 (ii).
- HAMILTON HARBOUR: in Com. of Sup., 4471 (ii).
- Harbour Commissioners.** See "MONTREAL," "PICTOU," &C.
- Harbours.** See "PUBLIC."
- HARBOURS AND RIVERS: in Com. of Sup., 4417, 4461, 4473, 5232, 5458, 6508 (ii).
- Harbour Masters' Act Amt. B. No. 45** (Sir Charles Hibbert Tupper). 1^o*, 840; 2^o and in Com., 2727; 3^o*, 2787. (57-58 *Vic.*, c. 50.)
- HARD PAN CASES AND FINDINGS OF EXCHEQUER COURT: M. for Reps., &C. (Sir John Thompson) 2691 (i).
- ACCOUNTS *re* EXPEND.: M. (Mr. Baker) to ref. to Pub. Accounts Com., 3003 (i).
- HARRIS PROPERTY (ST. JOHN) AMOUNT PAID: Ques. (Mr. Davies, P.E.I.) 156 (i).
- PURCHASE, &C.: M. for Cor.* (Mr. Davies, P. E.I.) 451 (i).
- HARVEY BRANCH RY. CO.'S SUBSIDY: prop. Res. (Sir John Thompson) 6052 (ii).
- HARWOOD, HENRY STANISLAUS, ESQ., MEMBER FOR VAUDREUIL: introduced, 2 (i).
- HASLAM, ANDREW, ESQ., MEMBER FOR VANCOUVER: introduced, 2 (i).
- HAWKESBURY AND PORT MULGRAVE STEAM FERRY: M. for Cor.* (Mr. Cameron) 2424 (i).
- HEARN, HON. JNO., DECEASED: Remarks (Sir John Thompson) 2939 (i).
- HEATING, &C., DOM. BUILDINGS: in Com. of Sup., 4442, 5231 (ii).
- HEIR APPARENT, BIRTH: Remarks (Sir Richard Cartwright) 5692 (ii).
- ADDRESS TO DUKE AND DUCHESS OF YORK: M. (Sir John Thompson) 6531 (ii).
- MESS. FROM SENATE: Read (Mr. Speaker) 6252; Address agreed to, 6533 (ii).
- HERBERT, GENERAL, AND ADDRESS TO FRENCH BATT.: Ques. (Mr. Hughes) 2733 (i).
- PUBLICATION OF REP. *re* MILITIA: Ques. (Mr. Mulock) 287 (i).
- HERRING AND LOBSTER FISHERIES: M. for Cor. (Mr. Bowers) 2767 (i).
- FISHING, BAY OF FUNDY: Ques. (Mr. Perry) 283 (i).
- PICKLED: in Com. of Ways and Means, 2684 (i).

HICKEY, CHARLES E., SUPT. WILLIAMSBURG CANAL: Ques. Mr. *Somerville*) 2135 (i).

HICKEY, GEO., EMPLOYMT. ON CANALS: Ques. (Mr. *McCarthy*) 504½ (ii).

HIDES AND SKINS: in Com. of Ways and Means, 2689 (i).

HIGGINS' SHORE PIER (P. E. I.) SANDBANK, REMOVAL: Ques. (Mr. *Yeo*) 2734 (i).

HIGH COMMISSIONER'S OFFICE: in Com. of Sup., 3246.

HILTON, GOVT. DOCK, COST, &C.: Ques. (Mr. *Lister*) 1788, 1969, 2620, 3090 (i).

Holidays. See "PUBLIC."

Homstead Exemption Act Repeal B. No. 104 (Mr. *Daly*). 1°, 2289; 2°, in Com. and 3°, 4590. (57-58 *Vic.*, c. 29.)

HOMESTEAD INSPECTORS: in Com. of Sup., 4930 (ii).

HOMESTEADS CANCELLED, &C., IN MAN.: M. for Ret.* (Mr. *Martin*) 449 (i).

HORSE CLOTHING OF JUTE: in Com. of Ways and Means, 5848 (ii).

HOT SPRINGS, BANFF, SURVEYS, &C.: in Com. of Sup., 5042 (ii).

HOUSE OF COMMONS:

ADDRESS IN ANS. TO HIS EXCELLENCY'S SPEECH: moved (Sir *James Grant*) 11 (i).

— HIS EXCELLENCY'S REPLY: presented (Sir *John Thompson*) 2341 (i).

ADJOURNMENT, ASCENSION DAY: M. (Sir *John Thompson*) 2212 (i).

— DOMINION DAY: Remarks (Mr. *Kenny*) 5046 (ii).

— M. (Sir *John Thompson*) 5093 (ii).

— EASTER: M. (Sir *John Thompson*) 78 (i).

— INTERCOLONIAL DELEGATES, RECEPTION: M. (Sir *John Thompson*) 5044 (ii).

— QUEEN'S BIRTHDAY: M. (Sir *John Thompson*) 3163 (i).

— Remarks (Mr. *Taylor, &c.*) 2871, 2940, 3004 (i).

BILLS ASSENTED TO, 6533 (ii).

CONTROVERTED ELECTIONS: Notification (Mr. *Speaker*) 1.

CORBY, HENRY, ESQ., MEMBER FOR WEST HASTINGS:

— Resignation tendered (Mr. *Corby*) 4311 (ii).

— Introduced, 5368 (ii).

GORDON, DAVID WILLIAM, VACANCY BY DECEASE: Notification (Mr. *Speaker*) 1.

GLOUCESTER, VACANCY IN REPRESENTATION: Notification (Mr. *Speaker*) 1395 (i).

— RET. OF MEMBER: Notification (Mr. *Speaker*) 3077 (i).

HEARN, HON. JNO., DECEASED: Remarks (Sir *John Thompson*) 2939 (i).

INTERCOLONIAL CONFERENCE: Remarks (Mr. *McNeill*) 5467 (ii).

MACDONALD, HUGH JOHN, RESIGNATION: Notification (Mr. *Speaker*) 1.

MACKINTOSH, CHARLES H., ACCEPTANCE OF OFFICE: Notification (Mr. *Speaker*) 1.

MEMBERS INTRODUCED, 2 (i), 3273, 5368 (ii).

MEMBERS, NEW: Notification (Mr. *Speaker*) 2, 3077 (i), 5368 (ii).

MESS. FROM HIS EXCELLENCY: Read (Mr. *Speaker*) 128, 144, 2341, 2413 (i), 4642, 5850 (ii).

MORNING SITTINGS: M. (Sir *John Thompson*) 6233 (ii).

NOTICES OF MOTION: Remarks (Mr. *Paterson, Brant*) 2136 (i).

OTTAWA CITY, VACANCY: Notification (Mr. *Speaker*) 1.

HOUSE OF COMMONS—Con.

PARLIAMENT, 7TH, 4TH SESSION: Opening, 1.

PRIVATE BILLS: M. (Mr. *Tisdale*) to place on Order Paper, 5520 (ii).

PROROGATION, LETTER FROM GOVERNOR GENERAL'S SECRETARY: Read (Mr. *Speaker*) 6332 (ii).

QUEBEC WEST: Issue of Writ (Mr. *Speaker*) 6045 (ii).

QUESTIONS PUT BY MEMBERS: Remarks (Mr. *Charlton*) 756 (i).

SENATE, VACANCIES AND APPOINTMENTS: Ques. (Sir *Richard Cartwright*) 283, 515 (i).

— Remarks (Sir *John Thompson*) 305, 595 (i).

SESSIONAL INDEMNITY: prop. Res. (Mr. *Foster*) 5935.

SPEECH FROM THE THRONE: Rep. (Mr. *Speaker*) 2.

TELEPHONE IN CORRIDOR OF HOUSE: Remarks (Mr. *McMullen*) 3600 (ii).

VACANCIES: Notification (Mr. *Speaker*) 1, 1395 (i).

VANCOUVER, VACANCY: Notification (Mr. *Speaker*) 1.

WEST HASTINGS, RESIGNATION TENDERED: (Mr. *Corby*) 4811 (ii).

— WRIT ISSUED FOR ELECTION: (Mr. *Speaker*) 4887 (ii).

— RET. OF MEMBER: Notification (Mr. *Speaker*) 5368 (ii).

WINNIPEG, MEMBER FOR: Objection (Mr. *Mills, Bothwell*) to Ques., 1565 (i).

— VACANCY BY RESIGNATION: Notification (Mr. *Speaker*) 1.

WRITS FOR ELECTIONS: Remarks (Mr. *Speaker*) 6046 [See "SPEAKER, MR.," "ORDER," &c.]

House of Commons. See "SENATE."

Houses of Refuge (Females) Ont. B. No. 156 (Sir *John Thompson*). 1°, 5465; 2°, in Com. and 3°, 5533. (57-58 *Vic.*, c. 60.)

HOWLAN ROAD (P. E. I.) FLAG STATION: Ques. (Mr. *Perry*) 283 (i).

HUBS FOR WHEELS, &C.: in Com. of Ways and Means, 2989 (i).

HUDSON'S BAY, PROPAGATION OF SEALS: prop. Res. (Mr. *Mills, Bothwell*) 3278 (ii).

— H. M.'s SOVEREIGNTY: M. for Cor. (Mr. *Mills, Bothwell*) 3276 (ii).

HULL "DESPATCH," PAYMENTS TO: Ques. (Mr. *Devlin*) 4050, 4307 (ii).

— POSTMASTER'S NAME: Ques. (Mr. *Langelier*) 1222 (i).

HURON COUNTY MAIL CONTRACT: Ques. (Mr. *McMillan*) 1566 (i).

HURONS OF LORETTE, SEIGNIORY OF SILLERY: M. for Pets., &c.* (Mr. *Frémont*) 1036 (i).

HUS, ED. P., LIGHTHOUSE KEEPER, COMPLAINTS AGAINST: Ques. (Mr. *Bruncau*) 1711 (i).

HYDROGRAPHIC SURVEYS: in Com. of Sup., 4735 (ii).

IMMIGRATION FROM N'FLD., C. C. CARLYLE'S SERVICES: Ques. (Mr. *Davies, P. E. I.*) 753 (i).

— in Com. of Sup., 4478, 5464 (ii).

— WORK OF RETURN MEN: M. for Ret. (Mr. *Martin*) 2414 (i).

IMMIGRANTS, INSPECTION AT QUE.: M. for Cor. (Mr. *Laurier*) 1434 (i).

IMMORAL BOOKS, ALLEGED IMPORTATION: Ques. (Mr. *McCarthy*) 5530 (ii).

— IMPORTS: Remarks (Mr. *McCarthy*) to Com. of Sup., 6304 (ii).

- IMPORTS AND EXPORTS: M. for Ret.*** (Sir *Richard Cartwright*) 149 (i).
- IMPORTS AT NIAGARA FALLS AND FORT ERIE: Ques.** (Mr. *Featherston*) 5529 (ii).
- **MINING MACHINERY: M. for Ret.*** (Mr. *Mara*) 452 (i).
- **FROM U. S. FOR PUBLIC SERVICE: Ques.** (Mr. *Landerkin*) 2298 (i).
- **AMERICAN CATTLE: M. for Cor., &c.*** (Mr. *Mulock*) 451 (i).
- **COAL BY G. T. R.: Ques.** (Mr. *McDougall*) 2412 (i).
- **COAL OIL IN TANKS: Ques.** (Mr. *Landerkin*) 284, 516, 517, 596 (i).
- **M. for Ret.*** (Mr. *Macdonald, Huron*) 514 (i).
- **GRANITE DURING 1893: Ques.** (Mr. *Gillmor*) 3872 (ii).
- **TEA DIRECT FROM LONDON: Remarks** (Mr. *Davies, P.E.I.*) 4039 (ii).
- **UNDER ORDERS IN COUNCIL: M. for Ret.** (Mr. *Charlton*) 2763, 2782 (i).
- INDEPENDENCE OF PARLIAMENT, RESIGNATION TENDERED** (Mr. *Corby*) 4811 (ii).
- **Remarks** (Mr. *Edgar*) in Com. of Sup., 4767 (ii).
- INDEX TO CUSTOMS STATUTES: Ques.** (Mr. *Grieve*) 1118 (i).
- Indian Act Amt. B. No. 116** (Mr. *Daly*). 1^o*, 3003; 2^o* and in Com., 5540; 3^o*, 5557. (57-58 *Vic., c. 32.*)
- INDIAN AFFAIRS, DEPTL. REP.: presented** (Mr. *Daly*) 127 (i).
- **REPS. SUPT. GENERAL re THOUSAND ISLANDS: M. for copies*** (Mr. *Mills, Bothwell*) 451 (i).
- INDIAN CORN, DRAWBACKS ON IMPORTS: M. for Ret.*** (Mr. *Charlton*) 452 (i).
- **in Com. of Ways and Means, 1540, 2690** (i).
- **REMOVAL OF DUTIES: Ques.** (Mr. *Lavergne*) 1971 (i).
- INDIANTOWN BRANCH, I.C.R.: in Com. of Sup., 3517.**
- INDIA-RUBBER BOOTS AND SHOES: in Com. of Ways and Means, 2125** (i).
- **CLOTHING: in Com. of Ways and Means, 2129.**
- INDIANS: in Com. of Sup., 4841, 4880, 5461, 6232** (ii).
- INDUSTRIAL SCHOOLS IN MAN. AND N. W. T.: Ques.** (Mr. *McMullen*) 2567 (i).
- INFANTRY DRILL, NEW (1893) ISSUE OF COPIES: Ques** (Mr. *Hughes*) 368 (i).
- **SCHOOLS, MONTREAL, ESTABLISHMENT: Ques.** (Mr. *Lavergne*) 4476 (ii).
- INGONISH ISLAND, DISMISSAL OF KEEPER: Ques.** (Mr. *Davies, P.E.I.*) 288 (i).
- **M. for Ret.*** (Mr. *Davies, P.E.I.*) 452 (i).
- Inland Revenue Act Amt. B. No. 158** (Mr. *Wood, Brockville*). Res. prop. 4889, in Com., 5172; 1^o* of B., 5472; 2^o*, 6154; in Com. and 3^o*, 6155. (57-58 *Vic., c. 35.*)
- INLAND REVENUE:**
- BARRELS, &C., STANDARD FOR: Ques.** (Mr. *Landerkin*) 2622 (i).
- CHEESE WEIGHING, APPMT. OF REFEREE: Ques.** (Mr. *Taylor*) 2414 (i).
- INLAND REVENUE—Con.**
- DUGGAN, E., SUPERANNUATION: Ques.** (Mr. *McMullen*) 1711 (i).
- ELECTRIC LIGHT CO.'S, LEGISLATION RESPECTING: Ques.** (Mr. *Cockburn*) 1116 (i).
- **METERS, LEGISLATION re INSPECTION: Ques.** (Mr. *Maclean, York*) 1117 (i).
- IN COM. OF SUP., 2373** (i).
- LIQUORS, DISTILLED AND FERMENTED: M. for Stmt.** (Mr. *Flint*) 3297 (ii).
- TOBACCO (CAN.) EXCISE DUTY: Ques.** (Mr. *Dugas*) 685 (i).
- **REDUCTION OF DUTIES: M. for Cor.*** (Mr. *Brodeur*) 3636 (ii).
- INSANE PATIENTS, N.W.T.: in Com. of Sup., 4921.**
- INSOLVENCY ACT, DISTRIBUTION: Ques.** (Mr. *Flint*) 448, 755 (i).
- INSOLVENT ACT (1875) OFFICIAL ASSIGNEE: Ques.** (Mr. *Fauvel*) 1792 (i).
- Insolvency B. No. 152** (Sir *John Thompson*) 1^o*, 4940.
- Inspection.** See "ELECTRIC," "PETROLEUM," "SHIPS," "STEAMBOATS," &C.
- INSPECTION OF ELECTRIC LIGHT METERS, LEGISLATION: Ques.** (Mr. *Maclean, York*) 1117 (i).
- **VESSELS AT MONTREAL, APPMT.: Ques.** (Mr. *Lepine*) 2413 (i).
- INSPECTORS OF DOM. LANDS AGENCIES: in Com. of Sup., 4928** (ii).
- INSPECTOR OF CANALS, APPMT.: Ques.** (Mr. *McCarthy*) 4718 (ii).
- **ELECTRIC LIGHT CO.'S: Ques.** (Mr. *Cockburn*) 1116 (i).
- **STORES: in Com. of Sup., 6246** (ii).
- INSULATORS, &C.: in Com. of Ways and Means, 2095.**
- Insurance Act Amt B. No. 111** (Sir *John Thompson*). 1^o*, 2783; 2^o, 3005; in Com., 5172, 5851; M. for 2^o of Amts. rep. from Com., 6054; 3^o*, 6064. (57-58 *Vic., c. 20.*)
- Deb. in Com.** (Sir *John Thompson*) 5851; (Mr. *Foster*) 5851, 5871; (Mr. *Tisdale*) 5852; (Mr. *Edgar*) 5853; (Mr. *McCarthy*) 5854; (Mr. *Sutherland*) 5856; (Mr. *Wood, Westmoreland*) 5857; (Mr. *Bain, Wentworth*) 5870; (Mr. *Dentson*) 5877; (Mr. *Dicken*) 5878; (Mr. *Haggart*) 5878; (Mr. *Casey*) 5879; (Mr. *Landerkin*) 5881; (Mr. *McMullen*) 5882; (Mr. *McNeill*) 5882.
- INSURANCE, CIVIL SERVICE: M. for Stmt.*** (Sir *Hector Langerin*) 450 (i).
- **SUPERINTENDENT: in Com. of Sup., 5215** (ii).
- INTERCOLONIAL CONFERENCE: in Com. of Sup., 5536; conc., 5777** (ii).
- **Remarks** (Mr. *McNeill*) 5467 (ii).
- **DELEGATES' RECEPTION, ADJMT.: M.** (Sir *John Thompson*) 5044 (ii).
- INTERCOLONIAL RAILWAY:**
- ACCIDENT AT LÉVIS, DAMAGES: in Com. of Sup., 6462** (ii).
- BEDFORD TO DARTMOUTH BRANCH: conc., 5113** (ii).
- BROAD COVE AND ORANGEDALE RY.: Ques.** (Mr. *Fraser*) 1710 (i).
- CONSTRUCTION, ORIGINAL: in Com. of Sup., 3508, 5431.**
- EMPLOYEES DISCHARGED: Ques.** (Mr. *Davies, P.E.I.*) 156 (i).
- FREIGHT RATES ON GRAIN: Ques.** (Mr. *Bowers*) 2292.

INTERCOLONIAL RAILWAY—*Con.*

HARRIS PROPERTY, AMOUNT PAID: Ques. (Mr. *Davies, P.E.I.*) 451 (i).

— M. for Cor., &c.* (Mr. *Davies, P.E.I.*) 451 (i).

IN COM. OF SUP., 3505, 5164, 5143, 5431 (ii).

LUMBER SUPPLIES: Ques. (Mr. *Choquette*) 4888 (ii).

MARTIN, MR., COMPENSATION: in Com. of Sup., 6462.

MEMRAMCOOK, &C., STATION RECEIPTS: Ques. (Mr. *Wood, Westmòreland*) 2131 (i).

PASSENGER RATES AND FREE PASSES: Ques. (Mr. *Edgar*) 949 (i).

ROBBERIES AT RIVIÈRE DU LOUP: (Mr. *Choquette*) 4195 (ii).

ROLLING STOCK: in Com. of Sup., 3506 (ii).

ST. CHARLES BRANCH, DAMAGES: Remarks (Mr. *Davies, P.E.I.*) 3662 (ii).

SALE OF SCRAP IRON: Ques. (Mr. *Borden*) 4477 (ii).

TENDERS FOR SALE OF NEWSPAPERS, &C.: Ques. (Mr. *Choquette*) 1031 (i).

[See "RETURNS, &C."]

INTELLIGENCE BUREAU: in Com. of Sup., 5459 (ii).

INTERIOR:

DEPTL. REPS., INDIAN, DISTRIBUTION: prop. Res. (Mr. *Paterson, Brant*) 2778 (i).

DEPTL. REP.: presented (Mr. *Daly*) 150 (i).

GEOLOGICAL MUSEUM, NEW BUILDING: Ques. (Sir *James Grant*) 2136 (i).

— SURVEY, REPS.: Ques. (Mr. *Coatsworth*) 2297.

IMMIGRATION FROM NFLD., C. C. CARLYLE'S SERVICES: Ques. (Mr. *Davies, P.E.I.*) 753 (i).

— WORK OF RETURN MEN: M. for Ret. (Mr. *Martin*) 2414 (i).

IN COM. OF SUP., 3200, 3272 (i).

LOANS TO SETTLERS IN MANITOBA: M. for List (Mr. *La Rivière*) 3101 (i).

MCNAB, GALLAGHER, PURCHASE OF LOT: M. for Cor. (Mr. *McMullen*) 2425 (i).

MOUNTED POLICE, APPMT. OF GILPIN BROWN: Ques. (Mr. *McMullen*) 2566 (i).

RELIGIOUS DENOMINATIONS, LAND GRANTS: M. for Ret.* (Mr. *Charlton*) 449 (i).

REPATRIATION OF CANADIANS: Ques. (Mr. *Girouard, Two Mountains*) 3439 (ii).

RETURN MEN AND IMMIGRATION: M. for Ret. (Mr. *Martin*) 2414 (i).

ST. LAWRENCE RIVER ISLANDS. See "Thousand Islands."

TIMBER LICENSES GRANTED SINCE 1888: M. for Stmt. (Mr. *Charlton*) 452, 1977 (i).

TIMBER ON INDIAN RESERVES, DISPOSAL: M. for Cor. (Mr. *Devlin*) 1983 (i).

VANKOUGHNET, LAWRENCE: Remarks *re* Return (Mr. *Mills, Bothwell*) 1033 (i).

— SUPERANNUATION: M. for Cor.* (Mr. *Mulock*) 1036 (i).

[See "LAND GRANTS," "PROVINCES," "RETURNS," "SUBSIDIES," &c.]

INTERNATIONAL FISHERIES COMMISSION: in Com. of Sup., 5039 (ii).

Interest Act Amt. B. No. 129 (Sir *John Thompson*). 1°, 3301; 2° and in Com., 4945; 3°, 4948. (57-58 *Vic.*, c. 22.)

INTEREST ON DOM. STOCK, NON-PAYMENT: Ques. (Mr. *McCarthy*) 5775 (ii).

Iron and Steel Bounties B. No. 170 (Mr. *Haggart*). Res. prop., 6412; in Com., 6472; 1° of B., 6516; 2°, in Com. and 3°, 6523. (57-58 *Vic.*, c. 9.)

IRON AND STEEL FOR BRIDGES, VALUE OF IMPORTS: M. for Ret. (Mr. *Charlton*) 452 (i).

IRON, STEEL, ETC.: in Com. of Ways and Means, 2342, 2376, 2504, 2692 (i).

IRON PIPES, WROUGHT: in Com. of Ways and Means 2530, 2997 (i), 3571; conc. 4030 (ii).

Irrigation. See "CALGARY."

Irrigation in N. W. T. B. No. 134 (Mr. *Daly*). 1°, 3669; 2° and in Com., 4949, 5063, 5096; 3°, 5154. (57-58 *Vic.*, c. 30.)

ISAAC'S HARBOUR (N.S.) APPMT. OF LIGHTHOUSE KEEPER: Ques. (Mr. *Fraser*) 845 (i).

ISLANDS IN ST. LAWRENCE RIVER, SALE: Ques. (Mr. *Landerkin*) 1791 (i).

— See "THOUSAND ISLANDS."

ISLE JÉSUS AND ST. EUSTACHE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051 (ii).

INVERNESS, N.S., MAIL CONTRACT: Ques. (Mr. *Fraser*) 597 (i).

JACKSON, J. B.: in Com. of Sup. 6234 (ii).

JAMES BAY AND NIPISSING RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6388 (ii).

JOGGINS AND HERBERT RIVER RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6052; in Com., 6287 (ii).

Johnson, Orlando G. R. See "DIVORCE."

Joint Stock Co.'s B. No. 153 (Sir *John Thompson*). 1°, 4940.

JOLIETTE AND ST. JEAN DE MATHA RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051, 6254; in Com., 6280, 6392 (ii).

JUSTICE:

AGENCY AT CHICAGO: Ques. (Mr. *Girouard, Jacques Cartier*) 5368 (ii).

CONNOLLY AND MCGREEVY, RELEASE: M. for Pets., &c. (Mr. *Mulock*) 145 (i).

GRAND JURORS B. 24: Remarks (Mr. *Edgar*) 5467.

HARD PAN CASES AND FINDINGS OF EXCHEQUER COURT: M. for Repr., &c. (Sir *John Thompson*) 2691 (i).

IN COM. OF SUP., 3340, 3367, 5217, 6241 (ii).

JUDGES, ADDITIONAL FOR QUEBEC: Ques. (Mr. *Lépine*) 1789 (i).

JUDICIAL DISTRICT OF PONTIAC, APPMT. OF JUDGE: Ques. (Mr. *Devlin*) 517 (i).

JUDICIARY OF NEW BRUNSWICK: on Adjmt., Remarks (Mr. *Davies, P.E.I.*) 5, 11, 126 (i).

— M. for Cor. &c. (Mr. *Davies, P.E.I.*) 128 (i).

JUDICIARY OF QUEBEC: Remarks (Mr. *Girouard, Jacques Cartier*) to Com. of Sup., 6212 (ii).

— Remarks (Sir *John Thompson*) to Com. of Sup., 6212 (ii).

JUDGES' SALARY, INCREASE: Ques. (Mr. *Brodeur*) 518 (i).

LEGAL SERVICES, &C., 1873 TO 1879. AMOUNTS PAID: M. for Ret.* (Mr. *Taylor*) 2424 (i), 4921 5026 (ii).

LITIGATION, COST, RYS AND CANALS: in Com. of Sup., 3519 (i).

MCGREEVY AND CONNOLLY, RET. *re* PARDON: Ques. (Mr. *Mulock*) 290 (i), 4921, 5026 (ii).

MAN. AND N.W.T. SCHOOLS: M. for Ret. (Mr. *Tarte*) 159, 1600, 1992, 2042 (i).

OATHS. See "Administration," "Witnesses," &c.

PRISONERS IN PENITENTIARIES, DECREASE, &C.: M. for Ret.* (Mr. *Martin*) 449 (i).

JUSTICE—*Con.*

- QUEBEC JUDICIARY: prop. Res. (Sir John Thompson) 5046 (ii).
 — See "Quebec Judiciary."
 REFORMATORY FOR DOMINION: Remarks (Mr. McLennan) 6522 (ii).
 SALARIES OF JUDGES, INCREASE: Ques. (Mr. Brodeur) 518 (i).
 UNITED STATES ALIEN LABOUR LAW: Ques. (Mr. Lowell) 4307 (ii).
 [See PROVINCES, "RETURNS," &c.]
Juvenile Offenders (N.B.) Act Amt. B. No. 144 (Sir John Thompson). 1*, 4557; 2*, in Com. and 3*, 4893. (57-58 *Vic. c. 59.*)
 — See "YOUTHFUL."
 KAMINISTIQUA RIVER: in Com. of Sup., 6464 (ii).
 KEMPTVILLE POSTMASTER, CHARGES AGAINST: Ques. (Mr. Lister) 3872 (ii).
 KENNEDY, PATRICK, CONTRACTOR, STREET LETTER BOXES: Ques. (Mr. McMullen) 1397 (i).
 KENT AND ST. LOUIS GATES, REBUILDING: Ques. (Mr. Monet) 5775 (ii).
 KENT (ONT.) FISHERY OVERSEER: Ques. (Mr. Campbell) 367 (i).
 KINGSTON GRAVING DOCK: in Com. of Sup., 5228 (ii).
 — HARBOUR: in Com. of Sup., 4470 (ii).
 KINGSTON PENITENTIARY, MANAGEMENT: M. for Ret.* (Mr. Mulock) 451 (i).
 — CONNOR, MR., PLANT FOR BINDER TWINE: M. for Cor.* (Mr. Mulock) 451 (i).
 — GATE RECEIPTS: M. for Stint.* (Mr. Mulock) 1036 (i).
 — SHORTAGE IN WARDEN'S ACCTS.: Ques. (Mr. Mulock) 3275, 3367 (ii).
 — in Com. of Sup., 5218 (ii).
 — AND B.C. PENITENTIARIES, PAPERS RESPECTING: Remarks (Mr. Brodeur) 1119; (Mr. Mulock) 1875 (i).
Labour Day. See "PUBLIC HOLIDAYS."
Labourers. See "GOVT. CONTRACTS."
 LABOURERS' WAGES AND PUBLIC CONTRACTS: prop. Res. (Mr. Coatsworth) 3295, 3606 (ii).
 LABOUR STATISTICS, ESTABLISHMENT OF BUREAU: M. for Ret. (Mr. Lépine) 2186 (i).
 LABRADOR, FISHERY WARDEN ON COAST: Ques. (Mr. Lavergne) 5691 (ii).
 "LABRADOR" SS., DETENTION AT FATHER POINT: Ques. (Mr. Carroll) 3606 (ii).
 LACES, &c.: in Com. of Ways and Means, 2648 (i).
 LACHINE CANAL: Amt. (Sir Richard Cartwright) to Com. of Sup., 6308; neg. (Y. 36, N. 74) 6353 (ii).
 Deb. (Mr. Haggart) 6317; (Mr. Tarte) 6328; (Mr. Bennett) 6340; (Mr. McMullen) 6343; (Mr. Masson) 6345; (Sir James Grant) 6349.
 — CONTRACT FOR WIDENING: Ques. (Mr. Monet) 5774 (ii).
 — "CURRAN" BRIDGE CONTRACTS, &c.: M. for copy, &c.* (Mr. Gibson) 450 (i).
 — in Com. of Sup., 4159, 5432, 5451, 6458 (ii).
 — WELLINGTON ST., &c., BRIDGES: Ques. (Mr. Mulock) 3091 (i).
 LADIES. See "SACRED HEART."
 LAMP SPRINGS: in Com. of Ways and Means, 5848 (ii).
 LANGLOIS, J., EMPLOYMT. BY GOVT.: (Mr. Delisle) 687 (i).
Lake Erie and Detroit River Ry. Co.'s, &c., B. No. 82 (Mr. McGregor). 1*, 1219; 2*, 1368; in Com. and 3*, 5523. (57-58 *Vic., c. 76.*)
 LAKE ERIE FISHERIES: Remarks (Mr. Tisdale) to Com. of Sup., 5234 (ii).
Lake Megantic Ry. Co.'s incorp. B. No. 58 (Mr. Pope). 1*, 1030; 2*, 1151; in Com. and 3*, 4027. (57-58 *Vic., c. 77.*)
 LAKE ST. LOUIS CHANNEL: in Com. of Sup., 4160 (ii).
 LAKE TEMISCAMINGUE COLONIZATION RY. CO.'S SUBSIDY: prop. Res. (Sir John Thompson) 6051; in Com., 6281 (ii).
 LAKES SIMCOE AND COUCHICHING: in Com. of Sup., 6507 (ii).
 LAMP CHIMNEYS: in Com. of Ways and Means, 2095 (i).
 LAND GRANTS TO HALF-BREEDS IN MAN.: M. for Ret. (Mr. Martin) 1400 (i).
 — TO RELIGIOUS DENOMINATIONS: M. for Ret.* (Mr. Charlton) 449 (i).
 — TO MAN. UNIVERSITY: Ques. (Mr. Martin) 3091 (i).
 — TO RYS., MAN. AND N.W.T.: Ques. (Mr. Charlton) 754, 948 (i).
 — MANAGEMENT FUND, INDIANS: in Com. of Sup., 4828 (ii).
Land in the Territories Acts Amt. B. No. 162 (Mr. Daly). 1*, 5887; 2*, and in Com., 6077; 3*, 6517. (57-58 *Vic., c. 28.*)
Land Grants to Militia (Active Service in N.W.T.) B. No. 54 (Mr. Daly). 1*, 841; 2* and in Com., 4892; 3*, 4893. (57-58 *Vic., c. 24.*)
 LAND SLIDE AT STE. ANNE DE LA PARADE: Ques. (Mr. Delisle) 3039 (i).
 LAPRAIRIE-NAPIERVILLE ELECTORAL LISTS: Ques. (Mr. Monet) 2937 (i).
 LARD AND COTTOLENE: in Com. of Ways and Means, 1493 (i); conc., 4014 (ii).
 L'ARDOISE BREAKWATER, REPAIRS: in Com. of Sup., 4448 (ii).
 LASCELLES AND WAKEFIELD MAIL SERVICE: Ques. (Mr. Derlin) 2132 (i).
 LAW BOOKS, &c., SUPREME COURT: in Com. of Sup., 3344 (ii).
 LAWRENCE, C. C., TICKET AGENT, CHARGES AGAINST: M. for Cor.* (Mr. Cameron) 2424 (i).
 LAZIER, LIEUT.-COL., RESIGNATION, &c.: Ques. (Mr. Mulock) 752 (i).
 LEAD BARS: in Com. of Ways and Means, 2397, 2513.
 LEAD PIPE: in Com. of Ways and Means, 2512 (i).
 LEATHER: in Com. of Ways and Means, 3022 (i).
 — TRUNKS: in Com. of Sup., 6243 (ii).
 LEBEL, ESDRAS, EMPLOYMT. BY MARINE AND FISHERIES DEPT.: Ques. (Mr. Delisle) 448 (i).
 LEGAL ADVISERS, N.W.T.: in Com. of Sup., 4921.
 — EXPENSES, &c.: in Com. of Sup., 5026 (ii).
 — SERVICES, &c., 1873 TO 1879, AMOUNTS PAID: M. for Ret.* (Mr. Taylor) 2424.

- LEGGE, J., SERVICES AS LIGHTHOUSE INSPECTOR :** Ques. (Mr. *Landerkin*) 1790 (i).
LEGISLATION : in Com. of Sup., 3492, 5228 (ii).
LEGISLATURE OF ONT. APPMT. OF MEMBERS BY DOM. GOVT. : M. for Ret.* (Mr. *MacDonald, Huron*) 453 (i).
 — **PAYMENTS TO MEMBERS :** M. for Ret.* (Mr. *MacDonald, Huron*) 452 (i).
LEMAY, VICTOR, ACCIDENTAL DEATH : Ques. (Mr. *Rinfret*) 2871 (i).
LETTERS, REGISTERED, REDUCTION OF FEE : Ques. (Mr. *Grieve*) 520 (i).
LETTER POSTAGE, REDUCTION : prop. Res. (Mr. *Coatsworth*) 2193 (i).
 Deb. (Mr. *Scrivener*) 2197; (Mr. *Sproule*) 2193; (Mr. *Jeanotte*) 2199; (Mr. *Landerkin*) 2201; (Mr. *Casey*) 2202; (Mr. *Prior*) 2204; (Mr. *Denison*) 2205; (Sir *Adolphe Caron*) 2205; (Mr. *Tyrchitt*) 2208; (Mr. *Mills, Bothwell*) 2209.
LIBRARY OF PARLIAMENT, REP. : presented (Mr. *Speaker*) 5 (i).
 — **2ND REP. OF COM., CONC. :** M. (Mr. *Mills, Bothwell*) 4393 (ii).
 — in Com. of Sup., 3499, 5228 (ii).
LIEUT. GOVERNOR'S INSTRUCTIONS : Remarks (Mr. *Mills, Bothwell*) 181 (i).
LIEUT. GOVERNOR, N.W.T. : in Com. of Sup., 4912, 5461, 6484 (ii).
Lighthouses, Buoys, &c., and Sable Island Act Amt. B. No. 46 (Sir *Charles Hibbert Tupper*). 1st, 841; 2^d and in Com., 2727; 3rd, 2787. (57-58 *Vic., c. 41.*)
LIGHTHOUSE AND COAST SERVICE : in Com. of Sup., 4697 (ii).
 — **IN ST. EMILLE PARISH :** Ques. (Mr. *Rinfret*) 156 (i).
LIMERIDGE AND WOLFE COUNTY RY. SUBSIDY : prop. Res. (Mr. *Haggart*) 6254 (ii).
Lindsay, Bobcaygeon and Pontypool Ry. Co.'s B. No. 29 (Mr. *Fairbairn*). 1st, 682; 2nd, 885; in Com. and 3rd, 1396. (57-58 *Vic., c. 78.*)
 — **SUBSIDY :** prop. Res. (Mr. *Haggart*) 6257 (ii).
LINSEED OIL : in Com. of Ways and Means, 2090 (i).
LIQUORS DISTILLED AND FERMENTED : M. for Stimt. (Mr. *Flint*) 3297 (i).
LIQUOR PROSECUTIONS, ONT. AND QUE. INDIANS : in Com. of Sup., 4841 (ii).
LIQUOR TRAFFIC, COMMISSION : Inquiry (Mr. *Landerkin*) 9 (ii).
 — **COMMISSIONERS' REP. :** Ques. (Mr. *Flint*) 287 (i).
 — **ROYAL COMMISSION :** in Com. of Sup., 5537, 6516 (ii).
 — **NAMES, &c. :** Ques. (Mr. *Landerkin*) 1031 (i).
 — **PROHIBITION :** prop. Res. (Mr. *Flint*) 2432 (i).
LITIGATION, COST, RYS. AND CANALS : in Com. of Sup., 3519 (ii).
LITTLE RAPIDS DAM, CLAIMS FOR DAMAGES : Ques. (Mr. *Devlin*) 2870 (i).
LIVE HOGS : in Com. of Ways and Means, 1481 (i).
LIVE STOCK, MAN. INDIANS : in Com. of Sup., 4848.
- LOANS TO SETTLERS IN N.W.T. :** M. for List (Mr. *LaRivière*) 3100 (i).
LOBSTER AND HERRING FISHERIES : M. for Cor. (Mr. *Bowers*) 2767 (i).
 — **LIMITATION OF SIZE OF CATCH :** Ques. (Mr. *Bowers*) 286 (i).
 — **CLOSE SEASON, VIOLATION OF LAW :** Ques. (Mr. *Bowers*) 286 (i).
LOGS, ROUND, &c. : in Com. of Ways and Means, 2830 (i).
LOGWOOD, GROUND AND FUSTIC : in Com. of Ways and Means, 5849 (ii).
LOISELLE, B., DISMISSAL AS POSTMASTER : Ques. (Mr. *Brodeur*) 518 (i).
 — **M. for Cor. (Mr. *Brodeur*) 2734 (i).**
London and Port Stanley. See "LAKE ERIE."
LONDON MANUFACTURING ESTABLISHMENTS, RET. : Remarks (Mr. *Mills, Bothwell*) 3601 (i).
LONDON PROPERTY LEASED, &c., BY GOVT. : Ques. (Mr. *Lister*) 3766 (ii).
Lords' Day Observance B. No. 2 (Mr. *Charlton*). 1st, 79; 2^d m., 2292; 2^d, 2337; M. for Com., 3399; in Com., 3405, 3637; 3^d m., 4071; Amt. (Mr. *Mara*) to recom., 4074; agreed to (Y. 60, N. 52) 4081; 3^d, 4087.
LOTBINIÈRE AND MEGANTIC RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6254 (ii).
Lotteries. See "CRIMINAL CODE."
LOUISBURG, N.S., CUSTOMS COLLECTOR : Ques. (Mr. *Forbes*) 3275 (ii).
LOWER ST. LAWRENCE : in Com. of Sup., 6590 (ii).
LUMBER, &c. : in Com. of Ways and Means, 2996, 3025 (i).
 — **SUPPLIES TO I.C.R. :** Ques. (Mr. *Choquette*) 4888 (ii).
LUNDY'S LANE, COMMEMORATION : Ques. (Mr. *Lowell*) 4307 (ii).
LUNENBURG COUNTY, GEOLOGICAL SURVEY : Ques. (Mr. *Kaulbach*) 1397 (i).
 — **INDUSTRIES ESTABLISHED :** M. for Ret.* (Mr. *Forbes*) 1991 (i).
 — **POST OFFICE, &c. :** in Com. of Sup., 6465 (ii).
MACDONALD BROS., SERVICES re "NAPOLEON III. " in Com. of Sup., 6513 (ii).
MACDONALD, HUGH JOHN, RESIGNATION : Notification (Mr. *Speaker*) 1 (i).
MACKINTOSH, CHARLES H., ACCEPTANCE OF OFFICE : Notification (Mr. *Speaker*) 1 (i).
MCCORMICK'S ISLAND OWNERSHIP : M. for Cor. (Mr. *Mills, Bothwell*) 1983 (i).
MCDONALD, MR., EMPLOYT. BY GOVT. : Ques. (Mr. *Martin*) 2871 (i).
MCGREEVY AND CONNOLLY, RET. re PARDON : Ques. (Mr. *Mulock*) 290 (i).
MCLEOD, J.NO., DISMISSAL AS INSPECTOR : Ques. (Mr. *Davies, P.E.I.*) 2413 (i).
 — **M. for Ret.* (Mr. *Davies, P.E.I.*) 4497 (ii).**
M McNAB, GALLAGHER, PURCHASE OF LOT : M. for O.C.* (Mr. *McMullen*) 2425 (i).

- MCQUEEN, TIMOTHY, FISHERY OVERSEER, DISMISSAL :**
 Ques. (Mr. *Campbell*) 367 (i).
 — M. for Ret. (Mr. *Campbell*) 1984 (i).
MACKEREL : in Com. of Ways and Means, 2684 (i).
MADUXNAKEAG FISHWAY : Ques. (Mr. *Colter*) 158 (i).
MAGOG WHARF : in Com. of Sup., 6503 (ii).
MAIL CONTRACT, HURON COUNTY : Ques. (Mr. *McMullen*) 1566 (i).
 — MATTER (UNPAID) FROM U.S. : Ques. (Mr. *Gillmor*) 517 (i).
 — SUBSIDIES AND STEAMSHIP SUBVENTIONS : in Com. of Sup., 5454 (ii).
 — SERVICE, CAPE BRETON : Ques. (Mr. *Fraser*) 844 (i).
 — NORTH HASTINGS : Ques. (Mr. *McDonald*, *Huron*) 3092 (i).
 — NORTH WAKEFIELD : Ques. (Mr. *Devlin*) 2870.
 — CANSO, N.S., & C. : Ques. (Mr. *Fraser*) 519 (i).
 — INVERNESS CO. : Ques. (Mr. *Fraser*) 597 (i).
 — OTTAWA CITY : Ques. (Mr. *McMullen*) 3092 (i).
 — OTTAWA COUNTY : Ques. (Mr. *Devlin*) 2132, 2414 (i).
 — P.E.I. : Ques. (Mr. *Davies*, *P.E.I.*) 1712 (i).
 — in Com. of Sup., 4167 (ii).
 — See "Atlantic."
- MAINTENANCE AND REPAIRS, LIGHTHOUSE AND COAST SERVICE :** in Com. of Sup., 4710 (ii).
MAJOR-GEN'S. REP., PUBLICATION : Ques. (Mr. *Mulock*) 287 (i).
MAJOR'S HILL PARK, OTTAWA : in Com. of Sup., 4444 (ii).
MALLETTE, L. Z., DUFFERIN TERRACE REPAIRS, & C. : Ques. (Mr. *Monct*) 5775 (ii).
MALT (EXCISE) : in Com. of Ways and Means, 3002 (i).
MANILA FIBRE, MANUFACTURE : in Com. of Sup., 6242 (ii).
MANITOBA :
 BRANDON AND SOUTH-WESTERN RY. CO.'S LAND SUBSIDY : prop. Res. (Mr. *Daly*) 5935 (i).
 — EXPERIMENTAL FARM BUILDINGS : Ques. (Mr. *Martin*) 2870 (i).
 BUILDINGS (GOVT.) MAN. AND N.W.T. : M. for Ret.* (Mr. *McMullen*) 450 (i).
 DEAF AND DUMB EDUCATION : Ques. (Mr. *Martin*) 3605 (ii).
 DREDGING : in Com. of Sup., 4622 (ii).
 HALF-BREED LAND GRANTS IN MAN. : M. for Ret. (Mr. *Martin*) 1400 (i).
 — Remarks (Mr. *Martin*) *re* Returns, 1034 (i).
 HOMESTEADS TAKEN, CANCELLED, & C., IN MAN. : M. for Ret.* (Mr. *Martin*) 449 (i).
 HUDSON'S BAY, H.M.'S SOVEREIGNTY : M. for Cor. (Mr. *Mills*, *Bothwell*) 3276 (ii).
 INDUSTRIAL SCHOOL IN MAN. AND N.W.T. : Ques. (Mr. *McMullen*) 2567 (i).
 JAMES'S BAY AND NIPISSING RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6254; in Com., 6358.
 LAND GRANTS TO HALF-BREEDS IN MAN. : M. for Ret. (Mr. *Martin*) 1400 (i).
 — TO MAN. UNIVERSITY : Ques. (Mr. *Martin*) 3091 (i).
 — TO RYS., MAN. AND N.W.T. : Ques. (Mr. *Charlton*) 754, 948 (i).
- MANITOBA—Con.**
MCDONALD, MR., EMPLOYT. BY GOVT. : Ques. (Mr. *Martin*) 2871 (i).
MAN. AND NORTH-WESTERN RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6256 (ii).
 — SCHOOLS, PETS. RESPECTING : Ques. (Mr. *Langelier*) 4309 (ii).
 — SCHOOL CASE AND SUPREME COURT : Ques. (Mr. *Brodeur*) 518 (i).
 — SCHOOLS, PETS. OF R. C. CLERGY : Ques. (Mr. *Tarte*) 1712 (i).
PALMER, ENGINEER, CLAIMS FOR SERVICES : Ques. (Mr. *Perry*) 283 (i).
PENITENTIARY : in Com. of Sup., 3349, 5220 (ii).
ST. ANDREW'S RAPIDS, MAN., IMPROVEMENTS : M. for O.C.'s (Mr. *Martin*) 1972 (i).
SASKATCHEWAN AND WESTERN RY. CO.'S LAND SUBSIDY : prop. Res. (Mr. *Daly*) 6253 (ii).
SEPARATE SCHOOLS, MAN AND N.W.T. : M. for Pet., & c. (Mr. *LaRivière*) 159 (i).
 — Ques. (Mr. *Beausoleil*) 6356 (ii).
SCHOOL ACTS 1890, PET. FROM R.C. CLERGY : M. for copy (Mr. *Devlin*) 2414 (i).
 — Ques. (Mr. *Tarte*) 1712 (i).
TIMBER SALES ON WHITEMOUTH RIVER, & C. : M. for Ret.* (Mr. *Martin*) 2424 (i).
UNIVERSITY OF MAN., LAND GRANT : Ques. (Mr. *Martin*) 3091 (i).
WEIGHTS AND MEASURES INSPECTOR, N.W.T. : Ques. (Mr. *Martin*) 2871 (i).
WINNIPEG "STANDARD," GOVT. ADVERTISING : Ques. (Mr. *Martin*) 754, 841 (i).
 [See DEPARTMENTS, "RETURNS," & c.]
- Man. and North-western Ry. Co. of Can. B. No. 108** (Mr. *Taylor*). 1st*, 2784; 2nd*, 3088; in Com., 4040, 4664; 3rd*, 4664. (57-58 *Vic.*, c. 79.)
MAN. AND N.W.T. SCHOOLS : M. for Cor. (Mr. *Tarte*) 159, 1600, 1992, 2042 (i).
 Deb. (Mr. *Davin*) 173, 1600; (Mr. *Brodeur*) 1992; (Mr. *Macdowall*) 2016; (Mr. *Legris*) 2020 (ii); (Sir *John Thompson*) 2042; (Mr. *Laurier*) 2065; (Mr. *Devlin*) 2068.
MAN. UNIVERSITY : on M. for Com. of Sup. :
 Deb. (Mr. *Martin*) 3451, 3472; (Sir *John Thompson*) 3467; (Mr. *Laurier*) 3470; (Sir *Richard Cartwright*) 3476; (Mr. *Daly*) 3478; (Mr. *Davin*) 3480; (Mr. *McCarthy*) 3482 (ii).
MANITOULIN AND NORTH SHORE RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6254 (ii).
MANUALS FOR MILITIA, ISSUE OF COPIES : Ques. (Mr. *Hughes*) 368 (i).
MANY, J. B. COR. WITH GOVT. *re* SWING BRIDGE : M. for copy.* (Mr. *Bechard*) 1991 (i).
MAPLE SUGAR, CLASSIFICATION UNDER TARIFF : Ques. (Mr. *Rider*) 453, 1119 (i).
 — in Com. of Ways and Means, 5848 (ii).
MAPS AND CHARTS : in Com. of Ways and Means, 1927 (i).
MARINE :
 BOUNTY ON FRENCH-BUILT SHIPS : Ques. (Sir *Richard Cartwright*) 1219 (i).
 CAPTAINS AND MATES, CERTIFICATED : M. for Cor., & c.* (Mr. *Davies*, *P.E.I.*) 451 (i).
 COAL FOR FOG ALARMS, TENDERS : Ques. (Mr. *Bowers*) 2869 (i).

MARINE—*Con.*

- CAN.-BUILT SHIPS, DRAWBACKS OR BOUNTY: M. for O.C.'s* (Mr. *Amyot*) 1399 (i).
- DEPTL. REP.: presented (Sir *Charles Tupper*) 1116, 2212 (i).
- Ques. (Mr. *Davies, P. E. I.*) 289 (i).
- DRAWBACKS TO SHIPBUILDERS, 1865 TO 1879: Ques. (Mr. *Amyot*) 2293 (i).
- FERRIES, &c. See "Captains."
- FRANCE AND CAN. SS. SERVICE: M. for Cor.* (Mr. *Tarte*) 2783 (i).
- FRENCH-BUILT SHIPS, BOUNTY: Ques. (Sir *Richard Cartwright*) 1219 (i).
- HOSPITALS: in Com. of Sup., 4736 (ii).
- ST. JOHN, N B.: Ques. (Mr. *Bowers*) 843 (i).
- IN COM. OF SUP., 3273, 6233 (ii).
- "WILLIE MCGOWAN," SEIZURE BY RUSSIANS: M. for Cor. (Mr. *McDungall, Cape Breton*) 1570 (i).
- [See PROVINCES, "RETURNS," "SUPPLY," &c.]
- MARITIME PROVINCES, FISHERIES: Remarks (Mr. *Kaullbach*) to Com. of Sup., 5406 (ii).
- HARBOURS AND RIVERS, REPAIRS AND IMPROVEMENTS: in Com. of Sup., 4469 (ii).
- Marking, &c. See "FRAUDULENT."
- MARTIN, JOSEPH, MEMBER FOR WINNIPEG: introduced, 2.
- MARTINI-METFORD, &c., RIFLES PURCHASED: Ques. (Mr. *Hughes*) 368 (i).
- Masters' and Mates' (Certificates) Act Amt. B. No. 130 (Sir *Charles Hibbert Tupper*). Res. prop., 2939; in Com., 4959; 1^o of B., 3367; 2^o, 4589; in Com. and 3^o, 4894. (57-58 *Vic., c. 42.*)
- MASTERS AND MATES, CERTIFICATED: M. for Cor., &c. (Mr. *Davies, P. E. I.*) 451 (i).
- MATANE LIGHTHOUSE, CARETAKER: Ques. (Mr. *Langlier*) 4051 (ii).
- MEDALS FOR GOOD SERVICE, VOLUNTEERS: Mr. *Fraser* 1792 (i).
- MEDICAL ATTENDANCE, INDIANS: in Com. of Sup., 4826, 4841, 5460 (ii).
- MEDICINAL PREPARATIONS: in Com. of Ways and Means, 1949 (i); conc., 4017 (ii).
- Medicine Hat Ry. and Coal Co.'s B. No. 64 (Mr. *Ross, Lisgar*). 1^o*, 1113; 2^o*, 1367; in Com. and 3^o*, 2724. (57-58 *Vic., c. 80.*)
- MEDICINES, &c., MOUNTED POLICE: in Com. of Sup., 4636 (ii).
- MEMBERS INTRODUCED: 2 (i), 3273, 5368 (ii).
- NEW, NOTIFICATION (Mr. *Speaker*) 2, 3077, 5368 (ii).
- MEMBER FOR WINNIPEG: Objection (Mr. *Mills, Bothwell*) to Ques., 1565 (i).
- MEMRAMCOOK STATION RECEIPTS: Ques. (Mr. *Wood, Westmoreland*) 2131 (i).
- Mercantile Agencies. See "DETECTIVE."
- MERRICK & CONNOLLY, GRATUITIES: in Com. of Sup., 5464 (ii).
- MESSENGERS' BONUS, LIBRARY: in Com. of Sup., 5228 (ii).
- SUPREME COURT: in Com. of Sup., 3342 (ii).
- METEOROLOGICAL SERVICE: in Com. of Sup., 4733 (ii).
- METHYLATED SPIRITS: in Com. of Sup., 4767 (ii).

Métis, Matane and Gaspé Ry. Co.'s incorp. B. No. 78 (Mr. *Turcotte*). 1^o*, 1219; 2^o*, 1368; in Com. and 3^o*, 4027. (57-58 *Vic., c. 81.*)

Militia. See "LAND GRANTS."

MILITIA:

- AMALGAMATION OF BATTALIONS: Remarks (Mr. *Patterson, Huron*) 6413.
- DEPTL. REP.: Remarks (Mr. *Casey*) 1787.
- DELAY IN PUBLISHING: Ques. (Mr. *Mulock*) 947.
- HERBERT, GENERAL AND ADDRESS TO FRENCH BATT.: Ques. (Mr. *Hughes*) 2783 (i).
- HERBERT, MAJOR-GENERAL, PUBLICATION OF REPORT re MILITIA: Ques. (Mr. *Mulock*) 287 (i).
- IN COM. OF SUP., 4884, 5098, 5429, 6234, 6244 (ii).
- MANUALS FOR MILITIA, ISSUE OF COPIES: Ques. (Mr. *Hughes*) 368 (i).
- MARTINI-METFORD, &c., RIFLES PURCHASE: Ques. (Mr. *Hughes*) 368 (i).
- MILITIAMEN, REBELLION 1885: in Com. of Sup., 3502.
- MILITARY GRADUATES, &c.: Ques. (Mr. *Mulock*) 281.
- M. for Ret. (Mr. *Mulock*) 366.
- RET. RESPECTING: Ques. (Mr. *Edgar*) 952 (i).
- PENSIONS, MILITIA, PERMANENT CORPS: prop. Res. (Mr. *Prior*) 3093 (i).
- PERMANENT MILITIA CORPS: Ques. (Mr. *Casey*) 4310.
- POWELL, COL., SUSPENSION: Remarks (Mr. *Tisdale*) on Com. of Sup., 6155 (ii).
- QUARTERMASTER GENERAL, APPMNT.: Ques. (Mr. *Mulock*) 2299 (i).
- SEPARATE MILITARY DISTRICT FOR P. E. I.: Ques. (Mr. *Davies, P. E. I.*) 1794 (i).
- VILLIERS, LIEUT.-COL., CAUSE OF RETIREMENT: Ques. (Mr. *Hughes*) 368 (i).
- VOLUNTEERS GOOD SERVICE MEDALS: Ques. (Mr. *Fraser*) 1792 (i).
- VOLUNTEERS OF 1837-38: Ques. (Mr. *McLennan*) 4192 (ii).
- [See PROVINCES, "RETURNS," "SUPPLY," &c.]
- SEPARATE MILITARY DISTRICT FOR P. E. I.: Ques. (Mr. *Davies*) 1794 (i).
- MILLE ISLE RIVER FISHERIES: Ques. (Mr. *Girouard, Two Mountains*) 1794 (i).
- MILL RIVER FLAG STATION, P. E. I. RY.: M. for Cor. (Mr. *Perry*) 2773 (i).
- Ques. (Mr. *Perry*) 283, 3303 (i).
- MININEGASH (P. E. I.) DREDGING CONTRACT: Ques. (Mr. *Perry*) 284, 2039 (i).
- MINING MACHINERY, FREE IMPORTS: M. for Ret.* (Mr. *Mara*) 452.
- in Com. of Ways and Means, 3069 (i).
- MISCELLANEOUS FISHERIES: in Com. of Sup., 5026, 6513 (ii).
- JUSTICE, REVISING CORRESPONDENCE: in Com. of Sup., 6241 (ii).
- MISSISSAUGA INDIANS, CREDIT ON TRUST FUND: Ques. (Mr. *Patterson, Brant*) 597.
- MITCHELL, R., M. D., INCREASED SALARY: in Com. of Sup., 6243 (ii).
- MODUS VIVENDI MEMO. re FISHING VESSELS: presented (Sir *Charles Hibbert Tupper*) 150.
- MOORE, J. C., EMPLOYT. BY GOVT.: Ques. (Mr. *Devlin*) 4049.

- Moncton and P.E.I. Ry. and Ferry Co.'s B. Acts Amt. B. No. 103** (Mr. *McInerney*). 1*, 2289; 2*, 2412; in Com. and 3*, 4027. (57-58 *Vic.*, c. 82.)
- MONPETIT, J., APPMT. as FISHERY OVERSEER: M. for O.C.'s* (Mr. *Harwood*) 1398.
- MONTFORT COLONIZATION Co.'s SUBSIDY: prop. Res. (Mr. *Haggart*) 6357; in Com., 6414.
- MONTMAGNY POSTMASTER: Ques. (Mr. *Destisle*) 687 (i).
- Montreal and Ottawa Ry. Co.'s B. No. 48** (Mr. *Baker*). 1*, 841; 2*, 1151; in Com. and 3*, 2412. (57-58 *Vic.*, c. 85.)
- MONTREAL AND OTTAWA RY. Co.'s SUBSIDY: prop. Res. (Sir *John Thompson*) 6050; in Com., 6277.
- MONTREAL BOARD OF TRADE AND SHIPPING MASTER: Ques. (Mr. *Casby*) 2294.
- CUSTOMS COLLECTORSHIP: Ques. (Sir *Richard Cartwright*) 289 (i).
- Remarks (Mr. *Devlin*) 4312 (ii).
- HALL, DRILL HALL, PAVING: Ques. (Mr. *Lépine*) 1398 (i).
- Montreal Harbour Commissioners' Acts Amt. B. No. 110** (Sir *Charles Hibbert Tupper*). 1*, 2725; 2* and in Com., 4643; 3*, 4646. (57-58 *Vic.*, c. 48.)
- Montreal Island Belt Line Ry. Co.'s B. No. 59** (Mr. *Bergeron*). 1*, 1030; 2*, 1151; in Com., 4027; recom. 5521, 3*, 5523. (57-58 *Vic.*, c. 83.)
- Montreal, Ottawa and Huron Canal Co.'s incorp. B. No. 138** (Mr. *Macdonell*). 1*, 4101; 2*, in Com. 4233 and 3*, 5523. (57-58 *Vic.*, c. 103.)
- Montreal Park and Island Ry. Bridge Co.'s B. No. 68** (Mr. *Girouard, Jacques Cartier*). 1*, 1113; 2*, 1368; in Com., 5288, 5484; 3*, 5485. (57-58 *Vic.*, c. 84.)
- MONTREAL PARK AND ISLAND RY.: Correction (Mr. *Sutherland*) 5521.
- P. O., CONTRACT FOR ELEVATORS: Ques. (Mr. *Landerkin*) 75.
- DIVISION INSPECTORSHIP: Ques. (Mr. *Brodeur*) 517 (i).
- STREET LETTER BOX CONTRACT: Ques. (Mr. *McMullen*) 1397 (i).
- MONUMENTS, BATTLEFIELDS OF CANADA: in Com. of Sup., 4884, 6249 (ii).
- SIR JOHN MACDONALD AND MAISONNEUVE: in Com. of Sup., 6512 (ii).
- MORNING SITTINGS, HOUSE OF COMMONS: M. (Sir *John Thompson*) 6253 (ii).
- MORRISBURG "HERALD" AND WILLIAMSBURG CANAL SUPERINTENDENT: Ques. (Mr. *Landerkin*) 285 (i).
- MORTON, WM., CUSTOMS COLLECTOR, SUSPENSION, &c.: Ques. (Mr. *McMullen*) 368 (i).
- Mounted Police.** See "NORTH-WEST."
- MOUNTED POLICE, APPMT. OF GILPIN BROWN: Ques. (Mr. *McMullen*) 2566 (ii).
- MEDALS AND SCRIP: Ques. (Mr. *Davin*) 2040.
- in Com. of Sup., 3502, 4629 (ii).
- REP.: presented (Mr. *Ives*) 1327 (i).
- MURRAY CANAL: in Com. of Sup., 4154 (ii).
- MUSICAL INSTRUMENTS: in Com. of Ways and Means, 2403 (i).
- MUSTARD, JNO., DIFFERENCE IN SALARY: in Com. of Sup., 6243 (ii).
- MUTTON AND LAMB: in Com. of Ways and Means, 1487 (i).
- Mutual Life.** See "ONTARIO."
- NAKUSP AND SLOCAN RY. Co.'s SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6405 (ii).
- NATIONAL ART GALLERY: in Com. of Sup., 4474, 5458 (ii).
- NATIONAL BANK, SALE OF LOTS: Ques. (Mr. *Martin*) 2567 (i).
- NEGRO POINT BREAKWATER: in Com. of Sup., 4465 (ii).
- NEW BRUNSWICK:**
- "ADMIRAL" SS., AND N.B. MAIL SERVICE: Ques. (Mr. *Fauvel*) 687 (i).
- BLANCHARD, THEOTIME, ESQ., MEMBER FOR GLOUCESTER, N.B.: introduced, 3273 (ii).
- CENTRAL RY. Co.'s SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).
- COLLEGE BRIDGE STATION RECEIPTS: Ques. (Mr. *Wood, Westmoreland*) 2131 (i).
- CUSTOMS: in Com. of Sup., 5067 (ii).
- ELLIS, JOHN V. See general heading.
- FISH-WAY AT MADUXNAKEAG: Ques. (Mr. *Colter*) 158 (i).
- HERRING FISHING, BAY OF FUNDY: Ques. (Mr. *Perry*) 283 (i).
- I.C.R., HARRIS PROPERTY, AMOUNT PAID: Ques. (Mr. *Davies, P.E.I.*) 156, 158 (i).
- HARRIS PROPERTY, ST. JOHN: M. for Cor., &c.* (Mr. *Davies, P.E.I.*) 451 (i).
- MEMRAMCOOK, &C., STATION RECEIPTS: Ques. (Mr. *Wood, Westmoreland*) 2131 (i).
- See general heading.
- JOGGINS AND HERBERT RIVER RY. Co.'s SUBSIDY: prop. Res. (Sir *John Thompson*) 6052; in Com., 6287 (ii).
- JUDICIARY OF NEW BRUNSWICK: M. for Cor., &c. (Mr. *Davies, P.E.I.*) 128 (i).
- on Adjmt.: Remarks (Mr. *Davies, P.E.I.*) 5.
- on M. to adjn. House: Remarks (Mr. *Davies, P.E.I.*) 5, 11 (i).
- MADUXNAKEAG FISH-WAY: Ques. (Mr. *Colter*) 158 (i).
- NEWPORT, &C., AND STEWIAKKE RY. SUBSIDY: prop. Res. (Mr. *Haggart*) 6255; in Com., 6385 (ii).
- NORTON AND SUSSEX (I.C.R.) RY. SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6408 (ii).
- PALMER, EX-JUDGE: Remarks (Mr. *Davies, P.E.I.*) 181 (i).
- ST. JOHN MARINE HOSPITAL: Ques. (Mr. *Bowers*) 843 (i).
- SUPREME COURT (N.B.) SENTENCE re J. V. ELLIS: M. for Ret.* (Mr. *Davies, P.E.I.*) 452 (i).
- WESTON (N.B.) P.O. ESTABLISHMENT: Ques. (Mr. *Colter*) 520 (i).
- WOODSTOCK (N.B.) PREVENTIVE OFFICER: Ques. (Mr. *Davies, P.E.I.*) 2133 (i).
- [See DEPARTMENTS, RETURNS, &C.]
- NEWCASTLE AND DOUGLASTOWN RY. SUBSIDY: prop. Res. (Sir *John Thompson*) 6052; in Com., 6286.
- NEWFOUNDLAND FISHING LICENSES: Ques. (Mr. *Kaulbach*) 1396 (i).

NEW GLASGOW IRON, COAL AND RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6256 (ii).

NEWPORT, &C., AND STEWACKE RY. SUBSIDY : prop. Res. (Mr. *Haggart*) 6253 ; in Com., 6385 (ii).

NEWSPAPER ADVERTISING, CLASSES A, B, C : Ques. (Sir *Richard Cartwright*) 685 (i).

— CRITICISM, PAR. IN OTTAWA *Citizen*, &C. : Ques. (Mr. *Mulock*) 2943 (i).

— *re*SPEECH : Ques. of Privileges (Mr. *McMullen*) 2786 (i).

NEWSPAPERS, &C., in Com. of Ways and Means, 2722.

— TENDERS FOR SALE ON I.C.R. : Ques. (Mr. *Choquette*) 1031 (i).

NEWSTADT BREWERY, INLAND REVENUE : Ques. (Mr. *Landerkin*) 2621, 2938 (i).

New Westminster and Burrard Inlet Telephone Co.'s B. No. 52 (Mr. *Mara*). 1^o*, 841 ; 2^o*, 1151 ; withdn.

New York, New England and Can. Co.'s incorp. B. No. 71 (Mr. *Flint*). 1^o, 1218 ; 2^o*, 1368 ; in Com. and 3^o*, 4887. (57-58 *Vic.*, c. 113.)

NIAGARA FALLS AND FORT ERIE, EXPORTS AND IMPORTS : Ques. (Mr. *Featherston*) 5829 (ii).

Niagara Falls Electric Ry. Bridge Co.'s incorp. B. No. 67 (Mr. *Montague*). 1^o*, 1113 ; 2^o*, 1368.

Niagara Falls Suspension Bridge Co.'s Debenture B. No. 66 (Mr. *Lowell*). 1^o*, 1113 ; 2^o*, 1368 ; in Com. and 3^o*, 3273. (57-58 *Vic.*, c. 98.)

Niagara Grand Island Bridge Co.'s B. No. 32 (Mr. *Ingram*). 1^o*, 682 ; 2^o*, 886 ; in Com. and 3^o*, 2391. (57-58 *Vic.*, c. 99.)

NIAGARA RIVER, POLLUTION BY GARBAGE : Ques. (Mr. *Lowell*) 4307 (ii).

NICOLET CATHEDRAL, DISALLOWANCE OF ACT : Ques. (Mr. *Leduc*) 2621 (i), 4717 (ii).

NICOLET VALLEY RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6256 ; in Com., 6403 (ii).

NINE MILE CREEK : in Com. of Sup., 5232 (ii).

NITRO-GLYCERINE : in Com. of Ways and Means, 3026 (i).

Northern Life Assurance Co. of Can. incorp. B. No. 51 (Mr. *Mulock*). 1^o*, 841 ; 2^o*, 1151 ; in Com. and 3^o*, 3602. (57-58 *Vic.*, c. 122.)

NORTH HASTINGS MAIL SERVICE, CONTRACT : Ques. (Mr. *Macdonald, Huron*) 3092 (i).

NORTH RIVER, ARGENTEUIL, FISHWAYS : Ques. (Mr. *Girouard, Two Mountains*) 950, 1793 (i).

NORTH SHORE SECTION, C.P.R. : Ques. (Mr. *Frémont*) 948 (i).

NORTH SYDNEY BRANCH RY., EXTENSION : in Com. of Sup., 3517 (ii).

NORTH WAKEFIELD MAIL SERVICE : Ques. (Mr. *Devlin*) 2870 (i).

North-west Mounted Police Act Amt. B. No. 111 (Mr. *Ives*). Res. prop., 3244 ; in Com., 4593 ; 1^o* of B., 3240 ; 2^o, 4591 ; in Com., 4646, 4664 ; 3^o*, 4818. (57-58 *Vic.*, c. 27.)

NORTH-WEST TERRITORIES :

ABBOTSFORD AND MOOSOMIN RY. SUBSIDY : prop. Res. (Mr. *Haggart*) 6256 ; in Com., 6492 (ii).

BANFF NATIONAL PARK, SALE OF LOTS : Ques. (Mr. *Martin*) 2567 (i).

BUFFALO BREEDING RANCH : Ques. (Mr. *Davin*) 2039 (i).

CALGARY, SETTLERS FROM U.S., NUMBER, &C. : M. for Ret. (Mr. *Martin*) 2415 (i).

CATTLE RANCH (GOVT.) FORT MACLEOD : M. for Papers, &c * (Mr. *Charlton*) 449 (i).

LAND GRANTS (MAN. AND N.W.T.) TO RELIGIOUS DENOMINATIONS : M. for Ret.* (Mr. *Charlton*) 449.

LOANS TO SETTLERS IN N.W.T. : M. for List (Mr. *LaRivière*) 3100.

MOUNTED POLICE, MEDALS AND SCRIP : Ques. (Mr. *Davin*) 2040.

ORDINANCES (N.W.T.) 1882, PETITION FROM R. C. CLERGY : M. for copy (Mr. *Devlin*) 2414.

ROCKY MOUNTAIN RY. AND COAL CO.'S LAND SUBSIDY : prop. Res., 5935 ; in Com.

ROSSEAU RIVER, &C., ENGINEERS' REP. : M. for copies* (Mr. *LaRivière*) 1398 (i).

SETTLERS FROM U.S. TO N.W.T., NUMBER, &C. : M. for Ret. (Mr. *Martin*) 2415.

SCHOOL QUESTION (N.W.T. AND MAN.) GOVT. CONFERENCE WITH LIEUT.-GOVS. : Ques. (Mr. *Tarte*) 1222, 1712 (i).

[See DEPARTMENTS, RETURNS, &C.]

N.W.T. Acts Amt. B. No. 5 (Mr. *Daly*). 1^o, 79 ; 2^o*, 2490 ; in Com., 2490, 2788 ; 3^o*, 2943. (57-58 *Vic.*, c. 15.)

— **B. No. 10** (Mr. *McCarthy*). 1^o, 138.

— **B. No. 133** (Mr. *Daly*). 1^o, 3668 ; Order for, 2^o, dschgd., 4890.

— **B. No. 149** (Mr. *Daly*). 1^o, 4890 ; 2^o* and in Com., 5166 ; 3^o m., 6080 ; Amt. (Mr. *McCarthy*) 6080 ; 3^o*, 6153. (57-58 *Vic.*, c. 1.)

Deb. on Amt. : (Mr. *Hughes*) 6089 ; (Mr. *Amyot*) 6103 ; (Mr. *Laurier*) 6105 ; (Mr. *Daly*) 6113 ; (Mr. *Mills, Bothwell*) 6119 ; (Sir *John Thompson*) 6126 ; (Mr. *Craig*) 6130 ; (Mr. *LaRivière*) 6133 ; (Mr. *Denison*) 6135 ; (Mr. *McNeill*) 6136 ; (Mr. *Davin*) 6138 ; (Mr. *McMullen*) 6143 ; (Mr. *Sproule*) 6146.

N.W.T. Ballot Extension B. No. 7 (Mr. *Martin*). 1^o*, 79 ; 2^o, 2338 ; in Com., 2490 ; withdn., 4088.

N.W.T. Further Act Amt. B. 86 (Mr. *Davin*). 1^o, 1396 (i).

N. W. T. INDIANS : in Com. of Sup., 6232 (ii).

NORTHUMBERLAND STRAITS, BORINGS, &C. : Ques. (Mr. *Perry*) 284 (i).

— CLAIM OF ENGINEER PALMER : Ques. (Mr. *Perry*) 283 (i).

NORTON AND SUSSEX, I.C.R., RY. SUBSIDY : prop. Res. (Mr. *Haggart*) 6256 ; in Com., 6408 (ii).

NOTICES OF MOTION : Remarks (Mr. *Paterson, Brant*) 2136 (i).

NOVA SCOTIA :

BAY OF FUNDY HERRING FISHERIES : Ques. (Mr. *Bowers*).

BOSTON AND NOVA SCOTIA AND COAL RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6255 (ii).

BOUNTY TO FISHERMEN, PROSECUTION FOR FRAUD : Ques. (Mr. *Bowers*) 3092 (i).

NOVA SCOTIA--*Con.*

- BOURINOT, C., COLLECTOR OF CUSTOMS AND JOURNALIST: Ques. (Mr. *Fraser*) 2131 (i).
- BREAKWATERS IN GUYSBORO' COUNTY: Ques. (Mr. *Fraser*) 157, 282 (i).
- BROAD COVE AND ORANGEDALE RY.: Ques. (Mr. *Fraser*) 1710 (i).
- CAMPBELLFORD SUB-COLLECTOR OF CUSTOMS: Ques. (Mr. *McMullen*) 3000 (ii).
- CANADA EASTERN RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256 (ii).
- CAPE BRETON RY. EXTENSION CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256 (ii).
- SUB-COLLECTOR'S CLAIM: Ques. (Mr. *Davies, P. E. I.*) 2297 (i).
- MAIL SERVICE: Ques. (Mr. *Fraser*) 844 (i).
- CAPE CANSO, SURVEYS: Ques. (Mr. *Fraser*) 1795 (i).
- CHIGNECTO MARINE RY., SUMS PAID ON ACCOUNT: Ques. (Mr. *Rider*) 754 (i).
- DIGBY PIER, DAMAGE TO: Remarks (Mr. *Bowers*) 1037 (i).
- DREDGING: in Com. of Sup., 4697 (ii).
- EASTERN EXTENSION RY., CHARGES AGAINST TICKET AGENT: M. for Cor.* (Mr. *Cameron*) 2424 (i).
- EASTERN HARBOUR, C. B., LIGHTHOUSE: Ques. (Mr. *Davies, P. E. I.*) 2412 (i).
- FISHERIES: in Com. of Sup., 4738 (ii).
- See general heading.
- FOG ALARMS, TENDERS FOR COAL: Ques. (Mr. *Bowers*) 2869 (i).
- GEOLOGICAL SURVEY, LUNENBURG COUNTY: Ques. (Mr. *Kaulbach*) 1397 (i).
- GUYSBORO' COUNTY BREAKWATERS: Ques. (Mr. *Fraser*) 157 (i).
- INDUSTRIES, DESCRIPTION, &c.: Ques. (Mr. *Fraser*) 1972 (i).
- PUBLIC WORKS, EXPENDITURE: Ques. (Mr. *Fraser*) 282 (i).
- HARVEY BRANCH RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6052 (ii).
- HAWKESBURY AND PORT MULGRAVE STEAM FERRY: M. for Cor.* (Mr. *Cameron*) 2424 (i).
- HERRING AND LOBSTER FISHERIES: M. for Cor. (Mr. *Bowers*) 2467, 2767 (i).
- I. C. R., SALE OF SCRAP IRON: Ques. (Mr. *Borden*) 4177 (ii).
- FREIGHT RATES ON GRAIN: Ques. (Mr. *Bowers*) 2292 (i).
- HARRIS PROPERTY, ST. JOHN, PURCHASE, &c.: M. for Cor.* (Mr. *Davies, P. E. I.*) 451 (i).
- INVERNESS, MAIL CONTRACT: Ques. (Mr. *Fraser*) 597 (i).
- ISAAC'S HARBOUR, APPMT. OF LIGHTHOUSE-KEEPER: Ques. (Mr. *Fraser*) 845 (i).
- LAWRENCE, C. C., TICKET AGENT, CHARGES AGAINST: M. for Cor.* (Mr. *Cameron*) 2424 (i).
- LUNENBURG INDUSTRIES ESTABLISHED: M. for Ret.* (Mr. *Forbes*) 1991 (i).
- MAIL SERVICE, CAPE BRETON: Ques. (Mr. *Fraser*) 844 (i).
- CANSO, &c.: Ques. (Mr. *Fraser*) 519.
- INVERNESS CO.: Ques. (Mr. *Fraser*) 597 (i).
- NEW GLASGOW IRON, COAL AND RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256 (ii).
- PORT HAWKESBURY AND CHETICAMP RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6395 (ii).
- PICKET'S PIER REPAIRS: M. for Ret. (Mr. *Borden*) 2754 (i).

NOVA SCOTIA--*Con.*

- PORT MULGRAVE AND CANSO STEAM FERRY: M. for Cor.* (Mr. *Cameron*) 2424 (i).
- PUBLIC WORKS SINCE 1878, EXPEND.: M. for Stmt. (Mr. *Fraser*) 366 (i).
- QUEEN'S, INDUSTRIES ESTABLISHED: M. for Ret. (Mr. *Forbes*) 1789, 1991 (i).
- REVISING BARRISTER, RESIDENCE: Ques. (Mr. *Forbes*) 1222 (i).
- QUEEN'S AND SHELBURNE: Ques. (Mr. *Forbes*) 1222 (i).
- SHELBURNE INDUSTRIES ESTABLISHED: M. for Ret. (Mr. *Forbes*) 1991 (i).
- Ques. (Mr. *Forbes*) 1789 (i).
- REVISING BARRISTER, RESIDENCE: Ques. (Mr. *Forbes*) 1222 (i).
- SOUTH-EASTERN RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).
- TERMINUS EAST ATLANTIC SS. SERVICE: Ques. (Mr. *Gillies*) 4051 (ii).
- Ques. (Mr. *Cameron*) 4196 (ii).
- TICKET AGENT, PORT HASTINGS, CHARGES AGAINST: M. for Cor.* (Mr. *Cameron*) 2424 (i).
- UNITED COUNTIES RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6390 (ii).
- VINTON POSTMASTER, APPMT. AND DISMISSAL: Ques. (Mr. *Fraser*) 2732 (i).

[See DEPARTMENTS, RETURNS, &c.]

Nova Scotia Steel Co.'s incorp. B. No. 131 (Mr. *Fraser*). 1st, 3668; 2nd, 4027; in Com. and 3rd, 4887. (57-58 *Vic.*, c. 117.)

NUTS (SHELLED): in Com. of Ways and Means, 1784.

OAKVILLE PIER AND LIGHTHOUSE, REBUILDING: Ques. (Mr. *Gibson*) 2622 (i).

Oaths. See "ADMINISTRATION," "SEDITIONOUS," "WITNESSES," &c.

OATMEAL: in Com. of Ways and Means, 1715 (i).

OATS: in Com. of Ways and Means, 1563 (i).

OBSERVATORY, QUEBEC, W. A. ASHE'S SUCCESSOR: Ques. (Mr. *Choquette*) 4308 (ii).

OBSTRUCTION, &c., TO OCEAN AND RIVER SERVICE: in Com. of Sup., 4697 (ii).

OCEAN AND RIVER SERVICE: in Com. of Sup., 4683, 6513 (ii).

Ocean Freight Rates on Cattle B. No. 8 (Mr. *Mulock*). 1st, 128; 2nd m. (Mr. *McMullen*) 4545; deb. adjd., 4557.

Ocean Steamship Subsidies Act Amt. B. No. 161 (Mr. *Foster*). Res. prop., 3450; in Com., 5710; conc. in and 1st of B., 5777; 2nd m., 5336; 2nd m. on div., 5967; in Com., 5970; 3rd, 6053. (57-58 *Vic.*, c. 8.)

— See "Atlantic."

OFFICIAL ASSIGNEES UNDER INSOLVENT ACT, 1875: Ques. (Mr. *Fauvel*) 1792 (i).

OLIVE OIL: in Com. of Ways and Means, 2090 (i).

ONTARIO:

BARWICK, F. D., EMPLOYT. BY GOVT. (Mr. *Casey*) 4050.

BAY OF QUINTE, FISHING BY U.S. CITIZENS: Ques. (Mr. *Wilson*) 1791 (i).

BRACEBRIDGE AND BAYSVILLE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) in Com., 6267 (ii).

BRANTFORD, WATERLOO AND LAKE ERIE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6050; in Com., 6263 (ii).

ONTARIO—*Con.*

- BROCKVILLE, WESTPORT AND SAULT STE. MARIE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6049; in Com., 6269 (ii).
- BURLINGTON CANAL, SCOW SERVICE: Ques. (Mr. *Bain, Wentworth*) 949 (i).
- CAMPBELLFORD CUSTOMS SUB-COLLECTOR, SUSPENSION: Ques. (Mr. *McMullen*) 368 (i).
- CARLSRUHE BREWERY, INLAND REVENUE: Ques. (Mr. *Landerkin*) 2622, 2938 (i).
- CATTLE DISEASE IN THE COUNTY OF GREY: Remarks (Mr. *Landerkin*) 521 (i).
- CLEMENT & SON, REP., &C., re BUTTER SALES: M. for copies* (Mr. *McMullen*) 451 (i).
- CORNWALL CANAL. See general heading.
- DUNHAM, H., AND CUSTOMS SUB-COLLECTORSHIP: Ques. (Mr. *McMullen*) 3090 (i).
- DUNN, CAPT. E., SUSPENSION: Ques. (Mr. *Landerkin*) 1564 (i).
- ELGIN AND WOODSTOCK EXPERIMENTAL CREAMERIES, &C.: M. for Ret.* (Mr. *McMullen*) 451 (i).
- EX-FISHERY OVERSEER, ESSEX DISTRICT, ILLEGAL COLLECTIONS: Ques. (Mr. *Allan*) 4052 (ii).
- EXPORTS AND IMPORTS AT NIAGARA FALLS, FORT ERIE: Ques. (Mr. *Featherston*) 5529 (ii).
- FISHERIES. See general heading.
- GEORGETOWN POSTMASTER, DISMISSAL: Ques. (Mr. *Landerkin*) 3440, 3605, 4478 (ii).
- GRANT, JOHN G., LANDING-WAITER, DISMISSAL: Ques. (Mr. *McCarthy*) 4196 (ii).
- GREAT NORTHERN RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255, 6257; in Com., 6410 (ii).
- HICKEY, CHAS. E., SUPT. WILLIAMSBURG CANAL: Ques. (Mr. *Somerville*) 2135 (i).
- Ques. (Mr. *Landerkin*) 285 (i).
- HICKEY, GEO., EMPLOYT. ON CANALS: Ques. (Mr. *McCarthy*) 5044 (ii).
- HILTON GOVT. DOCK, COST, &C.: Ques. (Mr. *Lister*) 1788, 1969, 2620, 3090 (i).
- HURON COUNTY MAIL CONTRACT: Ques. (Mr. *McMillan*) 1566 (i).
- ISLANDS IN ST. LAWRENCE RIVER, SALE: Ques. (Mr. *Landerkin*) 1791 (i).
- KEMPTVILLE POSTMASTER, CHARGES AGAINST: Ques. (Mr. *Lister*) 3872 (ii).
- KENT FISHERY OVERSEER: Ques. (Mr. *Campbell*) 367 (i).
- KINGSTON PENITENTIARY. See general heading.
- LAZIER, LIEUT.-COL., RESIGNATION, &C.: Ques. (Mr. *Mulock*) 752 (i).
- LEGGE, J., SERVICES AS LIGHTHOUSE INSPECTOR: Ques. (Mr. *Landerkin*) 1790 (i).
- LINDSAY, BOBCAYGEON AND PONTYPOOL RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6257 (ii).
- LONDON, PROPERTY LEASE, &C., OF PROPERTY BY GOVT.: Ques. (Mr. *Lister*) 3766 (ii).
- LUNDY'S LANE, COMMEMORATION: Ques. (Mr. *Lowell*) 4307 (ii).
- MCCORMICK'S ISLAND, OWNERSHIP: M. for Cor. (Mr. *Mills, Bothwell*) 1983 (i).
- MCQUEEN, FISHERY OVERSEER, DISMISSAL: M. for Ret. (Mr. *Campbell*) 1984 (i).
- MANITOULIN AND NORTH SHORE RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254 (ii).
- MILITARY COLLEGE, GRADUATES, &C.: M. for Ret.* (Mr. *Mulock*) 366 (i).
- Ques. (Mr. *Mulock*) 281 (i).
- RET. RESPECTING: Ques. (Mr. *Edgar*, 952 (i).
- Remarks (Mr. *Edgar*) 952 (i).

ONTARIO—*Con.*

- MISSISSAUGA INDIANS, CREDITON TRUST FUND: Ques. (Mr. *Paterson, Brant*) 597 (i).
- MORTON, WM., CUSTOMS COLLECTOR, SUSPENSION, &C.: Ques. (Mr. *McMullen*) 368 (i).
- NEWCASTLE AND DOUGLASTOWN RY. SUBSIDY: prop. Res. (Sir *John Thompson*) 6052; in Com., 6286.
- NEWTADT BREWERY, INLAND REVENUE: Ques. (Mr. *Landerkin*) 2621, 2938 (ii).
- NIAGARA FALLS AND FORT ERIE, EXPORTS AND IMPORTS: Ques. (Mr. *Featherston*) 5829 (ii).
- NIAGARA RIVER, POLLUTION BY GARBAGE: Ques. (Mr. *Lowell*) 4307 (ii).
- NORTH HASTINGS MAIL SERVICE, CONTRACT: Ques. (Mr. *Macdonald, Huron*) 3092 (i).
- OAKVILLE PIER AND LIGHTHOUSE, REBUILDING: Ques. (Mr. *Gibson*) 2622 (i).
- ONT. FISHERIES, DEPTL. ORDERS: M. for copies (Mr. *McGregor*) 1579 (i).
- ONT. FISHERY REGULATIONS: Ques. (Mr. *Lister*) 843.
- ONT. LEGISLATURE, APPMNT. OF MEMBERS BY DOM. GOVT.: M. for Ret. (Mr. *Macdonald, Huron*) 453.
- PAYMENTS BY DOM. GOVT TO MEMBERS: M. for Ret. (Mr. *Macdonald, Huron*) 452 (i).
- OTTAWA CITY MAIL SERVICE CONTRACT: Ques. (Mr. *McMullen*) 3091 (i).
- EXPERIMENTAL FARM EMPLOYEES: Ques. (Mr. *Beausoleil*) 4478 (ii).
- OWEN SOUND POSTMASTERSHIP, VACANCY: Ques. (Mr. *Grieve*) 519 (i).
- PARRY SOUND COLONIZATION RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6389.
- POINT PELEE, TIMBER: Ques. (Mr. *Allan*) 4052 (ii).
- PORT ALBERT HARBOUR, CONTRACT FOR REPAIRS: Ques. (Mr. *McMillan*) 682 (i).
- ST. CATHARINES AND NIAGARA CENTRAL RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6050; in Com., 6270 (ii).
- ST. LAWRENCE RIVER ISLANDS, SALE: Ques. (Mr. *Landerkin*) 1791 (i).
- ST. JOSEPH'S ISLAND, GOVT. DOCK, COST: Ques. (Mr. *Lister*) 1788 (i).
- ST. THOMAS P.O., BOX RENTS: Ques. (Mr. *Casey*) 4477 (ii).
- MANAGEMENT: Ques. (Mr. *Casey*) 2294 (i).
- SANFORD, SENATOR, VISIT TO WASHINGTON: Ques. (Mr. *Landerkin*) 286, 288 (i).
- SAULT STE. MARIE CANAL. See general heading.
- SEAFORTH, AN OUTPORT OF ENTRY: Ques. (Mr. *McMillan*) 3766 (ii).
- SEINE FISHING LICENSES, LAKE ONT., &C.: Ques. (Mr. *Lister*) 950 (i).
- SHEIK'S ISLAND DAM. See "Cornwall Canal."
- SHIELDS, HAGGART & CO., RENTS ON LIMITS: Ques. (Mr. *Lister*) 1969 (i).
- SIX NATION INDIANS' FUNDS: M. for Ret.* (Mr. *Paterson, Brant*) 1991 (i).
- INDIANS, INDIVIDUAL INDEBTEDNESS: M. for Ret.* (Mr. *Paterson, Brant*) 1399 (i).
- STRATFORD PUBLIC BUILDINGS, FIRE: Ques. (Mr. *Grieve*) 2039 (i).
- STRATHROY AND WESTERN COUNTIES RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6389 (ii).
- SWEETMAN, THOMAS, COMPENSATION FOR DAMAGES: Ques. (Mr. *Dawson*) 1221 (i).
- TAY CANAL, RECEIPTS FROM TOLLS, &C.: Ques. (Sir *Richard Carterright*, 145 (i).

ONTARIO—*Con.*

- THOUSAND ISLANDS, VALUE AND SALES: M. for Reprs., &c.* (Mr. *Mills, Bothwell*) 451 (i).
- — Supt. Genl.'s Rep.: M. for copies* (Mr. *Mills, Bothwell*) 451 (i).
- TILSONBURG, LAKE ERIE AND PACIFIC RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6049; in Com., 6268 (ii).
- TIMBER LIMITS, SHELL RIVER, RENTS: Ques. (Mr. *Lister*) 1969 (i).
- TIMBER ON POINT PELEE: Ques. (Mr. *Allan*) 4052.
- TRENT VALLEY CANAL, COMMISSIONERS' REP.: M. for Rep. (Mr. *Hughes*) 1796 (i).
- — EXPEND.: Ques. (Mr. *Mulock*) 687 (i).
- WEST RIDEAU LAKE, FLOODING OF LANDS: Ques. (Mr. *Dawson*) 1220 (i).
- WOOD, A. E., GOVT. VALUATOR, SUMS PAID: M. for Ret.* (Mr. *McMullen*) 453 (i).
- WOODSTOCK AND CENTREVILLE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6052 (ii).
- WOODSTOCK AND ELGIN EXPERIMENTAL CREAMERIES: M. for Ret.* (Mr. *McMullen*) 451 (i).
- [See DEPARTMENTS, RETURNS, &C.]
- ONT. AND QUEBEC, DREDGING: in Com. of Sup., 4619 (ii).
- — INDIANS: in Com. of Sup., 4826, 6514 (ii).
- — FISHERIES, DEPTL. ORDERS: M. for copies (Mr. *McGregor*) 1579 (i).
- — in Com. of Sup., 4737 (ii).
- — FISHERY REGULATIONS: Ques. (Mr. *Lister*) 843.
- — LEGISLATURE, APPMNT. OF MEMBERS BY DOM. GOVT.: M. for Ret.* (Mr. *Macdonald, Huron*) 453 (i).
- — PAYMENTS BY DOM. GOVT. TO MEMBERS: M. for Ret.* (Mr. *Macdonald, Huron*) 452 (i).
- Ont. Loan and Debenture Co.'s B. No. 38 (Mr. *Moncrieff*). 1^o*, 751; 2^o*, 886; in Com. and 3^o*, 3088. (57-58 *Vic.*, c. 116.)
- — Mutual Life Assurance Co.'s B. No. 28 (Mr. *Bowman*). 1^o*, 682; 2^o*, 885; in Com. and 3^o*, 2120. (57-58 *Vic.*, c. 123.)
- OPIUM (CRUDE): coné., 4013 (ii).
- — in Com. of Ways and Means, 1476 (i).
- ORANGES AND LEMONS: in Com. of Ways and Means, 1781 (i).

ORDER, PRIVILEGE AND PROCEDURE:

ORDER:

DISMISSAL OF CAPT. KENNEY: Action of Investigating Commissioners impugned; Member called to order by Mr. *Chairman*, who ruled that referring to dismissal would be justified, but discussing questions previous to that is out of Order, 4701 (ii).

IMPUTING MOTIVES: Mr. *Davin* called the *Deputy Speaker's* attention to the fact that a Member had made a false statement. Mr. *Deputy Speaker* ruled that said member had no right to use such language, 541 (i).

INTERRUPTIONS OF PROCEEDINGS OF THE HOUSE: Member warned, that in reading letter referring to proceedings in the House is out of Order (Mr. *Speaker*) 1222 (i).

IRRELEVANCY OF DEB.: Member's remarks checked by Mr. *Speaker* for indulging in personalities, 2164.

ORDER, PRIVILEGE, &c.—*Con.*ORDER—*Con.*

IRRELEVANCY OF DEB.: Mr. *Davin* took exception to discussion as being unseemly; Sir *John Thompson* protested against new attack being made upon members, 4989 (ii).

LATITUDE OF DEB.: Members called to order by Mr. *Deputy Speaker* for using personalities in Deb., 4340.

LATITUDE OF DEB.: Member requested to confine himself to subject-matter before the House (Mr. *Speaker*) 1866 (i).

MEMBERS READING SPEECHES: Objection taken by Mr. *Derlin* to the Member for York reading his speech, 860 (i).

MEMBERS' VERACITY impugned by Controller of Customs restatement as to price of flour; denial having been made by said Member and retraction not being made, Sir *Richard Cartwright* raised a point of Order: statement being repeated, the *Deputy Speaker* was asked for his ruling, and decided as the statement was made outside the House, the House had nothing to do with it, 1744; exception taken to the ruling by Mr. *Laurier*.

MR. CHARLTON'S SPEECH AT JARVIS, ONT.: Quotation read in Budget Deb. by Mr. *Sproule*: Rep. read again and correctness doubted, 846 (i).

OBSTRUCTING BUSINESS: Member's remarks challenged and out of Order if such charges are made (Mr. *Speaker*) 3173 (i).

SINCERITY OF MEMBER QUESTIONED: Objection taken by Mr. *Laurier* and ruling of Mr. *Speaker* asked: Ruled that Member had no right to charge insincerity against Members, 2166; authorities quoted in support of ruling, 2185 (i).

SUPERANNUATION: On Res. for Com.: Mr. *Charlton* took exception to Mr. *Deputy Speaker's* calling Member to Order for indulging in personalities, 4341.

UNPARLIAMENTARY EXPRESSIONS IN DEB.: on Res. re Superannuation, Mr. *Laurier* objected to language used towards a Member and called for Mr. *Deputy Speaker's* ruling, 4341; Member requested to withdraw language; withdrawn, 4342 (ii).

PRIVILEGE:

FISHERMEN'S SUPPLIES: Paragraph in Halifax *Herald* criticising Mr. *McMullen's* speech in Com. of Ways and Means, explanation, 2786 (i).

INQUIRIES FOR RETURNS: Attention of the House called to the inconvenience of entering into discussions upon the Orders of the Day (Mr. *Speaker*) 4102.

MANITOBA SCHOOL QUESTION: Editorial in *L'Electeur* criticising the actions of certain French Members: denial by Mr. *Fréchette*, 2410 (i).

MR. MULOCK AND FRENCH-SPEAKING MEMBERS: Paragraph in Ottawa *Citizen* and other papers alleging that he had insulted them, repudiated, 2943 (i).

MR. TARTE AND MR. MCGREEVY: Paragraph in *L'Événement* re Mr. Justice Bossé and cheque, contradicted by Mr. *Tarte*, 5994 (ii).

PERSONAL EXPLANATION: In Tariff Deb, figures used in speech by Mr. *Edgar* criticised and stated to be wrong by the Controller of Customs. In making explanation the Member was reminded by Mr. *Speaker* that it was out of Order to make a speech, 1031 (i).

QUESTIONS PUT BY MEMBERS: Remarks (Mr. *Charlton*) before Orders of the Day checked by Mr. *Speaker*. Adjournment of House moved and remarks continued, 756 (i).

ORDER, PRIVILEGE, &c.—*Con.*PRIVILEGE—*Con.*

RICHIEU ELECTION: Correction of misstatement *re* A. E. D. Morgan, late Conservative candidate, made in House by Mr. *Laurier*, 6522 (ii).

SPEECH OF POSTMASTER GENERAL: Mr. *Edgar* and the Northern Railway, objection taken to report and repudiated by Mr. *Edgar*, 5472 (ii).

TERCOTTE, MR., M.P., AND CONTRACTS FOR QUEBEC CITADEL: Impeached by Mr. *Bruneau*: Statement read, 2784; on M. to ref. to Privileges and Elections Com., objection was taken by Sir *John Thompson*, and the statement was allowed to stand over as a Notice of Motion, 2785 (i).

VOTE OF CENSURE ON A JOURNAL: Mr. *Speaker*, in a certain debate, had occasion to call a Member to Order, and for so doing his conduct was commented upon in the *Ottawa Free Press* in an article insulting and derogatory to the dignity of the House. Sir *John Thompson* moved a resolution censuring said journal, 1958 (i).

PROCEDURE:

CRUELTY TO ANIMALS BILL: In Com. of Whole: Competency of Com. to decide in a clause that it is illegal to shoot pigeons, and in a subsequent clause that the previous one shall not apply, questioned by Mr. *McCarthy*, 4536 (ii).

PRIVATE BILLS, DELAY IN PROCEDURE: M. (Mr. *Tisdale*) to place Bills on Order paper objected to by Mr. *McMullen*, 5520; objection sustained (Mr. *Speaker*) 5521 (ii).

REPRESENTATION OF QUEBEC WEST: Manner of issuing Writ on death of Member, questioned by Messrs. *Laurier* and *McCarthy*, 5469; Mr. *Speake's* explanation, 6046 (ii).

[See "SPEAKER, MR."]

ORDNANCE LANDS: in Com. of Sup., 4777 (ii).

ORANGEDALE AND BROAD COVE RY.: Ques. (Mr. *Fraser*) 1710 (i).

ORDINANCES (N.W.T.) PETITION FROM R. C. CLERGY: M. for copy (Mr. *Devlin*) 2414 (i).

OROMCTO RESERVE, PURCHASE, N. B. INDIANS: in Com. of Sup., 5460 (ii).

Ottawa and Gatineau Ry. Co.'s B. No. 72 (Mr. *Bryson*). 1^o, 1218; 2^o, 1368; in Com. and 3^o, 4664. (57-58 *Vic.*, c. 87.)

OTTAWA AND GATINEAU VALLEY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).

— CITY MAIL SERVICE CONTRACT: Ques. (Mr. *McMullen*) 3091 (i).

— VACANCY BY ACCEPTANCE OF OFFICE: notification (Mr. *Speaker*) 1.

Ottawa City Passenger and Electric Street Ry. Co.'s B. No. 65 (Mr. *Robillard*). 1^o, 1113; 2^o, 1368; in Com. and 3^o, 3051. (57-58 *Vic.*, c. 86.)

— COUNTY MAIL SERVICE: Ques. (Mr. *Devlin*) 2132, 2414 (i).

— DEPTL. BUILDINGS, &c.: in Com. of Sup., 4439 (ii).

Ottawa Electric Co.'s incorp. B. No. 74 (Sir *James Grant*). 1^o, 1219; 2^o, 1600; in Com. and 3^o, 3052. (57-58 *Vic.*, c. 111.)

OTTAWA EXPERIMENTAL FARM, EMPLOYEES: Ques. (Mr. *Beausolcil*) 4478 (ii).

Ottawa Gas Co.'s B. No. 26 (Sir *James Grant*). 1^o, 682; 2^o, 885; in Com. and 3^o, 2120. (57-58 *Vic.*, c. 112.)

OTTAWA INTERPROVINCIAL BRIDGE: Ques. (Mr. *Devlin*) 2413 (i).

— RIVER STEAMBOAT CHANNEL: in Com. of Sup., 4471 (ii).

O'TOOLE, P., CUSTOMS COLLECTOR AND TRADES: Ques. (Mr. *Forbes*) 3275 (ii).

OWEN SOUND POSTMASTERSHIP, VACANCY: Ques. (Mr. *Grieve*) 519 (i).

— Remarks (Mr. *Landerkin*) 4643 (ii).

OWEN SOUND WHARF: in Com. of Sup., 4472 (ii).

OYSTERS: in Com. of Ways and Means, 2685 (i).

PAIRS ON DIVISIONS: 1327, 1434, 1709 (i), 3865, 3971, 4122, 4371, 4417, 4733, 5013, 5161, 5214, 5307, 5685, 5687, 5933, 5934, 6153, 6212, 6295, 6353, 6376, 6456, 6471 (ii).

PAINTS AND COLOURS: in Com. of Ways and Means, 2091 (i).

PAINTINGS, &c.: in Com. of Ways and Means, 1928.

PALMER, ENGINEER, CLAIMS FOR SERVICES: Ques. (Mr. *Perry*) 283 (i).

PALMER, EX-JUDGE: Remarks (Mr. *Daries*, P.E.I.) 181 (i).

PAPER HANGINGS: in Com. of Ways and Means, 1928.

PARIS GREEN: in Com. of Ways and Means, 2092 (i).

PARLIAMENTARY DOCUMENTS, DISTRIBUTION: in Com. of Sup., 4886 (ii).

PARLIAMENT, 7TH, 4TH SESSION: Opening, 1.

PARAFFINE WAX: in Com. of Ways and Means, 2089.

PARRY SOUND COLONIZATION RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6389 (ii).

PASSAMAQUODDY BAY, BOUNDARY: in Com. of Sup., 5042 (ii).

Passenger Rates. See "RAILWAYS."

"PATENT RECORD": in Com. of Sup., 4125, 5461 (ii).

PAY OF FORCE, MOUNTED POLICE: in Com. of Sup., 4629 (ii).

PEACHES: in Com. of Ways and Means, 1782 (i).

PELLETIER, EUGENE, EMPLOYT. BY DEPT. OF AGRICULTURE (Mr. *Delisle*) 447 (i).

— AT EXPERIMENTAL FARM: Ques. (Mr. *Delisle*) 3440 (ii).

— JULES, EMPLOYT. BY P.O.D.: Ques. (Mr. *Delisle*) 516 (i).

— ODILON, EMPLOYT. BY DEPT. OF MARINE AND FISHERIES: Ques. (Mr. *Delisle*) 447, 515 (i).

PENITENTIARIES REP.: presented (Sir *John Thompson*) 127 (i).

PENSIONS: in Com. of Sup., 3501 (ii).

— MILITIA, PERMANENT CORPS: prop. Res. (Mr. *Prior*) 3093 (i).

PERMANENT MILITIA CORPS: Ques. (Mr. *Casey*) 4310.

— STAFF, VANCOUVER, B.C.: in Com. of Sup., 6464 (ii).

PERSONAL EXPLANATION: (Mr. *Laurier*) 6522 (ii).

— (Mr. *Edgar*) to M. for Com. of Sup., 5472 (ii).

— POSTMASTER GENERAL'S SPEECH *re* ELECTION EXPENDITURES: Remarks (Mr. *Mulock*) 5472 (ii).

PETROLEUM BORING AT ATHABASCA : in Com. of Sup., 6514 (ii).

Petroleum Inspection Act Amt. B. No. 122 (Mr. *Wood, Brockville*). 1st, 3240; 2nd, in Com. and 3rd, 5471. (57-58 *Vic., c. 40.*)

PHILLIPSBURG JUNCTION RY. AND QUARRY CO.'S SUBSIDY : prop. Res. (Sir *John Thompson*) 6051; in Com., 6279 (ii).

PHOTOGRAPHIC DRY PLATES : in Com. of Ways and Means, 2683 (i).

PIANOFORTES, &c. : in Com. of Ways and Means, 2403 (i).

PICKET'S PIER REPAIRS : M. for Ret. (Mr. *Borden*) 2754 (i).

Pictou Harbour Acts Amt B. No. 88 (Sir *John Thompson*). 1st, 1786; 2nd and in Com., 2728; 3rd, 2943. (57-58 *Vic., c. 49.*)

PICTOU POST OFFICE : in Com. of Sup., 4431, 4438 (ii).

PIG IRON, BOUNTY : in Com. on Res. (Mr. *Foster*) 6472. — PAID : M. for Stmt.* (Mr. *Edgar*) 451 (i).

Piper, W. S. See "DIVORCE."

PLATE GLASS, NOT COLOURED : conc., 4018 (ii).

Plate Glass. See "STEAM BOILER."

PLASTER OF PARIS : in Com. of Ways and Means, 2222 (i).

PLAMONDON, HON. W. A., COMPLAINTS AGAINST : Ques. (Mr. *Desaulniers*) 2293 (i).

PLANT, NEW DREDGING : in Com. of Sup., 4594 (ii).

PLUMBAGO : in Com. of Ways and Means, 3024 (i).

POINT PELEE, TIMBER : Ques. (Mr. *Allan*) 4052 (ii).

POINTING WALLS, QUEBEC BARRACKS : in Com. of Sup., 6249 (ii).

POLICE. See "Dom." and "Mounted," "N.W.T."

PONTIAC JUDICIAL DISTRICT, APPOINTMENT OF JUDGE : Ques. (Mr. *Devlin*) 517 (i).

— AND KINGSTON RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6256; in Com., 6407 (ii).

Pontiac and Ottawa Ry. Co.'s incorp. B. No. 139 (Mr. *Bryson*). 1st, 4101; 2nd, 4431; in Com. and 3rd, 5485. (57-58 *Vic., c. 88.*)

— SUBSIDY : prop. Res. (Mr. *Haggart*) 6255 (ii).

— PACIFIC JUNCTION RY. CO.'S SUBSIDY : prop. Res. (Sir *John Thompson*) 6051; in Com., 6282, 6286 (ii).

— Remarks (Mr. *Bryson*) to Com. of Sup., 5416.

PONTIFICAL ZOUAVES, GENERAL HERBERT'S ADDRESS : Ques. (Mr. *Hughes*) 2733 (i).

"POOR MAN'S COW." See "Dairying."

PORT ALBERT HARBOUR, CONTRACT FOR REPAIRS : Ques. (Mr. *McMillan*) 682 (i).

— PIERS, &c. : in Com. of Sup., 4472, 4471 (ii).

PORT HAWKESBURY AND CHETICAMP RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6256; in Com., 6395 (ii).

PORT MAITLAND : in Com. of Sup., 5232, 5458 (ii).

PORT MULGRAVE AND CANSO STEAM FERRY : M. for Cor.* (Mr. *Cameron*) 2424 (i).

PORT ROWAN WHARF : in Com. of Sup., 4471 (ii).

Post Office Act Amt. B. No. 167 (Sir *Adolphe Caron*). 1st, 6154; 2nd, in Com. and 3rd, 6379. (57-58 *Vic., c. 54.*)

POST OFFICE :

BEAUHARNOIS, RESIDENCE OF POSTMASTER : Ques. (Mr. *Brown*) 950 (i).

CAPE BRETON MAIL SERVICE : Ques. (Mr. *Fraser*) 844 (i).

CLUFF, W. H., EMPLOYMT. IN OTTAWA P.O. : Ques. (Mr. *Campbell*) 1398 (i).

DEPTL. REP. : presented (Sir *Adolphe Caron*) 946 (i).

FITZROY-GALETTA MAIL SERVICE, CONTRACT, &c. : Ques. (Mr. *McMullen*) 1398 (i).

GEORGETOWN POSTMASTER, DISMISSAL : Ques. (Mr. *Landerkin*) 3440, 3605, 4478 (ii).

GRAHAM, JOHN, SPECIAL EXAMINATION, P.O.D. : Ques. (Mr. *Edgar*) 1566 (i).

HULL (P.Q.) POSTMASTER'S NAME : Ques. (Mr. *Langelier*) 1222 (i).

HURON COUNTY MAIL CONTRACT : Ques. (Mr. *McMillan*) 1566 (i).

IN COM. OF SUP., 4167, 6464 (ii).

INVERNESS COUNTY (N.S.) MAIL SERVICE : Ques. (Mr. *Fraser*) 597 (i).

KEMPTVILLE POSTMASTER, CHARGES AGAINST : Ques. (Mr. *Lister*) 3872 (ii).

LETTER POSTAGE, REDUCTION : Ques. (Mr. *Grieve*) 520 (i).

— prop. Res. (Mr. *Coatsworth*) 2193 (i).

LOISELLE, B., DISMISSAL AS POSTMASTER : Ques. (Mr. *Brodeur*) 518 (i).

MAIL MATTER (UNPAID) FROM U.S. : Ques. (Mr. *Gillmor*) 517 (i).

— M. for Cor.* (Mr. *Somerville*) 3162 (i).

MAIL SERVICE IN N.S., CANSO, &c. : Ques. (Mr. *Fraser*) 519 (i).

— NORTH WAKEFIELD : Ques. (Mr. *Devlin*) 2870.

— P.E.I. : Ques. (Mr. *Davies, P.E.I.*) 1712 (i).

— OTTAWA CITY, CONTRACT : Ques. (Mr. *McMullen*) 3092 (i).

— OTTAWA COUNTY : Ques. (Mr. *Devlin*) 2132, 2414 (i).

— OTTAWA COUNTY (Mr. *Devlin*) 2132, 2414 (i).

MONTREAL P.O., CONTRACT FOR ELEVATORS : Ques. (Mr. *Landerkin*) 75, 842 (i).

— INSPECTORSHIP : Ques. (Mr. *Brodeur*) 517 (i).

— STREET LETTER BOX CONTRACT : Ques. (Mr. *McMullen*) 1397 (i).

MONTMAGNY POSTMASTER : Ques. (Mr. *Delisle*) 687.

NORTH HASTINGS MAIL SERVICE, CONTRACT : Ques. (Mr. *Macdonald, Huron*) 3092 (i).

OTTAWA CITY MAIL SERVICE CONTRACT : Ques. (Mr. *McMullen*) 3091 (i).

OWEN SOUND POSTMASTERSHIP, VACANCY : Ques. (Mr. *Grieve*) 519 (i).

— Remarks (Mr. *Landerkin*) 4643 (ii).

PELLETIER, JULES, EMPLOYMENT BY P.O.D. : Ques. (Mr. *Delisle*) 516 (i).

PERSONAL EXPLANATION, POSTMASTER GENERAL'S SPEECH re ELECTION EXPENDITURES : Remarks (Mr. *Mulock*) 5472 (ii).

POSTAGE ON LETTERS, REDUCTION : Ques. (Mr. *Grieve*) 520 (i).

P.E.I. MAIL SERVICE : Remarks (Mr. *Davies, P.E.I.*) 1712 (i).

REGISTERED LETTERS, REDUCTION OF FEE : Ques. (Mr. *Grieve*) 520 (i).

RIPON, &c., AND PAPINEAUVILLE MAIL SERVICE : Ques. (Mr. *Devlin*) 2414 (i).

ROCHELLEAU, POSTMASTER, COMPLAINTS AGAINST BY E. TREMBLAY : M. for copies* (Mr. *Fréchet*) 1991 (i).

POST OFFICE—*Con.*

- STE. ANGELE DE MONNOIR POSTMASTER, DISMISSAL: Ques. (Mr. Brodeur) 518 (i).
 ST. FRANÇOIS DE SALES P.O.: M. for Cor., &c. (Mr. Tarte) 2191 (i).
 ST. ROCH DE QUEBEC P.O., LEASE OF PROPERTY: M. for Cor., &c.* (Mr. Choquette) 2782 (i).
 — PROPERTY LEASED: Ques. (Mr. Choquette) 597 (i).
 ST. THOMAS P.O., MANAGEMENT: Ques. (Mr. Casey) 2294 (i), 4477 (ii).
 ST. URBAIN DE CHATEAUGUAY POSTMASTER, COMPLAINTS AGAINST: Ques. (Mr. Brown) 2131 (i).
 STREET LETTER BOXES, CONTRACTOR: Ques. (Mr. McMullen) 1397 (i).
 UNITED STATES UNPAID MAIL MATTER: M. for Cor.* (Mr. Somerville) 3162 (i).
 VINTON POSTMASTER, APPMT. AND DISMISSAL: Ques. (Mr. Fraser) 2732 (i).
 WESTON (N.B.) P.O., ESTABLISHMENT: Ques. (Mr. Colter) 520 (i).
 WEST SHEFFORD POST OFFICE, CLOSING: Ques. (Mr. Sanborn) 2732 (i).

[See PROVINCES, RETURNS, &C.]

- POTATOES: in Com. of Ways and Means, 1504 (i).
 POWDER FOR CANNON, &C.: in Com. of Ways and Means, 3026 (i).
 POWELL, ADJT.-GEN., SUSPENSION: Remarks (Mr. Tisdale) to M. for Com. of Sup., 6155 (ii).
 Deb. (Mr. Hughes) 6161; (Mr. Denison) 6175; (Mr. Mulock) 6177; (Mr. Scriver) 6181; (Mr. Patterson, Huron) 6182; (Sir Richard Cartwright) 6188; (Mr. O'Brien) 6189.
 — Remarks (Mr. Tisdale) to Com. of Sup., 6155.
 POWELL, J. W., INDIAN CURIOS: in Com. of Sup., 6514 (ii).
 POWER AND FRASER, MESSRS.: in Com. of Sup., 6233 (ii).
 PRINCE COUNTY, P.E.I., REVISING BARRISTER: Ques. (Mr. Perry) 3341 (i).
 "PRINCE EDWARD" DREDGE: (Mr. Perry) 3341 (i).

PRINCE EDWARD ISLAND:

- BRAE HARBOUR PIER, REPAIRS: Ques. (Mr. Yeo) 1970 (i).
 BROAD COVE MARSH PIER, DISMISSAL OF INSPECTOR: M. for Ret.* (Mr. Davies, P.E.I.) 4479 (ii).
 — REPAIRS: Ques. (Mr. Davies, P.E.I.) 2413.
 CAMPBELL, CHAS. PREVENTIVE OFFICER: Ques. (Mr. Davies, P.E.I.) 2133 (i).
 CAMPBELL, SAML., DISMISSAL: M. for Ret.* (Mr. Davies, P.E.I.) 452 (i).
 — Ques. (Mr. Davies, P.E.I.) 288 (i).
 CANOE COVE BREAKWATER, CONSTRUCTION (Mr. Davies, P.E.I.) 685 (i).
 CASCUMPEQUE HARBOUR, BLASTING, &C.: Ques. (Mr. Perry) 2733 (i).
 COFFIN, CHAS., CLAIM FOR RY. DAMAGES: M. for Ret.* (Mr. Davies, P.E.I.) 452 (i).
 DREDGE "PRINCE EDWARD": Ques. (Mr. Perry) 3341 (ii).
 DREDGING CONTRACT AT MIMINEGASH BREAKWATER: Ques. (Mr. Perry) 284 (i).
 DUVAR ROAD FLAG STATION, P.E.I. RY.: Ques. (Mr. Yeo) 2038 (i).
 HIGGINS' SHORE PIER, SANDBANK REMOVAL: Ques. (Mr. Yeo) 2734 (i).

PRINCE EDWARD ISLAND—*Con.*

- HOWLAN ROAD FLAG STATION: Ques. (Mr. Perry) 283 (i).
 IN COM. OF SUP., 4745, 5153 (ii).
 INGONISH ISLAND, DISMISSAL OF KEEPER: M. for Ret.* (Mr. Davies, P.E.I.) 452 (i).
 — Ques. (Mr. Davies, P.E.I.) 288 (i).
 McLEOD, JOHN, DISMISSAL AS INSPECTOR: M. for Ret.* (Mr. Davies, P.E.I.) 4479 (ii).
 — Ques. (Mr. Davies, P.E.I.) 2413 (i).
 MAIL SERVICE: Ques. (Mr. Davies, P.E.I.) 1712 (i).
 MILITARY DISTRICT, SEPARATE: Ques. (Mr. Davies, P.E.I.) 1794 (i).
 MILL RIVER FLAG STATION, P.E.I. RY.: M. for Cor. (Mr. Perry) 2773 (i).
 — Ques. (Mr. Perry) 283 (i), 3303 (ii).
 MIMINEGASH BREAKWATER, REPAIRS: Ques. (Mr. Perry) 283, 2039 (i).
 — DREDGING CONTRACT: Ques. (Mr. Perry) 284.
 NORTHUMBERLAND STRAITS, BORINGS, &C.: Ques. (Mr. Perry) 284 (i), 4195 (ii).
 — CLAIM OF ENGINEER PALMER: Ques. (Mr. Perry) 283 (i).
 PRINCE COUNTY REVISING BARRISTER: Ques. (Mr. Perry) 3341 (ii).
 "PRINCE EDWARD" DREDGE: Ques. (Mr. Perry) 3341.
 PUBLIC SCHOOLS ACT, 1877: M. for Papers* (Mr. Leclair) 450 (i).
 ST. PAUL'S ISLAND, DISMISSAL OF SUPT.: M. for Ret.* (Mr. Davies, P.E.I.) 452 (i).
 — Ques. (Mr. Davies, P.E.I.) 288 (i).
 SHOE FACTORIES: Ques. (Mr. Perry) 3440 (ii).
 TIGNISH (P.E.I.) BREAKWATER, APPMT. OF LIGHTHOUSE KEEPER: Ques. (Mr. Perry) 844 (i).
 — RECEIPTS, &C.: Ques. (Mr. Perry) 284 (i).
 — WEATHER SIGNAL, CONTRACT, &C.: Ques. (Mr. Perry) 1788, 1967 (i).
 — WHARFAGE DUES COLLECTED: Ques. (Mr. Perry) 1789 (i).
 WESTPOINT PIER, P.E.I., REBUILDING: Ques. (Mr. Perry) 2734 (i).
 WINTER SERVICE, P.E.I., AND MAINLAND: M. for Ret. (Mr. Perry, 4495 (ii).

[See DEPARTMENTS, RETURNS, &C.]

- PRINTING AND STATIONERY DEPT.: in Com. of Sup., 3200 (i).
 — DEPTL. REP.: presented (Mr. Costigan) 3239 (i).
 — PLANT: in Com. of Sup., 5042 (ii).
 — COMMITTEE, JOINT: M. (Sir John Thompson) 514 (i).
 — 2ND REP., CONC.: M. (Mr. Bergin) 2488 (i).
 — FARM REPORTS: in Com. of Sup., 6250 (ii).
 — NOTES: in Com. of Sup., 3199 (i).
 — PAPER, &C.: in Com. of Sup., 3500 (ii).
 — SUPREME COURT REPORTS: in Com., of Sup., 3344 (ii).
 — VOTERS' LISTS, EXPENDITURE: (Mr. Davies, P.E.I.) 1795 (i).
 PRISONERS IN PENITENTIARIES, DECREASE, &C.: M. for Ret. (Mr. Martin) 449 (i).
 PRIVATE BILLS: M. (Mr. Tisdale) to place on Order Paper, 5520 (ii).
 PRIVILEGES, 2733: (Mr. Bruneau) 2784, 2931; (Mr. McMullen) 2786; (Mr. Mulock) 2943 (i).
 PRIV. AND ELEC. COM.: M. (Mr. Edyar) summoning Witnesses before Bar of House, 3866 (ii).

- PRIV. AND ELEC. COM., 4TH AND 5TH REP. : presented (Mr. Girouard, Jacques Cartier) 5574 (ii).
- 4TH REP. : M. (Sir John Thompson) consdn. 5775 (ii).
- 4TH REP. CONC. : M. (Girouard, Jacques Cartier) 5887 (ii).
- NON-ATTENDANCE : M. (Sir John Thompson) Mr. Speaker to issue warrant for arrest, 4040 (ii).
- Witnesses in attendance at Bar, 4189 (ii).
- See "Turcotte, Mr."
- PRIVY COUNCIL OFFICE : in Com. of Sup., 3200, 5215.
- CONTINGENCIES : in Com. of Sup., 3264 (ii).
- PROOF AND PROOF SPIRITS : in Com. of Ways and Means, 1328 (i).
- PROHIBITION COMMISSION, REP. RESPECTING : Ques. (Mr. Flint) 287 (i), 3764 (ii).
- LIQUOR TRAFFIC : prop. Res. (Mr. Flint) 2432 (i). Res. (Mr. Flint) 2432; (Mr. Craig) 2466; (Mr. Roome) Christie) 2470; (Mr. Coatsworth) 2472; (Mr. Roome) 2459; (Mr. Dupont) 2479; (Mr. Maclean, York) 2484.
- NAMES, &C., COMMISSIONERS : Ques. (Mr. Lauderkin) 1031 (i).
- See "Liquor Traffic."
- PROROGATION : Letter from Gov. Gen.'s Secretary : Read (Mr. Speaker) 6532 (ii).
- Provincial Courts Judges Acts Amt. B. No. 155** (Sir John Thompson). Res. prop. (B. C.) 3441; in Com., 3557; conc., 5161; (Que.) 5046; in Com., 5095; conc. in and 1st* of B., 5166; 2nd*, in Com. and 3rd*, 5533. (57-58 Vic., c. 56.)
- PUBLIC ACCOUNTS COM., BAILEY, GEO., EXAM. ON OATH** : M. (Mr. Coatsworth) 2211 (i).
- EXAM. OF AUDITOR-GEN. *re* PUB. EXPENDITURE : M. (Mr. Davies, P.E.I.) 2486 (i).
- MEETING : Ques. (Sir Richard Cartwright) 755.
- MISUNDERSTANDING AT MEETING : Remarks (Sir Richard Cartwright) 3303 (i).
- NAMES SUBSTITUTED : Ms., 2136, 2211 (i).
- REP. : Remarks (Sir Richard Cartwright) 1470.
- 1ST AND 2ND REPS., CONSDN. : prop. Res. (Mr. Mulock) to examine Witnesses on Oath, 1635; Amt. (Sir Charles Tupper) 1656; agreed to (Y. 110, N. 64) 1708 (i).
- Deb. on Res. (Sir Charles Hibbert Tupper) 1649; (Amt.) 1656; (Mr. Davies, P.E.I.) 1657; (Mr. Weldon) 1663; (Mr. Lister) 1667; (Mr. Haggart) 1675; (Mr. Mills, Bothwell) 1682; (Sir John Thompson) 1689; (Sir Richard Cartwright) 1702.
- 3RD REP. : consdn. postponed, 1869 (i).
- 4TH REP. : conc., 1870 (i).
- 3RD REP. : consdn., 1965; Amt. (Mr. Laurier) Examination of J. Pope agreed to, 1966 (i).
- 10TH REP. : conc., M. (Mr. Baker) 5968 (ii).
- ORGANIZATION : Remarks (Sir Richard Cartwright) 599 (i).
- PRINTING OF EVIDENCE : Remarks (Mr. Davies, P.E.I.) 4567 (ii).
- Remarks (Sir Richard Cartwright) 520 (i).
- VACANCY : M. (Sir John Thompson) 4300 (ii).
- WITNESSES ON OATH, EXAMINATION : Amt. (Sir Richard Cartwright) to Com. on Ways and Means, 1079; withdn., 1898 (i).
- PUBLIC ACCOUNTS** : presented (Mr. Foster) 127 (i).
- BUILDINGS, N.W.T. : in Com. of Sup., 4438 (ii).
- DEBT, GROSS AND NET : Ques. (Mr. Charlton) 5691 (ii).
- INTEREST ON : in Com. of Sup., 3199 (ii).
- Public Debt.** See "CHARGES OF MANAGEMENT."
- Public Harbours B. No. 95** (Sir Charles Hibbert Tupper). 1st*, 2130; 2nd and in Com., 2728; 3rd*, 2787. (57-58 Vic., c. 47.)
- PUBLIC HEALTH, QUARANTINE** : in Com. of Sup., 4374.
- Public Holidays Act Amt. B. 106** (Sir John Thompson). 1st, 2410; 2nd*, in Com. and 3rd*, 4594. (57-58 Vic., c. 55.)
- PUBLIC SCHOOLS (P.E.I.) ACT, 1877** : M. for papers,* (Mr. Leclair) 450 (i).
- PUBLIC WORKS** :
- BANCROFT, CONNOLLY & CO., PAYMENTS TO : Ques. (Mr. Rinfret) 5575 (ii).
- CHAUDIÈRE FALLS WATER POWER PRIVILEGES : Ques. (Mr. Casey) 2622 (i).
- COCKBURN ISLAND WHARF, TOTAL COST, &C. : M. for Ret.* (Mr. McMullen) 450 (i).
- DEPTL. REP. : presented (Mr. Ouimet) 1036 (i).
- DAVIS BROS., SECURITY FOR CONTRACT : Ques. (Mr. Lister) 3604 (ii).
- DEPOSITS AS SECURITIES ON CONTRACTS : M. for Stmt.* (Mr. Lister) 2424 (i).
- DUFFERIN TERRACE, REPAIRS, COST : Ques. (Mr. Monet) 5775 (ii).
- FRASER RIVER, B. C., FLOODS : Remarks (Mr. Corbould) 3599 (ii).
- GOVT. CONTRACTS AND LABOURERS' WAGES : prop. Res. (Mr. Coatsworth) 3295, 3606 (ii).
- IN COM. OF SUPPLY, 3233, 4177, 4476, 5217 (ii).
- SECURITIES ON CONTRACTS, DEPOSITS WITH GOVT. : M. for Stmt.* (Mr. Lister) 2424 (i).
- WATER POWER PRIVILEGES, CHAUDIÈRE FALLS : (Mr. Casey) 2622 (i).
- [See PROVINCES, RETURNS, &C.]
- IN N. S. SINCE 1878, EXPENDITURE : M. for Stmt. (Mr. Fraser) 366 (i).
- PURSE-SEINING, SEINING AND TRAWLING** : Ques. (Mr. Gillies) 5233 (ii).
- PURTY** : in Com. of Ways and Means, 2093 (i).
- QUARANTINE** : in Com. of Sup., 4371 (ii).
- REPAIRS, &C. : in Com. of Sup., 4447 (ii).
- QUARTERMASTER GENERAL, APPMNT.** : Ques. (Mr. Mulock) 2290 (i).
- QUEBEC** :
- ARTHABASKA, ADMINISTRATION OF JUSTICE : Ques. (Mr. Desaulniers) 2293 (i).
- BEAUBARNOIS, RESIDENCE OF POSTMASTER : Ques. (Mr. Brown) 950 (i).
- BOUNDARIES OF QUEBEC : M. for Cor., &c. (Sir Hector Langevin) 1569 (i).
- BRIDGE OVER OTTAWA RIVER : Ques. (Mr. Devlin) 2413 (i).
- BROOKE, C. H. A., ESQ., REVISING OFFICER FOR RICHMOND, APPT. : Ques. (Mr. Rinfret) 2733 (i).
- CARAQUET RY. AND POKEMOUCHE RY. SUBSIDY : prop. Res. (Mr. Haggart) 6357; in Com., 6414.
- C. P. R., NORTH SHORE SECTION : Ques. (Mr. Frémont) 948 (i).
- CAP DE LA MADELEINE, ST. PILES BRANCH RY. SUBSIDY : prop. Res. (Mr. Haggart) 6256 (ii).

QUEBEC—*Con.*

- CHAMBLY CANAL, SWING BRIDGE NEAR STE. THÉRÈSE ISLAND: M. for Ret.* (Mr. *Béchar*) 1991 (i).
- CHARLEBOIS, ALPHONSE, WIDENING LACHINE CANAL: Ques. (Mr. *Monet*) 5774 (ii).
- CHEVALIER, FISHING OVERSEER, DISMISSAL: M. for Ret.* (Mr. *Béchar*) 1991 (i).
- COAL, GOVT. SALES AT SOREL: Ques. (Mr. *Bruneau*) 3273 (ii).
- CONTRACTS FOR SUPPLIES, QUEBEC CITADEL: Ques. (Mr. *Choquette*) 751 (i).
- CULLERS' OFFICE, MONTREAL, FEES, &C.: Ques. (Mr. *McMullen*) 754, 1711 (i).
- CULLERS' OFFICE (QUE.), APPMTS. AND SUPERANNUATIONS, &C.: Ques. (Mr. *McMullen*) 1567, 1711 (i).
- CULLERS' OFFICES, QUEBEC AND MONTREAL: M. for Ret.* (Mr. *McMullen*) 1036 (i).
- CUSTOMS COLLECTORSHIP, MONTREAL, VACANCY, &C.: Ques. (Sir *Richard Cartwright*) 289 (i).
- "DRUID," GOVT. STEAMER, REPAIRS, &C.: Ques. (Mr. *Choquette*) 2132 (i).
- DRUMMOND COUNTY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com., 6388 (ii).
- ELEVATORS, MONTREAL P. O. CONTRACTS (Mr. *Landerkin*) 842 (i).
- FISHERIES. *See general heading.*
- GASPÉ CUSTOMS COLLECTOR, SUPERANNUATION: Ques. (Mr. *Fauvel*) 4477 (ii).
- HULL "DESPATCH," PAYMENTS TO: Ques. (Mr. *Declin*) 4050, 4307 (ii).
- P. O., POSTMASTER'S NAME: Ques. (Mr. *Langelier*) 1222 (i).
- HURONS OF LORETTE, SEIGNIORY OF SILLERY: M. for Pets.* (Mr. *Fremont*) 1036 (i).
- HUS, ED. P., LIGHTHOUSE-KEEPER, COMPLAINTS AGAINST: Ques. (Mr. *Bruneau*) 1711 (i).
- IMMIGRANTS, INSPECTION AT QUEBEC: M. for Cor. (Mr. *Laurier*) 1434 (i).
- INFANTRY SCHOOLS, MONTREAL ESTABLISHMENTS: Ques. (Mr. *Laverne*) 4476 (ii).
- INSPECTION OF VESSELS AT MONTREAL, APPMT.: Ques. (Mr. *Lépine*) 2413 (i).
- I. C. R. ROBBERIES AT RIVIÈRE DU LOUP: Ques. (Mr. *Choquette*) 4195 (ii).
- ISLE JÉSUS AND ST. EUSTACHE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051 (ii).
- JOLIETTE AND ST. JEAN DE MATHA RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6280 (ii).
- prop. Res. (Mr. *Haggart*) 6254; in Com., 6392.
- JUDGES, ADDITIONAL FOR QUEBEC: Ques. (Mr. *Lépine*) 1789 (i).
- JUDICIAL DISTRICT OF PONTIAC, APPMT. OF JUDGE: Ques. (Mr. *Declin*) 517 (i).
- JUDICIARY OF QUEBEC. *See general heading.*
- KENT AND ST. LOUIS GATES, REBUILDING: Ques. (Mr. *Monet*) 5775 (ii).
- LABRADOR FISHERIES, WARDEN ON COAST: Ques. (Mr. *Laverne*) 5691 (ii).
- "LABRADOR," SS., DETENTION AT FATHER POINT: Ques. (Mr. *Carroll*) 3606 (ii).
- LACHINE CANAL. *See general heading.*
- LAKE TÉMISCAMINGUE COLONIZATION RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6281 (ii).
- LANGLOIS, J., EMPLYMT. BY GOVT.: (Mr. *Delisle*) 687 (i).
- LAPRAIRIE-NAPIERVILLE ELECTORAL LISTS: Ques. (Mr. *Monet*) 2937 (i).

QUEBEC—*Con.*

- LASCELLES AND WAKEFIELD MAIL SERVICE: Ques. (Mr. *Declin*) 2132 (i).
- LEBEL, ESDRAS, EMPLYMT. BY MARINE AND FISHERIES DEPT.: Ques. (Mr. *Delisle*) 448 (i).
- LEMAY, VICTOR, ACCIDENTAL DEATH: Ques. (Mr. *Rinfret*) 2871 (i).
- LIGHTHOUSE IN STE. EMILIE PARISH: Ques. (Mr. *Rinfret*) 156 (i).
- LIMERIDGE AND WOLFE COUNTY RY. SUBSIDY: prop. Res. (Mr. *Haggart*) 6254 (ii).
- LITTLE RAPIDS DAM, CLAIMS FOR DAMAGES: Ques. (Mr. *Declin*) 2870 (ii).
- LOISELLE, B., DISMISSAL AS POSTMASTER: Ques. (Mr. *Brodeur*) 518 (i).
- M. for Cor. (Mr. *Brodeur*) 2734 (i).
- LOTBINIÈRE AND MEGANTIC RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254 (ii).
- MALLETTE, L. Z., DUFFERIN TERRACE REPAIRS, &C.: Ques. (Mr. *Monet*) 5775 (ii).
- MANY, J. B., COR. WITH GOVT. *re* SWING BRIDGE: M. for copy* Mr. *Béchar*) 1991 (i).
- MATANE LIGHTHOUSE, CARETAKER: Ques. (Mr. *Langelier*) 950 (i), 4051 (ii).
- MILLE ISLE RIVER FISHERIES: Ques. (Mr. *Girouard, Two Mountains*) 1794 (i).
- MONPETIT, J., APPMT. AS FISHERY OVERSEER: M. for O.C.'s* (Mr. *Hurwood*) 1398 (i).
- MONTFORT COLONIZATION RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6357; in Com., 6414 (ii).
- MONTMAGNY POSTMASTER: Ques. (Mr. *Delisle*) 687.
- MONTREAL AND OTTAWA RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6050; in Com., 6277 (ii).
- BOARD OF TRADE AND SHIPPING MASTER: Ques. (Mr. *Casey*) 2294 (i).
- P. O., CONTRACT FOR ELEVATORS: Ques. (Mr. *Landerkin*) 75, 842 (i).
- P. O. DIVISION INSPECTORSHIP: Ques. (Mr. *Brodeur*) 517 (i).
- STREET LETTER BOX CONTRACT: Ques. (Mr. *McMullen*) 1397 (i).
- MOORE, J. C., EMPLYMT. BY GOVT.: Ques. (Mr. *Declin*) 4049 (ii).
- NICOLET CATHEDRAL, DISALLOWANCE OF ACT: Ques. (Mr. *Leduc*) 4717 (ii).
- Ques. (Mr. *Leduc*) 2821 (i).
- NICOLET VALLEY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6403 (i).
- NORTH RIVER, ARGENTECIL, FISHWAYS: Ques. (Mr. *Girouard, Two Mountains*) 1793 (i).
- Ques. (Mr. *Girouard, Two Mountains*) 1793 (i).
- NORTH SHORE SECTION, C.P.R.: Ques. (Mr. *Fremont*) 948 (i).
- NORTH WAKEFIELD MAIL SERVICE: Ques. (Mr. *Declin*) 2870 (i).
- OTTAWA AND GATINEAU VALLEY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).
- OTTAWA COUNTY MAIL SERVICE: Ques. (Mr. *Declin*) 2132, 2414 (i).
- OTTAWA RIVER INTERPROVINCIAL BRIDGE: Ques. (Mr. *Declin*) 2413 (i).
- PELLETIER, EUGÈNE, EMPLYMT. AT EXPERIMENTAL FARM: Ques. (Mr. *Delisle*) 3440 (ii).
- PELLETIER, JULES, EMPLYMT. BY P.O.D.: Ques. (Mr. *Delisle*) 516 (i).
- PHILIPSBURG JUNCTION RY. AND QUARRY CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6279 (ii).

QUEBEC—*Con.*

- PLAMONDON, HON. W. A., COMPLAINTS AGAINST: Ques. (Mr. *Desaulniers*) 2293 (i).
- PONTIAC AND KINGSTON RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256; in Com., 6407 (ii).
- PONTIAC AND OTTAWA RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).
- PONTIAC JUDICIAL DISTRICT, APPOINTMENT OF JUDGE: Ques. (Mr. *Devlin*) 517 (i).
- PONTIAC PACIFIC JUNCTION RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6282, 6286 (ii).
- QUEBEC AND LAKE ST. JOHN RY. CO.'S SUBSIDY: Ques. (Mr. *Choquette*) 4308 (ii).
- QUEBEC DRILL SHED, MODERN GUNS: Ques. (Mr. *Laurier*) 1793 (i).
prop. Res. (Mr. *Haggart*) 6255 (ii).
- QUEBEC OBSERVATORY, W. A. ASHE'S SUCCESSOR: QUEBEC WEST ELECTION AND EAST SS. SERVICE: Ques. (Mr. *Lanuelier*) 4052 (ii).
- REPRESENTATION, VACANCY: Remarks (Mr. *Laurier*) 5969 (ii).
- Issue of Writ (Mr. *Speaker*) 6045 (ii).
- HARBOURS AND RIVERS: in Com. of Sup., 4470, 5438, 6500 (ii).
- QUEBEC HARBOUR, RIVER AND BRIDGE WORKS: in Com. of Sup., 4470 (ii).
- QUEBEC JUDICIARY: prop. Res. (Sir *John Thompson*) 5046 (ii).
- QUEBEC, N.B., N.S., P.E.I. AND B.C. MARINE HOSPITALS: in Com. of Sup., 4736 (ii).
- READJUSTMENT OF COUNTIES IN QUEBEC: Ques. (Mr. *Brodeur*) 1793 (i).
- REVISING BARRISTER, RICHMOND, APPNMT.: Ques. (Mr. *Rinfret*) 2733 (i).
- RICHELIEU POSTMASTER, COMPLAINTS AGAINST BY E. TREMBLAY: M. for Copies (Mr. *Fréchette*) 1991.
- RIPON, & C., AND PAPINEAUVILLE MAIL SERVICE: Ques. (Mr. *Devlin*) 2414 (i).
- ROSA, NARCISSE, SHIPBUILDER, SUMS PAID: M. for Stmt. (Mr. *Amyot*) 4479 (ii).
- ROY, THOS., EMPLOYT. BY GOVT.: Ques. (Mr. *Monet*) 3089 (i).
- STE. ANGÈLE DE MONNOIR POSTMASTER, DISMISSAL: Ques. (Mr. *Brodeur*) 518 (i).
- STE. ANNE DE LA PÉRADE LAND SLIDE: Ques. (Mr. *Delisle*) 3090 (i).
- STE. ANNE DE SOREL LIGHTHOUSE-KEEPER: Ques. (Mr. *Bruneau*) 1711 (i).
- ST. EMILIE PARISH, LIGHTHOUSE: Ques. (Mr. *Rinfret*) 156 (i).
- ST. EUSTACHE AND ST. PLACIDE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6451; in Com.
- ST. FRANCOIS DE SALES P.O.: M. for Cor., &c. (Mr. *Tarte*) 2191 (i).
- ST. JOHNS AND BARNEVILLE RY. SUSDY: prop. Res. (Mr. *Haggart*) 6256; in Com. 6410 (ii).
- ST. PIERRE, DAMASE, DISMISSAL AS POSTMASTER: M. for O.C.'s, &c. (Mr. *Laurier*) 1036 (i).
- ST. PLACIDE AND ST. ANDREWS RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6282 (ii).
- ST. RÉMI AND ST. CYPRIEN RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com.
- ST. ROCH DE QUEBEC P.O., LEASE OF PROPERTY: M. for Cor., &c. (Mr. *Choquette*) 2782 (i).
- ST. ROCH P.O., PROPERTY LEASED: Ques. (Mr. *Choquette*) 597 (i).

QUEBEC—*Con.*

- ST. URBAIN DE CHATEAUGUAY POSTMASTER, COMPLAINTS AGAINST: Ques. (Mr. *Brown*) 2121 (i).
- SABOURIN, I., APPMT. AS FISHERY OVERSEER: M. for O.C.'s (Mr. *Harwood*) 1398 (i).
- SLIDEMASTER, FORT COULONGE: Ques. (Mr. *Devlin*) 5774 (ii).
- SOULANGES CANAL. *See* general heading.
- SOUTH-EASTERN RY. CO., ABANDONED SECTION: Ques. (Mr. *Lavergne*) 1116 (i).
- SOUTH SHORE RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6256 (ii).
- SPANISH RIVER IMPROVEMENTS: Ques. (Mr. *Devlin*) 2939 (i).
- STANSTEAD CUSTOMS VACANCY: Ques. (Mr. *Rider*) 3767 (ii).
- TOBIQUE VALLEY RY. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6255 (ii).
- TREMBLAY, JOS., EMPLOYT. BY GOVT.: Ques. (Mr. *Delisle*) 515 (i).
- TURCOTTE & PROVOST. *See* general heading.
- YAMACHICHE WHARF, AMOUNT PAID FOR CONSTRUCTION: Ques. (Mr. *Legris*) 946 (i).
- DAMAGE AND REPAIRS: Ques. (Mr. *Legris*) 3765.
- YAMASKA RIVER DAM, OBSTRUCTION TO NAVIGATION: Ques. (Mr. *Mignault*) 4888 (ii).
- COST OF CONSTRUCTION: M. for Stmt. (Mr. *Laurier*) 1575 (i).
- WHITELY, W. H., FISHERY WARDEN ON LABRADOR COAST: Ques. (Mr. *Lavergne*) 5691 (ii).
- WEST SHEFFORD POST OFFICE, CLOSING: Ques. (Mr. *Saunborn*) 2732 (i).
- QUEBEC JUDICIARY: Amt. (Mr. *Tarte*) to Com. on Ways and Means, 5777 (ii).
Deb.: (Sir *John Thompson*) 5800, 6212; (Mr. *Laurier*) 5809; (Mr. *Curran*) 5817; (Mr. *Girouard, Jacques Cartier*) 5824; (Mr. *Weldon*) 5834; (Mr. *Jeannotte*) 5835; (Mr. *Amyot*) 5842; (Mr. *Belley*) 5846; (Mr. *Tarte*) 6220; (Mr. *Davin*) 6227; (Mr. *McCarthy*) 6228; (Mr. *Laurier*) 6229; (Mr. *Ouimet*) 6230.
- QUEEN'S BIRTHDAY, ADJMNT.: Remarks (Mr. *Taylor*) 2870, 2940, 3004 (i).
— M. (Sir *John Thompson*) 3163 (i).
- QUEEN'S (N.S.) INDUSTRIES ESTABLISHED: Ques. (Mr. *Forbes*) 1789 (i).
— REVISING BARRISTER, RESIDENCE: Ques. (Mr. *Forbes*) 1222 (i).
— INDUSTRIES ESTABLISHED: M. for Ret. (Mr. *Forbes*) 1991 (i).
- QUESTIONS PUT BY MEMBERS: Remarks (Mr. *Charlton*) 756 (i).
- RAILWAYS. *See* :
ALBERTA SOUTHERN RY. CO.
ATLANTIC AND LAKE SUPERIOR RY. CO.
ATLANTIC AND NORTH-WEST RY. CO.
BOYNTON BICYCLE ELECTRIC RY. CO.
BRANDON AND SOUTH-WESTERN RY. CO.
CARIBOO RY. CO.
COBourg, NORTHUMBERLAND AND PAC. RY. CO.
DULUTH, NEPIGON AND JAMES'S BAY RY. CO.
ELGIN AND HAVELock RY. CO.
ERIE AND HURON RY. CO.
GLEICHEN, BEAVER LAKE AND VICTORIA RY. CO.
GUELPH JUNCTION RY. CO.
LAKE ERIE AND DETROIT RIVER RY.
LAKE MEGANTIC RY. CO.
LINDSAY, BOBCAYGEON AND PONTYPOOL RY. CO.

RAILWAYS—*Con.*

MANITOBA AND NORTH-WESTERN RY. CO.
 MEDICINE HAT RY. AND COAL CO.
 METIS, MATANE AND GASPÉ RY. CO.
 MONCTON AND PRINCE EDWARD ISLAND RY. AND T. CO.
 MONTREAL AND OTTAWA RY. CO.
 MONTREAL ISLAND BELT LINE RY. CO.
 MONTREAL PARK AND ISLAND RY. CO.
 NIAGARA FALLS ELECTRIC RY. BRIDGE CO.
 OTTAWA AND GATINEAU RY. CO.
 PONTIAC AND OTTAWA RY. CO.
 RED DEER VALLEY RY. AND COAL CO.
 ROCKY MOUNTAIN RY. AND COAL CO.
 ST. CATHARINES AND NIAGARA CENTRAL RY. CO.
 STE. EMILIE RY. CO.
 ST. LAWRENCE AND ADIRONDACK RY. CO.
 WINNIPEG AND HUDSON BAY RY. CO.
 WOLSELEY AND FORT QU'APPELLE RY. CO.
 WOOD MOUNTAIN AND QU'APPELLE RY. CO.

RAILWAYS:

BONUSES TO RYS. AND COS. FOR SETTLERS: M. for Ret.* (Mr. Mulock) 1036 (i).
 C. P. R. CO.'S LAND SUBSIDY: prop. Res., 5935 (ii).
 CARAQUETTE RY., RECEIPTS AND EXPENDITURE: Ques. (Mr. Mulock) 2566 (i).
 GOVT. RYS., MILES OPERATED, &c.: Ques. (Mr. McMullen) 3243 (i).
 MONTREAL PARK AND ISLAND RY.: correction (Mr. Sutherland) 5521 (ii).
 P. E. I. RY., CHAS. COFFIN'S CLAIMS FOR DAMAGES: M. for Ret.* (Mr. Davies, P. E. I.) 452 (i).
 — M. for Ret.* (Mr. Landerkin) 1036 (i).
 [See "SUBSIDIES," &c.]
Ry. Act Amt. B. No. 14 (Mr. Mulock). 1°, 366; 2°, in Com. and 3°, 3299. (57-58 Vic., c. 53.)
Ry. Act Amt. (Passenger Rates) B. No. 61 (Mr. Maclean, York). 1°, 10.
 RYS. AND CANALS: in Com. of Sup. 3503, 4153, 5065, 5113, 5431, 6457 (ii).
 RY. CARS, SLEIGHS, &c.: in Com. of Ways and Means, 2402 (i).
 RY. FISH-PLATES: in Com. of Ways and Means, 2508 (i).
Ry. Passenger Tickets (Sale) Act Amt. B. No. 163 (Mr. Haggart). 1°, 6045; 2°* and in Com., 6517.
Rys. and Canals Dept. Act Amt. B. No. 146 (Mr. Bergin). 1°, 4566.
 — DEPTL. REP.: presented (Mr. Haggart).
 — in Com. of Sup., 6462 (ii).
 RYS. AND SS. BONUSES FOR SETTLERS: M. for Ret.* (Mr. Landerkin) 1036 (i).
Ry. Tickets (Return) B. No. 70 (Mr. McLennan). 1°, 1116 (i).
 RAINSFORD, THOS., GRATUITY FOR INJURIES: in Com. of Sup., 6249 (ii).
 RAPIDE PLAT: in Com. of Sup., 3530, 6457 (ii).
 READJUSTMENT OF COUNTIES IN QUEBEC: Ques. (Mr. Brodeur) 1793 (i).
 REBATE OF DUTY ON CORN: Ques. (Mr. McMullen) 841 (i).
 REBATES ALLOWED ON EXPORTS: M. for Ret.* (Mr. McMullen) 2425 (i).
 RECEIPTS AND EXPEND., APRIL, 1893—APRIL, 1894: M. for Ret.* (Sir Richard Cartwright) 1399 (i).

RECEIPTS AND EXPEND., CONSOLIDATED FUND: M. for Stmt. (Sir Richard Cartwright) 2424 (i).

RECIPROCITY:

Deb. in Com. of Ways and Means (Mr. Charlton) 1505, 1509; (Mr. Sproule) 1511; (Sir Richard Cartwright) 1516; (Mr. Gillmor) 1518; (Mr. Casey) 1520; (Mr. McMullen) 1522; (Mr. Martin) 1524; (Mr. Davin) 1527; Mr. Macdonald, Assa.) 1532; (Mr. Campbell) 1533; (Mr. Macdonald, Huron) 1536 (i).

Red Deer Valley Railway and Coal Co.'s B. No. 107 (Mr. Davis, Alberta). 1°, 2783; 2°, 3089; in Com. and 3°, 4027. (57-58 Vic., c. 90.)

REFORMATORY FOR DOMINION: Remarks (Mr. McLennan) 6522 (ii).

Reformed Baptist Church (Alliance) of Can. incorp. B. No. 84 (Mr. Colter). 1°, 1219; 2°, 1747; in Com. and 3°, 3051. (57-58 Vic., c. 126.)

REGISTERED LETTERS, REDUCTION OF FEE: Ques. (Mr. Grieve) 520 (i).

RELIEF AND SEED GRAIN, QUE. INDIANS: in Com. of Sup., 4824 (ii).

RELIEF OF DISTRESS, B.C. INDIANS: in Com. of Sup., 4880 (ii).

RELIGIOUS DENOMINATIONAL GRANTS: M. for Ret.* (Mr. Charlton) 449 (i).

REPORTS PRESENTED:

ADULTERATION OF FOOD (Mr. Wood, Brockville) 4300.

AGRICULTURE (Sir John Thompson) 4101 (ii).

AUDITOR GENERAL (Mr. Foster) 127 (i).

CANADIAN ARCHIVES (Sir John Thompson) 4101 (ii).

CHARTERED BANKS, LIST OF SHAREHOLDERS (Mr. Foster) 1714 (i).

CIVIL SERVICE LIST (Mr. Costigan) 149 (i).

EXCISE (Mr. Wood, Brockville) 127 (i).

EXPERIMENTAL FARMS (Mr. Foster) 1714 (i).

GEOLOGICAL SURVEY (Mr. Daly) 127 (i).

INDIAN AFFAIRS (Mr. Daly) 127 (i).

INTERIOR (Mr. Daly) 150 (i).

JUSTICE, DOMINION POLICE (Sir John Thompson) 127.

—— PENITENTIARIES (Sir John Thompson) 127 (i).

LIBRARY OF PARLIAMENT, JOINT REP. (Mr. Speaker) 5 (i).

MARINE AND FISHERIES (Sir Charles Hibbert Tupper) 1116, 2212 (i).

MOUNTED POLICE (Mr. Ives) 1327 (i).

POSTMASTER GENERAL (Sir Adolphe Caron) 946 (i).

PRINTING AND STATIONERY (Mr. Costigan) 3239 (i).

PUBLIC ACCOUNTS (Mr. Foster) 127 (i).

PUBLIC WORKS (Mr. Quimet) 1036 (i).

SECRETARY OF STATE (Mr. Costigan) 149 (i).

SELECT STANDING COMMITTEES (Sir John Thompson) 424 (i).

TRADE AND COMMERCE (Sir John Thompson) 3002 (i).

UNCLAIMED BALANCES IN BANKS (Mr. Foster) 4039 (ii).

WEIGHTS AND MEASURES AND GAS (Mr. Wood, Brockville) 5465 (ii).

Residential Qualification. See "FRANCHISE."

REPAIRS, &c., HORSES, &c., MOUNTED POLICE: in Com. of Sup., 4636 (ii).

—— ONT. HARBOURS AND RIVERS: in Com. of Sup., 4472 (ii).

—— WHARFS: in Com. of Sup., 4716 (ii).

- REPAIRS, FURNITURE, HEATING, &c.: in Com. of Sup., 4442 (ii).
- REPARIATION OF CANADIANS: Ques. (Mr. Girouard, *Two Mountains*) 3439 (ii).
- RESTIGOUCHE AND VICTORIA RY.'S SUBSIDY: prop. Res. (Mr. Haggart) 6255 (ii).
- RETIRED OFFICERS, GRATUITIES: in Com. of Sup., 4885 (ii).
- RETURN MEN AND IMMIGRATION: M. for Ret. (Mr. Martin) 2414 (i).
- RETURNS, STATEMENTS, &c.:
- ALASKA AND B.C. BOUNDARY* (Sir Hector Langevin) 450 (i).
- AMERICAN CATTLE IMPORTED ALIVE* (Mr. Mulock) 451 (i).
- ANALYTICAL INDEX CUSTOMS TARIFF, COST* (Mr. Somerville) 3163 (i).
- ATLANTIC SS. SERVICE, SUBSIDIES ASKED* (Mr. Mulock) 2424 (i).
- AUSTRALIAN-CANADIAN CABLE* (Sir Hector Langevin) 450 (i).
- BINDER TWINE, PLANT FOR KINGSTON PENITENTIARY* (Mr. Mulock) 451 (i).
- BLUE-BOOKS, &c., DATES OF PUBLICATION SINCE 1887 (Mr. Charlton) 147 (i).
- BONUSES TO RYS. AND SS. CO.'S FOR SETTLERS* (Mr. Mulock) 1036 (i).
- BOUNDARIES OF QUEBEC (Sir Hector Langevin) 1569.
- BOUNDARY, ALASKA AND B.C.* (Sir Hector Langevin) 450 (i).
- BOUNTY, &c., ON CAN. BUILT SHIPS* (Mr. Amyot) 1399 (i).
- ON PIG IRON, AMOUNT PAID* (Mr. Edgar) 451 (i).
- B.C. PENITENTIARY, CHARGES *re* MANAGEMENT* (Mr. Mulock) 451 (i).
- B.C. SEALERS, CLAIMS (Mr. Laurier) 1577 (i).
- BROAD COVE MARSH PIER, DISMISSAL OF INSPECTOR* (Mr. Davies, *P. E. I.*) 4479 (ii).
- BRUSH, A., COR. *re* CATTLE INSPECTION* (Mr. Mulock) 2424 (i).
- BUILDINGS (GOVT.) MAN. AND N.W.T.* (Mr. McMullen) 450 (i).
- BUREAU OF LABOUR STATISTICS, ESTABLISHMENT (Mr. Lépine) 2186 (i).
- CALGARY, SETTLERS FROM U.S., NUMBER, &c. (Mr. Martin) 2415 (i).
- CAMPBELL, SAML., DISMISSAL* (Mr. Davies, *P. E. I.*) 452 (i).
- CAN. AND AUSTRALIAN CABLE* (Sir Hector Langevin) 450 (i).
- CAN. BUILT SHIPS, DRAWBACKS OR BOUNTY* (Mr. Amyot) 1399 (i).
- CAN. MUTUAL AID ASSOCIATION, REGISTRATION* (Mr. Sproule) 1991 (i).
- CAPTAINS AND MATES, CERTIFICATED* (Mr. Davies, *P. E. I.*) 451 (i).
- CATTLE (CAN.) EXPORTS *via* U.S.* (Mr. Mulock) 451.
- EMBARGO IN GREAT BRITAIN (Mr. McMullen) 1800 (i).
- INSPECTION BETWEEN CAN. AND U.S.* (Mr. Mulock) 2424 (i).
- CATTLE RANCH (GOVT.) FORT MACLEOD* (Mr. Charlton) 449 (i).
- TRANSIT THROUGH CAN. (Mr. Sproule) 4479.
- CHAMBLY CANAL, SWING BRIDGE NEAR STE. THÉRÈSE ISLAND* (Mr. Béchard) 1991 (i).
- RETURNS, STATEMENTS, &c.— *Con.*
- CHEVALIER, FISHERY OVERSEER, DISMISSAL* (Mr. Béchard) 1991 (i).
- CHICAGO EXHIBIT, CAN. EMPLOYEES* (Mr. Martin) 449.
- EXHIBITION, SCHOOL AWARDS (Mr. Lachapelle) 3289 (ii).
- CHURCH ARTICLES, FREE ADMISSION (Mr. McCarthy) 3121 (i).
- CIVIL SERVANTS, CONTRIBUTORS TO SUPERANNUATION FUND* (Mr. McMullen) 1036 (i).
- CIVIL SERVICE INSURANCE* (Sir Hector Langevin) 450.
- CLEMENT & SON, REP., &c., *re* BUTTER SALES* (Mr. McMullen) 451 (i).
- COAL OIL IMPORTED IN TANK CARS* (Mr. Macdonald, *Huron*) 514 (i).
- COCKBURN ISLAND WHARF, TOTAL COST, &c.* (Mr. McMullen) 450 (i).
- COFFIN, CHAS., CLAIM FOR RY. DAMAGES* (Mr. Davies, *P. E. I.*) 452 (i).
- COLUMBIAN EXHIBITION, EMPLOYEES FROM N.S.* (Mr. Patterson, *Colchester*) 1036 (i).
- NAMES, &c., OFFICIALS WITH CAN. EXHIBIT (Mr. Charlton) 1399 (i).
- COMMERCIAL RELATIONS WITH FRANCE (Mr. Laurier) 1435 (i).
- CONNOLLY AND MCGREEVY, RELEASE (Mr. Mulock) 145.
- CONNOR, MR., PLANT FOR MANUFACTURE OF BINDER TWINE* (Mr. Mulock) 451 (i).
- CONSOLIDATED FUND, RECEIPTS AND EXPENDITURES* (Sir Richard Cartwright) 2424 (i).
- CONTROLLERS' AND MINISTERS' EXPENSES *re* INVESTIGATING TARIFF* (Mr. Martin) 449 (i).
- COPYRIGHT* (Mr. Edgar) 149 (i).
- CORNWALL CANAL. *See* general heading.
- CREAMERIES, ELGIN AND WOODSTOCK* (Mr. McMullen) 451 (i).
- CULLERS' OFFICES, QUEBEC AND MONTREAL* (Mr. McMullen) 1036 (i).
- CURRAN BRIDGE CONTRACTS, &c.* (Mr. Gibson) 450 (i).
- CUSTOMS ACT, DRAWBACKS OR REBATES* (Mr. Casey) 1399 (i).
- DAM AT RIVER YAMASKA, CONSTRUCTION (Mr. Laurier) 1573 (i).
- DAVIS & SONS' CONTRACT FOR SHEIK'S ISLAND DAM* (Mr. Charlton) 452 (i).
- DEPOSITS AS SECURITIES ON CONTRACTS* (Mr. Lister) 2424 (i).
- DOM. AND P.O. SAVINGS BANKS, DEPOSITORS* (Sir Richard Cartwright) 1991 (i).
- EASTERN EXTENSION RY., CHARGES AGAINST TICKET AGENT* (Mr. Cameron) 2424 (i).
- ELGIN AND WOODSTOCK EXPERIMENTAL CREAMERIES* (Mr. McMullen) 451 (i).
- ELLIS, JOHN V., SENTENCE BY SUPREME COURT, N.B.* (Mr. Davies, *P. E. I.*) 452 (i).
- EXHIBIT AT CHICAGO, EMPLOYEES, &c.* (Mr. Martin) 449 (i).
- EXPORTS OF CAN. CATTLE *via* U.S.* (Mr. Mulock) 451.
- AND IMPORTS* (Sir Richard Cartwright) 149.
- TO U.S. AND OTHER COUNTRIES (Mr. Charlton) 453, 1831 (i).
- FROM CAN. AND REBATES ALLOWED* (Mr. McMullen) 2425 (i).
- FERRIES, &c. *See* "Captains."
- FISHERIES OF ONTARIO, DEPTL. ORDERS (Mr. McGregor) 1579, 2075 (i).
- FISHING RIGHTS OF INDIANS IN FRENCH BAY* (Mr. Laurier) 1990 (i).

RETURNS, STATEMENTS, &c.—*Con.*

- FRANCHISE ACT, REVISING OFFICERS UNDER* (Sir *Hector Langevin*) 450 (i).
- FRANCE AND CAN. SS. SERVICE* (Mr. *Tarte*) 2783 (i).
- FRANCE-CAN., COMMERCIAL RELATIONS (Mr. *Laurier*) 1435 (i).
- FRENCH TREATY, STMT. IN FORM TABLE "C."* (Mr. *Laurier*) 1036 (i).
- GALLAGHER & McNAB, PURCHASE OF LOT* (Mr. *McMullen*) 2425 (i).
- GOODWIN, GEO., SOULANGES CANAL CONTRACTS* (Mr. *Charlton*) 449 (i).
- GOVT. CATTLE RANCH, FORT MACLEOD* (Mr. *Charlton*) 449 (i).
- GOVT. BUILDINGS, MAN. AND N.W.T., COST, &c.* (Mr. *McMullen*) 450 (i).
- GOVT. VALUATOR A. F. WOOD, SUMS PAID* (Mr. *McMullen*) 453 (i).
- GRADUATES, &c., MILITARY COLLEGE* (Mr. *Mulock*) 366 (i).
- GRAND ETANG, (C.B.) WHARF, TENDERS AND CONTRACTS* (Mr. *Davies, P.E.I.*) 2424 (i).
- GREAT NORTHERN RY., PETS. *re* LOCATION* (Mr. *Tarte*) 2782 (i).
- HALF-BREED LAND GRANTS IN MAN. (Mr. *Martin*) 1034, 1400 (i).
- HARRIS PROPERTY, ST. JOHN, PURCHASE, &c.* (Mr. *Davies, P.E.I.*) 451 (i).
- HARD PAN CASES AND FINDINGS OF EXCHEQUER COURT (Sir *John Thompson*) 2691 (i).
- HAWKESBURY AND PORT MULGRAVE STEAM FERRY* (Mr. *Cameron*) 2424 (i).
- HERRING AND LOBSTER FISHERIES (Mr. *Bowers*) 2767.
- HOMESTEADS TAKEN, CANCELLED, &c., IN MAN.* (Mr. *Martin*) 449 (i).
- HUDSON'S BAY, H.M.'s SOVEREIGNTY (Mr. *Mills, Bothwell*) 3276 (ii).
- HURONS OF LORETTE, SEIGNIORY OF* (Mr. *Frémont*) 1036 (i).
- IMMIGRANTS, INSPECTION AT QUEBEC (Mr. *Laurier*) 1434 (i).
- IMMIGRATION, WORK OF RETURN MEN (Mr. *Martin*) 2414 (i).
- IMPORTS OF COAL OIL IN TANK CARS* (Mr. *Macdonald, Huron*) 514 (i).
- IMPORTS UNDER ORDERS IN COUNCIL (Mr. *Charlton*) 2763, 2782 (i).
- IMPORTS AND EXPORTS* (Sir *Richard Cartwright*) 149 (i).
- IMPORTS (FREE) MINING MACHINERY* (Mr. *Mara*) 452 (i).
- IMPORTS OF AMERICAN CATTLE* (Mr. *Mulock*) 451 (i).
- INDIAN AFFAIRS, REPS. TO SUPT. GENERAL *re* THOUSAND ISLANDS* (Mr. *Mills, Bothwell*) 451 (i).
- INDIAN CORN, DRAWBACK ON IMPORTS* (Mr. *Charlton*) 452 (i).
- INGONISH ISLAND, DISMISSAL OF KEEPER* (Mr. *Davies, P.E.I.*) 452 (i).
- INSURANCE, CIVIL SERVICE* (Sir *Hector Langevin*) 450 (i).
- I.C.R., HARRIS PROPERTY, ST. JOHN* (Mr. *Davies, P.E.I.*) 451 (i).
- IRON AND STEEL FOR BRIDGES. VALUE OF IMPORTS* (Mr. *Charlton*) 452 (i).
- KINGSTON PENITENTIARY, CHARGES *re* MANAGEMENT* (Mr. *Mulock*) 451 (i).
- GATE RECEIPTS* (Mr. *Mulock*) 1036 (i).
- LABOUR STATISTICS, ESTABLISHMENT OF BUREAU (Mr. *Lépine*) 2186 (i).

RETURNS, STATEMENTS, &c.—*Con.*

- LACHINE CANAL. *See* general heading.
- LAND GRANTS (MAN. AND N.W.T.) TO RELIGIOUS DENOMINATIONS* (Mr. *Charlton*) 449 (i).
- LAND GRANTS TO HALF-BREEDS IN MAN. (Mr. *Martin*) 1400 (i).
- LAWRENCE, C. C., TICKET AGENT, CHARGES AGAINST* (Mr. *Cameron*) 2424 (i).
- LEGAL SERVICES, &c., 1873 TO 1879, AMOUNTS PAID* (Mr. *Taylor*) 2424 (i).
- LEGISLATURE OF ONT. PAYMENTS BY DOM. GOVT. TO MEMBERS* (Mr. *Macdonald, Huron*) 452 (i).
- APPMNT OF MEMBERS BY DOM. GOVT. (Mr. *Macdonald, Huron*) 453 (i).
- LIQUORS, DISTILLED AND FERMENTED (Mr. *Flint*) 3297.
- LOANS TO SETTLERS IN N.W.T. (Mr. *LaRivière*) 3100.
- LOBSTER AND HERRING FISHERIES (Mr. *Bowers*) 2767.
- LOISELLE, B., POSTMASTER, DISMISSAL (Mr. *Brodeur*) 2734 (i).
- LUNENBURG, N.S., INDUSTRIES ESTABLISHED* (Mr. *Forbes*) 1991 (i).
- MAN. AND N.W.T. SCHOOLS (Mr. *Tarte*) 159, 1600, 1992, 2042 (i).
- MANY, J. B., COR. WITH GOVT. *re* SWING BRIDGE* (Mr. *Bécharde*) 1991 (i).
- MASTERS AND MATES, CERTIFICATED* (Mr. *Davies, P.E.I.*) 451 (i).
- MILL RIVER FLAG STATION, P.E.I. RY. (Mr. *Perry*) 2773 (i).
- MILITARY COLLEGE, GRADUATES, &c.* (Mr. *Mulock*) 366 (i).
- MINING MACHINERY, FREE IMPORTS* (Mr. *Mara*) 452.
- MONTPETIT, J., APPMNT. AS FISHERY OVERSEER* (Mr. *Harwood*) 1398 (i).
- MCCORMICK'S ISLAND, OWNERSHIP (Mr. *Mills, Bothwell*) 1983 (i).
- MCLEOD, JOHN, DISMISSAL AS INSPECTOR* (Mr. *Davies, P.E.I.*) 4479 (ii).
- McNAB & GALLAGHER, PURCHASE OF LOT* (Mr. *McMullen*) 2425 (i).
- McQUEEN, FISHERY OVERSEER, DISMISSAL (Mr. *Campbell*) 1984, 2075 (i).
- ONT. LEGISLATURE, PAYMENTS BY DOM. GOVT. TO MEMBERS* (Mr. *Macdonald, Huron*) 452 (i).
- APPMNT. OF MEMBERS BY DOM. GOVT.* (Mr. *Macdonald, Huron*) 453 (i).
- ONT. FISHERIES. DEPTL. ORDERS (Mr. *McGregor*) 1579 (i).
- ORDINANCES (N.W.T.) 1852, PETITION FROM R. C. CLERGY (Mr. *Declin*) 2414 (i).
- PICKET'S PIER, REPAIRS (Mr. *Borden*) 2754 (i).
- PIG IRON, BOUNTY PAID* (Mr. *Edgar*) 451 (i).
- PORT MULGRAVE AND CANSO STEAM FERRY* (Mr. *Cameron*) 2424 (i).
- PRISONERS IN PENITENTIARIES, DECEASED, &c.* (Mr. *Martin*) 449 (i).
- P.E.I. RY., CHAS. COFFIN'S CLAIM FOR DAMAGES* (Mr. *Davies, P.E.I.*) 452 (i).
- PUBLIC SCHOOLS (P.E.I.) ACT, 1877* (Mr. *Leclair*) 450 (i).
- PUBLIC WORKS IN N.S. SINCE 1878, EXPEND. (Mr. *Fraser*) 356 (i).
- QUEEN'S (N.S.) INDUSTRIES ESTABLISHED* (Mr. *Forbes*) 1991 (i).
- REBATES ALLOWED ON EXPORTS* (Mr. *McMullen*) 2425 (i).
- RECEIPTS AND EXPENDITURES, CONSOLIDATED FUND* (Sir *Richard Cartwright*) 2424 (i).

RETURNS, STATEMENTS, &c.—*Con.*

- RECEIPTS AND EXPEND., APRIL, 1893—APRIL, 1894* (Sir *Richard Cartwright*) 1399 (i).
- RELIGIOUS DENOMINATIONS, LAND GRANTS* (Mr. *Charlton*) 449 (i).
- RETURNS ORDERED AND NOT BROUGHT DOWN* (Mr. *Landerkin*) 1036 (i).
- RETURN MEN AND IMMIGRATION (Mr. *Martin*) 2414 (i).
- REVISING OFFICERS UNDER FRANCHISE ACT* (Sir *Hector Langevin*) 450 (i).
- ROCHELEAU POSTMASTER, COMPLAINTS AGAINST BY E. TREMBLAY* (Mr. *Fréchette*) 1991 (i).
- ROSA, NARCISSE, SHIPBUILDER, SUMS PAID* (Mr. *Amyot*) 447⁹ (ii).
- ROSSEAU RIVER, &c., ENGINEER'S REP.* (Mr. *LaRivière*) 1398 (i).
- RYS. AND SS. CO.'S, BONUSES FOR SETTLERS* (Mr. *Mulock*) 1036 (i).
- SABOURIN, J., APPMT. AS FISHERY OVERSEER* (Mr. *Harwood*) 1398 (i).
- SCHOOL ACTS (MAN.) 1890, PETITION FROM R. C. CLERGY (Mr. *Devlin*) 2414 (i)
- SCHOOL AWARDS, CHICAGO EXHIBITION (Mr. *Lachapelle*) 3239 (ii).
- SCHOOL LAW OF P.E.I.* (Mr. *Leclair*) 450 (i).
- SEAL FISHERMEN (B.C.) CLAIMS (Mr. *Laurier*) 1577.
- SECURITIES ON CONTRACTS, DEPOSITS WITH GOVT.* (Mr. *Lister*) 2424 (i).
- SEPARATE SCHOOLS, MAN. AND N.W.T. (Mr. *LaRivière*) 159 (i).
- (Mr. *Tarte*) 159, 1600, 1992, 204¹ (i).
- SETTLERS FROM U.S. TO N.W.T., NUMBER, &c. (Mr. *Martin*) 2415 (i).
- SHEIK'S ISLAND DAM. See "Cordwall Canal."
- SHELBURNE (N.S.) INDUSTRIES ESTABLISHED* (Mr. *Forbes*) 1991 (i).
- SILLERY SEIGNIORY AND HURONS OF LORETTE* (Mr. *Frémont*) 1036 (i).
- SIX NATION INDIANS' FUND* (Mr. *Paterson, Brant*) 1991 (i).
- SIX NATION INDIANS, INDIVIDUAL INDEBTEDNESS* (Mr. *Paterson, Brant*) 1399 (i).
- SOULANGES CANAL, ADVERTISEMENT FOR TENDERS* (Mr. *Tarte*) 1399 (i).
- CANAL. CHANGES IN CONTRACTS (Mr. *Tarte*) 3294 (ii).
- CONTRACTS* (Mr. *Charlton*) 449.
- TENDERS AND CONTRACTS* (Mr. *Tarte*) 2693, 2783 (i).
- SUPERANNUATION FUND, CONTRIBUTORS* (Mr. *McMullen*) 1036 (i).
- SUPREME COURT (N.B.) SENTENCE *re* J. V. ELLIS* (Mr. *Davies, P.E.I.*) 452 (i).
- ST. ANDREW'S RAPIDS (MAN.) IMPROVEMENTS (Mr. *Martin*) 1972 (i).
- ST. FRANÇOIS DE SALES P.O. (Mr. *Tarte*) 2191 (i).
- ST. PAUL'S ISLAND, DISMISSAL OF SUPT.* (Mr. *Davies, P.E.I.*) 452 (i).
- ST. PIERRE, DAMASE, DISMISSAL AS POSTMASTER* (Mr. *Laurier*) 1036 (i).
- ST. ROCH DE QUEBEC P.O., LEASE OF PROPERTY* (Mr. *Choquette*) 2782 (i).
- TARIFF. See general heading.
- THOUSAND ISLANDS, VALUES AND SALES* (Mr. *Mills, Bothwell*) 451 (i).
- TICKET AGENT, PORT HASTINGS, CHARGES AGAINST* (Mr. *Cameron*) 2424 (i).
- TIMBER CULLED AT MONTREAL* (Mr. *McMullen*) 1036 (i).

RETURNS, STATEMENTS, &c.—*Con.*

- TIMBER DUES, &c., COLLECTED AT QUE.* (Mr. *McMullen*) 1036 (i).
- TIMBER LICENSES GRANTED SINCE 1883 (Mr. *Charlton*) 452, 1977 (i).
- TIMBER ON INDIAN RESERVES, DISPOSAL (Mr. *Devlin*) 1983 (i).
- TIMBER SALES ON WHITEMOUTH RIVER* (Mr. *Martin*) 2424 (i).
- TOBACCO, CAN., REDUCTION OF DUTIES* (Mr. *Brodeur*) 3636 (ii).
- TRENT VALLEY CANAL, COMMISSIONERS' REP. (Mr. *Hughes*) 1796 (i).
- TURCOTTE & PROVOST, CONTRACT, &c., FOR GROCERIES* (Mr. *Choquette*) 2782 (i).
- UNITED STATES, &c. EXPORTS (Mr. *Charlton*) 453 (i).
- UNPAID MAIL MATTER* (Mr. *Somerville*) 3162.
- VANKOUGHTNET, L. SUPERANNUATION* (Mr. *Mulock*) 1036 (i).
- "WILLIE MCGOWAN," SEIZURE BY RUSSIANS (Mr. *McDougall, Cape Breton*) 1570 (i)
- WINTER SERVICE, P.E.I. AND MAINLAND (Mr. *Perry*) 4495 (ii).
- WOOD, A. F., GOVT. VALUATOR, SUMS PAID* (Mr. *McMullen*) 453 (i).
- WOODSTOCK AND ELGIN EXPERIMENTAL CREAMERIES* (Mr. *McMullen*) 451 (i).
- WRIGHT, J. B., M.D., V.S., COR. *re* CATTLE INSPECTION (Mr. *Mulock*) 2424 (i).
- YAMASKA RIVER DAM, COST OF CONSTRUCTION (Mr. *Laurier*) 1575 (i).
- RETURNS: Inquiries for, 2341, 2623, 2691, 2786 (i), 3303, 3601, 3873, 4101, 4312, 4395, 4720, 4817, 5370, 5465, 5530, 5775, 6358 (ii).
- RETURNS ORDERED AND NOT BROUGHT DOWN: M. for Ret. (Mr. *Landerkin*) 1036 (i).
- Revenue and Audit Act Amt. B. No. 127 (Sir *John Thompson*). 1^o, 3241; 2^o*, and in Com., 4941; 3^o*, 4943. (57-58 *Vic., c.* 19.)
- REVISING BARRISTER, PRINCE COUNTY, P.E.I.: Ques. (Mr. *Perry*) 3241 (i).
- QUEEN'S AND SHELBURNE: Ques. (Mr. *Forbes*) 1222 (i).
- RICHMOND, APPMT.: Ques. (Mr. *Rinfret*) 2733 (i).
- REVISING OFFICERS, MAN., APPMTS.: Ques. (Mr. *Martin*) 3604 (ii).
- UNDER FRANCHISE ACT: M. for List* (Sir *Hector Langevin*) 450 (i).
- REVISION OF VOTERS' LISTS SINCE 1885: Ques. (Mr. *Charlton*) 752, 1030 (i).
- REWARDS FOR SAVING LIFE: in Com. of Sup., 4693 (ii).
- RICE AND SAGO FLOUR: in Com. of Ways and Means, 1738 (i).
- RICE, CLEANED: in Com. of Ways and Means, 1733 (i), 3573 (ii).
- MILLS AND HANDS EMPLOYED: Ques. (Sir *Richard Cartwright*) 1711 (i).
- UNCLEANED: in Com. of Ways and Means, 1716 (i).
- RIDEAU CANAL: in Com. of Sup., 5450, 6463 (ii).
- SWEETMAN, DAMAGES: in Com. of Sup., 6463 (ii).
- RIDEAU HALL, OTTAWA: in Com. of Sup., 4441 (ii).

- Richelieu and Ont. Nav. Co.'s B. No. 62** (Mr. *Girouard, Jacques Cartier*). 1^o*, 1030; 2^o*, 1151; in Com. and 3^o*, 3602. (57-58 *Vic.*, c. 105.)
- ROCHELEAU POSTMASTER, COMPLAINTS AGAINST BY E. TREMBLAY: M. for copies* (Mr. *Fréchette*) 1991 (i).
- RICHMOND POST OFFICE: in Com. of Sup., 4433 (ii).
— REVISING OFFICER, APPMT.: Ques. (Mr. *Rinfret*, 2783 (i).
- RIPON, &c., AND PAPINEAUVILLE MAIL SERVICE: Ques. (Mr. *Devlin*) 2414 (i).
- River St. Clair Ry. and Tunnel B. No. 33** (Mr. *Ingram*). 1^o*, 682; 2^o*, 886; in Com. and 3^o*, 2391. (57-58 *Vic.*, c. 100.)
- RIVER ST. JOHN: in Com. of Sup., 4466 (ii).
- RIVIÈRE DU LIÈVRE: in Com. of Sup., 6501 (ii).
- ROADS AND BRIDGES, OTTAWA CITY: in Com. of Sup., 5458 (ii).
- ROBBERIES ON THE I.C.R. AT RIVIERE DU LOUP: Ques. (Mr. *Choquette*) 4195 (ii).
- ROBINSON TREATY ANNUITIES: in Com. of Sup. 4827.
- Rocky Mountain Ry. and Coal Co.'s B. No. 80** (Mr. *Davis, Alberta*). 1^o*, 1219; 2^o*, 1747; in Com. and 3^o*, 4027. (57-58 *Vic.*, c. 91.)
- ROCKY MOUNTAIN RY. AND COAL CO.'S LAND SUBSIDY: prop. Res., 5935 (ii).
- ROLLED IRON AND STEEL ANGLES: in Com. of Ways and Means, 2820 (i).
- ROSA, JOSEPH, RETIRING ALLOWANCE: in Com. of Sup., 6512 (ii).
- ROSA, NARCISSE, SHIPBUILDER, SUMS PAID: M. for Stmt.* (Mr. *Amyot*) 4479 (ii).
- ROSSEAU RIVER, &c., ENGINEER'S REP.: M. for copies* (Mr. *LaRivière*) 1398 (i).
- ROYAL MILITARY COLLEGE GRADUATES, &c.: Ques. (Mr. *Mulock*) 281 (i).
— See "Military College."
- ROY, BRIGADE MAJOR, SALARY: in Com. of Sup., 6246 (ii).
- ROY, THOMAS, EMPLOYT. BY GOVT.: Ques. (Mr. *Monet*) 3089 (i).
- ROVE: in Com. of Ways and Means, 2662 (i).
- ST. ANDREW'S RAPIDS, MAN. IMPROVEMENTS: M. for O. C.'s (Mr. *Martin*) 1972 (i).
- STE. ANGELE DE MONNOIR, POSTMASTER, DISMISSAL: Ques. (Mr. *Brodeur*) 518 (i).
- STE. ANNE DE LA PÉRADE LANDSLIDE: Ques. (Mr. *Delisle*) 3090 (i).
- STE. ANNE DE SOREL LIGHTHOUSE-KEEPER: Ques. (Mr. *Bruncau*) 1711 (i).
- STE. ANNE'S LOCK: in Com. of Sup., 4161 (ii).
- STE. EMILIE PARISH, LIGHTHOUSE: Ques. (Mr. *Rinfret*) 156 (i).
- Ste. Emelie Ry. Co.'s incorp. B. No. 83** (Mr. *Pelletier*). 1^o*, 1219; 2^o*, 1368 (i).
- St. Catharines and Niagara Central Ry. Co.'s B. No. 79** (Mr. *Carpenter*). 1^o*, 1219; 2^o*, 1600; in Com. and 3^o*, 4855. (57-58 *Vic.*, c. 92.)
— SUBSIDY: prop. Res. (Sir *John Thompson*) 6050; in Com., 6270 (ii).
- ST. CHARLES BRANCH, I.C.R.: in Com. of Sup., 3509.
— CLAIMS FOR DAMAGES: Remarks (Mr. *Laurier*) 3602 (ii).
- St. Clair and Erie Ship Canal Co.'s incorp. B. No. 21** (Mr. *Tisdale*). 1^o*, 596; 2^o*, 721; M. for Com., 2112; in Com., 2125, 2379; 3^o*, 2391. (57-58 *Vic.*, c. 104.)
- ST. EUSTACHE AND ST. PLACIDE RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051 (ii).
- ST. FRANÇOIS DE SALES P.O.: M. for Cor., &c. (Mr. *Tarte*) 2191 (i).
- ST. JOHNS AND BARNEVILLE RY. SUBSIDY: prop. Res. (Mr. *Huggart*) 6256; in Com., 6410 (ii).
- ST. JOHN AND DIGBY AND ANNAPOLIS MAIL SUBSIDY: in Com. of Sup., 5459 (ii).
— AND WEST INDIES. &c., MAIL SUBSIDY: in Com. of Sup., 5454 (ii).
— CUSTOM HOUSE: in Com. of Sup., 5228 (ii).
— MARINE HOSPITAL: Ques. (Mr. *Bowers*) 843.
- ST. JOSEPH'S ISLAND, GOVT. DOCK, COST: Ques. (Mr. *Lister*) 1788 (i).
- St. Lawrence and Adirondack Ry. Co.'s B. No. 39** (Mr. *Baker*). 1^o*, 751; 2^o*, 886; in Com. and 3^o*, 2411. (57-58 *Vic.*, c. 93.)
- St. Lawrence Ins. Co.'s B. No. 99** (Mr. *White, Cardwell*). 1^o*, 2211; 2^o*, 2412; in Com. and 3^o*, 4855 (ii). (57-58 *Vic.*, c. 124.)
- ST. LAWRENCE RIVER AND CANALS, DEEPENING: prop. Res. (Mr. *Denison*) 2137 (i).
Deb. (Mr. *Coatsworth*) 2148; (Mr. *Davin*) 2153; (Sir *James Grant*) 2154; (Mr. *White, Cardwell*) 2156; (Mr. *Martin*) 2158; (Mr. *Daly*) 2162; (Mr. *Cockburn*) 2169; (Mr. *Huggart*) 2174; (Mr. *Mulock*) 2180; (Mr. *Calvin*) 2184.
— in Com. of Sup., 4154 (ii).
— ISLANDS, SALE: Ques. (Mr. *Landerkin*) 1791 (i).
— SHIP CHANNEL: in Com. of Sup., 4417 (ii).
- ST. PAUL'S ISLAND, &c., SUPT.'S DISMISSAL: Ques. (Mr. *Davies, P.E.I.*) 288 (i).
— M. for Ret.* (Mr. *Davies, P.E.I.*) 452 (i).
- ST. PETER'S CANAL: in Com. of Sup. 4162 (ii).
— PAYMENT TO DAN FUGÈRE: in Com. of Sup., 5453 (ii).
- ST. PIERRE, DAMASE, DISMISSAL AS POSTMASTER: M. for O.C.'s, &c.* (Mr. *Laurier*) 1036 (i).
- ST. PLACIDE AND ST. ANDREW'S RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051; in Com., 6282 (ii).
- ST. RÉMI AND ST. CYPRIEN RY. CO.'S SUBSIDY: prop. Res. (Sir *John Thompson*) 6051 (ii).
- ST. ROCH DE QUEBEC P. O., LEASE OF PROPERTY: M. for Cor., &c. (Mr. *Choquette*) 2782 (i).
- ST. ROCH P. O., PROPERTY LEASED: Ques. (Mr. *Choquette*) 597 (i).
- ST. THOMAS P. O., BOX RENTS: Ques. (Mr. *Casey*) 4477 (ii).
— MANAGEMENT: Ques. (Mr. *Casey*) 2294 (i).
- ST. URBAIN DE CHATEAUGUAY POSTMASTER, COMPLAINTS AGAINST: Ques. (Mr. *Brown*) 2131 (i).
- ST. VINCENT DE PAUL PENITENTIARY: in Com. of Sup., 3347, 4432 (ii).

- Sabbath.** See "LORD'S DAY."
- Sable Island.** See "LIGHTHOUSES."
- SABOURIN, I., APPMT. AS FISHERY OVERSEER: M. for O. C.'s (Mr. Harwood) 1398 (i).**
- Sacred Heart of Jesus (Ladies) Act Amt. B. No. 43 (Mr. LaRivière). 1^o*, 751; 2^o*, 886; in Com. and 3^o*, 2391. (57-58 Vic., c. 128.)**
- SAILS: in Com. of Ways and Means, 2666 (i).**
- SALARIES AND ALLOWANCES, &C., LIGHTHOUSE AND COAST SERVICE: in Com. of Sup., 4697 (ii).**
- **B. C. INDIANS: in Com. of Sup., 4880 (ii).**
- **AND CONTINGENCIES, SENATE: in Com. of Sup., 3485, 4122 (ii).**
- **HOUSE OF COMMONS: in Com. of Sup., 3489.**
- **JUDGES, INCREASE: Ques. (Mr. Brodeur) 518.**
- **LIBRARY: in Com. of Sup., 3499 (ii).**
- **WEIGHTS AND MEASURES: in Com. of Sup., 4770 (ii).**
- SALMON, PICKLED: in Com. of Ways and Means, 2685 (i); conc., 4028 (ii).**
- SALT: in Com. of Ways and Means, 2999, 3026 (i).**
- SANFORD, SENATOR, VISIT TO WASHINGTON: Ques. (Mr. Landerkin) 286, 288 (i).**
- SASKATCHEWAN AND WESTERN RY. CO.'S LAND SUBSIDY: prop. Res. (Mr. Daly) 6253 (ii).**
- SASKATCHEWAN RIVER BRIDGE: in Com. of Sup., 6508 (ii).**
- Sault St. Louis Seigniory B. No. 97 (Mr. Daly). 1^o, 2130; 2^o*, in Com. and 3^o*, 4893. (57-58 Vic., c. 25.)**
- SAULT STE. MARIE: in Com. of Sup., 4158 (ii).**
- SAULT STE. MARIE CANAL, LEMAY'S DEATH: Ques. (Mr. Rinfret) 2871 (i).**
- **ORIGINAL CONTRACT: Ques. (Mr. Charlton) 683 (i).**
- See "CANALS."
- SAW-LOGS: in Com. of Ways and Means, 2945 (i).**
- Deb. (Mr. Macdonell, Algoma) 2945; (Mr. O'Brien) 2951; (Mr. Masson) 2956; (Mr. Speaker) 2959; (Mr. Bennett) 2960; (Mr. Declin) 2962; (Mr. Kaulbach) 2969; (Mr. Charlton) 2969; (Mr. McNeill) 2971; (Mr. Edwards) 2973; (Mr. Bryson) 2977; (Mr. Maclean, York) 2979 (i).
- SAVINGS BANKS: in Com. of Sup., N.B., N.S., P.E.I., 3186 (i).**
- SCHOOL ACTS (MAN.) 1890, PET. FROM R.C. CLERGY: M. for copy (Mr. Devlin) 2414 (i).**
- SCHOOL AWARDS, CHICAGO EXHIBITION: M. for Ret. (Mr. Lachapelle) 3289 (i).**
- SCHOOLS, CLERICAL ASSISTANCE, N.W.T.: in Com. of Sup., 4921 (ii).**
- **DAY BOARDING, &C., MAN. INDIANS: in Com. of Sup., 4853 (ii).**
- School Fund.** See "COMMON."
- See "MAN. AND N.W.T."
- SCHOOLS, INDIAN, ONT., QUE. AND MAR. PROVS.: in Com. of Sup., 4826 (ii).**
- SCHOOL LAW OF P.E.I.: M. for Papers, &c.* (Mr. Leclair) 450 (i).**
- **QUES. (N.W.T. AND MAN.) GOVT. CONFERENCE WITH LIEUT. GOVS.: Ques. (Mr. Tarte) 1222, 1712.**
- SCOUTS, GUIDES, &C., MOUNTED POLICE: in Com. of Sup., 4636 (ii).**
- SCIENTIFIC INSTITUTIONS: in Com. of Sup., 4733, 5460.**
- SCRAP IRON SALES, I.C.R.: Ques. (Mr. Borden) 4477.**
- SCOTT, JUDGE, ESTATE: in Com. of Sup., 6242 (ii).**
- SEAFORTH, AN OUTPORT OF ENTRY: Ques. (Mr. McMillan) 3766 (ii).**
- SEAL FISHERMEN, B. C. CLAIMS: M. for Ret. (Mr. Laurier) 1577 (i).**
- **CATCH IN BEHRING SEA: Ques. (Mr. Landerkin) 686 (i).**
- SEALS, PROPAGATION IN HUDSON'S BAY: prop. Res. (Mr. Mills, Bothwell) 3278 (ii).**
- Seamen's Act Amt. B. No. 13 (Sir Charles Hibbert Tupper). 1^o, 281; 2^o and in Com., 2726; 3^o*, 2727. (57-58 Vic., c. 43.)**
- SECRETARY OF STATE:**
- ADVERTISING (GOVT.) IN NEWSPAPERS, CLASSES A, B, C: Ques. (Sir Richard Cartwright) 686 (i).**
- **WINNIPEG "STANDARD": Ques. (Mr. Martin) 754, 841 (i).**
- **CLASSES A, B, C: Ques. (Sir Richard Cartwright) 685 (i).**
- ALIEN LABOUR LAW, U.S.: Ques. (Mr. Lowell) 4307.**
- BALLOT PAPER FORM, GOVT. PROPERTY: Ques. (Mr. Rider) 447 (ii).**
- BLUR-BOOKS, &C., DATES OF PUBLICATION SINCE 1887: M. for Ret.* (Mr. Charlton) 147 (i).**
- CIVIL SERVANTS, CONTRIBUTORS TO SUPERANNUATION FUND: M. for Ret.* (Mr. McMullen) 1036 (i).**
- CIVIL SERVICE EMPLOYEES, CREED, &C.: Ques. (Mr. McNeill) 1117 (i).**
- **EXAMINATIONS, CANDIDATES DISQUALIFIED: Ques. (Mr. Somerville) 2134 (i).**
- **IRREGULARITIES: M. (Mr. Brodeur) for Sel. Com., 4053 (ii).**
- **PERSONATION: Ques. (Mr. Brodeur) 1794 (i).**
- **SPECIAL PROMOTION EXAMINATION: Ques. (Mr. Edgar) 842, 1566 (i).**
- COPYRIGHT: M. for Cor., &c.* (Mr. Edgar) 149 (i).**
- **Remarks on Adjmt. (Mr. Edgar) 10 (i).**
- DOM. ELECTIONS ACT AMT.: Remarks (Mr. Landerkin) 3302 (ii).**
- ELECTORAL LISTS, LAPRAIRIE-NAPIERVILLE: Ques. (Mr. Monet) 2937 (i).**
- FRANCHISE ACT AMT., PROVINCIAL OFFICIALS: prop. Res. (Mr. Mills, Annapolis) 3143 (i).**
- **Remarks (Mr. Laurier) 3362, 3367, 4039 (ii).**
- **REVISING OFFICERS UNDER: M. for List* (Sir Hector Langevin) 450 (i).**
- GOVERNOR GENERAL'S INSTRUCTIONS: Remarks (Mr. Mills, Bothwell) 10 (i).**
- LIEUT. GOVERNOR'S INSTRUCTIONS: Remarks (Mr. Mills, Bothwell) 181 (i).**
- LIQUOR TRAFFIC, COMMISSION: Inquiry (Mr. Landerkin) 9 (i).**
- **COMMISSIONERS' REP.: Ques. (Mr. Flint) 287 (i), 3764 (ii).**
- **PROHIBITION: prop. Res. (Mr. Flint) 2432 (i).**
- **ROYAL COMMISSION, NAMES, &C.: Ques. (Mr. Landerkin) 1031 (i).**
- REVISING OFFICERS, MAN., APPMTS: Ques. (Mr. Martin) 3604 (ii).**
- REVISING OFFICERS UNDER FRANCHISE ACT: M. for List* (Sir Hector Langevin) 450 (i).**
- VOTERS LISTS, EXPENDITURE FOR PRINTING: Ques. (Mr. Davies, P.E.I.) 1795 (i).**
- **FOR 1894, REVISION: Ques. (Mr. Guay) 2732 (i).**

SECRETARY OF STATE—*Con.*

VOTERS' LISTS, PRINTING, EXPENDITURE: Ques. (*Mr. Davies, P. E. I.*) 1795 (i).
 — Remarks (*Mr. Laurier*) 2786 (i).
 — REVISION: Remarks (*Mr. Laurier*) 5968 (ii).
 — REVISIONS SINCE 1885: Ques. (*Mr. Charlton*) 752, 1030 (i).
 [*Sec* PROVINCES, RETURNS, &C.]
 SECRETARY OF STATE, DEPT.: in Com. of Sup., 5217.
 — CONTINGENCIES: in Com. of Sup., 3249, 3267.
 — DEPTL. REP.: presented (*Mr. Costigan*) 149 (i).
 SECURITIES ON CONTRACTS, DEPOSITS WITH GOVT.:
 M. for Stimt.* (*Mr. Lister*) 2424 (i).
Seduction. *See* "CRIMINAL CODE."
 SEED GRAIN, B.C. INDIANS: in Com. of Sup., 4880.
 SEEDS, &C.: in Com. of Ways and Means, 1776 (i).
 SEINE FISHING LICENSES, LAKE ONT., &C.: Ques. (*Mr. Lister*) 950 (i).
 SEIZURES BY CUSTOMS, REFUND OF FINES: Ques. (*Mr. Charlton*) 156 (i).
 SELECT STANDING COMMITTEE. *See* "Committees."
Senate and House of Commons Act Amt. B. No. 15 (*Mr. Mulock*). 1*, 366.
Senate and House of Commons Act Amt. B. No. 164 (*Mr. Foster*). Res. prop., 5935; in Com., 6029; conc. in and 1* of B., 6053; 2*, 6154; in Com., 6259; 3*, 6358. (57-58 *Vic.*, c. 10.)
 SENATE: in Com. of Sup., 3485, 4122, 4697, 4710, 6359 (ii).
 — VACANCIES AND APPOINTMENTS: Ques. (*Sir Richard Cartwright*) 288, 315, 515 (i).
 — Remarks (*Sir John Thompson*) 306, 595 (i).
 SENATORS, DECEASED, INDEMNITIES TO HEIRS: conc., in Com. of Sup., 6359 (ii).
 SEPARATE SCHOOLS, MAN. AND N.W.T.: Ques. (*Mr. Beausoleil*) 6356 (ii).
 — M. for Pets., &c. (*Mr. LaRivière*) 159 (i).
 SERJEANT-AT-ARMS, DEPT.: in Com. of Sup., 3492 (ii).
 SESSIONAL INDEMNITY: prop. Res. (*Mr. Foster*) 5935.
 SETTLERS FROM U.S. TO N.W.T., NUMBER, &C.: M. for Ret. (*Mr. Martin*) 2415 (i).
 SEWAGE TANKS, KINGSTON PENITENTIARY: in Com. of Sup., 6242 (ii).
 SEWING MACHINES: in Com. of Ways and Means, 2396 (i).
 SHEDIAC HARBOUR: in Com. of Sup., 4468 (ii).
 SHEIK'S ISLAND DAM, CONTRACT: Ques. (*Mr. Lister*) 3241 (i).
 — DAVIS & SONS' CONTRACT: M. for Copy, &c.* (*Mr. Charlton*) 452 (i).
 — Ques. (*Mr. Charlton*) 155 (i).
 — PAPERS: Remarks (*Mr. Laurier*) 3534, 3601.
 SHIELDS, HAGGART & CO., RENTS ON LIMITS: Ques. (*Mr. Lister*) 1969 (i).
 SHEET METALS: in Com. of Ways and Means, 1330 (i).
 SHELburne (N.S.) INDUSTRIES, ESTABLISHED: M. for Ret.* (*Mr. Forbes*) 1991 (i).
 — Ques. (*Mr. Forbes*) 1789 (i).
 SHELburne (N.S.) REVISING BARRISTER, RESIDENCE: Ques. (*Mr. Forbes*) 1222 (i).
 SHINGLES: in Com. of Ways and Means, 3025 (i).

SHIPBUILDERS' DRAWBACKS, 1865 TO 1879: Ques. (*Mr. Amyot*) 2293 (i).
 — M. for O.C.'s (*Mr. Amyot*) 1035 (i).
 SHIPPING MASTER, MONTREAL, RES. OF BOARD OF TRADE: Ques. (*Mr. Casey*) 2294, 2413 (i).
Ships' Inspection Act Amt. B. No. 113 (*Sir Charles Hibbert Tupper*). 1*, 2783 (i); 2^d and in Com., 3535; 3*, 3537 (ii). (57-58 *Vic.*, c. 45.)
Ships' Safety Act Amt. (Chap. 77, Rev. Statutes) B. No. 98 (*Sir Charles Hibbert Tupper*). 1*, 2211; 2^d and in Com., 4569; recom. and 3*, 4643. (57-58 *Vic.*, c. 44.)
 SHIPWRECKED AND DISTRESSED SEAMEN: in Com. of Sup., 4737 (ii).
 SHIRTS: in Com. of Ways and Means, 3064 (i).
 SHOE BUTTONS: in Com. of Ways and Means, 2723.
 SHOE FACTORIES IN P. E. I.: Ques. (*Mr. Perry*) 3440.
 SHOVELS, &C.: conc., 4018 (ii).
 — SPADES, &C.: in Com. of Ways and Means, 2817 (i).
 SIGNAL SERVICE: in Com. of Sup., 4716 (ii).
 SILLERY SEIGNIORY AND HURONS OF LORETTE: M. for Pets.* (*Mr. Frémont*) 1036 (i).
 SINKING FUNDS BROKERAGE: in Com. of Sup., 3199.
 SIOUX INDIANS, MAN.: in Com. of Sup., 4879 (ii).
 SIX NATION INDIANS' FUND: M. for Ret.* (*Mr. Paterson, Brant*) 1991 (i).
 — INDIVIDUAL INDEBTEDNESS: M. for Ret.* (*Mr. Paterson, Brant*) 1399 (ii).
 SLATE PENCILS: in Com. of Ways and Means, 2223.
 SLATE ROOFING: in Com. of Ways and Means, 2223.
 SLATES, ROOFING, &C.: in Com. of Ways and Means, 3068 (i).
 SLIDEMASTER, FORT COULONGE: Ques. (*Mr. Devlin*) 5774 (ii).
 SLIDES AND BOOMS, OTTAWA DISTRICT: in Com. of Sup., 6508 (ii).
 SMITH'S FALLS POST OFFICE: in Com. of Sup., 4437 (ii).
 SOAP, &C.: in Com. of Ways and Means, 1498 (i).
 SOULANGES CANAL, ADVERTISEMENTS FOR TENDERS: M. for copies* (*Mr. Tarte*) 1399 (i).
 — CHANGE IN CONTRACTS: M. for Ret. (*Mr. Tarte*) 3294 (ii).
 — CONTRACTS: M. for Cor.* (*Mr. Charlton*) 449.
 — LANDS EXPROPRIATED: Ques. (*Mr. Harwood*) 5233 (ii).
 — in Com. of Sup., 5432 (ii).
 — SECURITY FOR CONTRACT: Ques. (*Mr. Lister*) 3766 (ii).
 — TENDERS AND CONTRACTS: M. for Cor., &c.* (*Mr. Tarte*) 2783 (ii).
 SOUTH-EASTERN RY. CO., ABANDONED SECTION: Ques. (*Mr. Laverne*) 1116 (i).
 — SUBSIDY: prop. Res. (*Mr. Haggart*) 6255 (ii).
 SOUTH SHORE RY. CO.'S SUBSIDY: prop. Res. (*Mr. Haggart*) 6256 (ii).
 SPANISH RIVER IMPROVEMENTS: Ques. (*Mr. Devlin*) 2939 (i).
Speaker of the Senate B. No. 89 (*Sir John Thompson*). 1*, 1786; Order for 2^d read, 2787; 2* and in Com., 4943; 3*, 4955. (57-58 *Vic.*, c. 11.)

SPECTACLES : in Com. of Ways and Means, 2120 (i).
 SPEECH FROM THE THRONE : Rep. (Mr. *Speaker*) 2.
 STAFF PERMANENT CORPS, PAY : in Com. of Sup., 4882 (ii).
 STANSTEAD, CUSTOMS VACANCY : Ques. (Mr. *Rider*) 3767 (ii).
 STANDARD FOR BARRELS : Ques. (Mr. *Landerkin*) 2622 (i).
 STARCH, &c. : in Com. of Ways and Means 1773 (i).
Statistics. See "ARTS."
 STATISTICAL YEAR-BOOK, DELAY IN DISTRIBUTION : Ques. (Mr. *Cockburn*) 289 (i).
 STAVES OF WOODS : in Com. of Ways and Means, 2989 (i).
Steam Boiler, &c., Ins. Co. of Can. incorp. Act Amt. B. No 35 (Mr. *Davies, P.E.I.*) 1^c, 750 ; 2^{*c}, 886 ; in Com. and 3^{*c}, 1788. (57-58 *Vic.*, c. 125.)
Steamboat Inspection Act Amt. B. No. 137 (Sir *Charles Hibbert Tupper*). 1^c, 4039 ; Res. prop., 4101 ; in Com., 4568 ; 2^{*c}, 4568 ; in Com. and 3^{*c}, 4894. (57-58 *Vic.*, c. 46.)
 STEAMBOAT INSPECTION, GENERAL VOTE : in Com. of Sup., 4737 (ii).
 STEAMERS, NEW, MAINTENANCE, &c. : in Com. of Sup., 6513 (ii).
Steamship Subventions. See "MAIL SUBSIDIES."
 STEARINE : in Com. of Ways and Means, 1497, 2212 (i).
 STEEL RAILS : in Com. of Ways and Means, 3069 (i) ; conc., 4031 (ii).
 STENOGRAPHER *re* TARIFF INQUIRIES : Ques. (Mr. *Landerkin*) 1968, 2133 (i).
 STEREOTYPES, &c. : in Com. of Ways and Means, 2821 (i).
 STRAITS OF NORTHUMBERLAND, BORINGS, &c. : Ques. (Mr. *Perry*) 284 (i), 4195 (ii).
 ——— ENGINEER PALMER'S CLAIM : Ques. (Mr. *Perry*) 283 (i).
 STRATFORD PUBLIC BUILDINGS, FIRE : Ques. (Mr. *Grieve*) 2039 (i).
 ——— in Com. of Sup., 6465 (ii).
 STRATHROY AND WESTERN COUNTIES RY. CO.'S SUBSIDY : prop. Res. (Mr. *Haggart*) 6254 ; in Com., 6389.
 STREET LETTER BOXES, CONTRACTOR : Ques. (Mr. *McMullen*) 1397 (i).
 STEWART, ARCH., SECURITIES FOR SOULANGES CANAL CONTRACTS : Ques. (Mr. *Lister*) 3766 (ii).
 STEWART, WIDOW, GRATUITY : in Com. of Sup., 6242 (ii).
SUBSIDIES : See
 ABBOTSFORD AND MOOSOMIN RY.
 BIACEBRIDGE AND BAYSVILLE RY. CO.
 BRANDON AND SOUTH-WESTERN RY. CO.
 BRANTFORD, WATERLOO AND LAKE ERIE RY. CO.
 BOSTON AND NOVA SCOTIA AND COAL RY. CO.
 BROCKVILLE, WESTPORT AND SAULT STE. MARIE RY. CO.
 CANADA EASTERN RY. CO.
 C.P.R. CO.
 CAP DE LA MADELEINE, ST. PILES BRANCH RY.

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 CENTRAL RY. CO. (N.B.)
 CROSS CREEK AND CANADA EASTERN RY.
 DRUMMOND COUNTY RY. CO.
 ELK AND KOOTENAY RIVER RY.
 GREAT NORTHERN RY. CO.
 HARVEY BRANCH RY. CO.
 ISLE JÉSUS AND ST. EUSTACHE RY. CO.
 JAMES'S BAY AND NIPISSING RY. CO.
 JOGGINS, AND HEBERT RIVER RY. CO.
 JOLIETTE AND ST. JEAN DE MATHA RY. CO.
 LAKE TENISCAMINGUE COLONIZATION RY. CO.
 LIMERIDGE AND WOLFE COUNTY RY.
 LINDSAY, BOBCAYGEON AND PONTYPOOL RY. CO.
 LOTBINIÈRE AND MEGANTIC RY. CO.
 MANITOBA AND NORTH-WESTERN RY. CO.
 MANITOULIN AND NORTH SHORE RY. CO.
 MONTREAL AND OTTAWA RY. CO.
 NARUSP AND SLOCAN RY. CO.
 NEWCASTLE AND DOUGLASTOWN RY.
 NEW GLASGOW IRON, COAL AND RY. CO.
 NEWPORT, &c., AND STEWACKE RY.
 NICOLET VALLEY RY. CO.
 NORTON AND SUSSEX (I.C.R.) RY.
 OTTAWA AND GATINEAU VALLEY RY. CO.
 PARRY SOUND COLONIZATION RY. CO.
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 PONTIAC AND OTTAWA RY. CO.
 PONTIAC PACIFIC JUNCTION RY. CO.
 PORT HAWKESBURY AND CHETICAMP RY. CO.
 QUEBEC AND LAKE ST. JOHN RY. CO.
 RESTIGOUCHE AND VICTORIA RY. CO.
 ROCKY MOUNTAIN RY. AND COAL CO.
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 ST. CATHARINES AND NIAGARA CENTRAL RY. CO.
 ST. EUSTACHE AND ST. PLACIDE RY. CO.
 ST. JOHNS AND BARNEVILLE RY.
 ST. RÉMI AND ST. CYPRIEN RY. CO.
 SASKATCHEWAN AND WESTERN RY. CO.
 STRATHROY AND WESTERN COUNTIES RY. CO.
 SOUTH-EASTERN RY. CO.
 SOUTH SHORE RY. CO.
 TILSONBURG, LAKE ERIE AND PONTIAC RY. CO.
 TOBIQUE VALLEY RY. CO.
 UNITED COUNTIES RY. CO.
 WOODSTOCK AND CENTERVILLE RY. CO.

[See "LAND," "OCEAN," &c.]

Subsidies to Prov. of Que. B. No. 150 (Mr. *Foster*). Res. prop., 4818 ; in Com., 4822 ; conc. in and 1^c of B., 4891 ; 2^{*c} and in Com., 5097 ; 3^c, 5154. (57-58 *Vic.*, c. 5.)

Subsidy (Land) to C.P.R. B. No. 159 (Mr. *Daly*). 1^c, 5691 ; 2^c, 6032 ; in Com., 6035 ; recom. and 3^{*c}, 6266. (57-58 *Vic.*, c. 7.)

Subsidies (Land) to Rys. B. No. 168 (Mr. *Daly*). Res. prop., 5935, 6253 ; in Com., 6067, 6377 ; 1^c of B., 6154 ; 2^{*c}, 6266 ; in Com., 6358 ; recom. and 3^{*c}, 6413. (57-58 *Vic.*, c. 6.)

Subsidies (Money) to Rys. B. No. 169 (Mr. *Haggart*). Res. prop., 6049, 6254, 6357 ; in Com., 6267, 6385, 6414 ; 1^c of B., 6414 ; 2^c of Res. m. and Amt. (Mr. *Laurier*) 6466 ; neg. (Y. 20, N. 50) 6470 ; 2^c, 6472 ; 3^{*c}, 6523. (57-58 *Vic.*, c. 4.)

SUBSIDIZED STRS. AND RYS., UNIFORMITY OF RATES :
Ques. (Mr. *Fauvel*) 1117 (i).

SUBSIDY FOR FAST SS. LINE TO FRANCE : Ques. (Mr. *Laurier*) 947 (i).

SUBSISTENCE, MOUNTED POLICE : in Com. of Sup., 4632 (ii).

SUGAR REFINERIES, NUMBER OF EMPLOYEES : Ques. (Sir *Richard Cartwright*) 283, 684 (i).

SUGAR, 16 DUTCH STANDARD : in Com. of Ways and Means, 2403 (i).

Superannuation. See "Civil Service."

SUPERANNUATION : Amt. (Mr. *McMullen*) to M. for Com. of Sup., 4316 (ii).

Deb. on Amt. (Mr. *O'Brien*) 4322 ; (Mr. *Flint*) 4323 ; (Mr. *Campbell*) 4335 ; (Mr. *Davin*) 4341 ; (Mr. *Mills*, *Bothwell*) 4343 ; (Mr. *Daly*) 4352 ; (Sir *Richard Cartwright*) 4355 ; (Mr. *Casey*) 4355 ; (Mr. *Scriven*) 4359 ; (Mr. *Foster*) 4363 ; (Mr. *Davies, P.E.I.*) 4368 (ii).

SUPERANNUATION, C. S. CONTRIBUTORS TO FUND : Ques. (Mr. *McMullen*) 753 (i).

SUPERANNUATION FUND, CONTRIBUTORS : M. for Ret. * (Mr. *McMullen*) 1036 (i).

SUPERINTENDENT OF MINES : in Com. of Sup., 4928.

Superior Court Judges. See "Provincial."

SUPREME COURT, CONTINGENCIES : in Com. of Sup., 3343 (ii).

SUPREME COURT JUDGES : prop. Res. (Sir *John Thompson*) 4889 (ii).

Deb. in Com. on Res. (Sir *John Thompson*) 4955, 4963 ; (Mr. *Laurier*) 4956, 4967 ; (Mr. *Dupont*) 4956, 4977 ; (Mr. *Amyot*) 4956, 4977 ; (Mr. *Davies, P.E.I.*) 4957 ; (Mr. *Ives*) 4961 ; (Mr. *Scriven*) 4963 ; (Mr. *Choquette*) 4969 ; (Mr. *Tarte*) 4972 ; (Mr. *Belley*) 4981 ; (Mr. *Macdonald, Huron*) 4993, 5000 ; (Mr. *Gillies*) 5001 ; Mr. *Mulock*) 5005 ; (Mr. *Legris*) 5009 (ii).

SUPREME COURT (N.B.) SENTENCE *re* J. V. ELLIS : M. for Ret. * (Mr. *Davies, P.E.I.*) 452 (i).

SUPPLIES, DESTITUTE WORKING INDIANS, MAN ; in Com. of Sup., 4849 (ii).

SUPPLIES FOR FARMERS, MAN. INDIANS : in Com. of Sup., 4879 (ii).

SUPPLY :

[Only subjects which caused remark or discussion noted under this head.]

AMTS. AND REMARKS TO MS. FOR COM. : Remarks (Mr. *Laurier, &c.*) *re* Tariff, 3175 ; (Mr. *Mulock*) Cattle Trade, 3244 ; (Mr. *Davies, P.E.I.*) Ellis, Mr. Imprisonment, 3450 ; (Mr. *Martin*) Manitoba University, 3451. Amt. (Mr. *Charlton*) Dominion Lands, 3593, 3873 ; neg. (Y. 47, N. 100) 3970. Amt. (Mr. *Charlton*) Tay Canal, 4103 ; neg. (Y. 58, N. 101) 4121. Remarks (Mr. *Bennett*) Export Duty on Logs, 4198 ; (Mr. *Allan*) Fishery Regulations, Lake Erie, 4217 ; (Mr. *Declin*) Customs Collector, Montreal, 4313. Amt. (Mr. *McMullen*) Civil Service Superannuation, 4316 ; neg. (Y. 55, N. 91) 4370. Amt. (Sir *Richard Cartwright*) Thousand Islands Sale, 4396 ; neg. (Y. 32, N. 64) 4416. Amt. (Mr. *Landerkin*) Georgetown Postmaster, 4720 ; neg. (Y. 36, N. 88) 4732. Remarks (Mr. *Mulock*) Cattle Trade with Great Britain, 4895. Amt. (Mr. *Edgar*) Expenditure on Elections, 5179 ; neg. (Y. 65, N. 102) 5213. Remarks (Mr. *Tisdale*) Lake Erie Fisheries, 5234 ; (Mr. *Bergeron*) Canal Employees, Payment, 5273. Amt. (Mr. *Mulock*) Cattle Transit

SUPPLY—*Con.*

through Canada, 5275, 5301 ; neg. (Y. 59, N. 99) 5366. Remarks (Mr. *McDonald, Assiniboia*) 5370 ; (Mr. *Kaulbach*) Maritime Provinces Fisheries, 5406 ; (Mr. *Bryson*) Pontiac Pacific Junction Railway Co., 5416 ; (Mr. *Edgar*) Personal Explanation, 5472 ; (Mr. *Tisdale*) Powell, Adjt.-Gen., Suspension, 6155. Amt. (Mr. *Charlton*) Expenditure of Dom., 6190 ; neg. (Y. 42, N. 37) 6211. Remarks (Sir *John Thompson*) Judiciary of Quebec, 6212 ; (Mr. *Edgar*) Sweating System in Toronto, 6290 ; 6296 ; (Mr. *McCarthy*) Immoral Books, Imports, 6304 ; (Mr. *Mulock*) Civil Servants Salaries, 6307. Amt. (Sir *Richard Cartwright*) Lachine Canal, Bridges, 6308 ; neg. (Y. 36, N. 74) 6353. Remarks (Mr. *Jeanotte*) Canadian Tobacco, 6428 ; (Mr. *Beausoleil*) Beet-Root Sugar, 6434 ; (Mr. *Dugas*) Canadian Tobacco, 6437. Amt. (Mr. *Laurier*) Suit against Messrs. Connolly, 6438 ; neg. (Y. 24, N. 61) 6456.

MESS. FROM HIS EX. : Transmitting Estimates for 1894-95, 144 ; Suppl., 1893-94, 4642 ; Suppl., 1894-95, 5850.

RES. (Sir *John Thompson*) for Com., 126 ; Ms. (Mr. *Foster*) for Com., 3175, 3244, 3340, 3450, 3503, 4103, 4313 ; (Sir *John Thompson*) 4399, 4595, 4683, 4720, 4824, 4895, 5013, 5064, 5113, 5179, 5234, 5370, 5472, 5536, 6155, 6296, 6428.

IN COM., 3179, 3246, 3340, 3485, 3971, 4122, 4266, 4371, 4417, 4595, 4683, 4733, 4824, 4912, 5013, 5064, 5113, 5215, 5367, 5429, 5475, 5536, 6232, 6354.

COMMITTEE :

Administration of Justice. See "Justice."

Adulteration of Food. See "Collection of Revenues."

Agriculture :

Dairy Commissioner, 4296.

Exhibition, North-west Territories, 6251.

Experimental Farms, 4266, 5462.

Printing Farm Reports, 6250.

Arts and Statistics :

Archives, 4124.

Criminal Statistics, 4125.

Patent Record, 4125, 5461.

Year Book and Statistical Record, 4126, 5462.

Canals : See "Collection of Revenues" and "Railways and Canals."

Charges of Management :

Assist. Receiver Gen.'s Office, Charlottetown 3185.

— Halifax, 3181.

— Winnipeg, 3184.

English Bill Stamps, 3199.

Inspector, 3180.

Interest on Public Debt, 3199.

Printing Notes, 3199.

Savings Banks, N.B., N.S., P.E.I., 3186.

Sinking Funds, Brokerage, 3199.

Civil Government :

Agriculture, Dept., 3233.

Jackson, J. B., 6234.

Contingencies :

Civil Service Board, 3249.

Customs, 3273.

Governor Gen.'s Sec.'s Office, 3264.

High Commissioner, 3246.

Inland Revenue, 3273.

SUPPLY—*Con.*COMMITTEE—*Con.**Civil Government—Con.*Contingencies—*Con.*

Interior, 3272.

Justice, Penitentiaries Branch, 3267.

Marine and Fisheries, 3273.

Privy Council Office, 3264.

Secretary of State, 3267.

Geological Survey Dept., 3236.

Governor Gen.'s Sec.'s Office, 3200.

Interior Dept., 3200.

York, B. L., increase in salary, 6233.

Justice Dept., 5217.

Messrs. Power and Fraser, 6233.

Marine and Fisheries Dept.:

Dawson, W. B., Asst. Engineer, 6233.

Militia and Defence Dept.:

Messrs. Bliss and Campbell, 6234.

Printing and Stationery Dept., 3200.

Privy Council Office, 3200, 5215.

Public Works Dept., 3233, 5217.

Trade and Commerce Dept., 3236.

Secretary of State Dept., 5217.

Collection of Revenues:

Adulteration of Food:

Expenses, &c., 4772.

Canals:

Lachine, Staff, 5451.

Repairs and Working Expenses, 4163.

Rideau, Thos. Sweetman, damages, 6463.

Salaries and Contingencies, 4164.

St. Peter's, payment to Dan. Fugère, 5453.

Welland, refund to Capt. Manson, 5452.

Williamsburg, Staff, 5453.

Customs:

Board of Customs, 5080.

British Columbia, 5077.

Miles Cowan, Extra Services, 5464.

Miscellaneous, 5090.

New Brunswick, 5067.

Nova Scotia, 5067.

Ontario, 5075.

Prince Edward Island, 5068.

Provinces Generally, 5078.

Quebec, 5068.

Excise:

Custom's Collectors, allowance, 4767.

Extra Duty Pay, 4751.

Preventive Service, 4759.

Salaries, &c., 4751.

Methylated Spirits, 4767.

Minor Revenues:

Beaulieu, Basil, Aid for Bridge, 6464.

Ordnance Lands, 4777.

Post Office:

Mail Service, &c., 4167.

Permanent Staff, Vancouver, B.C. 6464.

Public Works:

General Vote, 4476.

Railways:

I.C.R., Accident at Lévis, damages, 6462.

— Martin, Mr., compensation, 6462.

Weights and Measures and Gas:

Salaries, &c., 4770.

*Customs. See "Collection of Revenues."**Dominion Lands—Capital:*

Surveys, Examination of Returns, &c., 5017.

SUPPLY—*Con.*COMMITTEE—*Con.**Dominion Lands—Income:*

Board of Examiners, Dom. Lands Surveyors, 5014

Commissioner's Salary, 4928.

Dom. Lands, &c., Agents, 4930, 5013.

Forest Rangers, &c., Clerks, 5014.

Homestead Inspectors, 4930.

Inspector of Agencies, 4928.

Secretary's Salary, 4929.

Superintendent of Mines, 4928.

Dominion Police:

General Vote, 3347.

Stewart, Widow, Gratuity, 6242.

*Dominion Steamers. See "Ocean and River Service."**Excise. See "Collection of Revenues."**Fisheries:*

British Columbia, 4745.

Fish-breeding, &c., 4746, 5020.

Miscellaneous:

Ganley, Geo., Tug hire, 6513.

Legal Expenses, &c., 5026.

Intelligence Bureau, 5459.

International Fisheries Commission, 5039.

Nova Scotia, 4738.

Ontario, 4737.

Prince Edward Island, 4745.

Geological Survey:

General Vote, 5153.

Petroleum, Borings at Athabasca, 6514.

Powell, J. W., Indian Curios, 6514.

Government of N. W. T.:

Insane Patients, 4921.

Legal Adviser, 4921.

Lieut.-Governor's Office, Expenditure, 4912, 5461.

Schools, Clerical Assistance, &c., 4921.

Immigration:

Agents, &c., in Can., Salaries, 4778.

Agents, &c., Great Britain and Ireland, 4,800.

Expenses, 4801.

Merrick and Connolly, Gratuities, 5464.

Women's Protective Society, 4801.

Indians:

British Columbia:

Medical Attendance, 4881, 5461.

Relief of Distress, 4830.

Seed Grain, &c., 4830.

Salaries, 4830.

Manitoba:

Buildings, 4879.

General Vote, 4841.

General Expenses, 4879.

Live Stock, 4848.

Schools, Day, Boarding, &c., 4853.

Sioux, 4879.

Supplies for farmers, 4779.

Supplies, Destitute Working Indians, 4849.

Triennial Clothing, 4853.

New Brunswick:

Medical Attendance, &c., 4841.

Oromocto Reserve, Purchase, 5460.

North-west Territories:

Campbell, J. J., Transfer, 6232.

Nova Scotia:

Medical Attendance, &c., 4841, 5460.

SUPPLY—*Con.*COMMITTEE—*Con.**Indians—Con.*

Ontario and Quebec:

- Blankets, 4826.
- Caughnawaga Reserve, 6514.
- Lands Management Fund, 4828.
- Liquor Prosecutions, 4841.
- Medical Attendance, &c., Ont., 4826.
- Relief and Seed Grain, Quebec, 4824.
- Robinson Treaty, Annuities, 4827.
- Schools, Ont., Que., and Mar. Provs., 4826.
- Surveys, Indian Reserves, 4827.

Justice, Administration of:

- Circuit Allowances, B.C., 3340.
- County Court Judges, Man. and Ont., 6241.
- Exchequer Court:
 - Admiralty, Registrar and Marshall, 3346.
 - Audette, L. A., increased Salary, 3346.
 - Contingencies, &c., 3345.
 - Third Class Clerk, 3345.

Miscellaneous:

- Revising Correspondence, &c., 6241.
- Scott, Judge, Estate, 6242.
- Official Arbitrators, 3340.
- Travelling Expenses, Judges, N.W.T., 3340.
- Supreme Court:
 - Contingencies, &c., 3343.
 - Law Books, &c., Purchase, 3344.
 - Messengers, 3342.
 - Printing, &c., Reports, 3344.

Insurance, Superintendence:

- Expenses, 5215.

Legislation:

House of Commons:

- Committees and Extra Clerks, 3492.
- French Translators, 5220.
- Leather Trunks, 6243.
- Salaries, 3489.
- Serjeant at Arms' Dept., 3492.
- Voters' Lists, Revision, 3492.

General:

- Printing, Printing Paper, &c., 3500.

Library:

- American History, 3500.
- Messengers' Bonus, 5223.
- Salaries, 3499.

Senate:

- Salaries and Contingencies, 3485, 4122.
- Senators, Deceased, Indemnities to Heirs, conc., 6359.

Lighthouse and Coast Service:

- Agencies, .
- Contingencies, &c., 4710.
- Maintenance and Repairs, 4710.
- Repairs, &c., Wharfs, 4716.
- Salaries and allowances, &c., 4697.
- Signal Service, 4716.

Mail Subsidies and Steamship Subventions:

- Allan Co., Ocean Mail Service, 5459.
- Baddeck and Grand Narrows, 5459.
- St. John and Digby and Annapolis, 5459.
- St. John, &c., and West Indies, &c., 5454.

Marine Hospitals:

- Quebec, N B., N.S., P.E.I. and B.C., 4736.
- Shipwrecked and distressed Seamen, 4737.

SUPPLY—*Con.*COMMITTEE—*Con.**Militia:*

- Artillery and Rifle Associations, 4884.
- Clothing and Necessaries, 5429, 6244.
- Fire Arms, Modern, 4884, 6248.
- Inspector of Stores, 6246.
- Military College, conc., 5098.
- Monuments, Battlefields of Canada, 4884, 6249.
- Pointing Walls, Quebec, 6249.
- Rainsford, Thos., Gratuity for Injuries, 6249.
- Retired Officers, Gratuities, 4885, 5429.
- Roy, Brigade Major, Salary, 6246.
- Staff, Permanent Corps, Pay, 4882.

Miscellaneous:

- Fabre, Mr., Salary, &c., 5039.
- Gliddon, W., Services re Arbitration, 5537.
- Hot Springs, Banff, Survey, &c., 5042.
- Intercolonial Convention, 5536.
- Liquor Traffic, Royal Commission, 5537, 6516.
- Parliamentary Documents, distribution, 4886.
- Passamaquoddy Bay, Boundary, 5042.
- Printing Bureau, Plant, 5042.
- Monuments, late Sir John Macdonald and Mais-oneuve, 6512.
- Rosa, Joseph, Retiring allowance, 6512.

Mounted Police:

- Clothing, 4635.
- Forage, 4633.
- Medicines, &c., 4636.
- New Buildings, &c., 4641.
- Pay of Force, 4629.
- Repairs, &c., Horses, &c., 4636.
- Scouts, Guides, &c., 4636.
- Subsistence, 4632.

Ocean and River Service:

- Govt. Steamers, Maintenance, 4683.
- Macdonald Bros., services re "Napoleon III," 6513.
- New Steamer, Maintenance, 6513.
- Obstructions, &c., removal, 4697.
- Rewards for Saving Life, 4693.
- Tidal Observations, 4693.

Penitentiaries:

- British Columbia, 3366.
- Dorchester, 3349.
- Mitchell, R., M.D., increased Salary, 6243.
- Kingston, 5218.
- Accountant's Salary, 6242.
- Manila Fibre, 6242.
- Sewage Tank, 6242.
- Manitoba, 3349, 5220.
- Mustard, Jno., difference in Salary, 6243.
- St. Vincent de Paul, 3347.

Police. See "Dominion" and "Mounted."

Post Office. See "Collection of Revenues."

Public Debt. See "Charges of Management."

Public Works—Capital:*

Harbours and Rivers:

Quebec:

- St. Lawrence River Ship Channel, 4417.

Ontario:

- Kingston Graving Dock, 5228.

*See "Collection of Revenues."

SUPPLY—*Con.*COMMITTEE—*Con.**Public Works—Income :*

Buildings :

British Columbia :

Victoria New P. O., 6498.

Maritime Provinces, generally :

Dom. Public Buildings, Renewals, &c., 4432.

New Brunswick :

St. John Custom House, 5228.

Tracadie Lazaretto, 4431.

North-west Territories :

Calgary Post Office, &c., 4439.

Lieut.-Governor's Residence, 6484.

Public Buildings, 4438.

Nova Scotia :

Halifax Drill Hall, 4418.

Halifax Quarantine Station, 5228.

Lunenburg P. O., &c., 6465.

Pictou Post Office, 4431.

Ontario :

Dom. Public Buildings, Renewals, &c., 4438.

Drill Hall, Toronto, 4437.

Picton Post Office, 4438.

Smith's Falls Post Office, 4437.

Stratford Public Building, 6465.

Quebec :

Dom. Public Buildings, Renewals, &c., 4436.

Richmond Post Office, &c., 4433.

St. Vincent de Paul Penitentiary, 4432.

Repairs, Furniture, Heating, &c. :

Engineers, Firemen, &c., Dom. Buildings, 4445.

Heating, &c., Dom. Buildings, 4442.

Ottawa Deptl. Buildings, &c., 4439.

Gas and Electric Light, 4444.

Grounds, 4442.

Heating, &c., 5231.

Major's Hill Park, 4444.

Rideau Hall, 4441.

Telephone Service, 4444.

Quarantine, Repairs, &c., 4447.

Dredging :

Manitoba, 4622.

Nova Scotia and P.E.I., 4607.

Ont. and Quebec, 4619.

Plant, New, 4594.

Vessels, repairs, 4607.

Experimental Farms :

Improvements, &c., 5232.

Harbours and Rivers :

British Columbia :

Columbia River, 6508.

Fraser River Channel, 4473.

William's Head Quarantine Wharf, 5458.

Maritime Provinces Generally :

Repairs and Improvements, 4469.

New Brunswick :

Negro Point Breakwater, 4465.

River St. John, 4466.

Shediac Harbour, 4468.

Nova Scotia :

Digby Pier, 4448.

L'Ardoise Breakwater, Repairs, 4448.

Port Maitland, 5232, 5458.

Yarmouth Breakwater, Dredging, 4448:

SUPPLY—*Con.*COMMITTEE—*Con.**Public Works—Income—Con.*Harbours and Rivers—*Continued.*

Ontario :

Belleville Harbour, 4472.

Dyer's Bay Wharf, 4472.

Goderich Harbour, 4471.

Hamilton Harbour, 4471.

Kaministiquia River, 6464.

Kingston Harbour, 4470.

Lakes Simcoe and Couchiching, 6507.

Repairs and Improvements, general, 4472.

Ottawa River Steamboat Channel, 4471.

Owen Sound Wharf, 4472.

Port Albert, Piers, &c., 4471.

Port Rowan Wharf, 4471.

Toronto Harbour, 6504.

Prince Edward Island :

Breakwater and Piers, general Repairs, 4461.

Nine Mile Creek, 5232.

Wood Islands Breakwater, Repairs, 4465.

Quebec :

Grand River Harbour of Refuge, 4470.

Harbour River and Bridge Works, 4470.

Lower St. Lawrence, 6500.

Magog Wharf, 6503.

Rivière du Lièvre, 6501.

Miscellaneous Works :

National Art Gallery, 4474, 5458.

Surveys, &c., 5458.

Roads and Bridges :

Burlington, Channel Swing Bridge, 6509.

Ottawa City, &c., 5458.

Saskatchewan River Bridge, 6508.

Slides and Booms :

Ottawa District, 6506.

Pensions :

Fraser, Miss Harriett, 3501.

Militiamen, Rebellion, 1885, 3502.

Mounted Police, &c., Rebellion, 1885, 3502.

Veterans of 1812, 3501.

Quarantine :

Cattle Quarantine, 4374.

Public Health, 4374.

Salaries and Contingencies, Organized Districts, 4371.

Railways and Canals—Capital :

Canals :

Cornwall, 3521, 4153, 5113; conc., 5158.

Galops, 3530.

Lachine, 4159, 5132.

Lake St. Louis Channel, 4160.

Murray, 4154.

Rapide Plat. 3530, 6457.

St. Lawrence River and Canals, 4154.

Sault Ste. Marie, 4158.

Soulanges, 5432.

Trent, 4155, 6458.

Welland, 4154.

Railways :

Annapolis and Digby, Construction, 5432.

Canadian Pacific, 3503.

Construction, 5431.

Work done under Award, 3503.

Cape Breton, Oxford and New Glasgow, 6354.

General :

Costs of Litigation, Rys. and Canals, 3519.

SUPPLY—*Con.*COMMITTEE—*Con.**Railways and Canals—Capital—Con.**Railways—Continued.*

Intercolonial :

Bedford and Dartmouth Branch, 3518, 5065 ;
conc., 5113.

Construction, Original, 3508, 5431.

Ferona, Increased accommodation, 5064.

General Vote, 3503, 5143.

Halifax, increased accommodation, 3505.

Indiantown Branch, 3517.

North Sydney Branch, Extension, 3517.

Rolling Stock, 3506.

St. Charles Branch, 3509.

Prince Edward Island, 5153.

Railways and Canals—Income :

Canals :

Beauharnois, 4162.

Carillon and Grenville, 4161.

Cornwall, 5468.

Culbute, 4162.

Grenville, 5446.

Lachine, 4160, 5447, 6458.

Rideau, 5450.

St. Anne's Lock, 4161.

St. Peter's, 4162.

Trent, 5446.

Welland, 4160, 5450, 6458.

Miscellaneous :

Archibald, A. H., Compensation, 6460.

Engineers, Draughtsmen, &c., Salaries, 6459.

"Victoria" Car, Repairs, &c., 6458.

Scientific Institutions :

Hydrographic Surveys, 4735.

Meteorological Service, 4733.

Survey of Anticosti Island, 5460.

*Statistics See "Arts."**Steamboat Inspection.*

General Vote, 4737.

Steamship Subventions. See "Mail Subsidies."

CONCURRENCE :

Cornwall Canal, 5158.

I.C.R., Bedford to Dartmouth Branch, 5113,

Intercolonial Conference, 5777.

Military College Kingston, 5098.

Senators, Deceased, Indemnities to Heirs, 6359.

Supply B. No. 171 (Mr. Foster). 1st, 2nd and
3rd, 6523. (57-58 *Vic.*, c. 1.)

SUPPLY CONTRACT, QUEBEC CITADEL: Ques. (Mr.
Choquette) 751 (i).

— See "TURCOTTE, MR."

SURGICAL DRESSINGS: conc., Ways and Means, 4028.

**SURVEYS, EXAMINATION OF RETURNS, &c., DOM.
LANDS:** in Com. of Sup., 5017 (ii).

— INDIAN RESERVE: in Com. of Sup., 4827 (ii).

— in Com. of Sup., 5458 (ii).

— CAPE CANSO, DR. THORBURN'S: Ques. (Mr.
Fraser) 1795 (i).

SWEATING SYSTEM IN TORONTO: Remarks (Mr.
Edgar) to Com. of Sup., 6290, 6296 (ii).

SWEETMAN, THOS., COMPENSATION FOR DAMAGES:
Ques. (Mr. *Dawson*) 1221 (i).

SWINE, AMERICAN, BONDED FOR SLAUGHTER: Ques.
(Mr. *Featherston*) 1221 (i).

SYRUPS: in Com. of Ways and Means, 2408 (i).

TACKS, SHOE AND CUT: in Com. of Ways and Means,
2511 (i).

TARIFF, THE :

AMENDMENTS: Ques. (Sir *Richard Cartwright*)
1220 (i).

ANALYTICAL INDEX, COST: M. for Ret.* (Mr.
Somerville) 3163 (i).

Ques. (Mr. *Edgar*) 753, 1568 (i).

CHANGES, PRINTING: Ques. (Mr. *Landerkin*) 484.

Remarks (Mr. *Laurier*) to Com. of Sup., 3175 (i).

COMMISSION, EVIDENCE TAKEN: M. for copy
(Mr. *Mills, Bothwell*) 3295 (ii).

REPORTS: Remarks (Mr. *Casey*) 952 (i).

COMMISSIONERS, FORMAL APPMT., &c.: Ques.
(Mr. *Casey*) 1566 (i).

REPORT: Remarks (Mr. *Casey*) 952, 1119 (i).

RET. re: Remarks (Mr. *Martin*) 1568 (i).

INQUIRIES, COST, &c.: Ques. (Mr. *Casey*) 1970 (i).

MINISTERS AND CONTROLLERS' VISITS: Ques.
(Mr. *Lavergne*) 1971, 2666 (i).

STENOGRAPHER: Ques. (Mr. *Landerkin*) 1968,
2133 (i).

MINISTERS AND CONTROLLERS' EXPENSES, COST:
Ques. (Mr. *Casey*) 1792, 1970 (i).

EXPENSES INVESTIGATING OPERATION: M. for
Ret.* (Mr. *Martin*) 449 (i).

[See WAYS AND MEANS.]

TARRED PAPER: in Com. of Ways and Means, 1948 (i.)

TAY CANAL: Amt. (Mr. *Charlton*) to M. for Com. of
Sup., 4103; neg. (Y. 58, N. 101) 4121 (ii).

— RECEIPTS FROM TOLLS, &c. : Ques. (Sir *Richard
Cartwright*) 148 (i).

TEA AND COFFEE DUTIES: Remarks (Mr. *Kenny*) 521 ;
(Mr. *Edgar*) 755 (i).

— GREEN: conc., Ways and Means, 4032 (ii).

— AND GREEN COFFEE: in Com. of Ways and
Means, 3000 (i).

— IMPORTATIONS LONDON DIRECT, FREE ENTRY :
Remarks (Mr. *Davies, P.E.I.*) 4039 (ii).

— ADULTERATED, IMPORTS: prop. Res. (Mr. *Stairs*)
2425 (i).

— in Com. of Ways and Means, 2076 (i), 5850 (ii).

TELEPHONE IN CORRIDOR OF HOUSE: Remarks (Mr.
McMullen) 3600 (ii).

TELEPHONE SERVICE, OTTAWA BUILDINGS: in Com.
of Sup., 444 (i).

Temperance. See "CANADA."

TERMINUS EAST ATLANTIC SS. SERVICE: Ques. (Mr.
Gillies) 4051 (ii).

— Ques. (Mr. *Cameron*) 4196 (ii).

Thompson, Jos. See "DIVORCE."

THOUSAND ISLANDS SALE: Amt. (Sir *Richard Cart-
wright*) to Com. of Sup., 4396; neg. (Y. 32, N.
64) 4416 (ii).

— VALUE AND SALES: M. for Rep., &c.,* (Mr.
Mills, Bothwell) 451 (i).

TICKET AGENT, PORT HASTINGS, CHARGES AGAINST:
M. for Cor.* (Mr. *Cameron*) 2424 (i).

TIDAL OBSERVATIONS: in Com. of Sup., 4693 (ii).

- TIGNISH (P.E.I.) BREAKWATER, APPMT. OF LIGHT-HOUSE-KEEPER:** Ques. (Mr. Perry) 844 (i).
- **RECEIPTS, &c.:** Ques. (Mr. Perry) 284 (i).
- **WEATHER SIGNAL, CONTRACT, &c.:** Ques. (Mr. Perry) 1788, 1967 (i).
- **WHARFAGE DUES COLLECTED:** Ques. (Mr. Perry) 1789 (i).
- TILSONBURG, LAKE ERIE AND PACIFIC RY. CO.'S SUBSIDY:** prop. Res. (Sir John Thompson) 6049; in Com., 6268 (ii).
- TIMBER DUES, &c., COLLECTED AT QUE.:** M. for Ret.* (Mr. McMullen) 1036 (i).
- **CULLED AT MONTREAL:** M. for Ret.* (Mr. McMullen) 1036 (i).
- **QUANTITY AND FEES COLLECTED:** Ques. (Mr. McMullen) 754 (i).
- TIMBER LICENSES GRANTED SINCE 1888:** M. for Stmt.* (Mr. Charlton) 452, 1977 (i).
- TIMBER LIMITS, SHELL RIVER, RENTS:** Ques. (Mr. Lister) 1969 (i).
- **ON POINT PELEE:** Ques. (Mr. Allan) 4052 (ii).
- **ON INDIAN RESERVES, DISPOSAL:** M. for Cor. (Mr. Derlin) 1983 (i).
- **SALES ON WHITEMOUTH RIVER, &c.:** M. for Ret.* (Mr. Martin) 2424 (i).
- TOBACCO (CAN.) EXCISE DUTY:** Ques. (Mr. Dugas) 685 (i).
- **REDUCTION OF DUTIES:** M. for Cor.* (Mr. Brodeur) 3636 (ii).
- **in Com. of Sup.:** Remarks (Mr. Jeannotte) 6428; (Mr. Dugas) 6437 (ii).
- TOBIQUE VALLEY RY. CO.'S SUBSIDY:** prop. Res. (Mr. Haggart) 6255 (ii).
- TOMATOES, FRESH:** conc., Ways and Means, 4016 (ii).
- TORONTO HARBOUR:** in Com. of Sup., 6504 (ii).
- TRACADIE LAZARETTO:** in Com. of Sup., 4431 (ii).
- TRADE AND COMMERCE:** in Com. of Sup., 3236 (i).
- **REP.:** presented (Sir John Thompson) 3002 (i).
- TRADE AND NAVIGATION RETURNS, CLERICAL ERRORS:** Ques. (Mr. Prior) 951; Remarks, 951 (i).
- Trade Combinations Act Amt. B. No. 140** (Mr. Sproule). 1^o, 4393 (ii).
- TRAVELLERS' BAGGAGE:** conc., Ways and Means, 4029 (ii).
- TRAVELLING EXPENSES, JUDGES IN N.W.T.:** in Com. of Sup., 3340 (ii).
- TREATY WITH FRANCE:**
- **Ques. (Mr. Laurier)** 80 (i).
- **M. for Cor. (Mr. Laurier)** 1435 (i).
- **ARTICLES ADMITTED:** Ques. (Mr. Rider) 5043.
- **FURTHER PAPERS:** presented (Sir John Thompson) 5152 (ii).
- **LOSS OF REVENUE:** Ques. (Sir Richard Cartwright) 1710 (i).
- **RATIFICATION:** Ques. (Sir Richard Cartwright) 687 (i).
- **STMT. IN FORM TABLE "C":** M. for copy (Mr. Laurier) 1036 (i).
- **TELEGRAM re RATIFICATION:** Remarks (Mr. Mills, Bothwell) 5631 (ii).
- Treaty with France B. No. 147** (Mr. Foster). 1^o, 4643; 2^o m., 5576; Amt. (Mr. O'Brien) 5585; neg. (Y. 47, N. 128) 5685; Amt. to Amt. (Mr. Edgar) 5638; neg. (Y. 51, N. 119) 5684; Amt. (Mr. Laurier) 5686; neg. (Y. 56, N. 109) 5687; 2^o agreed to (Y. 120, N. 41) 5689; M. for Com., 5694; in Com., 5695; 3^o, 5776. (57-58 Vic., c. 2.) Deb. on 2^o (Mr. Foster) 5576; (Sir Richard Cartwright) 5578; (Mr. O'Brien) 5582; (Mr. Macdonald, Huron) 5586; (Mr. McGregor) 5592; (Mr. Maclean, York) 5598; (Mr. Flint) 5601; (Mr. Dickey) 5605; (Mr. Mills, Bothwell) 5607; (Mr. Cockburn) 5614; (Mr. Amyot) 5618; (Mr. Girouard, Jacques Cartier) 5623; (Mr. Casey) 5624; (Mr. Lachapelle) 5629; (Mr. Edgar) 5633; (Sir John Thompson) 5638; (Mr. Laurier) 5649; (Sir Charles Hibbert Tupper) 5655; (Mr. Montague) 5663; (Mr. Casey) 5663; (Mr. McCarthy) 5666; (Mr. Davin) 5674; (Mr. Osimet) 5678; (Mr. Charlton) 5683 (ii).
- TREMBLAY, JOS., EMPLOYT. BY GOVT.:** Ques. (Mr. Delisle) 515 (i).
- TREES, FOREST:** in Com. of Ways and Means, 2724.
- **(FRUIT):** in Com. of Ways and Means, 1776 (i).
- TRENT VALLEY CANAL, COMMISSIONERS' REP.:** M. for Rep. (Mr. Hughes) 1796 (i).
- **EXPEND.:** Ques. (Mr. Mulock) 687 (i).
- **in Com. of Sup.,** 4155, 5446, 6458 (ii).
- TRIENNIAL CLOTHING, MAN. INDIANS:** in Com. of Sup., 4853 (ii).
- Trust Corporation of Can. incorp. B. No. 96** (Mr. Davis, Alberta). 1^o, 2211; 2^o, 2328; in Com. and 3^o, 3602. (57-58 Vic., c. 115.)
- TUBERCULOSIS, LEGISLATION RESPECTING:** Ques. (Mr. Smith, Ont.) 80 (i).
- TURCOTTE, MR., M.P., AND GOVT. CONTRACTS:** Stmts. read (Mr. Bruneau) 2784, 2931 (i).
- TURCOTTE & PROVOST, CONTRACT, &c., FOR GROCERIES:** M. for Ret.* (Mr. Choquette) 2782 (i).
- **M. (Sir John Thompson)** to ref. to Com. on Priv. and Elec., 2934; agreed to (Y. 103, N. 69) 2936 (i).
- **2ND REP. OF COM. ON PRIV. AND ELEC.:** M. (Mr. Edgar) to summon Witnesses before Bar of House, 3866 (ii).
- **NON-ATTENDANCE OF WITNESSES:** M. (Sir John Thompson) Mr. Speaker to issue Warrant for Arrest, 4040 (ii).
- **4TH AND 5TH REPS. OF PRIV. AND ELEC. COM.:** presented (Mr. Girouard, Jacques Cartier) 5574.
- **4TH REP. OF COM. ON PRIV. AND ELEC.:** M. (Sir John Thompson) 5775 (ii).
- **CONC. IN 4TH REP.:** M. (Mr. Girouard, Jacques Cartier) 5887 (ii).
- **4TH REP. OF COM.:** (Mr. Girouard, Jacques Cartier) 5887 (ii).
- Deb. (Mr. Edgar)** 5990; (Mr. Masson) 5906; (Mr. Lister) 5912; (Mr. Bruneau) 5917 (ii).
- TWINE, HEMP:** in Com. of Ways and Means, 2664
- TYPE FOR PRINTING:** in Com. of Ways and Means, 2883 (i).
- UNCLAIMED BALANCES IN BANKS:** presented (Mr. Foster) 4039 (ii).

- UNIFORMS FOR CUSTOMS OFFICERS: Ques. (Mr. *Grieve*) 1118 (i).
- UNITED COUNTIES RT. CO.'S SUBSIDY: prop. Res. (Mr. *Haggart*) 6254; in Com. 6390 (ii).
- UNITED STATES ALIEN LABOUR LAW: Ques. (Mr. *Lowell*) 4307 (ii).
- AND DOM. COR., *re* PURSE-SEINING, &C.: Ques. (Mr. *Gillies*) 5233 (ii).
- CONGRESS, FRANKED MAIL MATTER: (Mr. *Gillmor*) 517 (i).
- &C., EXPORTS: M. for Ret. (Mr. *Charlton*) 453.
- UNPAID MAIL MATTER: M. for Cor.* (Mr. *Somerville*) 3162 (i).
- UNIVERSITY OF MAN., LAND GRANT: Ques. (Mr. *Martin*) 3091 (i).
- VACANCIES: Notification (Mr. Speaker) 1, 1335 (i).
- VACANCIES IN SENATE AND APPTS: Ques. (Sir *Richard Cartwright*) 288, 515 (i).
- VANCOUVER, VACANCY BY DECEASE: notification (Mr. Speaker) 1.
- VANKOUGHNET, LAWRENCE: Remarks *re* Return (Mr. *Mills, Bothwell*) 1033 (i).
- SUPERANNUATION: M. for Cor.* (Mr. *Mulock*) 1036 (i).
- VARNISHES, &C.: in Com. of Ways and Means, 2092.
- VASELINE, &C.: in Com. of Ways and Means, 2091 (i).
- VELVETS: in Com. of Ways and Means, 2645 (i).
- VERCHÈRES FISHING OVERSEER: Ques. (Mr. *Bruneau*) 3274 (ii).
- VESSELS, REPAIRS, FOR DREDGING: in Com. of Sup., 4607 (ii).
- VESSEL INSPECTION, MONTREAL: Ques. (Mr. *Lépine*) 2413 (i).
- VETERANS OF 1812: in Com. of Sup., 3501 (ii).
- VICTORIA (B.C.) GOVT. BUILDING: Ques. (Mr. *Martin*) 516 (i).
- "VICTORIA" CAR, REPAIRS, &C.: in Com. of Sup., 6458 (ii).
- VICTORIA, NEW POST OFFICE: in Com. of Sup., 6498 (ii).
- VILLIERS, LIEUT.-COL., CAUSE OF RETIREMENT: Ques. (Mr. *Hughes*) 369 (i).
- VINTON POSTMASTER, APMT. AND DISMISSAL: Ques. (Mr. *Fraser*) 2732 (i).
- VOLUNTEERS' GOOD SERVICE MEDALS: Ques. (Mr. *Fraser*) 1792 (i).
- OF 1837-38: Ques. (Mr. *McLennan*) 4192 (ii).
- VOTERS' LISTS, EXPENDITURE FOR PRINTING: Ques. (Mr. *Davies, P.E.I.*) 1795 (i).
- 1894, REVISION: Ques. (Mr. *Guay*) 2732 (i).
- Remarks (Mr. *Laurier*) 2786 (i), 5968 (ii).
- REVISION: in Com. of Sup., 3492 (ii).
- VOTERS' LISTS, REVISIONS SINCE 1885: Ques. (Mr. *Charlton*) 752, 1030 (i).
- Voting (Employees) at Elections B. No. 87 (Mr. *Rider*). 1°, 1564 (i).
- WASHINGTON, SENATOR SANFORD'S VISIT: Ques. (Mr. *Landerkin*) 286, 288 (i).
- WATCH CASES: in Com. of Ways and Means, 2515 (i).
- WATER POWER PRIVILEGES, CHAUDIÈRE FALLS: Ques. (Mr. *Casey*) 2622 (i).
- WAYS AND MEANS—prop. Res. (Sir *John Thompson*) for Com., 126 (i).
- BUDGET, THE, Annual Stmt. (Mr. *Foster*) 182.
- Reply (Sir *Richard Cartwright*) 291.
- Amt. (Sir *Richard Cartwright*) 336; neg. (Y. 72, N. 128) 1326 (i).
- TARIFF, THE:
- Resolutions presented (Mr. *Foster*) 247 (i).
- Amended Res. presented (Mr. *Foster*) 1322 (i).
- Debate on Amt. of Sir *Richard Cartwright*: (Mr. *Haggart*) 337; (Mr. *Puterson, Brant*) 350; (Mr. *Wallace*) 349; (Mr. *Charlton*) 387; (Mr. *Wood, Brockville*) 413; (Mr. *McMullen*) 425; (Mr. *Hazen*) 454; (Mr. *Landerkin*) 479; (Mr. *Haslam*) 497; (Mr. *Perry*) 503; (Mr. *Davin*) 522; (Mr. *Macdonald, Huron*) 536; (Mr. *McInerney*) 559; (Mr. *Carroll*) 579; (Mr. *Semple*) 589; (Mr. *Sproule*) 599; (Mr. *McMillan*) 620; (Mr. *Smith, Ontario*) 640; (Mr. *Rinfret*) 646; (Mr. *Fréchette*) 656; (Mr. *Forbes*) 683; (Mr. *Belley*) 688; (Mr. *Bruneau*) 697; (Mr. *Campbell*) 709; (Mr. *Amyot*) 721; (Mr. *Monet*) 742; (Mr. *Mills, Bothwell*) 751; (Mr. *Bennett*) 792; (Mr. *O'Brien*) 810; (Mr. *Craig*) 818; (Mr. *Duncan*) 826; (Mr. *Maclean, York*) 848; (Mr. *Davies, P.E.I.*) 860; (Sir *Charles Hibbert Tupper*) 894; (Mr. *Borden*) 924; (Sir *James Grant*) 952; (Mr. *Martin*) 966; (Mr. *Metcalf*) 999; (Mr. *Edgar*) 1011; (Mr. *McDonald, Assiniboia*) 1020; (Mr. *Béchar*) 1037; (Mr. *Pelletier*) 1048; (Mr. *Taylor*) 1057; (Mr. *Casey*) 1074; (Mr. *Boyd*) 1093; (Mr. *Fauvel*) 1101; (Mr. *Girouard, Two Mountains*) 1107; (Mr. *Cockburn*) 1120; (Mr. *Christie*) 1136; (Mr. *Northrup*) 1138; (Mr. *McCarthy*) 1151; (Mr. *Mason*) 1188; (Mr. *Edwards*) 1202; (Mr. *Carpill*) 1207; (Mr. *Laurier*) 1224; (Mr. *Montague*) 1245; (Mr. *Fraser*) 1273; (Mr. *Kenny*) 1296; (Mr. *Rider*) 1309; (Mr. *Prior*) 1318 (i).
- IN COM.:
- Res. 1 (Customs Acts Amts., definitions, &c.) 1327-139 (i).
- Res. 3 (*Tariff Changes*):
- [Only subjects which caused remark or discussion noted under this head.]
- (Acids, &c.) 1949; (Albumenized paper) 1896; (Apples) 1504; (Apples, dried) 1780; (Articles for use of Govt.) 2637; (Axes, &c.) 2794; (Bananas) 2689; (Barbed wire) 2394; (Barrels, containing petroleum) 2090; (Beeswax) 1498; (Blackberries, &c.) 1730; (Blacking, shoe) 2091; (Books, &c.) 1903; (Books, &c., prohibited) 2995; (Brass and copper nails) 2512; (Breadstuffs, &c.) 1551; (British gum) 2089; (Buckthorn fencing of iron or steel) 2396; (Buckwheat, &c.) 1505; (Buttons of hoof) 2682; (Buttons, pearl) 2682; (Cane, reed or rattan) 2826; (Carboys and demijohns) 3095; (Carpets, three-ply) 3066; (Carpets, two-ply) 3065; (Celluloid) 2821; (Cement, Portland, &c.) 2121; (Champagne and wines) 1473; (Chrome steel) 2514; (Clapboards, pine) 2869; (Clothing for women and children) 3066 (i); (Coal, bituminous) 3570 (ii); (Coal oil) 2223; (Cocoa paste) 3468; (Cocoa paste, chocolate) 1734; (Codfish) 2685; (Coffee, green) 1783, 2876; (Coffins and caskets) 2399; (Copper wire) 2514; (Copyright works, British) 1927; (Cordage) 2652; (Corset clasps, &c.) 2398; (Corset eyelets) 2723; (Cotton, bleached) 2554; (Cotton clothing, &c.) 2828; (Cotton, dyed or coloured) 2555; (Cotton manufactures) 2828; (Cotton sewing thread) 2649;

WAYS AND MEANS—THE TARIFF—*Con.*IN COM.—*Continued.*

(Cotton twine and cordage) 2661; (Cotton, unbleached) 2533; (Cotton warps) 2532; (Cotton, xylonite, &c., collars) 2558; (Damask) 2666; (Diamonds) 2687; (Drain tiles) 2094; (Earthenware) 2093; (Earthenware jugs, &c.) 2220 (i); (Eggs) 3572 (ii); (Emery wheels) 2516; (Enamelled iron or steel wire) 2513; (Farm and freight wagons) 2399; (Fertilizers) 2683; (Firewood, handle bolts, &c.) 2945; (Fish, fresh and dried) 2688; (Fish-plates, railway) 2508; (Fish, pickled or salted) 2685; (Flax) 2688; (Flax seed) 2722 (i); (Frames, clasps, &c.) 5848 (ii); (Fruits, &c.) 2218 (i); (Glass bulbs) 5848 (ii); (Grapes) 1731; (Grindstones) 2125; (Glue and mucilage) 1572; (Goods, unenumerated) 2684; (Guns, &c., cartridges) 2684; (Herrings, pickled) 2684; (Hides and skins) 2689 (i); (Horse clothing) 5848 (ii); (Hubs and wheels, &c.) 2969; (Indian corn) 1540, 2690; (India-rubber boots and shoes) 2125; (India-rubber clothing) 2129; (Insulators, &c.) 2095; (Iron forgings) 2505; (Iron nuts, wrought, &c.) 2531; (Iron or steel angles) 2505; (Iron or steel bars) 2504; (Iron or steel beams) 2692 (i); (Iron or steel hoops) 3571 (ii); (Iron or steel, manufactured) 2694; (Iron or steel tubing) 2516; (Iron, pig) 2376, 2391; (Iron pipes, wrought) 2530; (Iron, steel wrought and scrap) 2342; (Iron, structural work) 2507; (Iron tubes, rolled not welded) 2997; (Laces, &c.) 2648; (Lamp chimneys) 2095 (i); (Lamp springs) 5848 (ii); (Lard and cottolene) 1493; (Lead bars, &c.) 2397, 2513; (Lead pipe) 2512; (Leather) 3022; (Linseed-oil) 2090; (Live hogs) 1481; (Logs, round, &c.) 2330 (i); (Log-wood, ground, &c.) 5849 (ii); (Lumber and timber planks, &c.) 2996; (Mackerel) 2684; (Malt, excise) 3002 (i); (Maple sugar) 5848 (ii); (Maps and charts) 1927; (Medicinal preparations) 1949; (Milk, condensed) 1502; (Mining machinery) 3069; (Musical instruments) 2403; (Mutton and lamb) 1487; (Newspapers, &c.) 2722; (Nitro-glycerine) 3026; (Nuts, shelled) 1734; (Oatmeal) 1715; (Oats) 1563; (Olive oil) 2090; (Opium, crude) 1476; (Oranges and lemons) 1731; (Oysters) 2685; (Paintings, &c.) 1928; (Paints and colours) 2091; (Paper hangings) 1928; (Paris green) 2002; (Paraffine wax) 2069; (Peaches) 1732; (Petroleum, crude) 2287; (Photographic dry plates) 2683; (Pianofortes, &c.) 2403; (Plaster of Paris) 2222; (Potatoes) 1504; (Powder for blasting, &c.) 3025; (Powder for cannon, &c.) 3026; (Proof and proof spirits) 1328; (Putty) 2993; Railway cars, sleighs, &c.) 2402; (Rice and sago flour) 1738; (Rice, cleaned) 1733, 3575; (Rice, uncleaned) 1716; (Rolled iron or steel angles) 2820; (Rovings) 2662; (Plumbago) 3024; (Salmon, pickled) 2685; (Salt, in bags, &c.) 3026; (Sails) 2666; (Salt) 2999; (Sawlogs) 2945; (Seeds, &c.) 1776; (Sewing machines) 2296; (Sheet metals) 1330; (Shingles) 3025; (Shirts) 3064; (Shoe buttons) 2723; (Shovels, spades, &c.) 2317; (Slate pencils) 2223; (Slates, roofing, &c.) 2223, 3068; (Soap, &c.) 1498; (Spectacles) 2120; (Starch, &c.) 1773; (Staves of woods) 2989; (Stearine) 1497, 2212; (Steel rails) 3069; (Stereotypes, &c.) 2821; (Sugar above 16 Dutch standard) 2403; (Syrups) 2408; (Tacks, shoe and cut) 2511; (Tarred paper) 1948; (Tea) 2076 (i); (Tea, adulterated) 5850 (ii); (Tea and green coffee) 3000; (Timber, or timber manufactured) 3025; (Trees, forest) 2724; (Trees, fruit) 1776; (Twine of hemp) 2664;

WAYS AND MEANS—THE TARIFF—*Con.*IN COM.—*Continued.*

(Types, printing) 2393; (Varnishes, &c.) 2092; (Vaseline, &c.) 2091; (Velvets) 2645; (Watch cases) 2515; (Wheat) 1739; (Window glass, &c.) 2120; (Window shades) 3064 (i), 3330 (ii); (Wire cloth) 2514 (i); (Wire, galvanized iron) 3580 (ii); (Wire nails) 2508; (Wood, unmanufactured) 2889; (Wood pulp) 2515; (Wool) 2667; (Wool clothing) 3063; (Wool fabrics) 3058; (Wool manufactures) 3022, 3052; (Yarns, woollen) 3059 (i).

Resolutions read the first time, 3971, 4034, 4037, 6032 (ii).

CONCURRENCE, 3971, 4034, 6063:

(Acetic acid, glacial, &c.) 4017; (Admiralty charts) 4030; (Agricultural implements) 4019; (Animals and their products) 4016; (Barley) 4014; (Carpets, ingrain) 4028; (Corn, Indian) 4015; (Eggs) 4016, 4063; (Fire-bricks) 4030; (Flour, rye) 4014; (Iron, steel or brass manufactures) 4030; Lard, cottolene, &c.) 4014; (Medicinal preparations, &c.) 4017; (Opium, crude) 4013; (Plate glass, not coloured) 4018; (Salmon, &c.) 4028; (Shovels, &c.) 4018; (Steel rails) 4031; (Surgical dressings) 4028; (Tea and coffee, green) 4032; (Tomatoes, fresh) 4016; (Travellers' baggage) 4029; (Wire, iron or steel) 4063 (ii).

[See "Customs Consolid. Acts."]

Weights and Measures Act Amt. B. No. 19 (Mr. Wilson). 1^o, 447 (i).

WEIGHTS AND MEASURES AND GAS, REP.: presented (Mr. Wood, Brockville) 5465 (ii).

— in Com. of Sup., 4770 (ii).

— INSPECTOR, N. W. T.: Ques. (Mr. Martin) 2871.

WELLAND CANAL: in Com. of Sup., 4154, 4160, 5450, 6458 (ii).

— REFUND TO CAPT. MANSON: in Com. of Sup., 5452 (ii).

Welland Power and Supply Canal Co.'s incorp. B. No. 49 (Mr. McKay). 1^o, 841; 2^o, 1151; in Com., 2724, 3043; 3^o, 3051. (57-58 Vic., c. 102.)

WELLINGTON STREET AND G. T. R. BRIDGES: Ques. (Mr. Mulock) 3091 (i).

WEST HASTINGS, RESIGNATION OF MR. CORBY: 4811 (ii).

— RET. OF MEMBER: Notification (Mr. Speaker) 5368 (ii).

— WRIT ISSUED FOR NEW ELECTION: (Mr. Speaker) 4887 (ii).

WESTON (N. B.) P. O., ESTABLISHMENT: Ques. (Mr. Colter) 520 (i).

WESTPOINT PIER, P. E. I., REBUILDING: Ques. (Mr. Perry) 2734 (i).

WEST RIDEAU LAKE, FLOODING OF LANDS: Ques. (Mr. Dawson) 1220 (i).

WEST SHEFFORD POST OFFICE, CLOSING: Ques. (Mr. Sanborn) 2732 (i).

WHEAT: in Com. of Ways and Means, 1739 (i).

WHITELY, W. H., FISHERY WARDEN ON LABRADOR COAST: Ques. (Mr. Lavergne) 5691 (ii).

WINDOW GLASS, &c.: in Com. of Ways and Means, 2120 (i).

- WINDOW SHADES : in Com. of Ways and Means, 3064.
- WILLIAMSBURG CANAL, STAFF : in Com. of Sup., 5453.
- SUPERINTENDENT : Ques. (Mr. *Landerkin*) 285.
- Ques. (Mr. *Somerville*) 2135 (i).
- WILLIAMS HEAD QUARANTINE, IN WHARF : in Com. of Sup., 5458 (ii).
- "WILLIE MCGOWAN," SEIZURE BY RUSSIANS : M. for Cor. (Mr. *McDougall*, *Cape Breton*) 1570 (i).
- Winnipeg Great Northern Ry. Co.'s B. No. 22 (Mr. *Ross*, *Lisgar*). 1^o, 596 ; 2^o, 721 ; in Com. and 3^o, 2412. (57-58 *Vic.*, c. 94.)
- WINNIPEG, MEMBER FOR : Objection (Mr. *Mills*, *Bothwell*) to Ques., 1565 (i).
- WINNIPEG "STANDARD" GOVT. ADVERTISING : Ques. (Mr. *Martin*) 754, 841 (i).
- WINNIPEG, VACANCY BY RESIGNATION : Notification (Mr. *Speaker*)
- WINTER SERVICE, P. E. I. AND MAINLAND : M. for Ret. (Mr. *Perry*) 4495 (ii).
- WIRE CLOTH : in Com. of Ways and Means, 2514 (i).
- WIRE, GALVANIZED IRON : in Com. of Ways and Means, 3580 (ii).
- WIRE, IRON OR STEEL : conc., 4033 (ii).
- WIRE NAILS : in Com. of Ways and Means, 2508 (i).
- WITNESSES ON OATH, EXAMINATION : Amt. (Sir *Richard Cartwright*) to Com. of Ways and Means, 1079 ; withdn., 1856 (i).
- Witnesses on Oath (Examination) B. No. 90 (Mr. *Mulock*). 1^o, 1786 ; M. (Sir *John Thompson*) to transfer to Govt. Orders, 2075 ; 2^o and in Com. and 3^o, 2624. (57-58 *Vic.*, c. 16.)
- Wolseley and Fort Qu'Appelle Ry. Co.'s incorp. B. No. 102 (Mr. *Davin*). 1^o, 2289 ; 2^o, 3089 ; in Com. and 3^o, 4027. (57-58 *Vic.*, c. 95.)
- WOMEN'S PROTECTIVE SOCIETY : in Com. of Sup., 4801 (ii).
- WOOD, A. F., GOVERNMENT VALUATOR, SUMS PAID : M. for Ret.* (Mr. *McMullen*) 453 (i).
- WOOD ISLANDS BREAKWATERS, REPAIRS, &c. : in Com. of Sup., 4465 (ii).
- Wood Mountain and Qu'Appelle Ry. Co.'s B. No. 20 (Mr. *McDonald*, *Assiniboia*). 1^o, 596 ; 2^o, 721 ; in Com. and 3^o, 1396. (57-58 *Vic.*, c. 96.)
- WOOD PULP : in Com. of Ways and Means, 2515 (i).
- WOODSTOCK AND CENTREVILLE RY. CO.'S SUBSIDY : prop. Res. (Sir *John Thompson*) 6052 (ii).
- WOODSTOCK AND ELGIN EXPERIMENTAL CREAMERIES : M. for Ret.* (Mr. *McMullen*) 451 (i).
- WOODSTOCK (N.B.) PREVENTIVE OFFICER : Ques. (Mr. *Davies*, *P. E. I.*) 2133 (i).
- WOOD, UNMANUFACTURED : in Com. of Ways and Means, 2989 (i).
- WOOL CLOTHING : in Com. of Ways and Means, 3063.
- FABRICS : in Com. of Ways and Means, 3058.
- in Com. of Ways and Means, 2667 (i).
- MANUFACTURES : in Com. of Ways and Means, 3028, 3052 (i).
- WRIGHT, J. B., M. D., V. S., COR. *re* CATTLE INSPECTION : M. for Cor. (Mr. *Mulock*) 2424 (i).
- WRITS OF ELECTION : Remarks (Mr. *Speaker*) 6046.
- YAMACHICHE WHARF, AMOUNT PAID FOR CONSTRUCTION : Ques. (Mr. *Legris*) 946 (i).
- DAMAGE AND REPAIRS : Ques. (Mr. *Legris*) 3765 (ii).
- YAMASKA RIVER DAM, COST OF CONSTRUCTION : M. for Stmt. (Mr. *Laurier*) 1575 (i).
- OBSTRUCTION TO NAVIGATION : Ques. (Mr. *Mignault*) 4888 (ii).
- Yarmouth and Annapolis Ry. See "DOMINION."
- YARMOUTH BREAKWATER, DREDGING : in Com. of Sup., 4448 (ii).
- YARNS, WOOLLEN : in Com. of Ways and Means, 3059 (i).
- YEAR-BOOK AND STATISTICAL RECORD : in Com. of Sup., 4126, 5462 (ii).
- DELAY IN PUBLICATION : Ques. (Mr. *Cockburn*) 289 (i).
- YORK, B. L., INCREASE IN SALARY : in Com. of Sup., 6233 (ii).
- Youthful Offenders (Arrest, Trial, &c.) B. No. 112 (Sir *John Thompson*). 1^o, 2783 ; 2^o and in Com., 4940 ; 3^o, 4941. (57-58 *Vic.*, c. 53.)
- See "JUVENILE."